

HOUSE BILL 171

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Sheryl Williams Stapleton

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO PUBLIC EDUCATION IMPROVEMENTS; RAISING THE STATUTORY MINIMUM SALARIES FOR TEACHERS; HEC → ~~RAISING LICENSING REQUIREMENTS FOR LEVEL ONE TEACHERS;~~ ← HEC INCREASING CONTRACT TIME FOR PROFESSIONAL DEVELOPMENT; MAKING AN APPROPRIATION.

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

SECTION 1. Section 22-2-8.1 NMSA 1978 (being Laws 1986, Chapter 33, Section 2, as amended by Laws 2011, Chapter 35, Section 1 and by Laws 2011, Chapter 154, Section 1) is amended to read:

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"22-2-8.1. SCHOOL YEAR--~~[LENGTH OF SCHOOL DAY]~~ MINIMUM
INSTRUCTIONAL TIME--VISITATION, IN-SERVICE TRAINING AND
PROFESSIONAL DEVELOPMENT ADDITIONAL.--

A. ~~[Except as otherwise provided in this section]~~
Within three hundred sixty-five calendar days, regular students shall be in school-directed programs ~~[exclusive of lunch]~~ for a minimum of the following instructional hours per day and per year:

(1) kindergarten, for half-day programs, two and one-half hours per day or four hundred fifty hours per year or, for full-day programs, five and one-half hours per day or nine hundred ninety hours per year;

(2) ~~[grades one through six]~~ first through sixth grades, five and one-half hours per day or nine hundred ninety hours per year; and

(3) ~~[grades seven through twelve]~~ seventh through twelfth grades, six hours per day or one thousand eighty hours per year.

~~[B. Up to thirty-three hours of the full-day kindergarten program may be used for home visits by the teacher or for parent-teacher conferences. Up to twenty-two hours of grades one through six programs may be used for home visits by the teacher or for parent-teacher conferences. Up to twelve hours of grades seven through twelve programs may be used to consult with parents to develop next step plans for students~~

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~~and for parent-teacher conferences.]~~

B. Days or hours when no instruction is given due to lunchtime, recess, weather-related school delays or cancellations, in-service training, teacher planning and preparation, professional development or other events that are not instructional programs shall not count toward the calculation of minimum instructional hours or days.

C. A school year shall be extended at least ten days beyond the required instructional days to provide professional development for teachers, in-service training, teacher planning and preparation, mentoring and collaboration, home visitation, teacher-parent conferences or other non-instructional events that may be embedded throughout the school year but are not held during instructional time. Each school year, teachers, school principals and instructional support providers shall complete ten days of professional development aligned with their duties; provided that this time may include collaboration and mentoring with colleagues. Each school year, classroom teachers shall be allowed three days for home visits and parent-teacher conferences; provided that parent-teacher conferences in seventh through twelfth grade shall include time to consult with parents in the development of next-step plans for students.

~~[G.]~~ D. Nothing in this section precludes a local school board from setting a school year or the length of school

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days in excess of the minimum instructional hour requirements established by Subsection A of this section.

[D-] E. The secretary may waive the minimum length of school days in those school districts where such minimums would create undue hardships as defined by the department as long as the school year is adjusted to ensure that students in those school districts receive the same total instructional time as other students in the state.

[E-] F. Notwithstanding any other provision of this section, provided that instruction occurs simultaneously, time when breakfast is served or consumed pursuant to a state or federal program shall be deemed to be time in a school-directed program and is part of the instructional day."

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

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

A. A level one license is a provisional five-year license for beginning teachers that requires as a condition of licensure that the licensee undergo a formal mentorship program for at least one full school year and an annual intensive performance evaluation by a school administrator for at least three full school years before applying for a level two license.

B. Each school district, in accordance with department rules, shall provide for the mentorship and

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evaluation of level one teachers. At the end of each year and at the end of the license period, the level one teacher shall be evaluated for competency. If the teacher fails to demonstrate satisfactory progress and competence annually, the teacher may be terminated as provided in Section 22-10A-24 NMSA 1978. If the teacher has not demonstrated satisfactory progress and competence by the end of the five-year period, the teacher shall not be granted a level two license.

C. Except in exigent circumstances defined by department rule, a level one license shall not be extended beyond the initial period.

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

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

(2) has successfully completed a department-approved teacher preparation program from a nationally accredited or state-approved educational institution;

(3) has passed the New Mexico teacher assessments examination, including for elementary licensure beginning January 1, 2013, a rigorous assessment of the candidate's knowledge of the science of teaching reading; and

(4) meets other qualifications for level one licensure, including clearance of the required background

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check.

E. The department shall issue an alternative level one license to an applicant who meets the requirements of Section 22-10A-8 NMSA 1978.

F. The department shall establish competencies and qualifications for specific grade levels, types and subject areas of level one licensure, including early childhood, elementary, middle school, secondary, special and vocational education.

~~HEC→G. All teachers with a level one license as of July 1, 2019 shall obtain a teaching English to speakers of other languages endorsement on their license before the start of the 2023-2024 school year or before they obtain a level two license. All new level one teachers hired during the 2019-2020 or 2020-2021 school year shall have a teaching English to speakers of other languages endorsement on their license or have two calendar years to obtain the endorsement. All level one teachers applying for a level one teaching license after the 2020-2021 school year shall have the requisite courses to obtain a teaching English to speakers of other languages endorsement at the time of applying for the level one teaching license.~~←HEC

[G.] HEC→H←HEC HEC→G←HEC. With the adoption by the department of a highly objective uniform statewide standard of evaluation for level one teachers, the minimum salary for a .212195.1

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level one teacher shall be [~~thirty-six thousand dollars~~
(~~\$36,000~~)] forty-five thousand dollars (\$45,000) for a standard
[~~nine and one-half~~] ten month contract."

SECTION 3. Section 22-10A-10 NMSA 1978 (being Laws 2003,
Chapter 153, Section 41, as amended) is amended to read:

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

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

B. The department shall issue a level two license to an applicant who successfully completes the level one license or is granted reciprocity as provided by department rules; demonstrates essential competency required by the department as verified by the local superintendent through the highly objective uniform statewide standard of evaluation; and meets other qualifications as required by the department.

C. The department shall provide for qualifications for specific grade levels, types and subject areas of level two

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licensure, including early childhood, elementary, middle, secondary, special and vocational education.

D. With the adoption by the department of the statewide objective performance evaluation for level two teachers, the minimum salary for a level two teacher for a standard [~~nine and one-half~~] ten month contract shall be [~~forty-four thousand dollars (\$44,000)~~] fifty-five thousand dollars (\$55,000)."

SECTION 4. Section 22-10A-11 NMSA 1978 (being Laws 2003, Chapter 153, Section 42, as amended) is amended to read:

"22-10A-11. LEVEL THREE LICENSURE--TRACKS FOR TEACHERS.--

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

B. The department shall grant a level three-A license to an applicant who has been a level two teacher for at least three years and holds a post-baccalaureate degree or national board for professional teaching standards

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certification; demonstrates instructional leader competence as required by the department and verified by the local superintendent through the highly objective uniform statewide standard of evaluation; and meets other qualifications for the license.

C. With the adoption by the department of a highly objective uniform statewide standard of evaluation for level three-A teachers, the minimum salary for a level three-A teacher for a standard [~~nine and one-half~~] ten month contract shall be [~~fifty-four thousand dollars (\$54,000)~~] sixty-five thousand dollars (\$65,000).

D. The minimum salary for a counselor who holds a level three or three-A license as provided in the School Personnel Act and rules promulgated by the department shall be the same as provided for level three-A teachers pursuant to Subsection C of this section."

SECTION 5. Section 22-10A-19.1 NMSA 1978 (being Laws 2004, Chapter 27, Section 25) is amended to read:

"22-10A-19.1. PROFESSIONAL DEVELOPMENT--SYSTEMIC FRAMEWORK REQUIREMENTS--DEPARTMENT DUTIES.--

A. The department shall develop a systemic framework for professional development that provides training to ensure quality teachers, school principals and instructional support providers and that improves and enhances student achievement. The department shall work with licensed school

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employees, the [~~commission on~~] higher education department and institutions of higher education to establish the framework.

B. The framework shall include:

(1) the criteria for school districts to apply for professional development funds, including an evaluation component that will be used by the department in approving school district professional development plans; and

(2) guidelines for developing extensive professional development activities for school districts that:

(a) improve teachers' knowledge of the subjects they teach and [~~the~~] their ability to teach those subjects to all of their students;

(b) are an integral part of the public school and school district plans for improving student achievement;

(c) provide teachers, school administrators and instructional support providers with the strategies, support, knowledge and skills to help all students meet New Mexico academic standards;

(d) are high quality, sustained, intensive and focused on the classroom; [~~and~~]

(e) are developed and evaluated regularly with extensive participation of school employees and parents;

(f) allow for teachers to work in

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professional learning communities; and

(g) provide teachers up to three

HEC→hours←HEC HEC→days←HEC for home visits and parent-teacher conferences."

SECTION 6. APPROPRIATION.-- HEC→~~Four hundred million dollars (\$400,000,000)~~←HEC HEC→Two hundred fourteen million dollars (\$214,000,000)←HEC is appropriated from the general fund to the state equalization guarantee distribution of the public school fund for expenditure in fiscal year 2020 to increase contract days for teachers and to increase statutory minimum salaries for level one, two and three-A licensed teachers. Any unexpended or unencumbered balance remaining at the end of fiscal year 2020 shall revert to the general fund.