

HOUSE EDUCATION COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 481

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

AN ACT

RELATING TO PUBLIC EDUCATION; REQUIRING EVIDENCE OF TEACHER  
COMPETENCY FOR ADVANCEMENT IN THE THREE-TIER LICENSURE SYSTEM.

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

SECTION 1. Section 22-10A-10 NMSA 1978 (being Laws 2003,  
Chapter 153, Section 41, as amended by Laws 2005, Chapter 315,  
Section 7 and by Laws 2005, Chapter 316, Section 4) is amended  
to read:

"22-10A-10. LEVEL TWO LICENSURE.--

A. A level two license is a nine-year license  
granted to a teacher who meets the qualifications for that  
level and who annually demonstrates essential competency to  
teach. If a level two teacher does not demonstrate essential  
competency in a given school year, the school district shall  
provide the teacher with additional professional development

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1 and peer intervention during the following school year. If by  
2 the end of that school year the teacher fails to demonstrate  
3 essential competency, a school district may choose not to  
4 contract with the teacher to teach in the classroom.

5 B. The department shall issue a level two license  
6 to an applicant who successfully completes the level one  
7 license or is granted reciprocity as provided by department  
8 rules; demonstrates essential competency required by the  
9 department as verified by the local superintendent through the  
10 highly objective uniform statewide standard of evaluation; and  
11 ~~[meets other qualifications as required by the department]~~

12 (1) provides a professional development  
13 dossier that includes:

14 (a) evidence of competence, collected  
15 over multiple years;

16 (b) evidence that the teacher has met  
17 the competency requirements for advancement to the next higher  
18 level of licensure;

19 (c) the teacher's annual evaluations for  
20 each of the prior two years;

21 (d) the local superintendent's  
22 recommendation for the teacher's advancement to the next  
23 licensure level; and

24 (e) verification: 1) of the teacher's  
25 participation in the school district's formal mentorship

1 program; 2) of three years or more of successful level one  
2 teaching; and 3) that the professional development dossier  
3 contains the work product of the teacher, as affirmed by the  
4 local superintendent; or

5 (2) submits an electronic recording of moving  
6 images and sound depicting the following competencies according  
7 to level two licensure indicators as defined in department  
8 rule:

9 (a) an instruction competency strand  
10 demonstrating that the teacher: 1) accurately demonstrates  
11 knowledge of the content area and approved curriculum; 2)  
12 appropriately uses a variety of teaching methods and resources  
13 for each subject the teacher instructs; and 3) effectively  
14 employs student assessment techniques and procedures;

15 (b) a student learning competency strand  
16 demonstrating that the teacher: 1) communicates with and  
17 obtains feedback from students in a manner that enhances  
18 student learning and understanding; 2) comprehends the  
19 principles of student growth, development and learning and  
20 applies them appropriately; 3) manages the educational setting  
21 in a manner that promotes positive student behavior and a safe  
22 and healthy environment; and 4) recognizes student diversity  
23 and creates an atmosphere conducive to the promotion of  
24 positive student involvement and self-concept; and

25 (c) a professional learning competency

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1 strand demonstrating that the teacher: 1) demonstrates a  
2 willingness to examine and implement change, as appropriate;  
3 and 2) works productively with colleagues, parents and  
4 community members; or

5 (3) receives:

6 (a) one of the two highest teacher  
7 evaluation ratings after teaching for three years with a level  
8 one license; or

9 (b) a satisfactory teacher evaluation  
10 rating after teaching for five years with a level one license.

11 C. The department shall provide for qualifications  
12 for specific grade levels, types and subject areas of level two  
13 licensure, including early childhood, elementary, middle,  
14 secondary, special education and vocational education.

15 D. With the adoption by the department of the  
16 statewide objective performance evaluation for level two  
17 teachers, the minimum salary for a level two teacher for a  
18 standard nine and one-half month contract shall be as follows:

19 (1) for the 2003-2004 school year,  
20 thirty thousand dollars (\$30,000);

21 (2) for the 2004-2005 school year,  
22 thirty-five thousand dollars (\$35,000); and

23 (3) for the 2005-2006 school year,  
24 forty thousand dollars (\$40,000)."

25 SECTION 2. Section 22-10A-11 NMSA 1978 (being Laws 2003,

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1 Chapter 153, Section 42, as amended) is amended to read:

2 "22-10A-11. LEVEL THREE LICENSURE--TRACKS FOR TEACHERS,  
3 COUNSELORS AND SCHOOL ADMINISTRATORS.--

4 A. A level three-A license is a nine-year license  
5 granted to a teacher who meets the qualifications for that  
6 level and who annually demonstrates instructional leader  
7 competencies. If a level three-A teacher does not demonstrate  
8 essential competency in a given school year, the school  
9 district shall provide the teacher with additional professional  
10 development and peer intervention during the following school  
11 year. If by the end of that school year the teacher fails to  
12 demonstrate essential competency, a school district may choose  
13 not to contract with the teacher to teach in the classroom.

14 B. The department shall grant a level three-A  
15 license to an applicant who has been a level two teacher for at  
16 least three years and holds a [~~post-baccalaureate degree or~~]  
17 national board for professional teaching standards  
18 certification or:

19 (1) holds a post-baccalaureate degree; and

20 (2) demonstrates instructional leader  
21 competence as required by the department and verified by the  
22 local superintendent through the highly objective uniform  
23 statewide standard of evaluation; and [~~meets other~~  
24 ~~qualifications for the license~~] one of the following:

25 (3) provides a professional development

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1 dossier that includes:

2 (a) evidence of competence, collected  
3 over multiple years;

4 (b) evidence that the teacher has met  
5 the competency requirements for advancement to the next higher  
6 level of licensure;

7 (c) the teacher's annual evaluations for  
8 each of the prior two years;

9 (d) the local superintendent's  
10 recommendation for the teacher's advancement to the next  
11 licensure level; and

12 (e) verification: 1) of a post-  
13 baccalaureate degree; 2) of three years or more of successful  
14 level two teaching experience; and 3) that the professional  
15 development dossier contains the work product of the teacher,  
16 as affirmed by the local superintendent; or

17 (4) submits an electronic recording of moving  
18 images and sound depicting the following competencies according  
19 to level three licensure indicators as defined in department  
20 rule:

21 (a) an instruction competency strand  
22 demonstrating that the teacher: 1) accurately demonstrates  
23 knowledge of the content area and approved curriculum; 2)  
24 appropriately uses a variety of teaching methods and resources  
25 for each subject the teacher instructs; and 3) effectively

1 employs student assessment techniques and procedures;

2 (b) a student learning competency strand  
3 demonstrating that the teacher: 1) communicates with and  
4 obtains feedback from students in a manner that enhances  
5 student learning and understanding; 2) comprehends the  
6 principles of student growth, development and learning and  
7 applies them appropriately; 3) manages the educational setting  
8 in a manner that promotes positive student behavior and a safe  
9 and healthy environment; and 4) recognizes student diversity  
10 and creates an atmosphere conducive to the promotion of  
11 positive student involvement and self-concept; and

12 (c) a professional learning competency  
13 strand demonstrating that the teacher: 1) demonstrates a  
14 willingness to examine and implement change, as appropriate;  
15 and 2) works productively with colleagues, parents and  
16 community members; or

17 (5) receives the highest teacher evaluation  
18 rating for at least two of the prior three years.

19 C. With the adoption by the department of a highly  
20 objective uniform statewide standard of evaluation for level  
21 three-A teachers, the minimum salary for a level three-A  
22 teacher for a standard nine and one-half month contract shall  
23 be as follows:

24 (1) for the 2003-2004 school year, thirty  
25 thousand dollars (\$30,000);

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1 (2) for the 2004-2005 school year,  
2 thirty-five thousand dollars (\$35,000);

3 (3) for the 2005-2006 school year, forty  
4 thousand dollars (\$40,000);

5 (4) for the 2006-2007 school year,  
6 forty-five thousand dollars (\$45,000); and

7 (5) for the 2007-2008 school year, fifty  
8 thousand dollars (\$50,000).

9 D. A level three-B license is a nine-year license  
10 granted to a school administrator who meets the qualifications  
11 for that level. Licenses may be renewed upon satisfactory  
12 annual demonstration of instructional leader and administrative  
13 competency.

14 E. The department shall grant a level three-B  
15 license to an applicant who:

16 (1) holds a level two license and meets the  
17 requirements for a level three-A license or who holds a current  
18 level two teacher's license and, for at least four years, has  
19 held the highest-ranked counselor license as provided in  
20 Chapter 22, Article 10A NMSA 1978 and rules promulgated by the  
21 department;

22 (2) holds a post-baccalaureate degree or  
23 national board for professional teaching standards  
24 certification;

25 (3) has satisfactorily completed department-

1 approved courses in administration and a department-approved  
2 administration apprenticeship program; and

3 (4) demonstrates instructional leader  
4 competence required by the department and verified by the local  
5 superintendent through the highly objective uniform statewide  
6 standard of evaluation.

7 F. Beginning with the 2007-2008 school year, the  
8 minimum annual salary for a level three-B school principal or  
9 assistant school principal shall be fifty thousand dollars  
10 (\$50,000) multiplied by the applicable responsibility factor.

11 G. By the beginning of the 2008-2009 school year,  
12 the department shall adopt a highly objective uniform statewide  
13 standard of evaluation, which includes data sources linked to  
14 student achievement and educational plan for student success  
15 progress, for level three-B school principals and assistant  
16 school principals and rules for the implementation of that  
17 evaluation system linked to the level of responsibility at each  
18 school level."

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

21 "[NEW MATERIAL] DEFINITION--COMPETENCY REQUIREMENTS FOR  
22 ADVANCEMENT.--As used in the School Personnel Act, "competency  
23 requirements for advancement" includes:

24 A. an instruction strand that includes evidence  
25 developed through certification by the national board for

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1 professional teaching standards or:

- 2 (1) evidence of student learning;
- 3 (2) assessment techniques and procedures;
- 4 (3) instructional plans and materials;
- 5 (4) examples of student work and performance;

6 and

7 (5) evidence of implementation of the state  
8 standards for each grade level and subject area pursuant to  
9 Section 22-13-1.6 NMSA 1978;

10 B. a student learning strand that:

11 (1) includes evidence developed through  
12 certification by the national board for professional teaching  
13 standards or:

- 14 (a) evidence of adaptations or  
15 modifications for diverse learners;
- 16 (b) evidence of effective classroom  
17 management strategies and procedures;
- 18 (c) classroom observation reports; and
- 19 (d) evidence of communication with  
20 students and parents; and

21 (2) may include:

- 22 (a) student surveys; or
- 23 (b) videos with reflections and  
24 analysis; and

25 C. a professional learning strand that includes

1 evidence developed through certification by the national board  
2 for professional teaching standards or evidence of at least one  
3 of the following:

4 (1) professional development activities  
5 associated with the teacher's annual professional development  
6 plan;

7 (2) collaboration with the professional  
8 community;

9 (3) parent surveys;

10 (4) research publications; or

11 (5) professional presentations."

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