

Proposed Rule Abstract

1. **Agency:** Public Education Department
2. **Rule Citation:** 6.60.10 NMAC, Mentorship Programs for Teachers
3. **Rulemaking Action:** Repeal and Replace
4. **Register Issue and Date of Notice of Proposed Rulemaking:** Volume 29, Issue 20, October 30, 2018
5. **Effective Date:** July 1, 2019
6. **Citation to Specific Legal Authority:** Sections 22-2-1 and 22-10A-9 NMSA 1978
7. **Short Explanation of the Rule's Purpose:** To update requirements for statewide teacher mentorship programs.
8. **Link to Full Text of the Rule:** https://webnew.ped.state.nm.us/wp-content/uploads/2018/10/6.60.10_mentorship-strikethrough_WEBSITE.docx
9. **How Information on the Rule Can Be Obtained:** <https://webnew.ped.state.nm.us/bureaus/policy-innovation-measurement/rule-notification/> or from the Policy Division at (505) 827-6452
10. **Comment Period and Deadlines:** October 30, 2018 to December 7, 2018 at 5:00 p.m. Written comments may be submitted to the Policy Division, New Mexico Public Education Department, 300 Don Gaspar Avenue, Room 101, Santa Fe, NM 87501, rule.feedback@state.nm.us , or by fax to (505) 827-6520.
11. **Rule Hearing:** December 7, 2018 from 2:00 p.m. to 5:00 p.m. at 300 Don Gaspar Avenue in Mabry Hall, Santa Fe, NM 87501
12. **Link to Permanent Agency Rulemaking Record:** http://statenm.force.com/public/SSP_RuleHearingSearchPublic

Summary of Proposed Rule

The October 30, 2018 issue of the *New Mexico Register* contained a Notice of Proposed Rulemaking to repeal and replace 6.60.10 NMAC, which establishes requirements for statewide teacher mentorship programs. The proposed new rule outlines the roles and responsibilities of the Public Education Department (PED), school districts, charter schools, state educational institutions, teacher mentors, and first year teachers with regard to the mentorship framework established by PED. See **Attachment 1, Proposed Rule 6.60.10 NMAC, Mentorship Programs for Teachers.**

Analysis

The proposed rule cites Sections 22-2-1 and 22-10A-9 NMSA 1978 as statutory authority for the rule. These grant PED its general rulemaking powers and outline the statutory requirements for teacher mentorship programs.

The proposed rule conforms to the statutory requirements for beginning teacher mentorship programs and is updated to require teacher mentor programs to be culturally and linguistically responsive and serve diverse learners, including English learners and students with disabilities.

Pursuant to Section 22-10A-9 NMSA 1978, PED must develop a framework for a teacher mentorship program for all first year teachers. PED is responsible for granting approval of mentorship program plans that are submitted by school districts and charter schools. PED's framework must include individual support and assistance for beginning teachers, structured training for mentors, and procedures for evaluation of first year teachers. Both, the current and proposed rule, address these general requirements.

Current rule does not define parameters for teacher mentors, although Section 22-10A-9 NMSA 1978 requires teacher mentors to hold a level two or level three-A license.

NMTEACH. One clear difference between the current rule and the proposed rule is the use of NMTEACH evaluation scores in the proposed rule. The proposed rule would require teacher mentors to be rated as highly effective or exemplary on their NMTEACH summative evaluation for the most recent two years. If no qualified mentors are available, the proposed rule would direct the department to assign a mentor to a first year teacher. This proposed change may create a challenge for school districts and charter schools to find sufficient mentors who meet these requirements. Educator preparation programs are having difficulty finding enough cooperating teachers with whom to match student teachers because cooperating teachers must be rated highly effective or exemplary on their NMTEACH summative evaluation. Requiring teacher mentors to meet this same requirement may cause mentor teachers to be overloaded with student teachers and first-year teachers.

Current and proposed rules require all school districts, charter schools, and state educational institutions to submit a proposed teacher mentorship program to the department for approval. While current rule requires school districts, charter schools, and state educational institutions to be evaluated every three years, the proposed rule would require them to submit the required documentation and be evaluated annually. The proposed rule would also require teacher mentorship programs to align to the NMTEACH evaluation system to earn approval.

Oversight. The proposed rule would shift some oversight of teacher mentorship programs from the department to school districts and charter schools. Currently, the professional licensure bureau within PED maintains teacher mentorship records and is the only entity to certify a teacher's successful completion of a mentorship program as a prerequisite for applying for a level two teaching license. The proposed rule, however, would require school districts, charter schools, and state educational institutions to determine if a first-year teacher has successfully completed a mentorship program.

The proposed rule states nothing would prevent PED from sharing program evaluation results when deemed beneficial.

Annual Program Reporting. Currently, the rule does not impose reporting requirements on school districts, charter schools, or state educational institutions. The proposed rule would require school districts and charter schools to annually provide PED with an analysis of each first-year teacher's performance as demonstrated by NMTEACH. PED has access to all

NMTEACH data, therefore PED's expectations regarding the analysis are unclear and not defined in the proposed rule. School districts, charter schools, and institutions of higher education would also be required to submit to PED results from a department-issued teacher mentorship program survey completed by first-year teachers.

~~**TITLE 6 — PRIMARY AND SECONDARY EDUCATION**
CHAPTER 60 — SCHOOL PERSONNEL — GENERAL PROVISIONS
PART 10 — MENTORSHIP PROGRAMS FOR BEGINNING TEACHERS~~

~~**6.60.10.1 — ISSUING AGENCY:** Public Education Department (PED)
 [6.60.10.1 NMAC — N, 7/1/2002; A, 11/30/2005; A, 10/31/2007]~~

~~**6.60.10.2 — SCOPE:** All beginning teachers holding a waiver, internship license, or level 1 New Mexico teaching license and employed in a New Mexico public school district, charter school, or state agency shall successfully complete a one to three year beginning teacher mentorship program provided by the public school district, charter school or state agency.
 [6.60.10.2 NMAC — N, 7/1/2002; A, 11/30/2005]~~

~~**6.60.10.3 — STATUTORY AUTHORITY:** Section 22-2-8.10, NMSA 1978.
 [6.60.10.3 NMAC — N, 7/1/2002]~~

~~**6.60.10.4 — DURATION:** Permanent.
 [6.60.10.4 NMAC — N, 7/1/2002]~~

~~**6.60.10.5 — EFFECTIVE DATE:** July 1, 2002, unless a later date is cited in the history note at the end of a section.
 [6.60.10.5 NMAC — N, 7/1/2002]~~

~~**6.60.10.6 — OBJECTIVE:** To establish requirements for statewide mentorship programs to provide beginning teachers an effective transition into the teaching profession, retain capable teachers, improve the achievement of students, and improve the overall success of the school.
 [6.60.10.6 NMAC — N, 7/1/2002]~~

~~**6.60.10.7 — DEFINITIONS:**~~

~~**A. — “Beginning teacher”** means a teacher holding a New Mexico waiver, internship license, or level 1 teaching license who has less than three complete years, full or part time, of classroom teaching experience. For the purpose of this rule, teachers with more than three complete years, full or part time, of classroom teaching experience but who hold a waiver, internship license, or level 1 licensure are not beginning teachers.~~

~~**B. — “Teaching license”** means a (PED) license issued in early childhood, birth grade 3; elementary education, grades K–8; middle level, grades 5–9; secondary education, grades 7–12; special education, grades pre K–12; licensure for pre K–12 in specialty areas; blind and visually impaired, birth grade 12; and secondary vocational technical education.~~

~~[6.60.10.7 NMAC — N, 7/1/2002; A, 11/30/2005; A, 10/31/2007]~~

~~**6.60.10.8 — REQUIREMENTS FOR MENTORSHIP PROGRAMS:** All mentorship programs must receive initial approval from the director of professional development for the PED (hereinafter the “director”). To receive approval, public school districts, charter schools, or state agencies must submit a proposed mentorship program that aligns with and supports the public school district’s, charter school’s, or state agency’s long range plan for student success and aligns with the PED’s nine essential teacher competencies and indicators contained in 6.69.4 NMAC, or any successor competencies adopted by the PED for level 1, waiver, or internship licensed teachers. The proposal must describe how the mentorship program addresses the following:~~

~~**A.** provides individual support for beginning teachers from designated mentors or support providers; the support activities must include collaborative curriculum alignment, design, and planning; they must also include classroom observations, student assessment, individual instructional conferences, and instructional resource development;~~

~~**B.** is mandatory for all beginning teachers;~~

~~**C.** includes structured and research based training activities for mentors; the training must include the development and needs of beginning teachers, the process of developing mentorship relationships, the process of documenting teacher growth, and best practices in working with novice teachers;~~

~~**D.** uses a structured process for selection of mentors that includes selection and evaluation criteria and details the person or persons responsible for implementing the selection and evaluation process;~~

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- ~~_____ E. _____ provides compensation for mentors;~~
 - ~~_____ F. _____ uses an ongoing, formative evaluation of beginning teachers for the improvement of teaching practice;~~
 - ~~_____ G. _____ uses an ongoing summative evaluation of beginning teacher performance during the first one to three years of teaching, including an annual assessment of competence for continuing licensure and a final assessment of competence for teachers seeking level 2 licensure; evaluation of beginning teacher performance shall include annual review and progress reports during the mentorship program, collection of documented evidence of teacher growth and development, and summative assessment of level I teacher competencies;~~
 - ~~_____ H. _____ has a process for addressing disputes or grievances between mentors and beginning teachers and for replacing mentors for good cause shown;~~
 - ~~_____ I. _____ establishes a program that is at least one year in length but includes provisions whereby support for an additional two or three years can be provided to teachers who do not successfully complete the first year and continue to be employed in the public school district, charter school, or state agency; and~~
 - ~~_____ J. _____ has documentation that describes how support was sought and obtained from the local school board, administrators, and other district and school personnel.~~
- [6.60.10.8 NMAC - N, 7/1/2002; A, 11/30/2005]

~~**6.60.10.9** _____ **COMPLETION OF MENTORSHIP PROGRAM:** All beginning teachers must successfully complete a minimum of a one-year mentorship program to be eligible for a level 2 license. Successful completion of the program shall be documented on a form available from the professional licensure unit and shall be maintained in each teacher's licensure file in the professional licensure bureau (PLB). Under no circumstance shall a beginning teacher who is otherwise eligible to receive a level 2 license unless he or she has been certified as having successfully completed a mentorship program.~~

[6.60.10.9 NMAC - N, 7/1/2002; A, 10/31/2007]

~~**6.60.10.10** _____ **PROGRAM EVALUATION AND FUNDING:** All mentorship programs shall be evaluated locally every three years to determine the effectiveness of the program based on teacher retention. Annually the PED shall review and make public teacher retention rates statewide and by district. Annual state funding of local district mentorship programs shall be based on the number of beginning teachers who received mentorship services in the current school year as reported to the PED by the school districts annually on the 40th day of school, if funds are appropriated for that purpose by the legislature.~~

[6.60.10.10 NMAC - N, 7/1/2002; A, 11/30/2005; A, 10/31/2007]

~~**6.60.10.11** _____ **SAVINGS CLAUSE:** All mentorship programs submitted by a public school district, charter school, or state agency to comply with 6.60.3 NMAC, Alternative Licensure, and approved by the PED shall be deemed to be in compliance with Sections 1 through 9 of this rule. The director reserves the right to impose additional requirements to comply with Section 10 of 6.60.10 NMAC.~~

[6.60.10.11 NMAC - N, 7/1/2002; A, 11/30/2005]

~~**HISTORY OF 6.60.10 NMAC: [RESERVED]**~~

TITLE 6 PRIMARY AND SECONDARY EDUCATION **CHAPTER 60 SCHOOL PERSONNEL - GENERAL PROVISIONS** **PART 10 MENTORSHIP PROGRAMS FOR TEACHERS**

6.60.10.1 **ISSUING AGENCY:** Public Education Department, herein after the "department".
[6.60.10.1 NMAC - Rp, 6.60.10.1 NMAC, 7/1/2019]

6.60.10.2 **SCOPE:** Applies to all New Mexico public school districts, charter schools, or state educational institutions. First-year teachers shall successfully complete a minimum one-year teacher mentorship program provided by the public school district, charter school or state educational institution. If any part or application of this rule is held invalid, the remainder of the rule or its application in other situations shall not be affected.
[6.60.10.2 NMAC - Rp, 6.60.10.2 NMAC, 7/1/2019]

6.60.10.3 **STATUTORY AUTHORITY:** Sections 22-2-1 and 22-10A-9 NMSA 1978.
[6.60.10.3 NMAC - Rp, 6.60.10.3 NMAC, 7/1/2019]

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6.60.10.4 DURATION: Permanent.
[6.60.10.4 NMAC - Rp, 6.60.10.4 NMAC, 7/1/2019]

6.60.10.5 EFFECTIVE DATE: July 1, 2019, unless a later date is cited at the end of a section.
[6.60.10.5 NMAC - Rp, 6.60.10.5 NMAC, 7/1/2019]

6.60.10.6 OBJECTIVE: To establish requirements for teacher mentorship programs that improve teacher practice, achievement of their students, and overall performance of their school.
[6.60.10.6 NMAC - Rp, 6.60.10.6 NMAC, 7/1/2019]

6.60.10.7 DEFINITIONS:

A. “First-year teacher” means a teacher in their first year of teaching in a New Mexico public school as a teacher of record, holding a level 1 or alternative New Mexico teaching license. Public school districts and charters may, at their discretion, extend this definition to include teachers in their first year as teacher of record in their school who may have had prior teaching experience in another school.

B. “Director” means the director of the educator quality division for the public education department.

C. “Designated mentor” means a level 2 or level 3 teacher who has earned an effectiveness rating of highly effective or exemplary as determined by the state’s educator effectiveness evaluation system, NMTEACH, as outlined in 6.69.8 NMAC, for the previous two consecutive reports, or who is assigned by the department in situations where no qualifying mentor is available.

D. “Teaching license” means a department license issued in any of the following:

- (1) birth - pre-K;
- (2) pre-K - grade 3;
- (3) grades K- 8;
- (4) grades 5 - 9;
- (5) grades 7-12;
- (6) special education grades pre K-12;
- (7) licensure for pre K-12 in specialty areas;
- (8) blindness and visual impairment birth - grade 12;
- (9) secondary vocational-technical education; or
- (10) deaf and hard of hearing.

[6.60.10.7 NMAC - Rp, 6.60.10.7 NMAC, 7/1/2019]

6.60.10.8 REQUIREMENTS FOR TEACHER MENTORSHIP PROGRAMS: All mentorship programs must receive initial approval from the director prior to the first year of implementation and each year thereafter. To receive approval, public school districts, charter schools, or state educational institutions shall submit a proposed teacher mentorship program that aligns with and supports the public school district’s, charter school’s, or state educational institution’s long range plan for student success. Teacher mentorship programs shall align with all competencies outlined in the state’s educator effectiveness evaluation system, NMTEACH, in accordance with 6.69.8 NMAC, and all other competencies outlined in department regulation and guidance. The proposal shall describe how this mandatory teacher mentorship program for first-year teachers addresses the following.

A. Individual support for first-year teachers from designated mentors shall be aligned to all competencies outlined in the NMTEACH system and also include, at a minimum:

- (1) instructional material development in alignment with department-approved standards;
- (2) culturally and linguistically responsive, as defined by the department, lesson planning and lesson design appropriate for all diverse learners, including English learners and students with disabilities;
- (3) development and administration of formative and benchmark student academic assessments;
- (4) individual instructional conferences with students;
- (5) individual conferences with parents and families, specifically to discuss student achievement, assessment scores, and college and career and readiness; and
- (6) classroom observation protocol.

B. Structured and evidence-based training activities for designated mentors, which shall include the following, at a minimum:

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- (1) identifying and addressing the needs of first-year teachers;
 - (2) developing mentorship relationships;
 - (3) evaluating mentees using observation domains outlined in NMTEACH; and
 - (4) documenting teacher growth aligned with the NMTEACH system and rubrics.
- C. Structured process for selection of designated mentors shall include:
- (1) selection criteria and process; and
 - (2) criteria of evaluation the efficacy of the mentor.
- D. Compensation provided to designated mentors, as determined by the relevant public school district, charter school, or state educational institution. Pursuant to Section 22-10A-4 NMSA 1978, a level 3-A license is the highest level of teaching licensure for those teachers who choose to advance as instructional leaders in the teaching profession and undertake greater responsibilities such as curriculum development, peer intervention and mentoring.
- E. Mentor quality, specifically guaranteeing that all designated mentors will be a level 2 or level 3 teacher who has earned an effectiveness rating of highly effective or exemplary as determined by the state's educator effectiveness evaluation system, NMTEACH, as outlined in 6.69.8 NMAC, for the previous two consecutive reports, or who is assigned by the department in situations where no qualifying mentor is available.
- F. Requirements to complete a mentorship program.
- G. Programming that is at least one year in length and includes provisions whereby support for an additional one or two years may be provided to teachers who do not successfully complete the first-year teacher mentorship program and continue to be employed in the public school district, charter school, or state educational institution.
- [6.60.10.8 NMAC - Rp, 6.60.10.8 NMAC, 7/1/2019]

6.60.10.9 COMPLETION OF TEACHER MENTORSHIP PROGRAM: All first-year teachers shall successfully complete a minimum of a one-year teacher mentorship program to be eligible for a level 2 license. Successful completion of the program shall be determined by the public school district, charter school, or state educational institution.

[6.60.10.9 NMAC - Rp, 6.60.10.9 NMAC, 7/1/2019]

6.60.10.10 ANNUAL PROGRAM REPORTING:

- A. Mentorship programs shall be reviewed by the department annually for effectiveness. For the purposes of such review, each district shall maintain teacher evaluation data through NMTEACH and administer a department-issued teacher mentorship program survey for first-year teachers. These data shall be provided to the department in a report submitted annually by November 15 of the following school year. The annual report shall include the following, at a minimum, by school or institution:
- (1) assessment of proficiency in the areas of practice detailed in the approved teacher mentorship proposal, pursuant to Subsection A of 6.60.10.8 NMAC;
 - (2) a current analysis each first-year teacher's performance as demonstrated by NMTEACH;
- and
- (3) results from the department-issued teacher mentorship program survey for first-year teachers.
- B. The department shall compile and analyze the data submitted by public school districts, charter schools and state educational institutions and report annually to the appropriate interim legislative committee. Nothing may inhibit the department's discretion to share program evaluation results as it determines to be beneficial, within the bounds of applicable state and federal laws and regulations.
- [6.60.10.10 NMAC - Rp, 6.60.10.10 NMAC, 7/1/2019]

HISTORY OF 6.60.10 NMAC: [RESERVED]