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SENATE BILL 581

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Richard M Romero

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:

" NEW MATERIAL 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 an accredited institution of higher education,

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1 including completion of a minimum of thirty credit hours in a  
2 particular field at either the graduate or undergraduate  
3 level;

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

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

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

14 C. A person receiving an alternative certificate  
15 shall complete a minimum of sixty actual hours of instruction  
16 in teaching principles in a program approved by the state  
17 board prior to assuming teaching duties.

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

22 Section 2. A new section of the school Personnel Act is  
23 enacted to read:

24 "[NEW MATERIAL] ALTERNATIVE CERTIFICATES--EMPLOYMENT--  
25 DISCRIMINATION.--A school district or state agency shall not

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1 discriminate against a person on the basis that he holds an  
2 alternative certificate."

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

5 "22-10-3. CERTIFICATE REQUIREMENT--TYPES OF  
6 CERTIFICATES--FORFEITURE OF CLAIM-EXCEPTION--ADMINISTRATOR  
7 APPRENTICESHIP.--

8 A. Any person teaching, supervising an  
9 instructional program, counseling or providing special  
10 instructional services in a public school or state agency, any  
11 person administering in a public school and any person  
12 providing health care and administering medication or  
13 performing medical procedures in a public school shall hold a  
14 valid certificate authorizing the person to perform that  
15 function.

16 B. All certificates issued by the state board  
17 shall be standard certificates except that the state board may  
18 issue alternative, substandard and substitute certificates  
19 under certain circumstances. If a person applies for and is  
20 qualified to receive an alternative certificate, the state  
21 board shall issue an alternative certificate to a person not  
22 meeting the requirements for a standard certificate. If a  
23 local school board or the governing authority of a state  
24 agency certifies to the state board that an emergency exists  
25 in the hiring of a qualified person, the state board may issue

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1 a substandard certificate to a person not meeting the  
2 requirements for a standard certificate. The state board may  
3 also issue a substitute certificate to a person not meeting  
4 the requirements for a standard certificate to enable the  
5 person to perform the functions of a substitute teacher  
6 pursuant to the regulations of the state board. All  
7 substandard and substitute certificates issued shall be  
8 effective for only one school year. An alternative  
9 certificate may be effective for up to two years, provided  
10 that after a person has satisfactorily completed one year of  
11 teaching under the supervision of a mentor or clinical  
12 supervisor, the state board shall issue a standard certificate  
13 to that person. No person under the age of eighteen years  
14 shall hold a valid certificate, whether a standard,  
15 alternative, substandard or substitute.

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

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

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1                   E. Any school nurse certified by the department of  
2 education shall also be licensed by the [ state] board of  
3 nursing.

4                   F. Notwithstanding any existing requirements, any  
5 person seeking certification as an administrator shall be  
6 required to serve a one-year apprenticeship. The state board  
7 shall develop criteria and regulations to implement the  
8 provisions of this subsection. "

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1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3  
4  
5 February 25, 1999

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7 Mr. President:

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9 Your EDUCATION COMMITTEE, to whom has been referred

10  
11 SENATE BILL 581

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13 has had it under consideration and reports same with  
14 recommendation that it DO PASS.

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17 Respectfully submitted,

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Adopted \_\_\_\_\_ Not

Adopted \_\_\_\_\_

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(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

No: 0

Excused: Gorham, Jennings

Absent: None

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1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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5  
6 March 13, 1999

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8 Mr. Speaker:

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10 Your EDUCATION COMMITTEE, to whom has been referred

11  
12 SENATE BILL 581

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14 has had it under consideration and reports same with  
15 recommendation that it DO PASS, amended as follows:

16 1. On page 1, line 25, strike "an" and insert "a  
17 regionally".

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19 2. On page 2, line 3, after the semi-colon, insert "or"

20  
21 3. On page 2, line 5, strike "an" and insert "a  
22 regionally".

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24 4. On page 2, line 11, strike "national".

25 5. On page 2, line 14, insert new subsection:

"C. The degrees referred to in Paragraphs (1), (2) and

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

HEC/SB 581

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(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. "

6. Reletter the succeeding subsections accordingly.

7. On page 2, line 15, strike "sixty actual" and insert in lieu thereof "twelve semester".

8. On page 2, line 17, after "board" insert "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".

9. On page 2, line 22, strike "school" and insert in lieu thereof "School".

10. On page 4, line 9, strike "two" and insert in lieu thereof "three".

11. On page 4, line 10, after "completed" insert "a minimum of" and after "year", insert "up to three years".

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FORTY-FOURTH LEGISLATURE  
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12. On page 5, between lines 8 and 9, insert a new section:

"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."

Respectfully submitted,

\_\_\_\_\_  
Rick Miera, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

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The roll call vote was 14 For 1 Against

Yes: 14

No: Stapleton

Excused: None

Absent: Marquardt

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