**TITLE 6 PRIMARY AND SECONDARY EDUCATION**

**CHAPTER 60 SCHOOL PERSONNEL - GENERAL PROVISIONS**

**PART 7 EDUCATOR LICENSURE APPLICATION FEE**

**~~6.60.7.1 ISSUING AGENCY:~~** ~~Public Education Department (PED)~~

~~[6/15/1998, 7/30/1999; 6.60.7.1 NMAC - Rn, 6 NMAC 4.2.4.7.1, 10/13/2000; A, 8/31/2004; A, 10/31/2007]~~

**~~6.60.7.2 SCOPE:~~** ~~Chapter 60, Part 7 governs the collection of an application fee for initial and renewal applications for educational licensure and for adding licensure endorsements.~~

~~[6/15/1998; 6.60.7.2 NMAC - Rn, 6 NMAC 4.2.4.7.2, 10/13/2000; A, 4/29/2005]~~

**~~6.60.7.3 STATUTORY AUTHORITY:~~** ~~Sections 22-2-1, NMSA 1978, 22-8-44 NMSA 1978 and 22-10A-3, NMSA 1978.~~

~~[6/15/1998; 6.60.7.3 NMAC - Rn, 6 NMAC 4.2.4.7.3, 10/13/2000; A, 9/30/2003]~~

**~~6.60.7.4 DURATION:~~** ~~Permanent~~

~~[6/15/1998; 6.60.7.4 NMAC - Rn, 6 NMAC 4.2.4.7.4, 10/13/2000]~~

**~~6.60.7.5 EFFECTIVE DATE:~~** ~~June 15, 1998, unless a later date is cited in the history note at the end of a section.~~

~~[6/15/1998; 6.60.7.5 NMAC - Rn, 6 NMAC 4.2.4.7.5 & A, 10/13/2000]~~

**~~6.60.7.6 OBJECTIVE:~~** ~~This rule establishes specific requirements for the payment of an application fee for initial and renewal applications for educator licensure and for adding licensure endorsements.~~

~~[6/15/1998; 6.60.7.6 NMAC - Rn, 6 NMAC 4.2.4.7.6, 10/13/2000; A, 4/29/2005]~~

**~~6.60.7.7 DEFINITIONS:~~** ~~“Indigency” means the inability, as determined by the professional licensure bureau (PLB) of the (PED), to pay a licensure fee from available present income and assets without due hardship.~~

~~[6/15/1998; 6.60.7.7 NMAC - Rn, 6 NMAC 4.2.4.7.7 & A, 10/13/2000; A, 8/31/2004; A, 10/31/2007]~~

**~~6.60.7.8 REQUIREMENTS:~~**

**~~A.~~** ~~Beginning June 30, 2010, applicants seeking an initial educator license shall pay by money order or certified check or other form acceptable to the PED the following fees at the time of submission of their applications.~~

**~~(1)~~** ~~All applicants, except those described in Paragraphs (2) or (3) below, shall pay an application fee of $125.~~

 **~~(2)~~** ~~Applicants for educational assistant, school health assistant licensure or substitute teacher certification shall pay an application fee of $35.~~

**~~(3)~~** ~~Applicants for athletic coaching licensure who are seeking a coaching license only shall pay a fee of $35.~~

**~~B.~~** ~~Beginning June 30, 2010, applicants seeking the renewal of an existing educator license through the PED shall pay by money order or certified check or other form acceptable to the PED the following fees at the time of submission of their applications.~~

 **~~(1)~~** ~~All applicants, except those described in Paragraphs (2) or (3) below, shall pay an application fee of $95.~~

**~~(2)~~** ~~Applicants for educational assistant, school health assistant licensure or substitute teacher certification shall pay an application fee of $35.~~

 **~~(3)~~** ~~Applicants for athletic coaching licensure who are seeking a coaching license only shall pay a fee of $35.~~

**~~C.~~** ~~Beginning June 30, 2010, applicants seeking advancement to higher levels of teacher licensure by initial submission of a professional development dossier (PDD) as provided in 6.69.4.11 NMAC shall pay $320 by money order, certified check or other payment method acceptable to the PED or its contractor at the time of submission of their PDD. Applicants who resubmit previously failed PDD strands shall pay a fee of $110 for one (1) strand, $220 for two (2) strands and $320 for three (3) strands. If submission of the PDD corresponds with the renewal of licensure, the fee for renewal in Subsection B of this section shall be waived.~~

**~~D.~~** ~~Beginning June 30, 2010, applicants seeking to add an endorsement or endorsements to an existing license shall pay by money order or certified check or other form acceptable to the PED a fee of $95.~~

**~~E.~~** ~~Beginning June 30, 2010, applicants seeking alternative teaching licensure by way of portfolio review in Paragraph (3) of Subsection B of 6.60.3.8 NMAC shall pay upon registration by money order, certified check or other payment method applicable to the PED or its contractor a $320 fee, which shall be non-refundable. Applicants who resubmit previously failed portfolio strands shall pay a fee of $110 per strand for a resubmission of one (1) or two (2) strands and $320 for a resubmission of three (3) strands.~~

~~[6/15/1998; 6.60.7.8 NMAC - Rn, 6 NMAC 4.2.4.7.8 & A, 10/13/2000; A, 9/30/2003; A, 8/31/2004; A, 4/29/2005; A, 5/31/2006; A, 10/31/2006; A, 10/31/2007; A, 6/30/2010]~~

**~~6.60.7.9 IMPLEMENTATION:~~**

**~~A.~~** ~~An applicant for initial or renewal educator licensure or for adding an endorsement may apply for multiple licenses or endorsements through one application and pay one application fee. Subsequent initial or renewal applications for additional licenses or endorsements will require the payment of another full fee.~~

**~~B.~~** ~~An applicant for initial licensure shall pay a single application fee. Additional application fees will not be charged when an intern license is changed to a five-year level 1 standard license after the applicant has completed the requirements for licensure.~~

**~~C.~~** ~~An applicant whose license has been expired for more than one year must submit an initial application for a new license and pay the initial application fee established in Subsection A of Section 6.60.7.8 NMAC.~~

**~~D.~~** ~~All application fees are non-refundable.~~

~~[6/15/1998; 6.60.7.9 NMAC - Rn, 6 NMAC 4.2.4.7.9, 10/13/2000; A, 4/29/2005; A, 10/31/2007]~~

**~~6.60.7.10 EXEMPTIONS:~~**

**~~A.~~** ~~An application fee shall not be charged for changing name or address, or for replacing lost or misplaced licenses.~~

**~~B.~~** ~~An application fee shall not be charged to an individual who qualifies as being indigent. An applicant can qualify for relief from the application fee on the grounds of indigency by providing the PED with documentation which establishes that the applicant is not now, nor was in the previous year, the dependent of another person and that the fee represents more than three percent of the applicant’s total income for the previous year.~~

~~[6/15/1998; 6.60.7.10 NMAC - Rn, 6 NMAC 4.2.4.7.10, 10/13/2000; A, 8/31/2004; A, 4/29/2005; A, 10/31/2007]~~

**~~HISTORY OF 6.60.7 NMAC~~**~~:~~ **~~[RESERVED]~~**

**6.60.7.1 ISSUING AGENCY:** Public Education Department, hereinafter the department.

[6.60.7.1 NMAC – Rp, 6.60.7.1 NMAC, 8/13/2019]

**6.60.7.2 SCOPE:** Any and all applicants and applications for obtaining a department license, renewing or advancing a license, certification, and/or license endorsement.

[6.60.7.2 NMAC – Rp, 6.60.7.2 NMAC, 8/13/2019]

**6.60.7.3 STATUTORY AUTHORITY:** Sections 22-2-1, 22-2-2, 22-8-44, 22-10-4, and 22-10A-3 NMSA 1978.

[6.60.7.3 NMAC – Rp, 6.60.7.3 NMAC, 8/13/2019]

**6.60.7.4 DURATION:** Permanent.

[6.60.7.4 NMAC – Rp, 6.60.7.4 NMAC, 8/13/2019]

**6.60.7.5 EFFECTIVE DATE:** August 13, 2019, unless a later date is specified in rule or a later date is cited in the history note at the end of the section.

[6.60.7.5 NMAC – Rp, 6.60.7.5 NMAC, 8/13/2019]

**6.60.7.6 OBJECTIVE:** This rule establishes fees for applicants and applications.

[6.60.7.6 NMAC – Rp, 6.60.7.6 NMAC, 8/13/2019]

**6.60.7.7 DEFINITIONS:**

 **A. “Applicant”** means a person who has submitted an application or who intends to submit an application to the department.

 **B.** **“Application”** means a formal written request, on a department-approved form, to the department for issuance of a department license, license renewal, license continuation, license advancement, certification, or license endorsement.

 **C.** **“Application fee”** means all fees, monies, remittances, or charges owed for the processing of a department application but does not include any additional fees, monies, or charges owed for the processing of a background check.

 **D.** **“Background check fees”** means the fees, monies, remittances, or charges owed for the processing of a background check. The applicability of background check fees are beyond the scope of this rule.

 **E.** **“Indigence”** means the financial inability to pay or afford, without extreme hardship, an application fee.

 **F.** **“PDD”** means the professional development dossier defined in 6.69.4.11 NMAC for advancing from a level one to level two license or from a level two to level three license.

 **G.** **“PDD strand”** means one of three categories used to measure evidence of teacher competency on the professional development dossier. Submission of any of the following strands will incur fees:

 **(1)** the instruction strand;

 **(2)** the student learning strand; and

 **(3)** the professional learning strand.

[6.60.7.7 NMAC – Rp, 6.60.7.7 NMAC, 8/13/2019]

**6.60.7.8 APPLICATION FEES:**

 **A.** An applicant shall remit an application fee to the department for each application submitted unless multiple applications of the same type, are submitted together, simultaneously, and at the same time.

 **B.** Should multiple applications of the same type, be submitted together, simultaneously, and at the same time, then the following shall apply:

 **(1)** only a single application fee shall be incurred; and

 **(2)** the highest application fee shall apply.

 **C.** Application fees must be remitted to the department, by money order, certified check, or other forms of payment acceptable to the department.

 **D.** Payment, in all forms, must be made to the “New Mexico public education department”.

 **E.** Unless there has been a determination of indigence, all application fees once submitted, are non-refundable, and shall not be returned to an applicant.

 **F.** The department shall deposit all received application fees in the department educator licensure fund.

[6.60.7.8 NMAC – Rp, 6.60.7.8 NMAC, 8/13/2019]

**6.60.7.9 FEE SCHEDULE:**

 **A.** Initial licensure applications. Applicants for initial licensure shall pay an application fee of one hundred fifty dollars ($150.00) unless another application fee is specified below:

 **(1)** applicants for initial licensure as an educational assistant shall pay an application fee of fifty dollars ($50);

 **(2)** applicants for initial licensure as a school health assistant licensure shall pay an application fee of fifty dollars ($50);

 **(3)** applicants for initial licensure as a substitute teacher shall pay an application fee of fifty dollars ($50);

 **(4)** applicants for initial licensure as an athletic coach shall pay an application fee of thirty-five dollars ($35); and

 **(5)** applicants for initial licensure as Native American Language and culture certification shall pay a fee of fifty dollars ($50).

 **B.** Renewal applications of an existing educator license. Applicants for renewal of an existing educator license shall pay an application fee of one hundred twenty dollars ($120) unless another application fee is specified below:

 **(1)** applicants for renewal of an existing educator license as an administrator shall pay an application fee of one hundred thirty dollars ($130);

 **(2)** applicants for renewal of an existing educator license as an educator assistant shall pay an application fee of fifty dollars ($50);

 **(3)** applicants for renewal of an existing educator license as a school health assistant licensure shall pay an application fee of fifty dollars ($50); and

 **(4)** applicants for renewal of an existing educator license as a substitute teacher shall pay an application fee of fifty dollars ($50).

 **C.** Renewal applications of an existing certification.

 **(1)** Applicants for renewal of an existing educator certification shall pay a renewal application fee of one hundred twenty dollars ($120).

 **(2)** Applicants for renewal of Native American language and culture certification shall pay a fee of fifty dollars ($50).

 **D.** Advancement applications.

 **(1)** Applicants who have not previously submitted an application for advancement to a higher level of teacher license for the level of license sought shall pay three hundred twenty dollars ($320).

 **(2)** Applicants who have previously submitted an application for advancement to a higher level of teacher license for the level of license sought shall pay:

 **(a)** one hundred ten dollars ($110) for an application that includes one PDD strand;

 **(b)** two hundred twenty dollars ($220) for an application that includes two PDD strands; or

 **(c)** three hundred twenty dollars ($320) for an application that includes three PDD strands.

 **(3)** Applicants who concurrently submit a renewal of existing educator license application and an advancement application shall pay no renewal of existing application fee.

 **(4)** In order to concurrently submit a renewal of existing educator license application and an advancement application the following must occur:

 **(a)** the advancement application must be submitted on the same date or before the renewal of an existing educator license application;

 **(b)** the advancement application fees must be received upon the date of the advancement application submission; and

 **(c)** the renewal of existing educator license application must be received by the department within five business days of the advancement application.

 **E.** Endorsement applications. Applicants seeking to add an endorsement to an existing license shall pay a fee of one hundred twenty dollars ($120).

[6.60.7.9 NMAC – Rp, 6.60.7.9 NMAC, 8/13/2019]

**6.60.7.10 LICENSURE APPLICATION FEE EXEMPTIONS:**

 **A.** An application fee shall not be charged for any of the following applications:

 **(1)** application for name change;

 **(2)** application for address change;

 **(3)** application for replacing lost or misplaced licenses;

 **(4)** applicants with an alternative license who meet the requirements to transition their license to a standard level one license; and

  **(5)** Applicants for a standard level one license who:

 **(a)** already hold an alternative license; and

 **(b)** who meet the requirements defined in 6.60.3 NMAC for applying to a standard level one license.

 **B.** An application fee shall not be charged to an individual who qualifies as indigent.

 **C.** An application fee charged to an individual who qualifies as indigent may be returned.

[6.60.7.10 NMAC – Rp, 6.60.7.10 NMAC, 8/13/2019]

**6.70.7.11 STANDARD OF INDIGENCE:**

 **A.** An indigence determination shall be made according to the following process:

 **(1)** The request for indigence:

 **(a)** a request for indigence shall be made on a form approved by the department;

 **(b)** a request for indigence and any supporting documentation shall be submitted to the department within five business days of any application submission; and

 **(c)** a request for indigence shall include a signed statement, certifying that the licensee is indigent.

 **(2)** The department’s review:

 **(a)** the department shall review and make a determination of indigence within 30 days;

 **(b)** the determination shall not consider any potential loss or gain of income associated with a department license, renewal, license continuation, license advancement, license, certification, or license endorsement;

 **(c)** the determination of indigence shall be solely within the discretion of the department; and

 **(d)** the determination of indigence shall be final and not subject to review.

 **B.** An applicant is presumed indigent if the applicant is a current recipient of one or more of the following:

 **(a)** medicaid;

 **(b)** supplemental security income (SSI);

 **(c)** public assisted housing;

 **(d)** department of health case management services (DHMS); or

 **(e)** temporary assistance for needy families (TANF).

[6.60.7.11 NMAC – Rp, 6.60.7.11 NMAC, 8/13/2019]

**HISTORY OF 6.60.7 NMAC:** **[RESERVED]**

6.60.7 NMAC, Educator Licensure Application Fee, filed 6/12/2018, was repealed and replaced by 6.60.7 NMAC, Educator Licensure Application Fee, effective 8/13/2019.