



Hanna Skandera
Secretary

New Mexico
Public Education Department
300 Don Gaspar
Santa Fe, New Mexico 87501-2786
www.ped.state.nm.us

Ellen Hur
505-795-0740
Ellen.Hur@state.nm.us

NEWS RELEASE

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U.S. Department Of Education Approves First-Of-Its-Kind Waiver Granting Flexibility To New Mexico's Schools

Santa Fe, NM – The Public Education Department announced today that New Mexico has received a waiver from the U.S. Department of Education that will provide greater flexibility to teacher qualification restrictions outlined in No Child Left Behind (NCLB), allowing the state to continue its momentum in implementing reforms to help struggling students and schools. New Mexico is the first state to receive this type of waiver.

“This decision is great news for every school district in New Mexico,” Education Secretary Hanna Skandera said. “Providing flexibility for districts to better utilize the skills of their most effective teachers will expand the access our students have to excellent instruction. This is a big win for New Mexico’s students.”

Current federal law requires that all classrooms have a “highly qualified” teacher. However, the requirements to become a “highly qualified” teacher in a given subject and grade level focuses only on front-end credentials, such as passing a content area exam, possessing a certain number of semester hours in that content area, and holding the appropriate grade-level certificate.

The waiver, which was requested by New Mexico, allows school and district leaders to replace credentials with demonstrated effectiveness. Districts that choose to exercise this flexibility can use a teacher’s NMTEACH evaluation rating of effective, highly effective, or exemplary as proof of qualification and expand the relevant and appropriate subject areas and grade levels they are able to teach.

Under the current law, a “highly qualified” physics teacher, for example, who is rated highly effective with a strong record of student achievement growth cannot teach an algebra course. Even if the school had an immediate need, that teacher would first have to become “highly qualified” in math. With the expanded flexibility under the waiver, that school can now allow the teacher to teach the algebra class.

“This decision reduces burdens on our teachers, allows our administrators to fully utilize their best educators and will lead to better results for our kids,” said Mike Chambers, Superintendent of Magdalena Municipal School District. “Our small district does not have the capacity to hire the full-time foreign language teacher we need to help our students meet entry prerequisites at many universities. With the flexibility provided by this waiver, we can now have an effective teacher with demonstrated classroom success and the ability to teach a foreign language split their time between subjects and expand opportunities for our students.”

“For my district, this is common sense. If one of our teachers has a proven record of achieving results for students in agriculture, they should be able to teach botany without jumping through bureaucratic hurdles,” said Superintendent Audie Brown of Estancia Valley Public Schools.

This kind of waiver is the first of its kind in the nation and reflects the growing trend of using a teacher’s demonstrated performance as a key indicator of teacher effectiveness and quality. Over the last four years, New Mexico has developed and implemented policies and programs aimed at attracting and retaining excellent classroom teachers in the state, including investments in innovative educator training programs, a performance pay pilot based on teachers’ demonstrated effectiveness, the ability for effective teachers to advance licensure levels in a more streamlined and quicker process, and hiring stipends for teachers in hard-to-staff areas such as science, math, and bilingual education.

The news comes on the heels of New Mexico being one of only five states to receive a fast-tracked NCLB waiver extension by the U.S. Department of Education.

Skandera concluded, “This waiver allows us to add to the arsenal of tools that we are building so that our districts are supported in making the best instructional decisions possible and our best teachers are truly recognized for their invaluable contributions to our students’ academic success.”

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