

HOUSE BILL 300

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,  
2000**

INTRODUCED BY

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AN ACT

RELATING TO TEACHER COMPENSATION; CREATING A PILOT PROJECT TO  
ASSESS THE EFFICACY OF A TEACHER INCENTIVE PAY PLAN;  
PROVIDING POWERS AND DUTIES; MAKING APPROPRIATIONS; DECLARING  
AN EMERGENCY.

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

Section 1. TEACHER INCENTIVE PAY PILOT PROJECT--BOARD  
DUTIES.--

A. The state board of education shall establish  
the "teacher incentive pay pilot project" that shall operate  
for the 2000-2001 through 2004-2005 school years. The state  
board shall design the pilot project in accordance with the  
provisions of Sections 2 through 4 of this act.

B. The state board of education shall appoint a  
professional educators council to design and assist the state  
department of public education in the implementation of the

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1 teacher incentive pay pilot project.

2 C. The state board of education shall review,  
3 approve and adopt the teacher incentive pay pilot project  
4 upon the recommendations of the professional educators  
5 council.

6 D. The state board of education may promulgate  
7 rules to implement the teacher incentive pay pilot project.

8 Section 2. TEACHER INCENTIVE PAY PILOT PROJECT--  
9 COMPOSITION--DUTIES OF THE PROFESSIONAL EDUCATORS COUNCIL.--

10 A. The professional educators council shall  
11 consist of fifteen practicing teachers from elementary,  
12 middle and high schools. The council shall represent various  
13 grade levels, academic specializations and the state's  
14 geographic and ethnic makeup.

15 B. At least one-third of the professional  
16 educators council members shall be practicing teachers  
17 certified by the national board for professional teaching  
18 standards.

19 C. Two members of the professional educators  
20 council shall be practicing teachers jointly appointed by the  
21 New Mexico national education association and the federation  
22 of education employees.

23 D. The professional educators council shall be  
24 responsible for the following tasks and shall submit them to  
25 the state board of education for approval:

(1) developing criteria for the selection of  
the teacher incentive pay pilot project that include

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1 benchmarks and outcomes to be achieved by the pilot project;

2 (2) selecting not more than thirty schools  
3 to participate in the teacher incentive pay pilot project  
4 that will operate from fiscal years 2001 to 2005;

5 (3) designing the teacher incentive pay  
6 pilot project that rewards teachers for outstanding student  
7 performance and includes:

8 (a) a peer assistance, intervention and  
9 evaluation system;

10 (b) assessment and accountability  
11 measures to evaluate the effectiveness of the pilot project;  
12 and

13 (c) a professional development  
14 framework that provides assistance to the participating  
15 schools for the implementation and operation of the pilot  
16 project; and

17 (4) providing recommendations on teacher  
18 professional development to the state board of education to  
19 include in the teacher professional development framework  
20 pursuant to the provisions of Section 22-2-2 NMSA 1978.

21 Section 3. TEACHER INCENTIVE PAY PILOT PROJECT--  
22 APPLICATION PROCESS.--

23 A. An elementary public school or elementary  
24 charter school may submit an application to the state  
25 department of public education to participate in the teacher  
incentive pay pilot project if seventy-five percent of the  
certified school instructors agree to participate.

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1           B. A public middle, junior high or high school or  
2 charter school may submit an application to the state  
3 department of public education to participate in the teacher  
4 incentive pay pilot project if seventy-five percent of the  
5 certified school instructors from each content area division  
6 or grade level team agree to participate.

7           C. A school applying to participate in the teacher  
8 incentive pay pilot project shall submit a plan to the  
9 professional educators council. The plan shall:

10                   (1) provide evidence that the plan supports  
11 the district's educational plan for student success;

12                   (2) provide rewards to teachers for  
13 outstanding student performance and for teacher growth,  
14 development, skill and knowledge acquisition;

15                   (3) provide factors to attract, retain and  
16 motivate the highest qualified teachers;

17                   (4) ensure teacher involvement and  
18 participation in the development, evaluation and reward  
19 process;

20                   (5) provide a breakdown of sufficient funds  
21 needed to receive professional development and other  
22 assistance, including materials, expert consultants and time  
23 to plan and collaborate for the success of the implementation  
24 of the pilot project;

25                   (6) include an evaluation component that  
includes pre- and post-test results to measure student  
progress;

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1 (7) indicate the support and resources  
2 provided by the school in the preparation and implementation  
3 of the pilot project;

4 (8) provide general pay, responsibility pay  
5 or incentive pay; and

6 (9) include additional components as  
7 determined by the council and recommended to the state board  
8 of education for approval.

9 Section 4. TEACHER INCENTIVE PAY PILOT PROJECT--  
10 DEPARTMENT DUTIES.--For purposes of the teacher incentive pay  
11 pilot project, the state department of public education shall  
12 have the following duties:

13 A. provide staff for the professional educators  
14 council;

15 B. provide professional development and assistance  
16 to the participating schools for the implementation and  
17 operation of the teacher incentive pay pilot project;

18 C. report annually to the governor and the  
19 legislature on the teacher incentive pay pilot project,  
20 including evaluation of the pilot project and  
21 recommendations; and

22 D. submit a final report, including any  
23 recommendations for proposed legislation, to the legislature  
24 and governor by November 2005.

25 Section 5. APPROPRIATION.--Two million dollars  
(\$2,000,000) is appropriated from the general fund to the  
state department of public education for expenditure in

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1 fiscal years 2000 through 2005 for the purpose of designing  
2 and funding the teacher incentive pay pilot project. Any  
3 unexpended or unencumbered balance remaining at the end of  
4 fiscal year 2005 shall revert to the general fund.

5 Section 6. EMERGENCY.--It is necessary for the public  
6 peace, health and safety that this act take effect  
7 immediately.

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