

HOUSE BILL 256

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

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AN ACT

RELATING TO HIGHER EDUCATION; PROVIDING REQUIREMENTS FOR COLLEGES OF EDUCATION AT PUBLIC FOUR-YEAR EDUCATIONAL INSTITUTIONS; REQUIRING THAT TEACHER PREPARATION PROGRAMS INCLUDE TEACHER RESIDENCIES; REQUIRING THAT CURRICULA FOR TEACHER PREPARATION PROGRAMS INCLUDE STRUCTURED LITERACY AND ADDITIONAL TOPICS; REQUIRING ARTICULATION AMONG HIGHER EDUCATION TEACHER PREPARATION PROGRAMS; DIRECTING THE PUBLIC EDUCATION DEPARTMENT TO ALIGN STATE ACCREDITATION OF COLLEGES OF EDUCATION WITH NATIONAL ACCREDITATION.

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

SECTION 1. A new section of Chapter 21 NMSA 1978 is enacted to read:

"[NEW MATERIAL] FOUR-YEAR COLLEGES OF EDUCATION--TEACHER PREPARATION PROGRAM REQUIREMENTS.--

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1 A. No later than the 2028-2029 school year, teacher
2 preparation programs at institutions of higher learning shall
3 ensure that every undergraduate student, during the final year
4 of the student's undergraduate teacher preparation, is placed
5 in a teacher residency program approved pursuant to the Teacher
6 Residency Act or, if available, another year-long paid
7 classroom clinical experience.

8 B. No later than the 2028-2029 school year, teacher
9 preparation programs for alternative licensure shall ensure
10 that every student is placed in a teacher residency program
11 approved pursuant to the Teacher Residency Act or, if
12 available, another year-long paid classroom clinical
13 experience.

14 C. Students placed in a teacher residency program
15 as provided in Subsection A or B of this section shall be
16 placed in a program that aligns with the type of licensure the
17 student completing the teacher preparation program intends to
18 pursue.

19 D. In selecting a level two or level three
20 cooperating teacher to supervise a resident teacher at the
21 school site, each teacher preparation program provided for in
22 this section shall:

23 (1) require recommendations for the
24 cooperating teacher from both a school principal and peer
25 teacher;

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1 (2) develop a system to recruit cooperating
2 teachers who reflect New Mexico's student population;

3 (3) develop a system to match resident
4 teachers with appropriate cooperating teachers with
5 consideration of each resident teacher's interests and
6 background; and

7 (4) ensure that the cooperating teacher
8 receives training in research- and evidence-based best
9 practices established by the public education department by
10 rule.

11 E. Each teacher preparation program offered at an
12 institution of higher learning shall:

13 (1) provide culturally and linguistically
14 responsive curricula that reflect current research- and
15 evidence-based best practices for instruction in elementary and
16 secondary schools, including:

17 (a) in-depth coverage of structured
18 literacy and research- and evidence-based reading intervention;

19 (b) research- and evidence-based best
20 practices for mathematics and science instruction and
21 intervention;

22 (c) instruction of students in the
23 provisions of the Indian Education Act, Hispanic Education Act
24 and Black Education Act and any laws governing the education of
25 Asian American students;

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1 (d) instruction of students with
2 disabilities, including federal and state special education
3 laws and supports;

4 (e) culturally relevant social-emotional
5 learning;

6 (f) trauma-informed teaching practices;

7 (g) developmental psychology;

8 (h) assessment literacy; and

9 (i) classroom management, lesson
10 planning and teaching strategies and skills and practices that:
11 1) engage students; 2) maximize instruction time; 3) facilitate
12 family engagement in a way that recognizes and acknowledges the
13 cultural identities of students and families, including racial,
14 ethnic, national, religious and urban or rural backgrounds; 4)
15 provide culturally relevant learning environments; and 5)
16 empower students to learn collaboratively across differences;

17 (2) develop and regularly update its curricula
18 in consultation with licensed New Mexico level two and level
19 three teachers, public school and school district leaders,
20 tribal representatives, the Indian education advisory council,
21 the Hispanic education advisory council and the Black education
22 advisory council;

23 (3) require that each faculty member in the
24 program completes anti-racism, racial awareness and sensitivity
25 training consistent with that required for all school personnel

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1 pursuant to Section 22-10A-19.3 NMSA 1978; and

2 (4) receive national accreditation from the
3 council for the accreditation of teacher preparation or
4 equivalent national accrediting body no later than the 2028-
5 2029 school year.

6 F. By the 2024-2025 academic year, all institutions
7 of higher learning offering teacher preparation programs shall
8 collaborate to:

9 (1) require that they are offering the same
10 foundational content and course requirements; and

11 (2) develop a unified course numbering system
12 for all courses within those programs so that any course taken
13 at one teacher preparation program shall be fully transferrable
14 to any other.

15 G. As used in this section, "cooperating teacher"
16 means a teacher employed by a school district or charter
17 school; provided that the teacher additionally meets all other
18 qualifications to perform the duties of a cooperating teacher
19 as established by rules promulgated by the public education
20 department."

21 SECTION 2. Section 22-2-2 NMSA 1978 (being Laws 1967,
22 Chapter 16, Section 5, as amended) is amended to read:

23 "22-2-2. DEPARTMENT--GENERAL DUTIES.--The department
24 shall:

25 A. properly and uniformly enforce the provisions of
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1 the Public School Code;

2 B. determine policy for the operation of all public
3 schools and vocational education programs in the state,
4 including vocational programs that are part of a juvenile
5 construction industries initiative for juveniles who are
6 committed to the custody of the children, youth and families
7 department;

8 C. supervise all schools and school officials
9 coming under its jurisdiction, including taking over the
10 control and management of a public school or school district
11 that has failed to meet requirements of law or department rules
12 or standards, and, until such time as requirements of law,
13 standards or rules have been met and compliance is ensured, the
14 powers and duties of the local school board and local
15 superintendent shall be suspended;

16 D. prescribe courses of instruction to be taught in
17 all public schools in the state, requirements for graduation
18 and standards for all public schools, for private schools
19 seeking state accreditation and for the educational programs
20 conducted in state institutions other than the New Mexico
21 military institute;

22 E. provide technical assistance to local school
23 boards and school districts;

24 F. assess and evaluate public schools for
25 accreditation purposes to determine the adequacy of student

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1 gain in standards-required subject matter, adequacy of student
2 activities, functional feasibility of public school and school
3 district organization, adequacy of staff preparation and other
4 matters bearing upon the education of the students;

5 G. assess and evaluate all state institutions and
6 those private schools that desire state accreditation;

7 H. enforce requirements for home schools. Upon
8 finding that a home school is not in compliance with law, the
9 department may order that a student attend a public school or a
10 private school;

11 I. require periodic reports on forms prescribed by
12 it from all public schools and attendance reports from private
13 schools;

14 J. determine the qualifications for and issue
15 licenses to teachers, instructional support providers and
16 school administrators according to law and according to a
17 system of classification adopted and promulgated by rules of
18 the department;

19 K. deny, suspend or revoke a license according to
20 law for incompetency, moral turpitude or any other good and
21 just cause;

22 L. approve or disapprove all rules promulgated by
23 an association or organization attempting to regulate a public
24 school activity and invalidate any rule in conflict with any
25 rule promulgated by the department. The department shall

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1 require an association or organization attempting to regulate a
2 public school activity to comply with the provisions of the
3 Open Meetings Act and be subject to the inspection provisions
4 of the Public Records Act. The department may require
5 performance and financial audits of an association or
6 organization attempting to regulate a public school activity.
7 The department shall have no power or control over the rules or
8 the bylaws governing the administration of the internal
9 organization of the association or organization;

10 M. review decisions made by the governing board or
11 officials of an organization or association regulating a public
12 school activity, and any decision of the department shall be
13 final in respect thereto;

14 N. require a public school under its jurisdiction
15 that sponsors athletic programs involving sports to mandate
16 that the participating student obtain catastrophic health and
17 accident insurance coverage, such coverage to be offered
18 through the school and issued by an insurance company duly
19 licensed pursuant to the laws of New Mexico;

20 O. establish and maintain regional centers, at its
21 discretion, for conducting cooperative services between public
22 schools and school districts within and among those regions and
23 for facilitating regulation and evaluation of school programs;

24 P. approve education curricula and programs offered
25 in all two-year public post-secondary educational institutions,

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1 except those in Chapter 21, Article 12 NMSA 1978, that lead to
2 alternative licenses for degreed persons pursuant to Section
3 22-10A-8 NMSA 1978 or licensure for educational assistants;

4 Q. withhold program approval from a college of
5 education or teacher preparation program that fails to offer a
6 course on teaching reading that:

7 (1) is based upon current scientifically based
8 reading research;

9 (2) aligns with department-adopted reading
10 standards;

11 (3) includes strategies and assessment
12 measures to ensure that beginning teachers are proficient in
13 teaching reading; and

14 (4) was designed after seeking input from
15 experts in the education field;

16 R. align the schedule and time line of its approval
17 processes for teacher preparation programs with the schedule
18 and time line for the national accrediting body that is
19 accrediting each program. Whenever practicable, the department
20 shall coordinate with the national accrediting body to avoid
21 duplication of effort;

22 [~~R.~~] S. annually, prior to December 1, prepare and
23 publish a report on public and private education in the state
24 and distribute the report to the governor and the legislature;

25 [~~S.~~] T. solicit input from local school boards and

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1 school districts in the formulation and implementation of
2 department rules; and

3 ~~[F.]~~ U. report to the legislature or any of its
4 committees as requested and report findings of any educational
5 research study made with public money to the legislature
6 through its appropriate interim or standing committees."

7 **SECTION 3. EFFECTIVE DATE.**--The effective date of the
8 provisions of this act is July 1, 2024.

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