Rule Overview

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Rule Citation: NMAC 6.69.1-8 Educator Evaluation System

Overview of Proposed Rule

Agency: Public Education Department
Rulemaking Action: Repeal and Replace
Date of Notice: October 20, 2026
Public Comment Period: October 20, 2026, through November 20, 2026, until 5:00 PM (MDT)
Rule's Purpose: The proposed changes in New Mexico Administrative Code (NMAC) 6.69.1 through 6.69.8 are a coordinated restructuring of New Mexico's school personnel evaluation system regulations, with a proposed effective date of July 1, 2027. The proposed change is a move away from evaluation requirements across several separate rules toward a more integrated system.

Summary of NMAC 6.69.1 – 8 Educator Evaluation System

The proposed NMAC 6.69.1 through NMAC 6.69.8 represent a restructuring of New Mexico's educator evaluation system. The most significant change is the movement away from several separate evaluation systems toward a more standardized, department-approved evaluation framework. The proposed rules retain several existing practices, including annual evaluations, professional development plans, observations, evaluator feedback, opportunities for growth, and procedures for addressing unsatisfactory performance. However, the proposed rules change how these practices are conducted, documented, measured, and used to make employment and licensure decisions. These changes establish new evaluation standards, new performance measures, new evaluator qualifications, and more specific requirements for documenting employee performance. This report provides a summary of each section, it's impact on educators and administrators, and substantive technical issues throughout NMAC 6.69.1 through NMAC 6.69.8.

NMAC 6.69.1 Definitions and General Provisions: The proposed changes to NMAC 6.69.1 create a common set of definitions and general provisions for the entire Chapter 69 educator evaluation system, Sections 1 through 6. The proposed changes are intended to give the remaining parts consistent terminology and a shared foundation. The proposed changes supply common vocabulary and rating framework for the new educator evaluation system. The definition excluding student data is significant because it affects what evaluators may consider throughout Chapter 69. The proposed changes establish common definitions for annual summative evaluation, artifacts, certified observers, competency areas, elements, evaluators, formal and walkthrough observations, multiple measures, performance ratings, professional development plans, rubrics, teachers, site administrators, and other licensed school staff. It also establishes four performance ratings: innovating, applying, developing, and not demonstrating. Additionally, it proposes defining an unsuccessful annual summative evaluation as one in which 40 percent or more of the elements are rated "not demonstrating" or equivalent. It also defines student achievement data broadly, including test results, assessment scores, assignment scores, and growth measures, and expressly states that student achievement data is not evidence for purposes of New Mexico's school personnel evaluation system. The proposed changes also define "teacher" primarily by whether the individual is assigned as a teacher of record and excludes certain licensed personnel, including librarian-teachers, who are addressed separately. It also establishes the concept of an underlying professional license for staff whose Public Education Department (PED) issued license depends on another professional license. Lastly, it defines the annual summative evaluation as reflecting the highest performance rating assigned to an element across observations.

NMAC 6.69.2 Competency Areas and Elements for Teachers: The proposed rule repeals and replaces the current unsatisfactory-work performance subject matter with teacher competency requirements, effective July 1, 2027. The current NMAC 6.69.2 addresses procedures for correcting unsatisfactory work performance. The proposed version updates the subject of the former rule to match the standards used to evaluate teachers. It replaces the

current, more general evaluation approach with a defined set of observable competencies and elements, including stronger emphasis on instructional planning, equitable learning conditions, student engagement, evidence-based practice, family communication, and professional responsibilities. The proposed changes require the department-approved evaluation system to evaluate every teacher against four competency areas and 22 related elements. It also requires the standards to be applied appropriately to the teacher's licensure level, assignment, grade level, professional role, and student population. The proposed four competency areas are:

1. **Instructional planning and readiness**: standards-aligned planning, instructional design, learning outcomes, resources, sequencing, and assessment.
2. **Supportive learning conditions**: respectful and affirming interactions, high expectations, routines, positive behavior, and safe and accessible learning spaces.
3. **Instructional practice and student learning**: communication, questioning and discussion, intellectual engagement assessment during instruction, feedback, and instructional adjustment.
4. **Professional practice and responsibility**: reflection, records, family and community partnerships, school collaboration, professional learning, and legal and ethical duties.

The required ratings are to be based on relevant documented evidence and allows school districts to add local measurable standards and elements. The additions cannot replace, reduce, or alter the state-established competency areas and elements.

NMAC 6.69.3 Competency Areas and Elements for Site Administrators: The proposed rule repeals and replaces the current administrator evaluation framework, NMAC 6.69.7, and incorporates provisions from it, effective July 1, 2027. The proposed changes establish a new statewide framework for evaluating principals and assistant principals, referred to in the proposed rule as "site administrators." The proposed framework moves administrators' evaluation beyond broad leadership competencies toward more specific operational and instructional responsibilities. It emphasizes measurable improvement, resource management, staffing, educator evaluation, school climate, safety, family engagement, and ethical leadership. The proposed changes require a department-approved evaluation system to evaluate every site administrator employed in a school district. It establishes five essential practices and 18 related elements. Site administrators are assessed annually on all elements and receive a rating for each essential practice. The proposed five essential practices are:

1. **Organizational advancement**: shared vision, organizational systems, resource administration, and continuous improvement.
2. **Instructional core**: curriculum and assessment, conditions for instruction and engagement, and evidence-based instructional improvement.
3. **Talent**: staffing and leadership opportunities, educator evaluation and feedback, and professional learning, mentoring, and induction.
4. **Culture and safety**: safety and order, family and community engagement, and belonging, well-being, and inclusion.
5. **Personal integrity**: ethical and responsible practice, reflection and professional growth, professional communication, management of time and responsibilities, and responsive leadership.

The proposed changes emphasize documented systems, measurable goals, monitoring, follow-up, and evidence of implementation. It also allows districts to adopt additional measurable standards and elements, provided they supplement rather than replace or reduce the state requirements.

NMAC 6.69.4 Competency Areas for Licensed School Staff Other Than Teachers and Site Administrators: The proposed rule repeals and replaces the current teacher evaluation requirements and incorporates updated standards for librarian-teachers and school counselors from the current NMAC 6.69.5 and 6.69.6, effective July 1, 2027. This rule change broadens the evaluation framework to cover licensed school staff whose jobs do not fit the traditional teacher or site administrator models. It also makes the status of an employee's underlying professional license a formal part of the evaluation process. The proposed rule requires annual evaluation of staff other than teachers and site administrators employed by the school district. It establishes two evaluation pathways:

- **Staff with an underlying professional license**: If PED has a specific approved rubric, the district must use it. If not, the district must use a PED-approved template aligned with the most recent standards or competencies of the national or state board that issued the underlying license.
- **Staff without an underlying professional license**: The district must use specific PED-approved rubric if one exists. Otherwise, the rule provides a general rubric framework.

The proposed change also requires districts to verify at least annually that an underlying professional license remains active, unexpired, and not suspended or revoked, when the district has notice. It treats suspension, revocation, expiration, or denial of renewal of an underlying professional license as a failure to demonstrate the competencies required by NMAC 6.69.1-8.

The proposed rule establishes six general elements for staff without an underlying professional license when no specific rubric is available: **1. communication; 2. teamwork and collaboration; 3. planning and organization; 4. job knowledge and quality of work; 5. safety and supportive environment; and 6. professional responsibility and growth**. It allows additional local standards, but they cannot replace, reduce, or alter the department-approved rubric.

NMAC 6.69.5 Evaluation Cycle, Evidence, and Rubrics: The proposed rule repeals and replaces the current librarian evaluation rule and consolidates educator evaluation procedures previously spread across several parts, effective July 1, 2027. The proposed rule is the central procedural rule in Chapter 69. It establishes how evaluations are conducted, what evidence may be used, how ratings are assigned, and what evaluators must complete. This proposed change standardizes the mechanics of evaluation across NMAC 6.69.1-6. It creates more detailed expectations for observation, documentation, feedback, employee participation, evaluator training, and the calculation of summative ratings.

The proposed rule establishes annual evaluation cycles for teachers, site administrators, and other licensed school staff. For teachers:

- Requires at least two formal observations for level 1 teachers, with the first observation within 90 days after the start of the school year.
- Requires at least one formal observation for level 2 and level 3-A teachers, also within 90 days.
- Requires a walkthrough observation for each teacher within 40 days of the first day of instruction, with feedback.
- Requires at least one structured literacy walkthrough for individuals teaching in a kindergarten through grade five setting.
- Requires a beginning-of-year conference and professional development plan within 40 school days of the start of the year or date of hire.
- Requires written feedback within 10 calendar days after a formal observation.
- Assigns responsibility for the annual summative evaluation to the site administrator supervising the teacher.

For site administrators and other licensed staff, it establishes an annual cycle that includes a beginning-of-year conference and professional development plan, evidence collection, a mid-year conference and an end-of-year summative conference. It establishes five categories or sources of evidence: **1) observations of practice; 2) artifacts; 3) structured input; 4) employee submitted evidence; and 5) professional development.**

The proposed rule requires evaluators to consider multiple measures and document their rationale. Ratings cannot be based on assumptions, inferences, or isolated incidents. It requires evaluators to gather sufficient evidence for every element and document conflicting evidence and the rationale for the rating. The proposed change provides employees with the opportunity to review the evidence and submit additional evidence or a written response before the annual summative evaluation is finalized.

The proposed rule establishes four performance ratings: innovating, applying, developing, and not demonstrating. However, it provides that "not demonstrating" must be supported by evidence and cannot be assigned solely because an element was not observed.

The proposed change requires PED to maintain approved rubrics for teachers, site administrators, and other licensed school personnel. It also requires each applicable element to be rated with evidence before a summative evaluation can be issued. If evidence is insufficient, the element is designated "not observed" and the evaluation remains incomplete. Additionally, it states that an annual summative evaluation is unsuccessful if 40 percent or more of its elements are rated "not demonstrating"; each element is weighted equally.

The proposed rule establishes evaluator training at least every two years for teacher evaluators and every three years for site administrator evaluators. Lastly, it establishes waiver procedures and annual reporting requirements for schools, including charter schools operating under waivers.

NMAC 6.69.6 Unsatisfactory Work Performance of Licensed School Personnel: The proposed rule repeals and replaces the current unsatisfactory-work-performance provisions in NMAC 6.69.2, effective July 1, 2027. The proposed change moves the unsatisfactory-work-performance process out of the current regulation and places it in NMAC 6.69.6. It ties the process more directly to the new four-level rating system and the evaluation process in NMAC 6.69.5. The proposed rule retains a structured opportunity for improvement but makes the trigger for a pattern of low performance-level ratings for the process more closely connected to the new evaluation ratings. It also changes the observation requirement during the 90-day growth plan from the former rule's "more than four times" to a minimum of four times. The proposed rule applies to a licensed school employee who sustains a pattern of low performance-level ratings under NMAC 6.69.5.12. It provides that unsatisfactory work performance may constitute good cause for discharge or termination if the required procedures are followed. It requires an evaluator to submit an original written report to the superintendent and an exact copy to the employee. The evaluation cannot be changed after each component has been completed and delivered. The proposed change allows an employee rated unsuccessful to submit a written response that becomes a permanent attachment to the evaluation file.

The proposed change requires the evaluator to provide evidence describing in detail how the employee failed to demonstrate competency. It requires notice of the employee's right to a post-evaluation conference within 10 days after completion of the evaluation, unless the employee agrees to an extension. It also requires recommendations, feedback, assistance, and district support to help correct the performance deficiencies. It will allow for placement of an employee on a 90-day performance-growth plan. It requires at least four written observations and evaluations during the 90-day period, with results provided to the employee.

The proposed rule requires the evaluator to document assistance and notice of available training. The evaluator must make a written recommendation within five school days after the plan expires, followed by written superintendent notification within 10 school days. It allows the superintendent to determine whether to discharge or terminate the employee if satisfactory progress has not been made.

NMAC 6.69.7 Repeal of Performance Evaluation Requirements for Principals and Assistant Principals: The proposed rule repeals this section in its entirety, effective July 1, 2027. This section contains the former principal and assistant principal evaluation requirements and provides for their repeal. The repeal is not intended to eliminate principal and assistant principal evaluations. Rather, the current standalone framework is replaced by the new essential-practices-and-elements model in the proposed NMAC 6.69.3 and the common evaluation procedures in NMAC 6.69.5. The proposed rule repeals the former standalone evaluation rule for principals and assistant principals. The current rule requires annual evaluations, annual professional development plans, at least two formal observations, a mid-year conference, and a written reflection. It also organizes leadership evaluation around five broad areas: instructional leadership, communication, professional development, operations management, and secondary-school responsibilities.

NMAC 6.69.8 Repeal of Teacher and School Leader Effectiveness: The proposed rule repeals this section in its entirety, effective July 1, 2027. This section contains the former teacher and school leader effectiveness rule and provides for its repeal. The repeal removes the former standalone effectiveness framework. The current rule uses five performance levels: exemplary, highly effective, effective, minimally effective, and ineffective. It also specifies an evaluation weighting model of 35 percent student achievement growth, 40 percent observations, and 25 percent other multiple measures, unless otherwise provided. It includes requirements for annual evaluation, student achievement growth measures, reporting, appeals, and exemptions. The proposed history

states that applicable evaluation-cycle, evidence, rating, and procedural requirements are consolidated and updated in the proposed NMAC 6.69.5.

Impact

Annual evaluations and professional development plans (NMAC 6.69.1.7, 6.69.5.8, 6.69.5.10). With the proposed changes, teachers, principals, and assistant principals will continue to receive annual evaluations. All employees will continue to establish professional development goals and evaluations will continue to consider progress toward those goals. Additionally, evaluators will continue to provide feedback and identify areas for improvement. The change in the proposed system establishes more specific requirements for the evaluation cycle. The beginning-of-year conference must establish a written professional development plan with self-reflection and measurable goals. The evaluation process is also more closely connected to specific competency areas, elements, and department-approved rubrics. Also, the evaluation is no longer simply an assessment of whether an employee met professional development objectives. It must be supported by documented evidence for the applicable elements. The impact on teachers and administrators will be the need to maintain more organized documentation throughout the year. Principals and other evaluators will have greater responsibility for collecting evidence, documenting feedback, and ensuring that ratings are supported by the applicable rubric.

Classroom observations and walkthroughs. The proposed changes to classroom observations and walkthroughs under NMAC 6.69.5.8 establish minimum formal observation requirements based on a teacher's licensure level, replacing the current general observation structure and consideration of prior effectiveness ratings under NMAC 6.69.8.11. Under the proposed rule, Level 1 teachers must receive at least two formal observations, while Level 2 and 3-A teachers must receive at least one, with additional observations permitted at the discretion of the trained evaluator or educator. At least one required formal observation must be conducted by the site administrator responsible for supervising the teacher. The proposed rule also requires a walkthrough within 40 days of the teacher's first day of instruction, including at least one structured literacy walkthrough for kindergarten through grade five teachers within that period. Formal observation feedback must continue to be provided within 10 calendar days, and documentation must clearly distinguish objective facts from subjective interpretations. These changes will affect teachers by establishing observation requirements according to licensure level; principals by requiring their direct participation in at least one formal observation for each teacher they supervise; and districts by requiring coordination of observation schedules, evaluator assignments, literacy walkthroughs, and documentation and reporting requirements.

Evaluation ratings and scoring. The proposed evaluation framework in NMAC 6.69.5 introduces a significant change to evaluation ratings and scoring by replacing the current five effectiveness categories in NMAC 6.69.8.8 — Exemplary, Highly Effective, Minimally Effective, and Ineffective — with four performance-level ratings: Innovating, Applying, Developing, and Not Demonstrating. Under the proposed rule, each evaluation element must receive an individual rating supported by evidence, with all elements weighted equally and the highest rating assigned to an element across observations used in the annual summative evaluation. An annual summative evaluation is considered unsuccessful when 40 percent or more of the elements are rated Not Demonstrating. This replaces the former scoring model, which weighted student achievement growth at 35 percent, observations at 40 percent, and other measures at 25 percent. The proposed framework places greater emphasis on demonstrated professional practice and evidence of specific competencies rather than numerical weighting and overall effectiveness categories. The proposed changes will require teachers to demonstrate proficiency across individual evaluation elements; principals will need to understand, explain, and document ratings using the new four-level system; and districts will need to revise existing evaluation instruments, scoring systems, training materials, and evaluation policies to align with the proposed framework.

Student Achievement and Student Growth. The proposed evaluation framework makes a significant change to the role of student achievement and growth in employee evaluations. Under the current NMAC 6.69.8 evaluation system, classroom teachers are currently evaluated using a 35-percent student achievement growth component with applicable, while school leaders are evaluated using student growth measures based on the school's A-F grading system. The proposed framework takes a different approach, with NMAC 6.69.1.7 broadly defining student achievement data while expressly stating that student achievement data is not evidence for purposes of Chapter 69. Instead, the proposed system relies on classroom and worksite observations, employee work

products and artifacts, structured input, employee-submitted evidence, and professional development evidence. As a result, teachers will no longer have the current 35-percent student achievement growth percentage in their evaluations. Districts will need to clearly distinguish between student achievement data used for school improvement and accountability purposes and evidence that may legally be used to determine individual employee ratings, ensuring that evaluations and employees understand this important policy distinction.

Competency areas and elements for teachers. The proposed NMAC 6.69.2 represents major restructuring of the teacher evaluation framework by replacing the current rule addressing unsatisfactory work performance with four teacher competency areas and 22 related elements. The competency areas are **1) Instructional Planning and Readiness; 2) Supportive Learning Conditions; 3) Instructional Practice and Student Learning; and 4) Professional Practice and Responsibility**. These areas address instructional planning, student needs, assessment, classroom environment, instructional practices, professional reflection, recordkeeping, family communication, collaboration, professional learning, and legal and ethical responsibilities. While the focus on professional performance, instructional practice, professional responsibilities, and professional growth remain the same in the current system, the proposed changes establish more specific and observable performance expectations that must be supported by relevant evidence. The proposed framework also allows evaluations to be tailored to a teacher's licensure level, assignment, grade level, professional role, and student population. These changes will require teachers to demonstrate their performance through evidence for each applicable element; principals must become familiar with all 22 elements and ensure observations and feedback align with the appropriate competencies; and district administrators must implement the new framework consistently across schools by revising evaluation rubrics, procedures, and related guidance.

Technical Issues

In **NMAC 6.69.1 Definitions and General provisions**, the proposed rule excludes student achievement data as evidence in the definitions. It broadly defines student achievement data and states that it is not evidence for an educator evaluation system. However, the site administrator competencies refer to student and student-group evidence, assessment results, and evidence of impact. The rules should clarify exactly what information may be used and what is excluded. It also defines a licensed school employee by reference to employment in a public school, while other provisions refer to charter schools, special schools, and state agencies. Chapter 69 should make clear which requirements apply to each category of institution and employee.

In **NMAC 6.69.4 Competency Areas for Licensed School Staff Other than Teachers and Site Administrators**, the proposed rule treats suspension, revocation, expiration, or denial of renewal of an underlying professional license as a failure to demonstrate required competencies. It is unclear how this interacts with the licensing board's authority and the employee's opportunity to challenge the underlying license action. Additionally, it is unclear in NMAC 6.69.4.8(B)(3) whether the district is required to have "notice" of a staff member's status of licensure, or the district is only required to verify the status when they know of a suspension or a revocation.

In **NMAC 6.69.5 Evaluation Cycle, Evidence, and Rubrics**, the proposed rule requires each applicable element to be rated and states an evaluation remains incomplete if an element is not observed. The basis for calculating the 40 percent threshold is unclear, particularly whether elements designated as "not observed" are included in the calculation. Sections NMAC 6.69.2, 6.69.3 and 6.69.4 allow districts to adopt additional standards or elements, subject to limits. It requires comparable rubrics for local additions and makes them subject to department review. It is unclear about the review process, approval criteria, and how local additions affect the summative evaluation process. The proposed change also provides an opportunity to review evidence and submit a response, but unlike the current NMAC 6.69.8, the proposed replacement provisions does not clearly establish an equivalent appeal process for a disputed rating.

In **NMAC 6.69.6 Unsatisfactory Work Performance of Licensed School Personnel**, the proposed rule describes its purpose as addressing a pattern of low performance-level ratings, while its procedures refer to an employee

rated unsuccessful. It is unclear whether one unsuccessful annual evaluation is sufficient to trigger the process or whether multiple ratings or evaluation cycles are required before discharge or termination.

Drafting issues:

- In NMAC 6.69.2.3, the statutory authority citation contains an apparent extra comma or missing section: "22-2-1,, and 22-10A-19."
- In NMAC 6.69.2.8 (A)(1)(d), the phrase "instructional, cultural, community technological resources" appears to need grammatical or punctuation correction.
- In NMAC 6.69.1-8 uses terms such as "licensed school employee (NMAC 6.69.5.2, 6.69.5.6, 6.69.5.11 (A)(B)(G), and 6.69.5.12)," "licensed school staff member (NMAC 6.69.4.8)," "unsuccessful (NMAC 6.69.5.13 (D) and 6.69.6.8 (B)(3))," and "not demonstrating (NMAC 6.69.5.12 (B)(5)(d)(C)(D) and 6.69.6.8 (B)(3))." These should be used consistently and cross-referenced to the NMAC 6.69.1 Definitions and General Provisions.

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 69 SCHOOL PERSONNEL – EVALUATION
PART 1 DEFINITIONS AND GENERAL PROVISIONS

6.69.1.1 ISSUING AGENCY: Public Education Department (PED), hereinafter the department.
[6.69.1.1 NMAC – N, 7/1/2027]

6.69.1.2 SCOPE: This part establishes the definitions and general provisions applicable to the department-approved educator evaluation system established under this chapter.
[6.69.1.2 NMAC – N, 7/1/2027]

6.69.1.3 STATUTORY AUTHORITY: Sections 9-24-8, 22-2-1, 22-2-2, 22-10A-2, and 22-10A-19 NMSA 1978.
[6.69.1.3 NMAC – N, 7/1/2027]

6.69.1.4 DURATION: Permanent.
[6.69.1.4 NMAC – N, 7/1/2027]

6.69.1.5 EFFECTIVE DATE: July 1, 2027, unless a later date is cited at the end of a section.
[6.69.1.5 NMAC – N, 7/1/2027]

6.69.1.6 OBJECTIVE: This part establishes the general provisions, including the definitions, applicable to this chapter.
[6.69.1.6 NMAC – N, 7/1/2027]

6.69.1.7 DEFINITIONS:

A. "Advancement program level I – level II" or "APLI-II" means a series of five micro-credentials, aligned with the department-approved educator evaluation system, that a teacher with a level 1 license shall successfully complete and demonstrate mastery in before progressing to a level 2 license.

B. "Advancement program level II – level III" or "APLII-III" means a series of four micro-credentials, aligned with the department-approved educator evaluation system, that a teacher with a level 2 license shall successfully complete and demonstrate mastery in before progressing to a level 3-A license.

C. "Annual summative evaluation" means the overall performance level rating assigned to a licensed school employee at the end of the annual evaluation cycle. The annual summative evaluation shall reflect the highest performance level rating assigned to that element across all observations.

D. "Artifact" means a product of a licensed school employee's work, such as a lesson plan, assessment instrument, instructional material, professional development plan, or communication record, that demonstrates the employee's knowledge or skill with respect to a specific competency area, essential practice, or element. "Artifact" does not include student achievement data.

E. "Beginning-of-year conference" means the conference, held at the start of the school year, at which a licensed school employee and the employee's evaluator establish a professional development plan for the school year.

F. "Certified observer" means an individual who a school district or charter school designates to conduct or complete the formal observation and evaluation of a teacher but not of a site administrator. A certified observer shall:

(1) hold an active administrator or superintendent license, or an active level 2 or level 3 teaching license;

(2) be employed by a school district, charter school, or regional educational cooperative; and

(3) complete the department-approved training for the department-approved educator evaluation system protocol every two years for teacher evaluation by September 15 of a given school year or 40 days after hire.

G. "Competency area" means a domain of teacher practice within which related elements are grouped.

H. "Department-approved educator evaluation system" means the evaluation system developed and approved by the department for evaluating licensed school employees.

I. **"Element"** means a specific, observable practice, associated with a competency area or essential practice, on which a licensed school employee is rated using a department-approved rubric.

J. **"Essential practice"** means a domain of site administrator leadership practice within which related elements are grouped.

K. **"Evaluator"** means the site administrator, trained evaluator of teachers, or trained evaluator of site administrators, responsible for supervising and evaluating a licensed school employee's performance.

L. **"Formal observation"** means a documented, verifiable classroom or worksite observation conducted by a trained evaluator of teachers using a department-developed protocol.

M. **"Heritage language"** means a language other than English that is inherited from a family, tribe, community or country of origin.

N. **"High-quality instructional materials"** means instructional materials that are:

(1) research-based, culturally and linguistically relevant and designed to support equitable learning for all students;

(2) aligned with the department's academic content and performance standards and benchmarks; and

(3) included on the department's multiple list of instructional materials or otherwise approved by the department.

O. **"Home language"** means a language other than English that is the primary or heritage language spoken at home or in the community.

P. **"Licensed school employee"** means an individual who holds a license issued by the department and is employed in a public school.

Q. **"Licensed school staff other than teachers and site administrators"** means a person employed by a school district who holds a license or certificate issued by the department to provide services in a public school including, but not limited to, a person who holds a teaching license who is not assigned or employed as a teacher of record or an administrator, such as a librarian-teacher holding a library media specialist endorsement issued under Chapter 64 NMAC. "Licensed school staff other than teachers and site administrators" does not include a person issued a Native American language and culture certificate pursuant to the School Personnel Act, Section 22-10A-1 et seq. NMSA 1978.

R. **"Micro-credential"** means a competency-based sequence made up of several courses, each focused on a set of discrete skills or areas aligned with the department-approved educator evaluation system.

S. **"Multiple measures"** means a combination of more than one category of evidence used together to inform a rating, such that no single measure or data point is the sole basis for a rating.

T. **"Performance level criteria"** means specific, observable descriptions of practice, provided in a department-approved rubric for a given element and performance level rating, that an evaluator uses to distinguish among performance level ratings.

U. **"Performance level rating"** means one of the four rating categories – innovating, applying, developing, or not demonstrating – assigned to an element, essential practice, competency area, or overall annual summative evaluation.

V. **"Professional development plan"** means the written plan, established at the beginning-of-year conference within 40 days of date of hire, that includes self-reflection and measurable goal-setting aligned to the applicable competency areas or essential practices for the employee's position and to local improvement priorities.

W. **"Rubric"** means the department-approved scoring tool that defines observable evidence and performance level criteria for each element at each performance level rating.

X. **"School district"** means one of the political subdivisions of the state created for the administration of public schools and includes a charter school that is not operating under a waiver of the requirements of this chapter.

Y. **"Site administrator"** means an employee of a public school holding a site administrator license who is employed or assigned an administrative role. This includes, but is not limited to, assistant principals and principals.

Z. **"Special school"** means a constitutionally mandated school, including the New Mexico school for the blind and visually impaired, the New Mexico school for the deaf, and the New Mexico military institute.

AA. **"Student achievement data"** means any measure of student performance, mastery, or growth derived from a test, assessment, assignment score, or school accountability designation, including a statewide assessment, a common or local assessment, or a student growth percentile or similar growth measure. Student achievement data is not evidence for purposes of this chapter.

BB. **"Superintendent"** means the chief executive officer of a school district or the head administrator of a charter school.

CC. **"Teacher"** means a person assigned or employed as a teacher of record who holds a teaching license. This includes teachers below the site administrator level who supervise an instructional program, or whose duties include curriculum development, peer intervention, peer coaching, mentoring, or serving as a resource teacher for other teachers. "Teacher" does not include:

(1) a person issued a Native American language and culture certificate pursuant to the School Personnel Act, Section 22-10A-1 et seq. NMSA 1978.

(2) a person who holds a teaching license who is not assigned or employed as a teacher of record, including, but not limited to, a librarian-teacher holding a library media specialist endorsement issued under Chapter 64 NMAC.

DD. **"Trained evaluator of site administrators"** means an individual assigned responsibility by a school district or charter school for supervising and evaluating site administrators, who has completed the department-approved training issued under 6.69.5.14 NMAC. This includes, but is not limited to, superintendents and assistant superintendents who have completed the department-approved training.

EE. **"Trained evaluator of teachers"** means a certified observer or a site administrator assigned responsibility by a school district or charter school for evaluating teachers, who has completed the department-approved training issued under 6.69.5.14 NMAC.

FF. **"Underlying professional license"** means a license or certificate other than a teaching or administrative license, issued by a national or state licensing or certifying board other than the department, that is required or accepted as a basis for the department to issue or renew a particular license under Chapter 63 NMAC or other applicable department rule.

GG. **"Unsatisfactory work performance"** means the failure by a licensed school employee to satisfactorily perform the tasks which are evaluated by the employee's supervisors, pursuant to the school district's approved plans for evaluation and supervision of its licensed employees. This may include an unsuccessful annual summative evaluation.

HH. **"Unsuccessful annual summative evaluation"** means an annual summative evaluation where 40 percent or more elements in the annual summative evaluation were rated as "not demonstrating" or equivalent. The annual summative evaluation shall reflect the highest performance level rating assigned to that element across all observations.

II. **"Waiver"** means department approval, or approval by operation of law, permitting a school district or charter school to substitute an alternative evaluation approach for one or more requirements of this chapter.

JJ. **"Walkthrough observation"** means a brief, targeted classroom or worksite observation conducted by a trained evaluator of teachers to examine prioritized practices and collect evidence for feedback.
[6.69.1.7 NMAC – N, 7/1/2027]

6.69.1.8 SEVERABILITY: In the event that any one or more of the sections of this rule, in whole or in part, should be held to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining sections of this rule shall not in any way be affected or impaired.
[6.69.1.8 NMAC - N, 7/1/2027]

HISTORY OF 6.69.1 NMAC: [**RESERVED**]

[**TITLE 6 PRIMARY AND SECONDARY EDUCATION**
CHAPTER 69 SCHOOL PERSONNEL - PERFORMANCE
PART 2 UNSATISFACTORY WORK PERFORMANCE OF CERTIFIED (LICENSED) SCHOOL PERSONNEL

6.69.2.1 ISSUING AGENCY: Public Education Department (PED).
[6.69.2.1 NMAC - Rp, 6.69.2.1 NMAC, 08/15/2017]

6.69.2.2 SCOPE: This regulation applies to local school boards, governing authorities of state agencies and certified (licensed) school personnel.
[6.69.2.2 NMAC - Rp, 6.69.2.2 NMAC, 08/15/2017]

6.69.2.3 STATUTORY AUTHORITY: This regulation is adopted pursuant to Section 22-10A-19, 22-10A-27 NMSA 1978.
[6.69.2.3 NMAC - Rp, 6.69.2.3 NMAC, 08/15/2017]

6.69.2.4 DURATION: Permanent
[6.69.2.4 NMAC - Rp, 6.69.2.4 NMAC, 08/15/2017]

6.69.2.5 EFFECTIVE DATE: August 15, 2017 unless a later date is cited at the end of a section.
[6.69.2.5 NMAC - Rp, 6.69.2.5 NMAC, 08/15/2017]

6.69.2.6 OBJECTIVE: This regulation establishes procedures for supervising and correcting "unsatisfactory work performance" of licensed school personnel before notice of intent to discharge or notice of termination is served upon them or before requesting the secretary to suspend a level three teaching license for unsatisfactory work performance at level three licensure, and further to distinguish between the terms "unsatisfactory work performance" and "insubordination".
[6.69.2.6 NMAC - Rp, 6.69.2.6 NMAC, 08/15/2017]

6.69.2.7 DEFINITIONS:

A. "Administrative authority" means the superintendent, principal or a person acting under the authority of such superintendent or principal.

B. "Insubordination" means actual or implied willful refusal to follow written policies, regulations, rules, or procedures established by the department, the local school board, or administrative authorities; or the lawful written or oral orders, requests, or instructions of administrative authorities.

C. "Secretary" means the secretary of education department.

D. "Uncorrected unsatisfactory work performance" means unsatisfactory work performance which the licensed school personnel has failed to correct pursuant to the provisions in this regulation; provided, however, that if unsatisfactory work performance is uncorrectable through the evaluation and supervision process, as determined by the local school board policy, the provisions in this regulation shall not apply.

E. "Unsatisfactory work performance" means the failure by licensed school personnel to satisfactorily perform those tasks which are evaluated by the employee's supervisors, pursuant to the school district's approved plans for evaluation and supervision of its licensed employees. For the purpose of this regulation unsatisfactory work performance does not include insubordination or conduct deemed to be outside the normal scope of duties of licensed school personnel.
[6.69.2.7 NMAC - Rp, 6.69.2.7 NMAC, 08/15/2017]

6.69.2.8 UNCORRECTED UNSATISFACTORY WORK PERFORMANCE:

A. Uncorrected unsatisfactory work performance is good cause for discharging or termination of licensed school personnel or for requesting the secretary to suspend a level three teaching license as provided in Subsection F of 6.69.4.10 NMAC so long as procedures established in Subsection B of Section 6.69.2.8 NMAC herein are followed.

B. The following procedures shall be followed by local school boards or governing authorities of state agencies in supervising and correcting unsatisfactory work performance of licensed school personnel before serving them with notice of intent to discharge pursuant to Section 22-10A-27 NMSA 1978 or before requesting the secretary to suspend a level three teaching license under Subsection F of 6.69.4.10 NMAC.

C. Every person who evaluates a licensed school employee under this rule shall submit an original written report to the school district superintendent, and an exact copy to the licensed school employee being evaluated. The effectiveness evaluation shall not be changed once each component is completed and delivered to either the school district superintendent or the licensed school employee being evaluated. In addition to the requirements in Subsection B of 6.69.2.8 NMAC, before requesting the secretary to suspend a level three teaching license as provided in Subsection F of 6.69.4.10 NMAC a local school district or governing authority of state agencies shall provide the teacher with professional development and peer intervention, including mentoring, for a period the school principal deems necessary.

D. A licensed school employee rated minimally effective or ineffective may provide a written statement in response to their effectiveness evaluation, and that statement shall become a permanent attachment to that employee's evaluation file.

E. Every person who rates a licensed school employee minimally effective or ineffective shall describe in detail the minimally effective or ineffective performance and, in writing, inform the licensee of the following:

(1) the right to a post-evaluation conference which the evaluator must convene and which shall occur no later than ten days after the evaluation is completed unless the employee agrees to an extension;

(2) that during the conference the evaluator will make recommendations to the employee with respect to specific areas of unsatisfactory performance and provide feedback that establishes the initial framework for an individual professional growth plan;

(3) that the evaluator will provide assistance in helping the employee correct unsatisfactory performance and the district will extend strategic support aligned to best practices identified by the department to assist the employee in correction of the unsatisfactory performance;

(4) that if the employee has an employment contract, the employee may be placed on a performance growth plan at the discretion of the evaluator for 90 school days from receipt of the notice of unsatisfactory work performance, provided that:

(a) the 90 days shall not include weekends, school holidays or school vacation periods, declared snow days, and approved employee leave days;

(b) during the 90 days the licensed school employee shall be observed and evaluated more than four times in writing and shall be informed of the results of those observations; and

(c) the evaluator shall maintain documentation of having provided assistance and notification of in-service training opportunities to help correct the performance deficiencies noted of the licensed school employee; and

(5) that receipt of the notice may constitute notice of uncorrected unsatisfactory work performance pursuant to Section 22-10A-3 NMSA 1978 and 6.69.2 NMAC.

F. Within five school days after the expiration of the 90-day performance growth plan, the evaluator shall determine whether the performance deficiencies have been corrected and forward a written recommendation to the school district superintendent.

G. Within 10 school days after receipt of that written recommendation, the school district superintendent or charter school head administrator shall provide the licensed school employee who has an employment contract with the school district written notification expressing whether the performance deficiencies have been satisfactorily corrected. A copy of the evaluator's recommendation shall accompany that notice.

H. If satisfactory progress has not been made, the local superintendent or charter school head administrator shall determine whether to discharge or terminate the employee pursuant to Sections 22-10A-27 or 22-10A-24, NMSA 1978.

I. An employee who has been placed on a 90-day performance growth plan because of unsatisfactory work performance, and who has not been employed by a school district for three consecutive years shall have no reasonable expectation of continued employment beyond the end of the contract year by reason of being on a performance growth plan.

[6.69.2.8 NMAC - Rp, 6.69.2.8 NMAC, 08/15/2017]

HISTORY OF 6.69.2 NMAC:

PRE-NMAC HISTORY: The material in this regulation is derived from that previously filed with the State Records Center and Archives under:

State Board of Education Regulation No. 74-6, Regulation Governing Procedures to be Followed by Local School Boards in Supervising and Correcting Unsatisfactory Work Performance of Certified School Personnel, filed March 14, 1974;

~~State Board of Education Regulation No. 75-8, Regulation Governing Procedures to be Followed by Local School Boards in Supervising and Correcting Unsatisfactory Work Performance of Certified School Personnel, filed July 14, 1975;~~
~~State Board of Education Regulation No. 76-24, Insubordination and Unsatisfactory Work Performance of Certified School Personnel, filed December 16, 1976;~~
~~State Board of Education Regulation No. 77-1, Insubordination and Unsatisfactory Work Performance of Certified School Personnel, filed February 2, 1977; and~~
~~State Board of Education Regulation No. 89-1, Unsatisfactory Work Performance of (Certified) Licensed School Personnel, filed February 10, 1989.~~

~~**HISTORY OF REPEALED MATERIAL:** 6.69.2 NMAC, Unsatisfactory Work Performance of Certified (Licensed) School Personnel, filed 6/1/2001 – Repealed effective 08/15/2017.~~

~~**OTHER HISTORY:** 6.69.2 NMAC, , Unsatisfactory Work Performance of Certified (Licensed) School Personnel, filed 6/1/2001 was replaced by 6.69.2 NMAC, Unsatisfactory Work Performance of Certified (Licensed) School Personnel, effective 8/15/2017.~~]

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 69 SCHOOL PERSONNEL – EVALUATION
PART 2 COMPETENCY AREAS AND ELEMENTS FOR TEACHERS

6.69.2.1 ISSUING AGENCY: Public Education Department (PED), hereinafter the department.
[6.69.2.1 NMAC – Rp, 6.69.2.1 NMAC, 7/1/2027]

6.69.2.2 SCOPE: This part establishes the competency areas and elements that a department-approved educator evaluation system shall use to evaluate teachers holding a teaching license.
[6.69.2.2 NMAC – Rp, 6.69.2.2 NMAC, 7/1/2027]

6.69.2.3 STATUTORY AUTHORITY: Sections 9-24-8, 22-2-1, , and 22-10A-19 NMSA 1978.
[6.69.2.3 NMAC – Rp, 6.69.2.3 NMAC, 7/1/2027]

6.69.2.4 DURATION: Permanent.
[6.69.2.4 NMAC – Rp, 6.69.2.4 NMAC, 7/1/2027]

6.69.2.5 EFFECTIVE DATE: July 1, 2027, unless a later date is cited at the end of a section.
[6.69.2.5 NMAC – Rp, 6.69.2.5 NMAC, 7/1/2027]

6.69.2.6 OBJECTIVE: This part establishes the competency areas and elements used to evaluate teachers holding a teaching license.
[6.69.2.6 NMAC – Rp, 6.69.2.6 NMAC, 7/1/2027]

6.69.2.7 DEFINITIONS: [RESERVED]
[6.69.2.7 NMAC – Rp, 6.69.2.7 NMAC, 7/1/2027]

6.69.2.8 TEACHER COMPETENCY AREAS AND ELEMENTS:

A. A department-approved educator evaluation system shall be used to evaluate every teacher against the following four competency areas and twenty-two related elements. The competency areas and elements shall be applied in a manner appropriate to the teacher's licensure level, assignment, grade level, professional role, and student population. An evaluator shall base a rating on relevant evidence documented and considered in accordance with the department-approved educator evaluation system.

(1) Instructional planning and readiness competency area: supports student learning through standards-aligned planning, content-appropriate instructional design, and aligned assessment.

(a) Content and instructional methods element: applies accurate subject-matter knowledge, applicable state content standards, and content-appropriate instructional methods in unit plans, lesson plans, learning tasks, explanations, and high-quality instructional materials.

(b) Student information and learning needs element: uses available information about students' current knowledge and skills, developmental characteristics, identities, cultures, languages, interests, strengths, and learning needs to select or adapt learning goals, materials, supports, and assessments.

(c) Learning outcomes element: establishes learning outcomes aligned to applicable standards that identify the knowledge or skills students are expected to demonstrate and the criteria by which progress will be assessed.

(d) Instructional resources element: selects and uses appropriate instructional, cultural, community technological resources, digital literacy, and plans for students' equitable access to those resources.

(e) Instructional sequence element: organizes content, learning tasks, materials, grouping, and instructional time into a coherent sequence and provides planned access and supports responsive to identified student needs.

(f) Assessment design and analysis element: designs or selects formative and summative assessments aligned to the intended learning, identifies performance criteria, analyzes resulting evidence, and uses the analysis to plan subsequent instruction.

(2) Supportive learning conditions competency area: establishes and maintains a safe, accessible, respectful, and academically purposeful environment for learning for all student groups, including students with disabilities, English Learners, Native American students, and economically disadvantaged students.

(a) Respectful and affirming interactions element: uses respectful and culturally and linguistically responsive interactions; establishes norms that protect the dignity and participation of each student; and addresses interactions that interfere with safety, belonging, or learning.

(b) Expectations and responsibility for learning element: communicates high expectations for learning and quality of work and provides structures through which students set goals, monitor progress, seek assistance, and assume responsibility appropriate to their development.

(c) Routines and use of time element: establishes, teaches, and applies routines for transitions, materials, group work, and noninstructional responsibilities so that instructional time and student participation are maintained.

(d) Positive student behavior element: communicates and teaches behavior expectations, monitors their application, acknowledges expected behavior, and responds to behavior consistently, equitably, and in a manner that supports student self-regulation.

(e) Learning spaces element: organizes and adjusts physical and digital learning spaces to support safety, accessibility, movement, collaboration, use of resources, and the intended learning activities.

(3) Instructional practice and student learning competency area: implements instruction that communicates important content, elicits student thinking, monitors learning, and responds to evidence.

(a) Communication of purpose and content element: communicates the learning purpose, success criteria, directions, and content clearly and accurately and uses representations and academic language appropriate to the content and students' home or heritage language and developmental needs.

(b) Questioning and discussion element: uses questions and discussion structures that elicit student reasoning, require use of evidence when appropriate, provide adequate time to formulate responses, distribute participation, and support student-to-student discourse.

(c) Intellectual engagement element: implements learning tasks that require students to explain, analyze, apply, create, solve problems, or make supported decisions and uses materials, grouping, and opportunities for student choice or collaboration to advance the intended learning.

(d) Assessment during instruction element: elicits and records evidence of learning during instruction, communicates performance criteria, provides timely and specific feedback, and provides opportunities for students to use feedback or self-assessment to improve their work.

(e) Instructional adjustment element: adjusts pacing, explanations, representations, grouping, supports, or learning tasks in response to observed or documented evidence of student understanding, engagement, strengths, or needs.

(4) Professional practice and responsibility competency area: uses evidence to improve practice, fulfills professional duties, and collaborates with students, families, colleagues, and communities.

(a) Evidence-based reflection element: uses evidence from instruction, assessment, student work, observation, or feedback to identify professional strengths and areas for improvement, establish measurable goals, and implement adjustments to practice.

(b) Records and student progress element: maintains complete, accurate, and timely records required by law, rule, or school district policy and communicates student progress to authorized recipients in accordance with applicable confidentiality requirements.

(c) Family and community partnership element: provides regular, two-way, accessible, and culturally and linguistically responsive communication with families; solicits information relevant to student learning; and uses family or community resources when appropriate to support identified learning goals.

(d) School collaboration element: completes assigned school responsibilities, shares relevant information with authorized colleagues, participates in collaborative planning or problem-solving, and contributes to schoolwide work related to student learning and well-being.

(e) Professional learning element: identifies a professional growth need connected to evidence or an assigned responsibility, participates in relevant learning, applies the resulting knowledge or skill, and evaluates its effect on practice or student access to learning.

(f) Legal, ethical, and professional duties element: complies with applicable laws, rules, school district policies, professional standards, reporting duties, and confidentiality requirements; completes assigned professional responsibilities accurately and on time; and uses required procedures to disclose actual or potential conflicts of interest.

B. A school district may select or develop additional measurable standards and elements determined appropriate by the local school district to complete the local teacher evaluation system. Additional standards and elements shall supplement, and shall not replace, reduce, or alter the competency areas and elements established in Subsection A of 6.69.2.8 NMAC.

C. A teacher whose leadership role is primarily outside of the classroom shall be evaluated on the teacher's ability to lead other teachers in meeting the competency areas and elements in this section, applied in a manner appropriate to the teacher's assignment.

[6.69.2.8 NMAC – Rp, 6.69.2.8 NMAC, 7/1/2027]

6.69.2.9 SEVERABILITY: In the event that any one or more of the sections of this rule, in whole or in part, should be held to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining sections of this rule shall not in any way be affected or impaired.

[6.69.2.9 NMAC – N, 7/1/2027]

HISTORY OF 6.69.2 NMAC:

PRE-NMAC HISTORY: The material in this part is derived from that previously filed with the State Records Center and Archives under:

State Board of Education Regulation No. 74-6, Regulation Governing Procedures to be Followed by Local School Boards in Supervising and Correcting Unsatisfactory Work Performance of Certified School Personnel, filed March 14, 1974;

State Board of Education Regulation No. 75-8, Regulation Governing Procedures to be Followed by Local School Boards in Supervising and Correcting Unsatisfactory Work Performance of Certified School Personnel, filed July 14, 1975;

State Board of Education Regulation No. 76-24, Insubordination and Unsatisfactory Work Performance of Certified School Personnel, filed December 16, 1976;

State Board of Education Regulation No. 77-1, Insubordination and Unsatisfactory Work Performance of Certified School Personnel, filed February 2, 1977; and

State Board of Education Regulation No. 89-1, Unsatisfactory Work Performance of (Certified) Licensed School Personnel, filed February 10, 1989.

HISTORY OF REPEALED MATERIAL: 6.69.2 NMAC, Unsatisfactory Work Performance of Certified (Licensed) School Personnel, filed 6/1/2001 - Repealed effective 8/15/2017.

6.69.2 NMAC, Unsatisfactory Work Performance of Certified (Licensed) School Personnel, effective 8/15/2017 - Repealed effective 7/1/2027.

OTHER HISTORY OF 6.69.2 NMAC: 6.69.2 NMAC, Unsatisfactory Work Performance of Certified (Licensed) School Personnel, filed 6/1/2001, was replaced by 6.69.2 NMAC, Unsatisfactory Work Performance of Certified (Licensed) School Personnel, effective 8/15/2017.

Effective 7/1/2027, the provisions governing unsatisfactory work performance were repromulgated and updated in 6.69.6 NMAC, Unsatisfactory Work Performance of Licensed School Personnel. New 6.69.2 NMAC, Competency

Areas and Elements for Teachers, repromulgates and updates the teacher competency provisions previously located in 6.69.4 NMAC.

[**TITLE 6 PRIMARY AND SECONDARY EDUCATION**
CHAPTER 69 SCHOOL PERSONNEL - PERFORMANCE
PART 3 PERFORMANCE EVALUATION REQUIREMENTS FOR ADMINISTRATORS

6.69.3.1 ISSUING AGENCY: Public Education Department (PED)
[6.69.3.1 NMAC - Rp, 6.69.3.1 NMAC, 7/01/2008]

6.69.3.2 SCOPE: Chapter 69, Part 3, governs performance evaluation requirements for administrators other than principals or assistant principals in a public school district or charter school.
[6.69.3.2 NMAC - Rp, 6.69.3.2 NMAC, 7/01/2008]

6.69.3.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2, and 22-10A-19, NMSA 1978.
[6.69.3.3 NMAC - Rp, 6.69.3.3 NMAC, 7/01/2008]

6.69.3.4 DURATION: Permanent.
[6.69.3.4 NMAC - Rp, 6.69.3.4 NMAC, 7/01/2008]

6.69.3.5 EFFECTIVE DATE: July 1, 2008, unless a later date is cited at the end of a section.
[6.69.3.5 NMAC - Rp, 6.69.3.5 NMAC, 7/01/2008]

6.69.3.6 OBJECTIVE: This rule governs the requirements for the performance evaluation system for administrators other than principals, grades Pre-K-12. This rule identifies the specific evaluation/supervision competencies and indicators for administrators other than principals.
[6.69.3.6 NMAC - Rp, 6.69.3.6 NMAC, 7/01/2008]

6.69.3.7 DEFINITIONS: [RESERVED]

6.69.3.8 EVALUATIONS OF ADMINISTRATOR PERFORMANCE

A. Beginning July 1, 2008 each school district shall implement a system of administrator performance evaluation which meets the requirements of this rule.

B. Prior to implementing the system of administrator performance evaluation, each school district shall involve all administrators in the development of evaluation criteria and data collection procedures.

C. Each school district shall include the following competencies and indicators as part of the evaluation criteria.

(1) The administrator demonstrates foresight, examines issues, and takes initiatives to improve the quality of education in the community:

(a) enables staff, students, parents, and community to build a common vision;

(b) articulates a vision and is able to make that vision concrete to others;

(c) provides a learning environment and climate where creativity, risk taking, and experimentation are shared by all stakeholders;

(d) understands, facilitates, and manages change in self, others, and the organization.

(2) The administrator embraces and encourages the acceptance of diversity:

(a) models respect, understanding, and appreciation for all people;

(b) addresses the special needs of groups and individuals;

(c) addresses the needs of multicultural, multilingual, multiracial, and economically diverse populations;

(d) promotes and supports recruitment and assignment of diverse staff;

(e) demonstrates sensitivity to alternative educational philosophies and methodologies.

(3) The administrator uses effective people skills to communicate:

(a) addresses the needs of staff, students, parents, and community;

(b) facilitates communication and the use of problem solving processes to promote teamwork, consensus, and inquiry;

(c) assists with the resolution of conflicts and stress;

(d) implements the staff evaluation process effectively;

~~**(c)** writes and speaks appropriately;~~

~~**(f)** keeps staff and community informed of pertinent information in a timely manner;~~

~~**(g)** utilizes appropriate listening skills.~~

~~**(4)** The administrator provides and maintains an environment where optimal student growth can take place:~~

~~**(a)** understands and supports the goals and purposes of the organization;~~

~~**(b)** promotes learning as the primary purpose of the organization;~~

~~**(c)** collaborates and networks with community service agencies, other educational organizations and businesses, as appropriate;~~

~~**(d)** provides and maintains a safe and healthy environment that promotes positive student behavior;~~

~~**(e)** understands and encourages the application of human growth and development principles;~~

~~**(f)** assesses and evaluates program and staff effectively.~~

~~**(5)** The administrator demonstrates instructional leadership:~~

~~**(a)** seeks out and provides staff with information on methodology, research, and current educational trends;~~

~~**(b)** identifies, accesses, and uses appropriate resources;~~

~~**(c)** makes reasonable decisions and accepts responsibility for those decisions;~~

~~**(d)** promotes collaboration and mutual sharing among teachers and staff;~~

~~**(e)** encourages and allows other to lead as appropriate;~~

~~**(f)** comprehends effective learning and teaching processes.~~

~~**(6)** The administrator demonstrates an understanding of the dynamics of the educational organization:~~

~~**(a)** develops positive school/community relations;~~

~~**(b)** demonstrates an understanding of the politics of school governance and operations;~~

~~**(c)** informs staff, parents, and community of relevant facts to aid in reaching informed decisions;~~

~~**(d)** exhibits skills in comprehending, interpreting, and supporting positions of the organization;~~

~~**(e)** exhibits skills in lobbying, negotiating, collective bargaining, policy development, and policy maintenance;~~

~~**(7)** The administrator effectively manages the resources for which the position is responsible including personnel, finances, facilities, programs, and time:~~

~~**(a)** implements district policies, state standards, and federal regulations and laws;~~

~~**(b)** organizes, coordinates, and supervises staff assignments and needs;~~

~~**(c)** carries out appropriate fiscal procedures;~~

~~**(d)** utilizes and maintains facilities;~~

~~**(e)** demonstrates efficient time management by establishing schedules and reasonable timelines for completing tasks;~~

~~**(f)** utilizes available technology to meet administrative objectives;~~

~~**(g)** utilizes participatory management techniques.~~

~~**(8)** The administrator uses supervision, staff development, and performance evaluation to improve the educational program:~~

~~**(a)** implements a collaborative process in staff development;~~

~~**(b)** identifies and acknowledges effective performance in objective terms;~~

~~**(c)** assists individual professional development planning;~~

~~**(d)** develops, implements and evaluates the staff development program, collaboratively utilizing a variety of resources;~~

~~**(e)** follows procedures and participates in training consistent with the state and local teacher performance evaluation plan;~~

~~**(f)** provides regular feedback on performance.~~

~~**(9)** The administrator maintains a familiarity with current educational issues through a process of ongoing personal development:~~

~~**(a)** meets statutory requirements;~~
~~**(b)** participates in local, state and other training opportunities;~~
~~**(c)** reviews current professional literature;~~
~~**(d)** continues to expand knowledge and awareness of programs within the school district.~~

~~**D.** Each school district shall select or develop additional competencies and indicators determined appropriate by the school district to complete the total system of administrator evaluation.~~

~~**E.** Each school district shall provide training in conference skills and growth planning to all administrators and supervisors of administrators.~~

~~**F.** The administrator performance evaluation system shall include at least the following components:~~
~~**(1)** collect data on the administrator's performance to determine the presence and extent of competencies demonstrated;~~
~~**(2)** confer with the administrator prior to each observation and as soon as possible after each data collection instance to ensure the adequacy, accuracy, and completeness of the information obtained;~~
~~**(3)** identify strengths and areas of the administrator's performance where growth can occur;~~
~~**(4)** collaborate with the administrator on the development of a written plan for improvement or growth; the plan should include follow-up data collection and conferences with the administrator to determine progress toward completion of the plan;~~
~~**(5)** provide assistance to the administrator through individual guidance, workshops, classes, or other such means for completing the growth plan.~~
~~[6.69.3.8 NMAC - Rp, 6.69.3.8 NMAC, 7/01/2008]~~

~~**HISTORY OF 6.69.3 NMAC:**~~
~~**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center and Archives under:~~
~~SBE Regulation No. 89-6, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed August 17, 1989.~~
~~SBE Regulation No. 93-21, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed November 16, 1993.~~

~~**History of Repealed Material:**~~
~~6.69.3 NMAC, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists and Counselors, filed 06/01/2001 - Repealed, 7/01/2008.~~]

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 69 SCHOOL PERSONNEL – EVALUATION
PART 3 COMPETENCY AREAS AND ELEMENTS FOR SITE ADMINISTRATORS

6.69.3.1 ISSUING AGENCY: Public Education Department (PED), hereinafter the department.
[6.69.3.1 NMAC – Rp, 6.69.3.1 NMAC, 7/1/2027]

6.69.3.2 SCOPE: This part establishes the essential practices and elements that a department-approved educator evaluation system shall use to evaluate site administrators and assistant site administrators.
[6.69.3.2 NMAC – Rp, 6.69.3.2 NMAC, 7/1/2027]

6.69.3.3 STATUTORY AUTHORITY: Sections 9-24-8, 22-2-1, 22-2-2, 22-10A-11.6, and 22-10A-19 NMSA 1978.
[6.69.3.3 NMAC – Rp, 6.69.3.3 NMAC, 7/1/2027]

6.69.3.4 DURATION: Permanent.
[6.69.3.4 NMAC – Rp, 6.69.3.4 NMAC, 7/1/2027]

6.69.3.5 EFFECTIVE DATE: July 1, 2027, unless a later date is cited at the end of a section.
[6.69.3.5 NMAC – Rp, 6.69.3.5 NMAC, 7/1/2027]

6.69.3.6 OBJECTIVE: This part establishes the essential practices and elements used to evaluate site administrators and assistant site administrators.

[6.69.3.6 NMAC – Rp, 6.69.3.6 NMAC, 7/1/2027]

6.69.3.7 DEFINITIONS: [RESERVED]

[6.69.3.7 NMAC – Rp, 6.69.3.7 NMAC, 7/1/2027]

6.69.3.8 SITE ADMINISTRATOR ESSENTIAL PRACTICES AND ELEMENTS:

A. A department-approved educator evaluation system shall be used to evaluate every site administrator employed in a school district against the following five essential practices and 18 related elements. Each site administrator shall be assessed annually on all elements and shall receive a rating on each essential practice based on relevant evidence documented and considered in accordance with the department-approved evaluation system. The department-approved educator evaluation system may be used by all special schools and all educational programs of a state agency. Elements include:

(1) Organizational advancement essential practice: establishes and implements systems that align personnel, fiscal, technology, time, facilities, and other organizational resources with documented school priorities and continuous-improvement goals.

(a) Shared vision and goals element: engages staff, students, families, and other appropriate participants in developing or reviewing a school vision and measurable goals; communicates the adopted vision and goals; identifies evidence and timelines for monitoring progress; and reports progress at established intervals.

(b) Organizational systems element: establishes and documents roles, schedules, decision-making processes, communication channels, and operational routines aligned with school priorities; monitors their implementation; and modifies the systems when evidence identifies a barrier to effective operation or student access.

(c) Resource administration element: develops and implements staffing, budget, technology, facilities, and resource-allocation plans using documented needs and priorities; monitors expenditures and resource use; maintains required records; and follows applicable fiscal, procurement, personnel, and program requirements.

(d) Continuous improvement and change element: uses multiple sources of school and student-group evidence to identify a defined improvement need; establishes actions, responsibilities, timelines, and measures of progress; monitors implementation; communicates results; and adjusts the plan in response to documented findings.

(2) Instructional core essential practice: establishes and monitors systems for standards-aligned curriculum, instruction, assessment, intervention, and student support using documented evidence of implementation and student access to learning.

(a) Curriculum and assessment element: establishes procedures for reviewing the alignment of curriculum, instructional materials, and assessments with applicable academic standards and adopted programs; documents findings; and addresses identified gaps, unnecessary duplication, or barriers to student access.

(b) Conditions for instruction and engagement element: allocates time, staffing, materials, technology, collaborative-planning opportunities, interventions, and student supports to implement the adopted instructional program; conducts or reviews documented observations of instructional practice and student participation; and follows up on identified implementation needs.

(c) Evidence-based instructional improvement element: reviews multiple sources of evidence, disaggregated when appropriate, concerning curriculum implementation, instructional practice, assessment results, interventions, student participation, and access; identifies patterns or disparities; establishes responsive actions; and monitors the results of those actions.

(3) Talent essential practice: establishes and implements documented systems for staffing, assignment, development, evaluation, advancement, leadership opportunities, and retention of educators.

(a) Staffing and leadership opportunities element: documents staffing and assignment needs; uses job-related criteria and available evidence in recruitment, selection, assignment, and retention decisions; provides staff access to defined leadership opportunities; and monitors staffing patterns, vacancies, assignments, and retention.

(b) Educator evaluation and feedback element: completes required observations and evaluations within established timelines; collects and documents relevant evidence; applies the department-approved rubric and procedures; communicates evidence supporting each rating; and provides specific feedback and identified next steps for professional practice.

(c) Professional learning, mentoring, and induction element: uses evaluation evidence, student information, staff input, and school priorities to identify professional-learning needs; aligns professional learning, mentoring, induction, coaching, and other supports with those needs; documents participation and implementation; and reviews evidence of resulting changes in professional practice or student access to learning.

(4) Culture and safety essential practice: establishes and monitors systems intended to provide a safe, accessible, respectful, inclusive, supportive, and orderly environment for students, staff, families, and visitors.

(a) Safety and order element: implements and communicates procedures for physical safety, emergency readiness, health, student behavior, social and emotional safety, and orderly school operations; maintains required records; reviews incident and implementation information; and responds to safety or access concerns.

(b) Family and community engagement element: provides regular, accessible, two-way, and culturally and linguistically responsive communication with families and community partners; provides defined opportunities for participation; records concerns and follow-up actions; and uses relevant input in school planning and decision-making.

(c) Belonging, wellbeing, and inclusion element: reviews student, staff, and family information to identify patterns or disparities in participation, access, relationships, belonging, discipline, attendance, or wellbeing; implements responsive actions that acknowledge students' and staff members' cultures, languages, identities, and strengths; and monitors resulting evidence.

(5) Personal integrity essential practice: carries out leadership responsibilities through documented, lawful, ethical, reflective, timely, and responsive professional practice.

(a) Ethical and responsible practice element: complies with applicable laws, rules, district or charter school policies, professional standards, reporting duties, and confidentiality requirements; documents material decisions and their stated bases; safeguards protected information; and uses required procedures to disclose actual or potential conflicts of interest.

(b) Reflection and professional growth element: uses evaluation results, operational and instructional evidence, feedback, and self-assessment to identify a professional-learning need; establishes a measurable growth goal; participates in relevant learning; applies the resulting knowledge or skill; and reviews evidence of its effect on leadership practice.

(c) Professional communication element: communicates information accurately, respectfully, and within required timelines; selects communication methods appropriate to the audience and subject; provides opportunities for questions or feedback; listens and responds to relevant information; and documents follow-up.

(d) Management of time and responsibilities element: prioritizes and schedules responsibilities according to legal requirements, established deadlines, school goals, and identified student or operational needs; assigns work within applicable authority; monitors completion; and addresses missed deadlines or incomplete responsibilities.

(e) Responsive leadership element: identifies changes, conflicts, adverse events, or implementation barriers; gathers relevant information; communicates the response and assigned responsibilities; implements or revises an action plan within applicable authority; and monitors and documents results.

B. A school district may adopt additional measurable site administrator standards and elements that are consistent with applicable law. Additional standards and elements shall supplement and shall not replace, reduce, or alter the essential practices and elements in Subsection A of 6.69.3.8 NMAC.

[6.69.3.8 NMAC – Rp, 6.69.3.8 NMAC, 7/1/2027]

6.69.3.9 SEVERABILITY: In the event that any one or more of the sections of this rule, in whole or in part, should be held to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining sections of this rule shall not in any way be affected or impaired.

[6.69.3.9 NMAC - N, 7/1/2027]

HISTORY OF 6.69.3 NMAC:

PRE-NMAC HISTORY: The material in this part was derived from that previously filed with the State Records Center and Archives under:

SBE Regulation No. 89-6, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed August 17, 1989.

SBE Regulation No. 93-21, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed November 16, 1993.

HISTORY OF REPEALED MATERIAL: 6.69.3 NMAC, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists and Counselors, filed 6/1/2001 - Repealed effective 7/1/2008.
6.69.3 NMAC, Performance Evaluation Requirements for Administrators, effective 7/1/2008 - Repealed effective 7/1/2027.

OTHER HISTORY OF 6.69.3 NMAC: 6.69.3 NMAC, Performance Evaluation Requirements for Administrators, effective 7/1/2008, was replaced by 6.69.3 NMAC, Competency Areas and Elements for Site Administrators, effective 7/1/2027. The new part consolidates and updates administrator competency provisions previously located in 6.69.3 NMAC and 6.69.7 NMAC; related evaluation-cycle requirements were moved to 6.69.5 NMAC.

[~~**TITLE 6 PRIMARY AND SECONDARY EDUCATION**~~
~~**CHAPTER 69 SCHOOL PERSONNEL - PERFORMANCE**~~
~~**PART 4 PERFORMANCE EVALUATION SYSTEM REQUIREMENTS FOR TEACHERS**~~

~~**6.69.4.1 ISSUING AGENCY:** Public Education Department, hereinafter the department.~~
~~[6.69.4.1 NMAC - Rp, 6.69.4.1 NMAC, 1/18/2023]~~

~~**6.69.4.2 SCOPE:** Performance evaluation system requirements for teachers.~~
~~[6.69.4.2 NMAC - Rp, 6.69.4.2 NMAC, 1/18/2023]~~

~~**6.69.4.3 STATUTORY AUTHORITY:** Sections 9-24-8, 22-2-1, 22-2-2, 22-2-8.1, and 22-10A-3 NMSA 1978.~~
~~[6.69.4.3 NMAC - Rp, 6.69.4.3 NMAC, 1/18/2023]~~

~~**6.69.4.4 DURATION:** Permanent.~~
~~[6.69.4.4 NMAC - Rp, 6.69.4.4 NMAC, 1/18/2023]~~

~~**6.69.4.5 EFFECTIVE DATE:** January 18, 2023, unless a later date is cited at the end of a section.~~
~~[6.69.4.5 NMAC - Rp, 6.69.4.5 NMAC, 1/18/2023]~~

~~**6.69.4.6 OBJECTIVE:** This rule establishes the requirements for a department-approved educator evaluation system for teachers. This rule identifies the specific evaluation and supervision standards and indicators and requirements for a competency-based evaluation system for teachers.~~
~~[6.69.4.6 NMAC - Rp, 6.69.4.6 NMAC, 1/18/2023]~~

~~**6.69.4.7 DEFINITIONS:**~~
~~**A. "Advancement program level I - level II"** or **"APLI-II"** means a series of five micro-credentials, aligned with the department-approved educator evaluation system, that a teacher with a level 1 license shall successfully complete and demonstrate mastery in before progressing to a level 2 license.~~
~~**B. "Advancement program level II - level III"** or **"APLII-III"** means a series of five micro-credentials, aligned with the department-approved educator evaluation system, that a teacher with a level 2 teaching license shall successfully complete and demonstrate mastery in before progressing to a level 3-A teaching license.~~
~~**C. "Core academic subjects"** means English, language arts, reading, mathematics, science, the arts - including music and visual arts - and social studies - including civics, government, economics, history, and geography - and modern and classical languages, Native American languages, and cultures of New Mexico tribes and pueblos.~~
~~**D. "Full school year"** means a minimum of 1080 instructional hours in a school year for teachers of students in seventh through 12th grades, 990 hours for teachers of students in full-day kindergarten through fifth grade, or 450 hours for teachers of students in half-day kindergarten, during which the teacher is the teacher of record or serves as an instructional coach or resource teacher in at least one class each school year while holding a standard teaching license. An equivalent number of instructional hours may be accepted for those teachers who do not teach every day. Instructional hours may include teaching in summer school, extended learning time programs, or similar educational settings.~~
~~**E. "Micro-credential"** means a competency-based process made up of several courses, each focused on a discrete skill or area aligned with the educator evaluation system.~~
~~[6.69.4.7 NMAC - Rp, 6.69.4.7 NMAC, 1/18/2023]~~

~~**6.69.4.8 REQUIREMENTS:**~~
~~**A.** The school district shall ensure, through proper annual teaching assignment and professional development plans and evaluations, that all teachers are certified and endorsed to teach core academic subjects.~~
~~**B.** Every public school teacher shall have an annual performance evaluation based on a professional development plan that meets the requirements of the department-approved evaluation system.~~
~~[6.69.4.8 NMAC - Rp, 6.69.4.8 NMAC, 1/18/2023]~~

~~**6.69.4.9 IMPLEMENTATION OF THE EDUCATOR EVALUATION SYSTEM FOR DEMONSTRATING COMPETENCE IN THE CORE ACADEMIC SUBJECTS:** A teacher of the core~~

academic subjects employed as a general education teacher in a school district that qualifies as a rural school district under the current authorization of the Elementary and Secondary Education Act of 1965 (20) U.S.C. 6301, may fulfill the requirements in Subsections A and B of 6.69.4.9 NMAC and either the requirement of Paragraphs (2) (3) of Subsection C or Paragraphs (2) (3) of Subsection D of 6.69.4.9 NMAC within three full school years of the date of hire as long as the teacher is certified and endorsed in at least one core academic subject when hired in a qualifying rural school district. A new to the profession special education teacher employed in any school district may fulfill the requirements in Paragraphs (2) (3) of Subsection C or Paragraphs (2) (3) of Subsection D of 6.69.4.9 NMAC within two full school years of initial employment in any school district if the teacher is certified and endorsed in either language arts, mathematics, or science when hired. The candidate shall:

A. have successful annual evaluations for two full school years prior to the evaluation; and

B. have two complete school years of successful teaching and either;

C. complete credit hours at a regionally accredited college or university in the core academic subject in which the candidate is seeking to demonstrate competence, as follows:

(1) for K-8 elementary licensed teachers or pre K-12 special education licensed teachers teaching in a self-contained elementary classroom, 24 lower or upper division credit hours across the elementary education core academic subjects of language arts, social studies, mathematics, and science, with at least six credit hours in each core area;

(2) for K-8 elementary licensed teachers teaching in a middle school, and pre K-12 special education licensed teachers teaching in a middle or high school, 18 lower or upper division credit hours in each core academic subject the teacher teaches;

(3) for 7-12 secondary, 5-9 middle level, and pre K-12 specialty area licensed teachers teaching in a middle school, junior high school, or high school, 18 credit hours, 12 of which must be upper division in each core academic subject the teacher teaches; or

D. complete the following combination of coursework through a regionally accredited college or university and by portfolio:

(1) for K-8 licensed elementary teachers teaching in a self-contained elementary classroom, and for a pre K-12 special education licensed teachers teaching special education students at any grade level who are assessed against alternative achievement standards, 12 lower or upper division credit hours across the elementary education curriculum areas;

(2) for K-8 licensed elementary teachers teaching in a middle school, and for a pre K-12 special education licensed teachers teaching special education students in a middle school or high school, upper or lower division credit hours as follows:

(a) 12 semester hours in a single core subject area; or

(b) 15 semester hours in two core subject areas, with at least six hours in each one; or

(c) 18 semester hours in three core subject areas, with at least six hours in each one; or

(d) 24 semester hours in four core subject areas, with at least six hours in each one;

(3) for 7-12 secondary, 5-9 middle level, and pre K-12 specialty area licensed teachers, the credit hours, specified in Paragraph (2) of Subsection D of 6.69.4.9 NMAC all at the upper division level;

(4) demonstrate to a local panel of teachers the requirements of Subparagraphs (a) or (b) below:

(a) mastery of the competence in the instructional strand of the PED's teacher competencies and indicators for the level of licensure the candidate holds in each core academic subject in which the teacher seeks to demonstrate that the teacher is qualified by submitting evidence from (i), (ii) and (iii) as follows:

(i) documentation from Paragraph (1) of Subsection E of 6.69.4.11 NMAC; and

(ii) observation summaries, by each panel member, of the candidate teaching in the area for which the teacher is applying; observations by the panel may be done in person or by video; and

(iii) at least two observation summaries, completed by the candidate, of a teacher(s) teaching in the subject area for which the candidate is seeking to be certified and endorsed;

(b) provide an analysis of student achievement in each core academic subject in which the teacher seeks to demonstrate that the teacher is qualified by submitting evidence as follows:

(i) explain (350 word maximum) the way(s) in which a class of students demonstrated their achievement (e.g., test, work sample, performance) related to a segment of instruction; include examples of different materials used and student work;

(ii) provide the criteria (350 word maximum) for determining different levels of achievement and how this was communicated to the students; the criteria may be in a handout or other means of communication to students;

(iii) to illustrate relative levels of achievement in the class, provide examples of the work of three unidentified students who represent "high, "mid range," and "low" levels of achievement; these examples may include unidentified student written or drawn work, photographs, audio recordings (five minute maximum), or video recordings (five minute maximum and written parental consent to video child);

(iv) explain (350 word maximum) how the three unidentified students differed in their achievement levels and how this achievement relates to the state's standards and benchmarks;

(v) explain (350 word maximum) how this data could be taken into account in a subsequent instructional segment for the class;

(c) the local panel of teachers shall consist of two teachers:

(i) one teacher will be appointed by the principal in the school where the teacher seeking to be certified and endorsed is teaching; the second teacher will be appointed by the candidate;

(ii) panelists must be certified and endorsed, as defined in Subsection B, C or D of 6.69.4.7 NMAC, hold a current level 2 or 3-A license, and have an endorsement or license in the subject area or areas to be evaluated;

(iii) panelists may be from the candidate's same school, or same district, or from another school or district in New Mexico;

(5) both teachers on the panel must agree that the candidate has met, or exceeds, the competencies and indicators for the level of licensure the teacher being evaluated holds or that the students of the teacher being evaluated have demonstrated growth and progress in each core academic subject the teacher teaches;

(6) the panel shall submit their recommendation to the local superintendent and records of the panel's findings shall be kept on file locally and available to the public upon request.

[6.69.4.9 NMAC - Rp, 6.69.4.9 NMAC, 1/18/2023]

6.69.4.10 IMPLEMENTATION OF THE ANNUAL EDUCATOR EVALUATION SYSTEM:

A. Each school district shall adopt policies, guidelines, and procedures for annual teacher performance evaluation. The annual evaluation plan will be combined with the evaluation plan for licensure advancement provided in Subsection A of 6.69.4.11 NMAC to form an overall system for teacher evaluation and support.

B. No later than 40 school days after the first day of school of each school year, each teacher and their school principal shall establish a professional development plan for the teacher, with measurable objectives, for the coming year based on, among other things:

(1) the department's teaching competencies and indicators for teachers; and

(2) the previous year's annual evaluation, if applicable; and

(3) assurance that the teacher is certified and endorsed in the core academic subject(s) the teacher teaches and that the school district has appropriately assigned the teacher to teach in the subject(s) in which the teacher is certified and endorsed.

C. Annual performance evaluations shall include how well the professional development plan was carried out and the measurable objectives were achieved.

D. The school principal shall observe each teacher's classroom or program practice at least once annually to determine the teacher's ability to demonstrate state adopted competencies and indicators for each teacher's licensure level.

E. If a level 2 or level 3-A teacher does not demonstrate essential competencies for a given school year, the school district shall provide the teacher with professional development and peer intervention, including mentoring, for a period the school principal deems necessary. If by the end of that school year the teacher still fails to demonstrate essential competencies, a governing authority may choose not to contract with that teacher.

F. If a level 3-A teacher does not demonstrate essential competencies at level 3-A for a given school year, the school district shall provide the teacher with professional development and peer intervention, including mentoring, for a period the school principal deems necessary. If by the end of the following school year the teacher still fails to demonstrate essential level 3-A competencies, the superintendent may recommend to the department

that the teacher's level 3-A license be suspended until such time as the teacher demonstrates the essential competencies at level 3-A. Depending on the outcome of any due process proceeding under the Uniform Licensing Act and if the superintendent verifies that the teacher meets the standards for a level 2 license, the teacher may be issued a level 2 license during the period of level 3-A licensure suspension. A suspended level 3-A license may be reinstated by the secretary of education upon verification by a local superintendent that the teacher now demonstrates the essential competencies at level 3-A or through the process described in 6.69.4.11 NMAC.

G. At least every two years, school principals shall attend a training program approved by the department to improve their teacher evaluation skills.

[6.69.4.10 NMAC - Rp, 6.69.4.10 NMAC, 1/18/2023]

6.69.4.11 LICENSURE ADVANCEMENT:

A. To advance from level 1 licensure to level 2 licensure, a teacher who:

(1) is in their first or second year of teaching during the 2022-2023 school year is eligible to participate in APLI-II;

(2) is in their third year of teaching during the 2022-2023 school year is eligible to participate in APLI-II or submit a professional development dossier (PDD) during the 2022-2023 or the 2023-2024 school year;

(3) is in their fourth year of teaching during the 2022-2023 school year:

(a) may participate in APLI-II, but shall be continuously enrolled in the required micro-credentials to complete APLI-II by the end of their fifth year of teaching;

(b) may submit a PDD during 2022-2023 school year or the 2023-2024 school year; or

(c) shall submit a PDD during the 2023-2024 if they fail to complete two or more micro-credentials by June 2023;

(4) is in their fifth year of teaching during the 2022-2023 school year shall submit a PDD.

(5) is in their first year of teaching during the 2023-2024 school year or thereafter shall participate in APLI-II.

B. To advance from level 2 licensure to level 3 licensure, during the:

(1) 2023-2024 school year, a teacher may participate in APLII-III or submit the PDD;

(2) 2024-2025 school year or thereafter, a teacher shall participate in APLII-III.

C. The PDD shall include:

(1) evidence of competence that may be collected over multiple school years, including the year the PDD is being developed;

(2) evidence in the following format that demonstrates how the teacher meets the department's nine teacher competencies and indicators for the level of licensure to which the teacher is advancing; evidence that demonstrates how the teacher meets competencies related to an:

(a) instruction strand (competencies 1, 2, 5); and a

(b) student learning strand (competencies 3, 4, 6, and 7); and a

(c) professional learning strand (competencies 8 and 9);

(3) evidence from an evaluation strand that includes the teacher's annual evaluations from at least the two years prior to the application for advancement and the superintendent's recommendation for advancement to the next licensure level;

(4) a verification strand that includes:

(a) for a level 1 teacher advancing to level 2:

(i) verification of participation in a school district's formal mentorship program;

(ii) verification of three years of successful teaching experience at level 1;

(iii) verification by the superintendent that the work product in the PDD is that of the teacher and that the data submitted is accurate;

(b) for a level 2 teacher advancing to level 3-A:

(i) verification of a post baccalaureate degree or national board professional teaching certification;

(ii) verification of a minimum three years of successful teaching experience at level 2;

(iii) verification by the superintendent that the work product in the PDD is that of the teacher and that the data submitted is accurate.

D. Evidence in the PDD competency strands:

(1) The instruction strand shall include evidence of:

(a) student achievement data;

(b) assessment techniques and procedures;

(c) instructional plans and materials;

(d) examples of student work and performance; and

(e) evidence of implementation of state curriculum standards.

(2) The student learning strand shall include mandatory evidence and may include evidence as follows:

(a) the student learning strand shall include evidence of:

(i) adaptations or modification for diverse learners;

(ii) evidence of effective classroom management strategies and procedures;

(iii) classroom observation reports; and

(iv) evidence of communication with students and parents.

(b) the student learning strand may include evidence in the form of student surveys or video tapes with reflections or analysis.

(3) The professional learning strand shall include evidence of at least one of the following:

(a) professional development activities associated with the teachers annual professional development plan (PDP);

(b) evidence of collaborating with professional community;

(c) parent surveys;

(d) research publications; or

(e) professional presentations.

(4) Evidence comparable and equivalent to Paragraphs (1), (2) and (3) of Subsection E of this section may be developed through certification by the national board of professional teaching standards.

E. Unless special accommodations are requested in writing to the department 30 days in advance of a submission, the PDD and associated fees in Subsection C of 6.60.7.8 NMAC shall be submitted electronically following procedures established by the department.

F. The PDD shall be evaluated by the superintendent of the teacher's school district and by two external reviewers, one of whom shall hold the same grade level licensure and subject area endorsement as the candidate, as follows:

(1) The superintendent will complete the verification and evaluation strands to make a recommendation for licensure advancement and the two external reviewers will rate the three competency strands as "exceeds standards," "meets standards" or "does not meet standards in order to make their recommendations for licensure advancement."

(2) Each one of the three competency strands of a teacher's PDD reviewed by the independent reviewers must be rated as either "exceeds standards" or "meets standards" and each one of the strands completed by the superintendent must be verified and have a positive recommendation for the teacher to advance to the next higher level of licensure.

(3) The superintendent and the reviewers will submit the PDD to the department or its contractor with their ratings.

(4) The department will evaluate the ratings of the superintendent and the external reviewers and approve or deny the teacher's application for licensure advancement:

(a) If one of the external reviewers rates one of the competency strands of the PDD as "exceeds standards" and the other external reviewer rates the same strand as "meets standards," the strand will be deemed passed.

(b) If one of the external reviewers rates one of the competency strands of the PDD as "does not meet standards" and the other rates the same strand as "exceeds standards," the finding will be that the candidate "meets standards" and the strand will be deemed passed.

(c) If one of the external reviewers rates one of the competency strands of the PDD as "does not meet standards" and the other rates the same strand as "meets standards," a third reviewer will resolve the discrepancy in order to determine if the strand will be passed.

(d) If both of the external reviewers rate the competency strand(s) of PDD the same, that rating will be their finding. If, however, both of the external reviewers rate the competency strand(s) of the PDD as "does not meet standards," a third trainer or reviewer may review the strand(s) to confirm or reject their ratings.

G. A candidate for licensure advancement who is not successful in the PDD may continue to submit a new PDD.

H. If a candidate for licensure advancement meets or exceeds standards in one or some of the strands, but not in all of them, the teacher's score(s) of "meets standards" or "exceeds standards" may be retained for a period of two calendar years. Any resubmission of a PDD during that two-year period need only address those strands rated "does not meet standards" to determine a final passing score for all strands for licensure advancement. [6.69.4.11 NMAC - Rp, 6.69.4.11 NMAC, 1/18/2023]

6.69.4.12 TEACHER COMPETENCIES AND INDICATORS FOR LICENSURE LEVELS 1, 2, AND 3 A:

A. The department-approved educator evaluation system shall include the following standards and indicators as part of the evaluation criteria for teachers.

(1) The teacher demonstrates knowledge of planning and preparation by:

(a) demonstrating knowledge of content. The teacher knows the subject matter well, has a good grasp of child development and how students learn, and designs effective and rigorous standards-based units of instruction consisting of well-structured lessons with measurable outcomes for all students;

(b) demonstrating knowledge of students. The teacher has a good grasp of child development and how students learn, and designs effective and rigorous standards-based units of instruction consisting of well-structured lessons with measurable outcomes for all students;

(c) setting instructional outcomes and designing student assessment. The teacher analyzes data from assessments, draws conclusions, and shares them appropriately;

(d) demonstrating knowledge of resources. The teacher utilizes skills and content learned from professional development opportunities and ensures all students have access to resources to support their learning; and

(e) designing coherent instruction. The teacher develops meaningful sequenced lessons and activities that are also differentiated to support eh leaning of all students.

(2) The teacher demonstrates knowledge of creating an environment for learning by:

(a) creating an environment of respect and rapport. An essential skill of teaching is that of managing relationships with students and ensuring that relationships among students are positive and supportive. Teachers create an environment of respect and rapport in their classrooms by the ways they interact with students and by the interactions they encourage and cultivate among students. An important aspect of respect and rapport relates to how the teacher responds to students and how students are permitted to treat one another;

(b) creating a safe learning environment with routines and procedures. Creates and maintains a safe and collaborative learning environment that motivates all students to take academic risks, challenge themselves, and claim ownership of their learning. Access is provided to learning materials and resources;

(c) establishing a culture for learning. Uses instructional practices that reflect high expectations regarding content and quality of effort and work; engage all students; and are personalized to accommodate diverse learning styles, needs, interests, and levels of readiness; and

(d) managing student behavior. The teacher utilizes a skill-building approach that strengthens the foundation of social skills for all students. Teaches behavioral expectations and acknowledges students for following them.

(3) The teacher demonstrates knowledge of teaching for learning by:

(a) communicating with students in a manner that is appropriate to their culture, language, and level of development. The teacher uses systems that evoke responses from all students and are appropriate to students' developmental, cognitive, and academic language proficiency. The teacher consistently engages students in high levels of thinking within instruction and content;

(b) using questioning and discussion techniques to support classroom discourse. Teacher models and utilizes questioning techniques that allow all students to engage and participate in classroom discussions;

(c) engaging students in learning. Effective teachers understand engaging students in learning is vital in order for students to acquire knowledge. Student engagement does not happen by accident, it is the result of careful planning and implementation;

(d) assessing through instruction, through formative and summative assessments. The teacher monitors student learning and provides feedback to support student growth; and

~~**(c)** demonstrating flexibility and responsiveness. The teacher demonstrates the ability to make both minor and major adjustments to the lesson in order to maintain maximum student engagement and/or help students when they encounter difficulty in their learning.~~

~~**(4)** The teacher demonstrates professionalism by:~~

~~**(a)** communicating with families. Teachers establish relationships with families by communicating with them about the instructional program, conferring with them about their individual student(s), and inviting them to be part of the educational process itself on a regular basis throughout the academic school year;~~

~~**(b)** participating in professional learning community. Teachers collaborate with their colleagues in order to share strategies, plan joint efforts, and plan for the success of individual students;~~

~~**(c)** reflecting on teaching. Demonstrates the capacity to reflect on and improve the educator's own practice, using informal means as well as meetings with teams and workgroups to gather information, analyze data, examine issues, set meaningful goals and develop new approaches in order to improve teaching and learning;~~

~~**(d)** demonstrating professionalism. The teacher demonstrates professionalism by acting with integrity and honesty. The teacher is ethical and reliable and meets routine responsibilities consistently while putting student needs at the forefront of their decision-making; and~~

~~**(e)** growing and developing professionally. Actively pursues professional development and learning opportunities to improve the quality of practice and build the expertise and experience to assume different instructional and leadership roles.~~

~~**B.** A school district may select or develop additional standards and indicators determined appropriate by the local school district to complete the local teacher performance evaluation system.~~

~~**C.** Each school district shall provide training in evaluation of performance, classroom observation techniques, conference skills, and growth planning to all teachers and personnel assigned performance evaluation duties.~~

~~**D.** Teachers whose leadership roles are primarily outside of the classroom will be evaluated on their ability to lead other teachers in meeting the competencies and indicators in their level of licensure.~~
~~[6.69.4.12 NMAC - Rp, 6.69.4.12 NMAC, 1/18/2023]~~

~~**HISTORY OF 6.69.4 NMAC:**~~
~~**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center and Archives under:~~
~~SBE Regulation No. 89-6, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed August 17, 1989;~~
~~SBE Regulation No. 93-21, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed November 16, 1993.~~

~~**NMAC History:**~~
~~6.69.3 NMAC, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed 6/1/2003.~~
~~6.69.4 NMAC Performance Evaluation System Requirements for Teachers, replaces 6.69.3 NMAC, Section 8, filed 9/30/2003.~~

~~**History of Repealed Material:**~~
~~6.69.4 NMAC, Performance Evaluation System Requirements for Teachers, filed 9/30/2003, was repealed and replaced by 6.69.4 NMAC, Performance Evaluation System Requirements for Teachers, effective 1/18/2023.~~]

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 69 SCHOOL PERSONNEL – EVALUATION
PART 4 COMPETENCY AREAS FOR LICENSED SCHOOL STAFF OTHER THAN TEACHERS AND SITE ADMINISTRATORS

6.69.4.1 ISSUING AGENCY: Public Education Department (PED), hereinafter the department.
[6.69.4.1 NMAC – Rp, 6.69.4.1 NMAC, 7/1/2027]

6.69.4.2 SCOPE: This part establishes the competency areas and elements that a department-approved educator evaluation system shall use to evaluate licensed school staff other than teachers and site administrators.

[6.69.4.2 NMAC – Rp, 6.69.4.2 NMAC, 7/1/2027]

6.69.4.3 STATUTORY AUTHORITY: Sections 9-24-8, 22-2-1, 22-2-2, 22-10A-17, and 22-10A-19 NMSA 1978.
[6.69.4.3 NMAC – Rp, 6.69.4.3 NMAC, 7/1/2027]

6.69.4.4 DURATION: Permanent.
[6.69.4.4 NMAC – Rp, 6.69.4.4 NMAC, 7/1/2027]

6.69.4.5 EFFECTIVE DATE: July 1, 2027, unless a later date is cited at the end of a section.
[6.69.4.5 NMAC – Rp, 6.69.4.5 NMAC, 7/1/2027]

6.69.4.6 OBJECTIVE: This part establishes the competency areas and evaluation methods used to evaluate licensed school staff other than teachers and site administrators.
[6.69.4.6 NMAC – Rp, 6.69.4.6 NMAC, 7/1/2027]

6.69.4.7 DEFINITIONS: [RESERVED]
[6.69.4.7 NMAC – Rp, 6.69.4.7 NMAC, 7/1/2027]

6.69.4.8 EVALUATIONS OF LICENSED SCHOOL STAFF OTHER THAN TEACHERS AND SITE ADMINISTRATORS:

A. Each school district shall annually evaluate every member of the licensed school staff other than teachers and site administrators employed by the school district, using the applicable method described in Subsection B or C of this section.

B. Licensed staff with an underlying professional license. This subsection applies to a licensed school staff member whose department license requires, or was issued or renewed on the basis of an underlying professional license.

(1) If the department has posted a department-approved rubric specific to the department-issued license or endorsement held, the school district shall evaluate the staff member using that rubric.

(2) If the department has not posted a department-approved rubric specific to the department-issued license or endorsement held, the school district shall evaluate the staff member using a department-approved template rubric that the evaluator shall align with the most recent standards or competencies published by the national or state board that issued the underlying professional license.

(3) The school district shall verify, at least annually, that the staff member's underlying professional license remains active, unexpired, and free of a suspension or revocation of which the school district has notice.

(4) Consistent with 6.63.3.11 NMAC and other applicable department licensure rules, the suspension, revocation, expiration, or denial of renewal of a staff member's underlying professional license constitutes a failure to demonstrate the competencies required for purposes of this chapter.

(5) Nothing in this subsection limits a school district from also evaluating the staff member's performance of duties specific to the school setting.

(6) The department shall provide notice to school districts when it posts or revises a rubric under this subsection.

(7) A school district may adopt additional measurable standards and elements that are consistent with applicable law. Additional standards and elements shall supplement and shall not replace, reduce, or alter the department-approved rubric.

C. Licensed staff without an underlying professional license. This subsection applies to a licensed school staff member whose department license does not require, and was not issued or renewed on the basis of, an underlying professional license.

(1) If the department has posted a department-approved rubric specific to the department-issued license or endorsement held, the school district shall evaluate the staff member using that rubric.

(2) If the department has not posted a rubric specific to the department-issued license or endorsement held, and the school district shall evaluate the staff member using a department-approved rubric that applies the same performance level ratings described in 6.69.5.12 NMAC and that defines observable performance in each of the following elements, applied in a manner appropriate to the staff member's assigned duties:

(a) Communication element: communicates and interacts clearly, respectfully, and professionally with students, families, colleagues, and supervisors;

(b) teamwork and collaboration element: works cooperatively as a member of the school team, contributes to a positive and inclusive work environment, and shares relevant information with colleagues and supervisors;

(c) planning and organization element: plans, prioritizes, and organizes assigned work, manages time effectively, and completes assigned duties accurately, reliably, and on schedule;

(d) job knowledge and quality of work element: applies the knowledge, skill, and any competencies required for the position, and performs assigned duties in accordance with applicable laws, rules, policies, and procedures;

(e) safety and supportive environment element: follows applicable health, safety, supervision, and emergency procedures, and contributes to a safe, orderly, and supportive environment for students and staff; and

(f) Professional responsibility and growth element: follows lawful directions and school district policy, maintains required records and confidentiality, and seeks, engages in, and applies feedback and training relevant to the position.

(3) A school district may adopt additional measurable standards and elements that are consistent with applicable law. Additional standards and elements shall supplement and shall not replace, reduce, or alter the department-approved rubric.

[6.69.4.8 NMAC – Rp, 6.69.4.8 NMAC, 7/1/2027]

6.69.4.9 SEVERABILITY: In the event that any one or more of the sections of this rule, in whole or in part, should be held to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining sections of this rule shall not in any way be affected or impaired.

[6.69.4.9 NMAC – Rp, 6.69.4.9 NMAC, 7/1/2027]

HISTORY OF 6.69.4 NMAC:

PRE-NMAC HISTORY: The material in this part was derived from that previously filed with the State Records Center and Archives under:

SBE Regulation No. 89-6, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed August 17, 1989;

SBE Regulation No. 93-21, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed November 16, 1993.

NMAC HISTORY:

6.69.3 NMAC, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed 6/1/2003.

6.69.4 NMAC, Performance Evaluation System Requirements for Teachers, replaced 6.69.3 NMAC, Section 8, filed 9/30/2003.

HISTORY OF REPEALED MATERIAL: 6.69.4 NMAC, Performance Evaluation System Requirements for Teachers, filed 9/30/2003, was repealed and replaced by 6.69.4 NMAC, Performance Evaluation System Requirements for Teachers, effective 1/18/2023.

6.69.4 NMAC, Performance Evaluation System Requirements for Teachers, effective 1/18/2023 - Repealed effective 7/1/2027.

OTHER HISTORY OF 6.69.4 NMAC: Effective 7/1/2027, teacher competency provisions formerly in 6.69.4 NMAC were repromulgated and updated in 6.69.2 NMAC, and teacher evaluation-cycle requirements were consolidated in 6.69.5 NMAC. New 6.69.4 NMAC, Competency Areas for Licensed School Staff Other Than Teachers and Site Administrators, incorporates and updates evaluation standards formerly addressed in 6.69.5 NMAC for librarian-teachers and 6.69.6 NMAC for school counselors and establishes a common framework for other licensed school staff.

[~~**TITLE 6 PRIMARY AND SECONDARY EDUCATION**~~
~~**CHAPTER 69 SCHOOL PERSONNEL - PERFORMANCE**~~
~~**PART 5 PERFORMANCE EVALUATION SYSTEM REQUIREMENTS FOR LIBRARIAN-TEACHERS**~~

~~**6.69.5.1 ISSUING AGENCY:** Public Education Department, hereinafter the department.~~
~~[6.69.5.1 NMAC - Rp, 6.69.5.1 NMAC, 1/18/2023]~~

~~**6.69.5.2 SCOPE:** Performance evaluation system requirements for librarian-teachers.~~
~~[6.69.5.2 NMAC - Rp, 6.69.5.2 NMAC, 1/18/2023]~~

~~**6.69.5.3 STATUTORY AUTHORITY:** Sections 9-24-8, 22-2-1, 22-2-2, and 22-10A-3 NMSA 1978.~~
~~[6.69.5.3 NMAC - Rp, 6.69.5.3 NMAC, 1/18/2023]~~

~~**6.69.5.4 DURATION:** Permanent.~~
~~[6.69.5.4 NMAC - Rp, 6.69.5.4 NMAC, 1/18/2023]~~

~~**6.69.5.5 EFFECTIVE DATE:** January 18,2023, unless a later date is specified at the end of a section.~~
~~[6.69.5.5 NMAC - Rp, 6.69.5.5 NMAC, 1/18/2023]~~

~~**6.69.5.6 OBJECTIVE:** This rule establishes the requirements for a department-approved evaluation system for librarian-teachers from kindergarten through grade 12. This rule identifies the specific evaluation standards, indicators, and requirements for a competency-based evaluation system for librarian-teachers.~~
~~[6.69.5.6 NMAC - Rp, 6.69.5.6 NMAC, 1/18/2023]~~

~~**6.69.5.7 DEFINITIONS:**~~
~~**A. "Advancement program level I - level II"** or **"APLI-II"** means a series of five micro-credentials, aligned with the department-approved educator evaluation system, that a teacher with a level 1 license shall successfully complete and demonstrate mastery in before progressing to a level 2 license.~~
~~**B. "Advancement program level II - level III"** or **"APLII-III"** means a series of five micro-credentials, aligned with the department-approved educator evaluation system, that a teacher with a level 2 teaching license shall successfully complete and demonstrate mastery in before progressing to a level 3-A teaching license.~~
~~**C. "Governing authority"** means the policy-setting body of a school district, charter school, constitutional special school, regional education cooperative, or final decisionmaker of another state agency.~~
~~**D. "Librarian-teacher"** means a licensed teacher with a library media endorsement performing work in a public school that requires that endorsement.~~
~~**E. "Micro-credential"** means a competency-based process made up of several courses, each focused on a discrete skill or area aligned with the educator evaluation system.~~
~~[6.69.5.7 NMAC - Rp, 6.69.5.7 NMAC, 1/18/2023]~~

~~**6.69.5.8 REQUIREMENTS:**~~
~~**A.** Every public school librarian-teacher shall have an annual performance evaluation based on an professional development plan that meets the requirements of the department-approved evaluation system.~~
~~**B.** To advance from licensure level 1 to level 2 and from licensure level 2 to level 3-A, a librarian-teacher who applies for licensure shall meet the requirements of the department-approved evaluation system.~~
~~[6.69.5.8 NMAC - Rp, 6.69.5.8 NMAC, 1/18/2023]~~

~~**6.69.5.9 IMPLEMENTATION OF - ANNUAL EDUCATOR EVALUATION SYSTEM:**~~
~~**A.** Each governing authority that employs librarian-teachers shall adopt policies, guidelines, and procedures for annual librarian-teacher performance evaluation that meet the requirements of this rule. The annual evaluation plan will be combined with the evaluation plan for licensure advancement provided in Subsection A of 6.69.5.10 NMAC to form an overall system for librarian-teacher evaluation and support.~~
~~**B.** No later than 40 school days after the first of school of each school year, each librarian-teacher and their school principal shall establish a professional development plan for the librarian-teacher, with measurable objectives, for the coming year based on, among other things:~~

(1) the department's 11 librarian-teacher competencies and indicators for the librarian-teacher's licensure level; and

(2) the previous year's annual evaluation, if applicable.

C. Annual performance evaluations shall be based on, among other things, how well the professional development plan was carried out and the measurable objectives were achieved.

D. The school principal shall observe each librarian-teacher's program practice at least once annually to determine the librarian-teacher's ability to demonstrate state-adopted competencies and indicators for each librarian-teacher's licensure level.

E. If a level 2 or level 3-A librarian-teacher does not demonstrate essential competencies for a given school year, the school district shall provide the librarian-teacher with professional development and peer intervention, including mentoring, for a period the school principal deems necessary. If by the end of that school year the librarian-teacher still fails to demonstrate essential competencies, a district may choose not to contract with that librarian-teacher.

F. If a level 3-A librarian-teacher does not demonstrate essential competencies at level 3-A for a given school year, the school district shall provide the librarian-teacher with professional development and peer intervention, including mentoring, for a period the school principal deems necessary. If by the end of the following school year the librarian-teacher still fails to demonstrate essential level 3-A competencies, the superintendent may recommend to the secretary of education that the librarian-teacher's level 3-A license be suspended until such time as the librarian-teacher demonstrates the essential competencies at level 3-A. Depending on the outcome of any due process proceeding under the Uniform Licensing Act and if the superintendent verifies that the librarian-teacher meets the standards for a level 2 license, the librarian-teacher may be issued a level 2 license during the period of level 3-A licensure suspension. A suspended level 3-A license may be reinstated by the department upon verification by a local superintendent that the librarian-teacher now demonstrates the essential competencies at level 3-A or through the process described in 6.69.5.10 NMAC.

[6.69.5.9 NMAC - Rp, 6.69.5.9 NMAC, 1/18/2023]

6.69.5.10 LICENSURE ADVANCEMENT:

A. To advance from level 1 licensure to level 2 licensure, a librarian-teacher who:

(1) is in their first or second year of teaching during the 2022-2023 school year is eligible to participate in APLI-II;

(2) is in their third year of teaching during the 2022-2023 school year is eligible to participate in APLI-II or submit a professional development dossier (PDD) during the 2022-2023 or the 2023-2024 school year;

(3) is in their fourth year of teaching during the 2022-2023 school year:

(a) may participate in APLI-II, but shall be continuously enrolled in the required micro-credentials to complete APLI-II by the end of their fifth year of teaching;

(b) may submit a PDD during 2022-2023 school year or the 2023-2024 school year; or

(c) shall submit a PDD during the 2023-2024 if they fail to complete two or more micro-credentials by June 2023;

(4) is in their fifth year of teaching during the 2022-2023 school year shall submit a PDD.

(5) is in their first year of teaching during the 2023-2024 school year or thereafter shall participate in APLI-II.

B. To advance from level 2 licensure to level 3 licensure, a teacher who:

(1) is in their first or second year of teaching during the 2022-2023 school year is eligible to participate in APLI-II;

(2) is in their third year of teaching during the 2022-2023 school year is eligible to participate in APLI-II or submit a professional development dossier (PDD) during the 2022-2023 or the 2023-2024 school year;

(3) is in their fourth year of teaching during the 2022-2023 school year:

(a) may participate in APLI-II, but shall be continuously enrolled in the required micro-credentials to complete APLI-II by the end of their fifth year of teaching;

(b) may submit a PDD during 2022-2023 school year or the 2023-2024 school year; or

(c) shall submit a PDD during the 2023-2024 if they fail to complete two or more micro-credentials by June 2023;

(4) is in their fifth year of teaching during the 2022-2023 school year shall submit a PDD.

(5) is in their first year of teaching during the 2023-2024 school year or thereafter shall participate in APLI-II.

C. The PDD shall include:

(1) evidence of competence that may be collected over multiple school years, including the year the PDD is being developed;

(2) evidence in the following format that demonstrates how the librarian-teacher meets the department's eleven librarian-teacher competencies and indicators for the level of licensure to which the librarian-teacher is advancing; evidence that demonstrates how the librarian-teacher meets competencies related to a:

(a) teaching and learning strand (competencies 1-6); and a

(b) program development and management/information access and delivery strand (competencies 7-9); and a

(c) professional learning strand (competencies 10 and 11).

(3) evidence from an evaluation strand that includes the librarian-teacher's annual evaluations from at least the two years prior to the application for advancement and the superintendent's recommendation for advancement to the next licensure level;

(4) a verification strand that includes:

(a) for a level 1 librarian-teacher advancing to level 2:

(i) verification of participation in a school district's formal mentorship program;

(ii) verification of three years of successful librarian-teaching experience at level I;

(iii) verification by the superintendent that the work product in the PDD is that of the librarian-teacher and that the data submitted is accurate.

(b) for a level 2 teacher advancing to level 3-A:

(i) verification of a post baccalaureate degree or national board professional teaching certification;

(ii) verification of a minimum three years of successful librarian-teaching experience at level 2;

(iii) verification by the superintendent that the work product in the PDD is that of the librarian-teacher and that the data submitted is accurate;

D. Evidence in the PDD competency strands:

(1) The teaching and learning strand shall include evidence of:

(a) student achievement data;

(b) assessment techniques and procedures;

(c) instructional plans and materials;

(d) examples of student work and performance; and

(e) evidence of implementation of state curriculum standards;

(2) The program development and management or information access and delivery strand shall include mandatory evidence and may include evidence as follows:

(a) the student learning strand shall include evidence of:

(i) adaptations or modification for diverse learners;

(ii) evidence of effective classroom management strategies and procedures;

(iii) classroom observation reports; and

(iv) evidence of communication with students and parents.

(b) the student learning strand may include evidence in the form of student surveys or video tapes with reflections or analysis.

(3) The professional learning strand shall include evidence of at least one of the following:

(a) professional development activities associated with the teachers annual professional development plan (PDP);

(b) evidence of collaborating with professional community;

(c) parent surveys;

(d) research publications; or

(e) professional presentations.

(4) Evidence comparable and equivalent to Paragraphs (1), (2) and (3) of Subsection E of this section may be developed through certification by the national board of professional teaching standards.

E. Unless special accommodations are requested in writing to the department 30 days in advance of a submission, the PDD and associated fees in Subsection C of 6.60.7.8 NMAC shall be submitted electronically following procedures established by the department.

F. The PDD shall be evaluated by the superintendent of the teacher's school district and by two external reviewers, one of whom shall hold a library/media endorsement, as follows:

(1) The superintendent will complete the verification and evaluation strands in order to make his recommendation for licensure advancement and the two external reviewers will rate the three competency strands as "exceeds standards," "meets standards" or "does not meet standards to make their recommendations for licensure advancement."

(2) Each one of the three competency strands of a librarian-teacher's PDD reviewed by the independent reviewers must be rated as either "exceeds standards" or "meets standards" and each one of the strands completed by the superintendent must be verified and have a positive recommendation for the librarian-teacher to advance to the next higher level of licensure.

(3) The superintendent and the reviewers will submit the PDD to the department or its contractor with their ratings.

(4) The department will evaluate the ratings of the superintendent and the external reviewers and approve or deny the teacher's application for licensure advancement.

(a) If one of the external reviewers rates one of the competency strands of the PDD as "exceeds standards" and the other external reviewer rates the same strand as "meets standards", the strand will be deemed passed.

(b) If one of the external reviewers rates one of the competency strands of the PDD as "does not meet standards" and the other rates the same strand as "exceeds standards", the finding will be that the candidate "meets standards" and the strand will be deemed passed.

(c) If one of the external reviewers rates one of the competency strands of the PDD as "does not meet standards" and the other rates the same strand as "meets standards," a third reviewer will resolve the discrepancy in order to determine if the strand will be passed.

(d) If both of the external reviewers rate the competency strand(s) of PDD the same, that rating will be their finding. If, however, both of the external reviewers rate the competency strand(s) of the PDD as "does not meet standards," a third trainer or reviewer may review the strand(s) to confirm or reject their ratings.

G. A candidate for licensure advancement who is not successful in the PDD may continue to submit a new PDD.

H. If a candidate for licensure advancement meets or exceeds standards in one or some of the strands, but not in all of them, the librarian-teacher's score(s) of "meets standards" or "exceeds standards" may be retained for a period of two calendar years. Any resubmission of a PDD during that two-year period need only address those strands rated "does not meet standards" to determine a final passing score for all strands for licensure advancement. [6.69.5.10 NMAC - Rp, 6.69.5.10 NMAC, 1/18/2023]

6.69.5.11 NEW MEXICO LIBRARIAN-TEACHER COMPETENCIES AND INDICATORS FOR LICENSURE LEVELS 1, 2, 3:

A. New Mexico is one of the most diverse states in the nation, and this diversity is reflected in the strengths and needs of New Mexico's students. The ability of a highly qualified librarian-teacher to address the learning needs of all of New Mexico's students, including those who learn differently because of disability, culture, language, or socioeconomic status, forms the framework for the New Mexico librarian-teacher competencies for licensure levels I, II, and III assessment criteria indicators.

B. The high objective statewide standard of evaluation for librarian-teachers shall include the following standards and indicators as part of the evaluation criteria for level I librarian-teachers.

(1) The librarian-teacher demonstrates knowledge of the library content area and established curriculum by:

(a) utilizing and enhancing established library curriculum;

(b) giving clear explanations relating to lesson content and procedure;

(c) communicating accurately in the library content area; and

(d) articulating to students the interrelatedness of content areas.

(2) The librarian-teacher appropriately utilizes a variety of teaching methods by:

(a) providing opportunities for students to work independently, in small groups and in large groups;

(b) using a variety of teaching methods, such as demonstrations, lecture, student-initiated work, group work, questioning, and independent practice;

(c) using a variety of resources, such as print and non-print materials, manipulatives, on-line resources, and technology;

(d) providing opportunities for students to apply, practice, and demonstrate knowledge and skills; and

(e) implementing necessary modifications and adaptations in instruction and library curriculum so that students with disabilities have access in the least restrictive environment.

(3) The librarian-teacher communicates with and obtains feedback from students in a manner that enhances student learning and understanding by:

(a) explaining or demonstrating the relevance of topics and activities;

(b) communicating to students the instructional intent, directions or plan;

(c) establishing and stating expectations for student performance; and

(d) clarifying actions, directions, and explanations when students do not understand.

(4) The librarian-teacher effectively utilizes student assessment techniques and procedures by:

(a) soliciting communication from students about their learning;

(b) using a variety of strategies in instructional planning using ongoing assessment; and

(c) documenting observations of student learning using tools, such as anecdotal records, consultations with teachers or logs.

(5) The librarian-teacher comprehends the principles of student growth, development and learning, and applies them appropriately by:

(a) instructing students in the use of cognitive thinking skills, such as critical thinking, problem-solving, divergent thinking, inquiry, and decision-making;

(b) using teaching techniques that address student learning levels, rates, styles, and special needs, as well as diverse interests and backgrounds; and

(c) using materials and media that address student learning levels, rates, styles, and special needs, as well as diverse interests and backgrounds.

(6) The librarian-teacher recognizes student diversity and creates an atmosphere conducive to the promotion of positive student involvement and self-concept by:

(a) demonstrating sensitivity and responsiveness to the personal ideas, learning needs, interests, and feelings of students with disabilities, and from culturally and linguistically diverse backgrounds, including Native Americans, Hispanic Americans, African-Americans, Asian-Americans, and other recent immigrant groups;

(b) understanding how students differ in their approaches to learning and adjusts instruction to meet diverse needs;

(c) providing opportunities for each student to succeed;

(d) providing students with opportunities that promote creativity as well as critical and divergent thinking;

(e) providing opportunities for students to be responsible for their own behavior and learning;

(f) promoting positive student/teacher relationships; and

(g) encouraging high expectations for all students.

(7) The librarian-teacher models and promotes collaborative planning by:

(a) participating in informal collaborative curriculum planning with the teaching staff;

(b) collaborating with teaching staff to identify student information needs; and

(c) identifying potential areas of collaborative opportunities to design authentic learning tasks and informal assessments.

(8) The librarian-teacher organizes and manages the library in accordance with established written policies and procedures by:

(a) organizing the library to meet patron needs;

(b) selecting resources that support instructional priorities as well as recreational and informational needs of the patrons;

(c) applying collection development techniques including needs analysis, evaluation, selection, and deselection of resources.

(d) assessing collection annually based on currency, size, and balance;

(e) maintaining inventory of library resources;

(f) evaluating and adjusting library program and services;

(g) promoting effective use of the library and its services.

(9) The librarian-teacher manages the educational setting in a manner that promotes positive student behavior, and a safe and healthy environment:

(a) serving as a model for constructive behavior patterns;

(b) establishing and stating expectations for student behavior in the library;

(c) making transitions in instruction effectively;

(d) preparing and arranging instructional material in advance for easy student accessibility;

(e) implementing a classroom management system that promotes acceptable and appropriate student behavior; and

(f) identifying hazards, assessing risks, and taking appropriate action.

(10) The librarian-teacher demonstrates a willingness to examine and implement change, as appropriate, by:

(a) seeking professional development opportunities to identify relevant strategies in education and librarianship to improve the quality of learning; and

(b) participating in instructional improvement and school reform initiatives.

(11) The librarian-teacher works productivity with colleagues, parents, and community members by:

(a) actively promoting collegial relations with other school personnel;

(b) inviting parents and community to the library;

(c) communicating in a professional manner with colleagues, parents, and community members.

C. The high objective standard of evaluation shall include the following standards and indicators as part of the evaluation criteria for level II librarian-teachers.

(1) The librarian-teacher demonstrates knowledge of the library content area and established curriculum.

(a) enhancing and extending established library curriculum;

(b) giving clear explanations relating to lesson content and procedure;

(c) communicating accurately in the library content area; and

(d) demonstrating the interrelatedness of content areas.

(2) The librarian-teacher appropriately utilizes a variety of teaching methods by:

(a) designing appropriate opportunities for students to work independently, in small groups and in large groups;

(b) selecting from a variety of teaching methods such as demonstrations, lecture, student-initiated work, group work, questioning, and independent practice for specific instructional goals and purposes;

(c) integrating into instruction a variety of resources such as print and non-print materials, manipulatives, on-line resources, and technology;

(d) demonstrating understanding and appropriate application of learning styles, modalities, and intelligence theories; and

(e) designing and implementing necessary modifications and adaptations in instruction and library curriculum so that students with disabilities have access in the least restrictive environment.

(3) The librarian-teacher communicates with and obtains feedback from students in a manner that enhances student learning and understanding by:

(a) explaining, demonstrating, or communicating the relevance of topics and activities;

(b) consistently communicating to students the instructional intent, directions, or plan;

(c) establishing and stating expectations for student performance;

(d) presenting directions and explanations in a variety of ways to ensure student understanding.

~~**(4)** The librarian-teacher effectively utilizes student assessment techniques and procedures by:~~

~~**(a)** communicating with students about their learning;~~

~~**(b)** selecting appropriate strategies for specific learning outcomes and adjusts instruction using ongoing assessment; and~~

~~**(c)** documenting observations of student learning using tools, such as anecdotal records, consultations with teachers or logs.~~

~~**(5)** The librarian-teacher comprehends the principles of student growth, development, and learning, and applies them appropriately by:~~

~~**(a)** integrating into instruction cognitive thinking skills such as critical thinking, problem-solving, divergent thinking, inquiry, and decision-making;~~

~~**(b)** adapting teaching techniques that address student learning levels, rates, styles and special needs, as well as diverse interests and backgrounds;~~

~~**(c)** adapting materials and media that address student learning levels, rates, styles and special needs, as well as diverse interests and backgrounds.~~

~~**(6)** The librarian-teacher recognizes student diversity and creates an atmosphere conducive to the promotion of positive student involvement and self-concept by:~~

~~**(a)** acknowledging and validating the ideas, learning needs, interests, and feelings of students with disabilities, and from culturally and linguistically diverse backgrounds, including Native Americans, Hispanic Americans, African Americans, Asian Americans, and other recent immigrant groups;~~

~~**(b)** demonstrating an awareness of the influences of context, disability, language and culture on students learning;~~

~~**(c)** designing opportunities for each student to succeed based on individual learning needs;~~

~~**(d)** designing learning experiences that promote creativity as well as critical and divergent thinking;~~

~~**(e)** designing opportunities that require and reinforce student responsibility for their own behavior and learning;~~

~~**(f)** developing students' self-esteem, motivation, character, and sense of civic responsibility; and~~

~~**(g)** establishing and communicating high expectations for all students.~~

~~**(7)** The librarian-teacher models and promotes collaborative planning:~~

~~**(a)** participating in informal or formal collaborative curriculum planning with teaching staff;~~

~~**(b)** collaborating with teaching staff to identify student information needs; and~~

~~**(c)** promoting collaborative opportunities to design authentic learning tasks and informal assessments.~~

~~**(8)** The librarian-teacher organizes and manages the library in accordance with established written policies and procedures by:~~

~~**(a)** adjusting the organization of the library according to observation of patron needs;~~

~~**(b)** soliciting patron input to select resources that support instructional priorities as well as recreational and informational needs of patrons;~~

~~**(c)** applying collection development techniques including needs analysis, evaluation, selection, and deselection of resources;~~

~~**(d)** assessing the collection annually based on currency, size, and balance and develops a collection development plan;~~

~~**(e)** conducting regular periodic inventories and analyzing inventory reports;~~

~~**(f)** seeking input from learning community on perceived needs for library improvement and adjusts library program and services accordingly; and~~

~~**(g)** developing library awareness through promotional materials.~~

~~**(9)** The librarian-teacher manages the educational setting in a manner that promotes positive student behavior, and a safe and healthy environment by:~~

~~**(a)** identifying, explaining, and modeling constructive behavior patterns;~~

~~**(b)** establishing and reinforcing expectations for student behavior in the library;~~

~~**(c)** making transitions in instruction effectively;~~

(d) preparing and arranging instructional material in advance for easy student accessibility;

(e) implementing a classroom management system that promotes acceptable and appropriate student behavior; and

(f) identifying hazards, assessing risks, and taking appropriate action.

(10) The librarian-teacher demonstrates a willingness to examine and implement change, as appropriate by:

(a) using professional development opportunities to identify relevant strategies in education and librarianship to improve the quality of learning; and

(b) contributing to instructional improvement and school reform initiatives.

(11) The librarian-teacher works productivity with colleagues, parents, and community members by:

(a) collaborating with colleagues;

(b) promoting active roles for parents and community members in the library;

(c) providing a system for interactive communication in a professional manner with colleagues, parents, and community members.

D. The department-approved educator evaluation system shall include the following standards and indicators as part of the evaluation criteria for level 3 librarian-teachers.

(1) The librarian-teacher demonstrates knowledge of the library content area and established curriculum by:

(a) contributing to the refinement and development of the library curriculum;

(b) providing clear explanations relating to lesson content and procedures in multiple ways and is aware of knowledge and preconceptions that students can bring to the subject;

(c) communicating accurately in the library content area and creating multiple paths to the subject matter; and

(d) integrating other content areas and the library curriculum.

(2) The librarian-teacher appropriately utilizes a variety of teaching methods by:

(a) engaging students in activities designed for small groups, large groups, and independent work;

(b) demonstrating effective selection and using of a variety of teaching methods to make information accessible to all students;

(c) demonstrating effective integration of a variety of resources into instruction, such as print and non-print materials, manipulatives, on-line resources, and technology;

(d) designing opportunities for students to apply, practice, and demonstrate knowledge and skills based on learning modalities, style preferences, and intelligences; and

(e) engaging with colleagues to implement necessary modifications and adaptations in instruction and library curriculum so that students with disabilities have access in the least restrictive environment.

(3) The librarian-teacher communicates with and obtains feedback from students in a manner that enhances student learning and understanding by:

(a) engaging students in explaining or demonstrating the relevance of topics and activities;

(b) engaging students in instructional directions and plans using techniques such as query, survey, or instructional choice;

(c) establishing and stating expectations for student performance; and

(d) presenting directions and explanations in a variety of ways to ensure student understanding.

(4) The librarian-teacher effectively utilizes student assessment techniques and procedures by:

(a) involving students in the analysis and evaluation of their learning;

(b) designing appropriate strategies for specific learning outcomes and adjusts instruction using ongoing assessment;

(c) documenting observations of student learning using tools, such as anecdotal records, consultations with teachers and logs.

(5) The librarian-teacher comprehends the principles of student growth, development, and learning, and applies them appropriately by:

(a) consistently integrating into instruction cognitive thinking skills such as critical thinking, problem-solving, divergent thinking, inquiry, and decision-making;

(b) integrating into instruction the most effective techniques that address student learning levels, rates, styles and special needs, as well as diverse interests and backgrounds;

(c) integrating into instruction materials and media that address student learning levels, rates, styles and special needs, as well as diverse interests and backgrounds.

(6) The librarian-teacher recognizes student diversity and creates an atmosphere conducive to the promotion of positive student involvement and self-concept by:

(a) acknowledging and integrating the ideas, learning needs, interests, and feelings of students with disabilities, and from culturally and linguistically diverse backgrounds, including Native Americans, Hispanic Americans, African Americans, Asian Americans, and other recent immigrant groups;

(b) creating an environment that encourages the awareness of the influences of context, disability, language, and culture on student learning;

(c) providing accommodations and interventions that allow each student to succeed based on individual learning needs;

(d) engaging students in learning experiences that promote creativity as well as critical and divergent thinking;

(e) designing opportunities that require and reinforce student responsibility for their behavior and learning;

(f) fostering the development of respect for individual, cultural, linguistic, ability, and religious differences; and

(g) assisting students in setting high standards for their performance.

(7) The librarian-teacher models and promotes collaborative planning by:

(a) participating in formal collaborative curriculum planning with the teaching staff;

(b) collaborating with the teaching staff to identify student information needs; and

(c) collaborating in designing authentic learning tasks and informal assessments.

(8) The librarian-teacher organizes and manages the library in accordance with established written policies and procedures by:

(a) planning for long-range improvements of library organization based on evaluation of patron needs, using indicators such as usage patterns, traffic flow and circulation;

(b) forming and leading library advisory committee to assist in the selection of resources that support instructional priorities as well as recreational and informational needs of patrons;

(c) applying collection development techniques, including needs analysis, evaluation, selection and deselection of resources;

(d) assessing the collection annually based on currency, size, and balance and develops a long-range collection development plan;

(e) using analysis of inventory reports as a component of collection development;

(f) responding effectively to learning community needs for library program and services; and

(g) analyzing and revising promotional materials for effectiveness and currency.

(9) The librarian-teacher manages the educational setting in a manner that promotes positive student behavior, and a safe and healthy environment by:

(a) integrating the teaching of constructive, pro-social behaviors into regular instruction;

(b) engaging students in establishing expectations for building a learning community in the library;

(c) making transitions in instruction effectively;

(d) preparing and arranging instructional material in advance for easy student accessibility;

(e) implementing a classroom management system that promotes acceptable and appropriate student behavior; and

(f) identifying hazards, assessing risks, and taking appropriate action.

(10) The librarian-teacher demonstrates a willingness to examine and implement change, as appropriate, by:

(a) contributing to the professional community by sharing relevant strategies in education and librarianship; and

~~**(b)** assuming a leadership role in the study and implementation of instructional improvement and school reform initiatives.~~

~~**(11)** The librarian-teacher works productivity with colleagues, parents, and community members by:~~

~~**(a)** serving as a role model for collaborative working relations across the profession;~~

~~**(b)** promoting active roles for parents and community members in the library; and~~

~~**(c)** providing a system for interactive communication in a professional manner with colleagues, parents, and community members.~~

~~**E.** A school district may select or develop additional standards and indicators determined appropriate by the local school district to complete the local librarian-teacher performance evaluation system.~~

~~**F.** Each school district shall provide training in evaluation of performance, program observation techniques, conference skills, and growth planning to all librarian-teacher and personnel assigned performance evaluation duties.~~

~~**G.** A librarian-teacher whose leadership roles are primarily outside of the library will be evaluated on their ability to lead other librarian-teachers in meeting the competencies and indicators in their level of licensure.~~
~~[6.69.5.11 NMAC - Rp, 6.69.5.11 NMAC, 1/18/2023]~~

~~**HISTORY OF 6.69.5 NMAC:**~~

~~**HISTORY OF REPEALED MATERIAL:**~~
~~6.69.3.10 NMAC, Evaluation of Library/Media Specialist Performance, Filed 6/01/2001 - Repealed 10/17/2005~~
~~6.69.5 NMAC, Performance Evaluation System Requirements For Librarian-Teachers, filed 10/17/2005 was repealed and replaced by 6.69.5 NMAC, Performance Evaluation System Requirements For Librarian-Teachers, effective 1/18/2023.~~]

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 69 SCHOOL PERSONNEL – PERFORMANCE
PART 5 EVALUATION CYCLE, EVIDENCE, AND RUBRICS

6.69.5.1 ISSUING AGENCY: Public Education Department (PED), hereinafter the department.
[6.69.5.1 NMAC – Rp, 6.69.5.1 NMAC, 7/1/2027]

6.69.5.2 SCOPE: This part governs the annual evaluation cycle, evidence, rubrics, performance level ratings, evaluator training, and waivers applicable to licensed school employees evaluated under 6.69.2–6.69.4 NMAC.
[6.69.5.2 NMAC – Rp, 6.69.5.2 NMAC, 7/1/2027]

6.69.5.3 STATUTORY AUTHORITY: Sections 9-24-8, 22-2-1, 22-2-2, 22-2-2.1, 22-8B-5, 22-10A-7, 22-10A-8, 22-10A-10, 22-10A-11, 22-10A-11.1, 22-10A-11.6, 22-10A-17, 22-10A-18, and 22-10A-19 NMSA 1978.
[6.69.5.3 NMAC – Rp, 6.69.5.3 NMAC, 7/1/2027]

6.69.5.4 DURATION: Permanent.
[6.69.5.4 NMAC – Rp, 6.69.5.4 NMAC, 7/1/2027]

6.69.5.5 EFFECTIVE DATE: July 1, 2027, unless a later date is cited at the end of a section.
[6.69.5.5 NMAC – Rp, 6.69.5.5 NMAC, 7/1/2027]

6.69.5.6 OBJECTIVE: This part establishes the annual evaluation cycle, the evidence used to rate a licensed school employee's performance, the department-approved rubrics and performance level ratings used to determine a licensed school employee's annual summative evaluation result, evaluator training requirements, and the process for obtaining a waiver of this chapter's requirements.
[6.69.5.6 NMAC – Rp, 6.69.5.6 NMAC, 7/1/2027]

6.69.5.7 DEFINITIONS: [RESERVED]
[6.69.5.7 NMAC – Rp, 6.69.5.7 NMAC, 7/1/2027]

6.69.5.8 ANNUAL EVALUATION CYCLE FOR TEACHERS:

A. Each school year, every teacher shall receive formal observations under a department-approved educator evaluation system. At least one of the required formal observations shall be conducted by the site administrator assigned to supervise the teacher. School districts shall conduct the following formal observations:

(1) a minimum of two formal observations for teachers at level 1, conducted by trained evaluators of teachers, with the first taking place no later than 90 days after the start of the school year;

(2) a minimum of one formal observation for teachers at level 2 and level 3A, conducted by trained evaluators of teachers, to take place no later than 90 days after the start of the school year; and

(3) additional formal observations as determined by the trained evaluator or educator.

B. In addition to formal observations, an informal walkthrough observation by a trained evaluator of teachers shall be conducted aligned to school district priorities, with feedback provided, for each teacher within 40 days of the teacher's first day of instruction. Individuals teaching in a K-5 setting will have at minimum one structured literacy walkthrough observation within the first 40 days of the school year or within 40 days of the date of hire, conducted by a trained evaluator of teachers. School districts shall submit data from those observations through the teacher evaluation system per 6.30.17.10 NMAC.

C. No later than 40 school days after the first day of school of each school year or date of hire, each teacher and the teacher's site administrator shall hold a beginning-of-year conference and establish a professional development plan for the teacher, with measurable objectives for the coming year, the bases of which shall include:

(1) the department's teacher competency areas and elements described in 6.69.2.8 NMAC; and

(2) the previous year's annual summative evaluation, if applicable; and

(3) assurance that the teacher is certified and endorsed in the academic subject or subjects the teacher teaches.

D. A trained evaluator of teachers shall use a department-developed protocol for formal observations.

E. Written feedback from a trained evaluator of teachers shall be provided to an observed teacher within 10 calendar days after formal observation is completed. Formal observation can occur over more than one day if permitted by school district guidance.

F. The site administrator assigned to supervise a teacher shall be the one who evaluates that employee's performance with an annual summative evaluation.

G. The school district's department-approved educator evaluation system:

(1) may provide for the supervisor to consider input from other trained evaluators and certified observers provided that they are not also supervised by the supervisor nor are related by blood or marriage to the supervisor; and

(2) shall provide for contingencies if a supervisor leaves a school district for any reason prior to completing the required effectiveness evaluations of all teachers within that supervisor's responsibilities.

[6.69.5.8 NMAC – Rp, 6.69.5.8 NMAC, 7/1/2027]

6.69.5.9 ANNUAL EVALUATION CYCLE FOR SITE ADMINISTRATORS:

A. Every site administrator shall undergo an annual effectiveness evaluation, which shall be conducted by trained evaluators of site administrators using a department-approved educator evaluation system.

B. Evaluation ratings shall be based on multiple measures of leadership practice and evidence of impact, as specified by the department.

C. The effectiveness evaluation shall consider multi-year trend data. Schools' multi-year identification designations pursuant to 6.19.8.12 NMAC and school improvement designations pursuant 20 USC 6303 may inform leadership goals, improvement planning, and evidence sources.

D. The evaluation cycle shall include, at minimum:

(1) Each year, within the first 40 days of the school year or within 40 days of the date of hire, a beginning-of-the-year conference between the site administrator and the site administrator's trained evaluator(s), and establish a professional development plan including self-reflection and goal-setting aligned to the state adopted standards and local improvement priorities;

(2) evidence collection;

(3) a mid-year conference; and

(4) an end-of-year summative conference with an annual summative evaluation.

E. If a site administrator is employed as an assistant principal, the principal of that school shall be trained as an evaluator of site administrators and serve as the assistant principal's trained evaluator and shall evaluate the assistant principal using the evaluation cycle described in this section.

[6.69.5.9 NMAC – Rp, 6.69.5.9 NMAC, 7/1/2027]

6.69.5.10 ANNUAL EVALUATION CYCLE FOR LICENSED SCHOOL STAFF OTHER THAN TEACHERS AND SITE ADMINISTRATORS:

A. Each school district shall conduct an annual evaluation of all licensed school staff other than teachers and site administrators evaluated under 6.69.4 NMAC, on a schedule and using a process established by the school district, consistent with Subsection B or Subsection C of 6.69.4.8 NMAC, as applicable.

B. For each licensed school staff member other than teachers and site administrators, the superintendent shall designate an evaluator responsible for conducting the annual evaluation required under this section.

C. For a staff member evaluated under Subsection B of 6.69.4.8 NMAC, the annual evaluation shall be conducted using the applicable department-approved rubric identified in that subsection and shall include the school district's verification of the status of the staff member's underlying professional license required by Paragraph (3) of that subsection.

D. For a staff member evaluated under Subsection C of 6.69.4.8 NMAC, the annual evaluation shall be conducted using the rubric posted under Paragraph (1) or Paragraph (2) of that subsection.

E. The evaluation cycle shall include, at minimum:

(1) Each year, within the first 40 days of the school year or within 40 days of the date of hire, a beginning-of-the-year conference between the licensed school staff member and the licensed school staff member's evaluator, and establish a professional development plan including self-reflection and goal-setting aligned to the state adopted standards and local improvement priorities;

(2) evidence collection;

(3) a mid-year conference; and

(4) an end-of-year summative conference with an annual summative evaluation.

[6.69.5.10 NMAC – Rp, 6.69.5.10 NMAC, 7/1/2027]

6.69.5.11 CATEGORIES OF EVIDENCE:

A. A department-approved educator evaluation system shall rate a licensed school employee using only the categories of evidence described in this section. A single piece of evidence may support more than one element, and a rating may draw on any combination of the evidence categories described in this section. Ratings shall not rely on evidence that was not made available to the licensed school employee before the rating is finalized.

B. Categories of evidence. Evidence used to rate a licensed school employee's demonstration of a competency area, essential practice, or element shall be drawn from one or more of the following categories, as applicable to the employee's role and the applicable department-approved rubric:

(1) Observations of practice. Documented formal and walkthrough observations conducted as required under 6.69.5.8 NMAC, 6.69.5.9 NMAC, or 6.69.5.10 NMAC, including notes that distinguish objective, factual observations from the observer's subjective interpretation.

(2) Artifacts as defined in Subsection D of 6.69.1.7 NMAC.

(3) Structured input. Survey results, interview notes, or other structured feedback collected by the school district from students, staff, parents, or community members in a manner consistent with applicable confidentiality requirements, provided that an anonymous or unsubstantiated complaint, is not evidence for purposes of this section.

(4) Employee-submitted evidence. Evidence compiled and presented by the licensed school employee, including self-assessments, reflections, and additional artifacts relevant to a specific element.

(5) Professional development evidence: Evidence of having achieved professional development plan goals.

C. Multiple measures required. An evaluator shall consider the totality of the evidence gathered for an element, essential practice, or competency area and shall document that consideration when assigning a rating.

D. Duty to gather evidence. An evaluator shall observe or otherwise gather evidence sufficient to rate every element. An evaluator shall not decline to rate an element, or assign a rating based on assumption, inference, or an isolated incident, for lack of observed evidence.

E. Conflicting evidence. If an evaluator finds conflicting evidence relevant to the same element, the evaluator shall document the evidence considered, the evaluator's rationale for the rating assigned notwithstanding the conflict, and any additional evidence needed to resolve the conflict.

F. Evidence relevance. A rating shall be based only on evidence relevant to the specific element, essential practice, or competency area being rated

G. Employee right to respond. Before an annual summative evaluation is finalized, a licensed school employee shall have the opportunity to review the evidence considered and to submit additional evidence or a written response which shall be retained with the evaluation record.

H. Evidence for other licensed school staff. For a staff member evaluated under 6.69.4 NMAC, evidence shall be drawn from the categories described in Subsection B of this section, and as applicable, shall include verification of the status of the staff member's underlying professional license.

[6.69.5.11 NMAC – Rp, 6.69.5.11 NMAC, 7/1/2027]

6.69.5.12 PERFORMANCE LEVEL RATINGS:

A. Each school district shall report annually to the department the results of its effectiveness evaluations of its licensed school employees and the alignment of its effectiveness evaluation system with the department-approved evaluation system.

B. An evaluation system rubric shall:

(1) be designed to support effective instruction and increased student outcomes, with the results used to inform school district and school level improvement plans;

(2) provide appropriate instruments, procedures and criteria and continuous quality improvement of professional skills, with results used to support the professional development of licensed school employees;

(3) include a mechanism to examine effectiveness data from multiple sources, which may include giving parents and students opportunities to provide input into effectiveness evaluations when appropriate;

(4) identify those teaching fields for which special evaluation procedures and criteria may be developed in a manner that is consistent and reliable; and

(5) differentiate among at least four performance level ratings, which shall include:

(a) "innovating," meaning surpasses expected standards for student success;

(b) "applying," meaning meets expected standards;

(c) "developing," meaning some competency is observed, but needs improvement, or with support, demonstrates growth; and

(d) "not demonstrating", meaning fails to meet minimum standards.

C. "Not demonstrating" is a substantive performance rating and shall be assigned only when there is evidence that the teacher did not demonstrate the applicable standard or element. The rating shall not be assigned solely because the standard or element was not observed during a formal observation or walkthrough observation.

D. Individual evaluations and ratings, including components of the evaluation such as formal observations and other measures of effectiveness, that are collected or maintained by the department, a local board of education, a governing authority, or a public school, shall not constitute public records and shall not be subject to disclosure pursuant to Section 14-2-1 NMSA 1978.

[6.69.5.12 NMAC – N, 7/1/2027]

6.69.5.13 DEPARTMENT-APPROVED RUBRICS AND SCORE WEIGHTING:

A. The department will maintain, and make available on its educator quality division website, a department-approved rubric for teachers, a department-approved rubric for site administrators, and department-approved rubrics for other licensed school personnel. Each rubric shall:

(1) correspond to the competency areas or essential practices, and the elements within each, identified in 6.69.2 NMAC, 6.69.3 NMAC, or 6.69.4 NMAC, as applicable;

(2) define, for each element, the performance level criteria that distinguish among the four performance level ratings described in 6.69.5.12 NMAC;

(3) identify illustrative categories of evidence, such as classroom or worksite observations, documents, data, and interviews, that an evaluator may consider in rating each element, consistent with 6.69.5.11 NMAC; and

(4) be updated by the department as needed, following notice to school districts, to reflect changes in the competency areas, essential practices, or elements or in department guidance.

B. A school district shall use a department-approved rubric to rate each element, essential practice, or competency area. A school district that has adopted additional local standards or elements under Subsection B of 6.69.2.8 NMAC, Subsection B of 6.69.3.8 NMAC, Paragraph (7) of Subsection B of 6.69.4.8 NMAC, or Paragraph (3) of Subsection C of 6.69.4.8 NMAC shall develop a comparably rigorous rubric for those additional standards and elements, which shall be subject to department review.

C. An annual summative evaluation shall not be issued unless each separately rated element of the department-approved performance evaluation rubric applicable to the licensed school staff member has been assigned a performance rating supported by evidence collected during the evaluation cycle.
If sufficient evidence has not been collected to rate a required element, the element shall be designated not observed, and the annual summative evaluation shall remain incomplete until each required element has been rated.

D. An annual summative evaluation shall be based on all formal observations and worksite observations of the licensed school employee conducted during the school year; for each element rated, the annual summative evaluation shall reflect the highest performance level rating assigned to that element or element across those observations. An annual summative evaluation shall be unsuccessful if 40 percent or more elements in the annual summative evaluation were rated as "not demonstrating". Each element shall be weighted equally.
[6.69.5.13 NMAC – N, 7/1/2027]

6.69.5.14 EVALUATOR TRAINING:

A. Before serving as a trained evaluator of teachers or site administrators, an individual shall complete department-specified training in evaluation, evidence collection, observation of practice, feedback, evaluator calibration, and professional growth planning.

B. Each school district shall ensure that every trained evaluator for teachers completes the department-provided training at least once every two years, by September 15 of a given school year or within 40 days after hire, provided that the training and certification completed under this section shall be transferable among school districts within the state.

C. Each school district shall ensure that every trained evaluator of site administrators completes department-provided training at least once every three years, by September 15 of a given school year or within 40 days after hire, provided that the training and certification completed under this section shall be transferable among school districts within the state.
[6.69.5.14 NMAC – N, 7/1/2027]

6.69.5.15 WAIVERS:

A. All schools, including charter schools operating under a waiver pursuant to Section 22-8B-5 NMSA 1978, shall continue to evaluate each licensed school employee annually using an educator evaluation system and shall maintain records of all evaluations in a manner consistent with the requirements of this part. Evaluation records shall be reported annually to the department and shall be sufficient to support a licensure-advancement or license-action determination under 6.60.6 NMAC.

B. Charter school operating under a waiver for the requirements of this chapter shall submit to the department:

(1) an evaluation plan for assessing licensed school staff, including rubrics and standard scoring implemented for assessing licensed school staff; and

(2) a complete list of licensed staff with summative evaluation ratings
[6.69.5.15 NMAC – N, 7/1/2027]

6.69.5.16 SEVERABILITY: In the event that any one or more of the sections of this rule, in whole or in part, should be held to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining sections of this rule shall not in any way be affected or impaired.
[6.69.5.16 NMAC – N, 7/1/2027]

HISTORY OF 6.69.5 NMAC:
HISTORY OF REPEALED MATERIAL: 6.69.3.10 NMAC, Evaluation of Library/Media Specialist Performance, filed 6/1/2001 - Repealed effective 10/17/2005.
6.69.5 NMAC, Performance Evaluation System Requirements for Librarian-Teachers, filed 10/17/2005, was repealed and replaced by 6.69.5 NMAC, Performance Evaluation System Requirements for Librarian-Teachers, effective 1/18/2023.
6.69.5 NMAC, Performance Evaluation System Requirements for Librarian-Teachers, effective 1/18/2023 - Repealed effective 7/1/2027.

OTHER HISTORY OF 6.69.5 NMAC: Effective 7/1/2027, librarian-teacher competency provisions formerly in 6.69.5 NMAC were incorporated into 6.69.4 NMAC. New 6.69.5 NMAC, Evaluation Cycle, Evidence, and Rubrics,

consolidates and updates evaluation-cycle, evidence, rating, rubric, and evaluator requirements previously distributed among 6.69.4 NMAC, 6.69.5 NMAC, 6.69.6 NMAC, 6.69.7 NMAC, and 6.69.8 NMAC.
6.69.6 NMAC

[~~**TITLE 6 PRIMARY AND SECONDARY EDUCATION**~~
~~**CHAPTER 69 SCHOOL PERSONNEL - PERFORMANCE**~~
~~**PART 6 PERFORMANCE EVALUATION REQUIREMENTS FOR SCHOOL COUNSELORS**~~

~~**6.69.6.1 ISSUING AGENCY:** Public Education Department (PED).~~
~~[6.69.6.1 NMAC - N, 7/01/2008]~~

~~**6.69.6.2 SCOPE:** Chapter 69, Part 3, governs performance evaluation requirements for school counselors.~~
~~[6.69.6.2 NMAC - N, 7/01/2008]~~

~~**6.69.6.3 STATUTORY AUTHORITY:** Sections 22-2-1, 22-2-2, and 22-10A-19, NMSA 1978.~~
~~[6.69.6.3 NMAC - N, 7/01/2008]~~

~~**6.69.6.4 DURATION:** Permanent.~~
~~[6.69.6.4 NMAC - N, 7/01/2008]~~

~~**6.69.6.5 EFFECTIVE DATE:** July 1, 2008, unless a later date is cited at the end of a section.~~
~~[6.69.6.5 NMAC - N, 7/01/2008]~~

~~**6.69.6.6 OBJECTIVE:** This rule governs the requirements for the performance evaluation system for school counselors, grades pre K-12. This rule identifies the specific evaluation/supervision competencies and indicators for counselors.~~
~~[6.69.6.6 NMAC - N, 7/01/2008]~~

~~**6.69.6.7 DEFINITIONS: [RESERVED]**~~

~~**6.69.6.8 EVALUATION OF SCHOOL COUNSELOR PERFORMANCE:**~~
~~**A.** Beginning July 1, 2008, each school district shall implement a system of counselor performance evaluation which meets the requirements of this rule.~~
~~**B.** Each evaluation/supervision system shall include the following competencies as part of the evaluation criteria.~~
~~**(1)** The counselor will develop and implement a school level guidance program focused on the physical, social, intellectual, emotional, and vocational growth of each student by:~~
~~**(a)** determining guidance priorities based on local assessed needs;~~
~~**(b)** formulating measurable objectives from identified needs and priorities;~~
~~**(c)** formulating specific tasks relating to achieving the objectives;~~
~~**(d)** coordinating a continuing evaluation of the program;~~
~~**(e)** coordinating with the appropriate administration to achieve subparagraphs a-d of this paragraph.~~
~~**(2)** The counselor will coordinate activities in the guidance and counseling program by:~~
~~**(a)** working with other staff members to encourage the inclusion of a student-oriented philosophy in all school activities;~~
~~**(b)** helping to integrate the guidance and counseling program within the total school program;~~
~~**(c)** communicating with parents and community about services available within the guidance and counseling program;~~
~~**(d)** learning about available school and community resources;~~
~~**(e)** establishing and maintaining contact with school and community resources;~~
~~**(f)** working with the administration to utilize community resources related to the guidance program.~~
~~**(3)** The counselor will provide information and facilitate guidance activities for students, staff and parents by:~~
~~**(a)** assisting others in their understanding of personal and social development;~~
~~**(b)** serving as a resource to facilitate groups and presentations on pertinent issues;~~
~~**(c)** providing prevention strategies which address current issues such as chemical dependency, teenage pregnancy, suicide, dropping out, and various forms of abuse;~~

~~**(d)** conducting activities on educational career themes;~~
~~**(e)** conducting orientation/training programs for students, parents, and staff;~~
~~**(f)** interpreting test results to students, parents, and staff.~~
~~**(4)** The counselor will serve as a consultant to the school and community by:~~
~~**(a)** providing mediation for change in behavior and conflict resolution;~~
~~**(b)** serving as a liaison for issues pertinent to the learning environment of the school;~~
~~**(c)** supporting the staff with assistance in developing positive rapport with students to maximize learning potential;~~
~~**(d)** assisting teachers in identifying students who would benefit from counseling and providing feedback on referred students as appropriate;~~
~~**(e)** providing information to parents and students to aid in their understanding of educational goals;~~
~~**(f)** providing resource materials and expertise dealing with issues affecting students, staff, and family;~~
~~**(g)** providing information about appropriate community resources or organizations which provide services to students and their families.~~
~~**(5)** The counselor will provide individual and group counseling by:~~
~~**(a)** providing crisis intervention;~~
~~**(b** using appropriate interventions in situations detrimental to the physical, mental, educational, and emotional well-being of the individual;~~
~~**(c)** providing support to individuals by addressing topics such as interpersonal relations, communication, decision-making, problem-solving skills, academic programs, and career and life planning;~~
~~**(d)** making referrals to school and community resources when necessary.~~
~~**(6)** The counselor will uphold the standards of the counseling profession by:~~
~~**(a)** meeting the state competency standard and the requirements for preparation;~~
~~**(b)** participating in the development of policies concerning guidance and counseling;~~
~~**(c)** keeping informed about developments and innovations within the profession at the local, state, and national levels;~~
~~**(d)** following the legal and ethical standards of the counseling profession;~~
~~**(e)** realizing personal and professional limitations.~~
~~**C.** The counselor performance evaluation plan will include the five activities described in Subsection F of 6.69.3.8 NMAC, with appropriate adjustments.~~
~~[6.69.6.8 NMAC - Rp. 6.69.3.11 NMAC, 7/01/2008]~~

~~**HISTORY OF 6.69.6 NMAC:**~~
~~**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center and Archives under:~~
~~SBE Regulation No. 89-6, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed August 17, 1989.~~
~~SBE Regulation No. 93-21, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed November 16, 1993.~~

~~**History of Repealed Material:**~~
~~6.69.3 NMAC, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists and Counselors, filed 6/01/2001 - Repealed, 7/01/2008.~~]

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 69 SCHOOL PERSONNEL – PERFORMANCE
PART 6 UNSATISFACTORY WORK PERFORMANCE OF LICENSED SCHOOL PERSONNEL

6.69.6.1 ISSUING AGENCY: Public Education Department (PED), hereinafter the department.
[6.69.6.1 NMAC – Rp, 6.69.6.1 NMAC, 7/1/2027]

6.69.6.2 SCOPE: This part establishes procedures for supervising and correcting a licensed school employee's unsatisfactory work performance.
[6.69.6.1 NMAC – Rp, 6.69.6.1 NMAC, 7/1/2027]

6.69.6.3 STATUTORY AUTHORITY: Sections 9-24-8, 22-2-1, 22-2-2, 22-10A-18, 22-10A-19, 22-10A-21, 22-10A-24, 22-10A-27, and 22-10A-30 NMSA 1978.
[6.69.6.3 NMAC – Rp, 6.69.6.3 NMAC, 7/1/2027]

6.69.6.4 DURATION: Permanent.
[6.69.6.4 NMAC – Rp, 6.69.6.4 NMAC, 7/1/2027]

6.69.6.5 EFFECTIVE DATE: July 1, 2027, unless a later date is cited at the end of a section.
[6.69.6.5 NMAC – Rp, 6.69.6.5 NMAC, 7/1/2027]

6.69.6.6 OBJECTIVE: This part establishes the procedures for supervising and correcting a licensed school employee's unsatisfactory work performance before discharge or termination when a licensed school employee sustains a pattern of low performance-level ratings under 6.69.5.12 NMAC.
[6.69.6.6 NMAC – Rp, 6.69.6.6 NMAC, 7/1/2027]

6.69.6.7 DEFINITIONS: [RESERVED]
[6.69.6.7 NMAC – Rp, 6.69.6.7 NMAC, 7/1/2027]

6.69.6.8 UNSATISFACTORY WORK PERFORMANCE AND PERFORMANCE GROWTH PLANS:

A. Unsatisfactory work performance of licensed school staff members may constitute good cause for discharging or terminating a licensed school employee, so long as the procedures established in Subsection B of this section are followed.

B. The following procedures shall be followed by local school boards or governing authorities of charter schools and state agencies in supervising and correcting a licensed school employee's unsatisfactory work performance before serving the employee with notice of intent to discharge pursuant to Section 22-10A-27 NMSA 1978 or notice of termination pursuant Section 22-10A-24 NMSA 1978 :

(1) Every person who evaluates a licensed school employee under this part shall submit an original written report to the school district superintendent, and an exact copy to the licensed school employee being evaluated. The effectiveness evaluation shall not be changed once each component is completed and delivered to either the school district superintendent or the licensed school employee being evaluated.

(2) A licensed school employee rated unsuccessful may provide a written statement in response to the employee's effectiveness evaluation, and that statement shall become a permanent attachment to that employee's evaluation file.

(3) Every person who rates a licensed school employee unsuccessful shall provide evidence describing in detail how the employee’s performance was not demonstrating competency and, in writing, inform the employee of the following:

(a) the right to a post-evaluation conference, which an evaluator shall convene, and which shall occur no later than 10 days after the evaluation is completed unless the employee agrees to an extension;

(b) that during the conference, an evaluator shall make recommendations to the employee with respect to specific areas of unsatisfactory performance and provide feedback that establishes the initial framework for an individual professional growth plan;

(c) an evaluator shall provide assistance in helping the employee correct unsatisfactory performance and the district shall extend strategic support aligned to best practices identified by the department to assist the employee in correcting the unsatisfactory performance;

(d) an employee may be placed on a performance growth plan for 90 school days upon receipt of the notice of unsatisfactory work performance, provided that:

(i) the 90 days shall not include weekends, school holidays or school vacation periods, declared snow days, and approved employee leave days;

(ii) during the 90 days the licensed school employee shall be observed and evaluated a minimum of four times and shall be informed in writing of the results of those observations; and

(iii) an evaluator shall maintain documentation of having provided assistance and notification of in-service training opportunities to help correct the performance deficiencies noted of the licensed school employee.

C. Within five school days after the expiration of the 90-day performance growth plan, an evaluator shall determine whether the performance deficiencies have been corrected and shall provide a written recommendation to the superintendent.

D. Within 10 school days after receipt of that written recommendation, the superintendent shall provide the licensed school employee who has an employment contract with the school district written notification expressing whether the performance deficiencies have been satisfactorily corrected. A copy of the evaluator's recommendation shall accompany that notice.

E. If satisfactory progress has not been made, the superintendent shall determine whether to discharge or terminate the employee pursuant to Sections 22-10A-27 or 22-10A-24 NMSA 1978.

F. An employee who has been placed on a 90-day performance growth plan because of unsatisfactory work performance, and who has not been employed by a school district for three consecutive years, shall have no reasonable expectation of continued employment beyond the end of the contract year by reason of being on a performance growth plan.

[6.69.6.8 NMAC – Rp, 6.69.6.8 NMAC, 7/1/2027]

6.69.6.9 SEVERABILITY: In the event that any one or more of the sections of this rule, in whole or in part, should be held to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining sections of this rule shall not in any way be affected or impaired.

[6.69.6.9 NMAC – N, 7/1/2027]

HISTORY OF 6.69.6 NMAC:

PRE-NMAC HISTORY: The material in this part was derived from that previously filed with the State Records Center and Archives under:

SBE Regulation No. 89-6, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed August 17, 1989.

SBE Regulation No. 93-21, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed November 16, 1993.

HISTORY OF REPEALED MATERIAL: 6.69.3 NMAC, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists and Counselors, filed 6/1/2001 - Repealed effective 7/1/2008.
6.69.6 NMAC, Performance Evaluation Requirements for School Counselors, effective 7/1/2008 - Repealed effective 7/1/2027.

OTHER HISTORY OF 6.69.6 NMAC: Effective 7/1/2027, school counselor competency provisions formerly in 6.69.6 NMAC were incorporated into 6.69.4 NMAC, and related evaluation-cycle requirements were consolidated in 6.69.5 NMAC. New 6.69.6 NMAC, Unsatisfactory Work Performance of Licensed School Personnel, repromulgates and updates the unsatisfactory work performance provisions formerly located in 6.69.2 NMAC.

[**TITLE 6 PRIMARY AND SECONDARY EDUCATION**
CHAPTER 69 SCHOOL PERSONNEL - PERFORMANCE
PART 7 PERFORMANCE EVALUATION REQUIREMENTS FOR PRINCIPALS AND ASSISTANT PRINCIPALS

6.69.7.1 ISSUING AGENCY: Public Education Department (PED).
[6.69.7.1 NMAC - N, 7/01/2008]

6.69.7.2 SCOPE: Chapter 69, Part 7 governs performance evaluation system requirements for principals and assistant principals.
[6.69.7.2 NMAC - N, 7/01/2008]

6.69.7.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2, Subsection E of Section 22-10A-1-11 and Subsection A of Section 22-10A-19 et seq., NMSA 1978.
[6.69.7.3 NMAC - N, 7/01/2008]

6.69.7.4 DURATION: Permanent.
[6.69.7.4 NMAC - N, 7/01/2008]

6.69.7.5 EFFECTIVE DATE: July 1, 2008, unless a later date is cited at the end of a section.
[6.69.7.5 NMAC - N, 7/01/2008]

6.69.7.6 OBJECTIVE: This rule governs the requirements for a high objective statewide standard of evaluation for principals and assistant principals in five leadership domains: instructional leadership, communication, professional development, operations management, and scope of responsibility in secondary schools. This rule identifies the specific evaluation competencies standards with indicators and procedural requirements for a competency-based evaluation system for principals and assistant principals.
[6.69.7.6 NMAC - N, 7/01/2008]

6.69.7.7 DEFINITIONS:

A. "Accountability literacy" means the ability to interpret and use data and to negotiate support for education in political, professional, and community settings.

B. "Assistant principal" means an associate to the chief instructional leader and administrative head of a public or charter school.

C. "Competency" means the job-related performance expectations of a principal or assistant principal.

D. "Indicator" means a specific behavior associated with a competency that exemplifies an acceptable standard of performance.

E. "Leadership domain" means a major area of responsibility of a principal or assistant principal.

F. "Principal" means the chief instructional leader and administrative head of a public or charter school.

G. "Professional development plan" means a collaborative enterprise involving the principal and supervisor in establishing a yearly plan for professional learning goals, activities, and measurable objectives based on the principal competencies and the goals of the district and school educational plan for student success.
[6.69.7.7 NMAC - N, 7/01/2008]

6.69.7.8 REQUIREMENTS:

A. Every public and charter school principal and assistant principal must have an annual performance evaluation based on an annual professional development plan that meets the requirements of the state's high objective uniform statewide standard of evaluation. The format for this evaluation shall be established by the PED and shall be uniform throughout the state in all public school districts and charter schools.

B. No later than October 15, 2008, each public school district and charter school shall adopt policies, guidelines, and procedures for annual principal and assistant principal performance evaluation that meets the requirements of this rule.

C. No later than forty school days after the principal or assistant principal commences his or her duties each school year, each principal and assistant principal and his or her supervisor shall establish a professional

development plan for the principal or assistant principal, with measurable objectives, for the coming year based on, among other things:

(1) the PED's principal competencies and indicators in 6.69.7.9 NMAC, which pertain to the duties of the principal or assistant principal;

(2) the goals of the district/school educational plan for student success;

(3) the previous year's annual evaluation, if applicable; and

(4) assurance that the principal or assistant principal is appropriately licensed by the PED for his or her assignment.

D. The supervisor shall formally observe each principal or assistant principal's professional practice at least twice annually to determine the principal or assistant principal's ability to demonstrate state adopted competencies and indicators.

E. The supervisor and the principal or assistant principal shall hold a mid-year conference annually to assess progress toward meeting the objectives of the professional development plan.

F. Principals and assistant principals shall reflect on their professional practice and ability to demonstrate the principal and assistant principal competencies by providing their supervisor with a written reflection document at least once annually.

G. Annual performance evaluations shall be based on, among other things, how well the professional development plan was carried out and the extent to which progress was made toward achieving the measurable objectives.

[6.69.7.8 NMAC - N, 7/01/2008]

6.69.7.9 COMPETENCIES AND INDICATORS:

A. The principal/assistant principal promotes the success of all students by maintaining a culture that supports student achievement, high quality instruction, and professional development to meet the diverse learning needs of the school community:

(1) works with all members of the school community to make quality instruction a prime focus;

(2) uses accountability literacy in making decisions about student success and achievement;

(3) evaluates teachers using the three-tiered licensure performance evaluation system to promote high quality teaching and professional learning; and

(4) incorporates the diversity of the student population and history of the school community in making curricular and school policy decisions.

B. The principal/assistant principal uses communication and relationship-building skills to engage the larger community in the knowledge of, and advocacy for, equity in meeting the diverse needs of the school community:

(1) engages in honest and respectful interactions with all stake holders to make thoughtful and objective decisions that demonstrate sensitivity and integrity;

(2) builds and sustains relationships through team development and mediation skills to promote a climate of cooperation and student success;

(3) supports an environment of inclusion and respect;

(4) communicates with others objectively, sensitively, fairly and ethically;

(5) supports relationships that promote teaching and learning in the school community through communication skills such as speaking, writing, and active listening;

(6) communicates with all school and community stakeholders concerning current school issues and student achievement; and

(7) maintains a continuous dialogue with decision makers who affect the school community.

C. The principal/assistant principal organizes and coordinates ongoing professional learning opportunities that are aligned with the New Mexico professional development framework in 6.65.2 NMAC, and supports the diverse learning needs of the school community:

(1) identifies and assesses student and staff performance to inform professional development needs;

(2) uses relevant professional literature and knowledge, collaborates with key partners, and uses technology to create professional development programs;

(3) implements comprehensive, integrated and systematic ongoing professional development opportunities for faculty and community; and

~~**(4)** supports reflection, sustained mentoring, and coaching as critical processes for professional growth.~~

~~**D.** The principal/assistant principal manages the school campus, budget, and daily operations to equitably meet the diverse learning needs of the school community:~~

~~**(1)** manages the school campus to ensure that the environment is safe and clean for students and staff;~~

~~**(2)** manages the school budget to ensure that resources are maximized for student success;~~

~~**(3)** manages the day to day operations to maximize the efficiency of the school; and~~

~~**(4)** complies with federal and state initiatives to maximize use of services and programs for which students are eligible.~~

~~**E.** The middle school and high school principal/assistant principal develops, supports, encourages, and supervises programs that lead to increased student retention and achievement resulting in college readiness and work skills:~~

~~**(1)** supervises co-curricular and extracurricular activities to engage all students;~~

~~**(2)** develops 21st century skills through out the curriculum; and~~

~~**(3)** creates a student centered school environment and strengthens relationships among all stakeholders to improve student performance.~~

~~[6.69.7.9 NMAC - N, 7/01/2008]~~]

[This part was repealed on July 1, 2027.]

HISTORY OF 6.69.7 NMAC:

HISTORY OF REPEALED MATERIAL: 6.69.7 NMAC, Performance Evaluation Requirements for Principals and Assistant Principals, effective 7/1/2008 - Repealed effective 7/1/2027.

OTHER HISTORY OF 6.69.7 NMAC: Effective 7/1/2027, the principal and assistant principal competency provisions formerly in 6.69.7 NMAC were consolidated and updated in 6.69.3 NMAC, Competency Areas and Elements for Site Administrators, and related evaluation-cycle requirements were consolidated in 6.69.5 NMAC, Evaluation Cycle, Evidence, and Rubrics.

[~~TITLE 6 PRIMARY AND SECONDARY EDUCATION~~
~~CHAPTER 69 SCHOOL PERSONNEL - PERFORMANCE~~
~~PART 8 TEACHER AND SCHOOL LEADER EFFECTIVENESS~~

~~6.69.8.1 ISSUING AGENCY:~~ ~~Public Education Department (PED).~~
~~[6.69.8.1 NMAC - Rp, 6.69.8.1 NMAC, 08/15/2017]~~

~~6.69.8.2 SCOPE:~~ ~~This rule governs standards for determining and measuring teacher and school leader effectiveness.~~
~~[6.69.8.2 NMAC - Rp, 6.69.8.2 NMAC, 08/15/2017]~~

~~6.69.8.3 STATUTORY AUTHORITY:~~ ~~Sections 22-2-1, 22-2-2, 22-10A-18, 22-10A-19 and 22-10A-19.2, NMSA 1978.~~
~~[6.69.8.3 NMAC - Rp, 6.69.8.3 NMAC, 08/15/2017]~~

~~6.69.8.4 DURATION:~~ ~~Permanent.~~
~~[6.69.8.4 NMAC - Rp, 6.69.8.4 NMAC, 08/15/2017]~~

~~6.69.8.5 EFFECTIVE DATE:~~ ~~August 15, 2017 unless a later date is cited at the end of a section.~~
~~[6.69.8.5 NMAC - Rp, 6.69.8.5 NMAC, 08/15/2017]~~

~~6.69.8.6 OBJECTIVE:~~ ~~This rule establishes uniform procedures for conducting annual evaluations of licensed school employees, for setting the standards for each effectiveness level, for measuring and implementing student achievement growth, and for monitoring each school district's implementation of its teacher and school leader effectiveness evaluation system. This rule also seeks to change the dynamic of placing emphasis on teacher effectiveness and provide the opportunity to acknowledge excellence. Continuing advancement and licensure determinations will be guided pursuant to 6.60.6.9 NMAC.~~
~~[6.69.8.6 NMAC - Rp, 6.69.8.6 NMAC, 08/15/2017]~~

~~6.69.8.7 DEFINITIONS:~~

~~A. "Assistant principal"~~ ~~means a properly licensed instructional leader who assists a principal in a public school.~~

~~B. "BIE school"~~ ~~means a bureau of Indian education school that is governmentally owned and controlled, located in New Mexico, provides instruction for first through twelfth grades and is not sectarian or denominational.~~

~~C. "Certified observer"~~ ~~means an individual who:~~

~~(1)~~ ~~holds an active level 3-B license or an active teaching license;~~

~~(2)~~ ~~is employed by a school district or charter school as an administrator or a teacher as defined by this rule;~~

~~(3)~~ ~~completes the PED's teacher observation training and who passes the PED's assessment of the adopted observation protocol;~~

~~(4)~~ ~~receives a highly effective or exemplary rating during the previous school year; and~~

~~(5)~~ ~~completes follow-up training and who passes the PED's assessment of the adopted observation protocol on an annual basis; for purposes of this subsection, annual basis means the earlier of August 1 of a given school year or 90 days after hire; provided, however, that the annual training and certification is transferable within the state.~~

~~D. "Department"~~ ~~means the New Mexico public education department or PED.~~

~~E. "EES"~~ ~~means effectiveness evaluation systems developed by the department.~~

~~F. "Fidelity observations"~~ ~~means the requirement of school leaders to periodically observe and evaluate assigned teachers in the classroom with observations that have been documented and are verifiable.~~

~~G. "Licensed school employee"~~ ~~means teachers and school leaders employed in a public school.~~

~~H. "Novice teacher"~~ ~~means a person who holds a level one or a level one alternative license and is in their first year three years of teaching.~~

~~I. "Principal"~~ ~~means the chief instructional leader and administrative head of a public school.~~

~~J. "School district"~~ ~~means one of the 89 political subdivisions of the state created for the administration of public schools and includes those state-authorized charter schools that have not requested waiver~~

of evaluation standards for school personnel. District-authorized charter schools are excluded from being considered a school district for purposes of this rule.

K. "School district superintendent" means the chief executive officer of a school district and the head administrator of a charter school.

L. "School leader" means a principal or assistant principal employed in a public school.

M. "State agency" means the New Mexico military institute, the New Mexico school for the blind and visually impaired, the New Mexico school for the deaf, any juvenile detention center or facility served by the juvenile justice service of the children youth and families department, the New Mexico youth diagnostic and development center, the Sequoyah adolescent treatment center of the department of health, Carrie Tingley crippled children's hospital, the New Mexico behavioral health institute at Las Vegas and any other state agency responsible for educating resident children.

N. "Teacher" means a person who holds a level 1, 2, or 3A license and whose primary duty is classroom instruction or the supervision, below the school principal level, of an instructional program or whose duties include curriculum development, peer intervention, peer coaching or mentoring or serving as a resource teacher for other teachers. "Teacher" shall not include any person issued a Native American language and culture certificate pursuant to the School Personnel Act, Sections 22-10A-1 to 22-10A-39 NMSA 1978.

[6.69.8.7 NMAC - Rp, 6.69.8.7 NMAC, 08/15/2017]

6.69.8.8 EFFECTIVENESS EVALUATION SYSTEMS:

A. Nothing in this rule shall be construed to infringe upon the local superintendent's discretion to make decisions about discharge and termination or to make recommendations about licensure advancement or renewal.

B. Each school district shall report annually to the department the results of its effectiveness evaluations of its licensed school employees and the alignment of its effectiveness evaluation system with the three-tiered licensure system.

C. A teacher and school leader EES shall:

(1) be designed to support effective instruction and student achievement, with the results used to inform school district and school level improvement plans;

(2) provide appropriate instruments, procedures and criteria and continuous quality improvement of professional skills, with results used to support the professional development of licensed school employees;

(3) include a mechanism to examine effectiveness data from multiple sources, which may include giving parents and students opportunities to provide input into effectiveness evaluations when appropriate;

(4) identify those teaching fields for which special evaluation procedures and criteria may be developed in a manner that is consistent and reliable;

(5) include measures of student achievement growth worth thirty-five percent, observations worth forty percent, and other multiple measures worth twenty-five percent, unless otherwise provided for;

(6) differentiate among at least five levels of performance, which include the following:

(a) exemplary, meets competency;

(b) highly effective, meets competency;

(c) effective, meets competency;

(d) minimally effective, does not meet competency; and

(e) ineffective, does not meet competency.

D. Teacher and school leader effectiveness evaluation procedures for licensed school employees shall be based on the performance of students assigned to their classrooms or public schools.

E. Every public school classroom teacher who teaches in a grade or subject that has a standards-based assessment that would permit the calculation of student achievement growth, must have an annual effectiveness evaluation, provided that:

(1) each evaluation shall be based on sound educational principles and contemporary research in effective educational practices; and

(2) the student achievement growth component of a teacher's effectiveness evaluation shall be based on:

(a) valid and reliable data and indicators of teacher impact on student achievement growth assessed annually and based upon department-approved assessments, provided that this calculation shall not be based on a single test score;

(b) thirty-five percent of a teacher's evaluation will be comprised of this calculation.

F. Every public school classroom teacher who teaches in a grade or subject that does not have a standards-based assessment, also must have an annual effectiveness evaluation, provided that:

(1) each evaluation shall be based on sound educational principles and contemporary research in effective educational practices; and

(2) the student achievement growth component of a teacher's effectiveness evaluation shall be based on valid and reliable data and indicators of teacher impact on student achievement growth assessed annually.

G. An EES shall base at least forty percent of the results on data and indicators of instructional practice for teachers. School leaders shall observe instructional practice of teachers using common research-based observational protocol approved by the department that correlates observations to improved student achievement.

H. An EES shall base at least twenty-five percent of the results on other measures of teacher effectiveness, of which fifteen percent are planning, preparation and professionalism, five percent are associated with a teacher's attendance, provided that a teacher may use up to six days of leave before it is calculated into the summative report, and five percent with student and parent perception surveys.

I. Effectiveness evaluation criteria for evaluating classroom teachers shall include indicators based on research-based instructional practices as determined by the department.

J. School districts that receive funding under the Bilingual Multicultural Education Act, Sections 22-23-1 to 22-23-6 NMSA 1978 or with students possessing limited English proficiency should ensure that they are doing all they can to carry out all state and federal activities and programs to assist those student populations.

K. Individual teacher evaluations and effectiveness ratings (including components of the evaluation such as observations, student achievement growth data, and any other measures of effectiveness) that are collected or maintained by the PED or any local board of education or governing authority shall not constitute public records and shall not be subject to disclosure pursuant to Section 14-2-1 NMSA 1978.

L. The department maintains a list of approved assessment options and effectiveness evaluation measures and criteria for evaluating classroom teachers on its website, which can be accessed at http://ped.state.nm.us/ and used by school districts for determining the student achievement growth component and evaluation criteria in a teacher's effectiveness evaluation.

[6.69.8.8 NMAC - Rp, 6.69.8.8 NMAC, 08/15/2017]

6.69.8.9 STUDENT ACHIEVEMENT GROWTH AND STUDENT ASSESSMENT PROGRAMS:

A. School districts shall use the department-adopted student achievement growth measure to measure the growth in achievement of each student as applied to the teacher's effectiveness rating.

B. Whenever possible, an EES rating the performance of a classroom teacher shall include three years of student achievement growth data.

C. Beginning with the 2016-2017 school year, each school district shall administer a student assessment for each course they offer that measures mastery of the content as described in the state-adopted course description at the necessary level of rigor for the course. The student assessments may include:

(1) statewide assessments currently administered in mathematics, reading, science and early literacy; and

(2) department-approved end-of-course assessments.

[6.69.8.9 NMAC - Rp, 6.69.8.9 NMAC, 08/15/2017]

6.69.8.10 EFFECTIVENESS EVALUATIONS OF SCHOOL LEADERS:

A. Every school leader must have an annual effectiveness evaluation, which shall be conducted by a qualified person and approved by PED.

B. All EES ratings for the performance of a school leader shall be based thirty-five percent on the growth measures in a school's A through F letter grade that has been assigned pursuant to 6.19.8 NMAC, twenty-five percent based on the school's multiple measures and forty percent based upon quality criteria of school leaders classroom observations of teachers as determined by the department.

C. The effectiveness evaluation of school leaders shall, whenever possible, include growth based on three years of data for students assigned to the public school, provided that, the student achievement growth component of the effectiveness evaluation shall be based on the growth measures in the school's A through F letter grade pursuant to 6.19.8 NMAC.

D. The department maintains a list of leadership standards on its website, which can be accessed at http://ped.state.nm.us/ and used by school districts in establishing indicators for conducting effectiveness evaluation of school leaders.

[6.69.8.10 NMAC - Rp, 6.69.8.10 NMAC, 08/15/2017]

6.69.8.11 EVALUATIONS, OBSERVATIONS, REPORTS AND POST-EVALUATION CONFERENCES:

A. Beginning with 2017-2018 school year and during each succeeding school year, every classroom teacher must be formally observed using one of the following options, with at least one of the required observations conducted by the school principal or assistant principal:

(1) three observations conducted by the same certified observer; or

(2) two observations, consisting of one observation by each of two different certified observers.

(3) one observation by a certified observer for teachers that have received a highly effective or exemplary rating on their most recent NMTEACH summative report, inclusive of fifty percent of the possible student achievement points.

B. In addition to formal observations, an informal walkthrough observation shall be conducted aligned to district priorities, with feedback provided, for each teacher within the first 45 days of the teacher's first day of instruction.

C. An approved or certified observer must use a PED-developed protocol and form that contains at a minimum the observer's name, the classroom teacher's name, the date, the start and stop time of the observation, the number of students present, space for subjective and objective observation, and a total point score for that teacher. An external observer must further:

(1) complete the written observation of a classroom teacher before leaving the school on the day of the observation;

(2) agree to maintain confidentiality of the observation and agree not to discuss the observations with anyone except the principal; and

(3) verify that the observer has not retained or removed a copy of the observation or field notes from school premises.

D. Written feedback from a school leader and an approved or certified observer shall be provided to an observed classroom teacher within 10 calendar days after observation is completed, which observation can occur over more than one day, provided that a school district's EES permits this.

E. The school leader responsible for supervising a licensed school employee shall be the one who evaluates that employee's performance. The school district's EES:

(1) may provide for the supervisor to consider input from other trained evaluators and observers provided that they are not also supervised by the supervisor nor are related by blood or marriage to the supervisor; and

(2) shall provide for contingencies if a supervisor leaves a school district for any reason prior to completing the required effectiveness evaluations of all teachers within that supervisor's responsibilities.

[6.69.8.11 NMAC - Rp, 6.69.8.11 NMAC, 08/15/2017]

6.69.8.12 APPEAL OF EFFECTIVENESS EVALUATIONS:

A. A school district shall adopt procedures for permitting expedited review for the purpose of a licensed school employee requesting an exemption from being rated during a given school year under the school district's EES based only upon extraordinary circumstances.

B. The procedures shall require a written appeal to be submitted to the appellate reviewer within no more than 15 calendar days of receipt of a written notice that the licensed employee's performances deficiencies have not been satisfactorily corrected.

C. Appeals shall be received in a manner that permits verification of the date of receipt.

D. The person who evaluated the licensed school employee shall not be same person who receives and determines the appeal.

E. An exemption from the provisions of this rule can only be granted for one school year based upon extraordinary circumstances, which shall consist of:

(1) a licensed school employee's not having performed services during an entire school year, excluding days out for approved leave and school holidays or closure days, for reasons beyond the employee's control;

(2) a licensed school employee's not being able to perform services for extended periods during a school year due to documented medical reasons of the employee or of the employee's spouse, live-in partner or a child;

~~**(3)** a licensed school employee's not being able to perform services for extended periods during a school year due to the death of the employee's spouse, live-in partner or a child; or~~

~~**(4)** a licensed school employee's not having been afforded a full 90 days to demonstrate growth in performance for any reason including the employee's own illness, provided that it shall be the employee's burden to provide verification of not being afforded the full 90 days.~~

~~**F.** All decisions on appeals rendered under this section shall be final and not further reviewable by anyone else at the school district or by the PED.~~

~~[6.69.8.12 NMAC - Rp, 6.69.8.12 NMAC, 08/15/2017]~~

~~**6.69.8.13 TEACHERS AND ADMINISTRATORS IN NON-PUBLIC SCHOOLS:**~~

~~**A.** Only licensed teachers and school leaders employed in schools subject to the A-B-C-D-F Schools Rating Act, Sections 22-2E-1 to 22-2E-4 NMSA 1978 shall be governed by any requirement or provision of this rule.~~

~~**B.** Specifically, neither licensed teachers nor administrators employed in private schools, BIE schools or state agencies shall be governed by any requirement or provision of this rule.~~

~~[6.69.8.13 NMAC - Rp, 6.69.8.13 NMAC, 08/15/2017]]~~

[This part was repealed on July 1, 2027.]

HISTORY OF 6.69.8 NMAC:

HISTORY OF REPEALED MATERIAL: 6.69.8 NMAC, Teacher and School Leader Effectiveness, filed 8/30/2012 - Repealed effective 8/15/2017.

6.69.8 NMAC, Teacher and School Leader Effectiveness, effective 8/15/2017 - Repealed effective 7/1/2027.

OTHER HISTORY OF 6.69.8 NMAC: 6.69.8 NMAC, Teacher and School Leader Effectiveness, filed 8/30/2012, was replaced by 6.69.8 NMAC, Teacher and School Leader Effectiveness, effective 8/15/2017. Effective 7/1/2027, applicable teacher and site administrator evaluation-cycle, evidence, rating, and related procedural requirements were consolidated and updated in 6.69.5 NMAC; obsolete or duplicative provisions were not repromulgated.