

March 9, 2017

HOUSE EXECUTIVE MESSAGE NO. 7

The Honorable Brian Egolf, Jr., Speaker of the House and  
Members of the House of Representatives  
State Capitol Building  
Santa Fe, NM 87501

Honorable Speaker Egolf 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 241, as amended, enacted by the Fifty-Third Legislature, First Session, 2017.

While I recognize the Legislature's attempts to support our teachers in their lives outside of school, I am unable to sign House Bill 241. I believe in the importance of having our full-time teachers, not short-term or long-term substitutes, in our classrooms with the students who depend on their expertise.

HB 241 would increase substitute teacher costs to districts and the state to stand in for absent teachers more frequently. I am proud that, since 2012, the number of teachers missing 10 or more days has decreased from 47% down to only 12% in 2016. I'm also proud that in the 2015-2016 school year alone, the state and districts realized \$3.6 million in savings to invest back into the classroom where it belongs. HB 241 threatens to take us back to pre-2012 teacher absenteeism levels, and our districts cannot afford to pay more substitutes to cover for the teachers they have already hired.

Additionally, while costs for substitutes increase with teacher absences, we could also see decreased quality of education. In their analysis provided to legislators, the Legislative Education Study Committee cited a National Bureau of Economic Research study that suggests that the effectiveness of an experienced teacher with 10 or more absences is comparable to that of a teacher with *no teaching experience at all*. Our students, parents, and taxpayers deserve better than increased costs for lower-quality instruction.

Meanwhile, our Legislature once again blocked a bill that would grant experienced and qualified professionals two-year licenses as adjunct instructors to become fully-licensed teachers in another two years. They argued that such professionals lack the training and

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education to be successful in the classroom, regardless of their real-world experience in the field they would teach. It does not follow, then, to pass a measure that would increase the use of substitute teachers in place of full-time teachers. To be sure, substitutes are an important part of our schools' support system, but even with the classroom experience that comes from years of substituting, it is far better for our students to have a consistent, qualified, and effective teacher in the classroom.

I would welcome a bill that considers reasonable changes to attendance measures as part of an effective, comprehensive teacher evaluation system. However, the Legislature continually refused to engage despite the Public Education Department's (PED) repeated good-faith attempts to meet teachers and teachers' unions halfway. This session, the PED supported an increase in the number of leave days a teacher may take without an impact on their evaluation from three to five days, despite the fact that it's possible to be rated highly effective or even exemplary while using up to 10 days of leave currently. The department also put forth a bill that would have decreased the weight of student achievement in teacher evaluations from 50% to 40%, in response to both union and teacher input. There is still time in the session to come together to reach a consensus.

We need our teachers in our classrooms, and House Bill 241 would lead to more teacher absences. For these reasons, I have vetoed House Bill 241.

Respectfully yours,

Susana Martinez  
Governor

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Time: \_\_\_\_\_ a.m. p.m.

Date: \_\_\_\_\_, 2017

By \_\_\_\_\_  
Secretary of State

Time: \_\_\_\_\_ a.m. p.m.

Date: \_\_\_\_\_, 2017

By \_\_\_\_\_  
Chief Clerk of the House