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SENATE BILL 329

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

INTRODUCED BY

Mimi Stewart

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING THE PUBLIC SCHOOL CODE TO  
INCREASE MINIMUM TEACHERS' SALARIES.

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

SECTION 1. Section 22-10A-4 NMSA 1978 (being Laws 2003,  
Chapter 153, Section 35, as amended by Laws 2005, Chapter 315,  
Section 4 and by Laws 2005, Chapter 316, Section 1) is amended  
to read:

"22-10A-4. TEACHERS AND SCHOOL ADMINISTRATORS--  
PROFESSIONAL STATUS--LICENSURE LEVELS--SALARY ALIGNMENT.--

A. Teaching and school administration are  
recognized as professions, with all the rights,  
responsibilities and privileges accorded professions, having  
their first responsibility to the public they serve. The  
primary responsibilities of the teaching and school

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1 administration professions are to educate the children of this  
2 state and to improve the professional practices and ethical  
3 conduct of their members.

4 B. The New Mexico licensure framework for teachers  
5 and school administrators is a progressive career system in  
6 which licensees are required to demonstrate increased  
7 competencies and undertake increased duties as they progress  
8 through the licensure levels. ~~[The minimum salary provided as~~  
9 ~~part of the career system shall not take effect until the~~  
10 ~~department has adopted increased competencies for the~~  
11 ~~particular level of licensure and a highly objective uniform~~  
12 ~~statewide standard of evaluation.]~~

13 C. A level one license is a provisional license  
14 that gives a beginning teacher the opportunity, through a  
15 formal mentorship program, for additional preparation to be a  
16 quality teacher. A level two license is given to a teacher who  
17 is a fully qualified professional who is primarily responsible  
18 for ensuring that students meet and exceed department-adopted  
19 academic content and performance standards; a teacher may  
20 choose to remain at level two for the remainder of the  
21 teacher's career. A level three-A license is the highest level  
22 of teaching licensure for those teachers who choose to advance  
23 as instructional leaders in the teaching profession and  
24 undertake greater responsibilities such as curriculum  
25 development, peer intervention and mentoring. A level three-B

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1 license is for teachers who commence a new career path in  
2 school administration by becoming school administrators.

3 D. All teacher and school administrator salary  
4 systems shall be aligned with the licensure framework in a  
5 professional educator licensing and salary system.

6 ~~[E. All teachers and school administrators who hold~~  
7 ~~teaching or administrator certificates on the effective date of~~  
8 ~~the 2003 act shall meet the requirements for their level of~~  
9 ~~licensure by September 1, 2006 and shall be issued licenses.]"~~

10 SECTION 2. Section 22-10A-7 NMSA 1978 (being Laws 2003,  
11 Chapter 153, Section 38, as amended) is amended to read:

12 "22-10A-7. LEVEL ONE LICENSURE.--

13 A. A level one license is a provisional five-year  
14 license for beginning teachers that requires as a condition of  
15 licensure that the licensee undergo a formal mentorship program  
16 for at least one full school year and an annual intensive  
17 performance evaluation by a school administrator for at least  
18 three full school years before applying for a level two  
19 license.

20 B. Each school district, in accordance with  
21 department rules, shall provide for the mentorship and  
22 evaluation of level one teachers. At the end of each year and  
23 at the end of the license period, the level one teacher shall  
24 be evaluated for competency. If the teacher fails to  
25 demonstrate satisfactory progress and competence annually, the

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1 teacher may be terminated as provided in Section 22-10A-24 NMSA  
2 1978. If the teacher has not demonstrated satisfactory  
3 progress and competence by the end of the five-year period, the  
4 teacher shall not be granted a level two license.

5 C. Except in exigent circumstances defined by  
6 department rule, a level one license shall not be extended  
7 beyond the initial period.

8 D. The department shall issue a standard level one  
9 license to an applicant who is at least eighteen years of age  
10 who:

11 (1) holds a baccalaureate degree from an  
12 accredited educational institution;

13 (2) has successfully completed a department-  
14 approved teacher preparation program from a nationally  
15 accredited or state-approved educational institution;

16 (3) has passed the New Mexico teacher  
17 assessments examination, including for elementary licensure  
18 beginning January 1, 2013, a rigorous assessment of the  
19 candidate's knowledge of the science of teaching reading; and

20 (4) meets other qualifications for level one  
21 licensure, including clearance of the required background  
22 check.

23 E. The department shall issue an alternative level  
24 one license to an applicant who meets the requirements of  
25 Section 22-10A-8 NMSA 1978.

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1           F. The department shall establish competencies and  
2 qualifications for specific grade levels, types and subject  
3 areas of level one licensure, including early childhood,  
4 elementary, middle school, secondary, special ~~[education]~~ and  
5 vocational education.

6           G. Beginning with the ~~[2003-2004]~~ 2017-2018 school  
7 year, with the adoption by the department of a highly objective  
8 uniform statewide standard of evaluation for level one  
9 teachers, the minimum salary for a level one teacher shall be  
10 ~~[thirty thousand dollars (\$30,000)]~~ thirty-four thousand  
11 dollars (\$34,000) for a standard nine and one-half month  
12 contract.

13           ~~[H. Teachers who hold level one licenses on the~~  
14 ~~effective date of the 2003 act must be evaluated by the end of~~  
15 ~~the 2006-2007 school year.]"~~

16           SECTION 3. Section 22-10A-10 NMSA 1978 (being Laws 2003,  
17 Chapter 153, Section 41, as amended by Laws 2005, Chapter 315,  
18 Section 7 and by Laws 2005, Chapter 316, Section 4) is amended  
19 to read:

20           "22-10A-10. LEVEL TWO LICENSURE.--

21           A. A level two license is a nine-year license  
22 granted to a teacher who meets the qualifications for that  
23 level and who annually demonstrates essential competency to  
24 teach. If a level two teacher does not demonstrate essential  
25 competency in a given school year, the school district shall

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1 provide the teacher with additional professional development  
2 and peer intervention during the following school year. If by  
3 the end of that school year the teacher fails to demonstrate  
4 essential competency, a school district may choose not to  
5 contract with the teacher to teach in the classroom.

6 B. The department shall issue a level two license  
7 to an applicant who successfully completes the level one  
8 license or is granted reciprocity as provided by department  
9 rules; demonstrates essential competency required by the  
10 department as verified by the local superintendent through the  
11 highly objective uniform statewide standard of evaluation; and  
12 meets other qualifications as required by the department.

13 C. The department shall provide for qualifications  
14 for specific grade levels, types and subject areas of level two  
15 licensure, including early childhood, elementary, middle,  
16 secondary, special [education] and vocational education.

17 D. With the adoption by the department of the  
18 statewide objective performance evaluation for level two  
19 teachers, the minimum salary for a level two teacher for a  
20 standard nine and one-half month contract shall be [as follows:

21 ~~(1) for the 2003-2004 school year, thirty~~  
22 ~~thousand dollars (\$30,000);~~

23 ~~(2) for the 2004-2005 school year, thirty-five~~  
24 ~~thousand dollars (\$35,000); and~~

25 ~~(3) for the 2005-2006 school year, forty~~

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1 ~~thousand dollars (\$40,000)]~~ forty-two thousand dollars  
2 (\$42,000)."

3 SECTION 4. Section 22-10A-11 NMSA 1978 (being Laws 2003,  
4 Chapter 153, Section 42, as amended by Laws 2015, Chapter 74,  
5 Section 1 and by Laws 2015, Chapter 103, Section 1) is amended  
6 to read:

7 "22-10A-11. LEVEL THREE LICENSURE--TRACKS FOR TEACHERS.--

8 A. A level three-A license is a nine-year license  
9 granted to a teacher who meets the qualifications for that  
10 level and who annually demonstrates instructional leader  
11 competencies. If a level three-A teacher does not demonstrate  
12 essential competency in a given school year, the school  
13 district shall provide the teacher with additional professional  
14 development and peer intervention during the following school  
15 year. If by the end of that school year the teacher fails to  
16 demonstrate essential competency, a school district may choose  
17 not to contract with the teacher to teach in the classroom.

18 B. The department shall grant a level three-A  
19 license to an applicant who has been a level two teacher for at  
20 least three years and holds a post-baccalaureate degree or  
21 national board for professional teaching standards  
22 certification; demonstrates instructional leader competence as  
23 required by the department and verified by the local  
24 superintendent through the highly objective uniform statewide  
25 standard of evaluation; and meets other qualifications for the

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1 license.

2 C. With the adoption by the department of a highly  
3 objective uniform statewide standard of evaluation for level  
4 three-A teachers, the minimum salary for a level three-A  
5 teacher for a standard nine and one-half month contract shall  
6 be [~~fifty thousand dollars (\$50,000)~~] fifty-two thousand  
7 dollars (\$52,000).

8 D. The minimum salary for a counselor who holds a  
9 level three or three-A license as provided in the School  
10 Personnel Act and rules promulgated by the department shall be  
11 the same as provided for level three-A teachers pursuant to  
12 Subsection C of this section."

13 SECTION 5. EFFECTIVE DATE.--The effective date of the  
14 provisions of this act is July 1, 2017.

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