

AN ACT
RELATING TO EDUCATION; PROVIDING FOR AN ALTERNATIVE TEACHER-
CERTIFICATION PROCESS; AMENDING A CERTAIN SECTION OF THE
NMSA 1978; ENACTING A NEW SECTION OF THE SCHOOL PERSONNEL
ACT.

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

Section 1. A new section of the School Personnel Act
is enacted to read:

"ALTERNATIVE CERTIFICATION.--

A. The state board shall issue an alternative
certificate to a person meeting the statutory and regulatory
requirements for alternative certification.

B. To receive an alternative certificate, an
applicant must show that he has:

(1) completed a bachelor of arts or science
degree at a regionally accredited institution of higher
education, including completion of a minimum of thirty
credit hours in a particular field at either the graduate or
undergraduate level; or

(2) completed a master of arts or science
degree at a regionally accredited institution of higher
education, including completion of a minimum of twelve
graduate credit hours in a particular field; or

(3) completed a doctor of philosophy or
doctor of education degree at an accredited institution of
higher education; and

(4) have passed any teachers exam required
by the state board for individuals seeking a standard
certificate.

C. The degrees referred to in Paragraphs (1), (2) and (3) of Subsection B of this Section shall appertain and correspond to the subject area of instruction and level of instruction that will enable the applicant to teach in a competent manner as determined by the state board.

D. A person receiving an alternative certificate shall complete a minimum of twelve semester hours of instruction in teaching principles in a program approved by the state board or the state department of education in concert with the school district shall verify that the teacher candidate has successfully demonstrated the state-board-approved competencies for entry level teachers that correspond to the grade level being taught prior to assuming teaching duties.

E. The state board may, by rule, establish a procedure for awarding alternative certificates provided that any requirements implemented by the state board not exceed those established by statute."

Section 2. A new section of the School Personnel Act is enacted to read:

"ALTERNATIVE CERTIFICATES--EMPLOYMENT--DISCRIMINATION.--
-A school district or state agency shall not discriminate against a person on the basis that he holds an alternative certificate."

Section 3. 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 and substitute certificates under certain circumstances. 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. 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. The state board may also 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 regulations of the state board. All substandard and substitute 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, substandard or substitute.

C. 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.

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

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

F. 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 regulations to implement the provisions of this subsection."

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Section 4. DELAYED EFFECTIVE DATE.--The new material added by this act and amendments to Section 22-10-3 NMSA 1978 made by this act will not become effective until July 1, 2000.

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