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SENATE BILL 439

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO EDUCATION; CHANGING CERTIFICATE REQUIREMENTS FOR
SUBSTITUTE TEACHERS.

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

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1 function.

2 B. All certificates issued by the state board
3 shall be standard certificates except that the state board
4 may issue alternative, substandard and substitute
5 certificates under certain circumstances. If a person
6 applies for and is qualified to receive an alternative
7 certificate, the state board shall issue an alternative
8 certificate to a person not meeting the requirements for a
9 standard certificate. If a local school board or the
10 governing authority of a state agency certifies to the state
11 board that an emergency exists in the hiring of a qualified
12 person, the state board may issue a substandard certificate
13 to a person not meeting the requirements for a standard
14 certificate. The state board may also issue a substitute
15 certificate to a person not meeting the requirements for a
16 standard certificate to enable the person to perform the
17 functions of a substitute teacher pursuant to the
18 [~~regulations~~] rules of the state board. All substandard [~~and~~
19 ~~substitute~~] certificates issued shall be effective for only
20 one school year. An alternative certificate may be effective
21 for up to three years, provided that after a person has
22 satisfactorily completed a minimum of one year up to three
23 years of teaching under the supervision of a mentor or
24 clinical supervisor, the state board shall issue a standard
25 certificate to that person. No person under the age of
eighteen years shall hold a valid certificate, whether a
standard, alternative, or substandard [~~or substitute~~]. No

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1 person under the age of twenty-one years shall hold a valid
2 substitute certificate.

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

10 D. This section shall not apply to a person
11 performing the functions of a practice teacher as defined in
12 the [~~regulations~~] rules of the state board.

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

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

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