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## Proposed Rule Abstract

1. **Agency:** Public Education Department (PED)
2. **Rule citation:** 6.65.3 NMAC
3. **Rulemaking action:** New rule
4. **Register issue and date of NPRM:** Volume 29, Issue 6, March 27, 2018
5. **Effective date:** May 29, 2018
6. **Citation to specific legal authority:** Section 22-10A-19.2 NMSA 1978
7. **Short explanation of the rule's purpose:** To improve and strengthen the preparation of day-one ready New Mexico educators by developing standard and transparent processes for the evaluation, review, and approval of teacher preparation programs in the state.
8. **Link to full text of the rule:** [https://webnew.ped.state.nm.us/wp-content/uploads/2018/03/6.65.3-NMAC\\_Proposed-Rule.docx](https://webnew.ped.state.nm.us/wp-content/uploads/2018/03/6.65.3-NMAC_Proposed-Rule.docx)
9. **How information on the rule can be obtained:** Copies of the proposed rule may be accessed through PED's website under the "Public Notices" link at <https://webnew.ped.state.nm.us/bureaus/public-education-commission/pec-public-notice/>, under the "Policy, Innovation & Measurement" link at <https://webnew.ped.state.nm.us/bureaus/policy-innovation-measurement/rule-notification/>, or may be obtained from Jamie Gonzales by contacting her at (505) 827-7889 during regular business hours
10. **Comment period and deadlines:** March 27, 2018 to May 1, 2018 at 5:00 p.m. Written comments may be submitted to Jamie Gonzales, Policy Division, PED, Room 101, 300 Don Gaspar Avenue, Santa Fe, NM 87501, or by electronic mail to [rule.feedback@state.nm.us](mailto:rule.feedback@state.nm.us), or fax to (505) 827-6681.
11. **Rule hearing:** May 1, 2018 from 9:00 a.m. to 12:00 p.m. in Mabry Hall at the Jerry Apodaca Education Building, 300 Don Gaspar Avenue, Santa Fe, NM 87501
12. **Link to agency permanent rulemaking record:** [http://statenm.force.com/public/SSP\\_RuleHearingSearchPublic](http://statenm.force.com/public/SSP_RuleHearingSearchPublic)

## Summary of Proposed Rule

The March 27, 2018 issue of the *New Mexico Register* contained a proposed new rule, Part 3 of 6.65 NMAC, "Educator Preparation Program Accountability." Specifically, the proposed new rule defines the requirements for teacher preparation program practices, including: entry and exit requirements, clinical practice experiences, candidate observations, alignment with the Public Education Department (PED) standards, and submittal of data to PED. Programs will be evaluated with both a comprehensive site visit and a scorecard, which will both be used to determine the program's status, which includes approval for continued operation, probation, or revocation, and will drive continuous improvement of the program. See **Attachment 1, Proposed Rule 6.65.3, Teacher Preparation Program Approval Process and Accountability.**

According to PED, the proposed new rule provides a means for the department to partner with all teacher preparation programs in the state and will enable the

department to benchmark the productivity and accountability of programs to ensure teachers are able and ready to positively impact student learning and development on their first day of instruction.

## Analysis

### Background Information

PED began working collaboratively with the New Mexico Association of Colleges for Teacher Education, commonly referred to as the Deans and Directors, in the fall of 2014 to develop a comprehensive scorecard to evaluate teacher preparation programs in the state.

PED has the statutory authority to approve teacher preparation programs and is required to report annually on specific metrics through the educator accountability reporting system (EARS) report, which is designed to provide a portrait of effective preparation of teachers, counselors, and administrators in New Mexico. Pursuant to Subsection D of Section 22-10A-19.2 NMSA 1978. See **Attachment 2, Educator Accountability Report Statute**. PED is required to include an evaluation plan for teacher preparation programs in the annual EARS report, including data related to improving student achievement, retaining teachers and administrators, placing teachers in classes and subjects they are certified to teach, and increasing the number of teachers trained in science, technology, and math. However, it is important to note PED is not complying with the statutory requirements of the EARS report as the teacher preparation program scorecard metrics do not include the required indicators and performance objectives from the EARS report.

PED's teacher preparation program scorecard incorporates data from the state's teacher evaluation system, NMTEACH. The scorecard will analyze how teachers in their first three years of teaching perform on the classroom observation and student achievement, which are two components of the NMTEACH evaluation system, and retention rates in high-needs schools to assess how teachers are being utilized across the state after graduation.

Additionally, PED began considering revising its teacher preparation program approval process and discussing potential changes with the Deans and Directors in 2014. The program approval process did not officially get started until the fall of 2016 when PED contracted with Columbia University's Center for Public Research and Leadership (CPRL) to create and develop a revised teacher preparation program approval process. CPRL staff created a revised process based on analysis, including a comprehensive review of academic and policy research across the country; interviews with PED leaders and key stakeholders, including teacher preparation program staff in New Mexico; and interviews with practitioners across the country, including other teacher preparation programs, state departments of education, and local education agencies. CPRL indicated the framework was designed to create day-one ready teachers for which teacher preparation programs would be assessed based on the research and feedback CPRL collected. CPRL developed a teacher preparation program review manual, which includes timelines for program review and on-site visits, quality review rubrics and components, review indicators, NMTEACH rubrics, and Interstate Teacher Assessment and Support Consortium (InTASC) standards. The



manual is posted on PED's website at <https://webnew.ped.state.nm.us/bureaus/policy-innovation-measurement/rule-notification/>.

## Sections of the Proposed Rule

***Application Process for Approval.*** Existing teacher preparation programs that exist when this proposed rule takes effect will be required to reapply to PED's Professional Practices and Standards Council (PPSC) for approval no later than the end of the 2018-2019 school year. Additionally, teacher preparation program providers seeking a program revision for an existing PED-approved program or seeking initial approval will be required to submit an application to PED to be reviewed by the PPSC based on information outlined in the PPSC manual. The draft PPSC manual is posted on PED's website at <https://webnew.ped.state.nm.us/bureaus/policy-innovation-measurement/rule-notification/>.

***Teacher Preparation Program General Requirements.*** Teacher preparation programs will be required to establish rigorous entry and exit requirements for teacher candidates, including: passing all essential academic skills tests (also known as New Mexico Teacher Assessments or NMTA) prior to admission; maintenance of an undergraduate grade point average of at least 2.75 on a 4.0 scale; submission to a PED-required background check; successful demonstration of competency in all relevant areas, subjects, and categories of the NMTA exams; and obtaining a written recommendation from the program indicating the candidate demonstrates the dispositions necessary for success in the classroom. Teacher preparation programs will be required to ensure opportunities for clinical experiences are provided to candidates continuously throughout their enrollment, and the majority of clinical experiences will be required to align with the area, subject, or category of certification or license being sought by the candidate. Programs will be required to establish partnerships with stakeholder groups to address expectations related to clinical experiences and meeting the needs of local educational agencies.

Teacher preparation programs will be required to include instruction in pedagogy that is aligned with PED standards. The programs will be required to conduct a minimum of three formally documented observations that include verbal and written feedback of the candidate's practice. Observations and evaluations of candidates will be required to be aligned with the four domains of the NMTEACH evaluation system. Finally, all programs will be required to annually submit candidate level data to PED pursuant to a signed memorandum of understanding between the program and the department.

The Deans and Directors stated it is unclear, for purposes of 6.65.3.9 (B) NMAC, if clinical experiences will be required to begin when a candidate is admitted to the postsecondary institution or to the college of education; and it is unclear if the required number of observations will be required to be completed by the cooperating teacher, who is employed by the local educational agency and is rated highly effective or higher on the NMTEACH evaluation system, or if other personnel will be allowed to conduct the observations. Lastly, it is unclear what NMTA tests will be required to be passed before a candidate completes an alternative licensure program.

***Entry Requirements That May Be Waived By Teacher Preparation Programs.***

Teacher preparation programs can request waivers from the following college of education entry requirements, including passage of all essential academic skills tests prior to admission and the undergraduate GPA of at least 2.75, for certain candidates. Candidates admitted under the waiver will be required to receive remedial services designed to support the candidate pass all NMTA tests within one school year.

***Teacher Preparation Program Scorecards.*** PED will be required to issue an annual scorecard to each department-approved teacher preparation program with at least 10 teacher candidates in the state. The scorecard will be required to evaluate the effectiveness of the program, will grade program performance on an A through F scale, and will be publicly released by PED. The scorecard metrics will be required to include the following: acceptance rate; diversity of cohort; candidate performance on licensure tests; hiring and retention rates for completers teaching in the state; effectiveness rating of completers, as measured by NMTEACH; distribution of completers in high-need areas; and candidate and employer satisfaction surveys.

The Deans and Directors stated their concerns on this section include the following: PED's responsibility to provide data back to the programs is unclear; and diversity of the teacher cohort should be representative of the community the program serves, which may differ based on the region of the state the program is in; high-needs areas needs to be defined for clarification; and programs are concerned they are being evaluated on retroactive data.

Additional concerns were noted, and included: the definition for "cooperating teacher" should be expanded to specifically indicate the teacher is full-time; the definition for "completer" is different in the proposed rulemaking than "completer" under Title II of the federal Higher Education Act; programs will be required to receive the NMTEACH overall rating for each cooperating teacher; however, there is not a timeline proposed as to when programs will receive the ratings on cooperating teachers from PED; some programs will need to place hundreds of candidates with a cooperating teacher, but this may prove to be difficult if all cooperating teachers will be required to have a rating of "highly effective" or "exemplary." The Deans and Directors suggested PED allow for a cooperating teacher who is rated "effective" to also be included as an option in limited circumstances. Bureau of Indian Education schools, private schools, and some alternative schools are not required to evaluate teachers under the NMTEACH system; as such, teacher candidates will not be allowed to be placed in these schools because the teachers are not evaluated under PED's NMTEACH evaluation system. Lastly, the definition of "disposition" could be expanded to include beliefs and values.

Moreover, some of the terms within this section are inadequately defined, which may lead to confusion as to which preparation programs are subject to the rule. For example, "educator preparation program" is defined as "an educational program offered by an educational preparation provider that is intended to lead to teacher licensure upon candidates' successful completion of the program" and "educator preparation program provider" is defined as "any individual, private or public education association, corporation, or institution of higher education offering an educator preparation program." These two definitions appear to subject the Online



Portfolio for Alternative Licensure (OPAL) and NMTEACH pathways to the provisions of the rule; however, it is unclear if PED intends these two pathways to be subject to the requirements of the rule. LESC staff has reached out to PED staff for clarification; however, no response has been received yet.

***Comprehensive Site Visit Review Process.*** PED will be required to develop a manual outlining the comprehensive site visit process that details documents and steps necessary for the site visit review, which will occur every four years as determined by the department. Programs will be assessed on four components of the quality review rubric, including curriculum design and delivery, clinical experience, candidate quality, and continuous improvement.

Additionally, the comprehensive site review process will be required to include: a self-evaluation conducted by the teacher preparation program within 12 weeks prior to the site visit; the site visit itself, which will be conducted by a certified review team; and a summative conference, which is a site visit debrief where the review team will present their initial findings.

Teacher preparation programs will be assessed on overall performance and will receive one of the following classifications: industry leader, well-developed, proficient, developing, or underdeveloped. Programs will receive a final written report from PED no later than 90 calendar days after the site visit review. Programs will be required to submit a written response, along with documentation to support the allegations, within 14 calendar days if there are any alleged factual errors in the final written report. If PED determines the error is valid, the department will be required to amend the final report within 20 calendar days.

It is unclear if each teacher preparation program will be required to have a site visit every four years or if the site visit will include individual programs (also known as “units” to college of education staff) and concerns have been raised regarding the validity of the quality review rubric.

***Determination of Teacher Preparation Program Status.*** By November 30 of each year, PED will be required to use the scorecard grade and the site visit performance classification to determine whether PED approves a program for continued operation, places a program on probation, or revokes program approval. Each program’s status will determine the frequency of comprehensive site visit reviews and the scope of the program’s responsibilities. Programs will be notified of their status by PED no later than November 30 annually.

The Deans and Directors stated it is unclear when and if a program can earn approval after a revocation decision and why PED would have the option to revoke a teacher preparation program who has fewer than 10 candidates for two years.



**TITLE 6            PRIMARY AND SECONDARY EDUCATION**  
**CHAPTER 65       SCHOOL PERSONNEL EDUCATOR PREPARATION**  
**PART 3             EDUCATOR PREPARATION PROGRAM ACCOUNTABILITY**

**6.65.3.1            ISSUING AGENCY:** Public Education Department, herein after the department.  
[6.65.3.1 NMAC - N, 5/29/2018]

**6.65.3.2            SCOPE:** This rule applies to all educator preparation programs serving candidates in New Mexico. If any part or application of this rule is held invalid, its remainder or application to other situations, shall not be affected.  
[6.65.3.2 NMAC - N, 5/29/2018]

**6.65.3.3            STATUTORY AUTHORITY:** Section 22-10A-19.2 Educator accountability report.  
[6.65.3.3 NMAC - N, 5/29/2018]

**6.65.3.4            DURATION:** Permanent.  
[6.65.3.4 NMAC - N, 5/29/2018]

**6.65.3.5            EFFECTIVE DATE:** May 29, 2018, unless a later date is cited at the end of a section.  
[6.65.3.5 NMAC - N, 5/29/2018]

**6.65.3.6            OBJECTIVE:** To improve and strengthen the preparation of day-one ready New Mexico educators through streamlined evaluation, review, and approval of educator preparation programs in the state.  
[6.65.3.6 NMAC - N, 5/29/2018]

**6.65.3.7            DEFINITIONS:**

**A.            “Candidate”** means an individual enrolled in an educator preparation program for licensure offered through a department-approved educator preparation program provider.

**B.            “Certified review team”** means the team trained by the department to conduct comprehensive site visit reviews. Members shall include at least one individual from each of the following categories:

- (1) a representative of the department;
- (2) a dean from another department-approved educator preparation program;
- (3) a director from another department-approved educator preparation program;
- (4) a faculty member from another department-approved educator preparation program approved in New Mexico;
- (5) a member of a local education agency administrative team; and
- (6) a principal or eligible cooperating teacher from a local school.

**C.            “Clinical experience”** means the guided, hands-on application of knowledge and theory to actual practice through collaborative and facilitated learning activities taking place in field-based assignments.

**D.            “Clinical supervisor”** means the employee of the educator preparation program who works with and provides feedback to candidates during their clinical experience that is both trained and certified in NMTEACH and trained or experienced in the field in which they are supervising.

**E.            “Cohort”** means a set of individuals who enter an educator preparation program or exit an educator preparation program in the same year, or both.

**F.            “Completer”** means a candidate who earns a certificate or diploma from an educator preparation program approved by the department.

**G.            “Cooperating teacher”** means an educator who has earned a rating of highly effective or exemplary on the NMTEACH educator effectiveness system, is employed by a local education agency, is collaboratively selected by the local education agency and the educator preparation program, has at least three years of experience under the appropriate license, and is the primary evaluator of the candidate during their clinical experience.

**H.            “Comprehensive site visit review”** means the visit conducted by a certified review team to evaluate educator preparation program performance.

**I.            “Day-one ready educator”** means a teacher who positively impacts measurable student achievement from the first day the educator begins teaching by demonstrating deep content knowledge, the ability to

motivate and actively engage students, the ability to personalize learning based on students' needs, and a willingness to engage in continuous efforts to improve teaching abilities.

**J.** “Disposition” means the level of professionalism demonstrated by a candidate indicating capacity to be a day-one ready educator.

**K.** “Educator preparation program advisory board” means the group of individuals appointed by the EPP who have unique knowledge regarding the educational needs of the local community.

**L.** “Educator preparation program” or “EPP” means an educational program offered by an educational preparation provider that is intended to lead to teacher licensure upon candidates' successful completion of the program.

**M.** “EPP provider” means any individual, private or public education association, corporation, or institution of higher education offering an educator preparation program.

**N.** “Initial approval” means the first time an educator preparation program provider seeks and is granted approval from the professional practices and standards council to create a new educator preparation program in the state of New Mexico.

**O.** “Local education agency” or “LEA” means a school district or a state-chartered charter school.

**P.** “New Mexico teacher assessments” or “NMTA” means the tests required for individuals seeking initial New Mexico licensure.

**Q.** “NMTEACH educator effectiveness system” or “NMTEACH” means the department-approved educator evaluation system defined in 6.69.8 NMAC that measures teacher performance on five components:

- (1) improved student achievement;
- (2) classroom observation;
- (3) planning, preparation, and professionalism;
- (4) student or parent surveys; and
- (5) teacher attendance.

**R.** “Professional practices and standards council” or “PPSC” means the body that approves new educator preparation programs as defined in 6.2.8 NMAC.

**S.** “Program revision” means the addition of new licensure programming or modifications made to an existing department-approved educator preparation program including changes to standards.

**T.** “Quality review rubric” means the tool used by the certified review team during a comprehensive site visit review to determine an EPP's status according to a series of aligned indicators and subcomponents that contribute to an overall rating on a five-level performance scale.

**U.** “Revocation” means the department decision to no longer recognize an educator preparation program as approved nor to license candidates completing coursework at the revoked educator preparation program within three semesters of revocation.

**V.** “Scorecard” means the annual report prepared and released by the department to grade educator preparation program performance on an A through F scale.

**W.** “Theory of action” means the collection of cause and effect relationships believed by the educator preparation program to achieve demonstrable future outcomes.

[6.65.3.7 NMAC - N, 5/29/2018]

#### **6.65.3.8 APPLICATION PROCESS FOR APPROVAL:**

**A.** EPP providers existing at the time of the enactment of 6.65.3 NMAC shall be required to reapply through the PPSC no later than the end of the 2018 – 2019 school year.

**B.** EPP providers seeking a program revision for an existing department-approved EPP and EPP providers seeking initial approval shall submit an application to the department to be reviewed by the PPSC.

**C.** Applications shall provide the information outlined in the department PPSC manual and meet the general requirements of 6.65.3.9 NMAC.

[6.65.3.8 NMAC - N, 5/29/2018]

**6.65.3.9 EDUCATOR PREPARATION PROGRAM GENERAL REQUIREMENTS:** EPP providers shall offer an EPP only with the approval of the department. EPPs shall meet requirements as stated in state statute, regulation, and the following additional requirements.

**A.** EPPs shall establish rigorous entry requirements including:

- (1) passage of all NMTA essential academic skills tests prior to admission;

(2) candidate undergraduate grade point average of at least 2.75 on a 4.0 scale; and  
(3) successful completion of the department's required background check and approval process.

**B.** EPPs shall ensure that opportunities for clinical experiences are provided to candidates continuously throughout their enrollment.

(1) Clinical experiences shall begin upon the candidate's entrance into an EPP.

(2) The majority of clinical experiences shall align with the area, subject, or category of certification or license being sought by the candidate.

(3) During at least one of candidates' multiple clinical experiences, candidates shall serve as a teacher in a school under the supervision of a cooperating teacher and plan and deliver independent instruction to students on a regularly scheduled basis.

**C.** EPPs shall ensure that candidates embrace and execute upon their responsibility as educators to develop the skills and capacities to implement meaningful practices for parent and family engagement, notably keeping families fully informed of their child's progress towards college-and-career readiness, on a regular basis, using objective measures in all subject areas.

**D.** EPPs shall establish partnerships with stakeholder groups to address expectations related to clinical experiences and meeting the needs of LEAs. At a minimum, partners shall include:

(1) classroom teachers;

(2) principals;

(3) superintendents;

(4) human resource directors;

(5) curriculum directors; and

(6) the EPP advisory board.

**E.** Programs for all teachers shall include instruction in pedagogy that is aligned with department standards pursuant to 6.61.2 NMAC through 6.61.12 NMAC.

**F.** EPPs shall conduct a minimum of three formally documented observations that shall include verbal and written feedback on the candidate's practice.

(1) Observations and evaluations of candidates shall be aligned with the four domains of NMTEACH:

(a) planning and preparation;

(b) creating an environment for learning;

(c) teaching for learning; and

(d) professionalism.

(2) Results of evaluations shall inform program interaction with the candidate including feedback, placement, remediation, and support.

(3) Documentation of observations shall be stored by the EPP for a minimum of five years after candidate completion and shall be available to the completer and the department upon request.

**G.** EPPs shall establish rigorous exit requirements in alignment with those required to seek licensure from the department including:

(1) successful demonstration of competency in all relevant areas, subjects, or categories of NMTA; and

(2) a written recommendation from the EPP that the candidate demonstrates the dispositions necessary for success in the classroom and other learning environments.

**H.** In a form approved by the department, all EPPs shall annually submit candidate level data as agreed to in memoranda of understanding or associated amendments between the department and EPP providers. Failure to comply with data reporting and collection requests may result in revocation of the EPP's approval.

**I.** EPPs shall fully comply, in a timely manner, with all requirements that allow the department to generate a scorecard and conduct the comprehensive site visit review in accordance with 6.65.3.11 NMAC and 6.65.3.12 NMAC.

[6.65.3.9 NMAC - N, 5/29/2018]

**6.65.3.10 ENTRY REQUIREMENTS THAT MAY BE WAIVED BY EDUCATOR PREPARATION PROGRAMS:** EPPs may waive entrance requirements outlined in Paragraphs 1 and 2 of Subsection A of 6.65.3.9 NMAC for certain candidates.

**A.** Candidates admitted under a waiver specific to Paragraph 1 of Subsection A of 6.65.3.9 shall be provided remedial services designed to support the candidate to pass all NMTA tests. Documentation of the remedial support provided to the candidate and documentation that the candidate passes all NMTA tests within one year of admittance under a waiver shall be available to the department upon request. For each cohort, waivers for candidates who do not pass the NMTA essential academic skills tests or for candidates not meeting the required minimum GPA shall not exceed 10 percent in each category.

**B.** EPPs shall provide support, as needed, to candidates admitted under a waiver.

**C.** Candidates admitted under waivers who do not meet the entry requirements outlined in Subsection A of 6.65.3.9 NMAC within one year of enrollment shall be exited from the EPP. EPPs shall not readmit said candidates until they meet all requirements of Subsection A of 6.65.3.9 NMAC.

[6.65.3.10 NMAC - N, 5/29/2018]

**6.65.3.11 EDUCATOR PREPARATION PROGRAM SCORECARDS:** The department shall issue an annual scorecard to each department-approved EPP in the state of New Mexico. EPPs earning initial approval after the enactment of 6.65.3 NMAC shall be issued their first scorecard after the completion of their first two years of operation.

**A.** The EPP scorecard shall:

- (1) evaluate the effectiveness of the EPP;
- (2) grade EPP performance on an A through F scale;
- (3) be issued annually by the department for all EPPs with at least 10 candidates; and
- (4) be publicly released by the department.

**B.** Scorecard metrics shall be:

- (1) acceptance rate;
- (2) diversity of cohort;
- (3) candidate performance on licensure tests;
- (4) hiring and retention rates for completers teaching in New Mexico;
- (5) effectiveness rating of completers, as measured by NMTEACH;
- (6) distribution of completers in high-needs areas;
- (7) candidate satisfaction surveys; and
- (8) employer satisfaction surveys.

[6.65.3.11 NMAC - N, 5/29/2018]

**6.65.3.12 COMPREHENSIVE SITE VISIT REVIEW PROCESS:** EPPs shall fully cooperate with the comprehensive site visit review process. The department shall develop an EPP manual outlining the comprehensive site visit process that shall include all documents necessary for the site visit review. Site visits shall occur every four years on a calendar determined by the department unless the status of a program, as outlined in 6.65.3.13 NMAC, changes in a way that merits more frequent visits. EPPs receiving initial approval after the enactment of 6.65.3 NMAC shall participate in their first comprehensive site visit review after the completion of their first two years of operation.

**A.** The comprehensive site visit review process shall assess the performance of the EPP on the four components of the quality review rubric.

- (1) curriculum design and delivery;
- (2) clinical experience;
- (3) candidate quality; and
- (4) continuous improvement.

**B.** The comprehensive site visit review process shall include the following three elements:

(1) **Self-evaluation.** EPPs shall complete the self-evaluation documents in the EPP manual prior to the site visit. Documents shall be submitted to the department at least 12 weeks prior to the site visit. Documents shall include:

- (a) quality review rubric;
- (b) quality review worksheets for each of the four key components on the quality

review rubric; and

(c) any additional data and artifacts suggested as supplemental evidence in the EPP manual accompanied by any releases for such information, if necessary.

(2) **Site visit.** The certified review team shall conduct the site visit and review the EPP using the quality review rubric.

(3) **Summative conference.** The certified review team shall debrief the site visit with the EPP and present their initial findings.

C. At the end of the comprehensive site visit review process, the EPP shall be assessed on its overall performance and shall be rated with one of following site visit classifications defined in the EPP manual:

- (1) industry leader;
- (2) well-developed;
- (3) proficient;
- (4) developing; or
- (5) underdeveloped.

D. The certified review team shall release a final written report to the EPP containing the EPP's scores on each component of the quality review rubric and their overall performance no later than 90 calendar days after the comprehensive site visit review.

E. EPPs shall have 14 calendar days after receiving the report to submit a response, in writing, to the department to indicate any alleged factual errors and to provide any documentation deemed necessary to support the allegations. If, after review of the EPP's response, the department determines the error to be valid, the report shall be amended within 20 calendar days.

[6.65.3.12 NMAC - N, 5/29/2018]

**6.65.3.13 DETERMINATION OF EPP STATUS:** The scorecard grade and the site visit classification shall determine whether an EPP earns approval for continued operation, is placed on probation, or has their approval revoked. The EPP status shall determine the frequency of comprehensive site visit reviews and the scope of EPP responsibilities. EPPs shall be notified of their status by the department no later than November 30 annually.

A. **Approval for continued operation.** Approval for continued operation shall be granted to EPPs earning a C or better on the department scorecard and proficient or better on the comprehensive site visit review. Approval for continued operation shall last four years unless the EPP scorecard grade falls below a C during the four year approval period. Any approved EPP falling below a C during their approval period shall have their status changed to probation.

B. **Probation.** EPPs shall be placed on probation if they earn less than a C on the department scorecard or fall below proficient on the comprehensive site visit review. During the two year probation period, EPPs shall not be eligible to seek approval for new programs from the PPSC. EPPs may continue to accept candidates for entry while on probation.

(1) Responsibilities of programs on probation shall include:  
(a) development of an improvement plan that addresses program deficiencies that shall be submitted to the department for approval within 90 calendar days of notification of probation status;  
(b) annual submittal of a report to the department detailing progress made on the improvement plan;  
(c) participation in a comprehensive site visit review at the end of the two year probation period; and  
(d) participation in professional development and technical assistance prescribed by the department.

(2) Probation shall last two years unless the EPP scorecard grade improves to a C or above after the first year of probation.

(3) The department shall monitor the EPP's progress toward improving the areas noted in the comprehensive site visit review process throughout the probationary period by reviewing the required data reports and conducting monitoring visits as deemed necessary by the department.

(4) Any EPP not exiting probation after the conclusion of the two year probation period may be moved to a status of revocation or may be granted an additional year of probation. EPPs on a third year of probation shall:  
(a) participate in an additional comprehensive site visit review at the end of the third year of probation;

(b) individually notify current candidates in writing of the continued probation status within 30 calendar days of department notification;  
(c) provide documentation of candidate notification to the department; and  
(d) cease acceptance of new candidates.

(5) EPPs not making necessary improvements to exit probation after three years on probation

shall have their status changed to revocation.

**C. Revocation.**

- (1) The department may revoke an EPP's approval for any of the following reasons:
  - (a) earning a grade of F on the scorecard or underdeveloped on the comprehensive site visit review;
  - (b) not exiting probation status;
  - (c) failing to meet reporting or compliance requirements as set forth by statute, department regulation, or guidance provided in department manuals; or
  - (d) having 10 or fewer completers for at least two consecutive years.
- (2) The department shall notify EPPs of revocation in writing. Immediately upon receipt of a notice of revocation, the EPP shall:
  - (a) cease recruitment and acceptance of new candidates;
  - (b) allow candidates currently enrolled in the EPP to complete the licensure program, provided they complete the program within three semesters of the notice of revocation; and
  - (c) work with candidates unable to complete the licensure program within three semesters by providing options for transfer to another EPP.
- (3) An EPP provider that has received a notice of revocation may file a request for reconsideration by the department no later than 30 calendar days after the notice of revocation has been received.
  - (a) The department shall review the materials submitted by the EPP provider including written statements of position, documents, and comments supporting the claim.
  - (b) The department, after considering the request, shall make a decision and inform the EPP provider in writing of its decision within 60 calendar days of receipt of the request for reconsideration.
  - (c) The decision of the department shall be final.

[6.65.3.13 NMAC - N, 5/29/2018]

History of 6.65.3 NMAC - [RESERVED]

**22-10A-19.2. Educator accountability report.**

A. The department shall:

(1) design a uniform statewide educator accountability reporting system to measure and track teacher and administrator education candidates from pre-entry to post-graduation in order to benchmark the productivity and accountability of New Mexico's educator work force; provided that the system shall be designed in collaboration with:

(a) all public post-secondary teacher and administrator preparation programs in New Mexico, including those programs that issue alternative or provisional licenses;

(b) the teacher and administrator preparation programs' respective public post-secondary educational institutions; and

(c) the higher education department;

(2) require all public post-secondary teacher and administrator preparation programs to submit the data required for the uniform statewide educator accountability reporting system through the department's student teacher accountability reporting system;

(3) use the uniform statewide educator accountability reporting system, in conjunction with the department's student teacher education accountability reporting system, to assess the status of the state's efforts to establish and maintain a seamless pre-kindergarten through post-graduate system of education;

(4) adopt the format for reporting the outcome measures of each teacher and administrator preparation program in the state; and

(5) issue an annual statewide educator accountability report.

B. The annual educator accountability report format shall be clear, concise and understandable to the legislature and the general public. All annual program and statewide accountability reports shall ensure that the privacy of individual students is protected.

C. Each teacher and administrator preparation program's annual educator accountability report shall include the demographic characteristics of the students and the following indicators of program success:

(1) the standards for entering and exiting the program;

(2) the number of hours required for field experience and for student teaching or administrator internship;

(3) the number and percentage of students needing developmental course work upon entering the program;

(4) the number and percentage of students completing each program;

(5) the number and types of degrees received by students who complete each

program;

- (6) the number and percentage of students who pass the New Mexico teacher or administrator assessments for initial licensure on the first attempt;
- (7) a description of each program's placement practices; and
- (8) the number and percentage of students hired by New Mexico school districts.

D. The educator accountability report shall include an evaluation plan that includes high performance objectives. The plan shall include objectives and measures for:

- (1) increasing student achievement for all students;
- (2) increasing teacher and administrator retention, particularly in the first three years of a teacher's or administrator's career;
- (3) increasing the percentage of students who pass the New Mexico teacher or administrator assessments for initial licensure on the first attempt;
- (4) increasing the percentage of secondary school classes taught in core academic subject areas by teachers who demonstrate by means of rigorous content area assessments a high level of subject area mastery and a thorough knowledge of the state's academic content and performance standards;
- (5) increasing the percentage of elementary school classes taught by teachers who demonstrate by means of a high level of performance in core academic subject areas their mastery of the state academic content and performance standards; and
- (6) increasing the number of teachers trained in math, science and technology.

E. In addition to the specifications in Subsections C and D of this section, the annual educator accountability report shall also include itemized information on program revenues and expenditures, including staff salaries and benefits and the operational cost per credit hour.

F. The annual educator accountability report shall be adopted by each public post-secondary educational institution, reported in accordance with guidelines established by the department to ensure effective communication with the public and disseminated to the governor, legislators and other policymakers and business and economic development organizations by November 1 of each year.

History: Laws 2007, ch. 264, § 2; 2009, ch. 20, § 1.

**The 2009 amendment**, effective June 19, 2009, changed the name of the uniform statewide teacher education accountability reporting system to the uniform statewide educator accountability reporting system and included administrators in the uniform statewide educator accountability reporting system.