

Info, HigherEd, NMHED

From: Ochoa, Andrea <Andrea.Ochoa@nmlegis.gov>
Sent: Tuesday, July 23, 2019 10:30 AM
To: Rommel, Harrison, NMHED; Armijo, Alicia, NMHED; Liggett, Sandy, NMHED
Cc: Info, HigherEd, NMHED
Subject: [EXT] Feedback on 5.7.35 NMAC, Grow Your Own Teachers Scholarship Program

Good morning,

LESC identified the following issues for 5.7.35 NMAC, Grow Your Own Teachers Scholarship Program:

Pursuant to the proposed new rule, if an award recipient does not maintain at least half-time enrollment or achieve satisfactory academic progress, the scholarship would be terminated. "Half-time" refers to an enrolled student who carries a half-time academic work load as determined by the institution. "Satisfactory academic progress" refers to maintaining the academic progress toward program completion as determined by the institution. Allowing individual institutions to define these terms may lead to inconsistent standards for award recipients across the state.

Educational assistants would be eligible for the grow your own teachers scholarship program if they are a U.S. citizen and resident of New Mexico, are accepted by a Public Education Department (PED)-approved teacher preparation program, have not earned appropriate education credentials to be a licensed teacher, have demonstrated financial need, and are in good standing with the public school. Much of the language in the eligibility section is duplicative of the language in the definition for an "educational assistant." Because this definition is also established in statute, the department may wish to remove redundant eligibility provisions in Subsection A of 5.7.35.8 NMAC.

A committee would be allowed to prioritize awards for educational assistants who are closest to licensure requirement completion; serve in a bilingual, early childhood, or special education setting; or have declared intent to teach in a high-need teacher position as defined by the public school. It is unclear how a public school would proceed to define a high-need teacher position without a designated process. The department may wish to outline a clear process for this provision.

Neither Chapter 230 nor 5.7.35 NMAC include a definition for professional leave, meaning schools would not be required to grant paid professional leave, only professional leave.

The terms "department", "educational assistant", "public school", and "teacher preparation program" are defined in the proposed new rule and in Chapter 230. Pursuant to the State Rules Act, Sections 14-4-5.7 NMSA 1978, a word or phrase that is defined in applicable statute should not be defined in rule.

Thank You,

Andrea L. Ochoa | Senior Fiscal Analyst | [Legislative Education Study Committee](#) | (505) 986-4502

