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**HOUSE BILL 204**

**45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002**

**INTRODUCED BY**

**Mary Helen Garcia**

**FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE**

**AN ACT**

**RELATING TO EDUCATION; PROVIDING LIMITED LICENSES FOR TEACHERS  
OF NATIVE AMERICAN LANGUAGE AND CULTURE.**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

**Section 1. Section 22-10-3 NMSA 1978 (being Laws 1975,  
Chapter 306, Section 3, as amended) is amended to read:**

**"22-10-3. CERTIFICATE REQUIREMENT--TYPES OF  
CERTIFICATES--FORFEITURE OF CLAIM-EXCEPTION--ADMINISTRATOR  
APPRENTICESHIP.--**

**A. Any person teaching, supervising an instructional program,  
counseling or providing special instructional services in a  
public school or state agency, any person administering in a  
public school and any person providing health care and  
administering medication or performing medical procedures in a  
public school shall hold a valid certificate authorizing the**

underscored material = new  
[bracketed material] = delete

1 person to perform that function.

2 B. All certificates issued by the state board shall be  
3 standard certificates except that the state board may issue  
4 alternative, substandard [~~and~~], substitute and Native American  
5 language and culture certificates under certain circumstances.

6  
7 C. If a person applies for and is qualified to receive an  
8 alternative certificate, the state board shall issue an  
9 alternative certificate to a person not meeting the  
10 requirements for a standard certificate.

11 D. If a local school board or the governing authority of a  
12 state agency certifies to the state board that an emergency  
13 exists in the hiring of a qualified person, the state board  
14 may issue a substandard certificate to a person not meeting  
15 the requirements for a standard certificate.

16 E. The state board may [~~also~~] issue a substitute certificate  
17 to a person not meeting the requirements for a standard  
18 certificate to enable the person to perform the functions of a  
19 substitute teacher pursuant to the rules of the state board.

20 F. The state board may issue a Native American language and  
21 culture certificate to a person proficient in a Native  
22 American language and culture of a New Mexico tribe or pueblo  
23 who meets criteria established by the state board. A  
24 baccalaureate degree is not required for the person applying  
25 for this certificate. The Native American language and

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1           culture certificate shall be issued and renewable in  
2           accordance with procedures established by the state board.

3   G. All substandard certificates issued shall be effective for  
4           only one school year. An alternative certificate may be  
5           effective for up to three years, provided that after a person  
6           has satisfactorily completed a minimum of one year up to three  
7           years of teaching under the supervision of a mentor or  
8           clinical supervisor, the state board shall issue a standard  
9           certificate to that person. No person under the age of  
10          eighteen years shall hold a valid certificate, whether a  
11          standard, alternative or substandard.

12   ~~[G.]~~ H. Any person teaching, supervising an instructional  
13          program, counseling or providing special instructional  
14          services in a public school or state agency and any person  
15          administering in a public school without a valid certificate  
16          after the first three months of the school year shall  
17          thereafter forfeit all claim to compensation for services  
18          rendered.

19   ~~[H.]~~ I. This section shall not apply to a person performing  
20          the functions of a practice teacher as defined in the rules of  
21          the state board.

22   ~~[I.]~~ J. Any school nurse certified by the department of  
23          education shall also be licensed by the board of nursing.

24   ~~[J.]~~ K. Notwithstanding any existing requirements, any person  
25          seeking certification as an administrator shall be required to

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serve a one-year apprenticeship. The state board shall  
develop criteria and rules to implement the provisions of this  
subsection. "