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SENATE BILL 126

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

INTRODUCED BY

Leonard Tsosie

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 person to perform that  
function.

B. All certificates issued by the state board  
shall be standard certificates except that the state board may

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1 issue alternative, substandard ~~[and]~~, substitute and Native  
2 American language and culture certificates under certain  
3 circumstances.

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

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

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

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

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1 one year up to three years of teaching under the supervision  
2 of a mentor or clinical supervisor, the state board shall  
3 issue a standard certificate to that person. No person under  
4 the age of eighteen years shall hold a valid certificate,  
5 whether a standard, alternative or substandard.

6 ~~[C.]~~ H. Any person teaching, supervising an  
7 instructional program, counseling or providing special  
8 instructional services in a public school or state agency and  
9 any person administering in a public school without a valid  
10 certificate after the first three months of the school year  
11 shall thereafter forfeit all claim to compensation for  
12 services rendered.

13 ~~[D.]~~ I. This section shall not apply to a person  
14 performing the functions of a practice teacher as defined in  
15 the rules of the state board.

16 ~~[E.]~~ J. Any school nurse certified by the  
17 department of education shall also be licensed by the board of  
18 nursing.

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