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HOUSE BILL 22

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Joy Garratt and Michael Padilla and Raymundo Lara
and Natalie Figueroa and Melanie Ann Stansbury

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO EDUCATION; EXPANDING WHO QUALIFIES FOR SCHOLARSHIPS
UNDER THE GROW YOUR OWN TEACHERS ACT; PROVIDING PROFESSIONAL
LEAVE TO PUBLIC SCHOOL EMPLOYEES WHO ARE RECIPIENTS OF
SCHOLARSHIPS UNDER THE GROW YOUR OWN TEACHERS ACT.

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

SECTION 1. Section 21-21P-2 NMSA 1978 (being Laws 2019,
Chapter 230, Section 2) is amended to read:

"21-21P-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~~

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1 ~~and is in good standing with the school district and who is~~
2 ~~enrolled in or accepted by an undergraduate teacher preparation~~
3 ~~program at a regionally accredited public post-secondary~~
4 ~~educational institution in New Mexico;~~

5 ~~G.]~~ B. "public school" includes constitutional
6 special schools and state institutions and state agencies that
7 educate children [~~and employ educational assistants~~];

8 C. "school employee" means a resident of New Mexico
9 who is authorized to work in the United States and who has been
10 employed by a public school in a position that works directly
11 with students for at least two years and is in good standing
12 with the school district and who is enrolled in or accepted by
13 an undergraduate teacher preparation program at a regionally
14 accredited public post-secondary educational institution in New
15 Mexico; and

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

23 SECTION 2. Section 21-21P-3 NMSA 1978 (being Laws 2019,
24 Chapter 230, Section 3) is amended to read:

25 "21-21P-3. FUND CREATED--METHOD OF PAYMENT.--The "grow
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1 your own teachers fund" is created in the state treasury. The
2 fund consists of money appropriated for scholarships pursuant
3 to the Grow Your Own Teachers Act, earnings from investment of
4 the fund, gifts, grants and donations to the fund. Money in
5 the fund shall not revert at the end of a fiscal year. Money
6 in the fund is subject to appropriation by the legislature to
7 implement the provisions of the Grow Your Own Teachers Act.

8 The fund shall be administered by the department. All payments
9 of money for loans shall be made on warrants drawn by the
10 secretary of finance and administration pursuant to vouchers
11 signed by the secretary of higher education or the secretary's
12 designated representative."

13 SECTION 3. Section 21-21P-4 NMSA 1978 (being Laws 2019,
14 Chapter 230, Section 4) is amended to read:

15 "21-21P-4. [~~EDUCATIONAL ASSISTANTS~~] SCHOOL EMPLOYEES--
16 TEACHER PREPARATION--PROFESSIONAL LEAVE.--

17 A. [~~An educational assistant~~] A school employee who
18 wants to become a teacher may petition the public school in
19 which the [~~educational assistant~~] school employee is employed
20 to grant professional leave for college classes, examinations
21 and practice teaching, as needed. The public school shall
22 grant professional leave if the [~~educational assistant~~] school
23 employee is a recipient of a scholarship pursuant to the Grow
24 Your Own Teachers Act and the professional leave minimizes
25 disruption to the school day. The public school may require

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1 school employees to make up hours in exchange for hours missed
2 during the school day.

3 B. If [~~an educational assistant~~] a school employee
4 who is accepted into or enrolled in a teacher preparation
5 program offered by a regionally accredited public post-
6 secondary educational institution in New Mexico does not live
7 within a reasonable distance of the public post-secondary
8 educational institution's campus, the public school shall allow
9 the [~~educational assistant~~] school employee to use the distance
10 education resources of the school district to take classes."

11 SECTION 4. Section 21-21P-5 NMSA 1978 (being Laws 2019,
12 Chapter 230, Section 5) is amended to read:

13 "21-21P-5. CONDITIONS FOR ELIGIBILITY.--A scholarship may
14 be awarded to [~~an educational assistant~~] a school employee who:

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

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

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

23 SECTION 5. Section 21-21P-6 NMSA 1978 (being Laws 2019,
24 Chapter 230, Section 6) is amended to read:

25 "21-21P-6. SCHOLARSHIP AUTHORIZED--ADMINISTRATION--

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1 PREFERENCE IN SCHOLARSHIP AWARDS.--

2 A. The department shall administer the Grow Your
3 Own Teachers Act and shall promulgate rules to carry out the
4 provisions of that act. The department shall consult the
5 public education department any time the department promulgates
6 rules relating to the Grow Your Own Teachers Act.

7 B. Scholarships shall be awarded to qualified
8 [~~educational assistants~~] school employees. Qualifications
9 shall be determined by rule of the department.

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

17 D. Public post-secondary educational institutions
18 shall make awards to qualifying eligible students based on
19 financial need in an amount not to exceed six thousand dollars
20 (\$6,000) per year for not more than five years as determined by
21 rule of the department.

22 E. Money for the scholarship shall be placed in an
23 account at the public post-secondary educational institution in
24 the name of the [~~educational assistant~~] school employee, and
25 the money may be drawn upon to pay educational expenses charged

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1 by the institution, including tuition, fees, books and course
2 supplies."

3 SECTION 6. Section 21-21P-7 NMSA 1978 (being Laws 2019,
4 Chapter 230, Section 7) is amended to read:

5 "21-21P-7. DURATION OF SCHOLARSHIP.--Each scholarship is
6 for a period of one semester. A scholarship may be renewed, as
7 long as the [~~educational assistant~~] school employee continues
8 to meet the conditions of eligibility, until the [~~educational~~
9 ~~assistant~~] school employee graduates from a public
10 post-secondary educational institution."

11 SECTION 7. Section 21-21P-8 NMSA 1978 (being Laws 2019,
12 Chapter 230, Section 8) is amended to read:

13 "21-21P-8. TERMINATION OF SCHOLARSHIP.--A scholarship is
14 terminated upon occurrence of one or more of the following:

15 A. the [~~educational assistant~~] school employee
16 withdraws from the public post-secondary educational
17 institution or from the teacher preparation program, or the
18 [~~educational assistant~~] school employee fails to remain at
19 least a half-time student;

20 B. the [~~educational assistant~~] school employee
21 fails to achieve satisfactory academic progress; or

22 C. the [~~educational assistant~~] school employee is
23 in substantial noncompliance with the Grow Your Own Teachers
24 Act or the rules promulgated pursuant to that act."

25 SECTION 8. EFFECTIVE DATE.--The effective date of the

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1 provisions of this act is July 1, 2021.

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