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SENATE BILL 73

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Cynthia Nava

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO SCHOOL PERSONNEL; CHANGING THE CALCULATION FOR
MINIMUM SALARIES OF SCHOOL PRINCIPALS AND ASSISTANT SCHOOL
PRINCIPALS; MAKING AN APPROPRIATION.

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

Section 1. Section 22-10A-2 NMSA 1978 (being Laws 1975,
Chapter 306, Section 2, as amended) is amended to read:

"22-10A-2. DEFINITIONS.--As used in the School Personnel
Act:

A. "discharge" means the act of severing the
employment relationship with a certified school employee prior
to the expiration of the current employment contract;

B. "responsibility factor" means a value of 1.20
for an elementary school principal, 1.40 for a middle school or
junior high school principal, 1.60 for a high school principal,

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1 1.10 for an assistant elementary school principal, 1.15 for an
2 assistant middle school or assistant junior high school
3 principal and 1.25 for an assistant high school principal;

4 [B-] C. "state agency" means any state institution
5 or state agency providing an educational program requiring the
6 employment of certified school instructors;

7 [G-] D. "sabbatical leave" means leave of absence
8 with pay as set by the local school board or governing
9 authority of a state agency during all or part of a regular
10 school term for purposes of study or travel related to the
11 staff member's duties and of direct benefit to the
12 instructional program;

13 [D-] E. "terminate" means, in the case of a
14 certified school employee, the act of not reemploying an
15 employee for the ensuing school year and, in the case of a
16 noncertified school employee, the act of severing the
17 employment relationship with the employee;

18 [E-] F. "working day" means every calendar day,
19 excluding Saturday, Sunday or legal holiday; and

20 [F-] G. "just cause" means a reason that is
21 rationally related to an employee's competence or turpitude or
22 the proper performance of [his] the employee's duties and that
23 is not in violation of the employee's civil or constitutional
24 rights."

25 Section 2. Section 22-10A-11 NMSA 1978 (being Laws 2003,

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1 Chapter 153, Section 42, as amended by Laws 2005, Chapter 315,
2 Section 8 and by Laws 2005, Chapter 316, Section 5) is amended
3 to read:

4 "22-10A-11. LEVEL THREE LICENSURE--TRACKS FOR TEACHERS
5 AND SCHOOL ADMINISTRATORS.--

6 A. A level three-A license is a nine-year license
7 granted to a teacher who meets the qualifications for that
8 level and who annually demonstrates instructional leader
9 competencies. If a level three-A teacher does not demonstrate
10 essential competency in a given school year, the school
11 district shall provide the teacher with additional professional
12 development and peer intervention during the following school
13 year. If by the end of that school year the teacher fails to
14 demonstrate essential competency, a school district may choose
15 not to contract with the teacher to teach in the classroom.

16 B. The department shall grant a level three-A
17 license to an applicant who has been a level two teacher for at
18 least three years and holds a post-baccalaureate degree or
19 national board for professional teaching standards
20 certification; demonstrates instructional leader competence as
21 required by the department and verified by the local
22 superintendent through the highly objective uniform statewide
23 standard of evaluation; and meets other qualifications for the
24 license.

25 C. With the adoption by the department of a highly

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1 objective uniform statewide standard of evaluation for level
2 three-A teachers, the minimum salary for a level three-A
3 teacher for a standard nine and one-half month contract shall
4 be as follows:

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

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

9 (3) for the 2005-2006 school year, forty
10 thousand dollars (\$40,000);

11 (4) for the 2006-2007 school year, forty-five
12 thousand dollars (\$45,000); and

13 (5) for the 2007-2008 school year, fifty
14 thousand dollars (\$50,000).

15 D. A level three-B license is a nine-year license
16 granted to a school administrator who meets the qualifications
17 for that level. Licenses may be renewed upon satisfactory
18 annual demonstration of instructional leader and administrative
19 competency.

20 E. The department shall grant a level three-B
21 license to an applicant who has been a level three-A
22 [~~instructional leader~~] teacher for at least one year, has
23 satisfactorily completed department-approved courses in
24 administration and a department-approved administration
25 apprenticeship program and demonstrates instructional leader

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1 competence required by the department and verified by the local
2 superintendent through the highly objective uniform statewide
3 standard of evaluation.

4 ~~[F. Beginning with the 2007-2008 school year, the~~
5 ~~standard contract and minimum annual salary for a level three-B~~
6 ~~school principal shall be based on the size of the school in~~
7 ~~which the school principal is employed, as follows:~~

8 ~~(1) for school principals of schools with two~~
9 ~~hundred or fewer students, a minimum salary of~~
10 ~~fifty-eight thousand dollars (\$58,000) for a standard~~
11 ~~ten-month contract;~~

12 ~~(2) for school principals of schools with two~~
13 ~~hundred one to four hundred students, a minimum salary of sixty~~
14 ~~thousand dollars (\$60,000) for a standard ten-month contract;~~

15 ~~(3) for school principals of schools with four~~
16 ~~hundred one to six hundred students, a minimum salary of sixty-~~
17 ~~two thousand dollars (\$62,000) for a standard ten-month~~
18 ~~contract;~~

19 ~~(4) for school principals of schools with six~~
20 ~~hundred one to eight hundred students, a minimum salary of~~
21 ~~sixty-four thousand dollars (\$64,000) for a standard~~
22 ~~ten-month contract;~~

23 ~~(5) for school principals of schools with~~
24 ~~eight hundred one to one thousand students, a minimum salary of~~
25 ~~sixty-six thousand dollars (\$66,000) for a standard~~

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1 ~~ten-month contract; and~~

2 ~~(6) for school principals of schools with more~~
3 ~~than one thousand students, a minimum salary of~~
4 ~~sixty-eight thousand dollars (\$68,000) for a standard~~
5 ~~ten-month contract.]~~

6 F. Beginning with the 2007-2008 school year, the
7 minimum annual salary for a level three-B school principal or
8 assistant school principal shall be fifty thousand dollars
9 (\$50,000) multiplied by the applicable responsibility factor.

10 G. By the beginning of the 2008-2009 school year,
11 the department shall adopt a highly objective uniform statewide
12 standard of evaluation for level three-B school principals and
13 assistant school principals and rules for the implementation of
14 that evaluation system linked to the level of responsibility at
15 each school level."

16 Section 3. APPROPRIATION.--Four million two hundred
17 thousand dollars (\$4,200,000) is appropriated from the general
18 fund to the public school fund for distribution through the
19 state equalization guarantee distribution in fiscal year 2008
20 to implement minimum salaries for school principals and
21 assistant principals in the 2007-2008 school year. Any
22 undistributed amount remaining at the end of fiscal year 2008
23 shall revert to the general fund.