Family Notification Letter

Lack of Proper Requisite License or Proper Endorsement Notice

[SCHOOL NAME, ADDRESS, CONTACT INFORMATION]

Date:

Dear Guardian,

New Mexico Statute 22-10A-16 requires me to give written notice to the parents of those students who are being taught for longer than four consecutive weeks by a substitute teacher or by a person who is not qualified to teach the grade or subject.

This letter is to inform you that       License Number      does **not hold the requisite licensure or licensure endorsement.**

      is lacking      license or     licensure endorsement.

Sincerely,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Signature of Superintendent or his/her Designee)

**CC:**

**NMPED Professional Licensure Bureau Director**

**APPLICABLE STATUTES AND/OR STATE RULE:**

New Mexico Statutes > Chapter 22 > Article 10A – School Personnel Act

22-10A-16. Parental notification.

A. Within sixty calendar days from the beginning of each school year, every school district shall issue a notice to parents that they may obtain information regarding the professional qualifications of their children's teachers, instructional support providers and school principals. At a minimum, the information shall include:

(1) whether the teacher has met state qualifications for licensure for the grade level and subjects being taught by the teacher;

(2) whether the teacher is teaching under a teaching or assignment waiver;

(3) the teacher's degree major and any other license or graduate degree held by the teacher; and

(4) the qualifications of any instructional support providers if the student is served by educational assistants or other instructional support providers.

B. A local superintendent shall give written notice to the parents of those students who are being taught for longer than four consecutive weeks by a substitute teacher or by a person who is not qualified to teach the grade or subject.

C. The local superintendent shall:

(1) ensure that the notice required by this section is provided by the end of the four-week period following the assignment of that person to the classroom;

(2) ensure that the notice required by this section is provided in a bilingual form to a parent whose primary language is not English;

(3) retain a copy of the notice required pursuant to this section; and

(4) ensure that information relating to teacher licensure is available to the public upon request.

**History:** 1978 Comp., 22-10A-16, enacted by Laws 2003, ch. 153, 47.

**NMAC 6.29.1.3.B.     Duties and powers of the district superintendent or the administrator of a charter school**.

In addition to the powers and duties set out in Section 22-5-14 NMSA 1978 of the Public School Code, the local superintendent (or charter school administrator, where relevant) shall:

(9) issue the following notifications in accordance with Section 22-10A-16 NMSA 1978, in addition to any other parental notification requirements contained in the No Child Left Behind Act of 2001 (PL 107-110, 20 US Code Section 6301 et seq.); a school district or charter school shall issue these notifications in English and, to the extent possible, in the language of the parent or guardian (if it is known that the parent or guardian's primary language is not English); the district or charter school shall retain a copy of all notifications and shall ensure that information required under this paragraph is available to the public upon request.

                              (a)     Within sixty calendar days from the beginning of each school year, a school district or charter school shall issue a notice to parents informing them that they may obtain written information regarding:

                                        (i)     the professional qualifications of their child's teachers, instructional support providers and school principals or charter school administrators;

                                        (ii)     other descriptive information, such as whether their teacher has met all qualifications for licensure for the grade level and subjects being taught;

                                        (iii)     whether their child's teacher is teaching under a teaching or assignment waiver;

                                        (iv)     the teacher's degree major and any other license or graduate degree held by the teacher;

                                        (v)     the qualifications of any instructional support providers that serve their child.

**(b)     When, by the end of a consecutive four-week period, a child is still being taught by a substitute teacher or a teacher not holding the requisite licensure or licensure endorsement, the school district or charter school shall provide written notice to the parent or guardian that the child is being taught by a substitute teacher or a teacher not holding the requisite licensure or licensure endorsement.**

**(c)     No class may be taught by a substitute teacher, in lieu of a licensed teacher under contract, for more than forty-five (45) school days during a school year.**

**(d)     The secretary shall consider deviations from the requirements of Subparagraph (c) of Paragraph (9) of Subsection B of 6.29.1.9 NMAC when a written request by a local superintendent or charter school administrator is submitted.  The request shall include:**

**(i)     the size of the school district;**

**(ii)     the geographic location of the district;**

**(iii)   demonstrated efforts to employ an appropriately-licensed person in the area(s) of need;**

**(iv)    the historical use of substitutes in the district; and**

**(v)     an estimation of the number of days that a substitute will be utilized that exceed the forty-five (45) day limit.**