

AN ACT

RELATING TO PUBLIC SCHOOLS; ENACTING THE INNOVATIONS IN TEACHING ACT; CREATING THE INNOVATIONS IN TEACHING PROGRAM; PROVIDING POWERS AND DUTIES; ENCOURAGING TEACHERS TO IMPLEMENT INNOVATIVE PEDAGOGICAL APPROACHES AND STRATEGIES IN THEIR CLASSROOMS; GRANTING A WAIVER TO SUCH TEACHERS AND THEIR PUBLIC SCHOOLS FROM THE USE OF THE RESULTS OF STANDARDS-BASED ASSESSMENTS IN THEIR TEACHER EVALUATIONS FOR TWO YEARS; PROVIDING FOR AN APPLICATION, REPORTING AND EVALUATION PROCESS.

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

**SECTION 1.** A new section of the Public School Code is enacted to read:

"SHORT TITLE.--This act may be cited as the "Innovations in Teaching Act"."

**SECTION 2.** A new section of the Public School Code is enacted to read:

"FINDINGS AND PURPOSE.--

A. The legislature finds that the state-mandated reliance on high-stakes testing for teacher evaluations and public school ratings is likely to stifle teachers' interest in investigating and implementing cutting-edge pedagogy in their classrooms and make school principals wary of allowing teachers to implement such pedagogy.

B. The purpose of the Innovations in Teaching Act is to:

(1) support teachers' professional standing in determining how they will teach their assigned curricula;

(2) give teachers the flexibility to experiment with one or more pedagogical approaches and strategies to engage and teach all their students; and

(3) foster the use of innovative teaching that will engage students in learning and the love of learning, improve their academic achievement and promote their success in public school and life."

**SECTION 3.** A new section of the Public School Code is enacted to read:

"DEFINITIONS.--As used in the Innovations in Teaching Act:

A. "innovative teaching" means the use of cutting-edge innovations in pedagogical approaches and strategies to teach a subject or grade;

B. "program" means the innovations in teaching program; and

C. "teacher" means a primary or secondary classroom teacher who has at least three years of teaching experience and who has been evaluated as highly effective or exemplary in the most recent teacher evaluation prior to participating in the program."

**SECTION 4.** A new section of the Public School Code is enacted to read:

"INNOVATIONS IN TEACHING PROGRAM CREATED--DEPARTMENT DUTIES--APPLICATIONS--REQUIREMENTS.--

A. The "innovations in teaching program" is created. The department may develop and implement the program, including an application and award process and evaluation and reporting requirements, for use in the 2016-2017 and succeeding school years.

B. A teacher may apply to the department to participate in the program. Applications shall be submitted by June 30 for the upcoming school year.

C. The application shall include:

(1) the details of the proposed innovative teaching project and specific goals of the project, particularly as those goals relate to teaching English language learners, minority students, developmentally disabled or delayed students and students who have become defeated by or uninterested in school;

(2) a description of research findings on the proposed innovative teaching project or a description of its successful implementation in other schools in this or other countries;

(3) a description of how the innovative teaching project will be used to teach the pertinent

curriculum and how it will prepare students to meet the expectations of the common core state standards or other state content and performance standards;

(4) examples of lesson plans that will be used in the innovative teaching project;

(5) a description of means and measures to determine the success or failure of the innovative teaching project;

(6) the length of time, not to exceed three school years, that the teacher proposes to use the described innovative teaching project; and

(7) other information that the applicant deems appropriate or the department requests.

D. The application shall be signed by the teacher and the teacher's school principal.

E. The department shall evaluate the application and may request additional information from the applicant. The department shall notify the teacher and the school principal prior to August 1 whether the application is approved."

**SECTION 5.** A new section of the Public School Code is enacted to read:

"WAIVER FROM STANDARDS-BASED ASSESSMENT RESULTS.--

A. The department may waive the use of the results of the participating teacher's students' standards-based

assessments on the teacher's teacher evaluation for up to two years at the request of the teacher and school principal. The department, the teacher and the school principal, working together, may develop other measures of teacher effectiveness or may assign different percentages to the remaining teacher evaluation measures.

B. The waivers provided in this section are not assessment waivers. Students of a teacher participating in the program are required to participate in standards-based assessments as provided in the Public School Code."

**SECTION 6.** A new section of the Public School Code is enacted to read:

"EVALUATIONS AND REPORTS.--

A. The teacher shall keep records of each student participating in the innovative teaching project to chart student progress, including short-cycle or other assessments and a measurement of classroom participation and behavior. When making interim and final reports on the efficacy of the innovative teaching project, reporting on student records shall not include student names.

B. The department, the teacher and the school principal shall develop evaluation standards for the innovative teaching project to evaluate the success or failure of the innovative teaching project.

C. The department shall report its findings and

recommendations for the program and for each innovative teaching project to the governor, the legislative education study committee and every local superintendent.

D. If it becomes clear, based on standards-based assessments or other data, that the innovative teaching project is not succeeding, the department may rescind its approval and the project may be redesigned or discontinued before the full term of the project is over."=====