AN ACT

RELATING TO HIGHER EDUCATION; ENACTING THE GROW YOUR OWN TEACHERS ACT; PROVIDING SCHOLARSHIPS FOR EDUCATIONAL ASSISTANTS WHO WANT TO BECOME TEACHERS; CREATING A FUND; ALLOWING FOR PROFESSIONAL LEAVE FOR CLASSES AND PRACTICE TEACHING; PROVIDING FOR APPROPRIATE DISTANCE EDUCATION FOR EDUCATIONAL ASSISTANTS WHO DO NOT LIVE NEAR A PUBLIC POST-SECONDARY TEACHER PREPARATION PROGRAM.

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

SECTION 1. SHORT TITLE.--Sections 1 through 8 of this act may be cited as the "Grow Your Own Teachers Act".

SECTION 2. DEFINITIONS.--As used in the Grow Your Own Teachers Act:

A. "department" means the higher education department;

B. "educational assistant" means a United States citizen and resident of New Mexico who has worked as an educational assistant in a public school for at least two years and is in good standing with the school district and who is enrolled in or accepted by an undergraduate teacher preparation program at a regionally accredited public post-secondary educational institution in New Mexico;

C. "public school" includes constitutional special schools and state institutions and state agencies that
educate children and employ educational assistants; and

D. "teacher preparation program" means a program
that has been formally approved as meeting the requirements
of the public education department and that leads to level
one teacher licensure, including a program in a two-year
post-secondary educational institution that meets the
requirements for a teacher education transfer module
established pursuant to Subsection C of Section 21-1B-4 NMSA
1978.

SECTION 3. FUND CREATED--METHOD OF PAYMENT.--The "grow
your own teachers fund" is created in the state treasury.
The fund consists of money appropriated for scholarships
pursuant to the Grow Your Own Teachers Act, earnings from
investment of the fund, gifts, grants and donations to the
fund. Money in the fund shall not revert at the end of a
fiscal year. The fund shall be administered by the
department. All payments of money for loans shall be made on
warrants drawn by the secretary of finance and administration
pursuant to vouchers signed by the secretary of higher
education or the secretary's designated representative.

SECTION 4. EDUCATIONAL ASSISTANTS--TEACHER
PREPARATION--PROFESSIONAL LEAVE.--

A. An educational assistant who wants to become a
teacher may petition the public school in which the
educational assistant is employed to grant professional leave
for college classes, examinations and practice teaching, as needed. The public school shall grant professional leave if the educational assistant is a recipient of a scholarship pursuant to the Grow Your Own Teachers Act.

B. If an educational assistant who is accepted into or enrolled in a teacher preparation program offered by a regionally accredited public post-secondary educational institution in New Mexico does not live within a reasonable distance of the public post-secondary educational institution's campus, the public school shall allow the educational assistant to use the distance education resources of the school district to take classes.

SECTION 5. CONDITIONS FOR ELIGIBILITY.--A scholarship may be awarded to an educational assistant who:

A. has not earned appropriate educational credentials to be licensed as a teacher by the public education department;

B. has demonstrated financial need consistent with the criteria promulgated by the department; and

C. has complied with other rules promulgated by the department to carry out the provisions of the Grow Your Own Teachers Act.

SECTION 6. SCHOLARSHIP AUTHORIZED--ADMINISTRATION--PREFERENCE IN SCHOLARSHIP AWARDS.--
A. The department shall administer the Grow Your Own Teachers Act and shall promulgate rules to carry out the provisions of that act.

B. Scholarships shall be awarded to qualified educational assistants. Qualifications shall be determined by rule of the department.

C. The department shall allocate money to public post-secondary educational institutions based on a student need formula calculated according to income reported on the free application for federal student aid and on the number of students enrolled in each public education department-approved teacher preparation program at a New Mexico public post-secondary educational institution.

D. Public post-secondary educational institutions shall make awards to qualifying eligible students based on financial need in an amount not to exceed six thousand dollars ($6,000) per year for not more than five years as determined by rule of the department.

E. Money for the scholarship shall be placed in an account at the public post-secondary educational institution in the name of the educational assistant, and the money may be drawn upon to pay educational expenses charged by the institution, including tuition, fees, books and course supplies.

SECTION 7. DURATION OF SCHOLARSHIP.--Each scholarship
is for a period of one semester. A scholarship may be renewed, as long as the educational assistant continues to meet the conditions of eligibility, until the educational assistant graduates from a public post-secondary educational institution.

SECTION 8. TERMINATION OF SCHOLARSHIP.--A scholarship is terminated upon occurrence of one or more of the following:

A. the educational assistant withdraws from the public post-secondary educational institution or from the teacher preparation program, or the educational assistant fails to remain at least a half-time student;

B. the educational assistant fails to achieve satisfactory academic progress; or

C. the educational assistant is in substantial noncompliance with the Grow Your Own Teachers Act or the rules promulgated pursuant to that act.

SECTION 9. TEMPORARY PROVISION--HIGHER EDUCATION DEPARTMENT RULES--CONSULTATION WITH PUBLIC EDUCATION DEPARTMENT AND EDUCATIONAL ASSISTANTS--PUBLIC EDUCATION DEPARTMENT TO REPORT FINDINGS TO PUBLIC SCHOOLS.--

A. At any time before releasing proposed initial rules for the Grow Your Own Teachers Act, the higher education department shall consult with the public education department, and the two departments shall convene or survey a
geographically representative sample of educational assistants who want to pursue higher education and teachers who began their education careers as educational assistants to hear problems and concerns based on their experiences, challenges and expectations in pursuing higher education in general and teacher licensure in particular. The higher education department shall take those problems and concerns into account when issuing proposed rules.

B. The public education department shall report the findings from the consultation or survey of educational assistants and teachers who began their career as educational assistants to all educational assistants in school districts, charter schools, constitutional special schools, state institutions and state agencies that employ educational assistants and shall include copies of the Grow Your Own Teachers Act and the proposed rules.