

April 9, 2015

HOUSE EXECUTIVE MESSAGE NO. 19

The Honorable Don L. Tripp, Speaker of the House and
Members of the House of Representatives
State Capitol Building
Santa Fe, NM 87501

Honorable Speaker Tripp and Members of the House:

Pursuant to the Constitution of the State of New Mexico, Article IV, Section 22, I hereby VETO and return HOUSE BILL 156, as amended, enacted by the Fifty-Second Legislature, First Session, 2015.

House Bill 156 (HB 156) creates the “Innovations in Teaching Act” in the Public School Code which would allow the Public Education Department to exempt certain teachers from using student achievement as one of the several accountability measures in their evaluations.

This act is based on a faulty, unsupported legislative finding. Specifically, HB 156 declares that “state-mandated reliance on high-stakes testing for teacher evaluations and public school ratings is likely to stifle teachers' interest in investigating and implementing cutting-edge pedagogy in their classrooms and make school principals wary of allowing teachers to implement such pedagogy.” Our best teachers are already implementing innovative pedagogy in their classrooms and will continue to do so.

Recently, New Mexico was one of only five states to receive a four-year, fast-track renewal of its waiver from the mandates of the federal Elementary and Secondary Education Act (No Child Left Behind). Federal guidelines for a waiver from No Child Left Behind require that if data from state assessments is available, then it must be used as part of a teacher’s evaluation. Failing to meet that requirement could put the state in jeopardy of losing millions of dollars in federal funding.

We cannot stop measuring student achievement just because students have collectively performed well for a short period of time. We must continue measuring student learning, continue incorporating student learning as a measure in teacher evaluations, and continue

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ensuring that our students' progress and success is the central focus of our education system.

For these reasons, I hereby veto House Bill 156.

Respectfully yours,

Susana Martinez
Governor

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Time: _____ a.m. p.m.

Date: _____, 2015

By _____

Secretary of State

Time: _____ a.m. p.m.

Date: _____, 2015

By _____

Chief Clerk of the House