

1 SENATE BILL 223

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Mimi Stewart

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9  
10 AN ACT

11 RELATING TO PUBLIC SCHOOL PERSONNEL; PHASING IN A MINIMUM  
12 SALARY INCREASE FOR TEACHERS AND PRINCIPALS; MAKING TECHNICAL  
13 CORRECTIONS; MAKING AN APPROPRIATION.

14  
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 22-10A-7 NMSA 1978 (being Laws 2003,  
17 Chapter 153, Section 38, as amended) is amended to read:

18 "22-10A-7. LEVEL ONE LICENSURE.--

19 A. A level one license is a provisional five-year  
20 license for beginning teachers that requires as a condition of  
21 licensure that the licensee undergo a formal mentorship program  
22 for at least one full school year and an annual intensive  
23 performance evaluation by a school administrator for at least  
24 three full school years before applying for a level two  
25 license.

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1           B. Each school district, in accordance with  
2 department rules, shall provide for the mentorship and  
3 evaluation of level one teachers. At the end of each year and  
4 at the end of the license period, the level one teacher shall  
5 be evaluated for competency. If the teacher fails to  
6 demonstrate satisfactory progress and competence annually, the  
7 teacher may be terminated as provided in Section 22-10A-24 NMSA  
8 1978. If the teacher has not demonstrated satisfactory  
9 progress and competence by the end of the five-year period, the  
10 teacher shall not be granted a level two license.

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

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

17                   (1) holds a baccalaureate degree from an  
18 accredited educational institution;

19                   (2) has successfully completed a department-  
20 approved teacher preparation program from a nationally  
21 accredited or state-approved educational institution;

22                   (3) has passed the New Mexico teacher  
23 assessments examination, including for elementary licensure  
24 beginning January 1, 2013, a rigorous assessment of the  
25 candidate's knowledge of the science of teaching reading; and

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

4 E. The department shall issue an alternative level  
5 one license to an applicant who meets the requirements of  
6 Section 22-10A-8 NMSA 1978.

7 F. The department shall establish competencies and  
8 qualifications for specific grade levels, types and subject  
9 areas of level one licensure, including early childhood,  
10 elementary, middle school, secondary, special ~~[education]~~ and  
11 vocational education.

12 G. ~~[Beginning with the 2003-2004 school year, with~~  
13 ~~the adoption by the department of a highly objective uniform~~  
14 ~~statewide standard of evaluation for level one teachers]~~ The  
15 minimum salary for a level one teacher ~~[shall be thirty~~  
16 ~~thousand dollars (\$30,000)]~~ for a standard nine and one-half  
17 month contract shall be:

18 (1) for the 2015-2016 school year, thirty-two  
19 thousand dollars (\$32,000);

20 (2) for the 2016-2017 school year, thirty-four  
21 thousand dollars (\$34,000);

22 (3) for the 2017-2018 school year, thirty-six  
23 thousand dollars (\$36,000);

24 (4) for the 2018-2019 school year, thirty-  
25 eight thousand dollars (\$38,000); and

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1                                   (5) for the 2019-2020 school year and each  
2 subsequent school year, forty thousand dollars (\$40,000).

3                                   ~~[H. Teachers who hold level one licenses on the~~  
4 ~~effective date of the 2003 act must be evaluated by the end of~~  
5 ~~the 2006-2007 school year.]"~~

6                                   SECTION 2. Section 22-10A-10 NMSA 1978 (being Laws 2003,  
7 Chapter 153, Section 41, as amended by Laws 2005, Chapter 315,  
8 Section 7 and by Laws 2005, Chapter 316, Section 4) is amended  
9 to read:

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

11                                   A. A level two license is a nine-year license  
12 granted to a teacher who meets the qualifications for that  
13 level and who annually demonstrates essential competency to  
14 teach. If a level two teacher does not demonstrate essential  
15 competency in a given school year, the school district shall  
16 provide the teacher with additional professional development  
17 and peer intervention during the following school year. If by  
18 the end of that school year the teacher fails to demonstrate  
19 essential competency, a school district may choose not to  
20 contract with the teacher to teach in the classroom.

21                                   B. The department shall issue a level two license  
22 to an applicant who successfully completes the level one  
23 license or is granted reciprocity as provided by department  
24 rules; demonstrates essential competency required by the  
25 department as verified by the local superintendent through the

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1 highly objective uniform statewide standard of evaluation; and  
2 meets other qualifications as required by the department.

3 C. The department shall provide for qualifications  
4 for specific grade levels, types and subject areas of level two  
5 licensure, including early childhood, elementary, middle,  
6 secondary, special [education] and vocational education.

7 D. [~~With the adoption by the department of the~~  
8 ~~statewide objective performance evaluation for level two~~  
9 ~~teachers]~~ The minimum salary for a level two teacher for a  
10 standard nine and one-half month contract shall be: [~~as~~  
11 ~~follows:~~

12 ~~(1) for the 2003-2004 school year, thirty~~  
13 ~~thousand dollars (\$30,000);~~

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

16 ~~(3) for the 2005-2006 school year, forty~~  
17 ~~thousand dollars (\$40,000)]~~

18 (1) for the 2015-2016 school year, forty-two  
19 thousand dollars (\$42,000);

20 (2) for the 2016-2017 school year, forty-four  
21 thousand dollars (\$44,000);

22 (3) for the 2017-2018 school year, forty-six  
23 thousand dollars (\$46,000);

24 (4) for the 2018-2019 school year, forty-eight  
25 thousand dollars (\$48,000); and

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1                                   (5) for the 2019-2020 school year and each  
2 subsequent school year, fifty thousand dollars (\$50,000)."

3           **SECTION 3.** Section 22-10A-11 NMSA 1978 (being Laws 2003,  
4 Chapter 153, Section 42, as amended) is amended to read:

5           "22-10A-11. LEVEL THREE LICENSURE--TRACKS FOR TEACHERS,  
6 COUNSELORS AND SCHOOL ADMINISTRATORS.--

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

17           B. The department shall grant a level three-A  
18 license to an applicant who has been a level two teacher for at  
19 least three years and holds a post-baccalaureate degree or  
20 national board for professional teaching standards  
21 certification; demonstrates instructional leader competence as  
22 required by the department and verified by the local  
23 superintendent through the highly objective uniform statewide  
24 standard of evaluation; and meets other qualifications for the  
25 license.

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1 C. ~~[With the adoption by the department of a highly~~  
2 ~~objective uniform statewide standard of evaluation for level~~  
3 ~~three-A teachers]~~ The minimum salary for a level three-A  
4 teacher for a standard nine and one-half month contract shall  
5 be: ~~[as follows:~~

6 ~~(1) for the 2003-2004 school year, thirty~~  
7 ~~thousand dollars (\$30,000);~~

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

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

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

14 ~~(5) for the 2007-2008 school year, fifty~~  
15 ~~thousand dollars (\$50,000)]~~

16 (1) for the 2015-2016 school year, fifty-two  
17 thousand dollars (\$52,000);

18 (2) for the 2016-2017 school year, fifty-four  
19 thousand dollars (\$54,000);

20 (3) for the 2017-2018 school year, fifty-six  
21 thousand dollars (\$56,000);

22 (4) for the 2018-2019 school year, fifty-eight  
23 thousand dollars (\$58,000); and

24 (5) for the 2019-2020 school year and each  
25 subsequent school year, sixty thousand dollars (\$60,000).

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1           D. A level three-B license is a nine-year license  
2 granted to a school administrator who meets the qualifications  
3 for that level. Licenses may be renewed upon satisfactory  
4 annual demonstration of instructional leader and administrative  
5 competency.

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

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

14                   (2) holds a post-baccalaureate degree or  
15 national board for professional teaching standards  
16 certification;

17                   (3) has satisfactorily completed department-  
18 approved courses in administration and a department-approved  
19 administration apprenticeship program; and

20                   (4) demonstrates instructional leader  
21 competence required by the department and verified by the local  
22 superintendent through the highly objective uniform statewide  
23 standard of evaluation.

24           F. Beginning with the [~~2007-2008~~] 2015-2016 school  
25 year, the minimum annual salary for a level three-B school

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1 principal or assistant school principal for a standard one-year  
2 contract shall be [~~fifty thousand dollars (\$50,000)~~] the same  
3 amount as for a level three-A teacher under Paragraphs (1)  
4 through (5) of Subsection C of this section multiplied by the  
5 applicable responsibility factor.

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

14 SECTION 4. APPROPRIATION.--Eleven million three hundred  
15 twenty-eight thousand one hundred seventy-three dollars  
16 (\$11,328,173) is appropriated from the general fund to the  
17 state equalization guarantee distribution of the public school  
18 fund for expenditure in fiscal year 2016 for teacher and  
19 principal salary increases for the 2015-2016 school year. Any  
20 unexpended or unencumbered balance remaining at the end of  
21 fiscal year 2016 shall revert to the general fund.

22 SECTION 5. EFFECTIVE DATE.--The effective date of the  
23 provisions of this act is July 1, 2015.