

Policy Brief

House Memorial 47: Teacher Workload

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[Research](#) consistently identifies teachers as the most significant in-school factor influencing student achievement and [long-term](#) outcomes. According to John Hattie's [Visible Learning](#) analysis of school-based interventions related to student achievement, the interventions with the largest effect sizes (a measure of impact where anything over 0.40 is considered highly effective) are how well teachers understand their students' current levels of achievement (1.62) and collective teacher efficacy (1.57). Recruiting and retaining highly effective teachers may well be the most important task of school districts and charter schools.

In New Mexico, the need for highly effective teachers is particularly great, given state standardized assessments in the 2025 to 2026 school year (SY26) show 26 percent of students tested proficient in math and 43 percent in language arts. A high proportion of students are at risk, with nearly one in four children living in poverty and higher than national averages of students identified as English language learners or students with disabilities. Statewide academic achievement for these students continues to lag those of their peers.

New Mexico State University's Southwest Outreach Academic Research Evaluation and Policy Center (SOAR) estimated 604 teacher vacancies across New Mexico at the beginning of SY26, compounded by an additional 511 vacancies in other school personnel roles. According to the [Pew Research Center](#), a nonpartisan think tank, this local challenge reflects a broader national trend where large majorities of educators report finding their jobs stressful (77 percent) and overwhelming (68 percent). Additionally, 84 percent of teachers report they do not have enough time during regular work hours to accomplish essential tasks, such as grading, lesson planning, and analyzing student data.

During the 2026 legislative session, the Legislature passed [House Memorial 47 \(HM47\)](#), requesting LESC to conduct a comprehensive study of teacher workloads and professional time. In accordance with HM47, this brief examines: 1) how time is allocated to teachers during the school day; 2) how state and local requirements impact teachers; and 3) how availability of resources in schools impacts teacher workload and schedules. LESC staff utilized a multifaceted methodology that included an extensive review of state statute and New Mexico Administrative Code (NMAC), analysis of national teacher time trends, and direct engagement with school leadership through interviews with superintendents and charter school executive directors. Additionally, staff conducted an educator focus group to understand how the saturation of noninstructional hours specifically impacts New Mexico classrooms. The school districts and charter schools included in this study are Albuquerque Public Schools (APS), Albuquerque Charter Academy, Central Consolidated School District, Hobbs Municipal Schools, Lordsburg Municipal Schools, Maxwell Municipal Schools, and Pojoaque Valley Public Schools.

Key Takeaways

- Noninstructional work time lays the foundation for high-quality instruction (*Pages 1-2*).
- New Mexico teachers provide more direct student instruction than their peers (*Page 3*).
- State requirements impacting teacher workload have increased over the past four decades (*Pages 7-10*).
- Adequate staffing, strategic scheduling, and high-quality instructional materials (HQIM) can help support effective use of teachers' time (*Pages 10-12*).

Instructional and Noninstructional Work Time

Purpose of Noninstructional Work Time

[Research](#) suggests expectations for the role of teachers have expanded over the past several decades. In addition to delivering high-quality instruction, teachers are expected to prepare differentiated lessons, analyze student data, collaborate with colleagues, engage with families, provide individualized student support, and continuously refine their practice. These activities are critical for student success and teachers need adequate

compensated noninstructional time to complete them. In addition, each time the state implements new student learning standards, new high-quality instructional materials, or new assessments, teachers must spend time adjusting teaching practices.

Nationally, expectations for teaching have shifted from primarily delivering content to providing engaging, responsive, and individualized instruction. As a result, while teachers may once have been able to grade papers at their desk while students worked independently, teachers now spend every moment of instructional time providing whole group instruction, small group instruction, and providing individual students support. When critical noninstructional work is pushed beyond compensated hours, schools risk teacher burnout and attrition.

Noninstructional work time dedicated to lesson preparation, data analysis, and peer collaboration, serves as the foundation for instructional quality and student success. Educators rely on noninstructional work time to complete the many noninstructional tasks [research](#) shows help drive student success. These tasks are many and varied, including reviewing curricula, planning differentiated lessons that meet state standards, evaluating student work, analyzing student data, collaborating with colleagues, contacting parents, and pursuing professional development. See **Appendix A: [State and PED Requirements Impacting Teacher Workload](#)** for a comprehensive list of noninstructional tasks. Considering findings in the *Martinez-Yazzie* consolidated lawsuit, ensuring teachers have sufficient time to assess where students are struggling and adjust instruction to facilitate academic recovery, is paramount. In New Mexico, it is not uncommon for a teacher's class to include students with wide ranging proficiency levels, requiring the teacher to differentiate their instruction to meet the needs of students who may be reading anywhere from a kindergarten to ninth grade level. [Research](#) identifies this time as a critical mediator of student success, as instructional quality is directly strengthened when teachers have dedicated hours to analyze performance data and [collaborate with peers](#).

Research shows high quality, job-embedded professional development can have a powerful effect on student achievement, however, many New Mexico schools do not employ this model. According to the [Learning Policy Institute](#)—a national, nonpartisan research organization—high-quality professional development is characterized by [five key pillars](#): collaboration in job-embedded contexts, active learning, modeling of effective practices, coaching or expert support, and sustained duration. National [research](#) from the Institute of Education Sciences—a nonpartisan research and evaluation arm of the U.S. Department of Education—underscores the impact of these features, finding that when teachers receive a substantial dosage of professional development, averaging 49 annual hours, they can boost student achievement by approximately 21 percentile points. Conversely, programs providing fewer than 30 hours of training typically have a negligible impact on student performance.

A recent [report](#) on teacher professional learning published by Education Research and Development (EdRD) with support from the LANL Foundation and the Thornburg Foundation, found a predominance of short-term training over sustained, job-embedded learning available in New Mexico. In a survey of the state's teachers conducted by EdRD, over 80 percent of respondents agreed professional learning is an essential part of their role and they would welcome additional opportunities, so long as learning is useful and embedded in day-to-day work. However, 43 percent of respondents said their current professional learning experiences feel like a waste of time, describing programming as low quality, redundant, or irrelevant to their assignment. Similarly, LESC staff's interviews with superintendents and charter school leaders revealed many New Mexico districts provide teachers one-off training sessions concentrated at the beginning or end of the school year rather than continuous, embedded support. Several superintendents noted while they would like to provide this type of professional learning for their teachers, they felt state funded noninstructional hours are insufficient to successfully implement such a model.

In New Mexico, and nationally, teachers report working far beyond contracted hours. In [national surveys](#), teachers frequently report working beyond their contracted hours—often about 15 hours of uncompensated work per week. In a SY26 [survey](#) of APS teachers, conducted by the Albuquerque Teachers Federation (ATF)—a collective bargaining agency—over 40 percent of respondents reported having a fair or poor work-life balance, with many describing working far beyond contract hours. This was particularly the case in elementary and middle school general education settings and in special education settings. Nearly half of respondents reported feeling their workload is unmanageable, which was consistent across grade levels and in general and special education settings.

Adequate noninstructional time is vital for mitigating teacher burnout and increasing job satisfaction. A 2025 [national RAND survey](#) found teachers are more likely than similar working adults to report experiencing poor

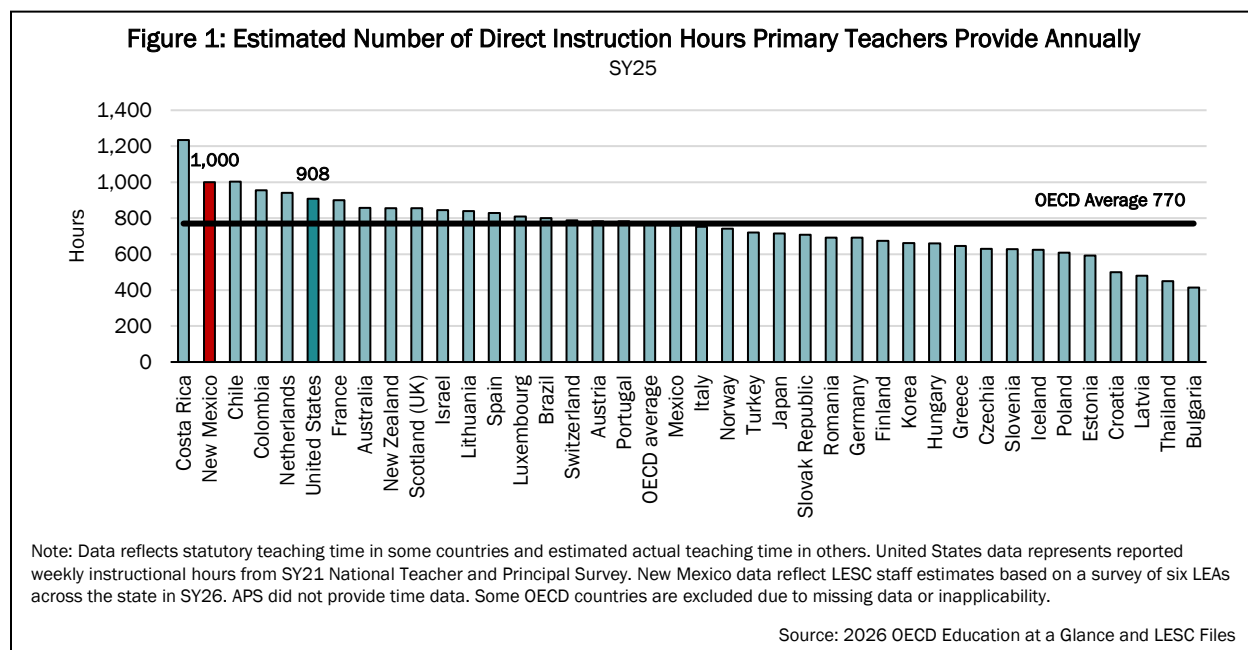
well-being. In a nationally representative [survey](#) of teachers conducted by the Center on Education Policy, a national research organization, nearly half of respondents identified increased planning time as a critical factor for improving their professional experience and supporting teacher retention. Likewise, ATF's SY26 survey report [recommends](#) increasing teachers' noninstructional contract hours for critical tasks, such as collaboration, lesson planning, grading, and communicating with families. [Research](#) at the Harvard Graduate School of Education finds inadequate time for instructional preparation frequently forces these essential professional duties into unpaid hours on evenings and weekends. This persistent time deficit erodes professional sustainability, leading many educators to question their longevity in the profession. These findings are underscored by a 2024 nationally representative [survey](#) of teachers contracted by Educators for Excellence—a national nonprofit research and advocacy organization—which found the second most cited reason teachers gave for planning to leave the profession was taking on too many responsibilities outside of paid hours.

To combat this, research published by [Harvard's Usable Knowledge](#) suggests school leaders should treat teacher time as a conserved resource rather than something to be spent freely. Leaders are encouraged to reassign supervisory roles to non-teaching staff and to streamline administrative requirements to ensure every minute of prep time is used for its intended purpose: strengthening instruction.

Provision of Noninstructional Work Time

Ensuring teachers have adequate time to plan, collaborate, and meet the needs of all students requires careful coordination between the state, local education agencies (LEAs), and school leaders. The state sets minimum instructional time requirements for students. LEAs, often in negotiation with collective bargaining units, determine how teachers' contracted hours are divided between direct instruction and noninstructional work. Principals then build school schedules that determine when teachers have time to prepare lessons, review student work, collaborate with colleagues, and communicate with families. To better understand how teacher time is allotted across the state, LESC staff surveyed LEAs, reviewed collective bargaining agreements, and compared New Mexico's approach to national and international practices.

New Mexico teachers spend more time providing direct instruction to students than their national or international peers. [According](#) to a 2026 [report](#) by the Organization for Economic Cooperation and Development (OECD)—a global policy forum—U.S. teachers provide an estimated 908 hours of direct student instruction at the elementary level, 893 hours at the lower secondary level (typically grades 7 through 9), and 888 hours at the upper secondary level (typically grades 10 through 12). All these values exceed OECD averages. New Mexico LEAs do not report direct instructional hours to PED; however, LESC staff surveyed seven LEAs across the state to better understand how teacher time is allotted. On average, teachers in these LEAs provide primary students



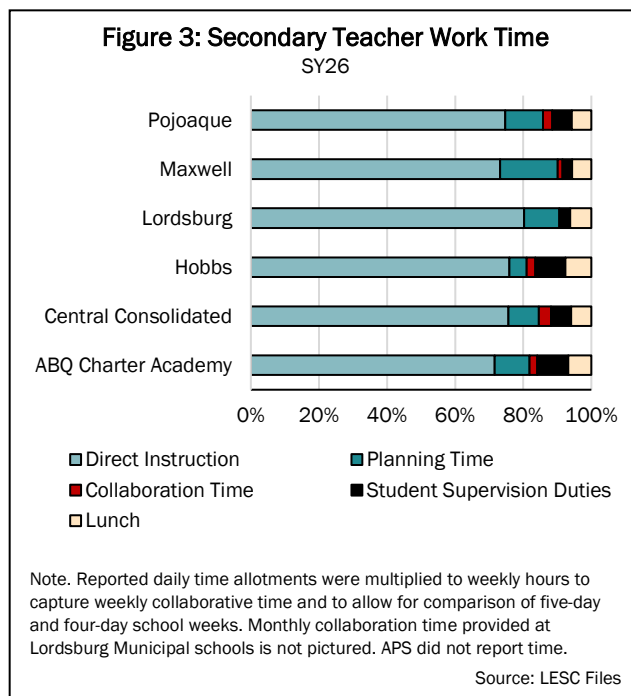
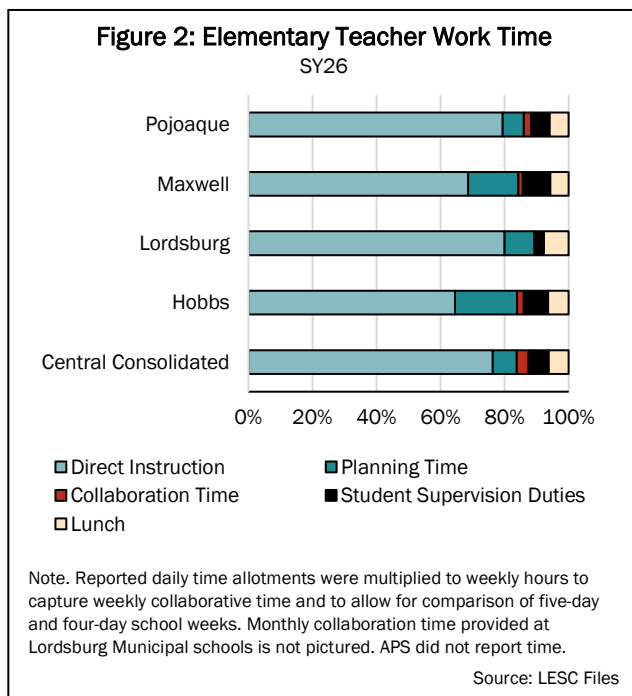
an estimated 1,000 hours, and secondary students an estimated 975 hours, of direct student instruction each year. See **Figure 1: Estimated Number of Direct Instruction Hours Primary Teachers Provide Annually.**

In many countries where teachers spend less time providing direct instruction to students, teachers spend more hours planning, collaborating with colleagues, and engaging in professional development. Review of a sample of collective bargaining agreements of large districts across New Mexico revealed teachers in these districts are required to spend 80 to 95 percent of their contract hours providing direct instruction. According to the National Center for Education Statistics, in SY21, on average, American teachers spent about 65 percent of their contracted hours providing direct instruction. A 2016 [report](#) by the National Conference of State Legislatures—a bipartisan research and policy organization—found teachers in many high-performing countries spend a much smaller portion of their workday providing direct instruction, with some spending 30 to 35 percent of their time teaching students, while the rest of their time is spent working collaboratively to design and improve lessons, observe and critique classes, and work with struggling students.

The number of noninstructional hours teachers are compensated for in New Mexico varies widely across LEAs. Surveyed LEAs indicate elementary school teachers provide more direct instructional hours (1,000), on average, than secondary teachers (975). This is due to secondary teachers receiving greater preparation time than elementary teachers in some LEAs. In interviews with LEAs, several staff noted when schools do not have enough non-core subject teachers, or “specials teachers,” providing elementary teachers noninstructional time is challenging.

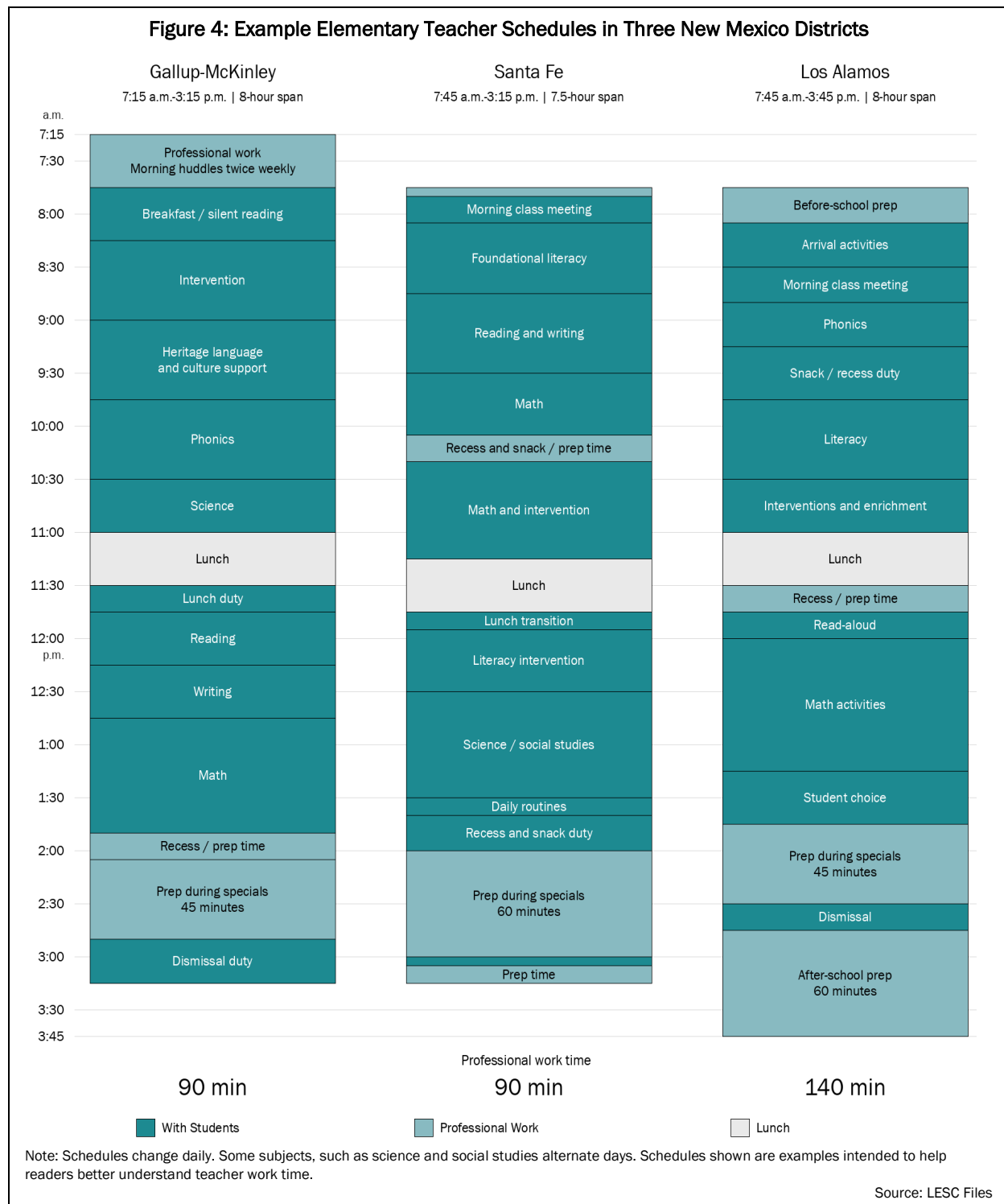
Teachers in some LEAs spend more of their time providing direct student instruction than others. For example, in Lordsburg Municipal Schools, elementary teachers spend about 80 percent of their day teaching, leaving 45 minutes for noninstructional work. Meanwhile, in Hobbs Municipal Schools, elementary teachers spend about 65 percent of their workday teaching, leaving one hour and 40 minutes for noninstructional work. The differences in secondary schools are less stark, ranging from Albuquerque Charter Academy teachers teaching 72 percent of their workday to teachers in Lordsburg Municipal Schools teaching 80 percent of their workday.

Most LEAs surveyed require teachers to spend about 45 minutes working collaboratively each week, though principals could require teachers to engage in more time and teachers may voluntarily spend more of their planning time collaboratively working with colleagues.



When setting teacher worktime requirements, LEAs must ensure schools meet state requirements for student instructional time; negotiate with collective bargaining units (CBUs); work within staffing constraints; and consider the perspectives and concerns of teachers, parents, and community members.

Teacher schedules vary across schools and LEAs. LESC staff collected the daily schedules of three elementary teachers in Gallup McKinley County Schools, Los Alamos Public Schools, and Santa Fe Public Schools.



While the teachers in Gallup McKinley and Santa Fe have the same amount of daily professional work time—about 90 minutes—the teacher in Los Alamos has 140 minutes of professional work time. Although not all teachers at the Los Alamos school have their two hours of professional work time blocked together, this teacher's schedule illustrates a recommended practice of blocking noninstructional time, when possible. And while the Santa Fe teacher's work day is 30 minutes shorter at 7 hours (excluding a 30 minute lunch), the teachers in Gallup McKinley and Los Alamos both work 7.5 hour days (excluding a 30 minute lunch). These schedules illustrate just how much of a teacher's day is consumed with direct instruction and student supervision, leaving little space for critical noninstructional work. They also illustrate how contract hour decisions LEAs make, and scheduling decisions principals make, influence teacher work time.

New Mexico does not guarantee teachers a minimum number of compensated noninstructional hours. In New Mexico, LEAs—often in negotiation with CBUs—determine the amount of noninstructional hours teachers are compensated for. As a result, compensation of noninstructional hours varies by LEA and even school. Some states guarantee teachers a minimum number of preparation hours in statute—typically close to the estimated national [average](#) of 47 minutes per day. See **Table 1: Teacher Time Provided in State Laws**.

Table 1: Teacher Time Provided in State Laws

State	Statutory Requirement
Arkansas	3 hours, 20 minutes weekly distributed in increments of no less than 40 minutes during the student instructional day.
Louisiana	At least 45 minutes daily or the equivalent weekly.
Minnesota	At least 5 minutes of preparation time for every 25 minutes of classroom time per day. Preparation time shall be provided in 1 or 2 uninterrupted blocks during the student day.
North Carolina	All full-time classroom teachers are to be provided a duty-free instructional planning time to the extent that supervision of the children and funds allow.
North Dakota	A teacher's schedule must include preparation time during the teacher's working day.
Rhode Island	Weekly common planning time is required; a specific amount of time is not stated except 1 hour of common planning time is required if the school is in Multi-Year Intervention status.
Tennessee	2 hours, 30 minutes per week.
Texas	7 hours, 30 minutes every 2 weeks.
Virginia	At least an average of 30 minutes per day.
West Virginia	1 period of at least 30 minutes; the preparation period must be the length of the usual class period and must be at least 30 minutes in duration.

Source: National Council on Teacher Quality

APS TOPS Model

Albuquerque Public Schools (APS) Transformational Opportunity Pilot Schools (TOPS) model was initially developed to support three elementary schools identified for intensive improvement due to low performance; later, additional schools opted into the model. TOPS schools combine extended learning time with a community schools approach and provide dedicated time for teacher professional work and student enrichment. Teachers begin their workday with one hour of professional work time before students arrive. This time supports activities such as collaborative planning, analysis of student data, and professional learning. Students attend school from 8:30 a.m. to 4 p.m., with the final hour dedicated to Genius Hour. During this daily enrichment period, students explore interests through activities such as coding, music, gardening, and art, led by school staff and community partners. These activities provide opportunities to apply academic skills and build relationships with students and educators across grade levels. In interviews with LESC staff, APS staff expressed interest in expanding school participation in the TOPS model were additional funding made available.

Source: LESC Files

The Legislature allows a portion of extended learning time instructional hours to be used for collaborative teacher noninstructional duties; some school districts use them more effectively than others. In 2023, the Legislature increased the minimum number of annual student instructional hours to 1,140 and provided for school districts and charter schools to count up to 60 hours of professional work time for elementary teachers, and up to 30 hours of professional work time for secondary teachers, as instructional time. The professional work must be aligned to challenging academic content and performance standards and may include home visiting; parent-teacher conferences; educator training or professional development, mentoring, coaching, and collaboration between school employees ([Section 22-2-8.1 NMSA 1978](#)).

A 2026 LFC [evaluation](#) found one-third of LEAs who qualified for K-12 Plus funding would not have qualified for extended learning time funding had they not relied on non-student professional work days to cross the threshold required for funding, suggesting many LEAs may be prioritizing one-off trainings, often at the end or beginning of the school year, rather than the job embedded professional development research shows is most beneficial and teachers say they most value.

While there is no consensus on how many noninstructional hours teachers need, consistent reports of substantial work beyond contract hours points to a need to balance increased compensated noninstructional time with lightened workloads. While research supports the benefits of many noninstructional teacher tasks, there is no clear benchmark or consensus for how much noninstructional time teachers should be provided. One way to estimate how much noninstructional time teachers require to complete their responsibilities is to consider how many hours teachers report working beyond their contract day. National surveys consistently show American teachers [report](#) working between 52 and 53 hours on average in a typical work week. This suggests extending compensated noninstructional hours for New Mexico teachers working below 40 hours per week could ensure these teachers are compensated for additional hours they're likely already working.

However, with teachers reporting working over 50 hours per week, compensating additional noninstructional time will not effectively address teacher workloads in isolation. Additionally, [research](#) shows teachers value time providing student instruction and collaborating with colleagues over other uses of time, such as administrative paperwork, staff meetings, and test preparation. Some [studies](#) suggest direct instruction is associated with positive emotional affect and peer collaboration is associated with lower workplace stress, while noninstructional demands are the primary drivers of stress. School districts, PED, and the Legislature should consider ways to protect teacher noninstructional time for activities most likely to support students and streamline or reduce other tasks.

State and Local Requirements Impacting Teacher Workload

A 2025 [report](#) by TNTF, a national nonprofit organization dedicated to ending educational inequality, found available data suggest teachers' weekly working hours have changed little over the past 25 years. However, some evidence suggests fallout from the Covid-19 pandemic, frequent shifts in curricula and standards, and alternative schooling models may have negatively impacted teachers' time and increased feelings of burnout. HM47 requested LESC staff to study how state and local requirements impact teacher workloads.

Legislation impacting teacher workload passed in 2026 had broad reach compared with legislation passed in the prior two decades. LESC staff inventoried common tasks teachers must accomplish during noninstructional hours and categorized them into six primary categories. See **Figure 5: Teacher Noninstructional Work** on the following page. For a full accounting of tasks, see **Appendix A: State and PED Requirements Impacting Teacher Workload** on page 14.

LESC staff then reviewed state statute and PED administrative code to identify state requirements that created tasks for teachers in these categories. Overall, LESC staff analysis found legislation and PED rule impacting teacher workload gradually increased from the 1980s to 2026. **Figure 6: State Requirements Impacting Teacher Workload** on the following page shows changes to state requirements from the 1980s to 2010 (three decades) were similar in reach to those established in the 2010s (one decade), and from 2020 to 2025 (six years). The impact of state requirements created in 2026 alone, surpassed all of the aforementioned periods. These requirements were primarily related to new literacy and math requirements and a statewide individualized education program (IEP) system. However, with few exceptions, these requirements are generally supported as

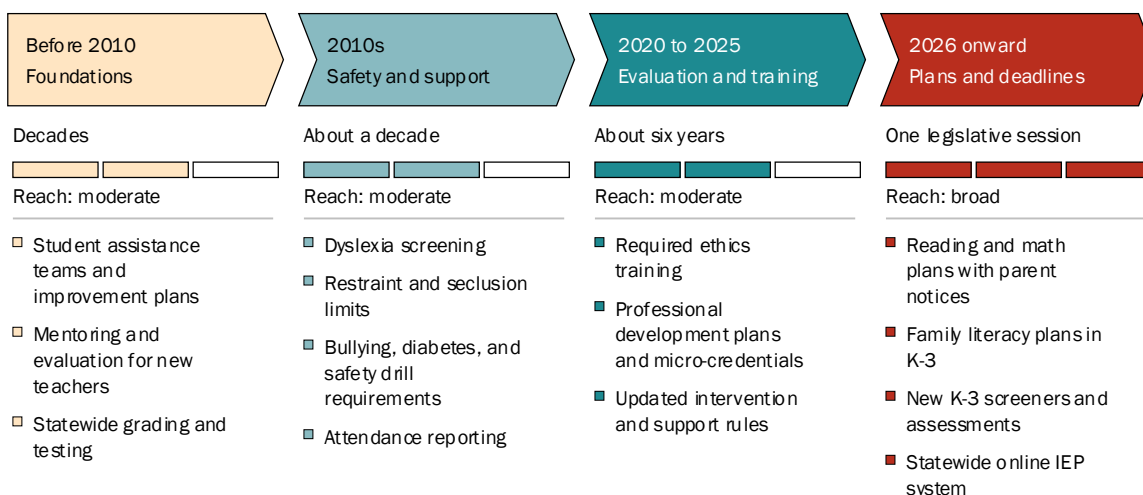
best practices, pointing to a need for increased compensated noninstructional time for teachers, and perhaps increased support staff, rather than reduction of requirements.

Figure 5: Teacher Noninstructional Work



Source: LESC Files

Figure 6: State Requirements Impacting Teacher Workload



Note: Requirements for safety drills were reduced, and new K-3 literacy assessments may replace an existing screener.

Source: LESC Files

Each year, teachers are required to complete non-academic trainings required by both state and federal statute. All teachers in New Mexico must complete at least five such trainings annually, but some teachers must complete more based on where they are in their teaching career, their assignment area, and additional responsibilities they may have. See **Table 2: Mandatory Non-Academic Teacher Trainings in New Mexico**. During the 2026 session, Senate Bill 54, School Personnel Required Trainings, was introduced, which would have reduced the frequency of some required trainings from annually to a single training within the first year of employment, including anti-racism, racial awareness, and sensitivity training; care of students with diabetes training; and bullying prevention training, but did not pass.

	Training	Federally Required	State Required	Frequency
All Teachers	Anti-Racism and Racial Sensitivity		X	Annually
	Bloodborne Pathogens	X		Annually
	Bullying Prevention		X	Annually
	Ethical Misconduct		X	Annually
	Sexual Abuse and Assault Awareness		X	Upon Employment
	Title IX & Sexual Harassment	X		Annually
Some Teachers	Brain Injury		X	As Needed
	Challenges and Needs of System-Involved Youth		X	Unspecified
	CPR and AED Training		X	Unspecified
	English Learner Identification Process Training		X	Unspecified
	Instructional Material Reviewer		X	Annually
	Mentor Teacher		X	Unspecified
	Restraint and Seclusion		X	Unspecified
	Diabetes Management	X	X	Annually

Note: State statute requires school nurses and designated diabetes care personnel, as well as personnel with primary responsibility for supervising a student with diabetes during any portion of the school day, including bus drivers, to receive annual diabetes management training.

Source: LESC Files

[Research](#) suggests implicit bias training more consistently improves short-term knowledge than behavior. Involving staff to review school policies, practices, and structures that may promote bias, and setting specific goals to address any identified problems, may be more [effective](#) in creating equitable learning environments.

Research on the effectiveness of bullying prevention training [varies](#), but one [meta-analysis](#) found benefits without a significant relationship between intervention duration and effectiveness.

Federal law does not specify how often school nurses and diabetes care personnel must be trained to care for children with diabetes, however, the American Diabetes Association [recommends](#) care personnel are trained before the beginning of each school year and again when an enrolled student is first diagnosed with diabetes or

when a student with diabetes enrolls in the school, as well as periodic refresher training as needed throughout the school year.

Based on this information, reducing the frequency of required bullying prevention and anti-racism trainings for teachers, and replacing them with practices research suggests are more effective at changing school culture, could reduce the workload burden of teachers with minimal negative effect.

In addition to non-academic trainings, teachers are required to complete professional development designed to improve classroom instruction prescribed by the state, LEAs, and their principal. State statute requires teachers to complete trainings on bilingual and multicultural education programs, digital citizenship, and identifying English learners. In recent years, PED has also required training for teachers based on the department's priorities.

In 2022, PED issued a memo requiring all teachers serving kindergarten through fifth grade students, including special education teachers and interventionists, as well as instructional coaches, gifted teachers, and administrators, to complete the Language Essentials for Teachers of Reading and Spelling (LETRS) professional development program, which can take upwards of 160 hours to complete over two years. Middle school and high school teachers are required to complete the AIM Pathways to Proficient Reading training, which is estimated to require 55 hours to complete. In addition, all kindergarten through third-grade teachers are required to complete an eight-hour course on structured literacy and dyslexia.

In 2024, PED introduced the Advancement Program Level microcredentials for teacher licensure advancement. This program replaced the professional development dossier, which required teachers to document evidence of teaching competencies. Microcredentials are competency-based online courses that align with the four domains of Elevate NM, the educator evaluation system. Advancing from a level 1 teacher license to a level 2 license requires completion of five microcredentials. Advancing from a level 2 to a level 3 license requires completion of four microcredentials. Each microcredential is intended to require 20 hours to complete over 12 weeks.

Beyond these state-required training courses, teachers may also be required to participate in professional development activities required by their principal or school district. State law specifies LEAs may count up to 60 professional work hours for elementary teachers, and up to 30 professional work hours for secondary teachers as instructional hours. In addition, many LEAs incorporate in-service days prior to the start of the school year into teacher contracts. How teachers are compensated for training outside of instructional hours is subject to contracts and collective bargaining agreements.

Systems of Support

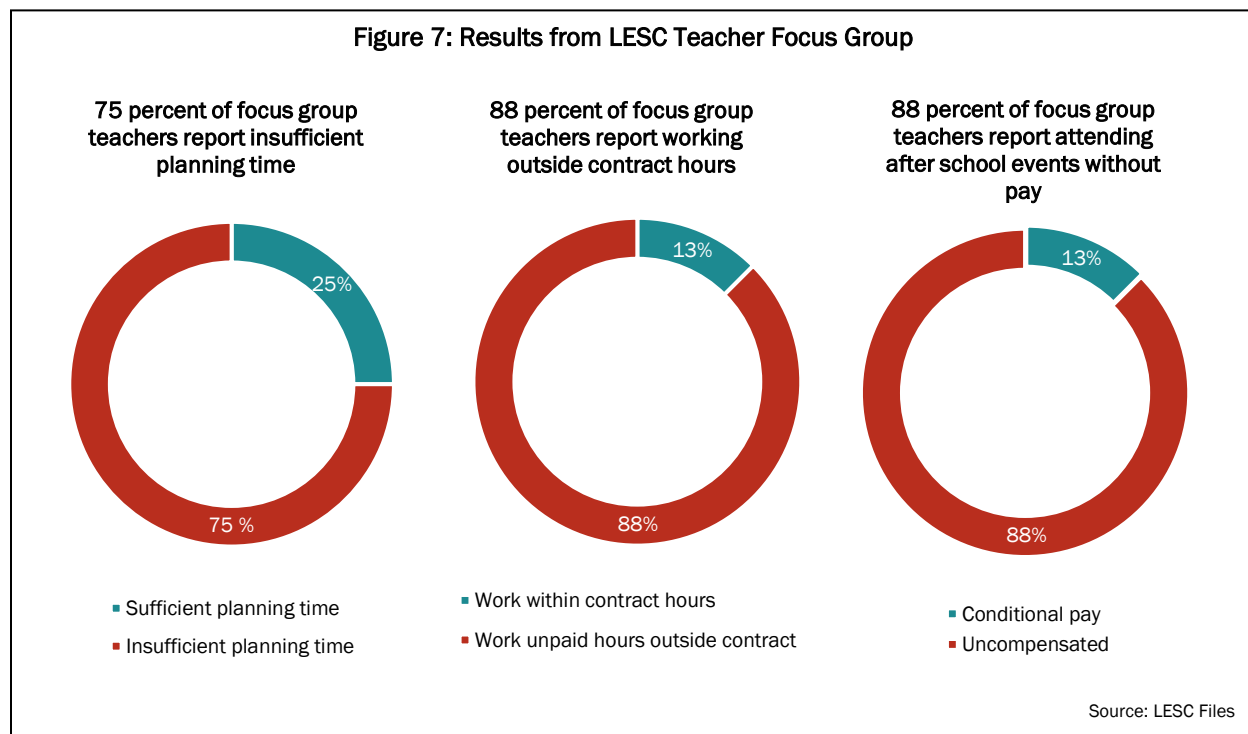
Providing teachers noninstructional time is only effective if teachers are able to use it. Planning and collaboration periods are often the most flexible portions of a teacher's day, and when schools face staffing shortages or urgent student needs, this time is frequently redirected to other duties. School leaders also play an important role in how teacher time is used through scheduling, staffing, and the selection of instructional materials. To better understand how noninstructional time is used in practice, LESC staff surveyed and interviewed teachers and school district staff about the demands that compete for teachers' time.

Interviews with teachers from four LEAs suggest teacher noninstructional time is frequently eroded by competing demands. LESC staff surveyed and interviewed eight teachers from four LEAs across the state. Three-quarters of the teachers reported their protected planning time is regularly insufficient to complete their required professional work. Teachers indicated their planning time is frequently eroded by student supervision duties, unannounced parent visits, student behavior demands, covering recess duty, and substituting for other teachers when a substitute teacher is unavailable. One teacher noted special education assistants are frequently asked to fill in for absent teachers when a substitute is unavailable, leaving general education classroom teachers unsupported to meet student IEP requirements. In addition, 75 percent of the teachers noted preparation time is often dominated by communicating with parents; completing behavior and multi-layered system of supports (MLSS) plans; and attending IEP, 504, and SAT meetings.

The teachers also report being required, or strongly encouraged, to attend after-school events without compensation, such as open houses, curriculum nights, and parent teacher association (PTA) events. About two-thirds of the teachers reported staff meetings regularly exceed contract hours. Three quarters of the teachers reported being unaware or unclear about their district's contract workload protections with some noting they rely

entirely on union updates. One noted vague contract language such as “other duties as assigned” allows administrators to bypass workload limits, particularly in small or understaffed schools.

A 2022 [report](#) by the RAND corporation, a nonpartisan research organization, suggests the experiences of these teachers reflect a national trend. According to the report, in a national survey of superintendents, over 90 percent of districts changed operations because of teacher shortages, including temporarily adding to teacher duties, combining classes, or canceling planning periods.



Adequate staffing allows schools to offer teachers more noninstructional work time during the school day and allows teachers to use the allocated time. Elementary teachers are typically provided planning time while their students are at a specials class. At schools with a five-day school week, this would generally mean students need five different specials classes each week: usually art, computer literacy, library, music, and physical education. If schools are unable to fill these teaching roles, providing teachers daily planning time is challenging.

New Mexico continues to see high vacancies among special education teachers and educational assistants. New Mexico State University’s Southwest Outreach Academic Research and Evaluation Policy Center’s 2025 report on educator vacancies estimates the state was short 216 special education teachers and 174 special education assistants. Teachers in LESC’s focus group emphasized that without these critical staff, general education teachers struggle to meet the needs of all students and additional administrative work falls to them.

Focus group teachers also expressed increased student behavior problems frequently eat into their planning time. Teachers report giving up preparation time to follow young students who leave the classroom without permission. They noted sometimes colleagues and administrators ask them to supervise a student with behavioral challenges during their planning time. In interviews with APS staff, staff acknowledged these challenges and reported they’ve sought to address them by hiring a behavior support specialist for every elementary school in the district. These specialists manage student behavior for short periods so teachers can focus on student instruction and preparation.

Strategic school schedules should maximize teacher noninstructional hours. [Research](#) demonstrates sustained, job-embedded professional development can help improve student outcomes. [Research](#) also generally suggests time teachers spend collaborating with their colleagues on lesson planning, analyzing student data, and

responding to student needs, is associated with improved student outcomes. Principals have an [important role](#) to play in creating the conditions for these practices, including scheduling common planning periods for grade level or subject area teachers, looking for opportunities to block larger chunks of planning time, and establishing policies requiring regular collaboration. School leaders may also consider creating larger specials classes when allowable so fewer special classes can cover more core teachers' time, and creating enrichment or intervention periods covered by other adults.

Adopting and implementing high-quality instructional materials (HQIM) can help reduce the workload of teachers, but each change in curriculum initially requires additional work. By providing vetted, pre-made lesson plans and resources, district leaders can streamline the time teachers spend searching for, and creating, resources and materials. [Research](#) suggests strong implementation of high-quality instructional materials is linked to improved student academic outcomes. According to [PED](#), 62 percent of New Mexico districts have purchased HQIM for all grade levels for English language arts, 65 percent for math, and 10 percent for science. [Research](#) from TNTP suggests for HQIM to be successful, teachers must have dedicated planning time built into their schedules and the autonomy to adapt materials to their students' specific needs.

Policy Considerations and Recommendations

Ultimately, the strategic management of teacher workload is a critical lever for fulfilling the state's obligations to the student groups identified in the *Martinez-Yazzie* consolidated lawsuit—specifically Native American students, English learners, students with disabilities, and economically disadvantaged students. While increasing instructional hours provides the opportunity for learning, the protection of noninstructional time is what ensures that learning is of high quality and tailored to individual needs. In New Mexico classrooms, where teachers must often support students whose reading levels span multiple grades, differentiating instruction is not an elective task but a necessity for academic recovery. By treating educator time as a conserved resource rather than an elastic one, policymakers and administrators can ensure that teachers have the dedicated blocks necessary for the strategic data analysis and lesson design required to support students reading significantly below grade level.

The Legislature should consider...

- Enacting statutory protections that guarantee a minimum number of daily or weekly individual, duty-free preparation minutes that are exclusive of required staff meetings, professional development, or professional learning communities (PLCs);
- Providing targeted funding for auxiliary staff, particularly in rural districts, to ensure certified teachers are not utilized for noninstructional supervisory duties;
- Expanding the statutory definition of “noninstructional duties” in [Section 22-10A-20 NMSA 1978](#) to prohibit the assignment of routine administrative tasks and emergency classroom substitution, without compensation, during a teacher's preparation time;
- Adopting a "test-out" policy for recurring noninstructional training;
- Funding additional noninstructional contract hours for teachers to be used for collaborative planning, reviewing student data, and job-embedded professional development;
- Extending the 30 hours of professional work hours for secondary teachers to the 60 hours elementary teachers are allowed; and
- Creating an instructional leadership endorsement that allows highly effective educators to extend their influence beyond their classroom to support new or struggling teachers and improve instructional quality.

The Public Education Department should consider...

- Providing LEAs technical assistance to develop school schedules that maximize teacher preparation and collaboration time.

School Districts and Charter Schools should consider...

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- Prioritizing the adoption of HQIM;
 - Prioritizing staffing “specials” classes to allow for collaborative planning, reviewing student data, and job-embedded professional development;
 - Scheduling common planning time for teachers of the same grade level or subject area to facilitate high-impact collaboration and peer mentorship;
 - Adopting master schedules that maximize teacher preparation time;
 - Ensuring contract provisions are clearly communicated and available to staff; and
 - Establishing communication policies that respect professional boundaries by limiting administrative interruptions during professional work hours and protecting educators' personal time outside of contract hours.

Appendix A: State and PED Requirements Impacting Teacher Workload

State and PED Requirements Impacting Teacher Workload				
		Common Tasks	Related Requirements in State Statute	Related Requirements in Administrative Code
Lesson Design and Assessment	Planning	Create differentiated lesson plans Create intervention plans Review instructional resources	Create intervention plans: Dyslexia characteristics lead to classroom interventions through a multilayered system of supports or a student assistance team (SAT) referral, with progress monitoring; the SAT writes an academic improvement plan with timelines; a K-3 math support plan must be made for students with identified difficulty, beginning SY28. (<u>Section 22-36-5 NMSA 1978</u>, <u>Section 22-15E NMSA 1978</u>, <u>Section 22-2C-5 NMSA 1978</u>) Reading improvement plans: Schools must develop a reading improvement plan and send parents written notice within 30 days of identifying a reading difficulty; additional literacy assessments begin SY28. (<u>Section 22-15G-4 NMSA 1978</u>)	Planning: Plan instruction from assessment data and design assessments to match objectives. (6.61.6.10 NMAC). Every credit course needs a written, delivered, assessed, sequential curriculum aligned to state standards, and adopted materials must support it. (6.29.1.11 NMAC). Design standards-based units with measurable outcomes, differentiated lessons, and assessments. (6.69.4.12 NMAC) Student interventions: Embed in the school day in small groups (up to 15 students), capped at 25% of instructional hours and reviewed each quarter; students keep at least 75% of their hours in grade-level instruction. (6.29.1.7 NMAC, 6.29.1.9 NMAC)
	Materials	Gather and develop lesson materials Source instructional resources	HQIM: K-3 reading/literacy materials must be high-quality instructional materials. K-12 intervention materials must be consistent with the science of reading. (<u>Section 22-15G-3 NMSA 1978</u>)	HQIM: Adopted instructional materials must support the aligned local curriculum. (6.29.1.11 NMAC)
	Grading & Data	Grade student work Provide feedback Analyze data	Grading: PED sets a standardized system on a 4.0 or 100% scale for grades 3-12; schools include standards-based assessment results and may add narrative measures (optional). (<u>Section 22-2-8.13 NMSA 1978</u>) Math: Districts must administer a K-3 math screener and deliver a support plan within 30 days of identifying a difficulty, beginning SY28. (<u>Section 22-15E NMSA 1978</u>) Remediation: Develop remediation plans and academic improvement plans (<u>Section 22-2C-6 NMSA 1978</u>) Literacy: Districts must implement K-3 literacy assessments, beginning in SY28; they may replace the first-grade dyslexia screening; teachers must supply parents of students with a reading difficulty written progress reports. (<u>Section 22-15G-4 NMSA 1978</u>)	Literacy: Kindergarten and first graders are screened and monitored, and second graders take diagnostic tests, in reading and language arts. (6.29.1.11 NMAC) Data review: Layer-3 students are progress-monitored every two weeks and teacher teams decide when to change supports; schools report intervention systems in the NM School DASH. (6.29.1.9 NMAC) Data analysis: Teachers are evaluated on analyzing assessment data, assessing with formative and summative measures and giving feedback. (6.69.4.12 NMAC) Test accommodations: English learner test accommodations are decided by a team of at least three staff and documented in the cumulative file; IEP and 504 teams decide them for those students. (6.29.1.9 NMAC)

Collaboration & Professional Growth	Collaboration, Department Planning Sessions & PLCs	Collaborate Analyze assessment data Develop assessments Engage in mentorship programs	Structured literacy training: Districts must train teachers who teach reading and site administrators (<u>Section 22-15G-5 NMSA 1978</u>) Teacher mentorship program: Districts must provide level one teachers one year of formal mentorship and annual intensive evaluation for at least three years. (<u>Section 22-10A-9 NMSA 1978</u>, <u>Section 22-10A-7 NMSA 1978</u>) Intervention plans: Teachers on SAT teams must write student intervention plans that meet state requirements. (<u>Section 22-15G-4 NMSA 1978</u>, <u>Section 22-2C-6 NMSA 1978</u>) Literacy instructional coaches: From SY28 PED assigns a literacy instructional coach to bottom-quartile elementary schools for three consecutive years. (<u>Section 22-15G-5 NMSA 1978</u>)	PLC: Teachers are evaluated on collaborating with colleagues to share strategies, plan joint efforts and plan for individual students. (6.69.4.12 NMAC) Data analysis: Teacher teams use screening and progress-monitoring data to decide whether students move between intervention layers; 6.29.1 also defines short-cycle assessments. (6.29.1.9 NMAC, 6.29.1.7 NMAC) Planning with therapists and specialists, building PDPs and sharing accountability: Special education teachers must engage in these activities, but general education teachers frequently collaborate with them as well. (6.61.6.10 NMAC, 6.69.4.10 NMAC)
	Committee Meetings	Safety Team Leadership teams CST, MTSS, SAT, LAT teams	SAT: IEP team, behavioral intervention plan team, and student assistance teams meet within two weeks of each use of restraint or seclusion after the second use within a thirty-calendar day period to provide recommendations for avoiding future incidents. (<u>Section 22-5-4.12 NMSA 1978</u>)	Accountability: Schools complete an annual MLSS self-assessment and report on intervention systems in the NM School DASH. (6.29.1.9 NMAC)
	Professional Development	Engage in trainings Engage in coaching Complete microcredentials	Math: Districts develop math professional learning plans with teachers and administrators, updated at least every two years, beginning SY28. (<u>Section 22-15E NMSA 1978</u>)	Microcredentials: Level 1 teachers advancing to level 2 licensure must complete five microcredentials. Level 2 teachers advancing to level 3 licensure must complete four microcredentials. (6.69.4.11 NMAC)
	Teacher Evaluation	Engage in evaluation meetings	Evaluation: Level one teachers get an annual intensive performance evaluation by a school administrator for at least three years. (<u>Section 22-10A-7 NMSA 1978</u>)	Evaluation: Every teacher is evaluated annually based on a professional development plan, and the principal observes each teacher at least once a year. (6.69.4.8 NMAC, 6.69.4.10 NMAC). The teacher and principal set the professional development plan, with measurable objectives, within 40 school days of the start of school. (6.69.4.10 NMAC)
Classroom Environment & Student Support	Physical Space Upkeep	Setup classroom Maintain classroom Clean classroom Post learning objectives Manage technology		

	Managing Student behavior And Wellbeing	Support student wellbeing Address student disciplinary issues Confer with colleagues Complete student behavior documentation	Restraint and seclusion: Restraint is allowed only when behavior presents imminent danger of serious physical harm and less restrictive steps appear insufficient; staff keep continuous visual monitoring and use trained employees. (Section 22-5-4.12 NMSA 1978) Bullying prevention: Each public school adopts a bullying prevention policy, runs an annual student prevention program and trains employees who have significant student contact. (Section 22-35-4 NMSA 1978)	Restraint and Seclusion: After any restraint or seclusion, district procedures include parent notice the same day (within 24 hours at the latest), written documentation, reintegration strategies and data reporting. (6.11.2.10 NMAC) Behavior interventions: The multi-layered system of supports covers behavior as well as academics, and students can get layered behavior supports without an SAT or special education referral. (6.29.1.9 NMAC) Safe learning environment: Teachers are evaluated on teaching behavioral expectations and creating a safe learning environment. (6.69.4.12 NMAC)
Parent Communication & Community Outreach	Communicate with families	Create family newsletters Update communication apps Call and message parents Lead parent-teacher conferences	Reading Improvement Plan notice: Provide written notice within 30 days of identifying a reading difficulty, covering interventions, the plan, written progress reports at least four times per year, and a read-at-home plan. (Section 22-15G-4 NMSA 1978) Math support plan: Provide parents notice of screening results within 30 days of difficulty determination and provide parents a support plan, beginning SY28. (Section 22-15E NMSA 1978 (SB 29, 2026)) Next-step requirements: Each high school student completes a next-step plan with a parent or guardian and an advisor. (Section 22-13-1.1 NMSA 1978)	Next-step requirements: Next-step plans are completed each high school year within the last 60 school days of the prior year and signed by the student, parent or guardian and advisor. (6.29.1.9 NMAC) Family communication: Teachers are evaluated on communicating with families regularly: conferring about individual students and inviting families into the educational process. (6.69.4.12 NMAC) Literacy: PED guidance for SY27 directs classroom teachers to give each K-3 family an individualized family literacy plan built on assessment data. (PED Read-At-Home Plans)
	Activities	Attend school events Plan fieldtrips Sponsor extracurricular activities		
School Operations & Compliance	IEP/504 Management	Manage IEP/504 documentation Attend IEP/504 meetings Collaborate with other certified staff	Student remediation: AS part of the SAT team, write academic improvement plans with timelines and monitoring. (Section 22-2C-6 NMSA 1978) Screening and targeted support plans: K-3 math screening and support plans beginning SY28 . (Section 22-15E NMSA 1978) IEPs: Districts must use a statewide uniform online IEP system to document services and meet IDEA timelines (Section 22-36-3 NMSA 1978)	IEPs: IEPs must say which state and district assessments the student takes and which accommodations apply; IEP teams document program-of-study choices and graduation plans (no later than the first IEP to be in effect when a student turns 14). (6.29.1.9 NMAC)

	Required Testing & Assessments	Prepare for required assessments and screeners Deliver assessments Utilize assessments results Test training Test coordinating	Dyslexia: First graders are screened for dyslexia every year. (Section 22-36-5 NMSA 1978) Math: Implement K-3 math screeners and develop support plans, beginning SY28. (Section 22-15E NMSA 1978) Assessment: Implement a college and workplace readiness assessment system for high school students. (Section 22-2C-4.1 NMSA 1978)	Assessments: All public school students take the system of assessments (standards-based tests in grades 3-8 and high school). (6.29.1.9 NMAC)
School Operations & Compliance	Safety	Conduct safety drills	Emergency drills: Implement weekly for the first four weeks (one shelter-in-place with active shooter preparation, one evacuation, two fire), then at least four more, at least two of them fire drills. (Section 22-13-14 NMSA 1978)	Emergency drills: Weekly during the first four weeks, including one shelter-in-place drill (with active shooter preparation), one evacuation drill and two fire drills; at least four more emergency drills the rest of the year, at least two of them fire drills. (6.29.1.9 NMAC)
	Intervention Tracking and Referrals	Plan interventions Input data Complete referral forms	Plans must include monitoring: Math support plans must include assessment information, planned interventions, progress update, and parent strategies; parents of students with a reading difficulty get written progress reports at least four times per year; and dyslexia interventions need progress monitoring. (Section 22-15E NMSA 1978, Section 22-15G-4 NMSA 1978)	Multi-layered system of supports: Layer 2 teacher teams document the effectiveness of interventions, and layer 3 is monitored every two weeks. (6.29.1.9 NMAC, PED Student Assistance Team)
	Student Welfare & Legal Reporting	Log student allergies Coordinate medical plans Draft student safety reports Complete required trainings	Abuse reporting: Suspected child abuse or neglect must be reported under the Public School Code and the Children's Code; failure to report is a misdemeanor under the Children's Code. (Section 32A-4-3 NMSA 1978) Required trainings: Ethical misconduct, bullying prevention, care of students with diabetes, restraint, and structured literacy and reading intervention. (Section 22-10A-32 NMSA 1978, Section 22-35-4 NMSA 1978, Section 22-34-3 NMSA 1978, Section 22-5-4.12 NMSA 1978, Section 22-15G-5 NMSA 1978)	Required Trainings: Ethical misconduct, restraint and seclusion reporting procedures, cardiac emergency, LETRS, Title IX, digital citizenship, and test coordinator (6.60.11 NMAC, PED data)
Administrative and supervisory work	Supervisory Duties	Perform recess duty Monitor hallways Supervise before/after school Substitute as needed		
	Administrative Work	Attend staff meetings Answer emails Complete paperwork Take Attendance Manage daily reports	Absences: Districts report absences, chronic absences and excessive absences to PED and document their intervention efforts. (Section 22-12A-6 NMSA 1978)	

