

HOUSE BILL 227

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

Jason C. Harper and Andrea Romero and Christine Chandler

AN ACT

RELATING TO PUBLIC SCHOOL PERSONNEL; RESTRICTING THE USE OF  
TEACHER ATTENDANCE IN TEACHER EVALUATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-10A-19 NMSA 1978 (being Laws 2003,  
Chapter 153, Section 50, as amended) is amended to read:

"22-10A-19. TEACHERS AND SCHOOL PRINCIPALS--  
ACCOUNTABILITY--EVALUATIONS--SICK LEAVE--PROFESSIONAL  
DEVELOPMENT--PEER INTERVENTION--MENTORING.--

A. The department shall adopt criteria and minimum  
highly objective uniform statewide standards of evaluation for  
the annual performance evaluation of licensed school employees.  
The professional development plan for teachers shall include  
documentation on how a teacher who receives professional  
development that has been required or offered by the state or a

.212368.1

underscoring material = new  
[bracketed material] = delete

underscoring material = new  
~~[bracketed material] = delete~~

1 school district or charter school incorporates the results of  
2 that professional development in the classroom.

3 B. The local superintendent shall adopt policies,  
4 guidelines and procedures for the performance evaluation  
5 process. Evaluation by other school employees shall be one  
6 component of the evaluation tool for school administrators. A  
7 teacher's use of personal leave and up to ten days of sick  
8 leave shall not affect that teacher's annual performance  
9 evaluation; provided that the leave is used consistently with  
10 the policy of the local school board or the governing body of  
11 the charter school that employs that teacher. An annual  
12 performance evaluation may reflect the lowest score with  
13 respect to teacher attendance for a teacher who is determined  
14 by a school district or charter school to be using sick leave  
15 days in a manner inconsistent with a local school board policy,  
16 charter school governing council policy, administrative  
17 regulation or an applicable collective bargaining agreement.

18 C. As part of the highly objective uniform  
19 statewide standard of evaluation for teachers, the school  
20 principal shall observe each teacher's classroom practice to  
21 determine the teacher's ability to demonstrate state-adopted  
22 competencies.

23 D. At the beginning of each school year, teachers  
24 and school principals shall devise professional development  
25 plans for the coming year, and performance evaluations shall be

.212368.1

underscoring material = new  
~~[bracketed material] = delete~~

1 based in part on how well the professional development plan was  
2 carried out.

3 E. If a level two or three-A teacher's performance  
4 evaluation indicates less than satisfactory performance and  
5 competency, the school principal may require the teacher to  
6 undergo peer intervention, including mentoring, for a period  
7 the school principal deems necessary. If the teacher is unable  
8 to demonstrate satisfactory performance and competency by the  
9 end of the period, the peer interveners may recommend  
10 termination of the teacher.

11 F. At least every two years, school principals  
12 shall attend a training program approved by the department to  
13 improve their evaluation, administrative and instructional  
14 leadership skills."