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AN ACT

RELATING TO EDUCATION; EXPANDING WHO QUALIFIES FOR  
SCHOLARSHIPS UNDER THE GROW YOUR OWN TEACHERS ACT; PROVIDING  
PROFESSIONAL LEAVE TO PUBLIC SCHOOL EMPLOYEES WHO ARE  
RECIPIENTS OF SCHOLARSHIPS UNDER THE GROW YOUR OWN TEACHERS  
ACT.

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

SECTION 1. Section 21-21P-2 NMSA 1978 (being Laws 2019,  
Chapter 230, Section 2) is amended to read:

"21-21P-2. DEFINITIONS.--As used in the Grow Your Own  
Teachers Act:

A. "department" means the higher education  
department;

B. "public school" includes constitutional special  
schools and state institutions and state agencies that  
educate children;

C. "school employee" means a resident of New  
Mexico who is authorized to work in the United States and who  
has been employed by a public school in a position that works  
directly with students for at least two years and is in good  
standing with the school district and who is enrolled in or  
accepted by an undergraduate teacher preparation program at a  
regionally accredited public post-secondary educational  
institution in New Mexico; and

1           D. "teacher preparation program" means a program  
2 that has been formally approved as meeting the requirements  
3 of the public education department and that leads to level  
4 one teacher licensure, including a program in a two-year  
5 post-secondary educational institution that meets the  
6 requirements for a teacher education transfer module  
7 established pursuant to Subsection C of Section 21-1B-4 NMSA  
8 1978."

9           **SECTION 2.** Section 21-21P-3 NMSA 1978 (being Laws 2019,  
10 Chapter 230, Section 3) is amended to read:

11           "21-21P-3. FUND CREATED--METHOD OF PAYMENT.--The "grow  
12 your own teachers fund" is created in the state treasury.  
13 The fund consists of money appropriated for scholarships  
14 pursuant to the Grow Your Own Teachers Act, earnings from  
15 investment of the fund, gifts, grants and donations to the  
16 fund. Money in the fund shall not revert at the end of a  
17 fiscal year. Money in the fund is subject to appropriation  
18 by the legislature to implement the provisions of the Grow  
19 Your Own Teachers Act. The fund shall be administered by the  
20 department. All payments of money for loans shall be made on  
21 warrants drawn by the secretary of finance and administration  
22 pursuant to vouchers signed by the secretary of higher  
23 education or the secretary's designated representative."

24           **SECTION 3.** Section 21-21P-4 NMSA 1978 (being Laws 2019,  
25 Chapter 230, Section 4) is amended to read:

1 "21-21P-4. SCHOOL EMPLOYEES--TEACHER PREPARATION--  
2 PROFESSIONAL LEAVE.--

3 A. A school employee who wants to become a teacher  
4 may petition the public school in which the school employee  
5 is employed to grant professional leave for college classes,  
6 examinations and practice teaching, as needed. The public  
7 school shall grant professional leave if the school employee  
8 is a recipient of a scholarship pursuant to the Grow Your Own  
9 Teachers Act and the professional leave minimizes disruption  
10 to the school day. The public school may require school  
11 employees to make up hours in exchange for hours missed  
12 during the school day.

13 B. If a school employee who is accepted into or  
14 enrolled in a teacher preparation program offered by a  
15 regionally accredited public post-secondary educational  
16 institution in New Mexico does not live within a reasonable  
17 distance of the public post-secondary educational  
18 institution's campus, the public school shall allow the  
19 school employee to use the distance education resources of  
20 the school district to take classes."

21 SECTION 4. Section 21-21P-5 NMSA 1978 (being Laws 2019,  
22 Chapter 230, Section 5) is amended to read:

23 "21-21P-5. CONDITIONS FOR ELIGIBILITY.--A scholarship  
24 may be awarded to a school employee who:

25 A. has not earned appropriate educational

1 credentials to be licensed as a teacher by the public  
2 education department;

3 B. has demonstrated financial need consistent with  
4 the criteria promulgated by the department; and

5 C. has complied with other rules promulgated by  
6 the department to carry out the provisions of the Grow Your  
7 Own Teachers Act."

8 SECTION 5. Section 21-21P-6 NMSA 1978 (being Laws 2019,  
9 Chapter 230, Section 6) is amended to read:

10 "21-21P-6. SCHOLARSHIP AUTHORIZED--ADMINISTRATION--  
11 PREFERENCE IN SCHOLARSHIP AWARDS.--

12 A. The department shall administer the Grow Your  
13 Own Teachers Act and shall promulgate rules to carry out the  
14 provisions of that act. The department shall consult the  
15 public education department any time the department  
16 promulgates rules relating to the Grow Your Own Teachers Act.

17 B. Scholarships shall be awarded to qualified  
18 school employees. Qualifications shall be determined by rule  
19 of the department.

20 C. The department shall allocate money to public  
21 post-secondary educational institutions based on a student  
22 need formula calculated according to income reported on the  
23 free application for federal student aid and on the number of  
24 students enrolled in each public education department-  
25 approved teacher preparation program at a New Mexico public

1 post-secondary educational institution.

2 D. Public post-secondary educational institutions  
3 shall make awards to qualifying eligible students based on  
4 financial need in an amount not to exceed six thousand  
5 dollars (\$6,000) per year for not more than five years as  
6 determined by rule of the department.

7 E. Money for the scholarship shall be placed in an  
8 account at the public post-secondary educational institution  
9 in the name of the school employee, and the money may be  
10 drawn upon to pay educational expenses charged by the  
11 institution, including tuition, fees, books and course  
12 supplies."

13 SECTION 6. Section 21-21P-7 NMSA 1978 (being Laws 2019,  
14 Chapter 230, Section 7) is amended to read:

15 "21-21P-7. DURATION OF SCHOLARSHIP.--Each scholarship  
16 is for a period of one semester. A scholarship may be  
17 renewed, as long as the school employee continues to meet the  
18 conditions of eligibility, until the school employee  
19 graduates from a public post-secondary educational  
20 institution."

21 SECTION 7. Section 21-21P-8 NMSA 1978 (being Laws 2019,  
22 Chapter 230, Section 8) is amended to read:

23 "21-21P-8. TERMINATION OF SCHOLARSHIP.--A scholarship  
24 is terminated upon occurrence of one or more of the  
25 following:

1           A. the school employee withdraws from the public  
2 post-secondary educational institution or from the teacher  
3 preparation program, or the school employee fails to remain  
4 at least a half-time student;

5           B. the school employee fails to achieve  
6 satisfactory academic progress; or

7           C. the school employee is in substantial  
8 noncompliance with the Grow Your Own Teachers Act or the  
9 rules promulgated pursuant to that act."

10           **SECTION 8.** Section 22-10A-17.1 NMSA 1978 (being Laws  
11 2004, Chapter 30, Section 1) is amended to read:

12           "22-10A-17.1. EDUCATIONAL ASSISTANTS--LICENSING  
13 FRAMEWORK--QUALIFICATIONS--MINIMUM SALARIES.--

14           A. All persons who perform services as educational  
15 assistants in public schools or in those special state-  
16 supported schools within state agencies shall hold valid,  
17 educational assistant licensure issued by the department.  
18 Educational assistants shall be assigned, and serve as  
19 assistants, to school staff licensed by the department.  
20 While there may be brief periods when educational assistants  
21 are alone with and in control of a classroom of students,  
22 their primary use shall be to work alongside or under the  
23 direct supervision of licensed staff.

24           B. The department shall, through appropriate  
25 rules, institute a licensure system for educational

1 assistants. The highest level of license shall ensure that  
2 educational assistants who hold that level of licensure meet  
3 the standard for paraprofessionals established in federal  
4 statute and regulation for employment in a Title I program.

5 C. A licensed educational assistant who is a  
6 resident of New Mexico, who is authorized to work in the  
7 United States, who has been employed by a public school in a  
8 position that works directly with students for at least two  
9 years and is in good standing with the school district and  
10 who is enrolled in or accepted by an undergraduate teacher  
11 preparation program at a regionally accredited public post-  
12 secondary educational institution in New Mexico shall be  
13 granted professional leave by that public school to attend a  
14 teacher preparation program in New Mexico; provided that the  
15 public school may require that the professional leave  
16 minimizes disruption to the school day and may require an  
17 educational assistant to make up hours in exchange for hours  
18 missed from the school day.

19 D. The minimum annual salary for licensed  
20 educational assistants shall be twelve thousand dollars  
21 (\$12,000) effective in the 2004-2005 school year.

22 E. The minimum salaries specified in Subsection D  
23 of this section may be adjusted in accordance with  
24 appropriations for that purpose in each school year as  
25 established by the secretary.

1 F. School districts shall initiate the  
2 implementation of a career salary framework that supports the  
3 licensure system in department rules in fiscal year 2005.

4 G. As used in this section, "teacher preparation  
5 program" means a program that has been formally approved as  
6 meeting the requirements of the department and that leads to  
7 level one teacher licensure, including a program in a two-  
8 year post-secondary educational institution that meets the  
9 requirements for a teacher education transfer module  
10 established pursuant to Subsection C of Section 21-1B-4 NMSA  
11 1978."

12 SECTION 9. EFFECTIVE DATE.--The effective date of the  
13 provisions of this act is July 1, 2021. \_\_\_\_\_

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