

1 SENATE BILL 133

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

3 INTRODUCED BY

4 Gay G. Kernan

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8 FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

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10 AN ACT

11 RELATING TO SCHOOL PERSONNEL; ELIMINATING THE ONE-YEAR THREE-A  
12 LICENSURE REQUIREMENT FOR APPLICANTS OF REGULAR LEVEL THREE-B  
13 LICENSES; PROVIDING FOR A PROVISIONAL LEVEL THREE-B LICENSE FOR  
14 CERTAIN LEVEL TWO LICENSEES; RECONCILING MULTIPLE AMENDMENTS TO  
15 THE SAME SECTION OF LAW IN LAWS 2007.

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

18 Section 1. Section 22-10A-11 NMSA 1978 (being Laws 2003,  
19 Chapter 153, Section 42, as amended by Laws 2007, Chapter 303,  
20 Section 1 and by Laws 2007, Chapter 304, Section 2) is amended  
21 to read:

22 "22-10A-11. LEVEL THREE LICENSURE--TRACKS FOR TEACHERS,  
23 COUNSELORS AND SCHOOL ADMINISTRATORS.--

24 A. A level three-A license is a nine-year license  
25 granted to a teacher who meets the qualifications for that

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1 level and who annually demonstrates instructional leader  
2 competencies. If a level three-A teacher does not demonstrate  
3 essential competency in a given school year, the school  
4 district shall provide the teacher with additional professional  
5 development and peer intervention during the following school  
6 year. If by the end of that school year the teacher fails to  
7 demonstrate essential competency, a school district may choose  
8 not to contract with the teacher to teach in the classroom.

9 B. The department shall grant a level three-A  
10 license to an applicant who has been a level two teacher for at  
11 least three years and holds a post-baccalaureate degree or  
12 national board for professional teaching standards  
13 certification; demonstrates instructional leader competence as  
14 required by the department and verified by the local  
15 superintendent through the highly objective uniform statewide  
16 standard of evaluation; and meets other qualifications for the  
17 license.

18 C. With the adoption by the department of a highly  
19 objective uniform statewide standard of evaluation for level  
20 three-A teachers, the minimum salary for a level three-A  
21 teacher for a standard nine and one-half month contract shall  
22 be as follows:

23 (1) for the 2003-2004 school year, thirty  
24 thousand dollars (\$30,000);

25 (2) for the 2004-2005 school year, thirty-five

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1 thousand dollars (\$35,000);

2 (3) for the 2005-2006 school year, forty  
3 thousand dollars (\$40,000);

4 (4) for the 2006-2007 school year, forty-five  
5 thousand dollars (\$45,000); and

6 (5) for the 2007-2008 school year, fifty  
7 thousand dollars (\$50,000).

8 D. A level three-B license is a nine-year license  
9 granted to a school administrator who meets the qualifications  
10 for that level. Licenses may be renewed upon satisfactory  
11 annual demonstration of instructional leader and administrative  
12 competency.

13 E. The department shall grant a level three-B  
14 license to an applicant who:

15 (1) [~~has been a level three-A teacher for at~~  
16 ~~least one year~~] holds a level two license or who holds a  
17 current level [2] two teacher's license and [~~who~~] for at least  
18 four years, has held the highest-ranked counselor license as  
19 provided in Chapter 22, Article 10A NMSA 1978 and rules  
20 promulgated by the department;

21 (2) holds a post-baccalaureate degree or  
22 national board for professional teaching standards  
23 certification;

24 [+2] (3) has satisfactorily completed  
25 department-approved courses in administration and a department-

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1 approved administration apprenticeship program; and

2 [~~(3)~~] (4) demonstrates instructional leader  
3 competence required by the department and verified by the local  
4 superintendent through the highly objective uniform statewide  
5 standard of evaluation.

6 F. Beginning with the 2007-2008 school year, the  
7 minimum annual salary for a level three-B school principal or  
8 assistant school principal shall be fifty thousand dollars  
9 (\$50,000) multiplied by the applicable responsibility factor.

10 G. By the beginning of the 2008-2009 school year,  
11 the department shall adopt a highly objective uniform statewide  
12 standard of evaluation, which includes data sources linked to  
13 student achievement and educational plan for student success  
14 progress, for level three-B school principals and assistant  
15 school principals and rules for the implementation of that  
16 evaluation system linked to the level of responsibility at each  
17 school level."

18 Section 2. A new section of the School Personnel Act is  
19 enacted to read:

20 "[NEW MATERIAL] LEVEL THREE-B PROVISIONAL LICENSURE FOR  
21 SCHOOL PRINCIPALS.--

22 A. A school district that has a shortage of  
23 qualified school principal candidates may request that the  
24 department issue a provisional three-B license to a level two  
25 teacher whom the school district believes has the potential to

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1 be an effective school principal.

2 B. To qualify for a provisional three-B license,  
3 the candidate shall:

4 (1) meet the requirements for a level three-A  
5 license;

6 (2) be enrolled in a department-approved  
7 induction and mentoring program in the school district; and

8 (3) be accepted into a department-approved  
9 school administrator preparation program.

10 C. The provisional license is a four-year license  
11 and is not renewable. To maintain the provisional license, the  
12 licensee must receive satisfactory evaluations each year from  
13 the school district's mentoring program and from the school  
14 administrator preparation program. At the end of the four  
15 years, the provisional license may be converted to a regular  
16 level three-B license if the candidate:

17 (1) satisfactorily completes the school  
18 district's mentoring program; and

19 (2) satisfactorily completes the department-  
20 approved school administrator preparation program."