

HOUSE BILL 472

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

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AN ACT

RELATING TO SCHOOL PERSONNEL; ENACTING THE CAREER TECHNICAL
EDUCATION COMMUNITY EDUCATORS ACT; ALLOWING THE LICENSURE AND
CONTRACTING OF CAREER TECHNICAL EDUCATION COMMUNITY EDUCATORS;
REQUIRING SATISFACTORY CLEARANCE OF FINGERPRINT-BASED
BACKGROUND CHECKS AND PARTICIPATION IN THE PERFORMANCE
EVALUATION PROCESS; ALLOWING FOR A TERMINATION OF CONTRACT;
EXEMPTING CAREER TECHNICAL EDUCATION COMMUNITY EDUCATORS FROM
THE PROVISIONS OF THE EDUCATIONAL RETIREMENT ACT, THE PUBLIC
EMPLOYEES RETIREMENT ACT AND THE DEFERRED COMPENSATION ACT.

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

SECTION 1. A new section of the Public School Code is
enacted to read:

"[NEW MATERIAL] SHORT TITLE.--This act may be cited as the
"Career Technical Education Community Educators Act"."

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1 SECTION 2. A new section of the Public School Code is
2 enacted to read:

3 "[NEW MATERIAL] DEFINITION.--As used in the Career
4 Technical Education Community Educators Act, "community
5 educator" means a person licensed by the department to teach a
6 career technical education course as a community educator at a
7 public school."

8 SECTION 3. A new section of the Public School Code is
9 enacted to read:

10 "[NEW MATERIAL] LICENSURE OF COMMUNITY EDUCATORS--
11 ELIGIBILITY FOR LICENSURE.--The department may license a person
12 as a community educator who:

13 A. has earned an industry-recognized credential,
14 earned at least a bachelor's degree or holds a state recognized
15 license in each area of subject-matter expertise in which the
16 community educator will teach;

17 B. has a minimum of three years experience in each
18 area of subject-matter expertise in which the community
19 educator will teach; and

20 C. completes a department-approved pedagogy course
21 provided by the department, a public post-secondary educational
22 institution, a school district or regional education
23 cooperative in conjunction with a New Mexico public post-
24 secondary educational institution or another provider approved
25 by the department pursuant to Section 22-10A-7 NMSA 1978."

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1 SECTION 4. A new section of the Public School Code is
2 enacted to read:

3 "[NEW MATERIAL] COMMUNITY EDUCATOR CONTRACT FOR SERVICES--
4 SALARY--TERMINATION OF CONTRACT.--

5 A. A contract for services offered to a community
6 educator shall provide that the community educator render
7 services to students in grades seven through twelve only.

8 B. The amount of compensation to be received by the
9 community educator shall be commensurate with the salary of a
10 first-year teacher employed by the school district or charter
11 school in which the community educator is teaching, prorated
12 for the community educator's workload.

13 C. The contract for services shall specify that the
14 community educator is ineligible for:

15 (1) health plan benefits;
16 (2) the accrual of service credit or employee
17 or employer contributions under any coverage plan pursuant to
18 the Educational Retirement Act, the Public Employees Retirement
19 Act or the Deferred Compensation Act;

20 (3) any compensation other than the amount
21 specified in the contract for services; and

22 (4) tenure under any law or rule or tenure
23 under any agreement to which the community educator is not an
24 individually named party.

25 D. A local superintendent or the head administrator

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1 of a charter school may terminate the contract for services
2 without cause at any time during the contract period.

3 E. A local school board or a governing body of a
4 charter school may include in the contract for services
5 additional terms not in contravention of the Career Technical
6 Education Community Educators Act."

7 SECTION 5. A new section of the Public School Code is
8 enacted to read:

9 "[NEW MATERIAL] APPLICABILITY OF SCHOOL PERSONNEL ACT--
10 BACKGROUND CHECKS--PERFORMANCE EVALUATIONS AND SALARY.--

11 A. Community educators shall:

12 (1) satisfactorily clear a fingerprint-based
13 background check in the same manner as licensed school
14 employees pursuant to Section 22-10A-5 NMSA 1978; and

15 (2) participate in the performance evaluation
16 process in the same manner as licensed school employees
17 pursuant to Section 22-10A-19 NMSA 1978.

18 B. The provisions of the School Personnel Act shall
19 apply to community educators.

20 C. The community educator shall provide services
21 not to exceed one-half of a full-time teacher's workload.

22 D. A local school board or a governing body of a
23 charter school shall not have more than ten percent of any
24 school's classes taught by community educators."

25 SECTION 6. EFFECTIVE DATE.--The effective date of the
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1 provisions of this act is July 1, 2023.

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