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HOUSE BILL 177

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Rick Little and David E. Adkins

AN ACT

RELATING TO SCHOOL PERSONNEL; PROVIDING AN ALTERNATIVE PATHWAY TO LEVEL THREE-A LICENSURE; CREATING A LEVEL FOUR TEACHING LICENSE; ESTABLISHING A MINIMUM SALARY.

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

SECTION 1. Section 22-10A-4 NMSA 1978 (being Laws 2003, Chapter 153, Section 35, as amended by Laws 2005, Chapter 315, Section 4 and by Laws 2005, Chapter 316, Section 1) is amended to read:

"22-10A-4. TEACHERS AND SCHOOL ADMINISTRATORS--
PROFESSIONAL STATUS--LICENSURE LEVELS--SALARY ALIGNMENT.--

A. Teaching and school administration are recognized as professions, with all the rights, responsibilities and privileges accorded professions, having their first responsibility to the public they serve. The

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1 primary responsibilities of the teaching and school
2 administration professions are to educate the children of this
3 state and to improve the professional practices and ethical
4 conduct of their members.

5 B. The New Mexico licensure framework for teachers
6 and school administrators is a progressive career system in
7 which licensees are required to demonstrate increased
8 competencies and undertake increased duties as they progress
9 through the licensure levels. The minimum salary provided as
10 part of the career system shall not take effect until the
11 department has adopted increased competencies for the
12 particular level of licensure and a highly objective uniform
13 statewide standard of evaluation.

14 C. A level one license is a provisional license
15 that gives a beginning teacher the opportunity, through a
16 formal mentorship program, for additional preparation to be a
17 quality teacher. A level two license is given to a teacher who
18 is a fully qualified professional who is primarily responsible
19 for ensuring that students meet and exceed department-adopted
20 academic content and performance standards; a teacher may
21 choose to remain at level two for the remainder of the
22 teacher's career. A level three-A license is the next highest
23 level of teaching licensure for those teachers who choose to
24 advance as instructional leaders in the teaching profession and
25 undertake greater responsibilities such as curriculum

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1 development, peer intervention and mentoring. A level three-B
2 license is for teachers who commence a new career path in
3 school administration by becoming school administrators. A
4 level four teaching license is for master teachers who are
5 primarily responsible for working with classroom teachers and
6 educational assistants to improve their teaching skills through
7 professional development activities, including mentoring, peer
8 intervention and coursework, and working with struggling
9 students.

10 D. All teacher and school administrator salary
11 systems shall be aligned with the licensure framework in a
12 professional educator licensing and salary system.

13 E. All teachers and school administrators who hold
14 teaching or administrator certificates on the effective date of
15 the 2003 act shall meet the requirements for their level of
16 licensure by September 1, 2006 and shall be issued licenses."

17 SECTION 2. Section 22-10A-11 NMSA 1978 (being Laws 2003,
18 Chapter 153, Section 42, as amended by Laws 2015, Chapter 74,
19 Section 1 and by Laws 2015, Chapter 103, Section 1) is amended
20 to read:

21 "22-10A-11. LEVEL THREE LICENSURE--TRACKS FOR TEACHERS.--

22 A. A level three-A license is a nine-year license
23 granted to a teacher who meets the qualifications for that
24 level and who annually demonstrates instructional leader
25 competencies. If a level three-A teacher does not demonstrate

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

7 B. The department shall grant a level three-A
8 license to an applicant who has been a level two teacher for at
9 least three years and holds a post-baccalaureate degree or
10 national board for professional teaching standards
11 certification; demonstrates instructional leader competence as
12 required by the department and verified by the local
13 superintendent through the highly objective uniform statewide
14 standard of evaluation; and meets other qualifications for the
15 license.

16 C. In addition to the pathway described in
17 Subsection B of this section, the department shall grant a
18 level three-A license to an applicant who has:

19 (1) taught at least five years as a level two
20 teacher and received "highly effective" or "exemplary" ratings
21 in at least three out of four of the most recent overall
22 evaluations; or

23 (2) taught at least ten years as a level two
24 teacher and received "effective" or higher in at least three
25 out of four of the most recent overall evaluations and been

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1 rated as "highly effective" or "exemplary" in domains 2 and 3,
2 which are the teacher observation components of the
3 evaluations.

4 ~~[G-]~~ D. With the adoption by the department of a
5 highly objective uniform statewide standard of evaluation for
6 level three-A teachers, the minimum salary for a level three-A
7 teacher for a standard nine and one-half month contract shall
8 be fifty thousand dollars (\$50,000).

9 ~~[D-]~~ E. The minimum salary for a counselor who
10 holds a level three or three-A license as provided in the
11 School Personnel Act and rules promulgated by the department
12 shall be the same as provided for level three-A teachers
13 pursuant to Subsection ~~[G]~~ D of this section."

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

16 "[NEW MATERIAL] LEVEL FOUR LICENSURE--QUALIFICATIONS--
17 DUTIES--MINIMUM SALARY.--

18 A. A level four license is a five-year license
19 granted to a teacher who meets the qualifications for that
20 level and who annually demonstrates essential competency in
21 teaching, mentoring and training teachers, developing
22 standards- and school-based curriculum frameworks and syllabi
23 and serving as an educational leader and professional
24 development resource for other school personnel. If a level
25 four teacher does not demonstrate essential competency during a

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1 school year, the school district may choose not to contract
2 with that teacher as a level four teacher; provided that the
3 school district can choose to offer the level four teacher a
4 lower teaching position or another position in the school
5 district for which the teacher is qualified. If a level four
6 teacher chooses to teach as a level two or level three teacher,
7 the teacher's salary shall be commensurate with the lower level
8 of teaching.

9 B. Although a level four teacher may be assigned to
10 teach, the level four teacher is not primarily a classroom
11 teacher. When not in the classroom, the duties of a level four
12 teacher may include:

13 (1) leading teams of teachers to develop and
14 improve classroom lessons, syllabi and curriculum frameworks;

15 (2) working with teachers and instructional
16 support providers to ensure that all students are being taught
17 in the most appropriate and effective manner and are provided,
18 insofar as practicable, with the academic, emotional, social
19 and family resources they need to succeed;

20 (3) observing and critiquing teachers and
21 educational assistants in the classroom as part of ongoing
22 professional development;

23 (4) setting up and implementing formal and
24 informal mentoring programs for level one through level three-A
25 teachers and for educational assistants;

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1 (5) designing, and conducting as appropriate,
2 professional development programs for teachers, educational
3 assistants and other instructional support providers who
4 interact with students in a classroom setting and, insofar as
5 the school budget allows, finding off-site professional
6 development programs targeted to the needs of specific teachers
7 and other staff in the public school;

8 (6) working with struggling students; and

9 (7) performing other professional duties as
10 assigned by the school principal or local superintendent.

11 C. The department shall grant a level four license
12 to an applicant who:

13 (1) has been a level three teacher for at
14 least five years;

15 (2) has had an overall evaluation rating of
16 "highly effective" or "exemplary" in at least three out of four
17 of the most recent evaluations;

18 (3) has demonstrated instructional leader
19 competence as a level three teacher as required by the
20 department and verified by the local superintendent through the
21 highly objective uniform statewide standard of evaluation; and

22 (4) meets other qualifications for the license
23 as required by the department.

24 D. The minimum salary for a level four teacher
25 shall be fifty thousand dollars (\$50,000) multiplied by the

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1 applicable responsibility factor for assistant school
2 principals in the same public school in which the level four
3 teacher is employed."

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