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SENATE BILL 13

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Michael Padilla

AN ACT

RELATING TO PUBLIC EDUCATION; INCREASING MINIMUM SALARIES FOR
SPECIAL EDUCATION TEACHERS.

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

SECTION 1. Section 22-10A-7 NMSA 1978 (being Laws 2003,
Chapter 153, Section 38, as amended by Laws 2019, Chapter 206,
Section 21 and by Laws 2019, Chapter 207, Section 21) is
amended to read:

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

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

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1 license.

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

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

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

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

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

23 (3) has passed the New Mexico teacher
24 assessments examination, including for elementary licensure
25 beginning January 1, 2013, a rigorous assessment of the

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1 candidate's knowledge of the science of teaching reading; and
2 (4) meets other qualifications for level one
3 licensure, including clearance of the required background
4 check.

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

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

13 G. The minimum salary for a level one teacher is
14 forty thousand dollars (\$40,000) for a standard nine and one-
15 half month contract; provided that teachers in an extended
16 learning time program or K-5 plus program shall receive
17 additional salary at the same rate as their base salary for
18 that teaching time.

19 H. The minimum salary for a level one teacher who
20 is licensed by the department in special education and provides
21 special education services is fifteen percent more than the
22 minimum salary for a level one teacher as provided in
23 Subsection G of this section."

24 SECTION 2. Section 22-10A-10 NMSA 1978 (being Laws 2003,
25 Chapter 153, Section 41, as amended by Laws 2019, Chapter 191,
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1 Section 1 and by Laws 2019, Chapter 206, Section 22 and also by
2 Laws 2019, Chapter 207, Section 22) is amended to read:

3 "22-10A-10. LEVEL TWO LICENSURE.--

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

14 B. The department shall issue a level two license
15 to an applicant who has successfully taught at least three, but
16 no more than five, years as a level one teacher or an
17 alternative level one teacher, or a combination of the two, or
18 is granted reciprocity as provided by department rules. An
19 applicant for a level two license shall:

20 (1) demonstrate essential competency required
21 by the department as verified by the local superintendent
22 through the highly objective uniform statewide standard of
23 evaluation; and

24 (2) meet other qualifications as required by
25 the department.

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

5 D. The minimum salary for a level two teacher is
6 fifty thousand dollars (\$50,000) for a standard nine and one-
7 half month contract; provided that teachers in an extended
8 learning time program or K-5 plus program shall receive
9 additional salary at the same rate as their base salary for
10 that teaching time.

11 E. The minimum salary for a level two teacher who
12 is licensed by the department in special education and provides
13 special education services is fifteen percent more than the
14 minimum salary for a level two teacher as provided in
15 Subsection D of this section."

16 SECTION 3. Section 22-10A-11 NMSA 1978 (being Laws 2003,
17 Chapter 153, Section 42, as amended by Laws 2019, Chapter 206,
18 Section 23 and by Laws 2019, Chapter 207, Section 23) is
19 amended to read:

20 "22-10A-11. LEVEL THREE LICENSURE--TRACKS FOR TEACHERS.--

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

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

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

15 C. The minimum salary for a level three-A teacher
16 is sixty thousand dollars (\$60,000) for a standard nine and
17 one-half month contract; provided that teachers in an extended
18 learning time program or K-5 plus program shall receive
19 additional salary at the same rate as their base salary for
20 that teaching time.

21 D. The minimum salary for a level three-A teacher
22 who is licensed by the department in special education and
23 provides special education services is fifteen percent more
24 than the minimum salary for a level three-A teacher as provided
25 in Subsection C of this section.

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

SECTION 4. APPLICABILITY.--The provisions of this act apply to school personnel contracted to provide services for summer 2020 K-5 plus programs in fiscal year 2020 and to all school personnel in fiscal year 2021 and subsequent fiscal years.