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SENATE BILL 662

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Gay G. Kernan

AN ACT

**RELATING TO SCHOOL PERSONNEL; GRANTING A FOUR-YEAR LEVEL ONE
LICENSE; PROVIDING THAT A LEVEL ONE TEACHER MUST TEACH AT LEVEL
ONE FOR AT LEAST THREE FULL YEARS BEFORE APPLYING FOR A LEVEL
TWO LICENSE; DECLARING AN EMERGENCY.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. Section 22-10A-4 NMSA 1978 (being Laws 2003,
Chapter 153, Section 35) is amended to read:**

**"22-10A-4. TEACHERS AND SCHOOL ADMINISTRATORS--
PROFESSIONAL STATUS--LICENSURE LEVELS--SALARY ALIGNMENT.--**

**A. Teaching and school administration are
recognized as professions, with all the rights,
responsibilities and privileges accorded professions, having
their first responsibility to the public they serve. The
primary responsibilities of the teaching and school**

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1 administration professions are to educate the children of this
2 state and to improve the professional practices and ethical
3 conduct of their members.

4 B. The New Mexico licensure framework for teachers
5 and school administrators is a progressive career system in
6 which licensees are required to demonstrate increased
7 competencies and undertake increased duties as they progress
8 through the licensure levels. The minimum salary provided as
9 part of the career system shall not take effect until the
10 [~~state board~~] department has adopted increased competencies for
11 the particular level of licensure and a highly objective
12 uniform statewide standard of evaluation.

13 C. A level one license is a provisional license
14 [~~issued for the first three years of teaching~~] that gives a
15 beginning teacher the opportunity, through a formal mentorship
16 program, for additional preparation to be a quality teacher. A
17 level two license is given to a teacher who is a fully
18 qualified professional who is primarily responsible for
19 ensuring that students meet and exceed [~~state board-adopted~~]
20 department-adopted academic content and performance standards;
21 a teacher may choose to remain at level two for the remainder
22 of [~~his~~] the teacher's career. A level three-A license is the
23 highest level of teaching licensure for those teachers who
24 choose to advance as instructional leaders in the teaching
25 profession and undertake greater responsibilities such as

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1 curriculum development, peer intervention and mentoring. A
2 level three-B license is for teachers who commence a new career
3 path in school administration by becoming school
4 administrators.

5 D. All teacher and school administrator salary
6 systems shall be aligned with the licensure framework in a
7 professional educator licensing and salary system

8 E. All teachers and school administrators who hold
9 teaching or administrator certificates on the effective date of
10 [~~this~~] the 2003 act shall meet the requirements for their level
11 of licensure by September 1, 2006 and shall be issued
12 licenses. "

13 Section 2. Section 22-10A-7 NMSA 1978 (being Laws 2003,
14 Chapter 153, Section 38) is amended to read:

15 "22-10A-7. LEVEL ONE LICENSURE. --

16 A. A level one license is a provisional
17 [~~three-year~~] four-year license for beginning teachers that
18 requires as a condition of licensure that the licensee undergo
19 a formal mentorship program and an annual intensive performance
20 evaluation by a school administrator for at least three full
21 school years before applying for a level two license.

22 B. Each school district, in accordance with [~~state~~
23 ~~board~~] department rules, shall provide for the mentorship and
24 evaluation of level one teachers. At the end of each year and
25 at the end of the license period, the level one teacher shall

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1 be evaluated for competency. If the teacher fails to
2 demonstrate satisfactory progress and competence annually, the
3 teacher may be terminated as provided in Section 22-10A-24 NMSA
4 1978. If the teacher has not demonstrated satisfactory
5 progress and competence by the end of the [~~three-year~~]
6 four-year period, [~~he~~] the teacher shall not be granted a level
7 two license.

8 C. Except in exigent circumstances defined by
9 [~~state-board~~] department rule, a level one license shall not be
10 extended beyond the initial period.

11 D. The department shall issue a standard level one
12 license to an applicant who is at least eighteen years of age
13 who:

14 (1) holds a baccalaureate degree from an
15 accredited educational institution;

16 (2) has successfully completed a [~~state-board-~~
17 ~~approved~~] department-approved teacher preparation program from
18 a nationally accredited or state-approved educational
19 institution;

20 (3) has passed the New Mexico teacher
21 assessments examination; and

22 (4) meets other qualifications for level one
23 licensure, including clearance of the required background
24 check.

25 E. The department shall issue an alternative level

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1 one license to an applicant who meets the requirements of
2 Section 22-10A-8 NMSA 1978.

3 F. The ~~[state board]~~ department shall establish
4 competencies and qualifications for specific grade levels,
5 types and subject areas of level one licensure, including early
6 childhood, elementary, middle school, secondary, special
7 education and vocational education.

8 G. Beginning with the 2003-2004 school year, with
9 the adoption by the ~~[state board]~~ department of a highly
10 objective uniform statewide standard of evaluation for level
11 one teachers, the minimum salary for a level one teacher shall
12 be thirty thousand dollars (\$30,000) for a standard nine and
13 one-half month contract.

14 H. Teachers who hold level one licenses on the
15 effective date of ~~[this]~~ the 2003 act must be evaluated by the
16 end of the 2006-2007 school year."

17 Section 3. Section 22-10A-9 NMSA 1978 (being Laws 2003,
18 Chapter 153, Section 40) is amended to read:

19 "22-10A-9. TEACHER MENTORSHIP PROGRAM FOR LEVEL ONE
20 TEACHERS--PURPOSE--~~[STATE BOARD DUTIES]~~DEPARTMENT DUTIES.--

21 A. The purpose of the teacher mentorship program is
22 to provide beginning teachers with an effective transition into
23 the teaching field, to build on their initial preparation and
24 to ensure their success in teaching; to improve the achievement
25 of students; and to retain capable teachers in the classroom

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1 and to remove teachers who show little promise of success.

2 B. The department shall develop a framework for a
3 teacher mentorship program for all level one teachers. The
4 [~~state board~~] department shall work with licensed school
5 employees, representatives from teacher preparation programs
6 and the commission on higher education to establish the
7 framework.

8 C. The framework shall include:

9 (1) individual support and assistance for each
10 beginning teacher from a designated mentor;

11 (2) structured training for mentors;

12 (3) an ongoing, formative evaluation that is
13 used for the improvement of teaching practice;

14 (4) procedures for a summative evaluation of
15 beginning teachers' performance during at least the first three
16 years of teaching, including annual assessment of suitability
17 for license renewal, and for final assessment of beginning
18 teachers seeking level two licensure;

19 (5) support from local school boards, school
20 administrators and other school district personnel; and

21 (6) regular review and evaluation of the
22 teacher mentorship program.

23 D. The department shall:

24 (1) require submission and approval of each
25 school district's teacher mentorship program;

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1 (2) provide technical assistance to school
2 districts that do not have a well-developed teacher mentorship
3 program in place; and

4 (3) encourage school districts to collaborate
5 with teacher preparation program administrators at institutions
6 of higher education, career educators, educational
7 organizations, regional service centers and other state and
8 community leaders in the teacher mentorship program "

9 Section 4. Section 22-10A-10 NMSA 1978 (being Laws 2003,
10 Chapter 153, Section 41) is amended to read:

11 "22-10A-10. LEVEL TWO LICENSURE. --

12 A. A level two license is a nine-year license
13 granted to a teacher who meets the qualifications for that
14 level and who annually demonstrates essential competency to
15 teach. If a level two teacher does not demonstrate essential
16 competency in a given school year, the school district shall
17 provide the teacher with additional professional development
18 and peer intervention during the following school year. If by
19 the end of that school year the teacher fails to demonstrate
20 essential competency, a school district may choose not to
21 contract with the teacher to teach in the classroom.

22 B. The department shall issue a level two license
23 to an applicant who successfully completes the [three-year]
24 level one license or is granted reciprocity as provided by
25 [state board] department rules; demonstrates essential

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1 competency required by the [~~state-board~~] department as verified
2 by the local superintendent through the highly objective
3 uniform statewide standard of evaluation; and meets other
4 qualifications as required by the [~~state-board~~] department.

5 C. The department shall provide for qualifications
6 for specific grade levels, types and subject areas of level two
7 licensure, including early childhood, elementary, middle,
8 secondary, special education and vocational education.

9 D. With the adoption by the [~~state-board~~]
10 department of the statewide objective performance evaluation
11 for level two teachers, the minimum salary for a level two
12 teacher for a standard nine and one-half month contract shall
13 be as follows:

14 (1) for the 2003-2004 school year, thirty
15 thousand dollars (\$30,000);

16 (2) for the 2004-2005 school year, thirty-five
17 thousand dollars (\$35,000); and

18 (3) for the 2005-2006 school year, forty
19 thousand dollars (\$40,000). "

20 Section 5. EMERGENCY.--It is necessary for the public
21 peace, health and safety that this act take effect immediately.