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NEWS RELEASE

For Immediate Release: November 2, 2009

Public Hearing Scheduled for 14 Proposed Rules on School Personnel and Licensure on December 7 in Santa Fe

SANTA FE - The New Mexico Public Education Department will conduct a public hearing from 2:00 p.m. to 5:00 p.m. on December 7, 2009 in Mabry Hall, Jerry Apodaca Building, 300 Don Gaspar, Santa Fe, New Mexico 87501 to obtain input on licensure rules for school personnel.

The majority of the rule changes are a result of 2009 Legislation. Some of the proposed revisions include the addition of a provisional license for principals and assistant principals when requested by the employing school district, an alternative assessment to the New Mexico Teachers' Assessment (NMTA) for deaf or hard of hearing teachers, an increase in the semester credit requirement for elementary educators, and provides licensure for marriage and family therapists.

The proposed rules may be accessed on the PED website (<http://ped.state.nm.us>) or obtained by providing a self-addressed stamped envelope to Ms. Flo Martinez, Administrative Assistant, Licensure Bureau, Educator Quality Division, Public Education Department, 300 Don Gaspar Ave., Room 103, Santa Fe, NM. 87501. The proposed rules will be made available at least thirty days prior to the hearings.

Current NMAC	Amend Rule	Rule Part Name
<u>6.60.3 NMAC</u>	<u>6.60.3 NMAC</u>	ALTERNATIVE LICENSURE
<u>6.60.4 NMAC</u>	<u>6.60.4 NMAC</u>	LICENSURE RECIPROCITY
<u>6.60.5 NMAC</u>	<u>6.60.5 NMAC</u>	COMPETENCY TESTING FOR LICENSURE
<u>6.60.6 NMAC</u>	<u>6.60.6 NMAC</u>	CONTINUING LICENSURE FOR LICENSED EDUCATORS IN NEW MEXICO
<u>6.61.2 NMAC</u>	<u>6.61.2 NMAC</u>	LICENSURE IN ELEMENTARY EDUCATION, GRADES K-8
<u>6.61.8 NMAC</u>	<u>6.61.8 NMAC</u>	LICENSURE IN EARLY CHILDHOOD EDUCATION, BIRTH - GRADE 3
<u>6.61.10 NMAC</u>	<u>6.61.10 NMAC</u>	TEACHERS OF STUDENTS WITH BLINDNESS/VISUAL IMPAIRMENT B-12
NEW	<u>6.61.11 NMAC</u>	LICENSURE IN EARLY CHILDHOOD EDUCATION, BIRTH - PRE-K

NEW	<u>6.61.12 NMAC</u>	LICENSURE IN EARLY CHILDHOOD EDUCATION, PRE-K - GRADE 3
<u>6.62.2 NMAC</u>	<u>6.62.2 NMAC</u>	LICENSURE FOR EDUCATIONAL ADMINISTRATION, GRADES PRE-K-12
<u>6.63.3 NMAC</u>	<u>6.63.3 NMAC</u>	LICENSURE FOR INSTRUCTIONAL SUPPORT PROVIDERS PRE K-12 NOT COVERED IN OTHER RULES
NEW	<u>6.64.18 NMAC</u>	COMPETENCIES FOR TEACHING GIFTED STUDENTS
<u>6.6.3.5 NMAC</u>	<u>6.63.5 NMAC</u>	LICENSURE FOR SCHOOL PSYCHOLOGISTS, PRE K-12
<u>6.68.2 NMAC</u>	<u>6.68.2 NMAC</u>	DENIAL OF APPLICATIONS FOR SCHOOL PERSONNEL

Interested individuals may testify at the public hearing or submit written comments to Ms. Flo Martinez, Administrative Assistant, Licensure Bureau, Educator Quality Division, Public Education Department, 300 Don Gaspar Ave., Room 103, Santa Fe, NM 87501 (florence.martinez@state.nm.us) fax: 505-827-4148. Written comments must be received no later than 5:00 PM on December 7, 2009. However, the submission of written comments as soon as possible is encouraged.

Individuals with disabilities who require this information in an alternative format or need any form of auxiliary aid to attend or participate in the meeting are asked to contact Ms. Martinez by 5:00 PM on November 27, 2009. The PED requests at least ten (10) days advance notice to provide requested special accommodations.

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TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 60 SCHOOL PERSONNEL - GENERAL PROVISIONS
PART 3 ALTERNATIVE LICENSURE

6.60.3.1 ISSUING AGENCY: Public Education Department (PED)
[6.60.3.1 NMAC - Rp, 6.60.3.1 NMAC, 10-31-07]

6.60.3.2 SCOPE: This rule establishes alternative pathways to teacher licensure in early childhood education, elementary education, middle level education, pre K-12 specialty area education, secondary education, or special education for persons who have earned at least a baccalaureate degree from a regionally accredited college or university but have never completed an educator preparation program and for persons who hold a post-baccalaureate degree and have teaching experience at the post-secondary level. This rule also establishes an alternative licensure pathway in administration for persons who hold a post-baccalaureate degree and have administration experience at the post-secondary level. The alternative pathways to teaching licensure in this rule may also be used by teachers employed in New Mexico public schools, charter schools, accredited or private schools who hold standard teaching licensure, to obtain additional licensure at the same level as their existing license or licenses.
[6.60.3.2 NMAC - Rp, 6.60.3.2 NMAC, 10-31-07; A, 06-15-09]

6.60.3.3 STATUTORY AUTHORITY: 22-2-1, 22-2-2, 22-10A-6, and 22-10A-8, NMSA 1978.
[6.60.3.3 NMAC - Rp, 6.60.3.3 NMAC, 10-31-07]

6.60.3.4 DURATION: Permanent
[6.60.3.4 NMAC - Rp, 6.60.3.4 NMAC, 10-31-07]

6.60.3.5 EFFECTIVE DATE: October 31, 2007, unless a later date is cited in the history note at the end of a section.
[6.60.3.5 NMAC - Rp, 6.60.3.5 NMAC, 10-31-07]

6.60.3.6 OBJECTIVE: Through this rule, the PED implements a state law that provides alternative routes to New Mexico teacher licensure for persons who hold at least a baccalaureate degree from a regionally accredited college or university but have not completed a traditional educator preparation program.
[6.60.3.6 NMAC - Rp, 6.60.3.6 NMAC, 10-31-07]

6.60.3.7 DEFINITIONS:

- A. "Particular field" means the license or endorsement area being sought.
- B. "Appertains and corresponds to the subject area of instruction and level of instruction" means:
 - (1) that for early childhood licensure, the degree, including the credit hours, shall be related to early childhood education, [~~birth through grade 3~~] birth-grade 3;
 - (2) that for elementary licensure, the degree, including the credit hours, shall include completed course work in any combination of the subject areas of language arts, mathematics, science, social studies, history, fine or performing arts and foreign language;
 - (3) that for middle level, secondary, and pre K-12 specialty area licensure the degree, including the credit hours, shall be in the license or endorsement area being sought; and,
 - (4) that for special education licensure, the degree, including the credit hours, shall include completed course work in any combination of the subject areas of language arts, mathematics, science, social studies, history, fine or performing arts and foreign language, or shall be related to special education (such as general elementary or secondary education, special education, psychology, child development, reading education).
- C. "A program approved by the PED" means that the same program approval standards and procedures used by the PED for approving university preparatory programs shall be applied to alternative programs in New Mexico.
- D. "Core academic subjects" means English, language arts, reading, mathematics, science, the arts, including music and visual arts, and social studies, which includes civics, government, economics, history, and geography, and modern and classical languages, except for the modern and classical Native American languages and cultures of New Mexico tribes or pueblos.

E. "A highly qualified, beginning early childhood, elementary, middle level, secondary, pre K-12 specialty area" teacher, under this rule, means a teacher who is fully qualified to teach the core academic subjects, who is new to the profession, who has pursued an alternative route to licensure and who:

- (1) meets the requirements for alternative licensure in 6.60.3.8 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 the level of licensure under 6.60.5.8 NMAC.

F. "A highly qualified beginning middle or junior high school teacher holding alternative elementary K-8 licensure", under this rule, means a teacher who is fully qualified to teach the core academic subjects in a public middle or junior high school, and who is new to the profession and has pursued an alternative route to licensure, and who:

- (1) meets the requirements for alternative elementary K-8 licensure in 6.60.3.8 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 elementary K-8 licensure in 6.60.5.8 NMAC; and
- (4) if the teacher is new to the profession after June 30, 2006, or if the teacher was 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 program:
 - (a) has passed the content knowledge test(s) of the New Mexico teacher assessments (NMTA) or comparable licensure tests from another state in each subject area the teacher teaches; or
 - (b) has successfully completed an undergraduate academic major or coursework equivalent to an undergraduate major, or a graduate degree, in each core academic subject the teacher teaches.

G. "A highly qualified beginning pre K-12 special education teacher," under this rule, means a teacher who is new to the profession and who has pursued an alternative route to licensure and who is fully qualified to teach special education students by either providing access for those students to a regular education classroom where instruction in the core academic subjects is delivered by a highly qualified regular education teacher, by being fully qualified to teach each core academic subject the special education teacher teaches, or by being fully qualified to teach either language arts or mathematics or science and becoming fully qualified to teach any other core academic subjects which the teacher teaches within two (2) years after the date of initial employment and who:

- (1) meets the requirements for pre K-12 special education licensure in Subsections A or B in 6.61.6.8 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.

H. "A highly qualified teacher candidate for level 1 alternative licensure" means a person participating in an alternative route to licensure, who meets all of the following requirements:

- (1) has fulfilled the degree requirements set forth in Subsection A of 6.60.3.8 NMAC; and
- (2) receives high-quality professional development that is sustained, intensive, and classroom-focused, and includes classroom management and lesson planning for teaching New Mexico's diverse student population, both before and while teaching; and
- (3) participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program; and
- (4) assumes duties as a teacher of record for a period of at least one full school year under the internship license not to exceed three (3) years, and
- (5) demonstrates satisfactory progress toward full alternative licensure by completing at least nine (9) semester hours per year in an alternative licensure program or successfully demonstrating competency by way of portfolio assessment or by way of local evaluations for two (2) full school years in an approved school district alternative program.

I. "Internship license" means a three-year (3) certificate or license issued by the PED authorizing a candidate to teach where the candidate does not yet meet the requirements for a level 1 alternative license but is satisfactorily participating in an alternative route to licensure under 6.60.3 NMAC, or a three-year (3) administrator certificate or license authorizing the candidate to work as an administrator where the person does not yet meet the requirements for a level 3B alternative administrator license but is participating in an alternative route to licensure under Subsection D of 6.60.3.8 NMAC.

J. "Undergraduate academic major," under this rule, means thirty (30) semester hours in a subject area.

K. "Full school year" means a minimum of 160 instructional days or equivalent number of days in schools or school districts on alternative schedules over multiple school years of full-time or part-time teaching during which the teacher is the teacher of record or serves as an instructional coach or resource teacher in at least one class each school year while holding a standard teaching license. An equivalent number of instructional hours may be accepted for those teachers who do not teach every day. Instructional days may include teaching in summer school or similar educational setting.

L. "Teacher of record" is the person named in the standard teaching contract who will be covering the class and teaching the students in that classroom the majority of the time. This is the contracted individual who will plan the lessons, assign grades, meet with parents and other duties of the regular class room teacher according to the standard teaching contract.

[6.60.3.7 NMAC - Rp, 6.60.3.7 NMAC, 10-31-07; A, 06-15-09; A, XX-XX-09]

6.60.3.8 REQUIREMENTS FOR ALTERNATIVE TEACHING LICENSURE: To receive a level 1, five-year (5) alternative teaching license, an applicant must meet the following requirements:

A. Degree requirements - An applicant for alternative licensure must meet the provisions of Subsection A, Paragraphs (1), (2) or (3).

(1) must possess a bachelor of arts or science degree from a regionally accredited college or university including completion of a minimum of thirty (30) semester hours of graduate or undergraduate credit in a particular field that appertains and corresponds 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 PED; or

(2) must possess a master of arts or science degree from a regionally accredited college or university including completion of a minimum of twelve (12) graduate credit hours in a particular field that appertains and corresponds 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 PED; or

(3) must possess a doctor's degree from a regionally accredited college or university; the degree shall correspond to the subject area of instruction and particular grade level that will enable the applicant to teach in a competent manner as determined by the PED.

B. Professional teacher education requirements - An applicant for alternative licensure who has earned at least a baccalaureate degree from a regionally accredited college or university but has never completed an educator preparation program must meet the provisions of Paragraphs (1), (2), or (3) or (4) of this subsection.

(1) Persons seeking either early childhood birth-grade 3, elementary K-8, or special education pre K-12 licensure, must complete various semester hours of credit earned through a regionally accredited college or university that has a PED-approved alternative licensure program containing no less than twelve (12) nor more than twenty-one (21) semester hours of credit and meeting the following criteria:

(a) the credits must include six (6) semester hours of coursework in the teaching of reading;

and

(b) the credits must include the PED competencies for entry level teachers that correspond to the license being sought; and

(c) the credits must be in a program approved by the PED; and

(d) the program must include a student teaching or field-based component.

(2) Persons seeking either middle level 5-9, secondary 7-12 or specialty area pre K-12 licensure, must complete various semester hours of credit earned through a regionally accredited college or university that has a PED-approved alternative licensure program containing no less than twelve (12) nor more than eighteen (18) semester hours of credit and meeting the following criteria:

(a) the credits must include three (3) semester hours of coursework in the teaching of reading;

and

(b) the credits must include the PED's competencies for entry level teachers that correspond to the license being sought; and

(c) the credits must be in a program approved by the PED; and

(d) the program must include a student teaching or field-based component.

(3) Beginning February 1, 2007, successfully demonstrate the PED's approved competencies for entry level teachers that correspond to the license being sought by presenting for assessment by trained reviewers an internet web-based online portfolio which contains all of the components and fulfills all of the requirements described in Paragraph (3) of Subsection B of 6.60.3.8 NMAC. Such applicants shall also complete the reading

coursework as set forth at Paragraphs (1) or (2) of this subsection and serve as the teacher of record for a full school year prior to being granted a portfolio review. Under no circumstance shall an individual be granted a portfolio review unless that person has passed all sections of the current PED required New Mexico teacher licensure tests in 6.60.5 NMAC, completed all required reading coursework and submitted verification from administration of the public school, charter school, accredited private school that the individual has been the teacher of record for at least one full school year. Teachers employed in New Mexico public schools, charter schools, accredited private schools who already hold standard teaching licensure at levels 1, 2, or 3-A, may obtain additional licensure in early childhood education, elementary education, middle level education, pre K-12 specialty area education, secondary education, or special education by submitting an alternative licensure portfolio as long as they demonstrate the teaching competencies in 6.69.14 NMAC for the new license at the same level as their existing license or licenses.

(a) The portfolio shall include evidence of teaching competence that is collected from actual teaching experience as the teacher of record with pre K-12 students while the candidate is employed or works as the teacher of record in a New Mexico public, charter, private school or other early childhood, elementary, middle level or secondary educational setting. The portfolio shall be organized in the following five (5) strands, with strands a, b and c presented together for review:

(i) an instruction strand that demonstrates knowledge of academic content, curriculum development, instructional planning, student assessment and appropriate use of technology and which includes specific evidence of: student achievement; and assessment techniques and procedures; and instructional plans and materials; and examples of student work and performance; and evidence of effective classroom management strategies and procedures; and evidence of implementation of state curriculum standards; and

(ii) a student learning strand that demonstrates knowledge of child or adolescent growth and development, classroom management techniques, communication skills and addressing the needs of diverse student needs and inclusion and which includes specific evidence of: adaptations/modifications for diverse learners; and classroom observation reports; and evidence of communication with students and parents;

(iii) a professional learning strand that demonstrates knowledge of professional growth and development and how the candidate works productively with parents, community and colleagues and which includes specific evidence of: collaboration with professional community; or research undertaken to improve classroom practice; and

(iv) verification by the superintendent of a public school district or other education employer or supervisor, that the work product in the portfolio is that of the candidate and that the data submitted is reasonable and accurate, that the candidate has served as the teacher of record for one full school year by the time of submission of the portfolio; and

(v) the recommendation of a public school superintendent or other education employer or supervisor, that based on local evaluations that the candidate be granted a level 1 alternative license.

(b) Unless special accommodations are requested in writing to PED 30 days in advance of portfolio submission, the portfolio and associated fees in Subsection E of 6.60.7.8 NMAC shall be submitted electronically through the online portfolio submission system following procedures established by the PED.

(c) The portfolio shall be assessed for authenticity by the superintendent of the candidate's school district, (superintendent designee) or equivalent administrative officer of a school and shall be reviewed for demonstration of entry-level teacher competencies by three (3) independent reviewers, as follows:

(i) The superintendent or equivalent school administrator shall complete the verification and recommendation strands in items (iv) and (v) of Subparagraph (a) of Paragraph (3) of Subsection B of 6.60.3.8 NMAC and the independent reviewers will rate the three (3) competency strands in items (i) - (iii) of Subparagraph (a) of Paragraph (3) of Subsection B of 6.60.3.8 NMAC as "meets" or "does not meet" the competencies.

(ii) The three (3) competency strands of a candidate's portfolio must be rated as "meets" by at least two (2) reviewers and the verification and recommendation strands completed by the superintendent (superintendent designee) or equivalent administrative officer of a school must indicate verification authenticity, recommendation for licensure and verification of full school year experience in order for a candidate to be granted a level 1 alternative license.

(iii) If one of the independent reviewers rates any of the three (3) competency strands as "meets" and the other reviewer rates the same strand as "does not meet," the rating will remain as "does not meet"; if two (2) of the reviewers rate any of the three (3) competency strands as "meets" and the third reviewer rates a strand as "does not meet", the strand will remain as "meets" for that strand.

(iv) The director of professional licensure at the PED will evaluate the ratings of the superintendent or equivalent school administrator of a school along with the ratings of the independent reviewers and shall approve or deny the candidate's application for level 1 alternative licensure.

(v) A candidate who does not successfully demonstrate the competencies in all three (3) strands in items (i) - (iii) of Subparagraph (a) of Paragraph (3) of Subsection B of 6.60.3.8 NMAC may submit any failed strand one time as long as the resubmission is completed within one calendar year of the date of the original submission.

(vi) A candidate's employing school or school district must act on strands in item (iv) - (v) of Subparagraph (a) of Paragraph (3) of Subsection B of 6.60.3.8 NMAC within 45 calendar days of the date of the portfolio submission or resubmission of any failed strands. Failure of an administrator to complete the process could cause the portfolio to become null and void.

(4) Demonstrate the PED's approved competencies for entry level teachers that correspond to the license being sought by way of evaluations conducted by a local school district over a period of at least two (2) full school years as the teacher of record as part of a PED-approved school-based or statewide teacher preparation program that provides the professional development that is required to support a highly qualified teacher candidate for level 1 alternative licensure as defined in this rule. The professional development program shall be developed in collaboration with a college, university, or other professional development provider. Such applicants shall also complete the reading courses set forth at Paragraphs (1) or (2) of this subsection prior to being recommended for licensure by a local school district. Under no circumstance shall an individual be recommended for licensure by a local school district unless that person has passed all sections of the current PED-required New Mexico teacher test and serve as the teacher of record for at least one full school year.

C. Professional teacher education requirements - An applicant for alternative teaching licensure who has earned a post-baccalaureate degree and has at least five (5) years of teaching experience at the post-secondary level [~~but has never completed a teacher preparation program~~] must meet the provisions of Paragraphs (1) or (2) and (3) and (4) of this subsection.

(1) Persons seeking either early childhood B-3, elementary K-8, or special education pre K-12 licensure, must complete six (6) semester hours of coursework in the teaching of reading earned through a regionally accredited college or university.

(2) Persons seeking either middle level 5-9, or secondary 7-12 licensure, must complete three (3) semester hours of coursework in the teaching of reading earned through a regionally accredited college or university.

(3) Complete an internship of at least one full school year while holding an internship license and working as a teacher in a school district, charter school, private school or state agency education program.

(4) Upon completion of the requirements in Subsections A, [~~D,~~] and E; and Paragraphs (1) - (3) of Subsection C of 6.60.3.8 the candidate for alternative teaching licensure who has met PED-approved competencies as verified to the PED by the candidate's employer will be issued an alternative license as follows:

- (a) level 2 for the teacher who has at least five (5) years post-secondary teaching experience;
- (b) level 3-A for the teacher who has at least six (6) years post-secondary teaching experience.

D. Testing requirements: [~~An~~] Except as provided in Paragraph (2) of Subsection C of 6.60.5.8 NMAC, applicant for alternative licensure must pass all of the [~~New Mexico teacher assessments~~] NMTA, including any applicable content knowledge assessment (CKA) required by 6.60.5 NMAC, prior to receiving alternative licensure at any level.

E. An applicant for alternative teaching licensure must be a highly qualified, beginning early childhood, elementary, middle level, secondary, pre K-12, or special education teacher, or be a highly qualified beginning middle or junior high school teacher holding alternative elementary K-8 licensure.
[6.60.3.8 NMAC - Rp, 6.60.3.8 NMAC, 10-31-07; A, XX-XX-09]

6.60.3.9 REQUIREMENTS FOR ALTERNATIVE ADMINISTRATOR LICENSURE: Professional administrator education requirements - An applicant for alternative administrator licensure who has earned a post-baccalaureate degree and has at least six (6) years administrator experience at the post-secondary level must complete an internship of at least one full school year while holding an administrator internship license and working as an administrator in a school district, charter school, private school or state agency education program. Upon completion of the internship the candidate for alternative administrator licensure who has met PED-approved administrator competencies as verified to the PED by the candidate's employer will be issued an alternative level 3-B administrator license
[6.60.3.9 NMAC - N, 10-31-07; A, 06-15-09; A, XX-XX-09]

6.60.3.10 REQUIREMENTS FOR INTERNSHIP TEACHER LICENSURE:

A. A candidate for alternative licensure may be permitted to assume the functions of a teacher prior to completion of licensure requirements and be issued a three-year (3) internship license, if the candidate is a highly qualified teacher candidate for level 1 alternative licensure, as defined in this rule.

(1) Such a candidate may be issued a three-year (3) internship license to allow time to complete the teacher testing requirements of 6.60.5.8 NMAC, the reading coursework requirement set forth in Paragraphs (1) or (2) of Subsection B of 6.60.3.8, NMAC, the requirement to be the teacher of record for at least one full school year and to pass portfolio submission process or be evaluated for competency by a local school district.

(2) At the time of internship licensure application, the candidate must:

(a) present proof of registration for [~~a New Mexico teacher assessment~~] an NMTA at the next available testing date, and

(b) present proof of enrollment in the required coursework for the teaching of reading or proof of having completed the required coursework.

(3) If a candidate for this licensure is not successful in demonstrating competency by way of portfolio assessment or by way of local public school district evaluations, the candidate may still proceed by way of the alternative route set forth in this subsection although the three-year (3) license issued under Paragraph (1) of Subsection B of 6.60.3.10 NMAC shall not be extended or renewed in order to provide additional time to complete an alternative licensure program.

B. A candidate enrolled in a PED approved post-baccalaureate teacher preparation program or advanced degree program with a teacher preparation component may be considered to be participating in an alternative route to licensure and be issued an internship license under Subsection A of 6.60.3.10 NMAC. Upon the completion of the approved teacher traditional preparation program requirements, and the testing requirements the candidate may be issued a standard level 1 alternative license if, in addition, the candidate meets the requirements for standard licensure within the three-year (3) period allowed to complete an alternative route to licensure.

C. After June 30, 2003, the time that a person provides services under an internship license shall not be counted toward or considered for advancement to level 2, or level 3 licensure.
[6.60.3.10 NMAC - Rp, 6.60.3.9 NMAC, 10-31-07; A, 06-15-09; A, XX-XX-09]

6.60.3.11 REQUIREMENTS FOR ADMINISTRATOR INTERNSHIP LICENSURE: A three-year (3), internship license in educational administration may be issued to any candidate who holds at least a master's degree and has at least six (6) full school years of experience in administration at the post-secondary level.
[6.60.3.11 NMAC - N, 10-31-07; A, 06-15-09; A, XX-XX-09]

6.60.3.12 ALTERNATIVE LEVEL 2 OR LEVEL 3 LICENSE:

A. A one-year internship license shall be issued to an applicant who meets the following requirements:

- (1) is at least eighteen (18) years of age; and
- (2) provides an official transcript for a bachelor's degree from a regionally accredited college; and
- (3) provides an official transcript for a post-baccalaureate degree from a regionally accredited college; and
- (4) provides verification of experience on official letterhead and signed by a post secondary institution official for a minimum of five (5) years experience teaching at the post-secondary level.

B. A level 2 standard teaching license shall be issued based on the following requirements:

- (1) completion of Paragraphs (1), (2), (3) and (4) of Subsection A of 6.60.3.12, NMAC;
- (2) verification from the superintendent of a public school district or administrator at a state agency, charter school or private school that the candidate has met the level 2 competencies for the grade level and subject area the person is teaching; and

(3) verification that the candidate has completed one full school year as the teacher of record under the internship license.

C. A level 3 standard teaching license shall be issued based on the following requirements:

- (1) completion of Paragraphs (1), (2) and (3) of Subsection A of this section;
- (2) verification as in Paragraph (2) of Subsection B of this of this section;
- (3) same as in Paragraph (3) of Subsection B of this section;
- (4) provides verification of experience on official letterhead and signed by a post secondary institution official for a minimum of six (6) years experience teaching at the post-secondary level.

[6.60.3.12 NMAC - N, 10-31-07; A, XX-XX-09]

HISTORY OF 6.60.3 NMAC:

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

SBE Regulation No. 86-6, Alternative Licensure, filed July 14, 1986; and

SBE Regulation No. 86-6, Amendment No, 1, Alternative Licensure filed December 4, 1990.

HISTORY OF REPEALED MATERIAL:

6 NMAC 4.2.2.1, Alternative Licensure, was repealed by the State Board of Education effective July 1, 2000 and repromulgated effective July 1, 2000.

6.60.3 NMAC, Alternative Licensure, filed June 1, 2001 - repealed effective 10-31-2007.

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 60 SCHOOL PERSONNEL - GENERAL PROVISIONS
PART 4 LICENSURE RECIPROCITY

6.60.4.1 ISSUING AGENCY: Public Education Department (PED)
[6.60.4.1 NMAC - Rp 6 NMAC 4.2.2.3.1, 07-01-01; A, 10-14-04]

6.60.4.2 SCOPE: All persons who possess a minimum of a baccalaureate degree, have completed their education preparation programs at educational institutions outside the state or hold a valid out-of-state license, and are now seeking a teaching or administrative license or an endorsement from the PED.
[6.60.4.2 NMAC - Rp 6 NMAC 4.2.2.3.2, 07-01-01; A, 10-14-04; A, 10-31-07]

6.60.4.3 STATUTORY AUTHORITY: Sections 22-10A-12, 22-10A-6 (C) (D), and 22-10A-12 NMSA 1978.
[6.60.4.3 NMAC - Rp 6 NMAC 4.2.2.3.3, 07-01-01; A, 10-14-04]

6.60.4.4 DURATION: Permanent
[6.60.4.4 NMAC - Rp 6 NMAC 4.2.2.3.4, 07-01-01]

6.60.4.5 EFFECTIVE DATE: July 1, 2001, unless a later date is specified at the end of a section.
[6.60.4.5 NMAC - Rp 6 NMAC 4.2.2.3.5, 07-01-01]

6.60.4.6 OBJECTIVE: This rule governs the requirements for providing limited reciprocity to obtain teaching or administrative licensure, or licensure endorsement, for those persons having completed their education preparation programs at educational institutions outside the state or holding valid out-of-state licensure.
[6.60.4.6 NMAC - Rp 6 NMAC 4.2.2.3.6, 07-01-01; A, 10-31-07]

6.60.4.7 DEFINITIONS:

A. "Core academic subjects" means English, language arts, reading, mathematics, science, modern and classical languages, except the modern and classical Native American languages and cultures of New Mexico tribes and pueblos, the arts, including music and visual arts, and social studies, which includes civics, government, economics, history, and geography.

B. "Academic major," under this rule, means twenty-four (24) to thirty-six (36) semester hours in a core academic subject area, twelve hours of which must be upper division for secondary 7-12, middle level 5-9, and pre-K-12 specialty area licenses.

C. "Full school year" means a minimum of 160 instructional days in a school year or 480 instructional days or equivalent number of days in schools or school districts on alternative schedules over multiple school years of full-time or part-time teaching during which the teacher is the teacher of record or serves as an instructional coach or resource teacher in at least one class each school year while holding a standard teaching license. An equivalent number of instructional hours may be accepted for those teachers who do not teach every day. Instructional days may include teaching in summer school or similar educational setting.
[6.60.4.7 NMAC - N, 10-14-04; A, 10-31-07; A, 06-15-09]

6.60.4.8 REQUIREMENTS:

A. Persons seeking a reciprocal level 1 license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-12, or grade pre K-12 specialty area, or grade pre K-12 blind and visually impaired, through reciprocity, shall meet the following requirements:

(1) hold a bachelor's degree or higher degree from a regionally accredited or PED approved college or university; and

(2) hold and provide a copy of at least one current valid teaching license issued by a state education agency, including PED or department of defense dependent schools or foreign country that is comparable to the license they are seeking; and

(3) have completed a standard or alternative teacher preparation program approved in another state or

accepted by the PED; and

(4) provide copies of test scores for exams that were required to receive the license; and

(5) if applying for:

(a) early childhood birth-grade 3 or k-8 elementary licensure, provide evidence of having passed a content knowledge or professional knowledge test on the basic early childhood or elementary school curriculum and on any additional core academic endorsement areas or have completed 24 lower or upper division credit hours across the elementary education core academic subjects of language arts, social studies, mathematics, and science with at least six (6) credit hours in each core area;

(b) secondary or secondary vocational and technical 7-12, middle level 5-9, or grades pre K-12 specialty area licensure in the core academic areas, provide evidence of having passed a content knowledge test in each of the core academic subjects in which the applicant seeks licensure or having completed an academic major, a graduate degree, or coursework equivalent to an academic major in each of the core academic subjects in which the applicant seeks licensure;

(c) licensure in non-core academic subjects, special education pre K-12, or blind and visually impaired pre K-12 licensure, have, on a form acceptable to the PED, provided evidence of having satisfactorily taught under their out of state license or licenses or have passed the applicable New Mexico teacher assessment ("NMTA") and

(6) have, on a form acceptable to the professional licensure bureau ("PLB") of the PED, provided evidence of having satisfactorily taught in any state or foreign country or combination of other states or countries other than New Mexico for fewer than three (3) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach or combination of any of the aforementioned licenses or authorizations, and

(7) submit to and satisfactorily clear a fingerprint-based background check pursuant to Section 22-10A-5, NMSA 1978.

B. Persons seeking a level 2 license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-12, or grade preK-12 specialty area, or grade pre K-12 blind and visually impaired, through reciprocity, shall meet the following requirements:

(1) hold a bachelor's degree or higher degree from a regionally accredited or state approved college or university; and either

(2) hold a valid certificate issued by the national board for professional teaching standards; or

(3) hold and provide a copy of a valid teaching license or licenses issued by a state education agency, including PED or department of defense dependent schools or foreign country that is comparable to the license they are seeking; and

(4) have completed a standard or alternative teacher preparation program approved in another state or accepted by the PED; and

(5) have, on a form acceptable to the PED, provided evidence of having satisfactorily taught in any state or foreign country or combination of other states or countries other than New Mexico for at least three (3) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach or combination of any of the aforementioned licenses or authorizations, and

(6) provide copies of test scores for exams required to receive the license and have either the required credit hours or have passed a license test for endorsement areas; and

(7) submit to and satisfactorily clear a fingerprint-based background check pursuant to Section 22-10-3.3, NMSA 1978.

C. Persons seeking a level 3-A license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-12 or grade pre K-12 specialty area, or grade pre K-12 blind and visually impaired, through reciprocity, shall meet the following requirements:

(1) hold a master's degree or higher from a regionally accredited or state approved college or university; or

(2) hold a valid certificate issued by the national board for professional teaching standards; and

(3) hold and provide a copy of a valid teaching license or licenses issued by a state education agency, including PED or department of defense dependent schools or foreign country that is comparable to the license they are seeking; and

(4) have completed a standard or alternative teacher preparation program approved in another state

or accepted by the PED and

(5) have, on a form acceptable to the PED, provided evidence of having satisfactorily taught in any state or foreign country or combination of other states or countries other than New Mexico for at least six (6) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach or combination of any of the aforementioned licenses or authorizations; and

(6) provide copies of test scores for exams required to receive the license and have either the required credit hours or have passed a licensure test for endorsement areas; and

(7) submit to and satisfactorily clear a fingerprint-based background check pursuant to section 22-10A-5, NMSA 1978.

D. A teacher who is granted level 3-A licensure under this rule who does not demonstrate competency at level 3-A indicators in Subsection D of 6.69.4.12 NMAC for a given school year may have the license suspended under Subsection F of 6.69.4.10 NMAC.

E. Persons seeking reciprocal administrative licensure shall meet the following requirements:

(1) hold a master's degree or higher degree from a regionally accredited or PED approved college or university; and

(2) hold a valid administrator's license or licenses issued by a state education agency or department of defense dependent schools or foreign country;

(3) have completed a regionally accredited college or university education administrator preparation program approved in another state or accepted by the PED;

(4) provide on a form acceptable to the PED, evidence of having satisfactorily worked for at least [seven (7)] six (6) full years school years as a teacher at any time preceding their application for New Mexico licensure in education administration, or having worked for [seven (7)] six (6) full school years either as a teacher or administrator with at least three (3) full school years of experience as a teacher at any time preceding their application for New Mexico licensure in education administration.

F. Persons holding a valid education administration license from another state or department of defense dependent schools or foreign country who are seeking reciprocal education administration licensure in New Mexico shall be exempt from satisfying the requirements of Paragraph 4 of Subsection E of 6.60.4.8 NMAC above, provided that they began their administrator preparation program prior to April 4, 2003.

[6.60.4.8 NMAC - Rp 6 NMAC 4.2.2.3.8, 07-01-01; A, 06-01-02; A, 08-30-02; A, 10-14-04; A, 10-31-07; A, 06-15-0; A, XX-XX-09]

6.60.4.9 LICENSURE ENDORSEMENTS: Persons seeking to add an endorsement on the basis of regionally accredited college coursework, passage of a content test or showing the endorsement on an out-of-state license shall meet the following requirements:

A. hold the underlying license required for that endorsement; and

B. provide the out-of state documentation supporting their having satisfied the endorsement-appropriate PED requirements for the requested endorsement; and

C. if they are also seeking level 1, level 2, or level 3 reciprocal licensure under this rule, meet the requirements of either Subsections A, B or C of Section 8 of 6.60.4 NMAC above for the respective level of licensure sought.

[6.60.4.9 NMAC - N, 07-01-01; A, 10-14-04; A, 10-31-07]

6.60.4.10 BURDEN OF PROOF ON SUBMISSIONS: Consistent with the criteria enumerated above, it shall be the burden of the individual seeking the reciprocal licensure or licensure endorsement to provide supporting documentation to the PED. Individuals would have one calendar year after application receipt date in the licensure bureau to provide the documentation to have the level of license changed. After that time, the person would need to reapply and provide all proper documentation.

[6.60.4.10 NMAC - N, 07-01-01; A, 10-14-04; A, 10-31-07]

6.60.4.11 [Reserved]

[6.60.4.11 NMAC - N, 07-01-01; Repealed, 10-14-04]

6.60.4.12 IMPLEMENTATION: Persons who meet the requirements in this rule may obtain a license at a level established by the PED unless otherwise barred by statute or PED rule. The PED may issue new licenses to

persons impacted by amendments in this rule with the same beginning effective dates as their original licenses. Out of state licenses that are expired will only be considered in determining a person's eligibility to receive licensure or licensure endorsement under this rule if the person has provided at least one currently valid license. Except for a certificate issued by the national board for professional teaching standards, the fact that a person seeking reciprocal licensure holds a valid out of state license or endorsement shall not in itself entitle that person to any presumption regarding the issuance of a PED license or endorsement. Nothing in this rule shall prevent a local superintendent from establishing a policy requiring a person who receives reciprocal licensure to participate in a mentorship program.

[6.60.4.12 NMAC - Rp 6 NMAC 4.2.2.3.9, 07-01-01; A, 10-14-04; A, 10-31-07]

6.60.4.13 FOREIGN COUNTRY LICENSURE RECIPROCITY:

A. Foreign country teachers seeking a reciprocal level 1 license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-2, or grade pre K-12 specialty area, or grade pre K-12 blind and visually impaired who are licensed or hold authorization to teach in a country outside of the United States of America here after referred to as United States shall meet the following requirements:

- (1) hold a bachelor's degree from a United States regionally accredited college or university or an equivalent to a bachelor's degree from another country as verified by an official translation and evaluation from a PED accepted agency as posted on www.ped.state.nm.us; and,
- (2) hold and provide a copy of a valid teaching license or authorization to teach in another country or countries that is comparable to the New Mexico license they are seeking; and,
- (3) have completed a standard or alternative teacher preparation program approved in another state or country or accepted by the PED; and,
- (4) if applying for:
 - (a) early childhood birth-grade 3, or k-8 elementary licensure, have passed the applicable New Mexico teacher assessments ("NMTA") or other teacher competency test(s) satisfying requirements for teacher licensure in another state or country, or have completed 24 lower or upper division credit hours across the elementary education core academic subjects of language arts, social studies, mathematics, and science with at least six (6) credit hours in each core area;
 - (b) secondary or secondary vocational technical 7-12, middle level 5-9, and grades pre K-12 specialty area licensure in the core academic areas, provide evidence of having completed an academic major, a graduate degree, or coursework equivalent to an academic major in each of the core academic subjects in which the applicant seeks licensure, or having passed the applicable New Mexico teacher assessments ("NMTA") or other teacher competency test(s) satisfying requirements for teacher licensure in another state or country;
 - (c) licensure in non-core academic subjects, special education pre K-12, or blind and visually impaired pre K-12 licensure, have, on a form acceptable to the PED, provided evidence of having satisfactorily taught under their foreign country licensure or authorization, or have passed the applicable New Mexico teacher assessments ("NMTA") or other teacher competency test(s) satisfying requirements for teacher licensure in another state or country; and,
- (5) have, on a form acceptable to the PED, provided evidence of having satisfactorily taught in any state or foreign country or combination of other states or countries other than New Mexico for fewer than three (3) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach or combination of any of the aforementioned licenses or authorizations; and
- (6) submit to and satisfactorily clear a fingerprint-based background check pursuant to Section 22-10A-5, NMSA 1978 or provide proof of a criminal history background clearance from their country of residence.

B. Persons seeking a level 2 license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-12, or grade pre K-12 specialty area, or grade pre K-12 blind and visually impaired, through reciprocity, shall meet the following requirements:

- (1) hold a bachelor's degree or equivalent from a college or university, which if located in the United States must be regionally accredited; and either
- (2) hold a valid certificate issued by the national board for professional teaching standards; or
- (3) hold and provide a copy of a valid teaching license or authorization to teach in another country or countries that is comparable to the New Mexico license they are seeking; and

(4) provide a valid translation and evaluation of transcripts and other documentation from outside of the United States; and

(5) have completed a standard or alternative teacher preparation program approved in another state or country or accepted by the PED; and

(6) meet the requirements of Paragraph (4) of Subsection A of 6.60.4.13, NMAC; and

(7) have, on a form acceptable to the PED, provided evidence of having satisfactorily taught in any state or foreign country or combination of other states or countries other than New Mexico for at least three (3) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach, or combination of any of the aforementioned licenses or authorizations; and

(8) submit to and satisfactorily clear a fingerprint-based background check pursuant to section 22-10A-5, NMSA 1978 or provide proof of a criminal history background clearance from their country of residence.

C. Persons seeking a level 3 license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-12, or grade pre K-12 specialty area, or pre K-12 blind and visually impaired, through reciprocity, shall meet the following requirements:

(1) hold a master's degree or higher degree or equivalent from a college or university, which if located in the United States must be regionally accredited; and either

(2) hold a valid certificate issued by the national board for professional teaching standards; or

(3) hold and provide a copy of a valid teaching license or authorization to teach in another country or countries that is comparable to the New Mexico license they are seeking; and

(4) have completed a standard or alternative teacher preparation program approved in another state or country or accepted by the PED; and

(5) provide a valid translation of transcripts and other documentation; and

(6) meet the requirements of Paragraph 4 of Subsection A of 6.60.4.13 NMAC; and

(7) have, on a form acceptable to the PED, provided evidence of having satisfactorily taught in any state or foreign country or combination of other states or countries other than New Mexico for at least six (6) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach or combination of any of the aforementioned licenses or authorizations; and

(8) submit to and satisfactorily clear a fingerprint-based background check pursuant to section 22-10A-5, NMSA 1978 or provide proof of a criminal history background clearance from their country of residence.

D. A teacher who is granted level 3-A licensure under this rule who does not demonstrate competency at level 3-A indicators of Subsection D of 6.69.4.12 for a given school year may have the license suspended under Subsection F of 6.69.4.10 NMAC.

[6.60.4.13 NMAC - N, 06-01-02; A, 08-15-03; A, 10-14-04; A, 10-31-07; A, 06-15-09]

HISTORY OF 6.60.4 NMAC:

Pre-NMAC History: Material in this part was derived from that previously filed with the Commission of Public Records - State Records Center and Archives:

SBE Regulation 86-3, New Mexico Licensure Requirements Governing Persons Having Completed Their Education Preparation Programs At Educational Institutions Outside The State Of New Mexico, 7-14-86

History of Repealed Material:

6 NMAC 4.2.2.3, Requirements Governing Persons Completing Their Educational Programs at Institutions Outside New Mexico - Repealed, 7-1-01

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 60 SCHOOL PERSONNEL - GENERAL PROVISIONS
PART 5 COMPETENCY TESTING FOR LICENSURE

6.60.5.1 ISSUING AGENCY: Public Education Department (PED)
[12-31-98, 07-30-99; 6.60.5.1 NMAC - Rn, 6 NMAC 4.2.2.2.1, 10-13-00; A, 04-29-05; A, 06-15-09]

6.60.5.2 SCOPE: All persons seeking teaching licensure, certain licensure endorsements, and bilingual education endorsement on or after July 30, 1999; all persons seeking administrator, school counselor, educational diagnostician licensure after September 1, 2007, and all persons who have registered to take or have taken any portion of the New Mexico teacher assessments (NMTA).
[12-31-98, 07-30-99; 6.60.5.2 NMAC - Rn, 6 NMAC 4.2.2.2.2 & A, 10-13-00; A, 07-01-01; A, 07-15-02; A, 04-29-05; A, 10-31-07; A, XX-XX-09]

6.60.5.3 STATUTORY AUTHORITY: Sections 22-2-1 and 22-2-2, NMSA 1978.
[12-31-98; 6.60.5.3 NMAC - Rn, 6 NMAC 4.2.2.2.3, 10-13-00; A, 07-01-01; A, 04-29-05]

6.60.5.4 DURATION: Permanent
[12-31-98; 6.60.5.4 NMAC - Rn, 6 NMAC 4.2.2.2.4, 10-13-00]

6.60.5.5 EFFECTIVE DATE: July 30, 1999, unless a later date is cited in the history at the end of a section.
[12-31-98, 07-30-99; 6.60.5.5 NMAC - Rn, 6 NMAC 4.2.2.2.5 & A, 10-13-00]

6.60.5.6 OBJECTIVE: This rule is adopted by the "PED" for the purpose of establishing the New Mexico teacher assessments ("NMTA") as the primary acceptable examination for educator licensure in New Mexico. Although the PED adopts the [~~New Mexico teacher assessments~~] NMTA as the successor examination to the core battery of the national teachers examination, (NTE) this rule also provides for acceptance of passing test scores from those applicants who took the core battery of the [~~national teachers examination~~] NTE and have applied for licensure on or after July 30, 1999. This rule also establishes the New Mexico content knowledge assessments ("NMCKA"), which is part of the NMTA, as the content tests required to be taken to hold certain endorsements on teaching licenses or to receive an initial elementary K-8 license or pre K-12 special education license. This rule also establishes Prueba de Español para la Certificación Bilingüe as the PED's required Spanish language proficiency examination for persons seeking an endorsement to a teaching license in Spanish/English bilingual education and allows that test or its predecessor to be used as the content knowledge test to be taken for an endorsement in modern, classical and native languages for Spanish. This rule also allows the national family and consumer sciences test to be used as the content knowledge test to be taken for an endorsement in family and consumer sciences. Lastly, this rule establishes procedures for investigating NMTA testing irregularities and taking corrective action.
[12-31-98, 07-30-99; 6.60.5.6 NMAC - Rn, 6 NMAC 4.2.2.2.6 & A, 10-13-00; A, 07-01-01; A, 07-15-02; A, 02-14-03; A, 04-29-05; A, 05-31-06; A, 10-31-07; A, XX-XX-09]

6.60.5.7 DEFINITIONS:

A. "NMCKA" means the New Mexico content knowledge assessments, which are the teacher-tests approved by the PED which individuals must take and pass in order to receive endorsements on an initial license or as an option to add endorsements to an existing license in language arts, reading, mathematics, science, social studies, the arts (music or visual arts), modern, classical and native languages, (Spanish, French, German); health, physical education, library/media, teaching English to speakers of other languages (TESOL), and family and consumer sciences, or to receive initial licensure in elementary education from grades K-8 or special education pre K-12.

B. "NMTA" means the New Mexico teacher assessments, which are the tests approved by the PED that all individuals must take and pass in order to receive initial educator licensure; the NMTA consists of the New Mexico assessment of teacher basic skills, the New Mexico assessment of teacher competency (at the early childhood, elementary and secondary levels), and the [~~New Mexico content knowledge assessments ("NMCKA")~~] NMCKA, it shall include any test materials related to a testing applicant's taking of or registration for the NMTA.

C. "Test administrator" means the business entity, namely, the national evaluation systems, inc. or NES that developed the NMTA, administers the NMTA at testing centers throughout New Mexico, scores the NMTA, and reports NMTA testing results to the PED.

D. "Testing applicant" means a person who has filed an NMTA registration form with the test administrator, or who has not yet taken a portion of the NMTA.

E. "Testing irregularity" means any circumstance within or beyond the control of a testing applicant that, in the sole opinion of the PED or NES raises doubts about the propriety of a testing applicant's NMTA registration, NMTA score, or conduct during an NMTA test.

F. "Withheld NMTA score(s)" means the suspension of use by and disclosure to a testing applicant of an NMTA score(s) for up to 120 days upon a determination made by the PED [~~professional licensure bureau~~] (PLB) director that a testing irregularity is likely to have occurred.

G. "Voided NMTA score(s)" means the cancellation, invalidation and non-disclosure of a testing applicant of an NMTA score(s) after a final determination of testing irregularity by the PED's [~~professional licensure bureau~~] PLB director or by a hearing officer of the [~~secretary of education~~] secretary of the PED.

H. "Rules of test participation" means any written rules in the applicable NMTA registration bulletin that a testing applicant has expressly agreed to comply with as a condition of registering for or taking the NMTA.

I. "Educator licensure application" means an application for any professional teaching, administrator, or instructional support provider license, excluding licensure for an athletic coach, educational assistant, or substitute teacher.

J. "Core academic subjects" language arts, reading, mathematics, science, modern and classical languages, except the Native American languages and cultures of New Mexico tribes or pueblos, the arts, including music and visual arts, and social studies which includes history, geography, economics, civics and government, and modern and classical languages.

K. "Highly qualified", under this rule, means a teacher of the core academic subjects who has met all license or endorsement requirements and is not teaching under an endorsement waiver.

L. "Specialty area examination" means the New Mexico specialty area assessments, which are the tests approved by the PED for instructional support providers and administrators, which identified providers must take and pass in order to receive licensure as instructional support providers or administrators. [6.60.5.7 NMAC - N, 07-01-01; A, 07-15-02; A, 02-14-03; A, 06-30-03; A, 04-29-05; A, 03-15-06; A, 05-31-06; A, 10-31-07; A, XX-XX-09]

6.60.5.8 REQUIREMENTS: The NMTA consists of two (2) generic categories of assessments. The first category is the basic skills and competency assessments identified at Subsection A of 6.60.5.8 NMAC below. The second category is the content knowledge assessments, (CKA) sometimes called content tests, identified at Subsection B of 6.60.5.8 NMAC below.

A. Beginning July 30, 1999 except for those individuals covered by Subsection C of 6.60.5.8 NMAC, below all applicants for initial licensure in addition to meeting all other licensure and background check requirements of the PED, are required to take the basic skills and competency assessments of the [~~New Mexico teacher assessments~~] NMTA, which consist of the following tests and obtaining the following passing scores:

(1) assessment of teacher basic skills: passing score = 240; and

(2) either:

(a) assessment of teacher competency, elementary level (for those seeking elementary K-8 licensure, middle level 5-9, special education pre K-12 licensure or grade pre K-12 licensure): passing score = 240; or

(b) assessment of teacher competency, secondary level (for those seeking secondary 7-12 licensure including special education pre K-12 licensure, middle level 5-9 or grade pre K-12, or special education pre K-12): passing score = 240; or

(c) assessment of teacher competency, early childhood level (for those seeking early childhood birth-grade 3 licensure [~~beginning with the testing date in September, 2004~~] or special education pre K-12 licensure): passing score = 240.

B. In addition to the testing requirement above, all applicants for initial teacher licensure must take and pass a test in their content area subject according to the following schedule:

(1) Beginning with the September 2002, administration of the PED's content testing, if applicants are seeking licensure in elementary K-8, they shall take and pass the PED's [~~content knowledge assessment~~] CKA in elementary education prior to issuance of that license except as provided in Paragraph (6) of Subsection B of 6.60.5.8 NMAC.

(2) Beginning with the September, 2002, administration of the PED's content testing, if applicants are applying for licensure in early childhood birth-grade 3 or elementary K-8 and are also seeking an endorsement in reading, they shall take and pass the PED's ~~[content knowledge assessment]~~ CKA in that content area prior to issuance of that endorsement.

(3) Beginning with the September, 2004, administration of the PED's content testing, if applicants are applying for licensure in early childhood birth-grade 3, elementary K-8, secondary 7-12, middle level 5-9, special education pre K-12 or grade pre K-12, and are also seeking an endorsement in the arts (music or visual arts) or modern, classical and native languages (Spanish, French, or German) they must take and pass the PED's ~~[content knowledge assessment(s)]~~ CKA's in the respective content area prior to issuance of the endorsement(s).

(4) Beginning with the September, 2002, administration of the PED's content testing, if they are applying for licensure in secondary 7-12, middle level 5-9 or grade pre K-12 and are also seeking endorsement in language arts, reading, mathematics, science or social studies, or any combination thereof, they shall take and pass the PED's ~~[content knowledge assessment]~~ CKA in that content area prior to issuance of that license.

(5) Beginning with the September, 2006, administration of the PED's content testing if they are applying for licensure in early childhood birth-grade 3, elementary K-8, secondary 7-12, middle level 5-9, special education pre K-12 or grade pre K-12, and are also seeking an endorsement in the health, physical education, library/media, ~~[teaching English to speakers of other languages]~~ TESOL, or family and consumer sciences, they must take and pass the PED's ~~[content knowledge assessment(s)]~~ CKA's in the respective content area prior to issuance of the endorsement(s).

(6) An elementary K-8 licensed teacher who is new to the profession and who will be teaching language arts, social studies, mathematics, or science in a middle school or junior high school must either:

(a) take and pass the PED's middle level ~~[content knowledge assessment(s)]~~ CKA's in each core subject area the teacher will be teaching; or

(b) complete twenty-four (24) semester hours of coursework, at least six 6 hours of which are upper division, in each core academic subject the teacher will teach and take and pass the ~~[content knowledge assessment]~~ CKA in elementary education.

(7) If they currently hold a license and seek to add an endorsement in language arts, reading, mathematics, science, social studies, the arts (music or visual arts), modern, classical and native languages (Spanish, French, or German), health, physical education, library/media, ~~[teaching English to speakers of other languages (TESOL),]~~ or family and consumer sciences, they may be issued an endorsement in the content area upon passage of the PED's ~~[content knowledge assessment(s)]~~ CKA's in the respective content area except that a candidate who has passed the TESOL CKA or Prueba de Español para la Certificación Bilingüe must also complete required coursework in order to add ~~[an endorsement in modern, classical and native languages (Spanish)]~~ the respective endorsement.

(8) Beginning with the September, 2007, administration of PED's teacher testing if applicants are applying for licensure in special education pre K-12, they shall take and pass the PED's teacher content assessment in special education prior to issuance of that license.

(9) Beginning with the September, 2007, administration of PED's specialty area examinations, if they are applying for licensure as a school counselor, educational diagnostician or administrator, grades pre K-12, they shall take and pass the PED's specialty area examinations as provided in PED rules governing those licenses prior to the issuance of those licenses.

~~[C. Applicants for an initial Spanish/English bilingual endorsement to a teaching license must, in addition to meeting all other PED requirements for the endorsement, pass Prueba de Español para la Certificación Bilingüe by obtaining a score of 2 or higher on any 12 of the 15 subsections. Applicants seeking this endorsement through licensure reciprocity should consult 6.60.4 NMAC for guidance.]~~

C. Applicants for an initial Spanish/English bilingual endorsement to a teaching license must, in addition to meeting all other PED requirements for the endorsement, pass Prueba de Español Para la Certificación Bilingüe by obtaining a score of two (2) or higher on any twelve (12) of the fifteen (15) subsections. Applicants seeking this endorsement through licensure reciprocity should consult 6.60.4 NMAC, for guidance.

D. Applicants for alternative licensure with teaching experience at the post-secondary level under Subsection C of 6.60.3.8 NMAC, shall be exempt from the teacher licensure testing requirements as long as they meet all other requirements for licensure.

~~[12-31-98, 07-30-99, 02-14-00; 6.60.5.8 NMAC - Rn, 6 NMAC 4.2.2.2.8 & A, 10-13-00; A, 07-15-02; A, 02-14-03; A, 06-30-03; A, 04-29-05; A, 03-15-06; A 05-31-06; A, 10-31-07; A, 06-15-09; A, XX-XX-09]~~

6.60.5.9 IMPLEMENTATION: Consistent with Title I, Section 1119 (a) (2) and Title IX, Section 9101 (23) (A) (ii) of the No Child Left Behind Act (NCLB), which requires that all teachers of the core academic subjects be highly qualified by the end of the 2005-2006 school year, [the department] PED will not issue one year licenses in the core academic subjects under this section after June 30, 2006. [07-30-99; 6.60.5.9 NMAC - Rn, 6 NMAC 4.2.2.2.9, 10-13-00; A, 06-30-03; A, 04-29-05; A 05-31-06; A, 10-31-07; A, XX-XX-09]

6.60.5.10 EXCEPTIONS:

A. Applicants for an initial Spanish/English bilingual endorsement to a teaching license must, in addition to meeting all other PED requirements for the endorsement, pass Prueba de Espanol Para la Certification Bilingüe by obtaining a score of two (2) or higher on any twelve (12) of the fifteen (15) subsections. Applicants seeking this endorsement through licensure reciprocity should consult 6.60.4 NMAC, for guidance.

B. Applicants for alternative licensure with teaching experience at the post-secondary level under Subsection C of 6.60.3.8 NMAC, shall be exempt from the teacher licensure testing requirements as long as they meet all other requirements for licensure.

C. Exceptions for "New Mexico teacher assessment" NMTA (This exception is in accordance with NMSA 22-10A; The School Personnel Act:

(1) The provisions of this paragraph shall apply to an individual that holds at least a bachelors degree, has successfully completed a teacher preparation program, can verify through a current audio logical evaluation that they are deaf or hard of hearing and requests an alternative assessment of the NMTA.

(2) As used in this section, "deaf or hard of hearing," means: a person who is prelingually deaf or hard of hearing. Prelingual means an individual who acquired a permanent hearing loss prior to five (5) years of age that prevents the processing of linguistic information through hearing with or without amplification or other hearing assistance devices.

(3) As used in this section, "audio logical evaluation" means: a hearing assessment which includes otoscopic inspection, tympanometry, unaided pure tone air and bone conduction threshold testing, as well as speech awareness and speech reception threshold testing (if applicable).

(4) The applicant must obtain an audio logical evaluation from a licensed audiologist to verify the required *minimum* of a permanent, moderate hearing loss as determined by a pure tone average (PTA) at or greater than 41dBHL in each ear. The evaluation must be completed on a PED approved form and dated within one calendar year of application submission

(5) A person that meets the eligibility requirements of this provision and seeking to demonstrate competencies through the alternative assessment must submit the PED approved "Alternative Assessment Request form" as part of their complete application. The information obtained from the request form will be used to determine which alternative assessments the applicant requires and possible dates for administration of the teacher competency and CKA portions of the alternative assessment.

(6) Individuals granted access to the alternative assessment will have their alternative assessment reviewed by a committee that consists of:

- (a) a teacher of deaf or hard of hearing students;
- (b) a sign language interpreter;
- (c) a school administrator from the New Mexico school for the deaf, (NMSD);
- (d) a parent of a deaf or hard of hearing student;
- (e) a deaf or hard of hearing teacher, if one is available;
- (f) a public school employee, and
- (g) other appropriate persons as determined by the PED.

(7) A person that meets the eligibility requirements of this provision and seeking to demonstrate competencies through the alternative assessment is encouraged to request alternative testing arrangements and attempt all portions of the NMTA with alternative testing arrangements. Requests for alternative testing arrangements should describe accommodations previously received by the candidate during past standardized test administrations, documentation of audiological evaluations, and suggested modifications from a licensed audiologist. Applicants for this license that have earned a passing score = 240 on basic skills, teacher competency, or CKA are exempt from completing the alternative assessment in the portion they have passed.

(8) Individuals granted access to the alternative assessment are required to complete the basic skills portion of the NMTA with modifications after requesting alternative testing arrangements. The PLB at the PED will assist eligible candidates in submitting requests for alternative testing arrangements.

(9) Individuals granted access to the alternative assessment will demonstrate teacher competency and content knowledge by presenting a hard copy of portfolio in a face-to-face setting to the alternative assessment review committee. The committee will score the teacher competency and/or content knowledge hard copy portfolio as pass or fail. Applicants must obtain a passing score of 70% or greater on the teacher competency and/or content knowledge hard copy portfolio review to receive a score of pass.

(10) Applicants for this license will be charged the same amount(s) for the alternative assessment that registrants for the MTA are charged plus the licensure-processing fee. These fees are due when the applicant submits a complete application. Applications without the appropriate fees will not be accepted.

(11) Applicants that are unsuccessful in obtaining a passing score of 70% on the alternative assessment may reapply and submit the applicable fees.

[07-30-99; 6.60.5.10 NMAC - Rn, 6 NMAC 4.2.2.2.10 & A, 10-13-00; A, 07-15-02; A, 02-14-03; A, 04-29-05; A, 05-31-06, A, 10-31-07; A, 06-15-09; 6.60.5.10 NMAC - N, XX-XX-09]

[6.60.5.10] 6.60.5.11 SAVINGS CLAUSE:

A. Applicants described in 6.60.5.8 NMAC applying for licensure after July 30, 1999, who have taken the professional knowledge, or communications skills tests of the core battery of the [national teachers examination] NTE that correspond with portions of the NMTA as indicated below, will be exempt from taking the same portions of the NMTA provided they have obtained the following minimum scaled score that correspond with each test of the core battery of the [national teachers examination] NTE:

- (1) professional knowledge 630 corresponds with NMTA-teacher competency 240
- (2) communication skills 644 corresponds with NMTA basic skills 240

B. Those applicants not applying for licensure under reciprocity but presenting passing test scores on comparable basic skills, teacher competency or a content area tests from out of state may be excused from taking the corresponding NMTA basic skills, teacher competency or a content area test. For any single test to be deemed to be passing, scores must show a correct response rate of at least 70 percent, regardless of the raw test scores. PED may require the applicant to provide evidence of having met the 70 percent correct response rate.

[6.60.5.11 NMAC - N, 07-01-01; A, 04-29-05; A, 10-31-07; 6.60.5.11 NMAC - Rn & A, 6.60.5.10 NMAC, XX-XX-09]

[6.60.5.11] 6.60.5.12 TESTING IRREGULARITIES: Where a potential testing irregularity is reported to the PED, the PED shall make a preliminary inquiry to determine if further investigation is warranted.

A. If after a preliminary inquiry the PED determines that a potential testing irregularity warrants further investigation, the PED may cause that testing applicant's NMTA score to be withheld pending the completion of an investigation. The PED shall notify a testing applicant that any NMTA score suspected of being obtained by means of or following a testing irregularity may be withheld for up to 120 days pending an investigation. At the conclusion of its investigation, the PED shall notify the test administrator and the testing applicant of its findings and conclusions, whether or not a testing irregularity has been substantiated.

B. If after an investigation the PED finds and concludes that a testing irregularity is substantiated by the evidence, it may, after notifying the test administrator and the testing applicant of its findings, conclusions and intended action:

- (1) void the applicant's test score(s);
- (2) bar the applicant from retaking the NMTA for up to five (5) years;
- (3) direct that the applicant's registration fee be forfeited;
- (4) direct that the applicant's registration fee be refunded;
- (5) permit the applicant to retake all or portions of the NMTA under controlled conditions; or
- (6) impose any combination of the foregoing options.

C. If after an investigation the PED finds and concludes that no testing irregularity is substantiated by the evidence, it shall promptly notify the test administrator and the testing applicant and direct that any withheld NMTA be released and available for use in the educator licensure process.

[6.60.5.11 NMAC - N, 07-01-01; A, 04-29-05; A, 10-31-07; 6.60.5.12 NMAC - Rn, 6.60.5.11 NMAC, XX-XX-09]

[6.60.5.12] 6.60.5.13 RIGHTS OF A TESTING APPLICANT: The PED shall advise the testing applicant at the time of notification that the NMTA score will be withheld or voided, that the applicant can at any time provide the PED with a statement or documentary evidence rebutting the likely or substantiated existence of a testing irregularity. However, the testing applicant shall be cautioned that any statement or document provided by the

applicant may later be used against the applicant at a PED administrative proceeding, a civil proceeding or a criminal proceeding.

A. Where a testing applicant has an initial educator licensure application on file with the PED at the time of notification that a testing irregularity has been substantiated, the applicant shall have a right to request a hearing within 30 days of the notification and shall be afforded all the procedural and substantive due process rights contained in 6.68.2 NMAC ("Denial of Applications for Licenses for School Personnel"), which rule shall govern the proceedings. The PED may combine this hearing with a licensure denial hearing. The right to discovery shall be limited as set forth in ~~[section 13 of 6.60.5 NMAC]~~ 6.60.5.14 NMAC below.

B. Where a testing applicant does not have an initial educator licensure application on file with the PED at the time of notification that a testing irregularity has been substantiated, the applicant shall have 20 days to notify the PED ~~[professional licensure director]~~ director of the desire to schedule a telephonic conference-call or in-person meeting with the director. Such request must be in writing. Any relevant documents may be introduced and either side may be represented by an attorney and up to three witnesses may be called. The formal rules of evidence shall not apply and either side may at their own expense request that any witness statements be sworn and that a record be made of the meeting. The director shall issue a written decision consisting of written findings, conclusions and action to be taken. The decision will be issued to the testing applicant within 14 days of the meeting. The decision of the director, which must be based on a preponderance of the evidence, shall be final and not subject to review, appeal, or reconsideration by the agency.

C. A testing applicant with an initial educator licensure application on file with the PED at the time of notification that a testing irregularity has been substantiated, may waive the right to a hearing and proceed by way of a meeting with the director as set forth in the immediately preceding paragraph.
[6.60.5.13 NMAC - N, 07-01-01; A, 04-29-05; A, 10-31-07; A, 06-15-09; 6.60.5.13 NMAC - Rn & A, 6.60.5.12 NMAC, XX-XX-09]

~~[6.60.5.13]~~ 6.60.5.14 **LIMITED DISCOVERY RIGHTS:** The NMTA is the primary PED-approved teacher test for the state of New Mexico. It was developed by the test administrator under contract with the PED to help identify candidates for educator licensure who have demonstrated the level of knowledge and skills necessary for performing the duties of a teacher in New Mexico's public schools. The PED holds the exclusive copyright on the NMTA. As such, the PED must safeguard not only the copyright but also the confidentiality of the NMTA. Any testing applicant who timely requests a meeting or a hearing as permitted by this rule shall have only limited access to the questions and answers of the applicant's NMTA or related materials.

A. Given the proprietary nature of the NMTA or related materials, under no circumstance shall a testing applicant's disputed or undisputed NMTA be released to a testing applicant, attorney, representative, or the general public.

B. Upon request made to the director, a testing applicant, and an attorney, or representative shall be given as much access to the applicant's disputed or undisputed NMTA or related materials as is deemed reasonably necessary by the director, or hearing officer as the case may be, to prepare for pending meeting or hearing.

C. Anyone given permission to view a testing applicant's disputed or undisputed NMTA or related materials, must sign a confidentiality agreement offered by the PED. An NMTA or materials may only be viewed during routine office hours of the PED under supervision of a PED employee and on the PED premises. No NMTA or related materials may be written on, marked, electronically copied, hand-duplicated, or otherwise removed from the premises of the PED. The form, subject matter, substance and wording of any NMTA test question or answer may also not be removed from the premises of the PED nor may they be further disclosed in any other way. A person granted permission to review the materials covered by this section may not bring any manual or electronic copying devices to the location where the materials are offered. Such copying devices referred to in the preceding sentence shall include but not be limited to cameras, camcorders, tape recorders, writing utensils, hand-held computers, paper, briefcases, etc. The said confidentiality agreement shall accomplish this as well as other test-security goals. Anyone who enters the PED premises to review the materials covered by this section and who violates or attempts to violate any protected security measure may, at the discretion of the PED, be removed from the premises and be considered to have forfeited any additional access to an applicant's disputed or undisputed NMTA or related materials.

D. The original or copy of any NMTA or related materials used as evidence at any meeting or hearing shall also be subject to confidentiality by all attendees and participants. Accordingly, all such meetings or hearings shall be closed to the public.

[6.60.5.14 NMAC - N, 07-01-01; A, 04-29-05; A, 10-31-07; 6.60.5.14 NMAC - Rn & A, 6.60.5.13 NMAC, XX-XX-09]

[6.60.5.14] 6.60.5.15 LICENSURE DENIAL OR REVOCATION: Engaging in a testing irregularity shall constitute a good and just ground to deny a testing applicant's licensure application or to revoke or suspend any license held by a testing applicant that was issued by the PED. In the case of licensure revocation or suspension, the PED shall proceed under authority and procedure of 6.68.3 NMAC ("Suspension or Revocation of a License Held by a Licensed School Individual") and the Uniform Licensing Act [Sections 61-1-1 through 61-1-31 NMSA 1978]. [6.60.5.15 NMAC - Rn, 6.60.5.14 NMAC, XX-XX-09]

HISTORY OF 6.60.5 NMAC:

Pre-NMAC History:

The material in this Part was derived from that previously filed with State Records Center and Archives under SBE Regulation No. 84-8, Relating to Competency Testing for Certification and Performance Evaluation Requirement, filed August 27, 1984;

SBE Regulation No. 84-8 Amendment No. 1, Relating to Competency Testing for Certification and Performance Evaluation Requirement, filed May 18, 1987; and

SBE Regulation No. 89-5, Competency Testing for Licensure, filed August 17, 1989.

History of Repealed Material:

6 NMAC 4.2.2.2.8.2 - Repealed 02-14-00.

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 60 SCHOOL PERSONNEL - GENERAL PROVISIONS
PART 6 CONTINUING LICENSURE FOR LICENSED EDUCATORS IN NEW MEXICO

6.60.6.1 ISSUING AGENCY: Public Education Department (PED).
[6.60.6.1 NMAC - Rp 6.60.6.1 NMAC, 09-30-03; A, 08-31-04; A, 10-31-07]

6.60.6.2 SCOPE: Chapter 60, Part 6 governs continuing licensure for persons holding valid New Mexico licensure and seeking continuing licensure on or after July 1, 1990.
[6.60.6.2 NMAC - Rp 6.60.6.2 NMAC, 09-30-03]

6.60.6.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2, and 22-10A-3, NMSA 1978.
[6.60.6.3 NMAC - Rp 6.60.6.3 NMAC, 09-30-03]

6.60.6.4 DURATION: Permanent.
[6.60.6.4 NMAC - Rp 6.60.6.4 NMAC, 09-30-03]

6.60.6.5 EFFECTIVE DATE: September 30, 2003.
[6.60.6.5 NMAC - Rp 6.60.6.5 NMAC, 09-30-03]

6.60.6.6 OBJECTIVE: This rule governs continuing licensure for persons holding valid New Mexico licensure and seeking continuing licensure on or after July 1, 1990.
[6.60.6.6 NMAC - Rp 6.60.6.6 NMAC, 09-30-03; A, 05-31-06]

6.60.6.7 DEFINITIONS:

A. "Level 1 teaching license" means a provisional teaching license issued for the first five years of teaching that gives a beginning teacher the opportunity, through a formal mentorship program, for additional preparation to be a quality teacher.

B. "Level 2 teaching license" means a professional teaching license given to a teacher who is a fully qualified professional who is primarily responsible for ensuring that students meet and exceed PED academic content and performance standards; a teacher may choose to remain at level 2 for the remainder of that teacher's career.

C. "Level 3-A teaching license" means a master teaching license and is the highest level of teaching competence for those teachers who choose to advance as instructional leaders in the teaching profession and undertake greater responsibilities such as curriculum development, peer intervention, and mentoring.

D. "Full school year" means a minimum of 160 instructional days in a school year or 480 instructional days or equivalent number of days in schools or school districts on alternative schedules over multiple school years of full-time or part-time teaching during which the teacher is the teacher of record or serves as an instructional coach or resource teacher in at least one class each school year while holding a standard teaching license. An equivalent number of instructional hours may be accepted for those teachers who do not teach every day. Instructional days may include teaching in summer school or similar educational setting.

[6.60.6.7 NMAC - N, 09-30-03; A, 04-29-05; A, 05-31-06; A, 10-31-07; A, 06-15-09]

6.60.6.8 [RESERVED]
[6.60.6.8 NMAC - Rp 6.60.6.8 NMAC, 09-30-03; A, 08-31-04; A, 05-31-06; Repealed, 10-31-07]

6.60.6.9 REQUIREMENTS FOR ADVANCEMENT AND RENEWAL OF TEACHING LICENSES:

A. A teacher holding a valid level 1 license and seeking a level 2 license pursuant to the provisions of this rule shall meet the following requirements, which may not be waived or substituted by any other experience:

(1) complete three (3) full school years of teaching experience as the teacher of record at standard level 1 New Mexico licensure with successful annual evaluations, except that a teacher who has completed two (2) full school years of teaching experience while holding standard teaching licensure in New Mexico or in another state or country or has obtained level 1 New Mexico teaching licensure through reciprocity in 6.60.4 NMAC and is seeking advancement to level 2 may be required by a local New Mexico school district to complete up to two (2) full years of teaching experience in New Mexico before being eligible for licensure advancement to level 2 except that a

person who has completed one full school year of teaching in another state or country must teach for two (2) full school years under standard level 1 New Mexico licensure; and

(2) submit, in a form acceptable to the director, a completed licensure application and either a professional development dossier (PDD), as provided in 6.69.4.11 NMAC or certification from the national board for professional teaching standards, and beginning in 2005, where the PDD may be submitted up to three (3) months in advance of the completion of the requirement in Paragraph (1) of Subsection A of 6.60.6.9 NMAC with final PDD approval dependent upon the completion of three (3) full years of teaching experience at level 1 licensure. Dossiers may be submitted only between the following dates:

- (a) for school year 2009/2010, October 15, 2009 and March 31, 2010;
- (b) for school year 2010/2011, July 15, 2010 and March 31, 2011;
- (c) for all subsequent years, July 15 and March 31.

(3) complete the mentorship requirement for beginning teachers in 6.60.10 NMAC.

B. A teacher holding a valid level 2 license and seeking a level 3-A license pursuant to the provisions of this rule shall meet the following requirements, which may not be waived or substituted by any other experience:

(1) complete three (3) full school years of teaching experience as the teacher of record at standard level 2 New Mexico licensure with successful annual evaluations, except that a teacher who has four (4) or more full school years of teaching experience while holding standard teaching licensure in New Mexico or in another state or country or has obtained level 2 New Mexico teaching licensure through reciprocity in 6.60.4 NMAC and who is seeking advancement to level 3-A may be required by a local New Mexico school district to complete up to two (2) full years of teaching experience in New Mexico before being eligible for licensure advancement to level 3-A; and

(2) hold a post-baccalaureate degree from a regionally accredited college or university or hold certification from the national board for professional teaching standards; and

(3) submit, in a form acceptable to the director, a completed licensure application and either a professional development dossier (PDD), as provided in 6.69.4.11 NMAC or certification from the national board for professional teaching standards, and beginning in 2005, where the PDD may be submitted up to three (3) months in advance of the completion of the requirement in Paragraph (1) of Subsection B of 6.60.6.9 NMAC with final PDD approval dependent upon the completion of three (3) full years of teaching experience at level 2 licensure. Dossiers may be submitted only between the following dates:

- (a) for school year 2009/2010, October 15, 2009 and March 31, 2010;
- (b) for school year 2010/2011, July 15, 2010 and March 31, 2011;
- (c) for all subsequent years, July 15 and March 31;

C. A teacher holding a valid level 2 or level 3-A teaching license and seeking licensure renewal at the same level as the current license shall meet the requirements of either (1) or (2) below:

(1) If renewing a license through the PED, submit, along with the fee specified in 6.60.7.8 NMAC, a completed application for licensure renewal to the director and verification from the superintendent of the local school district or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure renewal, that the applicant has satisfactorily demonstrated the competencies for the current level of licensure and has met other requirements of the high objective uniform standard of evaluation for the current level of licensure as evidenced by the teacher's annual evaluations.

(2) If renewing a license through a local New Mexico school district, state institution, charter school, or private school, complete the PED's application for licensure renewal. The employing school district, charter school, state institution, or private school shall attach to the application the PED's verification by the superintendent of the local school district or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure renewal, that the applicant has satisfactorily demonstrated the competencies for the level of licensure sought and has met other requirements of the high objective uniform standard of evaluation for the level of licensure as is evidenced by the teacher's annual evaluations. These documents will be maintained on file in the teacher's personnel file in the local school district, state institution, charter school, or private school. The superintendent or the superintendent's designee will authorize the PED to issue the renewal of licensure through electronic notification procedures established by the PED when the PED determines such an electronic system is viable and operational. The license shall be printed by, and mailed to the license holder from, the PED. Under no circumstances will local school districts directly issue or print a New Mexico educator license. The PED shall determine how or if renewal fees authorized in 6.60.7.8 NMAC shall be paid by an applicant who renews the license under Paragraph (2) of Subsection C of 6.60.6.9 NMAC.

(3) If a teacher does not satisfactorily demonstrate the competencies for the level of licensure or other requirements of the high objective uniform standard of evaluation for licensure renewal, the applicant, depending on the outcome of any due process proceeding under the Uniform Licensing Act, sections 61-1-1 through 61-1-31, NMSA 1978, might not be issued a license.

D. A person holding a valid level 3-A license may choose not to renew the level 3-A license and apply for a level 2 license. The superintendent of the local school district or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure must submit to the director a verification that the applicant has satisfactorily met the high objective uniform standard of evaluation for level 2 license as is evidenced by the teacher's annual evaluations.

E. If a level 3-A teacher does not satisfactorily meet the high objective uniform standard of evaluation for level 3-A licensure renewal, the applicant, depending on the outcome of any due process proceeding under the Uniform Licensing Act, sections 61-1-1 through 61-1-3-1, NMSA 1978, might not be issued a level 3-A license. In that case, the applicant may be issued a level 2 license if the superintendent of the local school district or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure renewal, submits to the director a verification that the applicant has satisfactorily met the high objective uniform standards of evaluation for level 2 licensure as is evidenced by the teacher's annual evaluations.

F. A teacher who has taught in New Mexico under a standard teaching license for one full school year and who subsequently teaches under a standard teaching license in another state or authorization to teach in another country and has met the total amount of years for advancement required in Paragraph (1) of Subsection A of 6.60.6.9 NMAC or Paragraph (1) of Subsection B of 6.60.9 NMAC may advance to the next higher licensure level without presenting a dossier as required in Paragraph (2) of Subsection A of 6.60.9 NMAC, or Paragraph (3) of Subsection B of 6.60.6.9 NMAC.

G. A person who fails to complete the requirements of a three (3) year, non-renewable internship license as specified in 6.60.3 NMAC, shall not be issued another internship license in the same or another teaching field or endorsement area.

[6.60.6.9 NMAC - N, 09-30-03; A, 08-31-04; A, 04-29-05; A, 05-31-06; A, 10-31-07; A, 06-15-09; A, XX-XX-09]

6.60.6.10 REQUIREMENTS FOR ~~[RENEWAL AND ADVANCEMENT FOR EDUCATORS OTHER THAN TEACHERS]~~ ADVANCEMENT AND RENEWAL OF LICENSES OTHER THAN TEACHING:

A. A person holding a valid level 1 license and seeking a level 2 license pursuant to the provisions of this rule shall meet the following requirements:

- (1) a completed application for continuing licensure shall be submitted to the director;
- (2) the superintendent of the local school district, or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for continued licensure must submit to the director a verification that the applicant has satisfactorily demonstrated the competencies required by the PED for a level 2 license of the type sought.

B. A person holding a valid level 2 license and seeking a level 3 license pursuant to the provisions of this rule shall meet the following requirements:

- (1) a completed application for continuing licensure shall be submitted to the director;
- (2) the applicant must hold a master's degree from a regionally accredited college or university;
- (3) the superintendent of the local school district, or the governing authority of the state institution, charter school, or private school by which the applicant was most recently employed as of the date of the application for continued licensure must submit to the director a verification that the applicant has satisfactorily demonstrated the competencies required by the PED for a level 3-A license.

C. A person holding a valid level 2 and/or level 3-A license and seeking continuing licensure pursuant to the provisions of this rule shall meet the requirements of either (1) or (2) below:

(1) If renewing licensure through the PED, submit, along with the fee specified in 6.60.7.8 NMAC, a completed application for continuing licensure to the director and verification from the superintendent of the local school district or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure renewal, that the applicant has satisfactorily demonstrated the competencies required by the PED.

(2) If renewing through a local school district, state institution, charter school, or private school, complete the PED's application for continuing licensure. The employing school or school district shall attach to the application the PED's verification by the superintendent of the local school district, the governing authority of the

state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure renewal, that the applicant has satisfactorily demonstrated the competencies required by the PED. These documents will be maintained on file in the individual's personnel file in the local school district or school. The superintendent or the superintendent's designee will authorize the issuance of the renewal of licensure through procedures established by the PED. The license shall be printed by, and mailed to the teacher from, the PED. Under no circumstances will local school districts print a license. The PED shall determine how or if renewal fees authorized in 6.60.7.8 NMAC shall be paid by an applicant who renews the license under Paragraph (2) of Subsection C of 6.60.6.9 NMAC.

D. A person holding a valid level 2 teaching license of a level 3 counselor license seeking advancement to level 3-B, licensure in educational administration shall follow the requirements and procedures set forth in 6.62.2.8 NMAC.

E. A person holding a level 3-B administrator license and seeking continuing licensure pursuant to the provisions of this rule shall meet the requirements of either Paragraphs (1) or (2) of Subsection C of 6.60.6.10 NMAC.

F. If the renewal of a level 3-B administrator license is that of the superintendent or chief administrator of a charter school, private school, or state agency school, the verification of competency required in Paragraph (1) or (2) of Subsection C of 6.60.6.10 NMAC, shall be completed by the president of the local school board, or head of the governing authority of a charter school, private school or state agency.

[6.60.6.10 NMAC - N, 09-30-03; A, 08-31-04; A, 04-29-05; A, 05-31-06; A, 10-31-07; A, XX-XX-09]

6.60.6.11 EXCEPTIONS:

A. Exceptions for "exigent circumstances":

(1) The provisions of this paragraph shall apply to an individual holding a valid New Mexico license who, in exigent circumstances, is unable to secure a verification of the required competencies for licensure renewal.

(2) As used in this paragraph, "exigent circumstance" means:

(a) the non-availability of the superintendent of the local school district, charter school administrator or of an authorized representative of the state institution, charter school, or private school by which the applicant has been most recently employed; or

(b) the licensed individual has not been employed in elementary or secondary education during the term of the license(s); or

(c) when an intern or level 1 teacher has not been employed as the teacher of record in a New Mexico or out-of-state public school district, charter school or combination of public school districts or charter schools for the total number of years authorized by the license.

(3) A person seeking to renew the current level of licensure who, in exigent circumstances, is unable to secure verification of the required competencies shall submit a sworn statement asserting the exigent circumstance(s). In the situation of Subparagraphs (a) (b) of Paragraph (2) of Subsection A of 6.60.6.11 NMAC the applicant may be granted a five-year level 1 license. In the situations in Subparagraph (c) of Paragraph (2) of Subsection A of 6.60.6.11 NMAC, an intern applicant may be granted a one-time license renewal and a level 1 teacher may be granted no more than three level 1 licensure renewals, in both cases with effective periods equal to the amount of time of non-employment, except that any period of non-employment less than a full school year, but more than ninety (90) days shall constitute a full school year. Level 1 teachers who remain unemployed after their last level 1 license renewal may renew subsequent licenses at level 1 following Subparagraph (b) of Paragraph (2) of Subsection A of 6.60.11 NMAC, but any previous years of teaching experience counted toward advancement to level 2 licensure become void.

B. Exceptions for persons unable to demonstrate "exigent circumstances": Except for individuals who held only an internship license, a person seeking licensure renewal pursuant to this rule and who cannot show exigent circumstances for the lack of verification of the satisfactory demonstration of the competencies required by the PED or whose level 1 license has expired or lapsed may, upon the expiration of a period of three years from the date of expiration of the valid New Mexico license, apply to the director for a level 1 license. Level 1 licenses granted pursuant to this paragraph shall be subject to advancement at level 2 in the same manner as other such licenses.

C. A person seeking level 2, 3-A, or 3-B licensure renewal pursuant to this rule who has worked in education but not in an elementary or secondary school setting or who has retired from or has not continued to work in elementary and secondary education under a New Mexico license during the effective period of the license shall submit a sworn statement asserting that the person has not worked in an elementary or secondary school setting during the effective period of the license, and may renew the license at the current level held.

[6.60.6.11 NMAC - Rp 6.60.6.9 NMAC, 09-30-03; A, 08-31-04; A, 04-29-05; A, 05-31-06; A, 10-31-07; A, 06-15-09]

6.60.6.12 IMPLEMENTATION: Persons meeting these requirements may obtain a license at the level and for the duration as adopted by the PED.

A. Absent the exceptions provided in Subparagraphs (b)-(c), of Paragraph (2), of Subsection (A) of 6.60.6.11 NMAC, a level 1 teaching license shall not be renewed and shall be deemed to have lapsed upon the date of expiration, immediately terminating authorization to work as a teacher in New Mexico public and charter schools.

B. Continuing level 2 and level 3-A licenses granted pursuant to 6.60.6.8 NMAC of this rule shall be granted for nine (9) years.

C. Applications and requirements for level 2 or level 3A licensure advancement or renewal must be submitted no later than June 30 of the year following expiration of the license. After that date the license is deemed to have lapsed.

D. A level 2, level 3 or level 3A license that has lapsed may be renewed at the same level of the lapsed license if the applicant submits evidence of having satisfactorily carried out the duties as previously authorized by the lapsed license for five (5) complete school years and submits a verification from the superintendent of the local school district or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure renewal, that the applicant has satisfactorily demonstrated the competencies for the level of lapsed licensure as evidenced by annual evaluations. If the applicant cannot provide both the verification of five (5) years experience and competency from the superintendent of the local school district, the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed, the applicant shall be issued only a level 1 license.

[6.60.6.12 NMAC - Rp 6.60.6.11 NMAC, 09-30-03; A, 08-31-04; A, 04-29-05; A, 05-31-06; A, 10-31-07; A, 06-15-09; A, XX-XX-09]

HISTORY OF 6.60.6 NMAC:

PRE-NMAC HISTORY: The material in this regulation was derived from that previously filed with the state records center and archives under SBE Regulation 87-6, Continuing Licensure for Licensed Educators in New Mexico, filed June 15, 1987, and SBE Regulation 87-6, Amendment No. 1, Continuing Licensure for Licensed Educators in New Mexico, filed April 3, 1995.

HISTORY OF REPEALED MATERIAL:

6.60.6 NMAC, Continuing Licensure for Licensed Educators in New Mexico, filed 10-16-01 - Repealed effective 09-30-03.

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 61 SCHOOL PERSONNEL - SPECIFIC LICENSURE REQUIREMENTS FOR
INSTRUCTORS
PART 2 LICENSURE IN ELEMENTARY EDUCATION, GRADES K-8

6.61.2.1 ISSUING AGENCY: Public Education Department (PED)
[11-14-98, 7-30-99; 6.61.2.1 NMAC - Rn, 6 NMAC 4.2.3.2.1, 10-31-00; A, 05-28-04; A, 10-31-07]

6.61.2.2 SCOPE: Chapter 61, Part 2 governs licensure in elementary education, grades K-8, for those persons seeking such licensure.
[11-14-98; 6.61.2.2 NMAC - Rn, 6 NMAC 4.2.3.2.2, 10-31-00]

6.61.2.3 STATUTORY AUTHORITY: Sections 22-1-1, 22-1-1.1, 22-1-1.2, 22-2-1, 22-2-2, 22-10A-3, 22-10A-4, and 22-10A-6, NMSA 1978.
[11-14-98; 6.61.2.3 NMAC - Rn, 6 NMAC 4.2.3.2.3, 10-31-00; A, 06-01-02; A, 05-28-04]

6.61.2.4 DURATION: Permanent
[11-14-98; 6.61.2.4 NMAC - Rn, 6 NMAC 4.2.3.2.4, 10-31-00]

6.61.2.5 EFFECTIVE DATE: November 14, 1998, unless a later date is cited in the history note at the end of a section.
[11-14-98; 6.61.2.5 NMAC - Rn, 6 NMAC 4.2.3.2.5 & A, 10-31-00]

6.61.2.6 OBJECTIVE: This rule governs licensure requirements in elementary education for persons seeking such licensure.
[11-14-98; 6.61.2.6 NMAC - Rn, 6 NMAC 4.2.3.2.6, 10-31-00; A, 10-31-07]

6.61.2.7 DEFINITIONS:

A. "A highly qualified beginning elementary teacher," under this rule, means a teacher who is fully qualified for teaching in grades K-8, who is new to the profession, who has pursued a standard route to licensure, and who:

(1) meets all the requirements for elementary K-8 licensure required by Subsections A or B in Section 8 of this rule, and

(2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason, and

(3) has passed all applicable competency or teacher testing requirements for licensure in 6.60.5.8 NMAC (Competency Testing for Licensure).

B. "A highly qualified beginning middle or junior high school teacher holding elementary K-8 licensure," under this rule, means a teacher who is fully qualified to teach the core academic subjects in a public middle or junior high school, who is new to the profession, who has pursued a standard route to licensure, and who:

(1) meets all the requirements for elementary K-8 licensure required by Subsections A or B of Section 8 of this rule, and

(2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason, and

(3) has passed all applicable competency or teacher testing requirements for elementary K-8 licensure in 6.60.5.8 NMAC (Competency Testing for Licensure), and

(4) has passed the content knowledge test(s) of the New Mexico teacher assessments (NMTA) or comparable licensure tests from another state in each core academic subject the teacher teaches and in which the teacher is required to have a licensure endorsement, or

(5) has successfully completed an undergraduate academic major or coursework equivalent to an undergraduate major, or a graduate degree in each core academic subject the teacher teaches and in which the teacher is required to have a licensure endorsement.

C. "Core academic subjects" means English, language arts, reading, mathematics, science, modern and classical languages, except the modern and classical Native American languages and cultures of New Mexico tribes and pueblos, the arts, including music and visual arts, and social studies, which includes civics, government, economics,

history, and geography.

D. "Undergraduate academic major" under this rule, means twenty-four (24) to thirty-six (36) semester hours in a core academic subject area.

[6.61.2.7 NMAC - N, 06-30-03; A, 05-28-04; A, XX-XX-09]

6.61.2.8 REQUIREMENTS:

A. Persons seeking licensure in elementary education pursuant to the provisions of this rule shall meet the requirements enumerated in Subsection A or Subsection B of this section.

(1) 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) six (6) semester hours in mathematics; for candidates who entered a college or university prior to the fall semester of 2009 and nine (9) semester hours in mathematics for candidates who entered a college or university in or after the fall semester of 2009;

(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) credits from a regionally accredited college or university which include thirty to thirty-six (30-36) semester hours of professional education in an elementary education program approved by the PED, including completion of the PED's approved functional areas and related competencies in professional education; and

(3) a mandatory student teaching component; and

(4) twenty-four to thirty-six (24-36) semester hours in one teaching field such as mathematics, science(s), language arts, reading, and social studies (or other content related areas). Individuals must also complete the PED's approved functional areas and related competencies in the teaching field; and

(5) in addition to the requirements specified in Subsection A, Paragraphs (1), (3), (4), (6) and (7) of 6.61.2.8 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

(6) pass all required portions of the [~~New Mexico teacher assessments~~] NMTA or any successor teacher examination adopted by the [~~department~~] PED; and

(7) if teaching in an elementary school, satisfy the requirements of a highly qualified beginning elementary teacher, and

(8) if teaching the core academic subjects in a middle or junior high school, satisfy the requirements of a highly qualified beginning middle or junior high school teacher holding elementary K-8 licensure, or

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

[11-14-98; 6.61.2.8 NMAC - Rn, 6 NMAC 4.2.3.2.8 & A, 10-31-00; A, 06-01-02; A, 06-30-03; A, 05-28-04; A, 10-31-07; A, XX-XX-09]

6.61.2.9 [Reserved]

[11-14-98; 6.61.2.9 NMAC - Rn, 6 NMAC 4.2.3.2.9, 10-31-00; Repealed, 06-30-03]

6.61.2.10 REFERENCED MATERIAL: Competencies for entry level elementary teachers

A. Professionalism

(1) The teacher reflects on, analyzes, and evaluates the effect of his or her choices and actions on others, including students, parents, and other professionals in the learning community, and will be able to use this knowledge to improve the learning process.

(2) The teacher is aware of the need to actively seek out opportunities to grow professionally, including participation in professional organizations and professional development such as conferences, workshops, classes and research, and use this information to improve professional practices and to become a life-long learner.

(3) The teacher participates in an on-going process of researching current educational issues and practices, applying them in the classroom, and monitoring their effects.

(4) The teacher understands their role in the educational decision-making process as an advocate for children, school, district, community, and self.

- (5) The teacher is aware of and adheres to the educator code of ethics and professional standards.
- (6) The teacher demonstrates an awareness of relevant legal requirements of teachers and schools.
- (7) The teacher demonstrates an awareness of the structure of local, state, and federal agencies and educational systems.

(8) The teacher critically reviews, selects, and adapts materials, resources, and technologies and analyzes them for:

- (a) age appropriateness;
- (b) developmental level;
- (c) cultural and linguistic background;
- (d) exceptionalities;
- (e) biases and stereotypes;
- (f) content appropriateness in regard to curriculum;
- (g) reading level;
- (h) relevance to students.

B. Instructional planning and implementation:

(1) The teacher understands learning theory, subject matter, and curriculum development and uses this knowledge in planning instruction to meet curriculum goals.

(2) The teacher takes into account the physical, social, emotional, cognitive, and linguistic development of students when planning instruction.

(3) The teacher plans learning opportunities, recognizing the various learning styles of individuals/groups, according to the nature of the content being taught.

(4) The teacher creates short- and long-term plans that are linked to student needs, performance, and learning styles.

(5) The teacher becomes familiar with students' families, cultures and communities, and plans related learning activities.

(6) The teacher plans lessons that provide for the success of students with exceptionalities, including learning disabilities, visual and perceptual difficulties, and physical or mental challenges.

(7) The teacher integrates a variety of technologies into planned activities including software, applications, and other learning tools.

(8) The teacher plans activities to promote higher order thinking skills, creativity, and independent thinking.

(9) The teacher plans and uses assessment strategies and instruments appropriate to the learning outcomes being evaluated.

(10) The teacher evaluates lesson plans by observing classroom interactions, questioning, and analyzing student work.

(11) The teacher develops sequential lessons that include knowledge of the discipline, student diversity, the local community, and the district/state curriculum goals.

C. Classroom management:

(1) The teacher knows effective models of classroom management and has the opportunity to observe these in classroom situations.

(2) The teacher develops and implements a classroom management plan.

(3) The teacher responds to children as individuals.

(4) The teacher provides a safe classroom environment where individual differences are respected.

(5) The teacher arranges the classroom environment for optimal learning and students' success.

(6) The teacher seeks student understanding and input for classroom procedures, rules, and consequences.

(7) The teacher models and encourages positive social interaction.

(8) The teacher collaborates with specialists, support personnel, parents, and administrators in an interdisciplinary manner for the success of the individual student.

(9) The teacher uses data collection techniques to document classroom management.

(10) The teacher manages time and materials effectively to minimize distractions and disruptions.

(11) The teacher develops activities and transitions that guide students to be focused.

D. Assessment:

(1) The teacher understands and uses formal and informal assessment strategies to evaluate and ensure the continuous intellectual, social, physical, and aesthetic development of the learner.

- (2) The teacher develops valid evaluation tools to measure student outcomes.
- (3) The teacher selects materials and means for measuring progress.
- (4) The teacher assesses students' current knowledge in order to plan instruction.
- (5) The teacher uses assessment of student learning to improve their own teaching and to revise curriculum.
- (6) The teacher interprets and uses results of standardized instruments, including and understanding of percentiles, means, stanines, grade equivalence, and item analysis.
- (7) The teacher uses observation skills for informal assessment.
- (8) The teacher is able to use effective questioning techniques to better assess the student's knowledge.
- (9) The teacher recognizes developmental levels of student knowledge and skills including typical and atypical patterns.
- (10) The teacher recognizes unethical, illegal, and otherwise inappropriate assessment methods and uses of assessment information.
- (11) The teacher demonstrates familiarity with a variety of assessment tools, including but not limited to portfolios, performance-based assessment, and student writing.
- (12) The teacher uses student responses, explanations, and demonstrations, to analyze misunderstandings that led to errors (error analysis).
- (13) The teacher is aware that there may be a variety of methods, strategies, or procedures that will give a correct answer.
- (14) The teacher is skilled in communicating assessment results to students, parents, lay audiences, and other educators.

E. Technology:

- (1) Basic computer and technology operations and concepts - the teacher uses computer systems to: run software, access, generate, and manipulate data; and publish results. The teacher evaluates performance of hardware and software components of computer systems and applies basic troubleshooting strategies as needed.
 - (a) operates a multimedia computer system with related peripheral devices to successfully install and use a variety of software packages;
 - (b) uses terminology related to technology appropriate to the teaching field in written and oral communication;
 - (c) describes and implement basic troubleshooting techniques for multimedia computer systems with related peripheral devices;
 - (d) uses imaging devices;
 - (e) demonstrates knowledge of uses of computers and technology in business, industry, and society;
 - (f) operates a variety of audio-visual devices.
- (2) Personal and professional use of technology - the teacher will apply tools for enhancing their own professional growth and productivity. The teacher will use technology in communicating, collaborating, conducting research, and solving problems. In addition, the teacher will plan and participate in activities that encourage lifelong learning and will promote equitable, ethical, and legal use of computer and technology resources.
 - (a) uses productivity tools for word processing, database management, and spreadsheet applications when developmentally appropriate;
 - (b) applies productivity tools for creating a multimedia presentation;
 - (c) uses computer-based technologies including telecommunications to access information and enhance personal and professional productivity;
 - (d) uses computers to support problem solving, data collection, information management, communications, presentations, and decision making;
 - (e) demonstrates awareness of resources for adaptive assistive devices and software for students with special needs;
 - (f) demonstrates awareness of resources for culturally and linguistically diverse students;
 - (g) demonstrates knowledge of equity, ethics, legal, and human issues concerning use of computers and technology;
 - (h) demonstrates awareness of computer and related technology resources for facilitating lifelong learning and emerging roles of the learner and the educator;
 - (i) demonstrates awareness of broadcast instruction, audio/video conferencing, and other

distant learning applications.

(3) Application of technology to support teaching and learning - the teacher applies computers and related technologies to support teaching and learning in the grade level and subject areas. The teacher will integrate a variety of software, applications, and learning tools in the teaching and learning process. Lessons developed must reflect effective grouping and assessment strategies for diverse populations.

(a) explores, evaluates, and uses technology resources including applications, tools, educational software, and assorted documentation;

(b) describes best practice and appropriate assessment as related to the use of technology resources in the curriculum;

(c) designs, implements, and assesses learning activities that integrate technology for a variety of grouping strategies for diverse populations;

(d) designs learning activities that foster equitable, ethical, and legal use of technology by students;

(e) practices responsible, ethical, and legal use of technology, information, and software resources.

F. Diversity:

(1) The teacher understands how students differ in their approaches to learning and creates instructional opportunities that are adapted to diverse learners.

(2) The teacher organizes and manages varied learning groups as appropriate in each of the disciplines as appropriate to the needs and/or interests of students and the goals of the lesson.

(3) The teacher is aware of and can apply current research findings regarding individual differences such as linguistic backgrounds, developmental levels, exceptionalities, and gender.

(4) The teacher identifies stereotypes in curriculum materials and adapts instruction appropriately.

(5) The teacher helps students develop critical perspectives on biased materials.

(6) The teacher identifies and develops appropriate responses to differences among language learners.

(7) The teacher demonstrates sensitivity to New Mexico's unique linguistic and cultural diversity.

G. Family and community:

(1) The teacher is aware of the culture, history, and values of the community in which he or she teaches.

(2) The teacher understands, respects, and values the central role that community and family play in the learning process of a child and will be able to utilize these experiences to enhance learning.

(3) The teacher understands that there must be a reciprocal relationship between the school and the community.

(4) The teacher values and utilizes the knowledge that all community members have something to contribute to the classroom to assist in the educational process.

(5) The teacher recognizes that families and community can be used as teaching resources to enhance learning and children's self value.

(6) The teacher communicates to parents and community members student progress, important events, and school activities.

(7) The teacher understands the importance of inviting parents and community members to participate in classroom and school curriculum development and the decision making process.

(8) The teacher conveys and demonstrates to students the importance of being an active part of the community.

H. Inclusion:

(1) The teacher understands special education rules.

(2) The teacher understands the differing levels of disabilities.

(3) The teacher understands the development and use of individualized education plans (IEPs).

(4) The teacher understands their responsibilities in implementing objectives set in an IEP.

(5) The teacher develops lessons according to IEPs.

(6) The teacher monitors achievement and growth as set by an IEP and recommends changes when necessary.

(7) The teacher collaborates with special education teachers for individualized program implementation.

(8) The teacher adjusts lessons and strategies for students with exceptionalities with regard to academic levels, physical environment, and emotional needs.

(9) The teacher understands the social, emotional, physical, and academic needs of students with exceptionalities.

(10) The teacher assists students to understand social responsibilities.

(11) The teacher assists students with exceptionalities to have positive experiences in the regular classroom.

I. Development of student:

(1) The teacher understands various theories of cognitive, social, aesthetic, emotional and physical development.

(2) The teacher understands how children learn and develop, and provides learning opportunities that support their cognitive, social, aesthetic, emotional, and physical development.

(3) The teacher develops curriculum and implements instructional strategies appropriate to the developmental level of each child, leading to continuous progress.

J. Knowledge of content:

(1) Mathematics

(a) The teacher understands mathematical concepts including but not limited to:
(i) the arithmetic of real numbers and their subsets of rational numbers, integers, and whole numbers;

(ii) three dimensional geometry based on the concept of distance, and two dimensional geometry as a method of drawing plans and representing three dimensional objects;

(iii) elements of algebra including elementary functions;

(iv) measurement of length, angles, time, weights, and temperature; and

(v) handling money problems such as cost and unit price.

(b) The teacher demonstrates skill including but not limited to:

(i) mental computations and proper use of four operation and non-programmable scientific calculators in the context of problem solving;

(ii) constructions of solids, measurements of their volumes and surface areas, drawing their projections, and making plans for their construction;

(iii) defining relevant variables and writing formulas describing their relationships in problem-solving activities; and

(iv) using measurement tools and appropriate techniques for recording data and displaying results.

(c) The teacher demonstrates adequate communication skills to be able to discuss mathematical ideas verbally and in writing.

(d) The teacher knows a variety of teaching techniques and chooses ones appropriate to the topic of study and the level and needs of students.

(e) The teacher constructs situations in which students learn to use a variety of mathematical skills and concepts, including problem solving, reasoning, and logic.

(f) The teacher provides opportunities for students to learn how to use tools, technology, and manipulatives in problem solving.

(g) The teacher uses measurements and other data gathered by students as a basis for classroom activities.

(h) The teacher provides a classroom environment in which students develop skills in communicating, discussing, and displaying mathematical ideas.

(i) The teacher provides enough open-ended problems and activities to allow students to expand creatively on the material learned in classrooms.

(2) Reading and language arts:

(a) Foundations: the teacher understands the foundations of reading and language arts development, including but not limited to:

(i) research on reading;

(ii) how children learn to speak, read, write, and listen;

(iii) cultural, linguistic, environmental, and physiological factors in reading and language arts development;

(iv) children's developmental processes;

(v) characteristics of proficient and non-proficient readers;

(vi) relationship between oral and written language;

(vii) language structure including graphophonics, semantics, syntax, and pragmatics systems.

(b) Assessment:

(i) The teacher understands the use of classroom reading assessment to diagnose students' instructional needs and modify instruction appropriately.

(ii) The teacher links assessment and instruction to New Mexico language arts content standards, benchmarks and performance standards.

(c) Methods of instruction: the teacher differentiates methods of instruction based on needs of students and designs instruction based on the following reading and language arts components:

(i) oral language development;

(ii) phonemic awareness and phoneme manipulations, such as blending, segmentation, and substitution;

(iii) phonics instruction, including a variety of strategies such as systematic, explicit instruction and the use of phonics in reading and writing;

(iv) vocabulary development, including both explicit instruction and indirect vocabulary development through authentic literature and students' experiences;

(v) comprehension strategies, including: instruction on predicting, re-reading, questioning, sequencing, summarizing, retelling, reading for pleasure and analytical and critical reading; activities to develop fluency, the ability to read text accurately and rapidly; and study strategies, for example, planning, accessing and organizing information from a variety of texts and sources;

(vi) writing instruction, including: different types of writing for different audiences and purposes; spelling generalizations; grammar instruction within authentic contexts; and writing processes, including drafting, revising, and editing;

(d) Teacher designs comprehensive reading and writing instruction that results in students becoming proficient in the language arts content standards, benchmarks, and performance standards, including:

(i) the use of culturally relevant pedagogy that promotes an understanding of the importance of resources students bring to the classroom;

(ii) evaluation of text for quality, cultural, and linguistic appropriateness;

(iii) connecting identified needs of students based on data with appropriate research-based resources and materials;

(iv) creation of opportunities for students to consider, respond to and discuss spoken and written materials;

(v) the use of a variety of reading materials, including children's literature, non-fiction, technological media, stories, poems, biographies, texts from various subject areas;

(3) Science:

(a) The teacher knows, understands, and uses the fundamental concepts in the subject matter of science including physical, life, and earth and space sciences as well as concepts in science and technology, science in personal and social perspectives, the history and nature of science, the unifying concepts of science, and the inquiry process scientists use in discovery of new knowledge to build a base for scientific inquiry.

(b) The teacher is familiar with the scientific method and uses it to develop students' abilities to identify and communicate a problem, and to design, implement, and evaluate a solution.

(c) The teacher integrates a variety of technologies into planned science activities.

(d) The teacher helps children build understanding about science and technology.

(e) The teacher recognizes and responds to student diversity and encourages all students to participate fully in science learning.

(4) Social studies:

(a) The teacher understands the principles of teaching and learning processes that underlie social studies concepts and can translate these into meaningful learning activities focusing on inquiry, authenticity, and collaboration.

(b) The teacher understands that the social studies encompass history, geography, anthropology, archeology, economics, political science, psychology, sociology, and the interdisciplinary relationship of all facets of the social studies.

(c) The teacher understands that the definition of social studies requires that students are socially aware of and are active participants in local, state, national, and global issues.

(d) The teacher helps students understand the relationship between social studies and other

disciplines.

- (e) The teacher helps students to recognize and respect diverse local and global perspectives concerning cultures other than their own.
- (f) The teacher implements a variety of strategies for helping students use multiple resources including primary (e.g., documents, artifacts/regalia, direct observation, human resources, personal background) and secondary (e.g. books, newspapers, internet) as part of the inquiry/research process.
- (g) The teacher constructs experiences that provide opportunities for students to appreciate the historical development of democratic values, institutions, nations, and cultures.
- (h) The teacher engages students in activities that require them to formulate, analyze, synthesize, and critique issues by using well-reasoned, clearly supported arguments, policies, and positions.
- (i) The teacher constructs activities that encourage students to present social studies knowledge using a variety of sign systems including writing, charts, graphs, maps, art, music, drama, dance, and technology.

(5) Arts:

- (a) The teacher understands and implements arts activities such as history, art making, appreciation, and criticism through dance, music, theater, and the visual arts, appropriate to students developmental levels.
- (b) The teacher uses the arts as interdisciplinary units and themes.
- (c) The teacher understands distinctions and connections between arts disciplines and arts experiences, and encourages study and active participation that leads to skill development and appreciation.
- (d) The teacher enables students to communicate at a basic level in the four art disciplines of dance, music, theater, and visual arts, including knowledge and skills in the use of basic vocabularies, materials, tools, techniques, and thinking processes of each discipline.
- (e) The teacher enables students to develop and present basic analyses of works of art from structural, historical, and cultural perspectives.
- (f) The teacher exposes students to exemplary works of art from a variety of cultures and historical periods and provides opportunities for students to discuss and respond to them.
- (g) The teacher relates basic types of arts knowledge and skills within and across the arts disciplines and makes connections with other disciplines.

K. Communication:

- (1) The teacher uses knowledge of effective verbal, nonverbal, technological, and media communication techniques to foster active inquiry, collaboration, problem solving, and supportive interaction in the learning community.
- (2) The teacher effectively communicates orally and in writing using appropriate standard written and spoken English with a variety of audiences (e.g., peers, school, community) and encourage this in students.
- (3) The teacher understands communications theories, language development, and the role of language in student learning.
- (4) The teacher understands how to use a variety of strategies to facilitate language acquisition and development.
- (5) The teacher recognizes that the conventions and skills of language need to be taught in meaningful and authentic contexts rather than in isolation.
- (6) The teacher recognizes that writing is critical to other areas of language acquisition, cognitive growth, and expression.
- (7) The teacher recognizes that the focus of reading is communication of meaning through interaction between the reader and the text.
- (8) The teacher recognizes that humans communicate through a variety of verbal and non-verbal sign systems and can provide exposure to and experiences in multiple expressive modes across the curriculum.
- (9) The teacher recognizes that social interaction enhances thinking and learning.
- (10) The teacher understands how cultural, dialectic, and gender differences affect communication and encourage expression that is context appropriate.
- (11) The teacher encourages culturally sensitive communication by and among all students.
- (12) The teacher is a thoughtful and responsive listener and encourages this quality in students.
- (13) The teacher understands the role of multiple questioning strategies and student inquiry as communication tools.
- (14) The teacher recognizes the importance of technology as a tool for learning and communication.

[11-14-98; 6.61.2.10 NMAC - Rn, 6 NMAC 4.2.3.2.10 & A, 10-31-00; A, 05-28-04; A, 10-31-07]

HISTORY OF 6.61.2 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. 67-1.1 Certification Requirements Five Year Elementary Certificate, filed August 28, 1978;
- SBE Regulation No. 71-28 Continuing Five Year Elementary Certificate, filed August 28, 1978;
- SBE Regulation No. 71-29 Professional Elementary Licensure, filed August 28, 1978;
- SBE Regulation No. 76-3 Four Year Standard Elementary Certificate filed March 26, 1976;
- SBE Regulation No. 78-19 Four Year Standard Elementary Certificate, filed September 29, 1978;
- SBE Regulation 78-19 Amendment No. 1 Four Year Standard Elementary Certificate, filed November 28, 1978;
- SBE Regulation No. 78-23 Certification Requirements for Ten Year Professional Elementary Licensure, filed November 29, 1998;
- SBE Regulation No. 81-7 Four Year Standard Elementary Certificate, filed September 23, 1981;
- SBE Regulation No. 86-8 Licensure in Elementary Education, Grades K-8, filed January 19, 1987;
- SBE Regulation 86-8 Amendment No. 1 Licensure in Elementary Education, Grades K-8, filed December 4, 1990;
- SBE Regulation No. 86-8 Amendment 2 Licensure in Elementary Education, Grades K-8, filed April 3, 1995.

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)
[11-14-98, 07-30-99; 6.61.8.1 NMAC - Rn, 6 NMAC 4.2.3.17.1, 03-31-01; A, 06-15-06; XX-XX-09]

6.61.8.2 SCOPE: All persons seeking licensure in early childhood education, birth - grade 3.
[11-14-98; 6.61.8.2 NMAC - Rn, 6 NMAC 4.2.3.17.2 & A, 03-31-01]

6.61.8.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2 and 22-2-8.7, NMSA 1978.
[11-14-98; 6.61.8.3 NMAC - Rn, 6 NMAC 4.2.3.17.3, 03-31-01; A, 06-01-02]

6.61.8.4 DURATION: [~~Permanent~~] June 30, 2014
[11-14-98; 6.61.8.4 NMAC - Rn, 6 NMAC 4.2.3.17.4, 03-31-01; A, XX-XX-09]

6.61.8.5 EFFECTIVE DATE: November 14, 1998, unless a later date is cited in the history note at the end of a section.
[11-14-98; 6.61.8.5 NMAC - Rn, 6 NMAC 4.2.3.17.5 & A, 03-31-01]

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~~] birth - grade3 whether they are developing either typically or atypically.
[11-14-98; 6.61.8.6 NMAC - Rn, 6 NMAC 4.2.3.17.6 & A, 03-31-01; A, 06-15-06; A, XX-XX-09]

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~~] birth - age two (2) years: 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, [~~and/or~~] 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 (2) 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 (3-21). 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~~] birth - age two (2), 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 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 [~~and/or~~] 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~~] birth - 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.
- [11-14-98; 6.61.8.7 NMAC - Rn, 6 NMAC 4.2.3.17.7, 03-31-01; A, 11-11-02; A, 08-15-03; A, XX-XX-09]

6.61.8.8 REQUIREMENTS: All persons who perform instructional services in early childhood education [~~(i.e., birth through grade 3) as defined in this rule in public schools or in those special state-supported schools within state agencies, must hold valid standard licensure in early childhood development issued by the public education department ("PED")~~] (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, 2014 must met the requirements for either birth - pre-K as stated in 6.61.11NMAC, 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) [~~six (6)~~] 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 [~~and/or~~] 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 (3) years of documented, verified, satisfactory work experiences with at least two (2) 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

(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.

[11-14-98; 6.61.8.8 NMAC - Rn, 6 NMAC 4.2.3.17.8 & A, 03-31-01; A, 06-01-02; A, 08-15-03; A, 06-15-06; A, XX-XX-09]

6.61.8.9 IMPLEMENTATION: ~~[All persons who are applying for licensure in early childhood education on or before June 30, 1996, who possess a bachelor's degree and who have three years of documented successful experience during the five year period immediately preceding the effective date of this rule in the following types of programs will be entitled to licensure in early childhood education:~~

~~A. pre kindergarten third grade elementary programs accredited by the PED; or~~

~~B. early childhood special education programs for pre school aged children accredited by the PED; or~~

~~C. community programs or agencies which are contracted through the department of health for children birth through two years of age with developmental delays or who are at risk for such delays as defined by the Individuals with Disabilities Education Act (IDEA) Part H and the New Mexico family, infant, toddler policies and procedures.] All persons holding a current license in early childhood, birth - grade 3 prior to July 1, 2014 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 20, 2014 must apply as an initial applicant and meet requirements stated in 6.61.11 NMAC, or 6.61.12 NMAC.~~

[11-14-98; 6.61.8.9 NMAC - Rn, 6 NMAC 4.2.3.17.9, 03-31-01; A, 06-15-06; A, XX-XX-09]

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~~] 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.

(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~~ their 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~~ 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~~ birth - eight (8) years.

(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.

(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~~] 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~~] birth - eight (8) yrs. 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 uninterrupted 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 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]~~ birth - eight (8) years.
- (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.

[11-14-98; 6.61.8.10 NMAC - Rn, 6 NMAC 4.2.3.17.10, 03-31-01; A, XX-XX-09]

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 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.

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 61 SCHOOL PERSONNEL - SPECIFIC LICENSURE REQUIREMENTS FOR
INSTRUCTORS
PART 10 TEACHERS OF STUDENTS WITH BLINDNESS/VISUAL IMPAIRMENT B-12

6.61.10.1 ISSUING AGENCY: Public Education Department (PED)
[6.61.10.1 NMAC - N, 08-15-03; A, 06-15-06; A, XX-XX-09]

6.61.10.2 SCOPE: Chapter 61, Part 10 governs licensure of teachers of students with blindness and visual impairment, [~~birth through grade 12~~] **B-grade 12**, for those persons seeking such licensure.
[6.61.10.2 NMAC - N, 08-15-03; A, XX-XX-09]

6.61.10.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2 and 22-2-8.7, NMSA 1978.
[6.61.10.3 NMAC - N, 08-15-03]

6.61.10.4 DURATION: Permanent
[6.61.10.4 NMAC - N, 08-15-03]

6.61.10.5 EFFECTIVE DATE: August 15, 2003, unless a later date is cited in the history note at the end of a section.
[6.61.10.5 NMAC - N, 08-15-03]

6.61.10.6 OBJECTIVE: This rule governs licensure requirements in teaching of students with blindness and visual impairment, [~~birth through grade 12~~] **B-grade 12**, for persons seeking such licensure.
[6.61.10.6 NMAC - N, 08-15-03; A, 06-15-06; A, XX-XX-09]

6.61.10.7 DEFINITIONS:

A. "Assistive technology" means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child with a disability.

B. "Aural literacy skills" means listening skills that must be developed for students who have an impaired visual system. These skills provide a solid foundation for learning, reading, mobility clues, social conversation, and interpretation of a variety of auditory signals received from the environment. These skills begin to develop in infancy and need to be sequentially and deliberately expanded during the school years. Listening becomes particularly important in secondary and post-secondary schools, when Braille or print reading assignments become long and laborious.

C. "Braille" means a system of reading and writing that uses dot codes that are embossed on paper, developed by Louis Braille around 1829.

D. "Braillewriter" means a machine used to produce embossed Braille symbols.

E. "Career education" means a curriculum designed to teach individuals the skills and knowledge necessary in the world of work. This instruction may include field trips into the community to explore work opportunities and job requirements that would be gained by others with normal vision through incidental learning.

F. "Compensatory skills" means any technique, habit, or activity that must be developed to overcome a severe visual impairment; e.g., daily living skills, social and emotional skills.

G. "Continuum of services" means a full range of educational placements arranged in a stairstep fashion, where one level of service leads directly to the next one.

H. "Daily living skills" means skills that enable a visually impaired student to live independently.

I. "Educational placement" means the location or type of classroom program (for example, resource room) arranged for a child's education; the setting in which a student receives educational services.

J. "Functional vision" means the presence of enough usable vision, giving the student the ability to use sight as a primary channel for learning. This term also means the total act of seeing and how the student uses sight to function educationally.

K. "Functionally blind" means a student whose primary channels for learning are tactual and auditory.

L. "Least restrictive environment" (LRE) means the environment, on the scale of a full continuum of services, where the student is given the maximum opportunity to learn.

M. "Mobility" means the ability to navigate from one's present fixed position to one's desired position in another part of the environment.

N. "Nemeth" means a system for reading and writing mathematical symbols based on the six-cell Braille cell and developed by Dr. Abraham Nemeth.

O. "Orientation" means the process of using the remained senses in establishing one's position and relationship to all other significant objects in the environment.

P. "Residual vision" means the amount and degree of functional vision that one retains despite a visual handicap.

Q. "Social interaction skills" means that persons with normal vision most often learn social interaction skills social skills incidentally. The visual cues are not available for students with poor or no vision. These skills must be taught from infancy to adulthood in order for persons with visual impairment to gain the necessary skills.

R. "Tactical skills" means tactual awareness must be developed in infancy and need to be sequentially and deliberately expanded during the school years. These skills will become an effective method of literacy as well provide a method to gain information. This skill will have a major impact on concept development and future learning.

S. "Visual efficiency" means how well a person can use sight.

T. "Visual impairments" is overall term that refers to all levels of vision loss.

[6.61.10.7 NMAC - N, 08-15-03]

6.61.10.8 REQUIREMENTS:

A. Persons seeking licensure to teach students with blindness and visual impairment pursuant to the provisions of this rule shall [~~either hold special education licensure as provided in 6.61.6.8 NMAC or~~] meet the requirements of Subsections A [~~and B~~] of 6.61.10.8 NMAC.

(1) 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) six (6) 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) credits from a regionally accredited college or university which include twenty four to thirty-six (24-36) semester hours of professional education in a program of studies that prepares candidates to teach blind and visually impaired students, including completion of the [~~public education department's (PED's)~~] PED's approved functional areas and related competencies in professional education; and

(3) a mandatory student teaching or practicum component; and

(4) twenty-four to thirty-six (24-36) semester hours in one teaching field such as mathematics, science(s), language arts, reading, or from among history, geography, economics, civics and government (or other social studies content related areas). Individuals must also complete the PED's approved functional areas and related competencies in the teaching field; and

(5) in addition to the requirements specified in Subsection A, Paragraphs (1), (3), (4) and (6) of 6.61.10.8 NMAC, six (6) hours 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

(6) passage of all required portions of the New Mexico teacher assessments (NMTA) or any successor teacher examination adopted by the PED[; or

~~B. Possess a valid certificate issued by the association of educational rehabilitation of students with visual impairments for the appropriate grade level and type].~~

[6.61.10.8 NMAC - N, 08-15-03; A, 06-15-06; A, XX-XX-09]

6.61.10.9 REFERENCED MATERIAL: Competencies for entry level teachers of blind and visual impairment.

A. Philosophical, historical, and legal foundations of special education for students with visual impairment. The teacher demonstrates his/her understanding of the unique role of the teacher of students with blindness/visual impairment including those with multiple impairment, through the knowledge of philosophical,

historical, and legal foundations of special education for students with visual impairment.

(1) Teacher understands federal entitlements (e.g., American printing house for the Blind quota funds).

(2) Teacher understands historical foundations for education of children with visual impairments, including the array of service options.

(3) Teacher understands current educational definitions of students with visual disabilities, including identification criteria, labeling issues, and current incident and prevalence figures.

B. Characteristics of the learner with blindness/visual impairment including those with multiple impairment to be addressed by the teacher:

(1) Teacher demonstrates an understanding of the unique learning needs of the child/student with blindness/visual impairment, including those with multiple impairment, through implementation showing knowledge of the unique characteristics of loss or impairment of vision;

(2) Teacher understands normal development of the human visual system;

(3) Teacher understands basic terminology related to the structure and function of human visual system;

(4) Teacher understands basic terminology related to diseases and disorders of the human visual system;

(5) Teacher understands development of secondary senses (hearing, touch, taste, smell) when the primary sense is impaired;

(6) Teacher understands the effects of a visual impairment on early development (motor system, cognition, social/emotional interactions, self-help, language);

(7) Teacher understands the effects of a visual impairment on social behaviors and independence;

(8) Teacher understands the effects of a visual impairment on language and communication;

(9) Teacher understands the effects of a visual impairment on the individual's family and the reciprocal impact on the individual's self-esteem;

(10) Teacher understands the psychosocial aspects of a visual impairment;

(11) Teacher understands effects of medications on the visual system;

(12) Teacher understands the impact of additional exceptionalities on students with visual impairments.

C. Implications of diagnosis, assessment and evaluation. The teacher effectively utilizes assessment techniques and procedures by understanding the implications of loss or impairment of vision.

(1) Teacher understands the impact of visual disorders on learning and experience.

(2) Teacher understands specialized terminology used in assessing individuals with visual impairments, both as it relates to the visual system and in areas of importance.

(3) Teacher understands ethical considerations and legal provisions, regulations, and guidelines (federal, state/provincial, and local) related to assessment of students with visual impairments (including the legal versus functional definitions of blindness and low vision.)

(4) Teacher understands specialized policies regarding referral and placement procedures for students with visual impairments.

(5) Teacher understands procedures used for screening, pre-referral, referral, and classifications of students with visual impairments, including vision screening methods, functional vision evaluation, and learning media assessment.

(6) Teacher understands alternative assessment techniques for students who are blind or have low vision.

(7) Teacher understands appropriate interpretation and application of scores obtained as a result of assessing individuals with visual impairments.

(8) Teacher understands relationships among assessment, IEP development, and placement as they affect vision-related services.

D. Instructional content and practice. The teacher demonstrates the skills required to plan for and teach students with blindness/visual impairment, including those with multiple impairment, by understanding current instructional content and practices.

(1) Teacher understands methods for the development of special auditory, tactual, and modified visual communication skills for students with visual impairments, including:

(a) Braille reading and writing;

(b) handwriting for students with low vision and signature writing for students who are blind;

(c) listening skills and compensatory auditory skills;

- (d) typing and keyboarding skills;
 - (e) the use of unique technology for individuals with visual impairments;
 - (f) the use of alternatives to nonverbal communication.
- (2) Teacher understands methods to acquire disability-unique academic skills, including, but not exclusive to:
- (a) the use of an abacus;
 - (b) the use of a talking calculator;
 - (c) tactile graphics (including maps, charts, tables, etc.);
 - (d) adapted science equipment
- (3) Teacher understands methods for the development of basic concepts needed by young students who do not learn visually.
- (4) Teacher understands methods for the development of visual efficiency, including instruction in the use of print adaptations, optical devices, and non-optical devices.
- (5) Teacher understands methods to develop alternative reasoning and decision-making skills in students with visual impairments.
- (6) Teacher understands methods to develop alternative organization and study skills for students with visual impairments.
- (7) Teacher understands methods to prepare students with visual impairments for structured pre-cane orientation and mobility assessment and instruction.
- (8) Teacher understands methods to develop tactual perceptual skills for students who are or will be primarily tactual learners.
- (9) Teacher understands methods to teach human sexuality to students who have visual impairments, using tactual models that are anatomically accurate.
- (10) Teacher understands methods to develop adapted physical and recreation skills for individuals who have visual impairments.
- (11) Teacher understands methods to develop social and daily living skills that are normally learned or reinforced by visual means.
- (12) Teacher understands strategies for developing career awareness in and providing vocational counseling for students with visual impairments.
- (13) Teacher understands strategies for promoting self-advocacy in individuals with visual impairments.
- (14) Teacher understands functional life skills instruction relevant to independent, community, and personal living and employment for individuals with visual impairments including:
- (a) methods for accessing printed public information;
 - (b) methods for accessing public transportation;
 - (c) methods for accessing community resources;
 - (d) methods for acquiring practical skills (e.g., keeping personal records, time management, personal banking, emergency procedures).
- (15) Teacher understands sources of specialized materials for students with visual impairments.
- (16) Teacher understands techniques for modifying instructional methods and materials for students with visual impairments, and assisting classroom teachers in implementing these modifications.
- E. Planning and managing the teaching/learning environment.
- (1) The teacher demonstrates the ability to plan and managing the teaching/learning environment.
 - (2) Teacher understands a variety of input and output enhancements to computer technology that address the specific access needs of students with visual impairments in a variety of environments.
 - (3) Teacher understands model programs, including career-vocational and transition, which have been effective for students with visual impairments.
- F. Managing student behavior and social skills. The teacher is able to manage student behavior and social interaction skills of students with loss or impairment of vision.
- (1) Teacher understands teacher attitudes and behaviors that affect the behaviors of students with visual impairments.
 - (2) Teacher creates an atmosphere conducive to the promotion of positive student involvement and self-concept.
- G. Communication and collaborative partnerships. The teacher promotes communication and collaborative partnerships.
- (1) Teacher understands strategies for assisting parents and other professionals in planning

appropriate transitions for students who have visual impairments.

(2) Teacher understands sources of unique services, networks, and organizations for students with visual impairments.

(3) Teacher understands roles of paraprofessionals who work directly with students who have visual impairments (e.g., sighted readers, transcribers, aides) or who provide special materials to them.

(4) Teacher understands the need for role models who have visual impairments, and who are successful.

H. Professionalism and ethical practices. The teacher demonstrates professionalism and ethical practices.

(1) Teacher understands the consumer and professional organizations, publications, and journals relevant to the field of visual impairment.

(2) Teacher adheres to the code of ethics for teachers of students with visual impairments.

[6.61.10.9 NMAC - N, 08-15-03]

History of 6.61.10 NMAC: [Reserved]

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 61 SCHOOL PERSONNEL - SPECIFIC LICENSURE REQUIREMENTS FOR
INSTRUCTORS
PART 11 LICENSURE IN EARLY CHILDHOOD EDUCATION, BIRTH THROUGH PRE K

6.61.11.1 ISSUING AGENCY: Public Education Department (PED)
[6.61.11.1 NMAC - N, XX-XX-09]

6.61.11.2 SCOPE: All persons seeking licensure in early childhood education, birth through Pre K.
[6.61.11.2 NMAC - N, XX-XX-09]

6.61.11.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2 and 22-2-8.7, NMSA 1978.
[6.61.11.3 NMAC - N - XX-XX-09]

6.61.11.4 DURATION: Permanent
[6.61.11.4 NMAC - N, XX-XX-09]

6.61.11.5 EFFECTIVE DATE: July 1, 2014, unless a later date is cited in the history note at the end of a section.
[6.61.11.5 NMAC - N, XX-XX-09]

6.61.11.6 OBJECTIVE: This rule establishes licensure requirements for those seeking to work in early childhood education, that is, with children from birth - four (4) years of age whether they are developing either typically or atypically.
[6.61.11.6 NMAC - N, XX-XX-09]

6.61.11.7 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: avoiding dangerous situations; and 3) environmental adaptation skills: adapting behavior as a function of the limitations or demands of the particular environment, 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, ethnicity, language, gender sexual orientation, or ability.

D. "At risk" means the following as it applies to children birth - two (2) years: 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, and/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 (2) 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. "Diverse abilities" means any young child with an identified disability, developmental delay, or who may be "at risk" for learning challenges, as well as children who may be challenged as second language learners, or with cognitive, social/emotional, motor, language, or mental health/well-being differences.

F. "Inclusion/inclusive" is a philosophically based approach to providing accessibility and participation in typical early childhood settings for children with diverse abilities.

G. "Inclusive practices" are those strategies, which educators, administrators, and families implement to ensure accessibility and full participation of children with diverse abilities in all activities.

H. "Individual education program" (IEP) means a plan that describes the delivery of services to a child with a disability, age three - twenty-one (3-21). 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.

I. "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 - two (2) 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 and family, name of service coordinator, a transition plan, and an optional statement of family concerns, priorities and resources.

J. "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.

K. "Intervention strategies" means various techniques utilized in teaching a child a particular skill such as physical and/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.

L. "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. [6.61.11.7 NMAC - N, XX-XX-09]

6.61.11.8 REQUIREMENTS: All persons who perform instructional services in early childhood education (i.e., birth - four (4) years of age) as defined in this rule in public schools or in those special state-supported schools within state agencies must hold valid standard licensure in early childhood education issued by the public education department ("PED").

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) six (6) semester hours in mathematics for candidates who entered a college or university prior to the fall semester of 2009, and nine (9) semester hours in mathematics for candidates who entered a college or university in or after the fall semester of 2009;
- (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 45 semester credits of professional education coursework at a regionally accredited college or university in an early childhood education program approved by the PED in the competencies identified in 6.61.11.10; and

(3) earn a minimum of fifteen (15) semester hours, six (6) of which would be practicum or supervised field experience nine (9) semester hours of student teaching component in early childhood education for one of the following age ranges: Birth - 4 years of age with children who are developing either typically or atypically; and

(a) earn at least one hundred thirty-five (135) contact hours of practicum and/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 (3) years of documented, verified, satisfactory work experiences with at least two (2) 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

(4) in addition to the requirements specified in Subsection A, Paragraphs (1), (3) and (5) of 6.61.11.8 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

B. Possess valid certificate issued by the national board for professional teaching standards for the appropriate grade level and type.
[6.61.11.8 NMAC - N, XX-XX-09]

6.61.11.9 [RESERVED]

6.61.11.10 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 diverse abilities.

(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 critical to the overall development of young children. Providing nutritious meals and snacks encourages good nutrition and leads to lifelong health eating habits. Family style dining during mealtime is a developmentally appropriate activity that not only teaches mealtime etiquette, but also encourages families to nurture their children. 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.

(2) Articulate an understanding of indoor and outdoor learning environments that provide opportunities for children to put into practice healthy behaviors (physically, socially, and emotionally).

(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 and assure a consistent daily schedule for meals, rest, and 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 their family. The diverse cultures and languages representative of families in New Mexico's communities are honored.

(1) Demonstrate knowledge and skill in building positive, reciprocal relationships with families.

(2) Articulate an understanding of a safe and welcoming environment for families and community members.

(3) Develop and maintain ongoing contact with families through a variety of communication strategies.

(4) Demonstrate knowledge of and respect for variations across cultures, in terms of family strengths, expectations, values, and child-rearing practices.

(5) Articulate understanding of the complexity and dynamics of family systems.

(6) Demonstrate understanding of the importance of families as the primary educator of their child.

(7) Demonstrate the ability to incorporate the families' desires and 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.

(12) Apply knowledge of family theory and research to understand family and community characteristics including socioeconomic conditions; family structures, relationships, stressors, and supports (including the impact of having a child with diverse abilities); home language and ethnicity.

(13) Demonstrate knowledge of and skill to access community resources that assist families and contribute directly or indirectly to children's positive development such as mental health services, health care, adult education, native and English language instruction, and economic assistance.

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 in terms of 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 - four (4) years of age.

(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 emergent literacy at each developmental level.

(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 diverse abilities through the team process with families and other team members.

(7) Provides and uses anti-bias materials and 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 learning and development for all children from birth - four (4) years of age. 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 diverse abilities.

(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, diverse abilities, 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 inclusive 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 uninterrupted time for children to persist at self-chosen activities, both indoors and out doors.

(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 communication and dialogue of expressive language and thought.

(11) Demonstrate a variety of developmentally appropriate instructional strategies that facilitate the development of emergent 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 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 ability to choose valid tools that are developmentally, culturally, and linguistically appropriate; use the tools correctly; make appropriate referrals; and interpret assessment results, with the goal of obtaining valid, useful information to inform practice and decision-making.

(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 knowledge of maintaining appropriate records of children's development and behavior that safeguard confidentiality and privacy.

(5).....Involve the family and, as appropriate, other team members in accessing the child's development, strengths, and needs in order to set goals for the child.

(6) Articulate an understanding of the distinctions and definitions of assessment concepts (*e.g. screening, diagnostic assessment, standardized, testing, accountability, assessment*).

(7) Apply understanding of assessment concepts toward selection of appropriate formal assessment measures, critiquing the limitations of inappropriate measures, and discussing assessment issues as part of interdisciplinary teams.

(8) Articulate an understanding that responsible assessment is legally and ethically grounded and guided by sound professional standards. It is collaborative and open with the goal of supporting diverse children and families.

(9) Demonstrate knowledge of assessment techniques, interpretation of assessment information in the application of this data to curriculum development and/or intervention planning.

(10) Demonstrate knowledge of a variety of techniques and procedures to evaluate and modify program goals for young children and their families.

(11) Demonstrate knowledge and use of program evaluation to ensure comprehensive quality of the total environment for children, families, and the community.

(12) 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) Demonstrate ability to adhere to early childhood professional codes of ethical conduct and issues of confidentiality.

(2) Demonstrate knowledge of federal, state, and local regulations and public policies regarding programs and services for children birth - four (4) years of age.

(3) Demonstrate understanding of conditions of children, families, and professionals; the historical and 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 understanding of the early childhood profession, its multiple, historical, philosophical and social foundations, and how these foundations influence current thought and practice.

(6) Demonstrate a commitment to leadership and advocacy for excellence in programs and services for young children and their families.

(8) Demonstrate knowledge in technology resources to engage in ongoing professional development.

H. Advanced Child Development Knowledge.

(1) Demonstrate and facilitate conceptual understanding of family roles in the development of their infant and toddler, including support for family acquisition of knowledge concerning infant and toddler's growth, learning, and development and cultural and linguistic diversity represented within the home setting.

(2) Apply theoretical knowledge of and ability to provide screening and assessment unique for infants and toddlers.

(3) Demonstrate ability to work collaboratively as an advocate with families and IFSP and IEP team members to provide developmentally supportive environment.

(4) Demonstrate conceptual understanding of curriculum development and implementation for children birth to age four (4) and the ability to articulate theoretically-based rationale for differences between infant/toddler curriculum and learning environments, and for children older than four (4).

(5) Articulate and demonstrate conceptual understanding of respectful, responsive, and reciprocal interactions that serve as basis for infant/toddler curriculum and learning environments.

(6) Articulate and apply coherent theoretical knowledge and understanding of young children's characteristics and needs as encompassing multiple, interrelated areas of children's development and learning - including physical, cognitive, social, emotional, language, and aesthetic domains, play, activity, and learning processes, and motivation to learn.

(7) Apply a conceptual understanding of the multiple influences on development and learning to working with children, including cultural and linguistic contexts for development, children's close relationships with adults and peers, economic conditions of children and families, health status and disabilities, children's individual developmental variations and learning styles, opportunities to play and learn, technology and the media, and family and community characteristics.

I. Curriculum and Content Knowledge

(1) Demonstrate content knowledge (e.g., art, music, movement, science, math, literacy, social studies, and technology) and familiarity with a wide variety of resource in academic disciplines and apply that knowledge in the development, implementation, and evaluation of curriculum.

(2) Demonstrate skill in collaboration with professionals from other disciplines (e.g., school psychology, speech and language, occupational therapy) when planning curriculum and teaching strategies for young children in diverse abilities.

(3) Demonstrate an understanding and application of flexible teaching approaches that span a continuum from child-initiated to adult-directed and from free exploration to scaffolded support or teacher modeling.

(4) Apply understanding of young children's need for balance, order, depth, variety, and challenge through curriculum planning, routines, and scheduling (e.g., daily, weekly, and longer-term).

(5) Link child characteristics, needs, and interests with informal opportunities to build children's language, concept development, and skills.

(6) Apply knowledge to create environments that enrich and extent children's play including intervention strategies (i.e., questioning), respect of cultural diversity and gender equity.

(7) Articulate and support a position of the fundamental importance of play in young children's learning and development from infancy - four (4) years of age.

(8) Demonstrate sound knowledge and skills in using technology as a teaching and learning tool.

(9) Demonstrate the ability to promote positive social interactions and engage children in learning activities while actively working to increase social competence of all children.

(10) Demonstrate the ability to analyze and critique early childhood curriculum experiences in terms of the relationship of the experiences to the research base and professional standards.

(11) Articulate priorities for high-quality and meaningful language and pre-literacy experiences across the developmental continuum, using language, pre-reading and pre-writing to facilitate skill development while strengthening children's cultural identity.

(12) Demonstrate knowledge of second-language acquisition and bilingualism including the diversity of home language environments.

(13) Facilitate family involvement so that families are engaged with curriculum planning, assessing of children's learning, and planning for children's transitions to new programs.

(14) Articulate priorities for high quality, meaningful content experience (art, music, movement, science, math, literacy, social studies, and technology) across a developmental continuum.

(15) Demonstrate conceptual knowledge of the principles and standards derived from professional content organizations (NCTM, IRA) for curriculum-decision making.

(16) Demonstrate the use of reflective practice.

[6.61.11.10 NMAC - N, XX-XX-09]

HISTORY OF 6.61.11 NMAC: [RESERVED]

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 61 SCHOOL PERSONNEL - SPECIFIC LICENSURE REQUIREMENTS FOR
INSTRUCTORS
PART 12 LICENSURE IN EARLY CHILDHOOD EDUCATION, PRE K - GRADE 3

6.61.12.1 ISSUING AGENCY: Public Education Department, (PED)
[6.61.12.1 NMAC - N, XX-XX-09]

6.61.12.2 SCOPE: All persons seeking licensure in early childhood education, Pre-K - grade 3.
[6.61.12.2 NMAC - N, XX-XX-09]

6.61.12.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2 and 22-2-8.7, NMSA 1978.
[6.61.12.3 NMAC - N - XX-XX-09]

6.61.12.4 DURATION: Permanent
[6.61.12.4 NMAC - N, XX-XX-09]

6.61.12.5 EFFECTIVE DATE: July 1, 2014, unless a later date is cited in the history note at the end of a section.
[6.61.12.5 NMAC - N, XX-XX-09]

6.61.12.6 OBJECTIVE: This rule establishes licensure requirements for those seeking to work in early childhood education, that is, with children from age 3 - grade 3 whether they are developing either typically or atypically.
[6.61.12.6 NMAC - N, XX-XX-09]

6.61.12.7 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: avoiding dangerous situations; and 3) environmental adaptation skills: adapting behavior as a function of the limitations or demands of the particular environment. 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, ethnicity, language, gender sexual orientation, or ability.

D. "At risk" means the following as it applies to children birth - two (2) years of age: 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, and/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 (2) 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. "Diverse abilities" means any young child with an identified disability, developmental delay, or who may be "at risk" for learning challenges, as well as children who may be challenged as second language learners, or with cognitive, social/emotional, motor, language, or mental health/well-being differences.

F. "Inclusion/inclusive" is a philosophically based approach to providing accessibility and participation in typical early childhood settings for children with diverse abilities.

G. "Inclusive practices" are those strategies, which educators, administrators, and families implement to ensure accessibility and full participation of children with diverse abilities in all activities.

H. "Individual education program" (IEP) means a plan that describes the delivery of services to a child with a disability, age three - twenty-one (3-21). 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.

I. "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 - two (2) 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 and family, name of service coordinator, a transition plan, and an optional statement of family concerns, priorities and resources.

J. "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.

K. "Intervention strategies" means various techniques utilized in teaching a child a particular skill such as physical and/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.

L. "Least restrictive environment" is that environment which all children are most generally found in a public education setting (i.e., general education classroom). Children with identified disabilities are to have access to the general education curriculum and have the opportunity to participate fully with their peers without disabilities to the maximum extent possible. Supports may be necessary for the "least restrictive environment" to be most successful.

M. "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.

N. "A highly qualified beginning early childhood teacher", under this rule, means a teacher who is fully qualified for teaching children from age 3 - 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 Pre K - grade 3 licensure in Subsections A or B of 6.61.12.8 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.
[6.61.12.7 NMAC - N, XX-XX-09]

6.61.12.8 REQUIREMENTS: All persons who perform instructional services in early childhood education (i.e., age 3 - grade 3) as defined in this rule in public schools or in those special state-supported schools within state agencies must hold valid standard licensure in early childhood education issued by the PED.

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) six (6) semester hours in mathematics for candidates who entered a college or university prior to the fall semester of 2009, and nine (9) semester hours in mathematics for candidates who entered a college or university in or after the fall semester of 2009;

(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 45 semester credits of professional education coursework at a regionally accredited college or university in an early childhood education program approved by the PED in the competencies identified in 6.61.12.10 NMAC, and

(3) earn a minimum of fifteen (15) semester hours, six (6) of which would be practicum or supervised field experience and nine (9) semester hours of student teaching component in early childhood education for one of the following age ranges: age 3 - grade 3 with children who are developing either typically or atypically; and

(a) earn at least one hundred thirty-five (135) contact hours of practicum and/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 (3) years of documented, verified, satisfactory work experiences with at least two (2) 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

(4) in addition to the requirements specified in Subsection A, Paragraphs (1), (3) and (5) of 6.61.12.8 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) satisfy the requirements of a highly qualified beginning early childhood teacher if new to the profession after June 30, 2006, or

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

[6.61.12.8 NMAC - N, XX-XX-09]

6.61.12.9 [RESERVED]

6.61.12.10 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 diverse abilities.

(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.

(2) Articulate an understanding of indoor and outdoor learning environments that provide opportunities for children to put into practice healthy behaviors (physically, socially, and emotionally).

(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 their family. The diverse cultures and languages representative of families in New Mexico's communities are honored.

(1) Demonstrate knowledge and skill in building positive, reciprocal relationships with families.

(2) Articulate an understanding of a safe and welcoming environment for families and community members.

(3) Develop and maintain ongoing contact with families through a variety of communication strategies.

(4) Demonstrate knowledge of and respect for variations across cultures, in terms of family strengths, expectations, values, and child-rearing practices.

(5) Articulate understanding of the complexity and dynamics of family systems.

(6) Demonstrate understanding of the importance of families as the primary educator of their child.

(7) Demonstrate the ability to incorporate the families' desires and 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.

(12) Apply knowledge of family theory and research to understand family and community characteristics including socioeconomic conditions; family structures, relationships, stressors, and supports (including the impact of having a child with diverse abilities); home language and ethnicity.

(13) Demonstrate knowledge of and skill to access community resources that assist families and contribute directly or indirectly to children's positive development such as mental health services, health care, adult education, native and English language instruction, and economic assistance.

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 in terms of 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 three - eight (3-8) years of age.

(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 emergent literacy at each developmental level.

(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 diverse abilities 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 - eight (8) years. 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 diverse abilities.

(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, diverse abilities, 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 uninterrupted 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 communication and 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 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 ability to choose valid tools that are developmentally, culturally, and linguistically appropriate; use the tools correctly; make appropriate referrals; and interpret assessment results, with the goal of obtaining valid, useful information to inform practice and decision-making.

(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) Articulate an understanding of the distinctions and definitions of assessment concepts (*e.g., screening, diagnostic assessment, standardized, testing, accountability assessment*).

(7) Apply understanding of assessment concepts toward selection of appropriate formal assessment measures, critiquing the limitations of inappropriate measures, and discussing assessment issues as part of interdisciplinary teams.

(8) Articulate an understanding that responsible assessment is legally and ethically grounded and guided by sound professional standards. It is collaborative and open with the goal of supporting diverse children and families.

(9) Demonstrate knowledge of assessment techniques, interpretation of assessment information in the application of this data to curriculum development and/or intervention planning.

(10) Demonstrate knowledge of a variety of techniques and procedures to evaluate and modify program goals for young children and their families.

(11) Demonstrate knowledge and use of program evaluation to ensure comprehensive quality of the total environment for children, families, and the community.

(12) 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) Demonstrate ability to adhere to early childhood professional codes of ethical conduct and issues of confidentiality.

(2) Demonstrate knowledge of federal, state, and local regulations and public policies regarding programs and services for children three - eight (3-8) years of age.

(3) Demonstrate understanding of conditions of children, families, and professionals; the historical and 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) Demonstrate critical reflection of one's own professional and educational practices from community, state, national, and global perspectives.

(5) Demonstrate understanding of the early childhood profession, its multiple, historical, philosophical and social foundations, and how these foundations influence current thought and practice.

(6) Demonstrate a commitment to leadership and advocacy for excellence in programs and services for young children and their families.

(7) Demonstrate knowledge in technology resources to engage in ongoing professional development.

H. Knowledge of Content: Early childhood teachers demonstrate content knowledge and knowledge of child development and learning both in terms of academic disciplines and interdisciplinary integration. Early childhood professionals demonstrate content knowledge including, but not limited to, the arts, literacy, mathematics, social studies, science, and technology. Early childhood teachers understand that children's initial experiences with these content areas form the foundation for later understanding and success. Thus early childhood teachers develop,

implement, and evaluate a content-rich, integrated curriculum that focuses on children's development and interests, using their language, home experiences, and cultural values.

(1) Reading and language arts

(a) Demonstrate understanding of the foundations of reading and language including research on children's literacy development, the relationship between oral and written language, and how children learn to speak, read, write, and listen.

(b) Demonstrate knowledge of the cultural, linguistics, environmental, and physiological factors in reading and language arts development.

(c) Articulate characteristics of proficient and non-proficient readers and the teacher's role in support of all literacy development.

(d) Demonstrate understanding of language structure including graphophonics, semantics, syntax, and pragmatics systems.

(e) Demonstrated understandings of the use of classroom reading assessment to understand students' instructional needs and modify instruction appropriately.

(f) Link assessment and instruction to New Mexico language arts content standards, benchmarks and performance standards.

(g) Apply strategies of differentiated instruction based on the needs of children in all areas of literacy development including oral language development; phonics instruction, including a variety of strategies such as systematic, and explicit instruction and the use of phonics in reading and writing.

(h) Facilitate activities to develop fluency; the ability to read text accurately and rapidly.

(i) Facilitate vocabulary development, including both explicit instruction and indirect vocabulary development through authentic literature, cultural relevancy, and students' experiences.

(j) Facilitate comprehensive strategies, including: instruction on predicting, re-reading, questioning, sequencing, summarizing, retelling, reading for pleasure and analytical and critical reading, activities to develop fluency, the ability to read text accurately and rapidly; and study strategies, for example, planning accessing and organizing information from a variety of texts and sources;

(k) facilitate writing instruction, including different types of writing for different audiences and purposes, spelling generalizations; grammar instruction within authentic contexts; and writing processes, including drafting, revising, and editing;

(l) demonstrate knowledge of how children develop literacy through the use of culturally relevant pedagogy that promotes an understanding of the importance of resources students bring to the classroom; evaluation of text for quality, cultural, and linguistic appropriateness; and the creation of opportunities for students to consider, respond to and discuss spoken and written materials including children's literature, non-fiction, technological media, stories, poems, biographies, texts from various subject areas.

(2) Mathematics

(a) Demonstrate understanding and apply the following mathematical concepts:

(i) the arithmetic of real numbers and their subsets of rational numbers, integers, and whole numbers including a large repertoire of interpretations of the four basic operations and ways they can be applied, and an understanding of place value and its implications for ordering numbers and estimation;

(ii) three dimensional geometry based on the concept of distance, and two dimensional geometry as a method of drawing plans and representing three (3) dimensional objects;

(iii) measurement of length, perimeter, area, time, weights, and temperature;

(vi) handling money problems such as cost and unit price.

(b) Demonstrate understanding and skill in the constructions of solids, measurements of their volumes and surface areas, drawing their projections, and making plans for their construction; defining relevant variables and writing formulas describing their relationships in problem-solving activities; and using measurement tools and appropriate techniques for recording data and displaying results.

(c) Articulate mathematical ideas verbally and in writing.

(d) Facilitate curriculum with open-ended activities that promote children's expansion of the material learned, and in which children learn to use a variety of mathematical skills and concepts, including problem solving, reasoning, and logic.

(e) Provide opportunities for children to learn how to use tools, technology, and manipulatives in problem solving.

(f) Establish a classroom environment of respect for cultural diversity and gender equity in which all children develop skills in communicating, discussing, and displaying mathematical ideas.

(3) Science

(a) Demonstrate understanding and apply the fundamental concepts in the subject matter of science including physical, life, and earth and space sciences as well as concepts in science and technology, science in personal and social perspectives, the history and nature of science, the unifying concepts of science, and the inquiry process scientists use in discovery of new knowledge to build a base of scientific inquiry.

(b) apply the scientific method to develop children's abilities to identify and communicate a problem, and to design, implement, and evaluate a solution.

(c) Demonstrate the ability to integrate a variety of technologies into planned science activities.

(d) Establish a classroom environment of respect for cultural diversity and gender equity where all children participate fully in science learning.

(4) Social Studies

(a) Demonstrate understanding of the principles of teaching and learning processes that underline social studies concepts and can translate these into meaningful learning activities focusing on inquiry, authenticity, and collaboration.

(b) Demonstrates understanding that the social studies encompass history, geography, anthropology, archeology, economics, political science, psychology, sociology, and the interdisciplinary relationship of all facets of the social studies.

(c) Demonstrate understanding that the definition of social studies requires that children be socially aware of and are active participants in local, state, national, and global issues; and that children recognize and respect diverse local and global perspectives concerning cultures other than their own.

(d) Implement a variety of teaching strategies to assist children to use multiple resources including primary (e.g., documents, artifacts/regalia, direct observation, human resources, personal background) and secondary (e.g., books, newspapers, internet) as part of the inquiry/research process.

(e) Create curriculum experiences that provide opportunities for children to appreciate the historical development of democratic values, institutions, nations, and cultures.

(f) Demonstrate the ability to plan for and engage children in activities that require them to formulate, analyze, synthesize, and critique issues by using well-reasoned, clearly supported arguments, policies, and positions.

(g) Demonstrate the ability to plan for and engage children in the presentation of social studies knowledge using a variety of sign systems including writing, charts, graphs, maps, art, music, drama, dance, and technology.

(5) Fine Arts and Movement

(a) Demonstrate an understanding and implementation of arts activities such as history, art making, appreciation, and criticism through dance, music, theater, and the visual arts, appropriate to young children's developmental levels interests.

(b) Demonstrate knowledge of the distinctions, connections, and integration between arts disciplines and arts experiences and encourages study and active participation that leads to skill development and appreciation.

(c) Facilitate curriculum in which children communicate at a basic level in the four (4) art disciplines of dance, music, theater, and visual arts, including knowledge and skills in the use of basic vocabularies, materials, tools, techniques, and thinking processes of each discipline.

(d) Create a classroom environment with exemplary works of art from a variety of cultures and historical periods and provide opportunities for students to discuss and respond to them.

(e) Demonstrate an understanding of motor skill development in young children and apply knowledge of age and developmentally appropriate psychomotor and cognitive activities.

(f) Create and use appropriate instructional cues and prompts for motor skills, rhythms, and physical activity.

(g) Apply understanding of child development knowledge coupled with child performance data to make informed instructional decisions.

I. Curriculum and Content Knowledge

(1) Demonstrate skill in collaboration with professionals from other disciplines (e.g., school psychology, speech and language) when planning curriculum and teaching strategies for young children with diverse abilities.

(2) Demonstrate an understanding and application of flexible teaching approaches that span a continuum from child-initiated to an adult-directed and from free exploration to scaffolded support or teacher modeling.

(3) Apply understanding of young children's need for balance, order, depth, variety, and challenge through curriculum planning, routines, and scheduling (e.g., daily, weekly, and longer-term).

(4) Link child characteristics, needs, and interests with informal opportunities to build children's language, concept development, and skills.

(5) Apply knowledge to create environments that enrich and extend children's play including intervention strategies (i.e., questioning), respect of cultural diversity and gender equity.

(6) Articulate and support a position of the fundamental importance of play in young children's learning and development from three (3) years of age through the primary grades.

(7) Demonstrate sound knowledge and skills in using technology as a teaching and learning tool.

(8) Demonstrate the ability to promote positive social interactions and engage children in learning activities while actively working to increase social competence of all children.

(9) Demonstrate the ability to analyze and critique early childhood curriculum experiences in terms of the relationship of the experiences to the research base and professional standards.

(10) Articulate priorities for high-quality and meaningful language and pre-literacy experiences across the developmental continuum, using language, pre-reading and pre-writing to facilitate skill development while strengthening children's cultural identity.

(11) Demonstrate knowledge of second-language acquisition and bilingualism including the diversity of home language environments.

(12) Facilitate family involvement so that families are engaged with curriculum planning, assessing of children's learning, and planning for children's transitions to new programs.

(13) Demonstrate conceptual knowledge of the principles and standards derived from professional content organizations (NCTM, IRA) for curriculum-decision making.

(14) Demonstrate the use of reflective practice.

[6.61.12.10 NMAC - N, XX-XX-09]

HISTORY OF 6.61.12 NMAC: [RESERVED]

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 62 SCHOOL PERSONNEL - LICENSURE REQUIREMENTS FOR ADMINISTRATORS
PART 2 LICENSURE FOR EDUCATIONAL ADMINISTRATION, GRADES PRE K-12

6.62.2.1 ISSUING AGENCY: Public Education Department (PED)
[6-15-98; 7-30-99; 6.62.2.1 NMAC - Rn, 6 NMAC 4.2.3.18.1, 8-15-03; A, 6-15-06; A, 10-31-07]

6.62.2.2 SCOPE: This rule governs licensure in educational administration, grades pre K-12, for those persons seeking such licensure.
[6-15-98; 6.62.2.2 NMAC - Rn, 6 NMAC 4.2.3.18.2, 8-15-03; A, 6-15-06]

6.62.2.3 STATUTORY AUTHORITY: Sections 22-2-1, NMSA 1978, 22-2-2, NMSA 1978 and 22-10A-11 NMSA 1978.
[6-15-98; 6.62.2.3 NMAC - Rn, 6 NMAC 4.2.3.18.3, 8-15-03; A, 6-15-06]

6.62.2.4 DURATION: Permanent
[6-15-98; 6.62.2.4 NMAC - Rn, 6 NMAC 4.2.3.18.4, 8-15-03]

6.62.2.5 EFFECTIVE DATE: June 15, 1998, unless a later date is cited in the history note at the end of a section.
[6-15-98; 6.62.2.5 NMAC - Rn, 6 NMAC 4.2.3.18.5 & A, 8-15-03]

6.62.2.6 OBJECTIVE: This rule governs the requirements for New Mexico licensure for persons seeking licensure in educational administration, grades pre K-12, for those persons seeking such licensure on or after July 1, 1989.
[6-15-98; 6.62.2.6 NMAC - Rn, 6 NMAC 4.2.3.18.6, 8-15-03; A, 6-15-06]

6.62.2.7 DEFINITIONS: "Full school year" means a minimum of 160 instructional days in a school year or 480 instructional days or equivalent number of days in schools or school districts on alternative schedules over multiple school years of full-time or part-time teaching during which the teacher is the teacher of record or serves as an instructional coach or resource teacher in at least one class each school year while holding a standard teaching license. An equivalent number of instructional hours may be accepted for those teachers who do not teach every day. Instructional days may include teaching in summer school or similar educational setting.
[6.62.2.7 NMAC - N, 10-31-07; A, XX-XX-09]

6.62.2.8 REQUIREMENTS FOR STANDARD LICENSURE: Persons seeking standard licensure in educational administration pursuant to the provisions of this rule shall meet the following requirements:

A. hold a level 2 teaching license and have met all of the requirements for a level 3-A teaching license in Subsection B of 6.60.6.9 NMAC, or hold a level 2 teaching license and for at least four (4) years have held a level 3 school counselor license while working as a teacher or school counselor; and

~~[A.]B. [bachelor's degree and master's degree from a regionally accredited college or university to include an apprenticeship/internship must:] hold a bachelor's degree and a post-baccalaureate degree from a regionally accredited college or university or hold current certification by the national board for professional teaching standards; and~~

~~_____ (1) _____ be completed at a college or university with an educational administration program approved by the "PED" and consist of a minimum of 180 clock hours for one calendar year to include time at the beginning and end of the school year; a passing grade on the apprenticeship will verify completion of this requirement; OR~~

~~_____ (2) _____ be completed under the supervision of a local school superintendent, private school official, charter school licensed administrator and consist of a minimum of 180 clock hours for one calendar year to include time at the beginning and end of the school year; the local school superintendent will verify that the apprenticeship has met the PED's adopted competencies for educational administration; such verification will be considered completion of this requirement; and~~

~~_____ B. _____ a candidate who entered an administrator preparation program on or after April 4, 2003, must teach while holding a valid level 3 A New Mexico teaching license for at least one full school year or hold a current level 2 teaching license and for at least four years have held a level 3 school counselor's license while working as a~~

teacher or school counselor; a candidate who entered an administrator preparation program prior to April 4, 2003, must hold a valid level 2 New Mexico teaching license;]

C. have completed a PED approved administration apprenticeship program:

(1) at a college or university through an educational administration program consisting of a minimum of 180 clock hours for one calendar year to include time at the beginning and end of the school year; a passing grade on the apprenticeship will verify completion of this requirement; or

(2) under the supervision of a local school superintendent, private school official, charter school licensed administrator, or state agency educational administrator consisting of a minimum of 180 clock hours for one calendar year to include time at the beginning and end of the school year; the superintendent, school official or administrator will verify that the apprenticeship has met the PED's adopted competencies for educational administration; such verification will be considered completion of this requirement; and

[C] D. a minimum of eighteen (18) semester hours of graduate credit in an educational administration program approved by the [(PED); the eighteen semester hour program must address the PED's] PED which addresses PED's approved functional areas and related competencies in educational administration; colleges and universities may offer these hours through their educational administration, educational leadership, public administration, business administration, or other appropriate departments; and

[D] E. a candidate who applies for licensure in educational administration on or after the September, 2007 administration of the PED's specialty area licensure examinations shall take and pass the licensure test in administration as stated in 6.60.5 NMAC prior to the issuance of the license.

[6-15-98; 6.62.2.8 NMAC - Rn, 6 NMAC 4.2.3.18.8 & A, 8-15-03; A, 6-15-06; A, 10-31-07; A, XX-XX-09]

6.62.2.9 REQUIREMENTS FOR PROVISIONAL LICENSURE FOR SCHOOL PRINCIPALS AND ASSISTANT PRINCIPALS:

A. A school district, charter school, private school or state agency school that has a shortage of qualified school principal or assistant principal candidates may request the PED to issue a provisional level 3-B license in educational administration to a candidate believed to be a potentially effective school leader; PED shall grant the request, if the candidate:

(1) has met all of the licensure and degree requirements in Subsections A and B of 6.62.2.8 NMAC; and

(2) is enrolled in a PED approved induction and mentoring program provided by the requesting school district, charter school, private school or state agency school, which presents high quality professional development that is sustained and intensive, and consists of structured guidance and regular ongoing support both before and throughout the time that the candidate serves as a principal or assistant principal under the provisional license; and

(3) has been accepted into a PED approved school administrator preparation program.

B. The provisional license is a four (4) year, non-renewable license which is valid only in the requesting school district, charter school, private school or state agency school that submitted the request on behalf of the candidate. In the event that a provisionally licensed principal or assistant principal transfers to another New Mexico school district, charter school, private school or state agency school, the new employer may request that a new provisional license be issued for use in that school district, charter school, private school or state agency school. The expiration date of the newly issued license, however, shall not be extended beyond the expiration of the original provisional license.

C. PED may deny the provisionally licensed principal or assistant principal continuing licensure if the candidate fails to receive satisfactory evaluations annually from the mentoring program or from the administrator preparation program. If the candidate does not receive satisfactory mentoring evaluations, as determined by the school district, charter school, private school or state agency school or is not performing satisfactorily in the preparation program in school administration as determined by the administrator preparation institution, the district, school or institution shall report their findings and evidence of unsatisfactory performance to the PED. If PED determines that the unsatisfactory evaluations are valid and supported by ample evidence, PED may deny the candidate continuing provisional licensure due to failure to meet continuing education requirements under 6.68.2.9 NMAC.

D. At the end of the four (4) year effective period of the provisional license or when the candidate completes the mentoring program and school administrator preparation program, whichever occurs first, the candidate may be granted a standard level 3-B administrator license.

[6.62.2.9 NMAC - N, XX-XX-09]

6.62.2.10 REFERENCED MATERIAL: Administrator licensure competencies and indicators

A. Ethical leadership - The ethical school leader demonstrates the knowledge and ability to promote the success of educational community by acting with integrity, fairness, and in an ethical manner. The administrator:

- (1) models a respect for the rights of others with regard to confidentiality and dignity;
- (2) engages in honest interactions with all groups and individuals;
- (3) demonstrates the ability to combine objectivity, sensitivity, fairness and ethical considerations in decisions as well as interactions with others;
- (4) makes and explains decisions based upon ethical and legal principles;
- (5) understands the New Mexico code of ethics of the education profession;
- (6) demonstrates an understanding of major historical, philosophical, social and economic influences affecting education in a democratic society.

B. Visionary leadership - The visionary leader promotes the success of all students including students with disabilities and students who are culturally and linguistically diverse by facilitating the development, articulation, implementation and stewardship of learning that is shared and supported by the learning community. The administrator:

- (1) develops and demonstrates the skills needed to work with a board of education to facilitate the development of a vision of learning for a school district that promotes the success of all students including students with disabilities and students who are culturally and linguistically diverse;
- (2) bases development of the vision on relevant knowledge and theories applicable to school- level leaders applied to a school district context;
- (3) uses data-based research strategies to create a vision that takes into account the diversity of learners in a district;
- (4) demonstrates knowledge of ways to use a district's vision to mobilize additional resources to support the vision;
- (5) demonstrates the ability to articulate the components of this vision for a district and the leadership processes necessary to implement and support the vision;
- (6) demonstrates the ability to use data- based research strategies and strategic planning processes that focus on student learning to develop a vision, drawing on relevant information sources such as student assessment results, student and family demographic data, and an analysis of community needs;
- (7) demonstrates the ability to communicate the vision to school boards, staff, parents, students, and community members through the use of symbols, ceremonies, stories, and other activities;
- (8) demonstrates the ability to plan programs to motivate staff, students, and families to achieve a school district's vision;
- (9) designs research- based processes to effectively implement a district vision throughout an entire school district and community;
- (10) demonstrates the ability to align and, as necessary, redesign administrative policies and practices required for full implementation of a district vision;
- (11) understands the theory and research related to organizational and educational leadership and engage in the collection, organization, and analysis of a variety of information, including student performance data, required to assess progress toward a district's vision, mission, and goals;
- (12) demonstrates the ability to bring together and communicate effectively with stakeholders within the district and the larger community concerning implementation and realization of the vision.

C. Instructional leadership - The instructional leader promotes the success of all students including students with disabilities and students who are culturally and linguistically diverse by maintaining a positive school culture, ensuring a successful instructional program, applying best practice to student learning, and designing comprehensive professional growth plans for staff. The administrator:

- (1) develops a sustained approach to improve and maintain a positive district culture for learning that capitalizes on multiple aspects of diversity to meet the learning needs of all students including students with disabilities and students who are culturally and linguistically diverse;
- (2) demonstrates an understanding of a variety of instructional research methodologies and can analyze the comparable strengths and weaknesses of each method;
- (3) uses qualitative and quantitative data, appropriate research methods, technology, and information systems to develop a long-range plan for a district that assesses the district's improvement and accountability systems;

(4) demonstrates the ability to use and promote technology and information systems to enrich district curriculum and instruction, monitor instructional practices, and provide assistance to administrators who have needs for improvement;

(5) demonstrates the ability to allocate and justify resources to sustain the instructional program;

(6) demonstrates the ability to facilitate and engage in activities that use best practices and sound educational research to improve instructional programs;

(7) demonstrates an ability to assist school and district personnel in understanding and applying best practices for student learning;

(8) understands and applies human development theory, proven learning, and motivational theories, and concern for diversity to the learning process;

(9) understands how to use appropriate research strategies to profile student performance in a district and analyze differences among subgroups;

(10) demonstrates knowledge of adult learning strategies and the ability to apply technology and research to professional development design focusing on authentic problems and tasks, mentoring, coaching, conferencing, and other techniques that promote new knowledge and skills in the workplace;

(11) demonstrates the ability to use strategies such as observations and collaborative reflection to help form comprehensive professional growth plans with district and school personnel;

(12) develops personal professional growth plans that reflect commitment to life- long learning and best practices.

D. Multicultural leadership - The multicultural leader promotes the success of all students by addressing the needs of multicultural, multilingual diverse populations. The administrator:

(1) ensures that programs for linguistically and culturally diverse students are implemented and fully integrated into all district curricula and programs;

(2) disaggregates and analyzes student achievement data by home languages, race/ethnicity, gender and disability in order to ensure all students are learning;

(3) understands and facilitates that the cultural and community needs and concerns are adequately identified and integrated into the educational process;

(4) reviews the assessment process through collaborative efforts between school and community to ensure sensitivity to local cultural values and norms;

(5) facilitates the development of curriculum that values and uses the experiences that students from diverse backgrounds bring to the classroom;

(6) understands the need for administrators, teachers and all support staff to become familiar with the cultural and socio-linguistic background as well as the learning and behavior needs of their students;

(7) continually researches assessment and curricula that promotes a culturally diverse model for recognizing differences as strengths that are valuable and enriching for schools and school districts;

(8) facilitates staff development for school personnel to recognize, appreciate and value diversity in language, culture, and social class;

(9) understands the importance of addressing in all aspects of the education system the unique cultural and linguistically diverse (CLD) needs of students;

(10) ensures through policy development that students with language/cultural differences who may have a disability be identified early and as comprehensively as possible, within their appropriate cultural/language context;

(11) establishes or participates in a forum for parents, administrators and teachers to discuss school policies that fail to value or address cultural, linguistic and/or community needs;

(12) understands the need for schools to work with families to alter structural elements that maintain unjust practices within the schools.

E. Disability leadership - The disability leader promotes the success of all students by addressing the needs of students with disabilities. The administrator:

(1) ensures that programs for students with disabilities are implemented and fully integrated into all district curricula and programs;

(2) disaggregates and analyzes student achievement data by home languages, race/ethnicity, gender and disability in order to ensure all students are learning;

(3) understands and facilitates that the needs and concerns of students with disabilities are adequately identified and integrated into the educational process;

- (4) reviews the assessment process through collaborative efforts between school and community to ensure the appropriate assessment of students with disabilities;
- (5) facilitates the development of curriculum that values and uses the experiences that students with disabilities bring to the classroom;
- (6) understands the need for administrators, teachers and all support staff to become familiar with the learning and behavior needs of their students with disabilities;
- (7) continually researches assessment and curricula that promotes a variety of models that recognize differences as strengths that are valuable and enriching for schools and school districts;
- (8) facilitates staff development for school personnel to recognize, appreciate and value students with disabilities;
- (9) understands the importance of addressing in all aspects of the education system the unique needs of students with disabilities;
- (10) ensures through policy development that students with language/cultural differences who may have a disability be identified early and as comprehensively as possible, within their appropriate cultural/language context.

F. Leadership in community relations - The leader in community relations has the knowledge and ability to promote the success of all students including students with disabilities and students who are culturally and linguistically diverse by collaborating with families and other community members, responding to diverse community interests and needs, and mobilizing community resources. The administrator:

- (1) demonstrates the ability to facilitate the planning and implementation of programs and services that bring together the resources of families and the community to positively affect student learning;
- (2) demonstrates an ability to use public information and research-based knowledge of issues and trends to collaborate with community members and community organizations to have a positive affect on student learning;
- (3) applies an understanding of community relations models, marketing strategies and processes, data driven decision-making, and communication theory to craft frameworks for school, business, community, government, and higher education partnerships;
- (4) demonstrates an ability to develop and implement a plan for nurturing relationships with community leaders and reaching out to different business, religious, political, and service organizations to strengthen programs and support district goals;
- (5) demonstrates the ability to involve community members, groups, and other stakeholders in district decision-making, reflecting an understanding of strategies to capitalize on the district's integral role in the larger community;
- (6) demonstrates the ability to collaborate with community agencies to integrate health, social, and other services in the schools to address student and family conditions that affect learning;
- (7) demonstrates the ability to conduct community relations that reflects knowledge of effective media relations and that models effective media relations practices;
- (8) facilitates and engages in activities that reflect an ability to inform district decision-making by collecting and organizing formal and informal information from multiple stakeholders;
- (9) demonstrates the ability to promote maximum involvement with, and visibility within the community;
- (10) demonstrates the ability to interact effectively with individuals and groups that reflect conflicting perspectives;
- (11) demonstrates the ability to effectively and appropriately assess, research, and plan for diverse district and community conditions and dynamics and capitalize on the diversity of the community to improve district performance and student achievement;
- (12) demonstrates the ability to advocate for students with special and exceptional needs;
- (13) demonstrates an understanding of and ability to use community resources, including youth services that enhance student achievement, to solve district problems and accomplish district goals;
- (14) demonstrates how to use district resources to the community to solve issues of joint concern;
- (15) demonstrates an understanding of ways to use public resources and funds appropriately and effectively to encourage communities to provide new resources to address emerging student problems;
- (16) understands the need for schools to work with families to alter structural elements that maintain unjust practices within the schools;

(17) facilitates for families to receive all information regarding school, district and state educational initiatives and decisions;

(18) ensures that parents are provided an accurate account of the history of educational reform so that they can become active participants in supporting or rejecting new policies.

G. Political leadership - The political leader has the knowledge and ability to promote the success of all students including students with disabilities and students who are culturally and linguistically diverse through their understanding of the political, economic, legal, and social climate that exists in school settings. The administrator:

(1) demonstrates the ability to use appropriate research methods, theories, and concepts to improve district operations;

(2) demonstrates an understanding of the complex causes of poverty and other disadvantages and their effects on families, communities, children, and learning;

(3) demonstrates an understanding of the policies, laws, and regulations enacted by local, state, and federal authorities affecting a specific district;

(4) explains the system for financing public schools and its effects on the equitable distribution of educational opportunities within a district;

(5) demonstrates the ability to work with political leaders at the local, state, and national level;

(6) applies an understanding of how specific laws at the local, state, and federal level affect school districts and residents;

(7) espouses positions in response to proposed policy changes that would benefit or harm districts and explain how proposed policies and laws might improve educational and social opportunities for specific communities;

(8) demonstrates the ability to engage students, parents, members of the school board, and other community members in advocating for adoption of improved policies and laws;

(9) applies understanding of the larger political, social, economic, legal, and cultural context to develop activities and policies that benefit their district and its students;

(10) demonstrates the ability to communicate regularly with all segments of the district community concerning trends, issues, and policies affecting the district;

(11) demonstrates the ability to advocate for policies and programs that promote equitable learning opportunities and success for all students including students with disabilities and students who are culturally and linguistically diverse regardless of socioeconomic background, ethnicity, gender, disability, or other individual characteristics.

H. Legal and fiscal leadership - The legal and fiscal leader promotes the success of all students including students with disabilities and students who are culturally and linguistically diverse by managing the organization, operations, and resources within a legally sound framework to promote a safe, efficient, and effective learning environment. The administrator:

(1) understands the state laws governing the relationship of school boards and superintendents;

(2) applies knowledge of the laws related to service providers;

(3) analyzes and applies knowledge of the major U.S. legal landmark decisions and their effect on school contexts;

(4) demonstrates the ability to use research-based knowledge of learning, teaching, student development, organizational development, and data management to optimize learning for all students including students with disabilities and students who are culturally and linguistically diverse;

(5) demonstrates effective organization of fiscal, human, and material resources, giving priority to student learning and safety, and demonstrating an understanding of district budgeting processes and fiduciary responsibilities;

(6) demonstrates an ability to manage time effectively and to deploy financial and human resources in a way that promotes student achievement;

(7) demonstrates the ability to involve stakeholders in aligning resources and priorities to maximize ownership and accountability;

(8) uses appropriate and effective needs assessment, research-based data, and group process skills to build consensus, communicate, and resolve conflicts in order to align resources with the district vision;

(9) develops staff communication plans for integrating district's schools and divisions;

(10) develops a plan to promote and support community collaboration among district personnel;

(11) uses problem-solving skills and knowledge of strategic, long-range, and operational planning (including applications of technology) in the effective, legal, and equitable use of fiscal, human, and material resource allocation that focuses on teaching and learning;

(12) seeks new resources to facilitate learning;

(13) applies an understanding of school district finance structures and models to ensure that adequate financial resources are allocated equitably for the district;

(14) applies and assess current technologies for management, business procedures, and scheduling.

I. Personal and professional leadership - The personal and professional leader promotes the success of all students including students with disabilities and students who are culturally and linguistically diverse by maintaining a process of continuous personal and professional development. The administrator:

(1) keeps current with school district guidelines, policies, and professional literature that enhance the educational opportunities for all learners;

(2) nurtures and mentors the development of other educators;

(3) participates in local, state, and other professional learning opportunities;

(4) promotes leadership through active involvement in professional organizations;

(5) models life-long learning.

[6-15-98; 6.62.2.10 NMAC - Rn, 6 NMAC 4.2.3.18.10 & A, 8-15-03]

HISTORY OF 6.62.2 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.78-13, Five Year Administrative Certificate, filed September 6, 1978.

SBE Regulation No. 78-14, Ten Year Administrative Certificate, filed September 6, 1978.

SBE Regulation 87-5 Amendment No. 1, Licensure in Educational Administration, Grades K-12, filed December 4, 1990.

History of Repealed Material: [RESERVED]

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 63 SCHOOL PERSONNEL - LICENSURE REQUIREMENTS FOR ANCILLARY AND
SUPPORT PERSONNEL
PART 3 LICENSURE FOR INSTRUCTIONAL SUPPORT PROVIDERS PRE K-12 NOT
COVERED IN OTHER RULES

6.63.3.1 ISSUING AGENCY: Public Education Department (PED)
[11-14-98, 07-30-99; 6.63.3.1 NMAC - Rn, 6 NMAC 4.2.3.8.1, 03-31-01; A, 08-31-04; A, 10-31-07]

6.63.3.2 SCOPE: All persons seeking related service licensure on or after July 1, 1989.
[11-14-98; 6.63.3.2 NMAC - Rn, 6 NMAC 4.2.3.8.2 & A, 03-31-01]

6.63.3.3 STATUTORY AUTHORITY: Sections 22-1-2(F), NMSA 1978, 22-2-2, NMSA 1978, and 22-10A-17, NMSA 1978 (being Laws 2003, Chapter 153, Section 48, as amended).
[11-14-98; 6.63.3.3 NMAC - Rn, 6 NMAC 4.2.3.8.3, 03-31-01; A, 08-31-04]

6.63.3.4 DURATION: Permanent
[11-14-98; 6.63.3.4 NMAC - Rn, 6 NMAC 4.2.3.8.4, 03-31-01]

6.63.3.5 EFFECTIVE DATE: November 14, 1998, unless a later date is cited in the history note at the end of a section.
[11-14-98; 6.63.3.5 NMAC - Rn, 6 NMAC 4.2.3.8.5 & A, 03-31-01]

6.63.3.6 OBJECTIVE: This rule governs licensure of instructional support providers for those persons seeking such licensure on or after July 1, 1989.
[11-14-98; 6.63.3.6 NMAC - Rn, 6 NMAC 4.2.3.8.6 & A, 03-31-01; A, 08-31-04; A, 06-30-06]

6.63.3.7 DEFINITIONS:

A. "Instructional support providers" formerly referred to as related service or ancillary providers, shall mean anyone who provides services for a public school or state institution as an educational assistant, school counselor, school social worker, school nurse, speech-language pathologist, psychologist, physical therapist, physical therapy assistant, occupational therapist, marriage and family therapist, occupational therapy assistant, recreational therapist, signed language interpreter, educational, alcohol and drug abuse counselor, substance abuse associate and other service providers who are employed to support the instructional program of a school district or charter school.

B. "Full school year" in this rule means a minimum of 160 service days in a school year or 480 service days or equivalent number of days in schools or school districts on alternative schedules over multiple school years of full-time or part-time service while holding a standard instructional support provider license in the provider's service area. An equivalent number of service hours may be accepted for those providers who do not work every day. Service days may include working in summer school or similar educational settings.
[6.63.3.7 NMAC - N, 08-31-04; A, 06-30-06; A, 10-31-07; A, 06-15-09; A, XX-XX-09]

6.63.3.8 REQUIREMENTS: All persons who perform any duties as instructional support provider identified in Subsections A through H of this section in public schools, including charter schools, or in those special state-supported schools within state agencies, must hold valid licensure issued by the PED. A person seeking an initial, instructional support provider license shall file a completed application for an initial license with the professional licensure bureau ("PLB") of the PED, and shall provide a copy of their current license from their respective licensing authority or a copy of any optional certification listed below, and an official transcript of their coursework. A person seeking instructional support provider licensure shall hold the licensure or certification issued by the named authority as follows:

A. Interpreter for the deaf: Obtain community signed language interpreter license, educational signed language interpreter license, or provisional signed language interpreter license from signed language interpreting practices board.

~~[(1) Professional interpreter~~

~~_____ (a) obtain certification from the national registry for interpreters for the deaf; or~~

~~(b) obtain certification from the national association for the deaf national interpreter certification at levels 3, 4, or 5.~~

~~(2) Education interpreter: Attain educational interpreter performance assessment levels 3.5 or above.]~~

B. Orientation and mobility specialists:

(1) obtain certification from the association for education and rehabilitation of the blind and visually impaired, or

(2) obtain certification from the academy for certification of vision rehabilitation and education professionals.

C. Physical therapist: Obtain licensure from the New Mexico physical therapy licensing board.

D. Occupational therapist:

(1) obtain licensure from the New Mexico occupational therapy licensing board; or

(2) obtain certification from the American occupational therapy certification board.

E. Certified occupational therapy assistant:

(1) obtain licensure from the New Mexico occupational therapy licensing board; or

(2) obtain certification from the American occupational therapy certification board.

F. Physical therapy assistant: obtain licensure from the New Mexico physical therapists licensing board.

G. Recreational therapist: obtain national council for therapeutic recreation certification.

H. Marriage and family therapist: obtain licensure from the New Mexico counseling and therapy practices board.

~~[H] I. Speech language pathologist: obtain licensure from the New Mexico speech language pathology and audiology board.~~

~~[I] J. Alcohol abuse counselor: obtain licensure from the New Mexico counseling and therapy practices board.~~

~~[J] K. Drug abuse counselor: obtain licensure from the New Mexico counseling and therapy practices board.~~

~~[K] L. Alcohol and drug abuse counselor: obtain licensure from the New Mexico counseling and therapy practices board.~~

~~[L] M. Substance abuse associate: obtain licensure from the New Mexico counseling and therapy practices board.~~

[11-14-98; 6.63.3.8 NMAC - Rn, 6 NMAC 4.2.3.8.8 & A, 03-31-01; A, 08-15-03; A, 08-31-04; A, 06-30-06; A, 10-31-07; A, 06-15-09; A, XX-XX-09]

6.63.3.9 IMPLEMENTATION: Endorsements in bilingual education and teaching English to speakers of other languages may be added to the speech language pathologist license if the candidate meets the requirements for those endorsements.

[11-14-98; 6.63.3.9 NMAC - Rn, 6 NMAC 4.2.3.8.9 & A, 03-31-01; A, 08-31-04; A, 06-30-06; A, 06-15-09]

6.63.3.10 LEVELS AND DURATION OF LICENSURE:

A. Licensure levels for instructional support provider applicants covered by this rule shall be issued as follows:

(1) level 1, three-year (3) provisional licensure for those providers with fewer than three (3) full school years of school experience in the service area of the license;

(2) level 2, nine-year (9) professional licensure for those providers with three to five (3-5) full school years of school experience in the service area of the license; and

(3) level 3, nine-year (9) instructional support leader, for those providers with six (6) or more full years of school experience in the service area of the license.

B. All renewed licenses shall be level 2 or 3 licenses and shall be valid for nine (9) years.

C. Regardless of their level, all instructional support provider licenses shall commence on July 1st in the year of issuance and expire June 30th in the year of their expiration.

[6.63.3.10 NMAC - N, 03-31-01; A, 08-31-04; A, 06-15-09; A, XX-XX-09]

6.63.3.11 NOTIFICATION REQUIREMENT: All persons issued an instructional support provider license by the [secretary] secretary of the PED, (secretary) who are also required to hold a valid license or certificate

issued by their respective licensing or certifying authority, shall continuously hold such underlying licensure or certification for so long as they hold licensure issued by the secretary.

A. Should this underlying professional license or certificate expire, be suspended, or revoked, or its renewed or initial issuance denied, a person seeking or holding instructional service provider licensure from the secretary shall notify the local school superintendent and PLB in writing within fourteen (14) calendar days of such suspension, revocation, denial, or expiration.

B. Suspension, revocation, denial or expiration of an underlying professional license or certificate shall constitute just cause for discharge or termination from employment, and for suspension, revocation or denial of renewed or initial issuance of an instructional support provider license.

[6.63.3.11 NMAC - N, 08-31-04; A, 06-15-09; A, XX-XX-09]

HISTORY OF 6.63.3 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. 80-10 One Year Certificate for Ancillary Personnel, filed December 31, 1980; SBE Regulation No. 80-11 Ancillary Services Defined, filed December 31, 1980; SBE Regulation 87-13 Licensure For Ancillary Personnel Not Covered in Other Ancillary Regulations, filed April 13, 1988; SBE Regulation 87-13 Amendment No. 1 Licensure For Ancillary Personnel Not Covered in Other Ancillary Regulations, filed October 28, 1988; SBE Regulation 87-13 Amendment No. 2 Licensure For Ancillary Personnel Not Covered in Other Ancillary Regulations, filed, May 20, 1991; SBE Regulation 87-13 Amendment No. 3, Licensure for Ancillary Personnel Not Covered in Other Ancillary Regulations, filed January 6, 1993.

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 64 SCHOOL PERSONNEL - COMPETENCIES FOR LICENSURE
PART 18 COMPETENCIES FOR TEACHING GIFTED STUDENTS

6.64.18.1 ISSUING AGENCY: Public Education Department (PED)
[6.64.18.1 NMAC - N, XX-XX-09]

6.64.18.2 SCOPE: All persons who are seeking an endorsement in teaching gifted students to a New Mexico educator license.
[6.64.18.2 NMAC - N, XX-XX-09]

6.64.18.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2, and 22-10A-3, NMSA 1978.
[6.64.18.3 NMAC - N, XX-XX-09]

6.64.18.4 DURATION: Permanent
[6.64.18.4 NMAC - N, XX-XX-09]

6.64.18.5 EFFECTIVE DATE: XX-XX-09, unless a later date is cited in the history note at the end of a section.
[6.64.18.5 NMAC - N, XX-XX-09]

6.64.18.6 OBJECTIVE: This rule establishes entry-level competencies that are based on what beginning teachers of gifted students must know and be able to do to provide effective gifted education programs in New Mexico schools. The competencies must be used by New Mexico institutions of higher education to establish preparatory programs for teachers of gifted children.
[6.64.18.6 NMAC - N, XX-XX-09]

6.64.18.7 DEFINITIONS: [RESERVED]

6.64.18.8 REQUIREMENTS:

A. After June 30, 2012, beginning teachers seeking an endorsement in teaching gifted students to an initial level 1 New Mexico teaching license must satisfy all of the requirements of the license as provided in PED rule for that license, which includes 24 semester hours in the pedagogy and methodology of teaching gifted students.

B. After June 30, 2012, teachers seeking to add an endorsement in teaching gifted students to an existing New Mexico teaching license of any level shall meet the requirements of Paragraphs (1) - (2) of Subsection B of 6.64.18.8 NMAC.

(1) pass a PED approved teacher licensure test or an accepted comparable licensure test(s) from another state in teaching gifted students; and

(2) successfully complete at least twelve (12) credit hours, the pedagogy and methodology of teaching gifted students.

[6.64.18.8 NMAC - N, XX-XX-09]

6.64.18.9 IMPLEMENTATION

A. Any current licensed teacher who applies for an endorsement in teaching gifted students prior to July 1, 2012 may be granted the endorsement by providing verification of five (5) years of experience in teaching gifted students.

B. Any current licensed teacher who applies for an endorsement in teaching gifted students prior to July 1, 2012 may be granted the endorsement by providing evidence of having passed a state-approved licensure test in the teaching of gifted students authorized by PED or any other state education agency.

C. Any current licensed teacher who applies for an endorsement in teaching gifted students prior to July 1, 2012 may be granted the endorsement by providing evidence of having successfully completed twelve (12) credit hours in the pedagogy and methodology of teaching gifted students at an appropriately accredited institution of higher education.

[6.64.18.9 NMAC - N, XX-XX-09]

6.64.18.10 COMPETENCIES FOR ENTRY-LEVEL TEACHERS OF GIFTED STUDENTS

A. Professional knowledge for serving students who are gifted.

(1) Foundations - the teacher:

- (a) explains and discusses models, theories, philosophies, and history that provide the basis for gifted services;
- (b) explains and discusses current and historical state and national rules and regulations relating to gifted process;
- (c) explains and discusses the procedural safeguards relating to gifted educational services;
- (d) explains and discusses state and federal mandates for students who are gifted;
- (e) recognizes and discusses societal, cultural, and economic factors including anti-intellectualism and equity vs. excellence that enhance or inhibit the development of giftedness;
- (f) participates in the activities of professional organizations related to giftedness;
- (g) reflects on personal practice to improve teaching and guide professional growth in gifted education;
- (h) utilizes personal and cultural frames of reference that affect one's teaching of gifted learners, including biases about learners from diverse backgrounds;
- (i) belongs to organizations and reads publications relevant to the field of gifted education;
- (j) assesses own skills and limitations in teaching students who are gifted;
- (k) maintains confidential communication about students who are gifted;
- (l) encourages and models respect for the full range of diversity among students who are gifted;
- (m) complies with laws, ethics, and professional and program standards when conducting activities in gifted education; and
- (n) improves own practice through continuous research-supported professional development in gifted education and related fields.

(2) Parent/Professional communications skills - the teacher:

- (a) provides information about community and state resources regarding gifted education available to parents and staff;
- (b) demonstrates the ability to work with parents of students who are gifted on issues and problems;
- (c) understands and uses various models of gifted service delivery at all service levels (minimal, moderate, extensive, and maximum);
- (d) demonstrates knowledge of and sensitivity to cultural, social, environmental, and ethnic dynamics in interpersonal and group interactions with students, parents, paraprofessionals, and professionals; and
- (e) provides information about the roles of families and communities in supporting the development of students who are gifted, including those from diverse backgrounds.

(3) Planning and implementing effective programs for gifted students - the teacher:

- (a) defines giftedness;
- (b) identifies the cognitive, linguistic, physical, cultural, social, emotional, and sensory characteristics and needs of students who are gifted;
- (c) discusses general characteristics, etiologies, and learning styles of students who are gifted;
- (d) the teacher describes current theories and research for education of students who are gifted, and
- (e) the teacher demonstrates skills needed for effective advocacy on behalf of students who are gifted and their parents.

(4) Least restrictive environment - the teacher:

- (a) describes rationale necessary to determine the least restrictive environment for students who are gifted based on individual goals;
- (b) demonstrates knowledge of common gifted service delivery options related to least restrictive environment;

(c) demonstrates knowledge in facilitating least restrictive environment for students who are gifted; and

(d) considers the pros and cons of various inclusive models for students who are gifted.

(5) Individualized education program team - the teacher:

(a) describes the role and responsibilities of the team;

(b) describes the composition of the team; and

(c) demonstrates and participates in developing individual educational plans, transitions, and post-secondary planning.

(6) Individualized education program implementation - the teacher:

(a) identifies the procedural steps for the development and implementation of the individualized educational plan;

(b) describes the procedures and strategies necessary for participation in the general education curriculum and the state-wide general assessment system;

(c) collaborates with general educators, administrators, related services, personnel, and parents in the development and implementation of the individualized educational plan;

(d) develops appropriate annual goals; and

(e) develops the timelines and procedures for implementation of the individualized educational plan.

B. Assessment/Evaluation of students who are gifted.

(1) Screening, referral, evaluation, eligibility, and re-evaluation procedures - the teacher:

(a) understands processes and procedures for the identification of gifted learners including screening, referral, evaluation, and eligibility procedures;

(b) interprets and uses educational diagnostic evaluations, observations, vocational assessments, assessments from related services, and information from necessary parties to develop the individualized education programs (IEP);

(c) uses, understands limitations, and interprets multiple assessments in different domains for identifying gifted learners, including those from diverse backgrounds;

(d) uses and understands limitations of assessments documenting academic growth of students who are gifted;

(e) uses non-biased and equitable approaches for identifying students who are gifted, including those from diverse backgrounds;

(f) uses technically adequate qualitative and quantitative assessments for identifying and placing students who are gifted;

(g) develops differentiated curriculum-based assessment for use in instructional planning and delivery for students who are gifted; and

(h) uses alternative assessments and technologies to evaluate learning of students who are gifted.

C. Curriculum.

(1) Curriculum development and implementation - the teacher:

(a) develops and implements individualized appropriate differentiated instruction;

(b) applies alternate curricula for students who are gifted when the general education curriculum is not appropriate;

(c) develops curriculum for students who are gifted with an emphasis on cognitive, affective, aesthetic, and social domains;

(d) develops individualized scope and sequence plans appropriate for students who are gifted; and

(e) selects and adapts curricula that incorporate advanced, conceptually challenging, and complex content for students who are gifted.

(2) Instructional strategies for students who are gifted - the teacher:

(a) demonstrates knowledge of data-based approaches to individualized instruction for students who are gifted, including assessment, assistive technology, direct instruction, monitoring, and evaluation;

(b) describes and demonstrates various methods for individualizing instruction for students who are gifted to ensure access to appropriate curriculum;

- (c) designs and implements appropriate lesson planning and methods for managing individuals, small groups, large groups, inclusive groups, and individual instruction for students who are gifted;
 - (d) collects and analyzes instructional data for effectiveness of programs for students who are gifted;
 - (e) uses data to adapt and revise programs as necessary for students who are gifted;
 - (f) collaborates with regular education teachers and related services personnel for support of students who are gifted in inclusive environments;
 - (g) teaches students who are gifted in the use of self-advocacy skills;
 - (h) integrates academic and career guidance experiences for students who are gifted to explore, develop, or research their areas of interest or talent
 - (i) paces the delivery of the curriculum and instruction with the intellectual demands of students who are gifted;
 - (j) utilizes computers, related technologies, and assistive technology to support teaching and learning;
 - (k) delivers content area instruction to students who are gifted from a position of expertise;
 - (l) applies pedagogy appropriate to the content area when instructing students who are gifted; and
 - (m) applies higher-level thinking and meta-cognitive models to content areas to meet the needs of students who are gifted.
- (3) Materials for students who are gifted - the teacher:
- a) selects and matches instructional materials to the individual learning needs and styles of students who are gifted;
 - (b) evaluates and adapts commercial materials and technological products commonly used with students who are gifted;
 - (c) selects appropriate materials for targeted instruction for students who are gifted;
 - (d) constructs instructional materials and technological products to meet individual goals of students who are gifted; and
 - (e) selects materials that respond to cultural, linguistic, and intellectual differences among students who are gifted.
- (4) Transition for students who are gifted - the teacher:
- (a) describes models and develops options with students who are gifted to make successful transitions as appropriate from school to school and to post-secondary options; and
 - (b) discusses and implements follow-up evaluation and collaboration for students who are gifted.
- (5) Diversity - the teacher:
- (a) understands how students who are gifted differ in their approaches to learning, academic and affective characteristics, and creates instructional opportunities that are adapted to diverse learners;
 - (b) organizes and manages varied learning groups as appropriate in each of the disciplines and as appropriate to the needs and/or interests of students who are gifted and the goals of the lesson;
 - (c) is aware of and can apply current research findings regarding individual differences of students who are gifted such as linguistic backgrounds, developmental levels, affective needs, exceptionalities, and gender;
 - (d) identifies stereotypes in curriculum materials and adapts instruction appropriately for students who are gifted;
 - (e) helps students who are gifted develop social interactions, coping skills, and critical perspectives on biased materials to address personal and social issues;
 - (f) identifies and develops appropriate responses to differences among language learners who are gifted;
 - (g) demonstrates sensitivity to New Mexico's unique linguistic and cultural diversity for students who are gifted;
 - (h) integrates perspectives of diverse groups into planning instruction for students who are gifted and on all forms of communication;

(i) understands the implications of one's own and others' cultures, behaviors, and use of language on the development of students who are gifted;

(j) accesses resources that enhance communication skills for students who are gifted including those with exceptional communication or English learning needs; and

(k) promotes multilingualism among students who are gifted.

(6) Classroom environment - the teacher:

(a) implements disciplinary procedures consistent with state and federal rules and regulations and conducts functional behavior assessments and implements behavior intervention plans as appropriate; and

(b) provides an intellectually, emotionally, and physically safe environment for students who are gifted.

[6.64.18.10 NMAC - N, XX-XX-09]

HISTORY OF 6.64.18 NMAC: [RESERVED]

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 63 SCHOOL PERSONNEL - LICENSURE REQUIREMENTS FOR ANCILLARY AND
SUPPORT PERSONNEL
PART 5 LICENSURE FOR SCHOOL PSYCHOLOGISTS, PRE K-12

6.63.5.1 ISSUING AGENCY: Public Education Department (PED)
[6.63.5.1 NMAC - Rp 6 NMAC 4.2.3.11.1, 07-01-03; A, 06-30-06; A, XX-XX-09]

6.63.5.2 SCOPE: Chapter 63, Part 5 governs licensure for school psychologists, pre k-12, for those persons seeking such licensure.
[6.63.5.2 NMAC - Rp 6 NMAC 4.2.3.11.2, 07-01-03; A, 06-30-06]

6.63.5.3 STATUTORY AUTHORITY: Sections 22-2-1, NMSA 1978, 22-2-2, NMSA 1978, and 22-10A-17 NMSA 1978.
[6.63.5.3 NMAC - Rp 6 NMAC 4.2.3.11.3, 07-01-03; A, 06-30-06]

6.63.5.4 DURATION: Permanent
[6.63.5.4 NMAC - Rp 6 NMAC 4.2.3.11.4, 07-01-03]

6.63.5.5 EFFECTIVE DATE: July 1, 2003, unless a later date is cited in the history note at the end of a section.
[6.63.5.5 NMAC - Rp 6 NMAC 4.2.3.11.5, 07-01-03]

6.63.5.6 OBJECTIVE: This rule establishes the requirements for three levels of school psychologist, pre k-12 licensure for persons seeking licensure as a level 1, entry level school psychologist, and a level 2, independent school psychologist, or a level 3, supervising school psychologist practicing in a school-related setting. These licenses cannot be used to provide service outside a school-related setting. They cannot be used in a public setting.
[6.63.5.6 NMAC - Rp 6 NMAC 4.2.3.11.6, 07-01-03; A, 06-30-06]

6.63.5.7 DEFINITIONS:

A. "School psychologist" means a person who is trained to address psychological and behavioral problems manifested in and associated with educational systems by utilizing psychological concepts and methods in programs or actions which attempt to improve the learning, adjustment and behavior of students, including assessment and psychological pre-referral/intervention procedures in a school-related setting.

B. "School-related setting" means limited to a public school, state institution, or public education department ("PED") accredited nonpublic school. These are settings in which the primary goal is the education of students of diverse backgrounds, characteristics, abilities, disabilities, and needs. The school setting has available an internal or external student services unit that includes at least one licensed school psychologist and provides student services according to state and federal law.

C. "Supervision for an entry level school psychologist" means an entry level school psychologist will be required to have a minimum of one-hour per week individual supervision with a level 3 supervising school psychologist.

D. "Term of licensure for an entry-level school psychologist" means the entry - level school psychologist license is issued for a three-year period and is non-renewable. The licensee must acquire the competencies and requirements to achieve an independent school psychologist license within the three-year period. supervised experience means the individual has:

(1) satisfactorily carried out the duties and responsibilities of the position as verified by the superintendent or by the governing authority of a private school or state institution; and

(2) satisfactorily met the quality of the practice of school psychology and professional responsibilities as reported by the supervising school psychologist.

F. "Independent school psychologist (level 2)" means a school psychologist who is employed by the local education agency or nonpublic school, or is under contract by these entities. These services are provided in a school-related setting. The independent school psychologist does not require supervision as described for the entry-level school psychologist.

G. Psychological interventions and practices means the inclusion, but not limitation of, consultation,

behavioral assessment/intervention, psychological evaluation, psycho-educational evaluation, counseling, family therapy, individual or group therapy, workshops in self-understanding, human relations, communication, and tutorial programs, and organizational development, parent counseling, vocational development, parent education programs, program planning and evaluation, crisis intervention, specific behavior management, skill training, and transition planning and evaluation. All psychological interventions and practices are to be provided within the scope of the psychologist's training and practice.

[6.63.5.7 NMAC - N, 07-01-03; A, 06-30-06]

6.63.5.8 REQUIREMENTS FOR PERSONS SEEKING LEVEL 1, ENTRY LEVEL SCHOOL PSYCHOLOGIST LICENSURE: Level 1 entry level school psychologists shall have documentation in their personnel file with the school district, local education agency, or school-related setting of a level 3 supervising school psychologist who holds pre k-12 licensure pursuant to the provisions of this rule, and shall meet the requirements of Subsections A, B, and C:

- A. a bachelor's and master's degree or educational specialist degree from a regionally accredited college or university; and
- B. qualifications meeting Paragraph (1), (2), or (3):
 - (1) 60 graduate hours incorporating the PED approved competencies in school psychology (which may be completed as part of a master's or educational specialist degree program or in addition to the master's degree) meeting the applicable program requirements as follows:
 - (a) the 60 graduate hours awarded by a New Mexico college or university must include a 1200-hour internship supervised by an appropriately licensed psychologist, 600 hours of which must be in a school-related setting; psychological assessment, counseling, and other psychological interventions with students with emotional disturbances shall comprise a minimum of 300 hours of the internship; or
 - (b) the 60 graduate hours awarded by a college or university outside New Mexico must be for a school psychology or equivalent program approved by the ~~[New Mexico PED]~~ NMPED and include an internship in a school setting as described in Paragraph (1) of Subsection B of 6.63.5.8; or
 - (c) the 60 graduate hours as described in Paragraph (1) of Subsection B of 6.63.5.8 or Paragraph (2) of Subsection B of 6.63.5.8 above, with documentation of 1200 hours within a two (2) year period of successful supervised experience in one of the following areas: school psychology; psychological assessment and counseling, or other psychological interventions with at least 600 hours in a school-related setting;
 - (2) a doctoral degree in psychology, that includes 12 semester hours of child-focused course work in development, assessment, and intervention and 600 hours of supervised experience in a school-related setting; or
 - (3) a valid psychologist or psychologist associate license issued by the New Mexico board of psychologist examiners; and that includes 12 semester hours of child-focused course work in development, assessment, and intervention and 600 hours of supervised experience in a school-related setting;
- C. fulfill the requirements of Paragraph (1) or (2):
 - (1) passing with at least a score of ~~[600]~~ 156 the specialty area examination ~~[of the national teachers examination]~~ of the Praxis series exam in school psychology; or
 - (2) current school psychologist certification by the national association of school psychologists.

[6.63.5.8 NMAC - Rp 6 NMAC 4.2.3.11.8.1, 07-01-03; A, 06-30-06; A, XX-XX-09]

6.63.5.9 REQUIREMENTS FOR PERSONS SEEKING LEVEL 2, INDEPENDENT SCHOOL PSYCHOLOGIST LICENSURE: Persons seeking level 2, independent school psychologist, pre k-12 licensure pursuant to the provisions of this rule shall meet the following requirements:

- A. a valid level 1 license; and
- B. successful completion or demonstration of competencies for an entry level school psychologist, and:
- C. satisfactory completion of 2400 hours of supervised experience (i.e., minimum of 600 internship hours and 1200 post internship supervised hours in a school-related setting); and
- D. one of the following valid and current certifications or licenses:
 - (1) a license as a psychologist issued by the New Mexico board of psychology examiners; or
 - (2) a license as a psychologist associate issued by the New Mexico board of psychology examiners; or
 - (3) a license as a licensed professional clinical mental health counselor issued by the New Mexico counseling and therapy practice board; or
 - (4) current school psychologist certification by the national association of school psychologist.

[6.63.5.9 NMAC - Rp 6 NMAC 4.2.3.11.8.2, 07-01-03; A, 06-30-06]

6.63.5.10 REQUIREMENTS FOR PERSONS SEEKING LEVEL 3, INDEPENDENT SCHOOL PSYCHOLOGIST LICENSURE: Persons seeking level 3, clinical supervising school psychologist, pre k-12 licensure pursuant to the provisions of this rule shall meet the following requirements:

- A. a valid level 2 license; and
- B. doctoral degree in psychology from a regionally accredited college or university; the doctoral program shall include at least one academic year of pre-doctoral supervised internship experience, consisting of a minimum of 1500 hours at least 750 hours of which must be in a school-related setting, or post-doctoral supervised experience consisting of a minimum of 1500 hours of which at least 750 hours of which must be in a school-related setting; and successful completion or demonstration of competencies for an entry level school psychologist; and
- C. successful completion or demonstration of competencies for the independent school psychologist license, and
- D. a valid psychologist license/certificate issued by the New Mexico board of psychologist examiners, or current school psychologist certification issued by the national association of school psychologists; and
- E. two academic years of full-time satisfactory post-graduate work experience in a school-related setting(s) including 750 hours of satisfactory experience in diagnosing and treating children with emotional disturbances and/or behavior disorders in a school-related setting as reported by a supervising school psychologist.

[6.63.5.10 NMAC - Rp 6 NMAC 4.2.3.11.8.3, 07-01-03; A, 06-30-06]

6.63.5.11 IMPLEMENTATION: All persons holding a valid New Mexico license in psychological counseling on June 30, 2002 shall be entitled to licensure in school psychology at level 1, 2 or 3. Such licensure may be continued pursuant to rule as established by the PED.

[6.63.5.11 NMAC - Rp 6 NMAC 4.2.3.11.9, 07-01-03; A, 06-30-06]

6.63.5.12 COMPETENCIES FOR ENTRY LEVEL SCHOOL PSYCHOLOGISTS REQUIRING SUPERVISION BY A LEVEL 3 SUPERVISING SCHOOL PSYCHOLOGIST

A. Personal characteristics: The school psychologist shall provide evidence that his/her professional work or demeanor is characterized by the following behaviors and developed and evaluated through courses, course content, practica, internships, work experience, or other appropriate means:

- (1) flexibility
- (2) communication skills
- (3) conscientiousness
- (4) cooperation
- (5) motivation
- (6) personal stability
- (7) productivity
- (8) professional ethics
- (9) respect for and valuing of individual and cultural diversity

B. Psychological foundations: The school psychologist shall demonstrate knowledge of basic psychological principles including:

- (1) the relationship between biological principles (e.g. courses in biological bases of development, neuropsychology, psychopharmacology) and psychological functioning in normal and abnormal development;
- (2) the manner in which concepts of social and cultural diversity (e.g. courses in cross cultural studies, social development, social and cultural diversity; social psychology) relate to an understanding of individuality;
- (3) using developmental principles to identify potential exceptionalities in students (e.g., applying understanding of human development and developmental abnormalities, as these relate to possible exceptionalities);
- (4) methods and models for identifying and diagnosing conditions of exceptionality;
- (5) principles, concepts and processes related to human learning;
- (6) basic research methodology as applicable to school related problems; and
- (7) the relationship between social setting and the psychological functioning of students.

C. Educational foundations: The school psychologist shall demonstrate knowledge of educational foundations including:

- (1) organization and operation of schools (e.g. courses in education of exceptional learners, school

and community-based resources, alternative service delivery systems);

(2) the organization and administration of school psychological services, including record keeping; the social, philosophical, historical, and cultural issues in education; state standards and benchmarks; school curriculum, intervention programs and strategies;

(3) the current identification, referral, evaluation, and placement procedures for students with exceptionalities based upon state and federal regulations.

D. The school psychologist shall possess the knowledge and professional expertise to collaborate with families and school and community-based professionals in designing, implementing, and evaluating interventions that effectively respond to the educational and mental health needs of students. The school psychologist shall demonstrate knowledge of ability to:

(1) conduct multi-method psychological and psycho-educational assessments of students as appropriate;

(2) conduct psychological and educational assessments to include fair and non-discriminatory evaluation of the areas of: personality, emotional status, social skills and adjustment, intelligence and cognitive functioning, scholastic aptitude, functional and adaptive behavior, language and communication skills, academic knowledge and achievement, sensory and perceptual-motor functioning, family/environmental /cultural influences, level of acculturation, career and vocational development, aptitude, and interests.

(3) utilize formal assessment instruments, procedures, and techniques such as interviews, observations, and behavioral evaluations;

(4) have particular regard for the context and setting in which their assessments take place and will be used; and

(5) adhere to the regulations and standards of state and national professional organizations regarding assessment techniques, non-biased assessment, and programming for all students.

E. Interventions, direct and indirect: The school psychologist shall demonstrate the ability to implement direct (e.g., including counseling and behavior management) and indirect (e.g., including consultation, systems and organization change) intervention using educational and psychological principles when participating as a member of a team of school, school related, and community professional personnel, as outlined in the following:

F. Learning/cognitive setting: The school psychologist shall demonstrate the ability to:

(1) plan and implement procedures for assessing the needs of students and recommending strategies for increasing learning and efficiency;

(2) consult with appropriate personnel in the development of instructional programs, including vocational programs;

(3) assist schools in working with parents to foster positive approaches to student's learning;

(4) assist school personnel in developing, monitoring, and evaluating appropriate and measurable instructional/vocational/transitional objectives; and

(5) consult with school personnel about the classroom environment.

G. Social/affective setting: The school psychologist shall demonstrate the ability to:

(1) plan, develop, and implement district-wide procedures for assessing the social/emotional needs of students and for recommending strategies for increasing social/emotional growth;

(2) assist schools in working with parents to foster positive emotional growth in their children;

(3) assist school personnel in developing, monitoring, and evaluating objectives for social/emotional growth; and

(4) consult with school personnel about fostering healthy a healthy social/emotional environment in the school.

H. Intervention techniques: The school psychologist shall demonstrate the ability to plan, implement, monitor, and evaluate intervention strategies which may include the following:

(1) individual and group counseling with students;

(2) remediation, including the provision of direct assistance to students receiving special education;

(3) consultation with individuals and groups which may include parents, school personnel, and community agencies;

(4) risk and threat assessment; and

(5) behavioral management.

I. Prevention, crisis intervention and mental health: The school psychologist shall have knowledge of human development and psychopathology and of associated biological, cultural, and social influences on human behavior. The school psychologist shall provide or contribute to prevention and intervention programs that promote

the mental health and physical well being of students.

J. Family and community interventions: The school psychologist shall demonstrate the ability to:

- (1) describe community resources available to families;
- (2) describe issues and problems faced by families or students with exceptionalities;
- (3) describe a continuum of services available to students and their families;
- (4) explain state and federal regulations and due process rights to families, school personnel and

community professionals; and

(5) communicate information regarding state mental health and children's codes and the Mandatory Reporting Child Abuse and Neglect Act.

K. Statistics and research methodologies: The school psychologist is a competent consumer of research and new knowledge, and is able to use diverse methodologies (e.g., ethnographic, single subject designs, quantitative methods) to evaluate professional practices (e.g., interventions) and/or programs. That knowledge base shall include research and evaluation methods, statistics, and measurement.

L. Professional school psychology: The school psychologist shall demonstrate the ability to:

- (1) practice school psychology in accordance with the ethics of the profession;
- (2) practice the profession of school psychology within the laws and regulations of the local, state, and federal governments;
- (3) continue education for the promotion of professional growth;
- (4) demonstrate knowledge of different models, concepts, and current issues concerning the practice

of school psychology; and

(5) examine interactions between systems and individuals within the schools and between schools and outside agencies to determine strengths, weaknesses, and problem areas and aid in maximizing effective functioning.

M. An entry level (level 1) school psychologist will be required to have a minimum of one hour per week individual supervision with the level 3 supervising school psychologist. At least one session per month must be in person with the level 3 supervising school psychologist. Supervision will not be provided to level 1 school psychologists who have not reached the level 2 requirements in the time period established by PED.

[6.63.5.12 NMAC - Rp 6 NMAC 4.2.3.11.10, 07-01-03; A, 06-30-06;]

6.63.5.13 COMPETENCIES FOR LEVEL 2 INDEPENDENT SCHOOL PSYCHOLOGISTS: The independent school psychologist shall meet all competencies required for the level 1 entry level school psychologist in Subsections A through L of Section 6.63.5.12. In addition, the independent school psychologist shall have knowledge and ability to:

- A. conduct risk/threat assessments, interventions, and referrals as necessary;
- B. cooperate with institutions of higher education in the training of students in school psychology.

[6.63.5.13 NMAC - Rp 6 NMAC 4.2.3.11.10.7, 07-01-03]

6.63.5.14 COMPETENCIES FOR LEVEL 3A CLINICAL SUPERVISING SCHOOL PSYCHOLOGISTS: The supervising school psychologist shall meet all competencies required for the level 1 entry level school psychologist in Subsections A through L of Section 6.63.5.12 and for the independent school psychologist section 6.63.5.12. In addition, the supervising school psychologist shall demonstrate:

- A. knowledge of models of consultation and supervision;
- B. ability to utilize appropriate models of consultation and supervision in various school-related situations;

C. ability to form a collaborative relationship with school administrators, professional supervisees and consultees and other school personnel;

D. ability to form a collaborative relationship with school administration and other personnel regarding the assessment of the supervisee and ability to make recommendations as to whether the supervisee has demonstrated proficiency in required areas of competencies;

E. ability to formulate a plan of supervision and consultation to assist supervisees and consultees in attaining professional goals and remediating areas of difficulty; and

F. ability to cooperate with the institutions of higher education while providing supervision to school psychologists in training;

G. ability to pursue monthly guidance from a more experienced supervising school psychologist for the first year of being a supervisor.

[6.63.5.14 NMAC - Rp 6 NMAC 4.2.3.11.10.2.8, 07-01-03]

HISTORY OF 6.63.5 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 93-2, Licensure for School Psychologists, K-12, filed January 6, 1993.

HISTORY OF REPEALED MATERIAL: 6 NMAC 4.2.3.11, Licensure for School Psychologists, K - 12, Repealed 06-30-03

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 68 SCHOOL PERSONNEL - DENIAL, SUSPENSION, AND REVOCATION OF
LICENSE
PART 2 DENIAL OF APPLICATIONS FOR LICENSES FOR SCHOOL PERSONNEL

6.68.2.1 ISSUING AGENCY: Public Education Department (PED)
[6.68.2.1 NMAC - Rp, 6 NMAC 4.2.4.4.1, 11-30-05; A, XX-XX-09]

6.68.2.2 SCOPE: This rule governs the denial of applications for licenses and certificates for school personnel enumerated in Section 22-10A-3A NMSA 1978.
[6.68.2.2 NMAC - Rp, 6 NMAC 4.2.4.4.2, 11-30-05]

6.68.2.3 STATUTORY AUTHORITY: Sections 22-2-1B, NMSA 1978; 22-2-2J, K, NMSA 1978; 22-10A-31, NMSA 1978; and 61-1-1 et seq., NMSA 1978.
[6.68.2.3 NMAC - Rp, 6 NMAC 4.2.4.4.3, 11-30-05]

6.68.2.4 DURATION: Permanent
[6.68.2.4 NMAC - Rp, 6 NMAC 4.2.4.4.4, 11-30-05]

6.68.2.5 EFFECTIVE DATE: November 30, 2005, unless a later date is cited at the end of a section.
[6.68.2.5 NMAC - Rp, 6 NMAC 4.2.4.4.5, 11-30-05]

6.68.2.6 OBJECTIVE: This [~~regulation~~] rule, adopted by the [~~public education department hereinafter the "department"~~] PED, governs the application process for initial issuance or continuing licensure of all types of licenses and certificates issued by the [~~department for school personnel in New Mexico~~] NMPED, as well as the denial of such applications. Applicants must also meet all requirements prescribed in [~~department regulations~~] PED rules governing each type and level of license or certificate sought.
[6.68.2.6 NMAC - Rp, 6 NMAC 4.2.4.4.6, 11-30-05; A, XX-XX-09]

6.68.2.7 DEFINITIONS:

A. "Continuing education requirements" when used in regards to teachers means meeting the high objective uniform statewide standard of evaluation for the type and level of licensure for which an applicant has applied as set forth in 6.69.4.11 NMAC and required under Subsection B of [~~Section B 22-10A-10 and of 22-10A-11 NMSA 1978~~] 22-10A-10 NMSA or Subsection B of 22-10A-11 NMSA 1978, depending upon the license held. When used in regard to school administrators, the term means meeting the high objective uniform statewide standard of evaluation under Subsection E of 22-10A-11 NMSA 1978, or all of the requirements for provisional licensure for school principals in Section 2 of 22-10A-11 NMSA 1978, depending upon the license held.

B. "Criminal history" means convictions of any felonies or misdemeanors of moral turpitude, or other information concerning a person's arrests, indictments, other formal criminal charges and any dispositions arising therefrom, including convictions, dismissals, acquittals, sentencing and correctional supervision, collected by criminal justice agencies and stored in the computerized databases of the FBI, the national law enforcement telecommunications system, the New Mexico department of public safety (NMDPS), or the repositories of criminal history information of other states.

C. "Denial of application" means the [~~department's~~] PED's rejection of an individual's properly made application for initial or continuing licensure due to incompetency, immorality, failure to satisfy the [~~department's~~] PED's licensure requirements, failure to demonstrate the competencies required for the level of licensure sought, or for any other good and just cause including, but not limited to, any of the grounds set forth in this rule.

D. "Ex parte communications" means any oral, written or electronic communications between one party (or their attorney) and the hearing officer, or as between one party (or their attorney) and the [~~secretary of education (hereinafter, "the secretary")~~] Secretary of the PED, (secretary), that occur out of the presence [~~and/or~~] or without the consent of the opposing party (or their attorney). Communications included in this definition, in addition to direct communications, include indirect communications as where a party requests or suggests to a non-party to contact the hearing officer or the secretary on any matter and for any reason related to a pending licensure case where a notice of contemplated action has been served on an applicant for licensure pursuant to this [~~regulation~~] rule. Ex parte communications also occur when individuals sympathetic to one party make oral, written or electronic communications to the hearing officer or the secretary that occur out of the presence [~~and/or~~] or

without the consent of the opposing party (or their attorney) in any matter and for any reason related to a pending licensure case where a notice has been served on an applicant for licensure pursuant to this [regulation] rule.

E. "Licensure" means a license issued by the [department] PED authorizing a person to teach, supervise an instructional program, counsel, provide special instructional services, coach, provide health care, administer medication, perform medical procedures, or administer in the public schools of the state. A certificate and license issued by the [department] PED are one and the same.

F. "Properly made application" means an application for initial licensure or continuing licensure that has been filled out in full and for which all the required fees and documentation, including but not limited to background information and official transcripts, have been submitted. In addition, a properly made application means the applicant must have fulfilled all academic requirements for the type and level of licensure sought.

G. "Superintendent" means the chief licensed administrator of a public school district and in the case of a state agency or private school, the governing authority of that agency or private school.

H. "Transcript of the hearing" means a verbatim copy of the statements made by anyone during hearings held under 6.68.2.15 NMAC of this [regulation] rule and the Uniform Licensing Act, NMSA 1978, 6-1-1et seq. (hereinafter, "ULA"). A transcript may be either stenographically recorded or tape recorded.
[6.68.2.7 NMAC - Rp, 6 NMAC 4.2.4.4.7, 11-30-05; A, XX-XX-09]

6.68.2.8 APPLICATIONS FOR LICENSURE-COMPLETION OF FILE AND REAPPLICATION:

A. The professional licensure bureau [~~hereinafter, the "licensure bureau"~~] of the [department] PLB of the PED shall prescribe the form(s) for applications for initial and continuing licensure of school personnel in New Mexico.

B. All applicants for initial or continuing licensure shall meet the requirements of [department regulations] PED rules governing the type(s) and level(s) of license(s) sought that are in effect on the date an application on the prescribed form is received by the [licensure-bureau] PLB regardless of the expiration date on any existing license they may hold.

C. Individuals requesting continuing licensure must submit a request in writing on the current form prescribed by the [licensure-bureau] PLB by the June 30 expiration date of such license(s). However, a licensed individual shall have a one-year grace period from the date of expiration to apply for continuing licensure. Notwithstanding the foregoing, an individual whose license has expired on June 30 and is employed for the coming school year must have submitted a properly made application within 90 days of commencing [his/her] their school employment duties for that year in accordance with Subsection C of Section 22-10A-3 NMSA 1978. Moreover, in no event shall the application for continuing licensure be submitted sooner than January 1 of the expiration year.

D. An application for initial or continuing licensure shall be valid for one year from receipt, during which time the applicant must ensure that the [licensure-bureau] PLB has a properly made application with all the information necessary to determine [his or her] their qualifications for the license(s) and level(s) sought therein. When the [licensure-bureau] PLB reviews an application and determines that it is improperly made, it shall notify the applicant regarding what is required for the application to be properly made. If an application remains improperly made for one year from the date of receipt, the application shall expire without any further action required by the [department] PED.

E. Once an application for initial or continuing licensure expires, the applicant seeking licensure shall be required to file a new application for licensure for the license(s) and level(s) sought and to pay the initial application fee. Such individual must qualify under existing [department regulations] PED rules as of the date of the new application. However, this subsection does not affect individuals filing for continuing licensure during the one-year grace period granted in Subsection C of 6.68.2.8 NMAC.]

[6.68.2.8 NMAC - Rp, 6 NMAC 4.2.4.4.8, 11-30-05; A, XX-XX-09]

6.68.2.9 FAILURE TO SATISFY LICENSURE REQUIREMENTS:

A. The [licensure-bureau] PLB shall deny any properly made application for initial or continuing licensure as defined in Subsection F of 6.68.2.7, where an applicant has failed to satisfy all testing or competency requirements specified in [department regulations] PED rules governing the type(s) and level(s) of licensure sought.

B. An aggrieved applicant may request that the secretary review the denial of a license or continuing licensure for failure to satisfy prescribed continuing education or academic requirements. The secretary shall have sixty (60) days from the date of the request to review the denial and render a decision. The secretary's decision on review shall be final.

C. An applicant for initial or continuing licensure who has taken all required examinations and whose properly made application has been denied shall be afforded all the procedural and substantive due process rights

contained in this rule, 6.68.2 NMAC and the ULA, Section 61-1-1 NMSA 1978, except applications denied for the following reasons:

- (1) failure to pass a required examination;
- (2) failure to pay the required application fee;
- (3) failure to meet continuing education requirements as defined in Subsection B of 6.68.2.7 NMAC;

or

(4) issuance of a temporary license extension if authorized by the School Personnel Act, Section 22-10A-1, NMSA 1978.

[6.68.2.9 NMAC - Rp, 6 NMAC 4.2.4.4.9, 11-30-05; A, XX-XX-09]

6.68.2.10 DENIAL OF APPLICATIONS:

A. Other grounds for denial of applications: Subject to the procedures set forth below, the [department licensure bureau or the educator ethics bureau (hereinafter, "ethics bureau")] PLB or the EEB may deny an application for initial or continuing licensure for incompetency, immorality or for any other good and just cause. "Other good and just cause" may include but shall not be limited to any of the following:

(1) a material misstatement of fact by an applicant in connection with the initial licensure application process or the continuing licensure application process; or

(2) the denial of an application for licensure or the suspension or revocation of an applicant's educational or other relevant professional certificate(s) or license(s) by the certification or licensing authorities of this or any other state or by a national licensing board or bureau; or

(3) material noncompliance with any provision(s) of [department regulations] PED rules prescribing the terms and conditions of employment contracts for licensed school personnel in New Mexico at a time when the person charged was subject to those [regulations] rules; or

(4) a willful violation of any [department regulation] PED rule prescribing standards of conduct for licensed school personnel at a time when the person charged was subject to such requirement; or

(5) a conviction of any felony or a misdemeanor involving moral turpitude, subject to the provisions of the Criminal Offender Employment Act, Section 28-2-1, et seq., NMSA 1978; or

(6) a failure to comply with a judgment and order for support pursuant to the Parental Responsibility Act, Section 40-5A-1, NMSA 1978; or

(7) the intentional alteration of any college transcripts or any license issued by the [department] PED in connection with any private or public employment or in any dealings with the [department] PED; or

(8) the failure or refusal by an applicant for licensure with a criminal history to timely provide documents requested by the [department] PED evidencing applicant's rehabilitation, satisfaction of court orders or successful termination of probation; or

(9) failing to meet the continuing education requirements for level [H] 2 competencies where a local superintendent recommends to the secretary that the teacher's level [H] 2 license be suspended in accordance with 6.69.4 NMAC.

B. Reporting requirements: Every school superintendent or the person designated by the governing authorities of state agencies, private schools or charter schools shall provide written notification to the [director of the ethics bureau or licensure bureau (hereinafter, the "director")] director of EEB or PLB (director) of purported facts reasonably believed by a superintendent to constitute grounds under this [regulation] rule for denial of an educator license or continuing licensure. At a minimum, the written notification shall include the name and address of the individual, the personnel action taken by the school district, if any, and a statement of reasons for the action. The following are not justifications for failing to report this information to the director: whether or not the personnel action is final; whether or not the personnel action was taken by a different school district; whether or not the licensed person resigned from a different school district pending investigation for misconduct; whether or not a person has been licensed for three (3) or more years; whether or not any adverse personnel action is/was reversed. Written notification shall be made to the director within 30 calendar days of the sooner of any adverse personnel action or discovering purported facts reasonably believed to constitute grounds for licensure denial. Failure of a superintendent to provide such written notification to assist the [department's] PED's licensure process shall not bar the [department] PED from denying an application or serving notice on an applicant.

C. Recommendation for denial of application.

(1) If the director of the [ethics bureau or licensure bureau] EEB or PLB concludes that sufficient grounds exist under Subsection A of 6.68.2.10 NMAC to serve a notice on the applicant, the procedures set forth in 6.68.2.12 NMAC shall be initiated subject to the approval of the assistant secretary for educator quality. In all other

cases, the license(s) applied for shall be issued unless the applicant fails to qualify as provided in 6.68.2.9 NMAC or in Paragraph (2) of Subsection C below.

(2) If a statement from a local superintendent that an applicant has failed to satisfactorily demonstrate the competencies required by the [department] PED for the level of license sought or held is received by the director of the [licensure bureau] PLB pursuant to Subsection A of 6.68.2.11 NMAC, the following procedures shall be followed unless the applicant otherwise fails to qualify pursuant to 6.68.2.9 or Subsection A of 6.68.2.10 NMAC:

(a) the director shall review the local superintendent's finding that the applicant has not satisfactorily demonstrated the required competencies for the level of license sought or held; and

(b) if the director finds substantial evidence that the superintendent or governing authority failed to comply with 6.68.2.11 NMAC, the director shall issue the license; or

(c) if the director finds that the local superintendent has complied with 6.68.2.11 NMAC and the applicant is either a level 1 licensee who is completing the fifth (5) and final year of level 1 or a level 2 or 3 licensee who is subject to losing [his/her] their level 2 or 3 licensure, then the director shall cause the notice, pre-hearing, hearing and secretary review procedures set forth in 6.68.2.12 NMAC and the ULA to be initiated. In all other cases where the director finds that the local superintendent has complied with 6.68.2.11 NMAC, the director shall notify the applicant of that finding within 14 days and the applicant shall then have 30 days to request that the secretary review the director's finding. In such case, the secretary shall have 30 days to review the director's finding and the secretary's decision shall be final.

[6.68.2.10 NMAC - Rp, 6 NMAC 4.2.4.4.10, 11-30-05; A, XX-XX-09]

6.68.2.11 PROCEDURES REQUIRED OF A LOCAL SCHOOL BOARD OR GOVERNING AUTHORITY BEFORE GIVING NOTICE TO THE DIRECTOR OF THE PROFESSIONAL LICENSURE BUREAU THAT AN APPLICANT HAS NOT SATISFACTORILY DEMONSTRATED THE COMPETENCIES REQUIRED FOR THE LEVEL OF LICENSURE SOUGHT:

A. Before notice is given to the director of the [licensure bureau] PLB that an applicant has not satisfactorily demonstrated the competencies required for the level of licensure sought, the following procedures must be followed:

(1) two or more conferences shall have been held with the licensed school person prior to the serving of such notice, and

(2) at least one conference shall be held with the individual's most recent performance evaluator, or immediate supervisor if the most recent performance evaluator is unavailable to confer with the individual, and another conference shall be held with the superintendent of the local school district or with the superintendent's designee who shall be someone other than the first person with whom the licensed individual has conferred, and

(3) at least ninety (90) school days shall have elapsed between the conferences to allow the individual sufficient time to satisfactorily demonstrate the required competencies.

B. A written record of all conferences shall be made, specifying the competency or those competencies that have not been satisfactorily demonstrated, the action suggested by the school or agency or private school administration, which might lead to satisfactory demonstration of such competency or competencies, and the results attained. Each written record shall be signed by all parties to the conference. In the event of refusal to sign, a notation shall be made of the refusal. A copy of each record shall be given to the individual.

C. The superintendent or the person designated by the governing authority of a state agency or private school shall, in the event of notifying the educator of [his/her] their failure to satisfactorily demonstrate the required competencies, supplement such notice with copies of the records required pursuant to Subsection B of 6.68.2.11 NMAC together with any policies described in Subsection D of 6.68.2.11 NMAC.

D. Local school boards or the governing authorities of state agencies or private schools may develop policies concerning procedures required before giving notice to the director of the [licensure bureau] PLB that an applicant has not satisfactorily demonstrated the competencies required for the level of licensure sought; provided, however, that such procedures must include at a minimum those requirements set forth in Subsections A through C of 6.68.2.11 NMAC.

[6.68.2.11 NMAC - Rp, 6 NMAC 4.2.4.4.11, 11-30-05; A, XX-XX-09]

6.68.2.12 PROCEDURES FOR DENYING APPLICATIONS: The following procedures shall govern the denial of properly made applications for initial or continuing licensure on any ground specified in Subsection A of 6.68.2.10 NMAC except for those applications noted in Subsection B of 6.68.2.9 NMAC and Paragraphs (1) through (4) of Subsection C of 6.68.2.9 NMAC.

A. Notice: ~~[The director of the educator ethics bureau or the director of the professional licensure bureau, on behalf of the department]~~ The director of the EEB, or the director of the PLB, on behalf of the PED shall prepare and serve upon the applicant a written notice of contemplated action.

B. Service of notices: Any notice required to be served by this ~~[regulation]~~ rule, including notice of final decision, may be served either personally or by certified mail, return-receipt-requested, directed to the applicant at ~~[his or her]~~ their last known address as shown by the records of the licensure bureau or to the applicant's attorney of record. Service must be no later than two (2) years after the discovery of the conduct that would be the basis of the contemplated action, except that the time limitation shall be tolled by any civil or criminal litigation in which the applicant is a party arising from substantially the same facts, conduct or transaction that would be the basis for the ~~[department's]~~ PED's action. If the notice or decision is served personally, service shall be made in the same manner as is provided for service by the rules of civil procedure for the district courts. Where the notice or decision is served by certified mail, it shall be deemed to have been served on the date borne by the return receipt showing delivery or the last attempted delivery of the notice or decision to the addressee or refusal of the addressee to accept delivery.

C. Contents: The notice shall contain:

(1) the grounds, including in what respects the applicant has failed to satisfy the ~~[department]~~ PED, believed to be sufficient for denying the application;

(2) instructions for requesting a hearing before the ~~[department]~~ PED in accordance with Subsection A of 6.68.2.13 below;

(3) a statement that the ~~[department's]~~ PED's contemplated action will be taken and shall become final unless the charged individual requests a hearing according to the procedure and within the time specified, and that such action would not be subject to judicial review; and

(4) a statement calling the applicant's attention to ~~[his or her]~~ their rights under this ~~[regulation]~~ rule and the ULA, Section 61-1-8, NMSA 1978 copies of which shall be provided with the written notice.

D. Copies of notice: If the applicant is employed by a local school district in New Mexico, a copy of the notice shall be sent by the ~~[department]~~ PED, to the local school superintendent of the district employing or seeking to employ the applicant if known, unless the applicant is the said superintendent, in which case the president of the local school board shall be sent a copy of the notice.

[6.68.2.12 NMAC - Rp, 6 NMAC 4.2.4.4.12, 11-30-05; A, XX-XX-09]

6.68.2.13 PRE-HEARING PROCEDURES:

A. Filing of request for hearing: An applicant shall initiate a request for hearing by filing a timely, written request for hearing with the ~~[department]~~ PED, by delivery of such request to the ~~[department's]~~ PED's office of the secretary in Santa Fe, New Mexico. Such request must be sent by certified mail, return-receipt-requested within twenty (20) days after service of the notice on the applicant.

B. If a hearing is requested, the ~~[department]~~ PED, within twenty (20) days of receipt of the request, shall notify the applicant of the time and place of the hearing, the name, address and telephone number of the person who shall conduct the hearing for the ~~[department and the statutes and regulations]~~ PED and the statutes and rules authorizing the ~~[department]~~ PED to take the contemplated action, which hearing shall be held not more than sixty (60) nor less than fifteen (15) days from the date of service of said notice.

C. Failure to request a hearing: If the applicant does not make a timely written request for a hearing, the ~~[department]~~ PED may take the action contemplated in the notice and such action shall be final.

D. Appointment of a hearing officer

(1) All hearings may be conducted by a hearing officer who shall be a duly licensed New Mexico attorney, but who shall not be any attorney then employed by the office of general counsel of the ~~[department]~~ PED. Upon receipt of the request for a hearing, the director of the ~~[ethics bureau or the licensure bureau]~~ EEB or the PLB shall appoint the hearing officer. Any hearing officer appointed to serve on a case shall at all times be held to the same ethical standards of impartiality that are set forth in Subsection B of Section 21-300 of the New Mexico code of judicial conduct. The hearing officer may issue a pre-hearing order limited to: setting deadlines for the exchange of documents intended to be introduced; setting deadlines for the exchange of a list of the name, address and telephone number of each witness a party intends to call during the hearing; ordering the applicant to have ~~[his/her]~~ their attorney, if any, file within thirty (30) days a written notice of appearance with the hearing officer with a copy to opposing party; and cautioning the parties of their need to comply with Subsection G of 6.68.2.13 NMAC below. If either party requests a pre-hearing conference with the hearing officer, such conference shall be scheduled by the hearing officer and be held telephonically unless both parties agree to meet in person.

(2) The hearing officer shall have the power:

(a) to have counsel to develop the case; to administer oaths or affirmations to witnesses called to testify; to take testimony; to examine witnesses; and to direct a continuance of any case; hearing officers may also hold conferences before or during the hearing for the settlement or simplification of the issues but such settlement or simplification shall only be with the consent of the applicant;

(b) to hear pre-hearing motions; the hearing officer shall issue a written order with a copy to both parties on any pre-hearing motion filed by a party;

(c) to subpoena, for purposes of discovery and of the hearing, witnesses and relevant books, papers, documents and other evidence in compliance with Rule 1-045A to D of the rules of civil procedure and New Mexico civil form 4-505. A party may also issue such subpoenas with the approval of the hearing officer;

(d) to impose any appropriate evidentiary sanction against a party who fails to provide discovery or to comply with a subpoena; such sanctions could include the striking of a witness or the striking of documentary evidence;

(e) to take notice of judicially cognizable facts as well as of general, technical or scientific facts within [his/her] their specialized knowledge so long as the applicant is notified either before or during the hearing of the fact so noticed and its source, and is afforded an opportunity to contest said fact; and

(f) to impose costs on the applicant upon motion of the [department] PED.

E. Discovery:

(1) Rules of discovery provided in Rules 26 through 37 of the New Mexico rules of civil procedures shall apply, except that all deadlines for responding to requests for admissions, interrogatories, and requests for production of documents shall be within ten (10) days of the delivery of the request. No such request shall be made less than fifteen (15) days before the hearing.

(2) Upon written request to another party, any party is entitled to:

(a) obtain the names and addresses of witnesses who will or may be called by the other party to testify at the hearing; and

(b) inspect and copy any documents or items which the other party will or may introduce in evidence at the hearing.

(3) Any opposition to any pre-hearing motion filed by a party shall be filed within ten (10) days of the service of that motion on the other party.

(4) This rule does not authorize either party to seek discovery sanctions or relief from a district court.

(5) Any party may take depositions after service of notice in accordance with the rules of civil procedure for the district courts. Depositions may be used as in proceedings governed by those rules.

F. Pleadings: Parties shall serve copies of all pleadings on each other and the hearing officer shall sign and date each pleading and shall include a signed and dated certificate of service with their pleadings.

G. Ex parte communications: Neither party nor [his/her] their attorney shall engage in ex parte communications with any hearing officer appointed to hear a case or with the secretary on any matter regarding a pending case. Likewise, a hearing officer shall not engage in ex parte communications with either party or [his/her] their attorney on any case to which that hearing officer has been appointed. However, there may be occasions when brief ex parte communications are warranted, for example, for scheduling, administrative purposes, or emergencies that do not deal with substantive matters or issues on the merits. A summary of what was communicated shall be promptly disclosed to the individual who did not participate in the ex parte communication. The secretary shall not engage in any ex parte communication with any party, attorney or interested person on any matter or for any reason related to a pending licensure denial or other disciplinary action case where a notice of contemplated action has been served on an licensee pursuant to this [regulation] rule.

[6.68.2.13 NMAC - Rp, 6 NMAC 4.2.4.4.13, 11-30-05; A, XX-XX-09]

6.68.2.14 RIGHTS OF AN APPLICANT:

A. An applicant shall have the right to be represented by counsel or by a licensed member of his own profession or occupation, or both at no expense to the [department] PED; to present all relevant evidence by means of witnesses and books papers, documents and other evidence; to examine all opposing witnesses who appear on any matter relevant to the issues; and to have subpoenas and subpoenas duces tecum issued as of right prior to the commencement of the hearing to compel discovery and the attendance of witnesses and the production of relevant books, papers, documents and other evidence upon making written request therefore to the hearing officer. The issuance of such subpoenas after the commencement of the hearing rests in the discretion of the hearing officer.

B. An applicant shall have the right to excuse the hearing officer in accordance with ULA Section 61-1-7, NMSA 1978.

[6.68.2.14 NMAC - N, 11-30-05; A, XX-XX-09]

6.68.2.15 HEARING:

A. Purpose: The purpose of the hearing shall be to determine whether sufficient grounds exist for the denial of an initial license application or continuing licensure application by the [department] PED. The burden of proof shall be upon the [department] PED to establish by a preponderance of the evidence that sufficient grounds exist.

B. Venue of hearing: The hearing shall be conducted in the county where the [department] PED maintains its office. In any case, however, the applicant and the [department] PED may agree that the hearing is to be held in some other county.

C. Conduct of hearings

(1) The order of presentation of evidence shall be as follows: The [department] PED shall present evidence in an attempt to establish that sufficient grounds exist for the denial of the applicant's initial or continuing licensure. Thereafter, the applicant may present evidence in defense. The hearing officer may allow rebuttal evidence [and/or] and closing arguments.

(2) The rules of civil procedure and the rules of evidence shall not apply to the hearing, except as specifically provided in this rule, but it shall be conducted so that both complaints and defenses are amply and fairly presented. To this end, the hearing officer shall permit each party to call and examine witnesses, cross-examine witnesses and introduce exhibits. Documentary evidence may be received in the form of copies or excerpts. Evidence will be admitted without regard to technical rules of evidence, but the hearing officer may exclude any evidence, which is not relevant to the issues and may require reasonable substantiation of statements or records where accuracy or truth is in reasonable doubt. Any evidence may be admitted that is of a kind commonly relied on by reasonably prudent people in the conduct of serious affairs. The hearing officer may in [his-or-her] their discretion exclude incompetent, irrelevant, immaterial, or unduly repetitious evidence. Rules of privilege shall be applicable to the same extent as in proceedings before the courts of this state. Parties or their attorneys may make timely objections to the introduction of any evidence they view as inadmissible under this paragraph.

(3) A complete record shall be made of all evidence received during the course of the hearing. The record shall be preserved by any stenographic method in use in the district courts of this state, or in the discretion of the [department] PED, by tape recording. The [department] PED shall observe any standards pertaining to tape recordings established for the district courts. In any event, the [department] PED shall have one copy of the transcript or tape recording of the hearing for the secretary's review in rendering a final decision. Where judicial review is sought, the costs of required transcripts or tape recordings shall be paid by the party seeking review.

(4) All witnesses shall swear or affirm that their testimony will be truthful. A person authorized to administer oaths shall swear each witness. The hearing officer may determine the capacity of a witness to testify and may consider capacity in determining the weight of the evidence. The hearing officer may refuse to admit testimony from a proposed witness who is found lacking capacity.

(5) The hearing officer may require post-hearing briefs to be submitted by the parties. Such briefs shall not exceed 20 pages in length, double-spaced, exclusive of attachments, and shall be on paper eight and one-half by eleven inches in length.

D. If an applicant fails to appear at a hearing and no continuance has been granted, the hearing officer may hear the evidence of such witnesses as may have appeared and proceed to consider and dispose of the case on the basis of the evidence before [him/her] the hearing officer in the manner required under this rule. Where an applicant fails to appear for a hearing or fails to request a hearing due to sickness, accident or other good cause, such licensee may apply to the hearing officer where he failed to appear, or to the [department] PED where he failed to request a hearing, to reopen the proceeding, and upon finding such cause sufficient, the hearing officer or the [department] PED, as the case may be, shall schedule a hearing and give the applicant notice of such as required by this [regulation] rule. The hearing officer may require evidence to prove licensee's good cause in such cases.

E. Continuing jurisdiction

(1) Despite the expiration of an applicant's licensure, the [department] PED shall continue to have jurisdiction to hear a case under this [regulation] rule where the individual whose licensure expired was served a notice of contemplated action prior to the expiration of the licensure.

(2) The service of such notice upon an applicant shall act to stay the expiration of licensure where that individual's licensure was scheduled to expire and would expire during a proceeding to deny continuing licensure under this [regulation] rule but for the stay of the expiration.

(3) Where the secretary issues a final order in which the applicant's licensure is not outright denied, then the individual shall be permitted to renew [his/her] their licensure as though it expired on the original expiration

date as long as [he/she] the applicant satisfies all other licensure requirements for the level and type of license sought.

[6.68.2.15 NMAC - Rp, 6 NMAC 4.2.4.4.14, 11-30-05; A, XX-XX-09]

6.68.2.16 THE HEARING OFFICER'S REPORT TO THE SECRETARY:

A. The parties' proposals: The hearing officer shall afford the applicant and the [department] PED an opportunity to file proposed findings of fact and conclusions of law by a deadline specified by the hearing officer not to exceed thirty (30) days from the closing of the hearing. The hearing officer may include in or exclude from [his or her] their report to the secretary any portions of the parties' proposed findings, conclusions or order as the hearing officer deems are supported or not supported by the evidence presented at the hearing. Moreover, the hearing officer may revise the submitted proposed findings and conclusions [~~and/or~~ and] make other findings and conclusions as [he or she] the hearing officer deems are supported by the evidence at the hearing. No party shall submit post-hearing briefs or proposed findings of fact and conclusions of law after the deadline imposed unless leave to file late is granted by the hearing officer for good cause shown.

B. Contents: After the hearing officer's deadline has elapsed, the hearing officer shall submit a formal written report to the secretary consisting of the following labeled paragraphs: statement of the case, legal issues, proposed findings of fact, proposed conclusions of law, and order proposed by the hearing officer. The hearing officer shall limit [his/her] their proposed order to: denial of the application, acceptance of the application with a condition other than the payment of money, or acceptance of the application.

C. In any denial action of an individual's application for licensure brought under authority of the Parental Responsibility Act where the hearing officer recommends a denial of that individual's license, the hearing officer shall limit [his or her] their proposed findings, conclusions or order to the issues of whether a certified list of obligors from the human services department (HSD) has been submitted indicating that individual as being in non-compliance of a district court child support order, and whether the [~~human services department~~] HSD has provided to the [department] PED a certified statement that the charged individual is presently in compliance with that order. The hearing officer and the secretary shall defer to any district court child support order directed to the [department] PED relative to an applicant's educator license(s).

D. Time limits: The hearing officer's report along with the parties' briefs and proposed findings of fact and conclusions of law and order, if any, shall be received by the secretary through the office of general counsel, within thirty (30) days after the deadline specified by the hearing officer for the parties' submission of proposed findings of fact and conclusions of law. The secretary may extend this time upon request of the hearing officer through the office of general counsel so long as the decision of the secretary is rendered and signed within ninety (90) days after the conclusion of the hearing. The hearing officer shall serve a copy of the report directly on the parties to the hearing, or upon their attorneys, if any, on the same day the hearing officer serves the secretary.

E. The hearing officer's report shall be considered a privileged communication between the [department's] PED's hearing officer and the secretary not subject to public inspection until the secretary has reviewed the report and rendered a final decision.

[6.68.2.16 NMAC - N, 11-30-05; A, XX-XX-09]

6.68.2.17 DECISION OF THE SECRETARY:

A. The secretary shall review the report of the hearing officer together with any briefs or proposed findings/conclusions/orders timely submitted by the parties. The secretary shall render a final decision and order based on a preponderance of the evidence. The secretary's decision must include a statement informing the applicant of [his/her] their right to judicial review and the time within which such review must be sought. The secretary shall either:

- (1) adopt the hearing officer's proposed findings of fact, conclusions of law and order;
- (2) modify said findings of fact and conclusions of law and order and render a decision;
- (3) reopen the case to receive additional evidence or for other cause on request from the applicant or on the secretary's own motion; and where a request to reopen the case comes from the applicant, the secretary shall serve upon the applicant within fifteen (15) days after receipt of said request, a decision to grant or refuse said request; and where the case is reopened, notice of the hearing shall be served on the applicant within fifteen (15) days after service of the decision to reopen with the hearing being held within forty-five (45) days after the service of said notice and the decision from the hearing being served on the applicant within thirty (30) days after the hearing; or

- (4) reject any action against the applicant's licensure application on the grounds alleged and order the individual's application review to go forward to determine if [he/she] the applicant is otherwise qualified for

licensure or continuing licensure; if the secretary decides to hear additional evidence, a transcript of the proceedings shall be made by a qualified court reporter or a tape recording.

B. The secretary is not an appellate reviewer of the hearing officer's proposed findings/conclusions/order. Rather, the secretary is ultimately responsible for issuing a final decision and order relative to possible disciplinary action against an applicant's educator licensure. If the hearing officer recommends denial of an individual's license(s), the secretary is at liberty to order any action provided in Subsection A of 6.68.2.17 NMAC above, provided that any deviation from the hearing officer's proposed findings/conclusions is supported by a preponderance of the evidence after conducting an independent review of the transcript of the hearing. The same transcript review process would apply to any other proposed findings/conclusions of the hearing officer from which the secretary seeks to deviate.

C. At the request of the parties, the secretary may adopt and incorporate into [~~his or her~~] the decision and order all or any part of a written settlement proposed by the parties, whether or not a case has gone to a hearing. Any such settlement proposal shall be duly signed and notarized and contain the detailed agreements of the respective parties. Upon adoption and incorporation by the secretary of all or any part of a written settlement, that settlement or the incorporated portions shall become merged into the secretary's decision and order as a final agency decision.

D. Time: The written decision of the secretary must be rendered and signed within sixty (60) days after the completion of the preparation of the record or submission of the hearing officer's report, whichever is later. In any case, the decision must be rendered and signed within ninety (90) days after the hearing.

E. Service: A written copy of the decision of the secretary shall be served on the applicant personally in accordance with the rules of civil procedure for the district courts or by certified mail, return-receipt-requested, directed to the applicant at [~~his or her~~] their last known address, or to [~~his or her~~] their attorney, as shown by the records of the [~~department~~] PED, within fifteen (15) days after the decision is rendered and signed.

F. The decision of the secretary is a public record and may be reported to the national association of state directors of teacher education and certification's clearinghouse and other organizations that request it. [6.68.2.17 NMAC - Rp, 6 NMAC 4.2.4.4.15, 11-30-05; A, XX-XX-09]

6.68.2.18 WAIVER:

A. Time limits: The time limits specified in this rule may be waived by the applicant if done in writing.

B. Hearing: No hearing need be held by the [~~department~~] PED if the applicant waives in writing [~~his or her~~] their right to the hearing.

C. Voluntary denial: Prior to service of notice on an individual applying for initial or continuing licensure, that individual may voluntarily agree to a denial of [~~his/her~~] their application, provided that any such voluntary denial is accomplished by writing where the individual has an opportunity to consult with and retain an attorney. A voluntary denial is not a voluntary withdrawal of an application but is an actual denial of a licensure application. A voluntary denial may be achieved only with the approval of the secretary, so long as the individual knowingly submits to the jurisdiction of the [~~department~~] PED and waives in writing [~~his or her~~] their right to a hearing and the other procedures set forth in this rule. A voluntary denial is not subject to judicial review and its effect is binding on the parties to the agreement accomplishing the denial.

[6.68.2.18 NMAC - Rp, 6 NMAC 4.2.4.4.16, 11-30-05; A, XX-XX-09]

6.68.2.19 APPEAL:

A. A final decision by the secretary after the hearing officer has made [~~his or her~~] the recommendations may be appealed to the district court by an applicant within thirty (30) days of the date of filing of the decision in accordance with Section 39-3-1.1, NMSA 1978. ("Appeal of final decisions by agencies to district court--application--scope of review--review of district court decisions")

B. The applicant may apply to the secretary for a stay of [~~his or her~~] the decision pending the outcome of the review of the decision in district court.

[6.68.2.19 NMAC - Rp, 6 NMAC 4.2.4.4.18, 11-30-05; A, XX-XX-09]

6.68.2.20 SEVERABILITY: Any part of this rule found by adjudication before a competent tribunal to be contrary to law shall be stricken without effect to the remainder.

[6.68.2.20 NMAC - Rp, 6 NMAC 4.2.4.4.17, 11-30-05]

HISTORY OF 6.68.2 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. 84-1, Governing Denial of Applications for Certification for School Personnel in New Mexico, filed January 24, 1984;

SBE Regulation 87-1, Governing Denial of Applications for Licenses For School Personnel in New Mexico, filed August 17, 1989.

History of Repealed Material:

6 NMAC 4.2.4.4, Denial of Applications for Licenses for School Personnel, filed 06/01/98 - Repealed effective 11-30-05.