

HOUSE BILL 289

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC EDUCATION; REQUIRING EVIDENCE OF TEACHER  
COMPETENCY FOR ADVANCEMENT IN THE THREE-TIER LICENSURE SYSTEM.

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

SECTION 1. Section 22-10A-10 NMSA 1978 (being Laws 2003,  
Chapter 153, Section 41, as amended by Laws 2005, Chapter 315,  
Section 7 and by Laws 2005, Chapter 316, Section 4) is amended  
to read:

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

A. A level two license is a nine-year license  
granted to a teacher who meets the qualifications for that  
level and who annually demonstrates essential competency to  
teach. If a level two teacher does not demonstrate essential  
competency in a given school year, the school district shall  
provide the teacher with additional professional development

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

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

12 (1) provides a professional development  
13 dossier that includes:

14 (a) evidence of competence, collected  
15 over multiple years;

16 (b) evidence that the teacher has met  
17 the competency requirements for advancement to the next higher  
18 level of licensure;

19 (c) the teacher's annual evaluations for  
20 each of the prior two years;

21 (d) the local superintendent's  
22 recommendation for the teacher's advancement to the next  
23 licensure level; and

24 (e) verification: 1) of the teacher's  
25 participation in the school district's formal mentorship

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1 program; 2) of three years or more of successful level one  
2 teaching; and 3) that the professional development dossier  
3 contains the work product of the teacher, as affirmed by the  
4 local superintendent;

5 (2) submits an electronic recording of moving  
6 images and sound depicting the following competencies according  
7 to level two licensure indicators as defined in department  
8 rule:

9 (a) an instruction competency strand  
10 demonstrating that the teacher: 1) accurately demonstrates  
11 knowledge of the content area and approved curriculum; 2)  
12 appropriately uses a variety of teaching methods and resources  
13 for each subject the teacher instructs; and 3) effectively  
14 employs student assessment techniques and procedures;

15 (b) a student learning competency strand  
16 demonstrating that the teacher: 1) communicates with and  
17 obtains feedback from students in a manner that enhances  
18 student learning and understanding; 2) comprehends the  
19 principles of student growth, development and learning and  
20 applies them appropriately; 3) manages the educational setting  
21 in a manner that promotes positive student behavior and a safe  
22 and healthy environment; and 4) recognizes student diversity  
23 and creates an atmosphere conducive to the promotion of  
24 positive student involvement and self-concept; and

25 (c) a professional learning competency

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1 strand demonstrating that the teacher: 1) demonstrates a  
2 willingness to examine and implement change, as appropriate;  
3 and 2) works productively with colleagues, parents and  
4 community members; or

5 (3) receives:

6 (a) one of the two highest teacher  
7 evaluation ratings after teaching for three years with a level  
8 one license; or

9 (b) a satisfactory teacher evaluation  
10 rating after teaching for five years with a level one license.

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

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

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

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

23 (3) for the 2005-2006 school year, forty  
24 thousand dollars (\$40,000)."

25 SECTION 2. Section 22-10A-11 NMSA 1978 (being Laws 2003,

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1 Chapter 153, Section 42, as amended) is amended to read:

2 "22-10A-11. LEVEL THREE LICENSURE--TRACKS FOR TEACHERS,  
3 COUNSELORS AND SCHOOL ADMINISTRATORS.--

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

14 B. The department shall grant a level three-A  
15 license to an applicant who has been a level two teacher for at  
16 least three years and holds a [~~post-baccalaureate degree or~~]  
17 national board for professional teaching standards  
18 certification or:

19 (1) holds a post-baccalaureate degree and  
20 demonstrates instructional leader competence as required by the  
21 department and verified by the local superintendent through the  
22 highly objective uniform statewide standard of evaluation; and  
23 [~~meets other qualifications for the license~~] either:

24 (2) provides a professional development  
25 dossier that includes:

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1                   (a) evidence of competence, collected  
2 over multiple years;

3                   (b) evidence that the teacher has met  
4 the competency requirements for advancement to the next higher  
5 level of licensure;

6                   (c) the teacher's annual evaluations for  
7 each of the prior two years;

8                   (d) the local superintendent's  
9 recommendation for the teacher's advancement to the next  
10 licensure level; and

11                   (e) verification: 1) of a post-  
12 baccalaureate degree; 2) of three years or more of successful  
13 level two teaching experience; and 3) that the professional  
14 development dossier contains the work product of the teacher,  
15 as affirmed by the local superintendent;

16                   (3) submits an electronic recording of moving  
17 images and sound depicting the following competencies according  
18 to level three licensure indicators as defined in department  
19 rule:

20                   (a) an instruction competency strand  
21 demonstrating that the teacher: 1) accurately demonstrates  
22 knowledge of the content area and approved curriculum; 2)  
23 appropriately uses a variety of teaching methods and resources  
24 for each subject the teacher instructs; and 3) effectively  
25 employs student assessment techniques and procedures;

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1                                   (b) a student learning competency strand  
2 demonstrating that the teacher: 1) communicates with and  
3 obtains feedback from students in a manner that enhances  
4 student learning and understanding; 2) comprehends the  
5 principles of student growth, development and learning and  
6 applies them appropriately; 3) manages the educational setting  
7 in a manner that promotes positive student behavior and a safe  
8 and healthy environment; and 4) recognizes student diversity  
9 and creates an atmosphere conducive to the promotion of  
10 positive student involvement and self-concept; and

11                                   (c) a professional learning competency  
12 strand demonstrating that the teacher: 1) demonstrates a  
13 willingness to examine and implement change, as appropriate;  
14 and 2) works productively with colleagues, parents and  
15 community members; or

16                                   (4) receives the highest teacher evaluation  
17 rating for at least two of the prior three years.

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

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) holds a level two license and meets the  
16 requirements for a level three-A license or who holds a current  
17 level two teacher's license and, for at least four years, has  
18 held the highest-ranked counselor license as provided in  
19 Chapter 22, Article 10A NMSA 1978 and rules promulgated by the  
20 department;

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

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



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1 administration apprenticeship program; and

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

20 "[NEW MATERIAL] DEFINITION--COMPETENCY REQUIREMENTS FOR  
21 ADVANCEMENT.--As used in the School Personnel Act, "competency  
22 requirements for advancement" includes:

23 A. an instruction strand that includes evidence  
24 developed through certification by the national board for  
25 professional teaching standards or:

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- 1 (1) evidence of student learning;
- 2 (2) assessment techniques and procedures;
- 3 (3) instructional plans and materials;
- 4 (4) examples of student work and performance;

5 and

- 6 (5) evidence of implementation of the state
- 7 standards for each grade level and subject area pursuant to
- 8 Section 22-13-1.6 NMSA 1978;

9 B. a student learning strand that:

- 10 (1) includes evidence developed through
- 11 certification by the national board for professional teaching
- 12 standards or:

- 13 (a) evidence of adaptations or
- 14 modifications for diverse learners;

- 15 (b) evidence of effective classroom
- 16 management strategies and procedures;

- 17 (c) classroom observation reports; and

- 18 (d) evidence of communication with
- 19 students and parents; and

- 20 (2) may include:

- 21 (a) student surveys; or

- 22 (b) videos with reflections and
- 23 analysis; and

- 24 C. a professional learning strand that includes
- 25 evidence developed through certification by the national board

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1 for professional teaching standards or evidence of at least one  
2 of the following:

3 (1) professional development activities  
4 associated with the teacher's annual professional development  
5 plan;

6 (2) collaboration with the professional  
7 community;

8 (3) parent surveys;

9 (4) research publications; or

10 (5) professional presentations."