

PROPOSED REPEAL AND REPLACE - INTEGRATED

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, hereinafter the department.
[6.60.6.1 NMAC – Rp, 6.60.6.1 NMAC, 1/18/2023]

6.60.6.2 SCOPE: Individuals holding New Mexico licensure who are seeking continuing licensure.
[6.60.6.2 NMAC – Rp, 6.60.6.2 NMAC, 1/18/2023]

6.60.6.3 STATUTORY AUTHORITY: Sections 9-24-8, 22-2-1, 22-2-2, 22-2-8.1, and 22-10A-3 NMSA 1978.
[6.60.6.3 NMAC – Rp, 6.60.6.3 NMAC, 1/18/2023]

6.60.6.4 DURATION: Permanent.
[6.60.6.4 NMAC – Rp, 6.60.6.4 NMAC, 1/18/2023]

6.60.6.5 EFFECTIVE DATE: December 27, 2022, unless a later date is cited at the end of a section.
[6.60.6.5 NMAC – Rp, 6.60.6.5 NMAC, 1/18/2023]

6.60.6.6 OBJECTIVE: This rule establishes the requirements for individuals holding New Mexico licensure who are seeking continuing licensure.
[6.60.6.6 NMAC – Rp, 6.60.6.6 NMAC, 1/18/2023]

6.60.6.7 DEFINITIONS:

A. “Advancement program level I – level II” or “APLI-II” means a series of five micro-credentials, aligned with the department-approved educator evaluation system, that a teacher with a level 1 teaching license shall successfully complete and demonstrate mastery in before progressing to a level 2 teaching license.

B. “Advancement program level II – level III” or “APLII-III” means a series of five micro-credentials, aligned with the department-approved educator evaluation system, that a teacher with a level 2 teaching license shall successfully complete and demonstrate mastery in before progressing to a level 3-A teaching license.

C. “Level 1 teaching license” means a provisional license issued for up to five years of teaching that gives a beginning teacher the opportunity, through a formal mentorship program and APLI-II, for additional preparation to be a quality teacher.

D. “Level 2 teaching license” means a professional license issued to a teacher who may choose to remain at level 2 for the remainder of their career and who is primarily responsible for ensuring students meet or exceed the department’s academic content and performance standards.

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

F. “Full school year” means a minimum of 1080 instructional hours in a school year for teachers of students in seventh through 12th grades, 990 hours for teachers of students in full-day kindergarten through fifth grade, or 450 hours for teachers of students in half-day kindergarten, 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 hours may include teaching in summer school, extended learning time programs, or similar educational settings.

G. “Governing authority” means the policy-setting body of a school district, charter school, constitutional special school, regional education cooperative, or final decisionmaker of another state agency.

H. “Micro-credential” means a competency-based process made up of several courses, each focused on a discrete skill or area aligned with the educator evaluation system.

[6.60.6.7 NMAC – Rp, 6.60.6.7 NMAC, 1/18/2023]

6.60.6.8 [RESERVED]

[6.60.6.8 NMAC – Rp, 6.60.6.8 NMAC, 1/18/2023]

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6.60.6.9 REQUIREMENTS FOR ADVANCEMENT AND RENEWAL OF TEACHING LICENSES:

A. A teacher holding a level 1 teaching license and seeking a level 2 teaching license shall meet the following requirements:

(1) completion of three full school years of teaching experience as the teacher of record holding a level 1 teaching license with successful annual evaluations as determined by the governing authority. The governing authority shall consider the effectiveness ratings from the department-approved educator evaluation system to determine whether the teacher has had successful evaluations. The governing authority shall consider all annual evaluations that have occurred during the term of the level 1 teaching license, except that, before being eligible for advancement to a level 2 teaching license, a teacher who has completed one full school year of teaching in another state or country shall teach for two full school years holding a level 1 teaching license. A governing authority may require completion of up to two full school years of additional teaching experience in New Mexico of a teacher who:

(a) has completed three full school years of teaching experience while holding a level 1 teaching license in New Mexico;

(b) has completed three full school years of teaching experience while holding a level 1 teaching license in another state or country; or

(c) has obtained a level 1 teaching license through reciprocity under 6.60.5 NMAC;

(2) submission of an application for licensure advancement, which may be submitted up to three months in advance of the completion of the requirement in Paragraph (1) of Subsection A of 6.60.6.9 NMAC, with final approval dependent upon the completion of three full school years of teaching experience while holding a level 1 teaching license. The application shall include the governing authority's assurance that the governing authority considered the teacher's effectiveness ratings from the department-approved educator evaluation system during the term the teacher held a level 1 teaching license and the governing authority's determination of successful annual evaluations. The teacher may apply for advancement by:

(a) establishing an effective or better rating on the department-approved educator evaluation system, as determined by the department;

(b) successfully completing APLI-II or receiving certification from the national board for professional teaching standards; and

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

B. A teacher holding a level 2 teaching license and seeking a level 3-A teaching license shall meet the following requirements:

(1) completion of three full school years of teaching experience as the teacher of record holding a level 2 teaching license with successful annual evaluations under the department-approved educator evaluation system. The governing authority shall consider all annual evaluations that have occurred during the term the teacher held a level 2 teaching license. Before being eligible for advancement to a level 3-A teaching license, a governing authority may require completion of up to two school full years of teaching experience in New Mexico of a teacher who:

(a) has four or more full school years of teaching experience while holding a level 2 teaching license in New Mexico or another state or country; or

(b) has obtained a level 2 teaching license through reciprocity in 6.60.4 NMAC;

(2) successful completion of a post-baccalaureate degree from a regionally accredited college or university; and

(3) submission of an application for licensure advancement, which may be submitted up to three months in advance of the completion of the requirement of Paragraph (1) of Subsection A of 6.60.9 NMAC, with final approval dependent upon the completion of three full school years of teaching experience while holding a level 2 teaching license. The application shall include the governing authority's assurance that the governing authority considered the teacher's effectiveness ratings from the department-approved educator evaluation system during the term the teacher held a level 2 teaching license and the governing authority's determination of successful annual evaluations. The teacher may apply for advancement by:

(a) establishing an effective or better rating on the department-approved educator evaluation system, as determined by the department; and

(b) successfully completing APLII-III or receiving certification from the national board for professional teaching standards;

C. A teacher holding a level 2 teaching license or a level 3-A teaching license who is seeking to renew their license shall meet the requirements of Paragraph (1) or Paragraph (2) of this subsection. The governing authority shall consider the effectiveness ratings from the department-approved educator evaluation system to

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determine whether the teacher has had successful evaluations. The governing authority shall consider all annual evaluations that have occurred during the term of the license the applicant is seeking to renew.

- (1) A teacher shall submit, along with the fee specified in 6.60.7.8 NMAC:
 - (a) a completed application for licensure renewal to the department; and
 - (b) verification from the governing authority by which the applicant has been most recently employed as of the date of the application for licensure renewal, that the applicant has:
 - (i) satisfactorily demonstrated the competencies for the current level of license; and
 - (ii) met other requirements of the department-approved educator evaluation system for the level of license the applicant is seeking to renew as evidenced by the teacher's annual evaluations as determined by the governing authority.

(2) If a teacher does not satisfactorily demonstrate the competencies for the level of license or other requirements of the department-approved educator evaluation system for licensure renewal, the applicant, depending on the outcome of any due process proceeding under the Uniform Licensing Act, might not be issued a license.

D. If a teacher holding a level 3-A teaching license does not satisfactorily meet the department-approved educator evaluation system for a level 3-A teaching license renewal, the applicant, depending on the outcome of any due process proceeding under the Uniform Licensing Act, might not be issued a level 3-A teaching license. In that case, the applicant may be issued a level 2 teaching license if the governing authority by which the applicant has been most recently employed as of the date of the application for licensure renewal, submits to the department verification that the applicant has satisfactorily met the high objective uniform standards of evaluation for a level 2 teaching license as evidenced by the teacher's annual evaluations.

E. A person who obtains a level 1 alternative license shall complete the requirements for this license by the end of the second year. An extension may be granted by the department if adequate progress toward completion has been made. A person who fails to complete the requirements within the extended period shall not be issued another alternative license in the same or another teaching field or endorsement area. Multiple extensions shall not be granted.

[6.60.6.9 NMAC – Rp, 6.60.6.9 NMAC, 1/18/2023]

6.60.6.10 REQUIREMENTS FOR ADVANCEMENT AND RENEWAL OF LICENSES OTHER THAN TEACHING:

A. A person holding a level 1 teaching license and seeking a level 2 teaching license shall meet the following requirements:

- (1) submission of a completed application for continuing licensure to the department;
- (2) submission of verification to the department that the applicant has demonstrated the competencies required for a level 2 teaching license by the governing authority by which the applicant has been most recently employed as of the date of the application for continued licensure.

B. A person holding a level 2 teaching license and seeking a level 3-A teaching license shall meet the following requirements:

- (1) submission of a completed application for continuing licensure shall be submitted to the department;
- (2) successful completion of a post-baccalaureate degree from a regionally accredited college or university;
- (3) the governing authority by which the applicant was most recently employed as of the date of the application for continued licensure shall submit to the department verification that the applicant has demonstrated the competencies required for a level 3-A teaching license.

C. A person holding a level 2 teaching license or level 3-A teaching license who is seeking continuing licensure shall submit, along with the fee specified in 6.60.7.8 NMAC:

- (1) a completed application for licensure renewal to the department; and
- (2) verification from the governing authority by which the applicant has been most recently employed as of the date of the application for licensure renewal, that the applicant has demonstrated the competencies required by the department.

D. A person holding a level 2 teaching license and a level 3 counselor license seeking a level 3-B administrator license 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 Paragraphs (1) or (2) of Subsection C of this section.

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[6.60.6.10 NMAC – Rp, 6.60.6.10 NMAC, 1/18/2023]

6.60.6.11 EXCEPTIONS:

A. The provisions of this paragraph shall apply to an individual holding a level 1, level 2, or level 3-A teaching license who, in exigent circumstance, is unable to secure verification of the required competencies for licensure renewal. As used in this paragraph, “exigent circumstance” means:

(1) the non-availability of the governing authority by which the applicant has been most recently employed;

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

(3) 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 for the total number of years authorized by the license.

B. A person seeking to renew their 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, and may be granted licensure or licensure renewal as follows:

(1) an applicant or licensed individual with an exigent circumstance as described in Paragraphs (1) and (2) of Subsection A of this Section may be granted a five-year level 1 license.

(2) an intern with an exigent circumstance as described in Paragraph (3) of Subsection A of this section may be granted a one-time license renewal with an effective period 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 90 days, shall constitute a full school year; and

(3) a level 1 teacher with an exigent circumstance as described in Paragraph (3) of Subsection A of this section may be granted no more than three level 1 teaching license renewals 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 90 days, shall constitute a full school year; a teacher holding a level 1 teaching license who remains unemployed after their last level 1 teaching license renewal may renew subsequent level 1 teaching licenses following Paragraph (2) of Subsection A of this section, but any previous years of teaching experience counted toward advancement to a level 2 teaching license become void.

C. If a person seeking licensure renewal cannot demonstrate an exigent circumstance or whose level 1 teaching license has expired, they may not reapply until after three years after the expiration date of their current license. A level 1 teaching license granted pursuant to this paragraph shall be subject to advancement to a level 2 teaching license in the same manner as other such licenses.

D. A person seeking to renew a level 2 teaching license, a level 3-A teaching license, or a level 3-B license 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, 1/18/2023]

6.60.6.12 IMPLEMENTATION:

A. Absent the exceptions provided in Paragraphs (2) and (3) 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 schools.

B. Continuing level 2 and level 3-A licenses shall be granted for nine years.

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

D. A level 2 teaching license, a level 3 teaching license, or a level 3-A teaching license that has lapsed may be renewed by submission of:

(1) evidence of having satisfactorily carried out the duties as previously authorized by the lapsed license for five full school years; and

(2) verification from the governing authority by which the applicant has been most recently employed as of the date of the application for licensure renewal, that the applicant has demonstrated the competencies for the level of lapsed licensure as evidenced by annual evaluations. If the applicant cannot provide

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verification of five years of experience and competency from the governing authority by which the applicant has been most recently employed, the applicant shall be issued a level 1 license.
[6.60.6.12 NMAC – Rp, 6.60.6.12 NMAC, 1/18/2023]

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 10/16/2001, was repealed and replaced by 6.60.6 NMAC, Continuing Licensure for Licensed Educators in New Mexico.