

02-21-13a

Late February 21, 2013

## Budget Passes House with Governor's Merit Pay Pilot Still Intact. Next Stop Senate Finance

The House Appropriations and Finance Committee's Substitute Budget Bill, the General Appropriations Act passed the House on a 53-16 vote. The bill does many positive things such as increasing over all school funding by 4.7% (much of which will go toward meeting the Maintenance of Effort that recently came to light) funding employer share of retirement, increasing health insurance funding, and funding a one percent salary increase for all public employees. However, we are still concerned about the \$3 million dollars turned over to the PED Secretary-designee to "provide a stipend to exemplary and highly effective teachers and school leaders and to provide incentives to high school teachers to increase participation and success in advance placement classes."

As the bill moves through the Senate, we need to continue to work to remove the merit pay provision or change its description in the bill through an amendment. Let all Senators, especially Democrats, (most Republicans are on record supporting the Republican Governor's merit pay plan) know our concern.

Speaking of Democrats, sixteen of them stuck with you today and voted against the budget bill. Thank these education champions for their vote:

Eliseo Alcon	Georgene Louis
Phillip Archuletta	Roger Magdalena
Gail Chasey	Patricia Roybal Cabellero
Nate Cote	Sheryl Williams Stapleton
Brian Egolf	Jeff Stienborn
Miguel Garcia	Mimi Stewart
Stephanie Garcia Richard	Christine Trujillo
Emily Kane	Elizabeth Thomson

Call members of the Senate Finance Committee to ask them to amend the merit pay provisions out the budget bill when it reaches their committee!

## Teacher Evaluation Bill Scheduled to Be Heard Today!

House Bill 589 introduced by Representative Rick Miera and Senate Bill 588 introduced by Senator Howie Morales were introduced in both houses of the legislature earlier this week. These bills represent NEA- New Mexico and AFT New Mexico's best thinking on a teacher evaluation system for the state. We believe the evaluation system should be established by legislation as we have long advocated, not by rule. We will continue working with legislators to produce an evaluation system that is embedded in statute and therefore protected against any arbitrary changes.

As this is written, House Bill 589 is yet to be heard in the House Labor Committee. All House committees are meeting late because of a lengthy floor session and party caucuses. It is not too late to call Committee members to voice your support. You can watch live streaming of committees at [this link](#).

Both bills also extend the timeline for creating the system. We believe that the current rule proposed by the public education department needs to provide a pilot year and therefore rushes a system that should not be rushed. All experts have told us that introducing a new teacher evaluation system requires time. Members on New Mexico Teach, the Secretary Designee's Advisory Council for the evaluation system, have stated this often at their meetings.

NEA-New Mexico has supported working collaboratively to create a system that doesn't harm current statutory due process rights for teachers. We continue to advocate for more local control over the student achievement portion of the evaluation system. While we know that the U.S. Department of Education requires that student achievement be a significant portion of the evaluation system, we also know that they don't require any particular percentage based on student achievement or any particular percentage based on test scores.

We worked with Secretary-Designee Skandera to try to influence the current rule as much as possible. We believe we made some good changes. We believe that the rule now provides professional development for teachers to improve once they've been found to be ineffective and maintains all protections under our current due process statutes.

We have advocated from the beginning of the rule-making process that 35% based on New Mexico's assessment system gives too much weight to standardized test scores. We've also advocated that too many top-down mandates destroy the concept of

collaboration at the local level. We have consistently advocated for maximum flexibility for school districts and their employees to determine what will be counted for student achievement.

The proposed evaluation bills provide this flexibility at the local level. We also believe that the current teacher evaluation rule does not provide enough transparency around how the value-added methodology will be used to calculate student achievement scores. That's why we believe that local school districts and their employees should determine what will be counted as student achievement in the new teacher evaluation system. This is very firmly embedded in the legislation we are supporting.

## House Bill 481 Seeks to Protect Current Licensing Statute

Representative Sheryl Stapleton has introduced HB 481, which seeks to protect the current three-tiered licensure system from being changed by the Public Education Department Rule making authority. This bill is also scheduled in the House Labor Committee, assuming the committee meets and completes its business. You can watch live streaming of committees at [this link](#).

Two pieces of legislation supported by the Governor, Secretary-designee, and the Albuquerque Chamber of Commerce to make drastic changes in licensure statutes to conform the new teacher effectiveness rule and turn licensing toward a merit pay system have been tabled in committees on straight party-line votes. Thank Democrats in the House Labor Committee for tabling HB 276 and Democrats in the Senate Education Committee for dealing a similar fate to SB 316.

## Retirement Bill Hits Snag

The legislation we and most other Educational Retirement Board (ERB) stakeholders support, House Bill 64, Educational Retirement Changes, hit a snag yesterday in the House Appropriations and Finance Committee, after members of the committee deadlocked 9-9 on a motion to advance House Bill 64, the lone Democratic lawmaker to vote "no" told the news media that she plans to bring the measure back up for a vote by Friday.

Rep. Patricia Lundstrom told the Albuquerque Journal that she merely wanted questions answered about future state funding commitments that are assumed in the Educational Retirement Board's proposed solvency fix. Earlier in the hearing all Democrats, including Lundstrom, voted to block a Republican amendment to cut or eliminate Cost of Living Increases until solvency goals were met. Thank committee members for this vote and urge them to send House Bill 64 to the full House immediately!

The stakeholder plan follows the input that NEA-NM members gave: NO change to benefits for current retirees; it does NOT change benefits or requirements for current employees; it does raise the employee contribution to 10.7% for current and future employees (NOT the 11.3% proposed to the Legislature last year and another good reason for a salary increase); it also commits the legislature to living up the promises it made 5 years ago to increase its contribution rate by an additional .75% per year for three more years! It also creates a minimum retirement age of 55 and COLA eligibility at 67 for NEW employees hired after 6/30/13. Those public school employees making \$20,000 or less remain at a 7.9% employee contribution.

## Senate Retirement Bill Temporarily Slowed

The Senate version of Retirement Solvency, Senate Bill 115, sponsored by Senator Ingle, received a unanimous do-pass recommendation from the Senate Education Committee last Friday. It was scheduled in the Senate Finance Committee this week. However, the Governor signaled that she would not sign Senate Bill 115 in its current version. Her office seems to be interested in cutting the Cost of Living Adjustments for current and future retirees.

Contact members of the Senate Finance Committee now to support our solvency proposals

Contact the Governor and ask her to support the retirement solvency proposal agreed upon by ERB and its Stakeholders. Ask her not to insist on benefits cuts for anyone, current active employees or current retirees!

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