

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 69 SCHOOL PERSONNEL - PERFORMANCE
PART 4 PERFORMANCE EVALUATION SYSTEM REQUIREMENTS FOR TEACHERS

6.69.4.1 ISSUING AGENCY: Public Education Department. (PED)
[6.69.4.1 NMAC - N, 09-30-03; A, 10-14-04; A, 10-31-07]

6.69.4.2 SCOPE: Chapter 69, Part 4 governs performance evaluation system requirements for teachers.
[6.69.4.2 NMAC - N, 09-30-03]

6.69.4.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2, and 22-10A-1, et seq., NMSA 1978.
[6.69.4.3 NMAC - N, 09-30-03]

6.69.4.4 DURATION: Permanent.
[6.69.4.4 NMAC - N, 09-30-03]

6.69.4.5 EFFECTIVE DATE: September 30, 2003.
[6.69.4.5 NMAC - N, 09-30-03]

6.69.4.6 OBJECTIVE: This rule governs the requirements for a high objective statewide standard of evaluation for teachers from early childhood through grade twelve. This rule identifies the specific evaluation/supervision standards and indicators and requirements for a competency based evaluation system for teachers.
[6.69.4.6 NMAC - N, 09-30-03; A, 10-31-06]

6.69.4.7 DEFINITIONS:

A. “Core academic subjects” means English, language arts, reading, mathematics, science, the arts, including music and visual arts, and social studies, which includes civics, government, economics, history, and geography, and modern and classical languages, Native American languages and cultures of New Mexico tribes and pueblos.

B. “A highly qualified early childhood birth-grade 3 or elementary teacher (K-8)”, under this rule, means a teacher who is fully qualified for teaching birth-grade 3 and grades K-8, and who:

- (1) meets the requirements for the license; and
- (2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason; and
- (3) has demonstrated competency in the core academic subjects the teacher teaches by:
 - (a) passing the elementary teacher competency or the elementary content knowledge test of the New Mexico teacher assessments or comparable predecessor New Mexico teacher licensure examinations, or accepted comparable licensure test(s) from another state; or
 - (b) holding national board for professional teaching standards certification for the appropriate grade level and type; or
 - (c) demonstrating competence in all of the core academic subjects the teacher teaches based on the state’s high objective uniform standard of evaluation for subject area competence as provided in 6.69.4.9 NMAC.

C. “A highly qualified middle or junior high school teacher holding elementary K-8 licensure”, under this rule, means a teacher who is fully qualified to teach the core academic subjects in a public middle or junior high school, and who:

- (1) meets all of the requirements for elementary K-8 licensure; and
- (2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason; and
- (3) has demonstrated competency in each of the core academic subjects the teacher teaches by either:
 - (a) passing the content knowledge test(s) of the New Mexico teacher assessments or predecessor New Mexico teacher licensure examinations, or accepted comparable licensure tests from another state in each subject area the teacher teaches; or
 - (b) successfully completing an undergraduate academic major (24-36 semester hours), or coursework equivalent to an undergraduate major, or a graduate degree in each subject area the teacher teaches, or

(c) obtaining advanced credentials, which means certification by the national board for professional teaching standards for the appropriate grade level and type; or

(d) demonstrating competence in all of the core academic subjects the teacher teaches based on the state's high objective uniform standard of evaluation for subject area competence as provided in 6.69.4.9 NMAC.

D. "A highly qualified middle level (5-9), secondary (7-12), or pre K-12 specialty area teacher," under this rule, means a teacher who is fully qualified to teach the core academic subjects, and who:

(1) meets all of the requirements for the license; and

(2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason; and

(3) has demonstrated competency in the core academic subjects the teacher teaches by:

(a) passing the content knowledge test(s) of the New Mexico teacher assessments or predecessor New Mexico teacher licensure examinations, or accepted comparable licensure tests from another state in each subject area the teacher teaches; or

(b) successfully completing an undergraduate academic major (24-36 semester hours), or coursework equivalent to an undergraduate major, or a graduate degree in each subject area the teacher teaches; or

(c) obtaining advanced credentials, which means certification by the national board for professional teaching standards for the appropriate grade level and type; or

(d) demonstrating competence in all of the core academic subjects the teacher teaches based on the state's high objective uniform standard of evaluation for subject area competence as provided in 6.69.4.9 NMAC.

E. "A highly qualified pre K-12 special education teacher," under this rule, means a teacher who is fully qualified to teach special education students by either providing access for those students to a regular education classroom where instruction in the core academic subjects is delivered by a highly qualified regular education teacher, and where the special education teacher shall meet the requirements of Paragraphs (1) and (2) below; or, if the special education teacher teaches the core academic subjects to special education students who are assessed under regular education standards, and is fully qualified to teach each core academic subject the teacher teaches, and where that teacher also meets the requirements of Paragraphs (1) and (2) and (3) below; or if the special education teacher teaches the core academic subjects exclusively to children who are assessed against alternate achievement standards and where the teacher also meets the requirements of Paragraphs (1) and (2) and either (3) or (4):

(1) the teacher meets the requirements for the special education license;

(2) the teacher has no special education licensure requirements waived on an emergency or temporary basis, or for any other reason;

(3) the teacher has demonstrated competency in any core academic subjects the teacher teaches by:

(a) passing the elementary teacher competency or the elementary content knowledge test of the New Mexico teacher assessments or predecessor New Mexico teacher licensure examinations, or accepted comparable licensure tests offered in New Mexico or in another state, if the special education teacher teaches in an elementary school; or

(b) by passing the content knowledge test(s) of the New Mexico teacher assessments or predecessor New Mexico teacher licensure examinations, or accepted comparable licensure tests from another state in each subject area the teacher teaches if the teacher teaches in a middle or high school; or

(c) successfully completing an undergraduate academic major (24-36 semester hours), or coursework equivalent to an undergraduate major, or a graduate degree in each subject area the teacher teaches; or

(d) obtaining advanced credentials, which means content area or special education certification by the national board for professional teaching standards for the appropriate grade level and type; or

(e) demonstrating competence in all of the core academic subjects the teacher teaches based on the state's high objective uniform standard of evaluation for subject area competence as provided in 6.69.4.9 NMAC.

(4) the teacher has demonstrated competency in the core academic subjects, regardless of the grade level taught, by passing the elementary or secondary teacher competency test, or the elementary content knowledge test, or any one of the middle level or secondary level content knowledge tests in the core academic areas of the New Mexico teacher assessments or comparable predecessor New Mexico teacher licensure examinations, or accepted comparable licensure test(s) from another state.

F. "Full school year" means a minimum of 160 instructional days in a school year or 480 instructional days or equivalent number of days in schools or school districts on alternative schedules over multiple school years of full-time or part-time teaching during which the teacher is the teacher of record or serves as an

instructional coach or resource teacher in at least one class each school year while holding a standard teaching license. An equivalent number of instructional hours may be accepted for those teachers who do not teach every day. Instructional days may include teaching in summer school or similar educational setting.
[6.69.4.7 NMAC - N, 09-30-03; A, 10-14-04; A, 05-13-05; A, 10-31-06; A, 10-31-07; A, 06-15-09]

6.69.4.8 REQUIREMENTS:

- A. All teachers of the core academic subjects must be highly qualified, as defined in this rule.
- B. The school district must ensure, through proper annual teaching assignment and through annual professional development plans and evaluations that all teachers assigned to teach in core academic subjects are highly qualified.
- C. Every public school teacher must have an annual performance evaluation based on an annual professional development plan that meets the requirements of the state's high objective uniform standard of evaluation as provided in 6.69.4.10 NMAC. The format for this evaluation shall be established by the PED and shall be uniform throughout the state in all public school districts.
- D. In order for a teacher to advance from licensure level 1 to level 2 and from licensure level 2 to level 3-A, a teacher who applies for licensure after June 30, 2004 must successfully meet the requirements of the state's high objective uniform standard of evaluation as provided in 6.69.4.11 NMAC.
[6.69.4.8 NMAC - N, 09-30-03; A, 05-13-05; A, 10-31-06; A, 10-31-07]

6.69.4.9 IMPLEMENTATION OF THE HIGH OBJECTIVE UNIFORM STATEWIDE STANDARD OF EVALUATION-FOR DEMONSTRATING COMPETENCE IN THE CORE ACADEMIC SUBJECTS:

A teacher of the core academic subjects employed as a general education teacher in a school district that qualifies as a rural school district under the current authorization of the Elementary and Secondary Education Act of 1965 (20) U.S.C. 6301, may fulfill the requirements in Subsections A and B of 6.69.4.9 NMAC and either the requirement of Paragraphs (2)-(3) of Subsections C or Paragraphs (2)-(3) of Subsection D of 6.69.4.9 NMAC within three full school years of the date of hire as long as the teacher is highly qualified in at least one core academic subject when hired in a qualifying rural school district. A new to the profession special education teacher employed in any school district may fulfill the requirements in Paragraphs (2)-(3) of Subsection C or Paragraphs (2)-(3) of Subsection D of 6.69.4.9 NMAC within two full school years of initial employment in any district as long as the teacher is highly qualified in either language arts, mathematics or science when hired. The candidate must:

- A. have successful annual evaluations for two school years prior to the evaluation, as is defined in Subsection D of 6.60.6.7 NMAC; and
- B. have two complete school years of successful teaching and either;
- C. complete credit hours at a regionally accredited college or university in the core academic subject in which the candidate is seeking to demonstrate competence, as follows:
 - (1) for K-8 elementary licensed teachers or pre K-12 special education licensed teachers teaching in a self-contained elementary classroom, 24 lower or upper division credit hours across the elementary education core academic subjects of language arts, social studies, mathematics, and science with at least six credit hours in each core area;
 - (2) for K-8 elementary licensed teachers teaching in a middle school, and pre K-12 special education licensed teachers teaching in a middle or high school, 18 lower or upper division credit hours in each core academic subject the teacher teaches;
 - (3) for 7-12 secondary, 5-9 middle level, and pre K-12 specialty area licensed teachers teaching in a middle school, junior high school, or high school, 18 credit hours, 12 of which must be upper division in each core academic subject the teacher teaches; or
- D. complete the following combination of coursework through a regionally accredited college or university and by portfolio:
 - (1) for K-8 licensed elementary teachers teaching in a self-contained elementary classroom, and for a pre K-12 special education licensed teachers teaching special education students at any grade level who are assessed against alternative achievement standards, 12 lower or upper division credit hours across the elementary education curriculum areas;
 - (2) for K-8 licensed elementary teachers teaching in a middle school, and for a pre K-12 special education licensed teachers teaching special education students in a middle school or high school, upper or lower division credit hours as follows:
 - (a) 12 semester hours in a single core subject area; or
 - (b) 15 semester hours in two core subject areas, with at least 6 hours in each one; or

- (c) 18 semester hours in three core subject areas, with at least 6 hours in each one; or
- (d) 24 semester hours in four core subject areas, with at least 6 hours in each one;
- (3) for 7-12 secondary, 5-9 middle level, and pre K-12 specialty area licensed teachers, the credit hours, specified in Paragraph (2) of Subsection D of 6.69.4.9 NMAC all at the upper division level;
- (4) demonstrate to a local panel of teachers the requirements of Sub-paragraphs (a) or (b) below:
 - (a) mastery of the competence in the instructional strand of the PED's teacher competencies and indicators for the level of licensure the candidate holds in each core academic subject in which the teacher seeks to demonstrate that the teacher is highly qualified by submitting evidence from (1), (2) and (3) as follows:
 - (i) documentation from Paragraph (1) of Subsection E of 6.69.4.11 NMAC; and
 - (ii) observation summaries, by each panel member, of the candidate teaching in the area for which the teacher is applying; observations by the panel may be done in person or by video; and
 - (iii) at least two observation summaries, completed by the candidate, of a teacher(s) teaching in the subject area for which the candidate is seeking to be highly qualified;
 - (b) provide an analysis of student achievement in each core academic subject in which the teacher seeks to demonstrate that the teacher is highly qualified by submitting evidence as follows:
 - (i) explain (350 word maximum) the way(s) in which a class of students demonstrated their achievement (e.g., test, work sample, performance) related to a segment of instruction; include examples of different materials used and student work;
 - (ii) provide the criteria (350 word maximum) for determining different levels of achievement and how this was communicated to the students; the criteria may be in a handout or other means of communication to students;
 - (iii) to illustrate relative levels of achievement in the class, provide examples of the work of three unidentified students who represent "high," "mid range," and "low" levels of achievement; these examples may include unidentified student written or drawn work, photographs, audio recordings (5 minute maximum), or video recordings (5 minute maximum and written parental consent to video child);
 - (iv) explain (350 word maximum) how the three unidentified students differed in their achievement levels and how this achievement relates to the state's standards and benchmarks;
 - (v) explain (350 word maximum) how this data could be taken into account in a subsequent instructional segment for the class;
 - (c) the local panel of teachers shall consist of two teachers:
 - (i) one teacher will be appointed by the principal in the school where the teacher seeking to be highly qualified is teaching; the second teacher will be appointed by the candidate;
 - (ii) panelists must be highly qualified, as defined in Subsection B, C or D of 6.69.4.7 NMAC, hold a current level 2 or 3-A license, and have an endorsement or license in the subject area or areas to be evaluated;
 - (iii) panelists may be from the candidate's same school, or same district, or from another school or district in New Mexico;
- (5) both teachers on the panel must agree that the candidate has met, or exceeds, the competencies and indicators for the level of licensure the teacher being evaluated holds or that the students of the teacher being evaluated have demonstrated growth and progress in each core academic subject the teacher teaches;
- (6) the panel shall submit their recommendation to the local superintendent and records of the panel's findings shall be kept on file locally and available to the public upon request.

[6.69.4.9 NMAC - N, 09-30-03; A, 10-14-04; A, 05-13-05; A, 10-31-06; A, 10-31-07]

6.69.4.10 IMPLEMENTATION OF THE HIGH OBJECTIVE UNIFORM STANDARD OF EVALUATION- ANNUAL:

A. No later than October 15, 2004, each school district shall adopt policies, guidelines, and procedures for annual teacher performance evaluation that meet the requirements of this rule. The annual evaluation plan will be combined with the evaluation plan for licensure advancement provided in Subsection A of 6.69.4.11 NMAC to form an overall system for teacher evaluation and support.

B. No later than forty school days after the first day of school of each school year, each teacher and his or her school principal shall establish a professional development plan for the teacher, with measurable objectives, for the coming year based on, among other things:

- (1) the PED's nine teaching competencies and indicators for the teacher's licensure level; and
- (2) the previous year's annual evaluation, if applicable; and

(3) assurance that the teacher is highly qualified in the core academic subject(s) the teacher teaches and that the district has appropriately assigned the teacher to teach in the subject(s) in which the teacher is highly qualified, as defined in this rule.

C. Annual performance evaluations shall be based on, among other things, how well the professional development plan was carried out and the measurable objectives were achieved.

D. The school principal shall observe each teacher's classroom or program practice at least once annually to determine the teacher's ability to demonstrate state adopted competencies and indicators for each teacher's licensure level.

E. If a level 2 or level 3-A teacher does not demonstrate essential competencies for a given school year, the school district shall provide the teacher with professional development and peer intervention, including mentoring, for a period the school principal deems necessary. If by the end of that school year the teacher still fails to demonstrate essential competencies, a district may choose not to contract with that teacher.

F. If a level 3-A teacher does not demonstrate essential competencies at level 3-A for a given school year, the school district shall provide the teacher with professional development and peer intervention, including mentoring, for a period the school principal deems necessary. If by the end of the following school year the teacher still fails to demonstrate essential level 3-A competencies, the superintendent may recommend to the secretary of education that the teacher's level 3-A license be suspended until such time as the teacher demonstrates the essential competencies at level 3-A. Depending on the outcome of any due process proceeding under the Uniform Licensing Act, Sections 61-1-1 through 61-1-31, NMSA 1978, and if the superintendent verifies that the teacher meets the standards for a level 2 license, the teacher may be issued a level 2 license during the period of level 3-A licensure suspension. A suspended level 3-A license may be reinstated by the secretary of education either upon verification by a local superintendent that the teacher now demonstrates the essential competencies at level 3-A or through the process described in 6.69.4.11 NMAC.

G. Any teacher who held a level 2 or level 3-A license prior to July 1, 2004, shall meet the requirements of the high objective uniform standard of evaluation for the level of licensure through the annual evaluation process by September 1, 2006 or shall not be eligible for the increased base salary provided in 22-10A-11(C), NMSA 1978.

H. At least every two years, school principals shall attend a training program approved by the PED to improve their teacher evaluation skills.

[6.69.4.10 NMAC - N, 09-30-03; A, 10-14-04; A, 05-13-05; A, 10-31-06; A, 10-31-07]

6.69.4.11 IMPLEMENTATION OF THE HIGH OBJECTIVE UNIFORM STANDARD OF EVALUATION FOR ADVANCEMENT TO LEVEL 2 OR LEVEL 3 LICENSURE:

A. No later than October 15, 2004, each school district shall adopt policies, guidelines, and procedures for teacher performance evaluation for licensure advancement that meet the requirements of this rule. The licensure advancement plan will be combined with the annual evaluation plan provided in Subsection A of 6.69.4.9 NMAC to form an overall system for teacher evaluation and support.

B. With the adoption of this rule by the PED, the minimum salaries associated with licensure levels provided in Chapter 22, Article 10A, NMSA 1978 shall become effective.

C. The teacher shall develop and submit a complete professional development dossier (PDD) consisting of three strands set forth in Paragraph (2) of Subsection D of 6.69.4.11 NMAC according to the following schedule:

(1) if advancing to level 2, not earlier than three months prior to the completion of the third year at level 1;

(2) if advancing to level 3, not earlier than three months prior to the completion of the third year at level 2.

D. The PDD shall include:

(1) evidence of competence that may be collected over multiple school years, including the year the PDD is being developed;

(2) evidence in the following format that demonstrates how the teacher meets the PED's nine teacher competencies and indicators for the level of licensure to which the teacher is advancing; evidence that demonstrates how the teacher meets competencies related to an:

(a) instruction strand (competencies 1, 2, 5); and a

(b) student learning strand (competencies 3, 4, 6, and 7); and a

(c) professional learning strand (competencies 8 and 9);

(3) evidence from an evaluation strand that includes the teacher's annual evaluations from at least the two years prior to the application for advancement and the superintendent's recommendation for advancement to the next licensure level;

(4) a verification strand that includes:

(a) for a level 1 teacher advancing to level 2:

(i) verification of participation in a district's formal mentorship program;

(ii) verification of three years successful teaching experience at level 1;

(iii) verification by the superintendent that the work product in the dossier is that of the

teacher and that the data submitted is accurate;

(b) for a level 2 teacher advancing to level 3-A:

(i) verification of a post baccalaureate degree or national board professional teaching

certification;

(ii) verification of a minimum three years of successful teaching experience at level 2;

(iii) verification by the superintendent that the work product in the dossier is that of the

teacher and that the data submitted is accurate.

E. Evidence in the PDD competency strands:

(1) The instruction strand shall include evidence of:

(a) student achievement data; and

(b) assessment techniques and procedures; and

(c) instructional plans and materials; and

(d) examples of student work and performance; and

(e) evidence of implementation of state curriculum standards.

(2) The student learning strand shall include mandatory evidence and may include optional evidence

as follows:

(a) the student learning strand shall include evidence of:

(i) adaptations/modification for diverse learners; and

(ii) evidence of effective classroom management strategies and procedures; and

(iii) classroom observation reports; and

(iv) evidence of communication with students and parents.

(b) the student learning strand may include evidence in the form of:

(i) student surveys; and/or

(ii) video tapes with reflections/analysis.

(3) The professional learning strand shall include evidence of at least one of the following:

(a) professional development activities associated with the teachers annual professional development plan (PDP); or

(b) evidence of collaborating with professional community; or

(c) parent surveys; or

(d) research publications; or

(e) professional presentations.

(4) Evidence comparable and equivalent to Paragraphs (1), (2) and (3) of Subsection E of this section may be developed through certification by the national board of professional teaching standards (NBPTS).

F. Unless special accommodations are requested in writing to the PED 30 days in advance of a submission, the PDD and associated fees in Subsection C of 6.60.7.8 NMAC shall be submitted electronically following procedures established by the PED.

G. The PDD shall be evaluated by the superintendent of the teacher's school district and by two external reviewers, one of whom shall hold the same grade level licensure and subject area endorsement as the candidate, as follows:

(1) The superintendent will complete the verification and evaluation strands in order to make a recommendation for licensure advancement and the two external reviewers will rate the three competency strands as "exceeds standards," "meets standards" or "does not meet standards in order to make their recommendations for licensure advancement."

(2) Each one of the three competency strands of a teacher's PDD reviewed by the independent reviewers must be rated as either "exceeds standards" or "meets standards" and each one of the strands completed by the superintendent must be verified and have a positive recommendation in order for the teacher to advance to the next higher level of licensure.

(3) The superintendent and the reviewers will submit the PDD to the PED or its contractor with their ratings.

(4) PED will evaluate the ratings of the superintendent and the external reviewers and approve or deny the teacher's application for licensure advancement:

(a) If one of the external reviewers rates one of the competency strands of the PDD as "exceeds standards" and the other external reviewer rates the same strand as "meets standards", the strand will be deemed passed.

(b) If one of the external reviewers rates one of the competency strands of the PDD as "does not meet standards" and the other rates the same strand as "exceeds standards", the finding will be that the candidate "meets standards" and the strand will be deemed passed.

(c) If one of the external reviewers rates one of the competency strands of the PDD as "does not meet standards" and the other rates the same strand as "meets standards," a third reviewer will resolve the discrepancy in order to determine if the strand will be passed.

(d) If both of the external reviewers rate the competency strand(s) of PDD the same, that rating will be their finding. If, however, both of the external reviewers rate the competency strand(s) of the PDD as "does not meet standards," a third trainer/reviewer may review the strand(s) to confirm or reject their ratings.

H. A candidate for licensure advancement who is not successful in the PDD may continue to submit a new PDD.

I. If a candidate for licensure advancement meets or exceeds standards in one or some of the strands, but not in all of them, the teacher's score(s) of "meets standards" or "exceeds standards" may be retained for a period of two calendar years. Any resubmission of a PDD during that two-year period need only address those strands rated "does not meet standards" in order to determine a final passing score for all strands for licensure advancement.

[6.69.4.11 NMAC - N, 09-30-03; A, 05-13-05; A, 10-31-06; A, 10-31-07]

6.69.4.12 NEW MEXICO TEACHER COMPETENCIES AND INDICATORS FOR LICENSURE LEVELS 1, 2, 3:

A. New Mexico is one of the most diverse states in the nation, and this diversity is reflected in the strengths and needs of New Mexico's students. The ability of a highly qualified teacher to address the learning needs of all of New Mexico's students, including those who learn differently as a result of disability, culture, language, or socioeconomic status, forms the framework for the New Mexico teacher competencies for licensure levels 1, 2, and 3-A assessment criteria indicators.

B. Beginning July 1, 2004, the high objective standard of evaluation shall include the following standards and indicators as part of the evaluation criteria for level 1 teachers.

(1) The teacher accurately demonstrates knowledge of the content area and approved curriculum:

- (a) utilizes and enhances approved curriculum;
- (b) gives clear explanations relating to lesson content and procedure;
- (c) communicates accurately in the content area;
- (d) shows interrelatedness of one content area to another.

(2) The teacher appropriately utilizes a variety of teaching methods and resources for each area taught:

- (a) provides opportunities for students to work independently, in small groups, and in large groups, as appropriate;
- (b) uses a variety of methods such as demonstrations, lecture, student-initiated work, group work, questioning, independent practice, etc., as appropriate;
- (c) uses a variety of resources such as field trips, supplemental printed materials, manipulatives, etc., as appropriate;
- (d) provides opportunities for students to apply, practice, and demonstrate knowledge and skills learned through various modalities;
- (e) implements necessary modifications and adaptations in instruction and curriculum so that students with disabilities have access to the general education curriculum in the least restrictive environment.

(3) The teacher communicates with and obtains feedback from students in a manner that enhances student learning and understanding:

- (a) explains and/or demonstrates the relevance of topics and activities;
- (b) communicates to students the instructional intent, directions or plan at the appropriate time;
- (c) establishes and states expectations for student performance;

- (d) clarifies actions, directions, and explanations when students do not understand;
 - (e) actively solicits communication from students about their learning;
 - (f) communicates regularly with students about their progress.
- (4) The teacher comprehends the principles of student growth, development and learning, and applies them appropriately:
- (a) uses and instructs students in the use of cognitive thinking skills such as critical thinking, problem-solving, divergent thinking, inquiry, decision-making, etc;
 - (b) uses teaching techniques which address student learning levels, rates, and styles;
 - (c) uses materials and media which address student learning levels, rates and styles;
 - (d) uses resources such as community service agencies, school personnel, parents, etc., to meet students' learning levels, rates, and styles.
- (5) The teacher effectively utilizes student assessment techniques and procedures:
- (a) uses a variety of assessment tools and strategies, as appropriate;
 - (b) uses information gained from ongoing assessment for remediation and instructional planning;
 - (c) maintains documentation of student progress;
 - (d) communicates student progress with students and families in a timely manner.
- (6) The teacher manages the educational setting in a manner that promotes positive student behavior, and a safe and healthy environment:
- (a) serves as a model for constructive behavior patterns;
 - (b) executes routine tasks effectively and efficiently;
 - (c) establishes and states expectations for student behavior;
 - (d) handles transitions effectively;
 - (e) has materials and media ready for student use;
 - (f) minimizes distractions and interruptions;
 - (g) manages student behavior effectively and appropriately;
 - (h) identifies hazards, assesses risks, and takes appropriate action.
- (7) The teacher recognizes student diversity and creates an atmosphere conducive to the promotion of positive student involvement and self-concept:
- (a) demonstrates sensitivity and responsiveness to the personal ideas, learning needs, interests, and feelings of students with disabilities, and/or from culturally and linguistically diverse backgrounds (e.g., Native Americans, Hispanic Americans, African Americans, Asian Americans, as well as other recent immigrant groups.);
 - (b) acknowledges student performance and achievement;
 - (c) acknowledges that every student can learn;
 - (d) provides opportunities for each student to succeed;
 - (e) provides students with opportunities for active involvement and creativity;
 - (f) provides opportunities for students to be responsible for their own behavior and learning;
 - (g) promotes positive student/teacher relationships;
 - (h) encourages high student expectations;
 - (i) demonstrates an awareness and respect for each student's background, experience, learning ability, language and culture.
- (8) The teacher demonstrates a willingness to examine and implement change, as appropriate:
- (a) seeks out information on methodology, research, and current trends in education to enhance and improve the quality of learning;
 - (b) implements a variety of strategies to enhance learning;
 - (c) recognizes that change entails risk and that modifications may be needed.
- (9) The teacher works productively with colleagues, parents, and community members:
- (a) collaborates with colleagues;
 - (b) communicates with parents on a regular basis;
 - (c) uses conflict resolving strategies when necessary;
 - (d) involves parents and community in their learning environment;
 - (e) communicates in a professional manner with colleagues, parents, and community members regarding educational matters.

C. Beginning July 1, 2004, the high objective standard of evaluation shall include the following standards and indicators as part of the evaluation criteria for level 2 teachers.

- (1) The teacher accurately demonstrates knowledge of the content area and approved curriculum:

- (a) enhances and extends approved curriculum;
 - (b) gives clear explanations relating to lesson content and procedures;
 - (c) communicates accurately in the content area;
 - (d) integrates other subjects into the content curriculum.
- (2) The teacher appropriately utilizes a variety of teaching methods and resources for each area taught:
- (a) designs appropriate opportunities for large group, small group, and independent student learning experiences;
 - (b) selects from a variety of teaching methods (demonstrations, lectures, student projects, group work, independent practice) for specific instructional goals and purposes;
 - (c) integrates a variety of resources into instruction, including field trips, supplemental printed materials, manipulatives, and technology;
 - (d) demonstrates understanding and appropriate application of learning styles, modalities, and intelligences theories;
 - (e) designs and implements necessary modifications and adaptations in instruction and curriculum so that students with disabilities have access to the general education curriculum in the least restrictive environment.
- (3) The teacher communicates with and obtains feedback from students in a manner that enhances student learning and understanding:
- (a) effectively explains, demonstrates or communicates the relevance of topics and activities;
 - (b) consistently communicates to students the instructional intent, directions, and plans;
 - (c) establishes and states expectations for student performance;
 - (d) presents directions and explanations in a variety of ways to insure student understanding;
 - (e) solicits communication from students about their learning for the purposes of ongoing instructional planning;
 - (f) communicates regularly with students about their progress.
- (4) The teacher comprehends the principles of student growth, development and learning, and applies them appropriately:
- (a) consistently integrates the use of cognitive thinking skills such as critical thinking, problem-solving, divergent thinking, inquiry, and decision-making into instruction;
 - (b) adapts teaching techniques to accommodate a range of student learning levels, rates, styles and special needs;
 - (c) adapts materials and media to address a range of student learning levels, rates, styles and special needs;
 - (d) selects from a variety of community service agencies, specialized school personnel, and parents to address different learning levels, rates, styles, and needs.
- (5) The teacher effectively utilizes student assessment techniques and procedures:
- (a) selects appropriate assessment tools and strategies for specific learning outcomes;
 - (b) uses formative and summative assessment for remediation and instructional planning;
 - (c) maintains documentation of student progress;
 - (d) consistently maintains communication with students and families about student progress.
- (6) The teacher manages the educational setting in a manner that promotes positive student behavior, and a safe and healthy environment:
- (a) identifies, explains, and models constructive behavior patterns;
 - (b) establishes and teaches effective and efficient routines;
 - (c) establishes and reinforces expectations for student behaviors that promote citizenship in a classroom community;
 - (d) maintains smoothness and momentum during classroom transitions;
 - (e) prepares and arranges material in advance for easy student accessibility;
 - (f) minimizes distractions and interruptions;
 - (g) monitors and directs student behavior effectively and appropriately;
 - (h) identifies hazards, assesses risks, and takes appropriate action.
- (7) The teacher recognizes student diversity and creates an atmosphere conducive to the promotion of positive student involvement and self-concept:

- (a) acknowledges and validates the ideas, learning needs, interests, and feelings of students with disabilities and/or from culturally and linguistically diverse backgrounds (e.g., Native Americans, Hispanic Americans, African Americans, Asian Americans, as well as other recent immigrant groups);
 - (b) consistently recognizes student performance and achievements;
 - (c) understands how students differ in their approaches to learning and adjusts instruction to meet diverse needs;
 - (d) designs opportunities for each student to succeed, based on individual learning needs;
 - (e) designs specific activities that require active involvement and creativity;
 - (f) designs opportunities that require and reinforce student responsibility for learning;
 - (g) develops students' self-esteem, motivation, character, and sense of civic responsibility;
 - (h) establishes and communicates high expectations for all students;
 - (i) demonstrates knowledge of different student backgrounds, experiences, learning abilities, languages and cultures and incorporates this knowledge into curricular decisions and instructional methodology.
- (8) The teacher demonstrates a willingness to examine and implement change, as appropriate:
- (a) seeks out information on methodology, research and current trends in education to enhance and improve the quality of learning;
 - (b) demonstrates knowledge of best practices that enhance learning;
 - (c) participates in instructional improvement and school reform initiatives;
- (9) The teacher works productively with colleagues, parents, and community members:
- (a) actively promotes collegial relations with other school personnel;
 - (b) provides a system for interactive communication between teacher and parents;
 - (c) uses conflict resolution strategies as appropriate;
 - (d) promotes active roles for parents and community members in student learning;
 - (e) communicates in a professional manner with colleagues, parents, and community members regarding educational matters.

D. Beginning July 1, 2004, the high objective standard of evaluation shall include the following standards and indicators as part of the evaluation criteria for level 3-A teachers:

- (1) The teacher accurately demonstrates knowledge of the content area and approved curriculum:
- (a) contributes to the refinement and development of the approved curriculum;
 - (b) provides clear explanations relating to lesson content and procedures in multiple ways and is aware of knowledge and preconceptions that students can bring to the subject;
 - (c) communicates accurately in the content area and can create multiple paths to the subject matter;
 - (d) can articulate to students the interrelatedness of the disciplines.
- (2) The teacher appropriately utilizes a variety of teaching methods and resources for each area taught:
- (a) designs and engages students in large group, small group, and independent work activities;
 - (b) demonstrates effective selection and use of a variety of methods to make knowledge accessible to all students;
 - (c) demonstrates effective integration of a variety of resources and learning experiences into the curriculum;
 - (d) designs opportunities for students to apply, practice, and demonstrate knowledge and skills based on knowledge of learning modalities, style preferences, and intelligences;
 - (e) engages with colleagues and parents to collaboratively design and implement necessary modifications and adaptations in instruction and curriculum so that students with disabilities have access to the general education curriculum in the least restrictive environment.
- (3) The teacher communicates with and obtains feedback from students in a manner that enhances student learning and understanding:
- (a) engages students in explaining and/or demonstrating the relevance of topics and activities;
 - (b) involves students in establishing instructional direction and plans;
 - (c) establishes and states expectations for student performance;
 - (d) presents directions and explanations in a variety of ways to insure student understanding;
 - (e) engages students in the analysis and evaluation of their learning and adjusts instruction based on student feedback;
 - (f) communicates regularly with students about their progress.

- (4) The teacher comprehends the principles of student growth, development and learning, and applies them appropriately:
- (a) consistently integrates the use of cognitive thinking skills such as critical thinking, problem-solving, divergent thinking, inquiry, and decision-making into instruction;
 - (b) selects the most effective teaching techniques to address a variety of student learning levels, rates, styles and needs as well as diverse interests and backgrounds;
 - (c) selects the most effective materials and media to address a variety of student learning levels, rates, styles and needs;
 - (d) integrates community resources, service agencies, other school personnel, parents, and community members into the curriculum.
- (5) The teacher effectively utilizes student assessment techniques and procedures:
- (a) designs and uses multiple methods of measuring student understanding and growth;
 - (b) integrates assessment data from multiple sources into instructional planning and improvement;
 - (c) maintains documentation of student progress;
 - (d) develops a two-way system of communicating with students and families about student progress.
- (6) The teacher manages the educational setting in a manner that promotes positive student behavior, and a safe and healthy environment:
- (a) integrates the teaching of constructive, pro-social behaviors into regular instruction;
 - (b) establishes and teaches effective and efficient routines;
 - (c) engages students in establishing expectations for building a learning community in the classroom;
 - (d) maintains smoothness and momentum during instructional transitions;
 - (e) establishes an environment where materials and media are available and ready for student use;
 - (f) minimizes distractions and interruptions;
 - (g) develops a classroom management system that promotes acceptable and appropriate student behavior;
 - (h) identifies hazards, assesses risks and takes appropriate action.
- (7) The teacher recognizes student diversity and creates an atmosphere conducive to the promotion of positive student involvement and self-concept:
- (a) adjusts practice based on observation and knowledge of students with disabilities and/or from culturally and linguistically diverse groups (e.g., Native Americans, Hispanic Americans, African Americans, Asian Americans, as well other recent immigrant groups);
 - (b) creates curriculum designs that include student performance and acknowledgment of achievement;
 - (c) demonstrates an awareness of the influences of context disability, language, and culture on student learning;
 - (d) provides accommodations and interventions that allow each student to succeed based on individual learning needs;
 - (e) engages students in learning experiences that promote creativity, critical and divergent thinking;
 - (f) designs opportunities that require and reinforce student responsibility for learning;
 - (g) fosters the development of respect for individual, cultural, linguistic, disability, and religious differences;
 - (h) engages students in setting high standards for performance;
 - (i) treats all students equitably, recognizing and planning for individual differences in cultures, languages, learning abilities, backgrounds, and experiences.
- (8) The teacher demonstrates a willingness to examine and implement change, as appropriate:
- (a) demonstrates the ability to reason, take multiple perspectives, be creative, and take reasoned risks to improve teaching;
 - (b) collaborates with colleagues in the research and design of improved instructional strategies;
 - (c) assumes a leadership role in the study and implementation of instructional improvement and school reform initiatives.
- (9) The teacher works productively with colleagues, parents, and community members:

(a) serves as a role model for collaborative working relations across the profession;
(b) demonstrates knowledge of specific school, family, and community resources that can support student learning;
(c) assists colleagues in the use of conflict resolution strategies;
(d) engages parents and community members productively in the work of the school;
(e) works collaboratively and creatively with colleagues, parents, and community members regarding educational matters.

E. A school district may select and/or develop additional standards and indicators determined appropriate by the local school district to complete the local teacher performance evaluation system.

F. Each school district shall provide training in evaluation of performance, classroom observation techniques, conference skills, and growth planning to all teachers and personnel assigned performance evaluation duties.

G. Teachers whose leadership roles are primarily outside of the classroom will be evaluated on their ability to lead other teachers in meeting the competencies and indicators in their level of licensure.

[6.69.4.12 NMAC - N, 09-30-03; A, 10-14-04; A, 10-31-06; A, 10-31-07]

HISTORY OF 6.69.4 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

SBE Regulation No. 89-6, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed August 17, 1989;

SBE Regulation No. 93-21, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed November 16, 1993.

NMAC History:

6.69.3 NMAC, Performance Evaluation Requirements for Teachers, Administrators, Library Media Specialists, and Counselors, filed 6/1/2003.

6.69.4 NMAC [Performance Evaluation System Requirements for Teachers] replaces 6.69.3 NMAC, Section 8, filed 09-30-03.

History of Repealed Material: [RESERVED]