

PROPOSED REPEAL AND REPLACE - STRIKETHROUGH

~~[Strikethrough]~~ represents language the Department is proposing to delete.

Underline represents language the Department is proposing to add.

~~[TITLE 6 — PRIMARY AND SECONDARY EDUCATION CHAPTER 2 — STATE BOARD OF EDUCATION — COMMISSIONS AND ADVISORY BOARDS PART 8 — OPERATIONAL BYLAWS OF THE PROFESSIONAL PRACTICES AND STANDARDS — COUNCIL~~

~~6.2.8.1 — ISSUING AGENCY: Public Education Department.~~

~~[6.2.8.1 NMAC — Rp, 6.2.8.1 NMAC, 7/18/2023]~~

~~6.2.8.2 — SCOPE: The New Mexico public education department (PED) hereby creates a professional practices and standards council (PPSC) whose purpose shall be to ensure that high standards are maintained in the preparation and practice of professional educators and support providers licensed by the PED. The PPSC shall advise the secretary of education (secretary) and the department on matters related to the approval of educator preparatory programs, licensure, professional development, and ethics of licensed school personnel.~~

~~[6.2.8.2 NMAC — Rp, 6.2.8.2 NMAC, 7/18/2023]~~

~~6.2.8.3 — STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2, and 9-24-8, NMSA 1978.~~

~~[6.2.8.3 NMAC — Rp, 6.2.8.3 NMAC, 7/18/2023]~~

~~6.2.8.4 — DURATION: Permanent.~~

~~[6.2.8.4 NMAC — Rp, 6.2.8.4 NMAC, 7/18/2023]~~

~~6.2.8.5 — EFFECTIVE DATE: January 1, 2005, unless a later date is cited at the end of a section.~~

~~[6.2.8.5 NMAC — Rp, 6.2.8.5 NMAC, 7/18/2023]~~

~~6.2.8.6 — OBJECTIVE: The purpose of the PPSC is to ensure that high standards are maintained in the preparation and practice of professional licensed school personnel. The creation of the PPSC recognizes that persons licensed by the PED comprise a profession, with all of the rights, responsibilities and privileges accorded professions, having their first obligation to the public they serve. The primary responsibilities of this profession are to educate the children of this state and to improve the professional practices and ethical conduct of the members of the profession.~~

~~[6.2.8.6 NMAC — Rp, 6.2.8.6 NMAC, 7/18/2023]~~

~~6.2.8.7 — DEFINITIONS: [RESERVED]~~

~~6.2.8.8 — RECOMMENDATIONS FOR APPROVAL OF EDUCATOR PREPARATION~~

~~PROGRAMS: Matters pertaining to educator preparation programs shall include:~~

~~— A. recommending standards to govern the approval of preparatory programs; and~~

~~— B. establishing procedures for assessing educator preparation programs in compliance with standards approved by the PED; these procedures shall include provisions for a comprehensive evaluation of course content, an on-site visitation, and recommending the approval or disapproval of programs designed to prepare professional education personnel.~~

~~[6.2.8.8 NMAC — Rp, 6.2.8.8 NMAC, 7/18/2023]~~

~~6.2.8.9 — LICENSURE OF SCHOOL PERSONNEL: Matters pertaining to licensure of school personnel shall include: recommending licensure standards for all professional and paraprofessional school personnel.~~

~~[6.2.8.9 NMAC — Rp, 6.2.8.9 NMAC, 7/18/2023]~~

~~6.2.8.10 — PROFESSIONAL DEVELOPMENT OF SCHOOL PERSONNEL: Matters pertaining to professional development of school personnel shall include:~~

~~— A. recommending professional development standards and framework for all professional and paraprofessional school personnel;~~

~~— B. recommending approval of state funding for professional development providers and projects.~~

~~[6.2.8.10 NMAC — Rp, 6.2.8.10 NMAC, 7/18/2023]~~

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6.2.8.11 ~~ETHICS OF LICENSED SCHOOL PERSONNEL AND RELATED MATTERS:~~ Matters pertaining to ethics shall include:

~~A.~~ recommending to the PED any changes to its code of ethics or standards of professional conduct for all licensed personnel; and

~~B.~~ recommending to the PED in cases in which it has been asked by the educator quality division of the department to perform a summary review, that a notice of contemplated action (NCA) be issued seeking the reprimand of a licensed educator, or suspension or revocation of a license held by a licensed educator according to law for incompetency, immorality or for any good and just cause.

[6.2.8.11 NMAC ~~Rp, 6.2.8.11 NMAC, 7/18/2023~~]

6.2.8.12 ~~ORGANIZATION:~~

~~A.~~ Composition of the council: The PPSC shall consist of 20 voting members appointed to four subcommittees by the secretary according to the following criteria:

~~(1)~~ Five members shall be appointed to each of the following subcommittees of the council:

~~(a)~~ educator preparation committee;

~~(b)~~ licensure committee;

~~(c)~~ professional development committee;

~~(d)~~ ethics committee.

~~(2)~~ The educator preparation, licensure, and professional development committees shall have the following representation:

~~(a)~~ three currently licensed teachers or instructional support providers;

~~(b)~~ one currently licensed school administrator; and

~~(c)~~ one professional educator associated with a university, college, or post-secondary department of education that offers educator preparation programs.

~~(3)~~ The ethics committee shall have the following representation:

~~(a)~~ three currently licensed teachers or instructional support providers;

~~(b)~~ one currently licensed school administrator; and

~~(c)~~ one lay member/business representative from the citizenry of the state on the basis of their interest and knowledge of public schools.

~~(4)~~ The PED shall give due consideration to maintaining the representative nature of the PPSC with regard to geographic distribution, membership in professional organizations, and grade level assignments. Each member shall be a resident of New Mexico.

~~B.~~ Term of service

~~(1)~~ Members of the PPSC shall be appointed to a three year term beginning on July 1 of the calendar year in which the appointment is made. In the initial year of organization of the PPSC the secretary may establish terms from two years to four years for members. In the event that a member is no longer employed in the classification to which he/she was appointed, leaves the state, or resigns from the PPSC, the secretary shall appoint a successor to serve for the remainder of the term.

~~(2)~~ The secretary may designate an alternate to serve in each of the above listed categories as it deems necessary should the appointee be unable to fulfill his/her term. The alternate shall automatically assume membership on the PPSC for the remaining of the term when a vacancy occurs.

~~(3)~~ The secretary may appoint or remove any member or dissolve the PPSC through official action.

~~C.~~ The chairperson and vice chair of the PPSC shall be the designee of the secretary.

~~D.~~ Each subcommittee shall elect a chairperson for the subcommittee who shall serve a one year term and may be reelected at the pleasure of the subcommittee members.

~~E.~~ Task forces

~~(1)~~ Task forces to study and advise on specific issues may be appointed by the secretary.

~~(2)~~ Each task force shall solicit information, gather and evaluate data, and report its findings and recommendations in writing to one of the subcommittees. Each task force shall include at least two members of the PPSC, one of whom shall serve as chairperson of the task force.

[6.2.8.12 NMAC ~~Rp, 6.2.8.12 NMAC, 7/18/2023~~]

6.2.8.13 ~~MEETINGS:~~

PROPOSED REPEAL AND REPLACE - STRIKETHROUGH

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~~A. Time and frequency: The full PPSC shall meet at the call of the chairperson or at the request of the secretary. Subcommittees shall meet as needed at the call of the chairperson of each subcommittee in collaboration with PED staff. Notification of meetings will be given in accordance with the PPSC's open meeting policy pursuant to the Open Meeting Act, Section 10-15-1 et seq. NMSA 1978 but at least 10 days prior to the day of the meeting. Eleven members shall constitute a quorum of the entire PPSC. Three members shall constitute a quorum of the subcommittees.~~

~~B. Rules and procedures: Meetings of the PPSC, subcommittees, and task forces shall be governed by the following rules.~~

~~(1) The chairperson and vice chair or designee in his/her absence shall preside at all meetings.~~

~~(2) The presiding officer shall neither introduce nor second a motion.~~

~~(3) A motion shall require a simple majority of those present to pass.~~

~~(4) A motion shall be in order as long as no previous motion is on the floor.~~

~~(5) Minutes shall be taken at all open sessions of the PPSC and subcommittees. The minutes shall be made available to public inspection.~~

~~(6) The PPSC may develop rules of procedure consistent with the provisions of this rule.~~

~~C. Council agenda~~

~~(1) An agenda will be formulated by the chairperson and will be distributed to members of the PPSC at least ten days prior to the meeting.~~

~~(2) Any member of the PPSC or its subcommittees may submit an item for the agenda through the chairperson. Items for discussion may be added to or deleted from the agenda at the beginning of a meeting by concurrence of a majority of the PPSC or its subcommittees. Interested parties, other than PPSC members, asking for the inclusion of an agenda item must present the item in writing.~~

~~D. Announcement of meetings~~

~~(1) The chairperson of the PPSC or any of its subcommittees will provide reasonable notice to the public, school districts, and appropriate professional associations of items pending before the PPSC.~~

~~(2) All meetings of the PPSC and/or subcommittees shall be open, except those in which personnel or ethics cases will be discussed.~~

~~E. Absences: A member who is unable to attend a PPSC or subcommittee meeting may not send an alternate or proxy. The PPSC may recommend to the secretary that a member who has two or more absences during a calendar year be replaced.~~

~~[6.2.8.13 NMAC - Rp, 6.2.8.13 NMAC, 7/18/2023]~~

6.2.8.14 REPORTS TO THE SECRETARY:

~~A. The PPSC or subcommittee chairperson will prepare a written or oral report after each meeting and will present it to the secretary. The decision of the secretary will be reported to the PPSC or its subcommittee(s) at the next meeting.~~

~~B. Recommendations to be submitted to the secretary for action shall require a simple majority approval by the PPSC.~~

~~[6.2.8.14 NMAC - Rp, 6.2.8.14 NMAC, 7/18/2023]~~

6.2.8.15 SUPPORT OF THE COUNCIL:

~~A. The educator quality division of the [PED] shall serve as the staff office of the PPSC. All communications to the PPSC shall be addressed to: Professional Practices and Standards Council, c/o Assistant Secretary for Educator Quality, Public Education Department, Jerry Apodaca Education Building, Santa Fe, New Mexico 87501-2786.~~

~~B. PPSC members may submit travel claims to the assistant secretary for educator quality under the provisions of the Per Diem and Mileage act Sections 10-8-1 et Seq NMSA 1978. Such claims will be reviewed by the fiscal office of the PED for compliance with the state statutes and department procedures. Under no condition shall a member claim mileage and per diem from the department when such a claim has been made to another agency.~~

~~[6.2.8.15 NMAC - Rp, 6.2.8.15 NMAC, 7/18/2023]~~

HISTORY OF 6.2.8 NMAC: [RESERVED]

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TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 2 ~~[STATE BOARD OF EDUCATION] PUBLIC EDUCATION DEPARTMENT -~~
COMMISSIONS AND ADVISORY BOARDS
PART 8 OPERATIONAL BYLAWS OF THE PROFESSIONAL PRACTICES AND STANDARDS
COUNCIL

6.2.8.1 ISSUING AGENCY: Public Education Department, hereinafter the department.
[6.2.8.1 NMAC - Rp, 6.2.8.1 NMAC, 7/18/2023]

6.2.8.2 SCOPE: The ~~[New Mexico public education department (PED)]~~ department hereby creates a the professional practices and standards council (PPSC) whose purpose shall be to ensure that high standards are maintained in the preparation and practice of professional educators and support providers licensed by the ~~[PED]~~ department. The PPSC shall advise the secretary of education (secretary) and the department on matters related to the approval of educator preparatory programs, licensure, professional development, and ethics of licensed school personnel.
[6.2.8.2 NMAC - Rp, 6.2.8.2 NMAC, 7/18/2023]

6.2.8.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2, and 9-24-8, NMSA 1978.
[6.2.8.3 NMAC - Rp, 6.2.8.3 NMAC, 7/18/2023]

6.2.8.4 DURATION: Permanent.
[6.2.8.4 NMAC - Rp, 6.2.8.4 NMAC, 7/18/2023]

6.2.8.5 EFFECTIVE DATE: ~~[January 1, 2005]~~ July 18, 2023, unless a later date is cited at the end of a section.
[6.2.8.5 NMAC - Rp, 6.2.8.5 NMAC, 7/18/2023]

6.2.8.6 OBJECTIVE: The purpose of the PPSC is to ensure that high standards are maintained in the preparation and practice of professional licensed school personnel. The creation of the PPPSC recognizes that persons licensed by the ~~[PED]~~ department comprise a profession, with all of the rights, responsibilities and privileges accorded professions, having their first obligation to the public they serve. The primary responsibilities of this profession are to educate the children of this state and to improve the professional practices and ethical conduct of the members of the profession.
[6.2.8.6 NMAC - Rp, 6.2.8.6 NMAC, 7/18/2023]

6.2.8.7 DEFINITIONS: ~~[RESERVED]~~

6.2.8.8 RECOMMENDATIONS FOR APPROVAL OF EDUCATOR PREPARATION PROGRAMS: Matters pertaining to educator preparation programs shall include:
A. recommending standards to govern the approval of ~~[preparatory]~~ educator preparation programs;
and
B. establishing procedures for assessing educator preparation programs in compliance with standards approved by the ~~[PED]~~ department; these procedures shall include provisions for a comprehensive evaluation of course content, an on-site visitation, and recommending the approval or disapproval of programs designed to prepare professional education personnel.
[6.2.8.8 NMAC - Rp, 6.2.8.8 NMAC, 7/18/2023]

6.2.8.9 LICENSURE OF SCHOOL PERSONNEL: Matters pertaining to licensure of school personnel shall include: recommending licensure standards for all professional and paraprofessional school personnel.
[6.2.8.9 NMAC - Rp, 6.2.8.9 NMAC, 7/18/2023]

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A. recommending professional development standards and framework for all professional and paraprofessional school personnel;

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B. recommending approval of state funding for professional development providers and projects.
[6.2.8.10 NMAC - Rp, 6.2.8.10 NMAC, 7/18/2023]

6.2.8.11 ETHICS OF LICENSED SCHOOL PERSONNEL AND RELATED MATTERS: Matters pertaining to ethics shall include:

A. recommending to the ~~[PED]~~ department any changes to its code of ethics or standards of professional conduct for all licensed personnel; and

B. recommending to the ~~[PED]~~ department in cases in which it has been asked by the educator quality division of the department to perform a summary review, that a notice of contemplated action ~~[(NCA)]~~ be issued seeking the reprimand of a licensed educator, or suspension or revocation of a license held by a licensed educator according to law for incompetency, immorality or for any good and just cause.

[6.2.8.11 NMAC - Rp, 6.2.8.11 NMAC, 7/18/2023]

6.2.8.12 ORGANIZATION:

A. Composition of the council: The PPSC shall consist of 20 voting members appointed to four subcommittees by the secretary according to the following criteria:

(1) Five members shall be appointed to each of the following subcommittees of the council:

- (a) the educator preparation committee;
- (b) the licensure committee;
- (c) the professional development committee; and
- (d) the ethics committee.

(2) The educator preparation, licensure, and professional development committees shall have the following representation:

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secondary department of education that offers educator preparation programs.

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- (b) one currently licensed school administrator; and
- (c) ~~[one lay member/business representative from the citizenry of the state on the~~

basis of their interest and knowledge of public schools] one lay member or business representative with interest and knowledge of public schools.

(4) The ~~[PED]~~ department shall give due consideration to maintaining the representative nature of the PPSC with regard to geographic distribution, membership in professional organizations, and grade level assignments. Each member shall be a resident of New Mexico.

B. Term of service

(1) Members of the PPSC shall be appointed to a three-year term beginning on July 1 of the calendar year in which the appointment is made. In the initial year of organization of the PPSC the secretary may establish terms from two years to four years for members. In the event that a member is no longer employed in the classification to which ~~[he/she]~~ the member was appointed, leaves the state, or resigns from the PPSC, the secretary shall appoint a successor to serve for the remainder of the term.

(2) The secretary may designate an alternate to serve in each of the above listed categories as it deems necessary should the appointee be unable to fulfill ~~[his/her]~~ the appointee's term. The alternate shall automatically assume membership on the PPSC for the remaining of the term when a vacancy occurs.

(3) The secretary may appoint or remove any member or dissolve the PPSC through official action.

C. ~~[The chairperson and vice chair of the PPSC shall be the designee of the secretary.]~~ The secretary shall designate the chairperson and vice-chair of the PPSC.

D. Each subcommittee shall elect a chairperson for the subcommittee who shall serve a one-year term and may be reelected at the pleasure of the subcommittee members.

E. Task forces

(1) Task forces to study and advise on specific issues may be appointed by the secretary.

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(2) Each task force shall solicit information, gather and evaluate data, and report its findings and recommendations in writing to one of the subcommittees. Each task force shall include at least two members of the PPSC, one of whom shall serve as chairperson of the task force.

[6.2.8.12 NMAC - Rp, 6.2.8.12 NMAC, 7/18/2023]

6.2.8.13 MEETINGS:

A. Time and frequency: The full PPSC shall meet at the call of the chairperson or at the request of the secretary. Subcommittees shall meet as needed at the call of the chairperson of each subcommittee in collaboration with ~~[PED]~~ department staff. Notification of meetings will be given in accordance with the PPSC's open meeting policy pursuant to the Open Meeting Act, Section 10-15-1 et sq. NMSA 1978 but at least 10 days prior to the day of the meeting. Eleven members shall constitute a quorum of the entire PPSC. Three members shall constitute a quorum of the subcommittees.

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(1) The chairperson and vice-chair or designee in ~~[his/her]~~ their absence shall preside at all meetings.

(2) The presiding officer shall neither introduce nor second a motion.

(3) A motion shall require a simple majority of those present to pass.

(4) A motion shall be in order as long as no previous motion is on the floor.

(5) Minutes shall be taken at all open sessions of the PPSC and subcommittees. The minutes shall be made available to public inspection.

(6) The PPSC may develop rules of procedure consistent with the provisions of this rule.

C. Council agenda

(1) An agenda will be formulated by the chairperson and will be distributed to members of the PPSC at least ten days prior to the meeting.

(2) Any member of the PPSC or its subcommittees may submit an item for the agenda through the chairperson. Items for discussion may be added to or deleted from the agenda at the beginning of a meeting by concurrence of a majority of the PPSC or its subcommittees. Interested parties, other than PPSC members, asking for the inclusion of an agenda item must present the item in writing.

D. Announcement of meetings

(1) The chairperson of the PPSC or any of ~~[it]~~ its subcommittees will provide reasonable notice to the public, school districts, and appropriate professional associations of items pending before the PPSC.

(2) All meetings of the PPSC ~~[and/or]~~ or subcommittees shall be open, except those in which personnel or ethics cases will be discussed.

E. Absences: A member who is unable to attend a PPSC or subcommittee meeting may not send an alternate or proxy. The PPSC may recommend to the secretary that a member who has two or more absences during a calendar year be replaced.

[6.2.8.13 NMAC - Rp, 6.2.8.13 NMAC, 7/18/2023]

6.2.8.14 REPORTS TO THE SECRETARY:

A. The PPSC or subcommittee chairperson will prepare a written or oral report after each meeting and will present it to the secretary. The decision of the secretary will be reported to the PPSC or its subcommittee(s) at the next meeting.

B. Recommendations to be submitted to the secretary for action shall require a simple majority approval by the PPSC.

[6.2.8.14 NMAC - Rp, 6.2.8.14 NMAC, 7/18/2023]

6.2.8.15 SUPPORT OF THE COUNCIL:

A. The educator quality division of the ~~[PED]~~ department shall serve as the staff office of the PPSC. All communications to the PPSC shall be addressed to: Professional Practices and Standards Council, c/o ~~[Assistant Secretary for Educator Quality]~~ Educator Quality and Ethics, Public Education Department, Jerry Apodaca Education Building, Santa Fe, New Mexico 87501-2786.

B. PPSC members may submit travel claims to the ~~[assistant secretary for educator quality]~~ department under the provisions of the Per Diem and Mileage act Sections 10-8-1 et Seq NMSA 1978. Such claims will be reviewed by the fiscal office of the ~~[PED]~~ department for compliance with the state statutes and department

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procedures. Under no condition shall a member claim mileage and per diem from the department when such a claim has been made to another agency.

[6.2.8.15 NMAC - Rp, 6.2.8.15 NMAC, 7/18/2023]

HISTORY OF 6.2.8 NMAC: [RESERVED]

DRAFT