

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

Adopted Rule Update

1. **Register Issue and Date of Adopted Rule:** Volume 29, Issue 24, December 27, 2018
2. **Date Notice of Proposed Rulemaking Was Reported to the Committee:** November 16, 2018
3. **Link to Proposed Rule Report:**
<https://www.nmlegis.gov/handouts/ALESC%20111418%20Item%2011%20A.3%20-%20PROPOSED%20RULE%20Mentorship%20Programs%20for%20Beginning%20Teachers.pdf>
4. **Changes from the Rule as Proposed:** In response to public comment, the definition of “designated mentor” was changed. “Designated mentors” will be required to have earned a highly effective or exemplary NMTEACH rating for at least one of the two most recent years or be nationally board certified and have earned a rating of effective or higher on their NMTEACH summative report for at least one of the two most recent years. The proposed definition required “designated mentors” to have earned a highly effective or exemplary NMTEACH rating for the previous two years. The proposed definition did not include a provision specific to nationally board certified teachers.

Summary of Adopted Rule

The December 27, 2018 issue of the *New Mexico Register* contained the final adoption of Part 6 of 60.10 NMAC, which establishes requirements for statewide teacher mentorship programs. The adopted 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, Adopted Rule 6.60.10 NMAC, Mentorship Programs for Teachers.**

Analysis

The adopted 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 adopted rule conforms to the statutory requirements for beginning teacher mentorship programs and requires teacher mentor programs to be culturally and linguistically responsive to 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. The adopted rule addresses these general requirements.

NMTEACH. The adopted rule requires nationally board certified teachers to be rated as effective or higher on their NMTEACH summative evaluation for at least one of the two most recent years and other teacher mentors to be rated as highly effective or exemplary on their NMTEACH summative evaluation for at least one of the two most recent years. This is a change from the rule as proposed to address issues highlighted during the public comment period. If no qualified mentors are available, the adopted rule directs the department to assign a mentor to a first year teacher.

The adopted rule requires all school districts, charter schools, and state educational institutions to submit a proposed teacher mentorship program to the department for approval and submit the required documentation to be evaluated annually. The adopted rule also requires teacher mentorship programs to align to the NMTEACH evaluation system to earn approval.

Oversight. The adopted rule shifts some oversight of teacher mentorship programs from the department to school districts and charter schools. Previously, the professional licensure bureau within PED maintained teacher mentorship records and was 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 adopted rule, however, requires school districts, charter schools, and state educational

institutions to determine if a first-year teacher has successfully completed a mentorship program.

Annual Program Reporting The adopted rule requires 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 adopted rule. School districts, charter schools, and institutions of higher education are also required to submit to PED results from a department-issued teacher mentorship program survey to be completed by first-year teachers.

The adopted rule states nothing will prevent PED from sharing program evaluation results when deemed beneficial.

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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]

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 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. “Designated mentor” means a level 2 or level 3 teacher who:

(1) 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 at least one of the two most recent years;

(2) is a nationally board certified teacher and has earned an effectiveness rating of effective as determined by the state’s educator effectiveness evaluation system, NMTEACH, as outlined in 6.69.8 NMAC, for at least one of the most recent two years; or

(3) is assigned by the department in situations where no qualifying mentor is available.

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

D. “Local education agency” or “LEA” means a local school district, charter school, or state educational institution.

E. “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 readiness; and

(6) classroom observation protocol.

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

(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 for 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. LEAs may increase compensation for level 3-A license teachers.

E. Mentor quality, specifically guaranteeing that all designated mentors will be a level 2 or level 3 teacher who:

(1) 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 at least one of the two most recent years;

(2) is a nationally board certified teacher and has earned an effectiveness rating of effective as determined by the state's educator effectiveness evaluation system, NMTEACH, as outlined in 6.69.8 NMAC, for at least one of the most recent two years; or

(3) 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]