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HOUSE BILL 310

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

INTRODUCED BY

Alonzo Baldonado and James E. Smith  
and Sharon Clahchischilliage

AN ACT

RELATING TO SCHOOL PERSONNEL; INCREASING STATUTORY MINIMUM  
SALARIES FOR LEVEL ONE, LEVEL TWO AND LEVEL THREE-A TEACHERS;  
PROVIDING FOR PAY INCREASES FOR TEACHERS AND SCHOOL STAFF;  
PROVIDING FOR TEACHER RECRUITMENT INITIATIVES; MAKING  
APPROPRIATIONS.

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) 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

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1 three full school years before applying for a level two  
2 license.

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

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

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

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

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

24 (3) has passed the New Mexico teacher  
25 assessments examination, including for elementary licensure

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1 beginning January 1, 2013, a rigorous assessment of the  
2 candidate's knowledge of the science of teaching reading; and  
3 (4) meets other qualifications for level one  
4 licensure, including clearance of the required background  
5 check.

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

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

14 G. ~~[Beginning with the 2003-2004 school year, with~~  
15 ~~the adoption by the department of a highly objective uniform~~  
16 ~~statewide standard of evaluation for level one teachers]~~ The  
17 minimum salary for a level one teacher shall be [thirty  
18 ~~thousand dollars (\$30,000)] thirty-eight thousand dollars~~  
19 (\$38,000) for a standard nine and one-half month contract.

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

23 SECTION 2. Section 22-10A-10 NMSA 1978 (being Laws 2003,  
24 Chapter 153, Section 41, as amended by Laws 2005, Chapter 315,  
25 Section 7 and by Laws 2005, Chapter 316, Section 4) is amended

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1 to read:

2 "22-10A-10. LEVEL TWO LICENSURE.--

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

13 B. The department shall issue a level two license  
14 to an applicant who successfully completes the level one  
15 license or is granted reciprocity as provided by department  
16 rules; demonstrates essential competency required by the  
17 department as verified by the local superintendent through the  
18 highly objective uniform statewide standard of evaluation; and  
19 meets other qualifications as required by the department.

20 C. The department shall provide for qualifications  
21 for specific grade levels, types and subject areas of level two  
22 licensure, including early childhood, elementary, middle,  
23 secondary, special [education] and vocational education.

24 D. [~~With the adoption by the department of the~~  
25 ~~statewide objective performance evaluation for level two~~

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1 ~~teachers]~~ The minimum salary for a level two teacher for a  
2 standard nine and one-half month contract shall be ~~[as follows:~~  
3 ~~(1) for the 2003-2004 school year, thirty~~  
4 ~~thousand dollars (\$30,000);~~  
5 ~~(2) for the 2004-2005 school year, thirty-five~~  
6 ~~thousand dollars (\$35,000); and~~  
7 ~~(3) for the 2005-2006 school year, forty~~  
8 ~~thousand dollars (\$40,000)] forty-four thousand dollars~~  
9 (\$44,000)."

10 SECTION 3. Section 22-10A-11 NMSA 1978 (being Laws 2003,  
11 Chapter 153, Section 42, as amended by Laws 2015, Chapter 74,  
12 Section 1 and by Laws 2015, Chapter 103, Section 1) is amended  
13 to read:

14 "22-10A-11. LEVEL THREE LICENSURE--TRACKS FOR TEACHERS.--

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

25 B. The department shall grant a level three-A

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1 license to an applicant who has been a level two teacher for at  
2 least three years and holds a post-baccalaureate degree or  
3 national board for professional teaching standards  
4 certification; demonstrates instructional leader competence as  
5 required by the department and verified by the local  
6 superintendent through the highly objective uniform statewide  
7 standard of evaluation; and meets other qualifications for the  
8 license.

9 C. ~~[With the adoption by the department of a highly~~  
10 ~~objective uniform statewide standard of evaluation for level~~  
11 ~~three-A teachers]~~ The minimum salary for a level three-A  
12 teacher for a standard nine and one-half month contract shall  
13 be ~~[fifty thousand dollars (\$50,000)]~~ fifty-four thousand  
14 dollars (\$54,000).

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

20 SECTION 4. APPROPRIATION.--Thirty-one million two hundred  
21 seventy-six thousand one hundred sixty-seven dollars  
22 (\$31,276,167) is appropriated from the general fund to the  
23 state equalization guarantee distribution for expenditure in  
24 fiscal year 2019 to provide an average two and one-half percent  
25 salary increase for all licensed teachers whose primary duty is

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1 classroom instruction, effective July 1, 2018. Any unexpended  
2 or unencumbered balance remaining at the end of fiscal year  
3 2019 shall revert to the general fund.

4 **SECTION 5. APPROPRIATION.**--Fourteen million one hundred  
5 forty-three thousand one hundred eighty-four dollars  
6 (\$14,143,184) is appropriated from the general fund to the  
7 state equalization guarantee distribution for expenditure in  
8 fiscal year 2019 to provide an average two percent salary  
9 increase for all instructional staff and other licensed and  
10 unlicensed staff who are not licensed teachers with a primary  
11 duty of classroom instruction, effective July 1, 2018. Any  
12 unexpended or unencumbered balance remaining at the end of  
13 fiscal year 2019 shall revert to the general fund.

14 **SECTION 6. APPROPRIATION.**--Twenty-one million one hundred  
15 seventy-four thousand three hundred eight dollars (\$21,174,308)  
16 is appropriated from the general fund to the state equalization  
17 guarantee distribution for expenditure in fiscal year 2019 to  
18 increase the statutory minimum salaries for level one, level  
19 two and level three-A teachers. Any unexpended or unencumbered  
20 balance remaining at the end of fiscal year 2019 shall revert  
21 to the general fund.

22 **SECTION 7. APPROPRIATION.**--Five million dollars  
23 (\$5,000,000) is appropriated from the general fund to the  
24 public education department for expenditure in fiscal year 2019  
25 to distribute to school districts and charter schools to design

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1 and implement teacher recruitment initiatives. Any unexpended  
2 or unencumbered balance remaining at the end of fiscal year  
3 2019 shall revert to the general fund.

4 SECTION 8. EFFECTIVE DATE.--The effective date of the  
5 provisions of this act is July 1, 2018.