

CHAPTER 41

CHAPTER 41, LAWS 2002

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 person to perform that function.

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

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

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

E. The state board may issue a substitute certificate to a person not meeting the requirements for a standard certificate to enable the person to perform the functions of a substitute teacher pursuant to the rules of the state board.

F. The state board may issue a Native American language and culture certificate to a person proficient in a Native American language and culture of a New Mexico tribe or pueblo who meets criteria established by the state board.

A baccalaureate degree is not required for the person applying for this certificate. The Native American language and culture certificate shall be issued and renewable in accordance with procedures established by the state board.

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

H. Any person teaching, supervising an instructional program, counseling or providing special instructional services in a public school or state agency and any person administering in a public school without a valid certificate after the first three months of the school year shall thereafter forfeit all claim to compensation for services rendered.

I. This section shall not apply to a person performing the functions of a practice teacher as defined in the rules of the state board.

J. Any school nurse certified by the department of education shall also be licensed by the board of nursing.

K. Notwithstanding any existing requirements, any person seeking certification as an administrator shall be required to serve a one-year apprenticeship. The state board shall develop criteria and rules to implement the provisions of this subsection."