

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, 01-29-10]

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.

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.
 - I. Speech language pathologist: obtain licensure from the New Mexico speech language pathology and audiology board.
 - J. Alcohol abuse counselor: obtain licensure from the New Mexico counseling and therapy practices board.
 - K. Drug abuse counselor: obtain licensure from the New Mexico counseling and therapy practices board.
 - L. Alcohol and drug abuse counselor: obtain licensure from the New Mexico counseling and therapy practices board.
 - 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, 01-29-10]

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 provisional licensure for those providers with fewer than three full school years of school experience in the service area of the license;
 - (2) level 2, nine-year professional licensure for those providers with three to five full school years of school experience in the service area of the license; and
 - (3) level 3, nine-year instructional support leader, for those providers with six 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.
 [6.63.310 NMAC - N, 03-31-01; A, 08-31-04; A, 06-15-09]

6.63.3.11 NOTIFICATION REQUIREMENT: All persons issued an instructional support provider license by the 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]

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.