

HOUSE BILL 195

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Joy Garratt

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO SCHOOL PERSONNEL; PROVIDING A TIERED SALARY SYSTEM FOR SCHOOL NURSES; PROVIDING MINIMUM SALARIES AT THE SAME RATE AS TEACHERS; CREATING A PROGRAM UNIT FOR NATIONAL BOARD CERTIFICATION OF CERTAIN REGISTERED NURSES HEC→; **MAKING AN APPROPRIATION**←HEC .

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

SECTION 1. Section 22-8-18 NMSA 1978 (being Laws 1974,

.229319.2AIC February 21, 2025 (5:35pm)

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Chapter 8, Section 8, as amended) is amended to read:

"22-8-18. PROGRAM COST CALCULATION--LOCAL
RESPONSIBILITY.--

A. The total program units for the purpose of computing the program cost shall be calculated by multiplying the sum of the program units itemized as Paragraphs (1) and (2) in this subsection by the staffing cost multiplier and adding the program units itemized as Paragraphs (3) through [~~(15)~~] (16) in this subsection. The itemized program units are as follows:

- (1) early childhood education;
- (2) basic education;
- (3) special education, adjusted by subtracting the units derived from membership in class D special education programs in private, nonsectarian, nonprofit training centers;
- (4) bilingual multicultural education;
- (5) fine arts education;
- (6) elementary physical education;
- (7) size adjustment;
- (8) at-risk;
- (9) enrollment growth or new district adjustment;
- (10) special education units derived from membership in class D special education programs in private, nonsectarian, nonprofit training centers;

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(11) national board for professional teaching standards certification;

(12) home school student;

(13) home school student activities;

(14) charter school student activities; [~~and~~]

(15) K-12 plus; and

(16) national board for certification of school nurses certification.

B. The total program cost calculated as prescribed in Subsection A of this section includes the cost of early childhood, special, bilingual multicultural, fine arts and vocational education and other remedial or enrichment programs. It is the responsibility of the local school board or governing body of a charter school to determine its priorities in terms of the needs of the community served by that board. Except as otherwise provided in this section, funds generated under the Public School Finance Act are discretionary to local school boards and governing bodies of charter schools; provided that the special program needs as enumerated in this section are met; and provided further that the department shall ensure that the local school board or governing body of a charter school is prioritizing resources for the public school toward proven programs and methods linked to improved student achievement."

SECTION 2. A new section of the Public School Finance Act is enacted to read:

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"[NEW MATERIAL] SCHOOL NURSES--CERTIFICATION BY NATIONAL BOARD FOR CERTIFICATION OF SCHOOL NURSES--PROGRAM UNITS.--The number of program units for licensed level two or level three school nurses who are registered nurses and who are certified by the national board for certification of school nurses is determined by multiplying by one and one-half the number of licensed school employees certified by the national board for certification of school nurses employed by the school district or charter school on or before the first reporting date of the school year and verified by the department. Department approval of these units shall be contingent on verification by the school district or charter school that these licensed school nurses hold certification by the national board for certification of school nurses and are receiving a one-time salary differential equal to or greater than the amount generated by the units multiplied by the program unit value during the fiscal year in which the school district or charter school will receive these units."

SECTION 3. A new section of the School Personnel Act is enacted to read:

"[NEW MATERIAL] SCHOOL NURSES--LEVEL ONE LICENSURE.--

A. A level one license is a provisional three-year license for beginning registered nurses who do not have at least three years of nursing experience satisfactory to the department prior to being licensed as a school nurse and that

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requires as a condition of licensure that the licensee undergo a formal mentorship program for at least one full school year and an annual intensive performance evaluation by a level three school nurse; provided that the department shall promulgate rules for mentorship and evaluation when a school district does not have a level three nurse. A registered nurse with at least three years of nursing experience satisfactory to the department is not required to serve as a level one school nurse.

B. Each school district, in accordance with department rules, shall provide for the mentorship and evaluation of level one school nurses. At the end of each year and at the end of the license period, the level one school nurse shall be evaluated for competency. If the school nurse fails to demonstrate satisfactory progress and competence annually, the school nurse may be terminated as provided in Section 22-10A-24 NMSA 1978. If the school nurse has not demonstrated satisfactory progress and competence by the end of the three-year period, the school nurse shall not be granted a level two license.

C. Except in exigent circumstances defined by department rule, a level one license shall not be extended beyond the initial period.

D. The department shall issue a standard level one license to an applicant who is at least eighteen years of age

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who:

(1) holds an associate or baccalaureate degree in nursing from an accredited educational institution;

(2) is licensed by the board of nursing as a registered nurse; and

(3) meets other qualifications for level one licensure, including clearance of the required background check.

E. The department shall establish competencies and qualifications for level one licensure.

F. The minimum salary for a level one school nurse is the same as that for a level one teacher for a standard nine and one-half month contract.

G. After the issuance of a license, a license holder shall not be required to meet changed requirements to maintain the license until such time as the license expires and the license holder seeks renewal of the license."

SECTION 4. A new section of the School Personnel Act is enacted to read:

"[NEW MATERIAL] SCHOOL NURSES--LEVEL TWO LICENSURE.--

A. A level two license is a nine-year license granted to a school nurse who is a registered nurse who holds a level one license or has at least three years of registered nursing experience satisfactory to the department and who meets the qualifications for level two licensure and who annually

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demonstrates essential competency to nurse. If a level two school nurse does not demonstrate essential competency in a given school year, the school district shall provide the school nurse with additional professional development and mentorship during the following school year. If by the end of that school year the school nurse fails to demonstrate essential competency, a school district may choose not to contract with the school nurse.

B. The department shall issue a level two license to an applicant who has served successfully as a school nurse at level one or who has at least three years of registered nursing experience or is granted reciprocity as provided by department rules. An applicant for a level two license shall:

(1) demonstrate essential competency required by the department as verified by the local superintendent through a highly objective uniform statewide standard of evaluation for school nurses; and

(2) meet other qualifications as required by the department.

C. The minimum salary for a level two school nurse is the same as that for a level two teacher for a standard nine and one-half month contract."

SECTION 5. A new section of the School Personnel Act is enacted to read:

"[NEW MATERIAL] SCHOOL NURSES--LEVEL THREE LICENSURE.--

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A. A level three license is a nine-year license granted to a school nurse who meets the qualifications for that level and who annually demonstrates nursing leadership competencies. If a level three school nurse does not demonstrate essential nursing leadership competency in a given school year, the school district shall provide the school nurse with additional professional development and mentorship during the following school year. If by the end of that school year the school nurse fails to demonstrate essential nursing leadership competency, a school district may choose not to contract with the school nurse.

B. The department shall grant a level three license to an applicant who:

(1) has been a level two school nurse for at least three years; HEC→or←HEC

(2) holds a post-baccalaureate degree or is certified by the national board for certification of school nurses; HEC→and←HEC

(3) demonstrates nursing leadership competence as required by the department and verified by the local superintendent through a highly objective uniform statewide standard of evaluation; and

(4) meets other qualifications for the license.

C. The minimum salary for a level three school

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nurse is the same as that for a level three-A teacher for a standard nine and one-half month contract."

HEC→SECTION 6. APPROPRIATION.--Two hundred fifty thousand dollars (\$250,000) is appropriated from the general fund to the public education department for expenditure in fiscal year 2026 to increase school nurse minimum salaries as provided in this act. Any unexpended or unencumbered balance remaining at the end of fiscal year 2026 shall revert to the general fund.←HEC