

*State of New Mexico*  
**LEGISLATIVE EDUCATION STUDY COMMITTEE**

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November 19, 2015

**MEMORANDUM**

**TO:** Legislative Education Study Committee

**FR:** Kevin Force

**RE: STAFF BRIEF: ADMINISTRATIVE RULEMAKING**

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In the October 29, 2015 issue of the *New Mexico Register*, the Public Education Department (PED) published Notice of Proposed Rulemaking, announcing proposed changes to:

- **6.61.8 NMAC, Licensure in Early Childhood Education, Birth – Grade 3**
- **6.63.8 NMAC, Licensure in Athletic Coaching, 7-12**
- **6.63.12 NMAC, School Business Official Licensure**

The notice solicited comments and announced a public hearing on the proposed rules, to be held in Mabry Hall of the Jerry Apodaca Building in Santa Fe on December 1, 2015. (See **Attachment 1, Notice of Proposed Rulemaking, 6.61.8, 6.63.8 and 6.63.12 NMAC, 10/29/15.**)

**6.61.8 NMAC, Licensure in Early Childhood Education, Birth – Grade 3**

While this rulemaking has been proposed as a repeal and replace, it actually only proposes two amendments to the rule, by changing certain dates from 2014 to 2015:

- Early childhood education (birth to grade 3) licensees who obtained their license prior to July 1, 2015 (currently July 1, 2014) may advance or renew their license by meeting the requirements of 6.60.6 NMAC, “Continuing Licensure for Licensed Educators in New Mexico.”

- Similarly, candidates who apply for a license in early childhood education on or after July 1, 2015 (currently July 1, 2014) must meet licensure requirements for:
  - birth to pre-K, found in 6.61.11 NMAC, “Licensure in Early Childhood Education, Birth to Pre-K”; or
  - pre-K to grade 3, found in 6.61.12 NMAC, “Licensure in Early Childhood Education, Pre-K to Grade 3.”

(See **Attachment 2, Proposed Rule, 6.61.8 NMAC, Licensure in Early Childhood Education, Birth – Grade 3, 10/29/15.**)

### **6.63.8 NMAC, Licensure in Athletic Coaching, 7-12**

The department proposes to amend this rule by adding new requirements for athletic coaching licenses at all levels. (See **Attachment 3, Proposed Rule, 6.63.8 NMAC, Licensure in Athletic Coaching, 7-12, 10/29/15.**) Specifically:

- all licensure levels must now provide verification of completion of “first aid/sport first aid/athletic training,” as approved by the New Mexico Activities Association (NMAA); and
- candidates for Level 3 licensure:
  - in addition to possessing a New Mexico teaching license with physical education endorsement, must also either hold an undergraduate or graduate minor in coaching, with at least 24 hours of postsecondary coursework at a regionally accredited school, or complete an advanced coaching principles course approved by PED; and
  - include training in the use of an automated external defibrillator, as approved by the NMAA, in their verification of completion of CPR training.

Additionally, the rulemaking proposes to repeal section 6.63.8.13, which is no longer applicable, since the licensure application deadline pertinent to that section, July 1, 2007, has passed.

### **6.63.12 NMAC, School Business Official Licensure**

Currently, candidates for school business official licenses must have completed one or more of several prerequisites, including holding a current certified public accountant certificate, or holding a bachelor’s, or higher, degree in business, accounting, or a related field, with at least 24 hours in accounting or business coursework from a regionally accredited institution of higher education. The department proposes to add another option for demonstrating necessary experience and competency. (See **Attachment 4, Proposed Rule, 6.63.12 NMAC, School Business Official Licensure, 10/29/15.**) This proposal would allow a person to qualify for the license by achieving a high school diploma or equivalency credential and:

- having at least five years of verifiable employment experience working as a school business official, or the same, working under the supervision of a licensed school business official; and
- completing 40 hours of licensure credit for school business official licensee continuing education.

Additionally, PED proposes to repeal section 6.63.12.12, which currently allows persons who have been employed by a local school district for at least three years as a school business official to obtain a Level 2 business official license, if they obtain verification of their employment and satisfaction of required competencies from their superintendent.

**ATTACHMENT 1****New Mexico Register / Volume XXVI, Issue 20 / October 29, 2015****NOTICE OF PROPOSED RULEMAKING**

The Public Education Department (“Department”) hereby gives notice that the Department will conduct a public hearing at Mabry Hall, Jerry Apodaca Education Building, 300 Don Gaspar, Santa Fe, New Mexico 87501-2786, on Tuesday, December 1, 2015 from 1:00 p.m. to 3:00 p.m. The purpose of the public hearing will be to obtain input on the following proposed rulemaking:

- |              |   |            |
|--------------|---|------------|
| 6.61.8 NMAC  | LICENSURE IN EARLY CHILDHOOD EDUCATION, BIRTH - GRADE 3       |            |
|              | Replace rule (Replaces 6.61.8 NMAC which expired on 06/30/14) |            |
| 6.63.8 NMAC  | LICENSURE IN ATHLETIC COACHING, 7-12                          | Amend rule |
| 6.63.12 NMAC | SCHOOL BUSINESS OFFICIAL LICENSURE                            | Amend rule |

Interested individuals may provide comments at the public hearing and/or submit written comments to Seana Flanagan, Assistant Director, Educator Quality Division, via email at [rule.feedback@state.nm.us](mailto:rule.feedback@state.nm.us), fax (505) 827-4148, or directed to Seana Flanagan, Assistant Director, Educator Quality Division, Jerry Apodaca Public Education Building, 300 Don Gaspar, Santa Fe, New Mexico 87501. Written comments must be received no later than 5:00 p.m. on the date of the hearing. However, the submission of written comments as soon as possible is encouraged.

Copies of the proposed rules may be accessed on the Department’s website (<http://ped.state.nm.us/>) under the “Public Notices” link, or obtained from Ms. Flanagan at (505) 827-6503.

Individuals with disabilities who require this information in an alternative format or need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Ms. Flanagan at (505) 827-6503 as soon as possible. The NMPED requires at least ten (10) days advance notice to provide requested special accommodations.

**TITLE 6            PRIMARY AND SECONDARY EDUCATION**  
**CHAPTER 61      SCHOOL PERSONNEL - SPECIFIC LICENSURE REQUIREMENTS FOR**  
**INSTRUCTORS**  
**PART 8            LICENSURE IN EARLY CHILDHOOD EDUCATION, BIRTH - GRADE 3**

**6.61.8.1            ISSUING AGENCY:** Public Education Department (PED)  
[6.61.8.1 NMAC - Rp, 6.61.8.1 NMAC, xx/xx/2015]

**6.61.8.2            SCOPE:** All persons seeking licensure in early childhood education, birth - grade 3.  
[6.61.8.2 NMAC - Rp, 6.61.8.2 NMAC, xx/xx/2015]

**6.61.8.3            STATUTORY AUTHORITY:** Sections 22-2-1, 22-2-2 and 22-10A-6, NMSA 1978.  
[6.61.8.3 NMAC - Rp, 6.61.8.3 NMAC, xx/xx/2015]

**6.61.8.4            DURATION:** Permanent  
[6.61.8.4 NMAC - Rp, 6.61.8.4 NMAC, xx/xx/2015]

**6.61.8.5            EFFECTIVE DATE:** **EFFECTIVE DATE**, unless a later date is cited in the history note at the  
end of a section.  
[6.61.8.5 NMAC - Rp, 6.61.8.5 NMAC, xx/xx/2015]

**6.61.8.6            OBJECTIVE:** This rule establishes licensure requirements for those seeking to work in early  
childhood education, that is, with children from birth to grade 3 whether they are developing either typically or  
atypically.  
[6.61.8.6 NMAC - Rp, 6.61.8.6 NMAC, xx/xx/2015]

**6.61.8.7            DEFINITIONS:**

A. "Adaptive living skills" means the development in several skill areas such as 1) living skills:  
eating, dressing, and toileting; 2) independence/safety skills: crossing the street properly and avoiding dangerous  
situations such as hot stoves and hot water; and 3) environmental adaptation skills: adapting behavior as a function  
of the limitations or demands of the particular environment, such as being quiet in a library or hospital and walking,  
not running, inside school hallways. Adaptive behavior means the effectiveness or degree with which the child  
meets the standards of personal independence and social responsibility expected of comparable age and cultural  
groups.

B. "Alternative means of communication" means other forms of communication, particularly non-  
vocal; such as the use of sign language with and without speech; communication boards; or other technological aides  
such as computers and speech output devices.

C. "Anti bias" means actively confronting, transcending, and eliminating personal and institutional  
barriers based on race, sex, or ability.

D. "At risk" means the following as it applies to children birth through age two: A biological or  
medical risk is the presence of early medical conditions which are known to produce developmental delays in some  
children. An environmental risk is the presence of physical, social, or economic factors in the environment which  
pose a substantial threat to development as indicated by a discrepancy between chronological age, after correction  
for prematurity, and developmental age in two or more areas of development as documented by the evaluation  
process. A determination of environmental risk shall be made by an interagency team and shall not be based upon  
behavior related to cultural or language differences.

E. "Individual education program" (IEP) means a plan that describes the delivery of services to a  
child with a disability, age three - twenty-one. The plan serves as a communication vehicle between parents and  
school personnel and enables them, as equal participants, to decide jointly what the child's needs are, what services  
will be provided to meet those needs, what the anticipated outcomes may be, and how the child's progress towards  
meeting the projected outcomes will be evaluated.

F. "Individualized family service plan" (IFSP) means a plan that describes the delivery of services to  
a child with a developmental delay or at risk for a developmental delay, birth through two years of age, and the  
child's family. Components of the plan include a statement describing the child's level of functioning in  
developmental areas; major outcomes including criteria, procedures, and timelines to determine the degree of  
progress and revision of the plan; specific services needed to achieve outcomes, other services needed by the child

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and family, name of service coordinator, a transition plan, and an optional statement of family concerns, priorities and resources.

G. "Integrated curriculum" means an approach to curriculum that recognizes that content areas in instruction are naturally interrelated, as they are in real life experiences. In the resulting integrated curriculum, learning is regarded as a process rather than a collection of facts. Learning about math, science, social studies, health, and other content areas are all connected through meaningful activities.

H. "Intervention strategies" means various techniques utilized in teaching a child a particular skill such as physical or verbal prompts and cues, visual aides, modeling, imitation, repetition, task analysis, environmental or stimulus prompts and cues. These strategies are attempts to facilitate learning when the presentation of information or the arrangement of an environment is insufficient in assisting the developmental learning process. The proper design of intervention strategies requires careful observation, individualization and data keeping. The goal of this approach is to systematically fade the particular technique utilized as the child demonstrates abilities to practice, initiate, and generalize the skill.

I. "Variations across cultures/cultural diversity" means the curriculum, environment, and learning materials are reflective of distinct groups that may differ from one another physically, socially, and culturally.

J. "A highly qualified beginning early childhood teacher", under this rule, means a teacher who is fully qualified for teaching children from birth through grade 3, who is new to the profession, who has pursued a standard route to licensure, and who:

- (1) meets the requirements for early childhood B-3 licensure in Subsections A or B of 6.61.8.8 NMAC, and
- (2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason, and
- (3) has passed all applicable teacher testing requirements for licensure in 6.60.5.8 NMAC. [6.61.8.7 NMAC - Rp, 6.61.8.7 NMAC, xx/xx/2015]

**6.61.8.8 REQUIREMENTS:** All persons who perform instructional services in early childhood education (i.e., birth - grade 3) in public schools or in state-supported schools, must hold a valid standard license in early childhood development issued by the PED. A candidate who applies for licensure in early childhood education on or after July 1, 2015 must meet the requirements for either birth - pre-K as stated in 6.61.11 NMAC, or pre-K-grade 3 as stated in 6.61.12 NMAC:

A. persons seeking licensure in early childhood education pursuant to the provisions of this rule shall meet the following requirements:

- (1) possess a bachelor's degree from a regionally accredited college or university and including, for those students first entering a college or university beginning in the fall of 1986, the following:
  - (a) twelve (12) semester hours in English;
  - (b) twelve (12) semester hours in history including American history and western civilization;
  - (c) nine (9) semester hours in mathematics;
  - (d) six (6) semester hours in government, economics, or sociology;
  - (e) twelve (12) semester hours in science, including biology, chemistry, physics, geology, zoology, or botany;
  - (f) six (6) semester hours in fine arts; and
- (2) earn credits from a regionally accredited college or university which include: thirty-six to forty-two (36-42) semester hours of professional education in an early childhood education program approved by the PED, including completion of the PED's approved early childhood education competencies; and
- (3) earn eighteen to thirty (18-30) semester hours of practicum and supervised field experiences beginning in the first eighteen (18) semester hours of instruction in professional early childhood education to include a mandatory student teaching component in early childhood education for one of the following age ranges: B-3, 3-5, or 5-8 with children who are developing either typically or atypically; and
  - (a) one-hundred fifty (150) contact hours of practicum or supervised field experience at a developmental stage (s) other than the stage selected for student teaching set forth in Paragraph (3) above; or
  - (b) evidence of three years of documented, verified, satisfactory work experiences with at least two of the age ranges set forth in paragraph (3) of Subsection A of 6.61.8.8 NMAC above at a center accredited by the national academy of early childhood programs, a postsecondary laboratory early care and education setting, or an early childhood program accredited by the PED; and

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(4) in addition to the requirements specified in Subsection A, Paragraphs (1), (3) and (5) of 6.61.8.8 NMAC, six (6) hours in the teaching of reading for those who have first entered any college or university on or after August 1, 2001 regardless of when they graduate or earn their degree; and

(5) pass all required portions of the New Mexico teacher assessment (NMTA) or any successor teacher examination adopted by the PED; and

(6) if new to the profession after June 30, 2006, or hired after the first day of school of the 2002-2003 school year and assigned to work in a title I targeted assistance program or a title I school-wide, satisfies the requirements of a highly qualified beginning early childhood teacher; or

B. possess valid certificate issued by the national board for professional teaching standards for the appropriate grade level and type.

[6.61.8.8 NMAC - Rp, 6.61.8.8 NMAC, xx/xx/2015]

**6.61.8.9 IMPLEMENTATION:** All persons holding a current license in early childhood, birth - grade 3 prior to July 1, 2015 may advance or renew that license by meeting requirements stated in 6.60.6 NMAC. All persons whose license in early childhood, birth - grade 3 expired on or after June 30, 2015 must apply as an initial applicant and meet requirements stated in 6.61.11 NMAC, or 6.61.12 NMAC.

[6.61.8.9 NMAC - Rp, 6.61.8.9 NMAC, xx/xx/2015 ]

**6.61.8.10 REFERENCED MATERIAL: COMPETENCIES FOR EARLY CHILDHOOD EDUCATION**

A. Child growth, development and learning: Foundations for all learning are established during early childhood. Biological-physical, social, cultural, emotional, cognitive, and language domains are inherently intertwined in growth and development. Early childhood professionals must understand this process of development and the adult's role in supporting each child's growth, development, and learning.

(1) Incorporate understanding of developmental stages, processes, and theories of growth, development, and learning into developmentally appropriate practice.

(2) Demonstrate knowledge of the interaction between maturation and environmental factors that influence physical, social, emotional, cognitive, and cultural domains in the healthy development of each child.

(3) Demonstrate knowledge of the significance of individual differences in development and learning. Demonstrate knowledge of how certain differences may be associated with rate of development and developmental patterns associated with developmental delays and/or specific disabilities.

(4) Demonstrate knowledge of the similarities between children who are developing typically and those with special needs.

(5) Provide a variety of activities that facilitate development of the whole child in the following areas: physical/motor, social/emotional, language/cognitive, and adaptive/living skills.

(6) Apply knowledge of cultural and linguistic diversity and the significance of socio-cultural and political contexts for development and learning and recognize that children are best understood in the contexts of family, culture and society.

(7) Demonstrate knowledge of the many functions that language serves in the cognitive, social, and emotional aspects of development in the formative years.

(8) Demonstrate knowledge of the developmental sequence of language and literacy, including the influence of culture and home factors.

(9) Demonstrate knowledge of how children acquire and use verbal, non-verbal, and alternative means of communication.

(10) Demonstrate knowledge of the relationship among emotions, behaviors, and communication skills to assist children in identifying and expressing their feelings in appropriate ways.

(11) Use appropriate guidance to support the development of self-regulatory capacities in young children.

B. Health, safety and nutrition: Early childhood professionals promote physical and mental health and appropriate nutrition and provide an emotionally and physically safe environment for young children in partnership with their families. Sound health, safety, and nutritional practices provide the foundation for development and learning. Good nutrition is appropriate and important to the total development of young children and their families. Meals and snacks encourage good nutrition and eating habits. A safe environment prevents and reduces injuries for young children who are only beginning to recognize dangerous situations.

(1) Recognize and respond to each child's physical health, intellectual and emotional well being, and nutritional and safety needs.

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- (2) Appropriately plan, maintain, and facilitate the use of the indoor and outdoor learning environments to promote each child's physical and emotional well-being.
- (3) Use appropriate health appraisal and management procedures and makes referrals when necessary.
- (4) Recognize signs of emotional distress, child abuse, and neglect in young children and use procedures appropriate to the situation, such as initiating discussions with families, referring to appropriate professionals, and, in cases of suspected abuse or neglect, reporting to designated authorities.
- (5) Establish an environment that provides opportunities and reinforcement for children's practice of healthy behaviors that promote appropriate nutrition and physical and psychological well being.
- (6) Provide a consistent daily schedule for rest/sleep, as developmentally appropriate.
- (7) Implement health care and educational activities for children and families based on health and nutritional information that is responsive to diverse cultures.
- (8) Assist young children and their families, as individually appropriate, in developing decision- making and interpersonal skills that enable them to make healthy choices and establish health-promoting behaviors.

C. Family and community collaboration: Early childhood professionals are committed to family-centered practices. They maintain an open, friendly, and cooperative relationship with each child's family, encouraging family involvement, and supporting the child's relationship with his or her family. The diverse cultures and languages representative of families in New Mexico's communities are honored.

- (1) Seek and maintain a collaborative relationship with parents, guardians, families, community agencies, and other professionals to meet the needs each child.
- (2) Create and maintain a safe and welcoming environment for families and community members.
- (3) Establish frequent contact with parents and guardians through a variety of communication strategies, including communication in the home language of each child to provide ongoing, relevant information to families about child growth, development, and learning.
- (4) Demonstrate knowledge of and respect for variations across cultures, in terms of family strengths, expectations, values, and child-rearing practices.
- (5) Demonstrate understanding of the complexity and dynamics of family systems.
- (6) Demonstrate understanding of the effects of family stress on the behavior of children and other family members.
- (7) Demonstrate the ability to incorporate the families' desires/goals for their children into classroom and/or intervention strategies.
- (8) Develop partnerships with family members to promote early literacy in the home.
- (9) Involve families and community members in contributing to the learning environment.
- (10) Establish partnerships with community members in promoting literacy.
- (11) Demonstrate ability to communicate to families the program's policies, procedures, and those procedural safeguards that are mandated by state and federal regulations.

D. Developmentally appropriate content: Early childhood professionals demonstrate knowledge of child development and learning, as well as content knowledge, both in terms of academic disciplines and interdisciplinary integration. Their approach to curriculum content emerges from multiple sources, such as play and exploration, and is appropriate for the ages and developmental levels of the children with whom they work. Content includes, but is not limited to, the arts, literacy, mathematics, physical education, health, social studies, science, and technology. Children's initial experiences with these content areas form the foundation for later understanding and success.

- (1) Demonstrate knowledge of relevant content for young children and developmentally appropriate ways of integrating content into teaching and learning experiences for children from birth through age eight.
- (2) Demonstrate the integration of knowledge of how young children develop and learn with knowledge of the concepts, inquiry tools, and structure of content areas appropriate for different developmental levels.
- (3) Demonstrate knowledge of what is important in each content area, why it is of value, and how it links with earlier and later understandings within and across areas.
- (4) Demonstrate knowledge of the reading and writing components of literacy at each developmental level.

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(5) Develop, implement, and evaluate an integrated curriculum that focuses on children's development and interests, using their language, home experiences and cultural values.

(6) Adapt content to meet the needs of each child, including the development of individualized family service plans (IFSP) and/or individualized education plans (IEP) for children with special needs through the team process with families and other team members.

(7) Provides and uses anti-bias materials/literature and experiences in all content areas of the curriculum.

E. Learning environment and curriculum implementation: Teaching and learning with young children is a complex process embedded in relationships. These teaching and learning relationships provide the scaffold for jointly constructing meanings about self, others, and the world. Early childhood professionals use their child development knowledge, their knowledge of developmentally appropriate practices, and their content knowledge to design, implement, and evaluate experiences that promote optimal development and learning for all children from birth through age eight. In addition, their use of observations is grounded in a thorough understanding of children's families, cultures, and communities. Early childhood professionals encourage young children's problem solving, critical thinking, and academic and social competence within a supportive and challenging learning environment. These challenging teaching and learning experiences build children's confidence in themselves as competent learners.

(1) Demonstrate knowledge of varying program models and learning environments that meet the individual needs of all young children, including those with special needs.

(2) Create environments that encourage active involvement, initiative, responsibility, and a growing sense of autonomy through the selection and use of materials and equipment that are suitable to individual learning, developmental levels, special needs, and the language and cultures in New Mexico.

(3) Demonstrate knowledge and skill in the use of developmentally appropriate guidance techniques and strategies that provide opportunities to assist children in developing positive thoughts and feelings about themselves and others through cooperative interaction with peers and adults.

(4) Create and manage learning environments that provide individual and cooperative opportunities for children to construct their own knowledge through various strategies that include decision-making, problem-solving, and inquiry experiences.

(5) Demonstrate understanding that each child's creative expression is unique and can be encouraged through diverse ways, including creative play.

(6) Plan blocks of interrupted time for children to persist at self-chosen activities, both indoors and out.

(7) Demonstrate understanding of the influence of the physical setting, schedule, routines, and transitions on children and use these experiences to promote children's development and learning.

(8) Use and explain the rationale for developmentally appropriate methods that include play, small group projects, open-ended questioning, group discussion, problem solving, cooperative learning, and inquiry experiences to help young children develop intellectual curiosity, solve problems, and make decisions.

(9) Create and manage a literacy-rich environment that is responsive to each child's unique path of development.

(10) Use a variety of language strategies during adult-child and child-child interactions and facilitate dialogue of expressive language and thought.

(11) Demonstrate a variety of developmentally appropriate instructional strategies that facilitate the development of literacy skills.

(12) Demonstrate knowledge of developmentally appropriate uses of technology, including assistive technology.

(13) Demonstrate the ability to work collaboratively with educational assistants, volunteers, and others to individualize the curriculum and to meet program goals.

(14) Demonstrate effective written and oral communication skills when working with children, families, and early care, education, and family support professionals.

F. Assessment of children and evaluation of programs: Early childhood professionals must develop knowledge of diverse assessment approaches, including observational skills. They use appropriate on-going documentation and report information to families and professionals. Appropriate early childhood assessment is responsive to cultural and linguistic differences. It includes information from multiple sources, e.g., observations, checklists, interviews, and both formal and informal standardized measures in diverse settings for making educational decisions about children. The assessment data gathered from multiple sources that has a major impact

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on children should be made by a team of family members, teachers, and other professionals. In addition, early childhood professionals engage in systematic, on-going evaluation of their programs.

- (1) Demonstrate knowledge of assessment and evaluation practices that are valid and appropriate.
- (2) Demonstrate knowledge of maintaining appropriate records of children's development and behavior that safeguard confidentiality and privacy.
- (3) Demonstrate knowledge of the educator's role as a participating member of the assessment process as described and mandated by state and federal regulations for Individual family service plans (IFSP) and individual education plans (IEP).
- (4) Demonstrate understanding of the influences of environmental factors, cultural/linguistic differences, and diverse ways of learning on assessment outcomes.
- (5) Involve the family and, as appropriate, other team members in assessing the child's development, strengths, and needs in order to set goals for the child.
- (6) Share assessment results as appropriate with families in clear, supportive ways.
- (7) Involve all stakeholders in program evaluations.
- (8) Demonstrate knowledge of a variety of techniques and procedures to evaluate and modify program goals for young children and their families.
- (9) Develop and use formative and summative program evaluation to ensure comprehensive quality of the total environment for children, families, and the community.
- (10) Use both self and collaborative evaluations as part of on going program evaluations.

G. Professionalism: Professionalism is built upon individual integrity, responsibility, and ethical practices that demonstrate a profound respect for all children and their families. Early childhood professionals embrace a multicultural perspective that is responsive to individuals in culturally diverse communities in New Mexico. Professionals make decisions based upon knowledge of early childhood theories and practices that recognize diversity of ability, developmental level, and family characteristics. Early childhood professionals advocate for excellence in early childhood programs and participate in one-going professional development to enhance their knowledge and skills.

- (1) Consistently adheres to professional codes of ethics and conduct.
- (2) Demonstrate knowledge of federal, state, and local regulations regarding programs and services for children birth through eight years of age.
- (3) Demonstrate understanding of conditions of children, families, and professionals; current issues and trends; legal issues; and legislation and other public policies affecting children, families, and programs for young children and the early childhood profession.
- (4) Articulate a personal philosophy of appropriate early care and education that responds to practices that support inclusion and cultural and linguistic diversity through actions and attitudes.
- (5) Demonstrate critical reflection of one's own professional and educational practices from community, state, national, and global perspectives.
- (6) Demonstrate understanding of the early childhood profession, its multiple, historical, philosophical and social foundations, and how these foundations influence current thought and practice.
- (7) Demonstrate a commitment to advocacy for excellence in programs and services for young children and their families.
- (8) Demonstrate knowledge of other professions that provide related services for young children and their families.
- (9) Participate in professional organizations and in on-going professional development to enhance knowledge and skills in working with young children and adults.
- (10) Demonstrate knowledge of basic principles of administration, organization, and operation of early childhood programs, including supervision of staff and volunteers.

[6.61.8.10 NMAC - Rp, 6.61.8.10 NMAC, xx/xx/2015]

**HISTORY OF 6.61.8 NMAC:**

**PRE-NMAC HISTORY:** The material in this part was derived from that previously filed with the State Records Center and Archives under:

SBE Regulation No. 63-1 New Mexico Certification Regulations Kindergarten Plan I Five Year Kindergarten Certificate, and Plan II Four Year Provisional Elementary Certificate with a Kindergarten Endorsement, filed August 28, 1978; SBE Regulation No. 78-11 Certification Requirements for Five Year Kindergarten Certificate, filed September 6, 1978; SBE Regulation No. 78-11.1 Certification Requirements for Five Year Kindergarten

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Certificate, filed October 20, 1978; SBE Regulation No. 78-11.1 Amendment No. 1 Certificate for Requirement for Five Year Kindergarten Certificate, filed December 8, 1978; SBE Regulation No. 86-5 Supersession of Regulations Pertaining to Kindergarten Licensure and Endorsement And Provision for Continuation of Certain Licenses Granted Pursuant to Said Regulations, filed July 28, 1986; SBE Regulation No. 93-17, Licensure in Early Childhood Education Birth - Grade 3, filed July 20, 1993; SBE Regulation No. 93-17 Amendment 1 Licensure in Early Childhood Education Birth - Grade 3, filed April 3, 1995; 6.61.8 NMAC Licensure in Early Childhood Education, Birth - Grade 3, filed **DATE OF FILING**

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**CHAPTER 63      SCHOOL PERSONNEL - LICENSURE REQUIREMENTS FOR ANCILLARY AND**  
**SUPPORT PERSONNEL**  
**PART 8            LICENSURE IN ATHLETIC COACHING, 7-12**

**6.63.8.1            ISSUING AGENCY:** Public Education Department  
[06-15-98, 07-30-99; 6.63.8.1 NMAC - Rn, 6 NMAC 4.2.3.14.1, 03-31-01; A, 03-15-06]

**6.63.8.2            SCOPE:** All persons seeking licensure in athletic coaching, 7-12.  
[06-15-98; 6.63.8.2 NMAC - Rn, 6 NMAC 4.2.3.14.2 & A, 03-31-01]

**6.63.8.3            STATUTORY AUTHORITY:** Sections 22-2-1, NMSA 1978 and 22-2-2, NMSA 1978.  
[06-15-98; 6.63.8.3 NMAC - Rn, 6 NMAC 4.2.3.14.3, 03-31-01]

**6.63.8.4            DURATION:** Permanent  
[06-15-98; 6.63.8.4 NMAC - Rn, 6 NMAC 4.2.3.14.4, 03-31-01]

**6.63.8.5            EFFECTIVE DATE:** June 15, 1998, unless a later date is cited in the history note at the end of a section.  
[06-15-98; 6.63.8.5 NMAC - Rn, 6 NMAC 4.2.3.14.5 & A, 03-31-01]

**6.63.8.6            OBJECTIVE:** This regulation governs the requirements for persons seeking initial and continued licensure in athletic sports including cheer, dance and drill coaching, grades 7-12.  
[06-15-98; 6.63.8.6 NMAC - Rn, 6 NMAC 4.2.3.14.6 & A, 03-31-01; A, 03-15-06]

**6.63.8.7            DEFINITIONS:**  
A. "Athletic coaching" means athletic services in grades 7-12 performed by a head coach or assistant coach, paid or volunteer, for any athletic sport, including cheer, dance or drill.  
B. "A year of athletic coaching experience" means coaching for at least one complete athletic season in a year.  
[6.63.8.7 NMAC - N, 03-15-06]

**6.63.8.8            REQUIREMENTS:** All persons who perform athletic coaching, 7-12 services in public schools or in those special state-supported schools within state agencies, must hold valid, standard licensure in athletic coaching issued by the public education department (PED).

A. Persons seeking entry level 1 licensure in athletic coaching pursuant to the provisions of this regulation shall meet the following requirements:  
(1) possess a high school diploma or equivalency; ~~and~~  
(2) complete the New Mexico activities association's coaches' training program to include state competencies based on the competencies of the national standards for sports coaches (NASPE); and  
(3) provide verification of completion of first aid/sport first aid/athletic training as approved by the New Mexico activities association (NMAA).

B. Persons seeking level 2 licensure in athletic coaching shall meet the following requirements:  
(1) possess a valid standard level 1 athletic coaching license with at least three (3) years athletic coaching experience at level 1; ~~and~~  
(2) submit verification by the superintendent of the local school district or governing authority of the private school that the coach has satisfactorily demonstrated the coaches' competencies of the PED; and  
(3) provide verification of completion of first aid/sport first aid/athletic training as approved by the New Mexico activities association (NMAA).

C. ~~[Beginning July 1, 2006, persons]~~ Persons seeking level 3 advanced licensure in athletic coaching shall meet the following requirements:  
(1) possess a valid level 2 athletic coaching license with at least three (3) years athletic coaching experience at level 2; ~~and~~

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(2) submit verification by the superintendent of the local school district or governing authority of the private school that the coach has satisfactorily demonstrated the coaches' competencies of the PED ~~[and either (3), or (4), or (5) and (6) and (7)];~~

(3) possess a New Mexico teaching license with an endorsement in physical education or hold an undergraduate/graduate minor in coaching consisting of at least 24 semester hours of post-secondary coursework at a regionally accredited college or university or complete an advanced coaching principles course approved by the PED;

~~[(4) hold an undergraduate/graduate minor in coaching consisting of at least 24 semester hours of post-secondary coursework at a regionally accredited college or university; or]~~

~~(5) complete an advanced coaching principles course approved by the PED; and]~~

~~[(6)](4) provide verification of completion of first aid/sport first aid/athletic training as approved by the New Mexico activities association (NMAA); and~~

~~[(7)](5) provide verification of completion of cardio pulmonary resuscitation (CPR) training, including training in the use of the automated external defibrillator (AED), as approved by the New Mexico activities association (NMAA).~~

[06-15-98; 6.63.8.8 NMAC - Rn, 6 NMAC 4.2.3.14.8 & A, 03-31-01; A, 03-15-06; A, 06-30-06; A, xx-xx-15]

**6.63.8.9 IMPLEMENTATION:**

A. Level 1 licenses shall be issued for a maximum of three (3) years and may not be continued or renewed except as provided in 6.63.8.11 NMAC. Level 2 and 3 licenses shall be issued for nine (9) years.

B. All athletic coaching, 7-12 licenses shall commence on July 1st of the year of issuance and expire June 30th of the year of their expiration.

C. An applicant who meets all other qualifications for a level one coaching license but has not completed the New Mexico activities association's coaches' training program may be issued a one-year non-renewable temporary license to afford the candidate time to complete the training program. When the candidate provides evidence of completion of the training program to the PED a standard level one license will be issued with an expiration date which would have been issued originally had the candidate then been fully qualified.

[06-15-98; 6.63.8.9 NMAC - Rn, 6 NMAC 4.2.3.14.9 & A, 03-31-01; A, 03-15-06; A, 06-30-06]

**6.63.8.10 CONTINUING LICENSURE:** Persons holding a level 2 or 3 license and seeking to continue such licensure each nine year period hereafter shall meet the following requirements: Verification by the superintendent of the local school district or governing authority of the private school that the coach has satisfactorily demonstrated the coaches' competencies as approved by the PED.

[06-15-98; 6.63.8.10 NMAC - Rn, 6 NMAC 4.2.3.14.10, 03-31-01; A, 03-15-06]

**6.63.8.11 EXCEPTIONS FOR "GOOD CAUSE":**

A. The provisions of this paragraph shall apply to an individual holding a valid New Mexico athletic coaching license who, for good cause shown, is unable to secure a verification of the required competencies.

B. As used in this paragraph, "good cause" means:

(1) the non-availability of the superintendent of the local school district or of the governing authority of the private school or state institution by which the applicant has been most recently employed; or

(2) the sworn statement of the licensed individual that he or she has not been employed as an athletic coach during the term of the license sought.

C. A person holding a level 1 license and seeking a level 2 license pursuant to this regulation who, for good cause shown, is unable to secure verification of the required competencies, will be granted another three-year level 1 license.

[06-15-98; 6.63.8.11 NMAC - Rn, 6 NMAC 4.2.3.14.11 & A, 03-31-01]

**6.63.8.12 EXCEPTIONS FOR PERSONS UNABLE TO DEMONSTRATE "GOOD CAUSE":**

A. A person seeking continuing licensure pursuant to this regulation and who cannot show good cause for the lack of verification of the satisfactory demonstration of the competencies required by the PED may, upon the expiration of a period of three years from the date of expiration of the valid New Mexico license in athletic coaching, apply for a three-year level 1 license.

B. Level 1 licenses granted pursuant to this paragraph shall be subject to continuation at level 2 in the same manner as other such licenses.

[06-15-98; 6.63.8.12 NMAC - Rn, 6 NMAC 4.2.3.14.12, 03-31-01; A, 03-15-06]

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**6.63.8.13**      ~~[SAVINGS CLAUSE: Persons possessing level 2 athletic coaching licenses on June 30, 2006, who do not meet the requirements of Subsection B of 6.63.8.9 NMAC, but who meet all other requirements for level 3 licensure may apply to the PED for a level 3 license provided they do so by June 30, 2007.]~~ **[RESERVED]**  
[06-15-98; 6.63.8.13 NMAC - Rn, 6 NMAC 4.2.3.14.13, 03-31-01; 6.63.8.13 NMAC - N, 03-15-06; Repealed, XX-XX-15]

**6.63.8.14**      **REFERENCED MATERIAL:** Competencies for Athletic Coaches, 7-12

- A.      Philosophy and ethics - coaches will:
- (1)      develop and implement an athlete - centered philosophy;
  - (2)      identify, model and teach athletes positive values learned through sport participation;
  - (3)      demonstrate ethical conduct in all facets of the sport program; and
  - (4)      teach and reinforce responsible personal, social and ethical behavior of all people involved in the sport program.
- B.      Sport safety and injury prevention - coaches will:
- (1)      prevent injuries by ensuring that facilities are safe for sport participation;
  - (2)      ensure that necessary protective equipment is available, properly fitted and used appropriately;
  - (3)      monitoring environmental conditions and modify participation as needed to ensure the health and safety of participants;
  - (4)      identify physical conditions that predispose athletes to injuries;
  - (5)      recognize injuries and provide immediate and appropriate care;
  - (6)      facilitate a coordinated sports health care program of prevention, care and management of injuries; and
  - (7)      identify and address the psychological implications of injury.
- C.      Physical conditioning - coaches will:
- (1)      design programs of training, conditioning, and recovery that properly utilize exercise physiology and biomechanical principles;
  - (2)      be an advocate for drug-free sport participation and provide accurate information about drugs and supplements; and;
  - (3)      plan conditioning programs to help athletes return to full participation following injury.
- D.      Growth and development - coaches will:
- (1)      apply knowledge of how developmental change influences the learning and performance of sport skills; and
  - (2)      facilitate the social and emotional growth of athletes by supporting a positive sport experience and life-long participation in physical activity.
- E.      Teaching and communication - coaches will:
- (1)      provide a learning environment that is appropriate to the characteristics of the athletes and goals of the program;
  - (2)      develop and monitor goals for the athletes and program;
  - (3)      organize practice based on a seasonal or annual practice plan to maintain motivation, manage fatigue and allow for peak performance at the appropriate time;
  - (4)      plan and implement daily practice activities that maximize time on task and available resources;
  - (5)      utilize appropriate instructional strategies to facilitate athlete development and performance;
  - (6)      teach and incorporate mental skills to enhance performance and reduce sport anxiety;
  - (7)      use effective communication skills to enhance individual learning, group success and enjoyment in the sport experience; and
  - (8)      demonstrate and utilize appropriate and effective motivational techniques to enhance athlete performance and satisfaction.
- F.      Sport skills and tactics - coaches will:
- (1)      know the skills, elements of skill combinations and techniques associated with the sport being coached;
  - (2)      identify, develop and apply specific competitive sport strategies and specific tactics appropriate for the age and skill levels of the participating athletes; and

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- (3) use scouting methods for planning practices, game preparation and game analysis.
  - G. Organization and administration - coaches will:
    - (1) demonstrate efficiency in contest management;
    - (2) be involved in public relations activities for the sport program;
    - (3) manage human resources for the program;
    - (4) manage fiscal resources for the program;
    - (5) facilitate planning, implementation and documentation of the emergency action plan;
    - (6) manage all information, documents and records for the program; and
    - (7) fulfill all legal responsibilities and risk management procedures associated with coaching.
  - H. Evaluation - coaches will:
    - (1) implement effective evaluation techniques for team performance in relation to established goals;
    - (2) use a variety of strategies to evaluate athlete motivation and individual performance as they relate to season objectives and goals;
    - (3) utilize an effective and objective process for evaluation of athletes in order to assign roles or positions and establish individual goals;
    - (4) utilize an objective and effective process for the evaluation of self and staff.
- [6.63.8.14 NMAC - Rn & A, 6.63.8.13 NMAC; A, 03-15-06]

**HISTORY OF 6.63.8 NMAC:**

**PRE-NMAC HISTORY:**

The material in this rule was derived from that previously filed with the State Records Center and Archives under: SBE Regulation No. 89-9 Licensure in Coaching, K-12, filed November 17, 1989, and SBE Regulation No. 92-4 Licensure in Athletic Coaching, 7-12, filed May 20, 1992.

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**CHAPTER 63      SCHOOL PERSONNEL - LICENSURE REQUIREMENTS FOR ANCILLARY AND**  
**SUPPORT PERSONNEL**  
**PART 12            SCHOOL BUSINESS OFFICIAL LICENSURE**

**6.63.12.1            ISSUING AGENCY:** Public Education Department (PED)  
[6.63.12.1 NMAC - N, 01-01-03; A, 05-28-04; A, 10-31-07]

**6.63.12.2            SCOPE:** All individuals seeking initial or continuing school business licensure in public schools, including charter schools.  
[6.63.12.2 NMAC - N, 01-01-03]

**6.63.12.3            STATUTORY AUTHORITY:** Sections 22-1-1, 22-1-1.1, 22-1-1.2, 22-2-1 22-2-2, 22-10A-3, and 22-10A-4, NMSA 1978.  
[6.63.12.3 NMAC - N, 01-01-03, A, 05-28-04]

**6.63.12.4            DURATION:** Permanent  
[6.63.12.4 NMAC - N, 01-01-03]

**6.63.12.5            EFFECTIVE DATE:** January 1, 2003, unless a later date is cited in the history note at the end of a section.  
[6.63.12.5 NMAC - N, 01-01-03]

**6.63.12.6            OBJECTIVE:** This rule establishes guidelines, procedures and competencies for those individuals serving or seeking to serve as the school business official of a local school district, including charter schools. It also establishes guidelines, procedures and competencies for those individuals serving or seeking to serve at the district level in a local school district, charter school district, or in a charter school not within a charter school district, in the capacity of a supervisor or director or manager of accounting or bookkeeping.  
[6.63.12.6 NMAC - N, 01-01-03; A, 10-31-07]

**6.63.12.7            DEFINITIONS:** [RESERVED]

**6.63.12.8            REQUIREMENTS FOR RECEIVING THIS LICENSE:**

A. Any person serving or seeking to serve as the school business official of a local school district, including charter schools, and any person seeking to serve in a local school district, including charter schools, in the capacity of a business manager, or any district official charged with the direct management of the business of a school district, excluding the superintendent, or a supervisor or director or manager of accounting or bookkeeping shall be required to hold this license. A person seeking this license shall have earned or completed one or more of the following:

(1) a current certified public accountant certificate; or,  
(2) a bachelor's, master's, or doctorate degree in accounting, business, or a related field with at least twenty four semester hours in accounting or business coursework from a regionally accredited or department approved college or university; or

(3) an associate's degree in accounting or a related field from a regionally accredited or department approved college or university including at least twenty-four semester hours in accounting or business courses from a regionally accredited or approved college or university plus at least three (3) years of verifiable, employment experience as a school business official; or,

(4) a high school diploma or high school equivalency credential; and,  
(a) at least five (5) years of verifiable employment experience as a school business official or at least five (5) years of verifiable employment experience working under the supervision of a licensed school business official; and,

(b) forty (40) hours of licensure credit for school business official license continuing education.

B. In addition to satisfying the requirements contained in Subsection A of Section 8 of this rule, a person receiving an initial school business license shall be issued a one-year conditional license that shall convert

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automatically to a three-year level 1 license provided that during this first year the person satisfactorily completes a training program approved by the PED.

C. A business manager of a school district with a membership in excess of three thousand students must hold or be eligible to hold a level 2 school business official license.

[6.63.12.8 NMAC - N, 01-01-03; A, 05-28-04; A, 10-31-07; A, xx-xx-14]

**6.63.12.9 COMPETENCIES:** To qualify for receipt of a level 2 license, a person shall comply with the competency requirements enumerated as follows:

- A. Legal issues: The school business official understands and demonstrates the ability to:
- (1) identify the state and federal constitutional rights that apply to individuals within the public education system;
  - (2) review and analyze appropriate statutory and constitutional authority regarding the administration of public schools;
  - (3) review and analyze significant statutory issues relative to financial resource management.
- B. Financial resource management: School business officials must be able to demonstrate, understand, and comprehend the principles associated with school finance, budgeting, financial planning, accounting, auditing, financial reporting, cash management, investments, debt management and technology for school business operations.
- (1) Principles of school finance: The school business official understands and demonstrates the ability to apply all New Mexico state statutes and regulations as they apply to public schools including but not limited to:
    - (a) Procurement Code, Sections 13-1-28 to 13-1-199, NMSA 1978, as may be amended or reenacted;
    - (b) New Mexico PED manual of procedures in its most current form;
    - (c) department of finance and administration rules as set forth in Title 2 of the NMAC, as may be amended, replaced, or otherwise changed; and
    - (d) New Mexico state auditor rules as set forth in Title 2 of the NMAC, as may be amended, replaced, or otherwise changed;
  - (2) Budgeting and financial planning: The school business official understands and demonstrates the ability to
    - (a) apply the legal requirements for budget adoption;
    - (b) prepare a local budget calendar to meet the time constraints of budget preparation;
    - (c) recognize and analyze significant social, demographic and economic changes which may impact the financial plan of the district;
    - (d) recognize and forecast the major sources of revenue available to public schools from local, state and federal levels of government;
    - (e) analyze the impact of shifts in local, state and federal funding and its effect on local spending plans;
    - (f) recognize and explain internal and external influences on the budget;
    - (g) recognize multiple approaches to determine reliable enrollment and personnel projections;
    - (h) interpret the state funding model;
    - (i) prepare revenue projections and estimates of expenditures for school sites and district-wide budgets;
    - (j) identify various methods of budget analysis and management;
    - (k) exercise budgetary management; and
    - (l) apply analytical procedures for budgetary analysis;
  - (3) Accounting, auditing, and financial reporting: The school business official understands and demonstrates the ability to:
    - (a) understand the use and role of internal and external audits;
    - (b) prepare and analyze interim and annual financial statements;
    - (c) report the financial status and operating results to the local board of education;
    - (d) determine revenues and expenditures by fund using state-approved charts of accounts;

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School Business Official Licensure, 10/29/15**

- (e) develop and maintain all fixed assets inventory in accordance with applicable governmental accounting standards board pronouncements;
  - (f) use the annual audit report to improve financial tracking and reporting; and
  - (g) apply the appropriate basis of accounting in accordance with applicable governmental accounting standards board pronouncements in measuring financial position and operating results.
- (4) Cash management, investments, and debt management: If applicable to the school district in which he or she is employed, the school business official understands and demonstrates the ability to:
- (a) use lease purchasing and joint powers agreements;
  - (b) select banking and other financial services;
  - (c) recognize the statutory limitations on investment options available to a school district;
  - (d) apply procedures for implementing and monitoring internal transfers and loans; and
  - (e) apply the process of issuing long-term general obligation bonds including the bond rating process and the role of the bonding attorney and rating services.
- [6.63.12.9 NMAC - N, 01-01-03; A, 05-28-04; A, 10-31-07]

**6.63.12.10 ETHICS AND REPORTING REQUIREMENTS:** Applicants for and holders of a school business official license shall discharge their duties in a manner that maximizes the public's confidence and trust in the integrity of public school fiscal practices. Accordingly, they shall be held to the highest standards of accounting practices with a goal of maintaining the public trust and ethical management of their school district's financial assets.

A. Applicants for and holders of a school business official license are bound by the prohibited practices enumerated in the Standards of Professional Conduct (6.60.9 NMAC), and any failure to comply therewith may constitute grounds for such adverse licensure action as authorized by the Uniform Licensing Act, Sections 61-1-1 et seq., NMSA 1978, including but not limited to denial, non-renewal, suspension or revocation.

B. [Reserved]

C. [Reserved]

D. Material deviations from accepted accounting standards that result in substantial financial loss to a local school district shall constitute grounds for adverse licensure action.

E. Use of public school funds for other than approved official school purposes shall constitute grounds for adverse licensure action.

F. School business official licensees shall promptly report material misuse of public school funds to their superintendent, and/or whichever person or entity seems most appropriate under the circumstances. Non-reporting of material misuse of public school funds that results in substantial financial loss to a local school district may constitute grounds for adverse licensure action.

G. Falsifying any record, account or report required to be kept or filed pursuant to the Public School Finance Act (Sections 22-8-1 through 22-8-45 NMSA 1978) shall constitute grounds for adverse licensure action pursuant to the Uniform Licensing Act.

[6.63.12.10 NMAC - N, 01-01-03, A, 05-28-04]

**6.63.12.11 CONTINUING LICENSURE:** An initial school business license is considered to be a level 1 license and renewed licenses shall be level 2 licenses except as provided in 6.60.6 NMAC, Continuing Licensure for Licensed Educators in New Mexico.

A. The one-year conditional license shall be considered as part of the three-year level 1 license. The initial school business official license is valid for three (3) years and becomes effective on July first of a year and expires the 30th of June three years thereafter.

B. As a condition for receipt of a level 2 license, a person applying for such licensure shall satisfactorily demonstrate the competencies contained in this rule and must have three (3) full school years of experience under a level 1 license.

C. All renewed level 2 school business official licenses are valid for nine (9) years and become effective on July first of a year and expire the 30th of June nine years thereafter.

D. The holder of a level 1 or level 2 school business official license must complete sixteen (16) contact hours per year of training or coursework in any combination of subjects identified in section 9 of this rule.

[6.63.12.11 NMAC - N, 01-01-03; A, 05-28-04; A, 10-31-07]

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**6.63.12.12**     ~~[SAVINGS CLAUSE: A. Upon the effective date of this rule, individuals who have been employed in any local district(s) for at least (3) three school years as a school business official, may receive a level 2 license provided they obtain verification from a superintendent of a school district in which the individual has been employed, that they have satisfied the competencies contained in this rule.~~

~~B. Anyone employed as a school business official in a local district who, at the effective date of this rule, does not qualify for a level 2 license under this section, shall be required to obtain a school business license pursuant to the other provisions of this rule.]~~     **[RESERVED]**

[6.63.12.12 NMAC - N, 01-01-03; A, 10-31-07; repealed, xx-xx-14]

**HISTORY OF 6.63.12 NMAC:** [Reserved]

DRAFT