

1 HOUSE BILL 195

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

4 Joy Garratt and Natalie Figueroa

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10 AN ACT

11 RELATING TO SCHOOL PERSONNEL; PROVIDING A TIERED SALARY SYSTEM
12 FOR SCHOOL NURSES; PROVIDING MINIMUM SALARIES AT THE SAME RATE
13 AS TEACHERS; CREATING A PROGRAM UNIT FOR NATIONAL BOARD
14 CERTIFICATION OF CERTAIN REGISTERED NURSES.

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 22-8-18 NMSA 1978 (being Laws 1974,
18 Chapter 8, Section 8, as amended) is amended to read:

19 "22-8-18. PROGRAM COST CALCULATION--LOCAL
20 RESPONSIBILITY.--

21 A. The total program units for the purpose of
22 computing the program cost shall be calculated by multiplying
23 the sum of the program units itemized as Paragraphs (1) and (2)
24 in this subsection by the staffing cost multiplier and adding
25 the program units itemized as Paragraphs (3) through [~~(15)~~]

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1 (16) in this subsection. The itemized program units are as
2 follows:

- 3 (1) early childhood education;
- 4 (2) basic education;
- 5 (3) special education, adjusted by subtracting
6 the units derived from membership in class D special education
7 programs in private, nonsectarian, nonprofit training centers;
- 8 (4) bilingual multicultural education;
- 9 (5) fine arts education;
- 10 (6) elementary physical education;
- 11 (7) size adjustment;
- 12 (8) at-risk;
- 13 (9) enrollment growth or new district
14 adjustment;
- 15 (10) special education units derived from
16 membership in class D special education programs in private,
17 nonsectarian, nonprofit training centers;
- 18 (11) national board for professional teaching
19 standards certification;
- 20 (12) home school student;
- 21 (13) home school student activities;
- 22 (14) charter school student activities; [~~and~~]
- 23 (15) K-12 plus; and
- 24 (16) national board for certification of
25 school nurses certification.

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1 B. The total program cost calculated as prescribed
2 in Subsection A of this section includes the cost of early
3 childhood, special, bilingual multicultural, fine arts and
4 vocational education and other remedial or enrichment programs.
5 It is the responsibility of the local school board or governing
6 body of a charter school to determine its priorities in terms
7 of the needs of the community served by that board. Except as
8 otherwise provided in this section, funds generated under the
9 Public School Finance Act are discretionary to local school
10 boards and governing bodies of charter schools; provided that
11 the special program needs as enumerated in this section are
12 met; and provided further that the department shall ensure that
13 the local school board or governing body of a charter school is
14 prioritizing resources for the public school toward proven
15 programs and methods linked to improved student achievement."

16 **SECTION 2.** A new section of the Public School Finance Act
17 is enacted to read:

18 "[NEW MATERIAL] SCHOOL NURSES--CERTIFICATION BY NATIONAL
19 BOARD FOR CERTIFICATION OF SCHOOL NURSES--PROGRAM UNITS.--The
20 number of program units for licensed level two or level three
21 school nurses who are registered nurses and who are certified
22 by the national board for certification of school nurses is
23 determined by multiplying by one and one-half the number of
24 licensed school employees certified by the national board for
25 certification of school nurses employed by the school district

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1 or charter school on or before the first reporting date of the
2 school year and verified by the department. Department
3 approval of these units shall be contingent on verification by
4 the school district or charter school that these licensed
5 school nurses hold certification by the national board for
6 certification of school nurses and are receiving a one-time
7 salary differential equal to or greater than the amount
8 generated by the units multiplied by the program unit value
9 during the fiscal year in which the school district or charter
10 school will receive these units."

11 SECTION 3. A new section of the School Personnel Act is
12 enacted to read:

13 "[NEW MATERIAL] SCHOOL NURSES--LEVEL ONE LICENSURE.--

14 A. A level one license is a provisional three-year
15 license for beginning registered nurses who do not have at
16 least three years of nursing experience satisfactory to the
17 department prior to being licensed as a school nurse and that
18 requires as a condition of licensure that the licensee undergo
19 a formal mentorship program for at least one full school year
20 and an annual intensive performance evaluation by a level three
21 school nurse; provided that the department shall promulgate
22 rules for mentorship and evaluation when a school district does
23 not have a level three nurse. A registered nurse with at least
24 three years of nursing experience satisfactory to the
25 department is not required to serve as a level one school

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1 nurse.

2 B. Each school district, in accordance with
3 department rules, shall provide for the mentorship and
4 evaluation of level one school nurses. At the end of each year
5 and at the end of the license period, the level one school
6 nurse shall be evaluated for competency. If the school nurse
7 fails to demonstrate satisfactory progress and competence
8 annually, the school nurse may be terminated as provided in
9 Section 22-10A-24 NMSA 1978. If the school nurse has not
10 demonstrated satisfactory progress and competence by the end of
11 the three-year period, the school nurse shall not be granted a
12 level two license.

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

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

19 (1) holds an associate or baccalaureate degree
20 in nursing from an accredited educational institution;

21 (2) is licensed by the board of nursing as a
22 registered nurse; and

23 (3) meets other qualifications for level one
24 licensure, including clearance of the required background
25 check.

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1 E. The department shall establish competencies and
2 qualifications for level one licensure.

3 F. The minimum salary for a level one school nurse
4 is the same as that for a level one teacher for a standard nine
5 and one-half month contract.

6 G. After the issuance of a license, a license
7 holder shall not be required to meet changed requirements to
8 maintain the license until such time as the license expires and
9 the license holder seeks renewal of the license."

10 SECTION 4. A new section of the School Personnel Act is
11 enacted to read:

12 "[NEW MATERIAL] SCHOOL NURSES--LEVEL TWO LICENSURE.--

13 A. A level two license is a nine-year license
14 granted to a school nurse who is a registered nurse who holds a
15 level one license or has at least three years of registered
16 nursing experience satisfactory to the department and who meets
17 the qualifications for level two licensure and who annually
18 demonstrates essential competency to nurse. If a level two
19 school nurse does not demonstrate essential competency in a
20 given school year, the school district shall provide the school
21 nurse with additional professional development and mentorship
22 during the following school year. If by the end of that school
23 year the school nurse fails to demonstrate essential
24 competency, a school district may choose not to contract with
25 the school nurse.

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1 B. The department shall issue a level two license
2 to an applicant who has served successfully as a school nurse
3 at level one or who has at least three years of registered
4 nursing experience or is granted reciprocity as provided by
5 department rules. An applicant for a level two license shall:

6 (1) demonstrate essential competency required
7 by the department as verified by the local superintendent
8 through a highly objective uniform statewide standard of
9 evaluation for school nurses; and

10 (2) meet other qualifications as required by
11 the department.

12 C. The minimum salary for a level two school nurse
13 is the same as that for a level two teacher for a standard nine
14 and one-half month contract."

15 SECTION 5. A new section of the School Personnel Act is
16 enacted to read:

17 "[NEW MATERIAL] SCHOOL NURSES--LEVEL THREE LICENSURE.--

18 A. A level three license is a nine-year license
19 granted to a school nurse who meets the qualifications for that
20 level and who annually demonstrates nursing leadership
21 competencies. If a level three school nurse does not
22 demonstrate essential nursing leadership competency in a given
23 school year, the school district shall provide the school nurse
24 with additional professional development and mentorship during
25 the following school year. If by the end of that school year

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1 the school nurse fails to demonstrate essential nursing
2 leadership competency, a school district may choose not to
3 contract with the school nurse.

4 B. The department shall grant a level three license
5 to an applicant who:

6 (1) has been a level two school nurse for at
7 least three years; or

8 (2) holds a post-baccalaureate degree or is
9 certified by the national board for certification of school
10 nurses; and

11 (3) demonstrates nursing leadership competence
12 as required by the department and verified by the local
13 superintendent through a highly objective uniform statewide
14 standard of evaluation; and

15 (4) meets other qualifications for the
16 license.

17 C. The minimum salary for a level three school
18 nurse is the same as that for a level three-A teacher for a
19 standard nine and one-half month contract."