

PUBLIC SCHOOL-RELATED LEGISLATION
52ND LEGISLATURE, 2ND REGULAR SESSION, 2016

HOUSE BILLS

- H 41 SCHOOL SUPERINTENDENT CONTRACT CRITERIA, *Rep. Rehm* — clarifies that superintendents are employed by a local school board, according to the terms of a written employment contract, which is to be a written public record; provides that provisions of these contracts include notation that the superintendent is an at-will employee of a local school board under the terms of their contract; includes a provision for termination of a superintendent's employment, with or without severance, depending upon the particulars of each case; and superintendents, assistant superintendents, and employees of a school or school district that earn more than \$150,000 per year are not subject to the School Personnel Act.
- H 58 RETIREE HEALTH CARE CONTRIBUTION RATES [**Passed H**], *Rep. T. Salazar & Rep. Roch* — amends the Retiree Health Care Act to increase employer and employee contributions to the New Mexico Retiree Health Care Fund over three years.
- H 64 ENMU STATEWIDE ROBOT WORKSHOPS, *Rep. Smith* — appropriates \$400,000 from the General Fund to the board of regents of Eastern New Mexico University for expenditure in FY17 to manage a program for grade school and high school students to design, build, program, and test autonomous robots and to sponsor an international robot competition in New Mexico.
- H 67a SCHOOL GRADE RETENTION & READING PLANS [**Passed H**], *Rep. Youngblood* — repeals and replaces current remediation and promotion provisions in the Assessment and Accountability Act of the Public School Code; beginning with the 2016-2017 school year, requires targeted instruction to be provided to a student who is not proficient in reading at the end of kindergarten, first grade, second grade, or third grade; establishes mandatory retention for students, who are not proficient in reading at the end of third grade, who do not meet certain enumerated exemptions; requires students who are not academically proficient at the end of fourth through eighth grade be provided with an academic proficiency plan; eliminates existing requirements to provide remediation for first through third grade students who are not academically proficient; and eliminates existing provisions related to retaining first through third grade students who are not academically proficient.
- H 87 TEACHER PREP FOR ENGLISH LANGUAGE LEARNERS, *Rep. T. Salazar* — appropriates \$100,000 from the General Fund to the Higher Education Department for expenditure in FY17 for an English language learner teacher preparation program.
- H 89 PUBLIC EMPLOYEE SALARY INCREASES, *Rep. Varela* — appropriates \$8,376,700 from the General Fund to the Department of Finance and Administration for expenditure in FY17 to provide a 1.0 percent salary increase to public employees in budgeted positions, who have completed their probationary period subject to satisfactory job performance; appropriates \$7,097,200 from the General Fund to the Higher Education Department for expenditure in FY17 to provide a 1.0 percent salary increase to faculty and staff of four- and two-year public postsecondary educational institutions; and appropriates \$19,624,900

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from the General Fund to the state equalization guarantee distribution of the Public School Fund to provide a 1.0 percent salary increase to all public school employees.

- H 97 REMOVE SOME SCHOOL READINESS TESTS [Passed H/Passed S], Rep. Romero** — amends the Assessment and Accountability Act to remove the ninth and 10th grade short-cycle diagnostic assessments in reading, language arts, and mathematics from the state's readiness assessment system. (For LESC)
- H 104 ADD LIFESAVING SKILLS TRAINING TO CURRICULUM [SGND (Mar 1)**
CS/H 104a Ch 17 (Exec Msg 139)], Rep. McMillan — amends the Public School Code to require the Public Education Department (PED) to incorporate lifesaving skills training, including hands-on cardiopulmonary resuscitation (CPR) training, use of an automated external defibrillator (AED), and performance of the Heimlich maneuver on choking victims into health education courses for first through 12th grade students. [Identical to CS/S 1a and Related to S 38]
- H 115 EXPAND NM-GROWN PRODUCE IN SCHOOL LUNCHES, Rep. Hall & Rep. Egolf** — appropriates \$90,000 from the General Fund to the board of regents of New Mexico State University for expenditure in FY17 and subsequent years for the New Mexico Department of Agriculture to expand its program providing locally grown fruits and vegetables for public school lunch programs. [Identical to S 82]
- H 127 SCHOOL DISTRICT EMPLOYEE BACKGROUND CHECKS [Passed H], Rep. Adkins**
CS/H 127 & Rep. Egolf — amends the School Personnel Act to require all charter school governing bodies to develop policies and procedures to require background checks of their employees and other persons allowed unsupervised access to students of public schools, as is already required of local school boards and regional education cooperatives; and requires all school district and charter school employees to undergo a fingerprint-based background check. The bill effectively closes a loophole that would allow school employees who were licensed before May 20, 1998 to obtain their license without the required background check.
- H 143a CHANGE DATES FOR CERTAIN ELECTIONS [Passed H], Rep. Bandy &**
CS/H 143a Sen. Ivey-Soto — proposes to change the dates for certain elections for school district, special districts, and other political subdivision elections to the first Tuesday after the first Monday in November in odd-numbered years and adjusts election procedures of those districts. The bill amends the School Election Law to be renamed the Community Election Act. The Secretary of State, instead of the local school board, is required to issue a resolution proclaiming a regular school district election. Candidates may file for only one position on the same school board; however, the candidate may also file for a position on more than one school board during the filing period. The candidate is required to attest that he or she does not have a felony conviction or a misdemeanor involving moral turpitude. The bill will impact public education elections for school boards and general obligation bonds of school districts, as well as the Public School Capital Improvements Act, Public School Buildings Act, and Public School Lease Purchase Act.
- H 145a ADJUNCT SECONDARY INSTRUCTORS ACT [Passed H], Rep. James** — creates the Adjunct Secondary Instructors Act. The bill allows the Public Education Department

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(PED) to issue an adjunct secondary instructor license to an applicant who has earned at least a bachelor's degree, has a minimum of three years' experience in the subject-matter expertise area, passes the New Mexico Teacher Assessments in the subject-area matter expertise area that will be taught, completes a PED-approved pedagogy course, and meets any other requirements established by PED rule. The bill also allows a local school board or a governing body of a charter school to contract with adjunct secondary instructors, requires satisfactory clearance of fingerprint-based background checks for applicants, requires participation in the performance evaluation process in the same manner as licensed school employees, and otherwise excludes adjunct secondary instructors from the School Personnel Act. [Identical to S 114a]

- H 165 JR. ROTC INSTRUCTOR LICENSURE, *Rep. Ruiloba* — creates a new section of the School Personnel Act to provide for alternative licensure for Junior Reserve Officer Training Corps instructors. (For LESC)
- H 178 BULLYING PREVENTION PROGRAM, *Rep. CH Trujillo* — appropriates \$250,000 to the Public Education Department from the General Fund for expenditure in FY17 and subsequent years for the creation and implementation of a bullying prevention program that includes best practices, provides anti-bias training, and includes compliance monitoring.
- H 187a ALTERNATIVE LEVEL 3-B SCHOOL LICENSURE [Passed H/Passed S]**, *Rep. Roch* — provides for an alternative level three-B licensure track for instructional support providers. The bill also requires certain minimum salaries similar to the minimum salary for a level three-A teacher multiplied by the applicable responsibility factor for an alternative level three-B licensed school principal or assistant school principal. (For LESC)
- H 189 NM-GROWN PRODUCE IN SCHOOL MEALS, *Rep. Hall & Rep. Tripp* — appropriates \$1.4 million from the General Fund to the Public Education Department (PED) for expenditure in FY17 and subsequent years for the purchase and distribution of New Mexico-grown fresh fruits and fresh vegetables to school districts, charter schools, and juvenile detention centers through PED's school meal program; and provides for a full-time equivalent position to administer and promote this initiative.
- H 190 SCHOOL USE OF RESTRAINT & SECLUSION, *Rep. Smith & Sen. O'Neill* — prohibits school districts and charter schools from using physical restraint and seclusion, except in emergency situations and not as planned educational interventions or disciplinary measures; nor may they be included in individual education program documents or emergency plan documents for individual students. The bill requires any restraint and seclusion administered in emergency situations to be done by trained staff. Aversive interventions, chemical restraint, and mechanical restraint as defined in the bill are prohibited. The bill details parental notification criteria and requires school districts and charter schools to annually report all uses of restraint and seclusion used against students to PED.
- H 200a PUBLIC WORKS PREVAILING WAGE & PROJECTS [**Passed H**], *Rep. Espinoza & Rep. Rehm* — amends the Public Works Minimum Wage Act to remove contracts and

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projects for public highways, public roads, and educational institutions from the provisions of the act; eliminates collective bargaining agreements as the basis for computing minimum wages on public works projects; and places a cap on prevailing wages and fringe benefits, which cannot be higher than the rates applicable to projects covered by the federal Davis-Bacon Act.

- H 205aa **VOCATIONAL REHABILITATION ACT [Passed H]**, *Rep. Ezzell & Rep. Wooley* — proposes to move the Division of Vocational Rehabilitation (DVR) from the Public Education Department (PED) to the Workforce Solutions Department (WSD). The bill makes technical changes to align existing statutes with the move of DVR. It changes definitions to align with the federal Rehabilitation Act and provides the opportunity for a fair hearing for any person with a disability applying for or receiving vocational rehabilitation who is aggrieved by any action or inaction of DVR. The bill further provides for the transfer of money, appropriations, personnel, and property from PED to WSD. The amendment requires DVR to collaborate with the Statewide Independent Living Council to identify the designated state agency to administer the independent living services program and work to execute the transition for FY18.
- H 207 **EQUAL EDUCATIONAL ACCESS SCHOLARSHIP ACT**, *Rep. Powdrell-Culbert & Rep. Adkins* — creates the Equal Opportunity Scholarship Act to provide for tuition scholarship organizations (TSOs) to grant scholarships to low-income students to attend a New Mexico nonpublic elementary, middle, or secondary school. The bill requires the Public Education Department to withhold state equalization guarantee distribution amounts from school districts and charter schools that have students withdraw pursuant to the Equal Opportunity Scholarship Act and allows up to \$5.0 million to be claimed in both personal and corporate income tax credits for contributions to TSOs.
- H 221 **EARLY CHILDHOOD EDUCATOR DEVELOPMENT**, *Rep. CH Trujillo* — appropriates \$2.0 million from the General Fund to the Children, Youth and Families Department (CYFD) for expenditure in FY17 to fund an ongoing workforce and professional development program to increase the quality of early childhood education for children from birth through kindergarten through retention incentives, continuing education, and professional development for early childhood educators who qualify under CYFD rules.
- H 240
CS/H 240 **SCHOOL ATTENDANCE LAW EARLY WARNING SYSTEM [Passed H]**, *Rep. Hall & Rep. Townsend* — amends the Compulsory School Attendance Law to provide for an early warning system for habitual truancy. The bill defines “truancy prevention team” and requires all public schools that have a habitual truancy rate of more than 10 percent to hire a “truancy prevention coach” who is responsible for developing and implementing prevention measures. Beginning in the 2017-2018 school year, when students in eighth through 12th grades accumulate 10 or more absences, the bill establishes procedures for the revocation or withholding of a student’s driver’s license, provisional license, or instruction permit. Finally, the bill requires annual statewide reporting by the Public Education Department in collaboration with the Motor Vehicle Division to the governor, LESC, and the Legislative Finance Committee. [Related to S 205]

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- H 245 PRE-COLLEGE MINORITY STUDENT STEM PROGRAMS, *Rep. Powdrell-Culbert* — appropriates \$350,000 from the General Fund to the board of regents of the University of New Mexico (UNM) for expenditure in FY17. The appropriation will fund a pre-college minority students program designed to increase knowledge and skills in science, technology, engineering, art, mathematics, and health sciences. The minority students' program is designed to be ongoing and will provide summer camps for career exploration.
- H 248 SUFFICIENT ALTERNATIVE VOTING SITES [**Passed H**], *Rep. Smith & Sen. Ivey-Soto* — provides procedures for establishment of sufficient alternate voting sites for school board elections. The bill also provides for notice of the location of alternate voting sites for school board elections.
- H 288 COLLEGE & CAREER READINESS SOFTWARE, *Rep. Stapleton* — appropriates \$330,000 from the General Fund to the Public Education Department for expenditure in FY17 to purchase software to address the requirements of next-step plans and provides web-based solutions for students, counselors, teachers, and parents to become engaged in exploration, planning, and preparation for college and careers.
- H 291 NMSU CAREER SKILLS TRAINING, *Rep. Tripp & Sen. Papen* — appropriates \$250,000 from the General Fund to the board of regents of New Mexico State University (NMSU) for expenditure in FY17 for career skills training and workforce development through a pre-college educational program facilitated by NMSU.
- H 298 CHILD & FAMILY INTEGRATED SERVICES INITIATIVES, *Rep. Maestas* — appropriates \$100,000 from the General Fund to the Local Government Division of the Department of Finance and Administration for expenditure in FY17. The bill proposes an integrated services initiative including extended learning opportunities, high-quality school-based healthcare, family engagement in learning, and family supports and resources for children and families in a municipality with a population greater than 600,000 according to the most recent federal decennial census.
- H 315 ABQ SCHOOL HIGHLAND & MANZANO SOCIAL WORKERS, *Rep. Lechuga-Tena & Rep. Stapleton* — appropriates \$200,000 from the General Fund to the Public Education Department to employ social workers in the Highland and Manzano clusters in Albuquerque Public Schools, including community schools, with any unexpended or unencumbered balance remaining at the end of FY17 reverting to the General Fund.
- H 316 CENTER FOR EDUCATIONAL INNOVATION, *Rep. Tripp* — appropriates \$250,000 from the General Fund to the board of regents of New Mexico State University (NMSU), for start-up costs at the Center for Educational Innovation, a collaboration between NMSU, Doña Ana Community College, Hatch Valley Schools, Gadsden Independent Schools, and Las Cruces Public Schools, for expenditure in FY17. The bill will allow public school and public postsecondary students in science, technology, engineering, mathematics, medicine, or allied health fields, to learn and innovate in areas of computer coding, animation design, and three-dimensional imaging, particularly in areas that benefit medical research and simulation training platforms.

HOUSE JOINT MEMORIAL

HJM 3aa **ENVIRONMENTAL EDUCATION WEEK [Passed H/Passed S]** *Rep. Fajardo & Sen. M. Sanchez* — requests the declaration of an environmental education week in April; requests the Department of Game and Fish (DGF) and the New Mexico Department of Agriculture (NMDA) as lead agencies to study a grant program to increase environmental education opportunities for students in kindergarten through 12th grade; and adds the Department of Environment, Office of Cultural Affairs, and Cooperative Extension Service of New Mexico State University to the list of agencies to collaborate with DGF and NMDA.

HOUSE JOINT RESOLUTIONS

HJR 7 **SCHOOL ELECTIONS WITH OTHER ELECTIONS, CA**, *Rep. Bandy* — proposes to amend Article 7, Section 1 of the constitution of New Mexico to eliminate language that requires school elections to be held at different times from other elections; and if approved by the voters at the next general election, or special election prior to that date, permits the Legislature to pass legislation requiring school board elections to be held at the same time as other elections.

HJR 10 **PERMANENT FUNDS FOR EARLY CHILDHOOD, CA**, *Rep. Maestas & Rep. J. Martinez* — proposes a constitutional amendment to increase the distribution from the Land Grant Permanent Fund by an additional 2.0 percent; requires 0.5 percent of the increased distribution from the Permanent School Fund be used for the implementation and maintenance of educational programs administered by the state; requires 1.5 percent of the increased distribution from the Permanent School Fund be used for early childhood education services administered by the state; and suspends the additional distributions if the average value of the fund is less than \$10.0 billion, or if three-fifths of the members in each chamber of the Legislature vote to suspend the distributions. [Related to CS/SJR 2 and SJR 17]

HJR 21 **PECOS LAND SALE [Passed H/Passed S]**, *Rep. Brown* — recognizes that a parcel of real property located in Artesia, is owned by the Pecos Valley Regional Education Cooperative and serves as the cooperative's main headquarters. The cooperative is an individual state agency attached to the Public Education Department, capable of owning, controlling, and managing the land independently of the General Services Department, and thus may dispose of the real property in question. Disposition of real property belonging to a state agency for consideration of more than \$1.0 million must be ratified by the Legislature, which HJR 21 ratifies. [Identical to SJR 19]

HJR 22 **PERMANENT FUND DISTRIBUTIONS, CA**, *Rep. Lechuga-Tena & Rep. CH Trujillo* — proposes a constitutional amendment to increase annual distributions from the Land Grant Permanent Fund by 0.5 percent.

HOUSE MEMORIALS

- HM 21 STUDY COLLEGE AT SCHOOL FOR THE DEAF, *Rep. Maestas* — requests LESC to form a task force to study the feasibility of establishing a four-year postsecondary educational institution at the New Mexico School for the Deaf.
- HM 59 **MORE STUDENTS IN FINANCIAL LITERACY CLASSES [Passed H]**, *Rep. McQueen* — requests the Public Education Department (PED) and the Workforce Solutions Department (WSD) to study and develop recommendations to increase the number of high school students taking financial literacy education classes and report their findings and recommendations to LESC by August 1, 2016.

SENATE BILLS

- S 1
CS/S 1a **FIRST AID & ELECTIVES FOR HIGH SCHOOL GRADS [SGND (Mar 1) Ch 18 (Exec Msg 74)]**, *Sen. M. Sanchez* — amends the Public School Code to require the Public Education Department (PED) to incorporate lifesaving skills training, including hands-on cardiopulmonary resuscitation (CPR) training, use of an automated external defibrillator (AED), and performance of the Heimlich maneuver on choking victims into health education courses for first through 12th grade students. [Identical to CS/H 104a and Related to S 38]
- S 14a TEACHER & PRINCIPAL MINIMUM SALARY INCREASES, *Sen. Stewart* — increases annual minimum salaries to \$34,000 for level one teachers, \$42,000 for level two teachers, and \$52,000 for level three-A teachers and level three-B school administrators in the 2016-2017 school year.
- S 26 ADDITIONAL SCHOOL HEALTH CENTER SERVICES, *Sen. Ortiz y Pino* — appropriates \$550,000 from the General Fund to the Department of Health for expenditure in FY17 for its Office of School and Adolescent Health to expand access to behavioral health, primary care, and reproductive health services through 26 school-based health centers during the 2016-2017 school year.
- S 32 NAT'L BOARD CERTIFICATION TO TEACHER T&E, *Sen. Cisneros* — amends the Public School Finance Act to include teachers certified by the National Board for Professional Teaching Standards in the Instructional Staff Training and Experience Index of the public school funding formula.
- S 37 PUBLIC SCHOOL FUNDING ADEQUACY, *Sen. Soules* — appropriates \$362 million from the General Fund to the Public Education Department for expenditure in FY17 through the state equalization guarantee (SEG) distribution.
- S 38 SCHOOL CPR & DEFIBRILLATOR INSTRUCTION, *Sen. Morales* — requires the Public Education Department (PED) to establish a program in which a local school district

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or state-chartered charter school may apply for funding to offer students in seventh through 12th grade training in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED). The bill appropriates \$100,000 from the General Fund to PED for the program in FY17. Any unexpended or unencumbered balance remaining at the end of FY17 shall revert to the General Fund. [Related to CS/H 104a and CS/S 1a]

- S 43 UNM CIVIC LEADERSHIP & LEGISLATIVE TRAINING, *Sen. Padilla* — appropriates \$250,000 from the General Fund to the board of regents of the University of New Mexico to support a civic leadership and legislative processes training program for high school students.
- *S 81a** **K-5 PLUS PILOT PROJECT [Passed S/Passed H]**, *Sen. Beffort* — adds a new section to the Public School Code to create a four-year K-5 Plus pilot project that adds an additional 25 instructional days for all students in grades Kindergarten through 5 with priority given to public schools that have a current K-3 Plus program. The K-5 Plus pilot project will measure the effect of additional instructional time on literacy and numeracy. The purpose of the bill proposes to narrow the achievement gap, prepare elementary students for middle and high school, improve truancy and dropout rates, and increase students' cognitive skills. House Appropriations and Finance Committee Substitute for HB 2 & 4, which was adopted by the House, appropriates \$25.7 million for K-3 Plus Program for FY17. Language in the bill states funding for K-3 Plus includes funds to pilot K-3 Plus in fourth and fifth grades in schools that voluntarily implement a school-wide program that extends the school year by a minimum of 25 additional days for students in kindergarten through fifth grade.
- S 82 EXPAND NM-GROWN PRODUCE IN SCHOOL LUNCHESES, *Sen. Cisneros & Rep. Steinborn* — appropriates \$90,000 from the General Fund to the board of regents of New Mexico State University for expenditure in FY17 and subsequent years for the New Mexico Department of Agriculture to expand its program providing locally grown fruits and vegetables for public school lunch programs. [Identical to H 115]
- S 87 SPECIAL NEEDS EDUCATOR DEVELOPMENT, *Sen. Lopez* — appropriates \$150,000 from the General Fund to the Public Education Department for expenditure in FY17. The bill provides all teachers and all school staff with professional development to effectively work with and meet the instructional needs of students with special needs.
- S 95 LAS CRUCES SCHOOL ENLACE PARTNERSHIP PROGRAM, *Sen. Soules* — appropriates \$110,000 from the General Fund to the Public Education Department for expenditure in FY17 for the Las Cruces public school district to support the ENLACE partnership program.
- *S 111a** **SCIENCE EARLY EDUCATION PROGRAM [Passed S]**, *Sen. Papen* — adds new sections to the Public School Code to create the Science Early Education program as a five-year pilot project based on three-year student cohorts in seventh through eighth grades that incorporates hands-on, age appropriate physics education. The Science Early Education program will enhance students' academic performance in science and mathematics. The fund, which is created in the State Treasury, consists of appropriations, gifts, grants, donations, and income from investment of the fund.

- S 114a ADJUNCT SECONDARY INSTRUCTORS ACT, *Sen. Griggs* — creates the Adjunct Secondary Instructors Act. The bill allows the Public Education Department (PED) to issue an adjunct secondary instructor license to an applicant who has earned at least a bachelor's degree, has a minimum of three years' experience in the subject-matter expertise area, passes the New Mexico Teacher Assessments in the subject-area matter expertise area that will be taught, completes a PED-approved pedagogy course, and meets any other requirements established by PED rule. The bill also allows a local school board or a governing body of a charter school to contract with adjunct secondary instructors, requires satisfactory clearance of fingerprint-based background checks for applicants, requires participation in the performance evaluation process in the same manner as licensed school employees, and otherwise excludes adjunct secondary instructors from the School Personnel Act. [Identical to H 145a]
- S 129 ESPAÑOLA SCHOOL PARTNERSHIPS, *Sen. Martinez* — appropriates \$200,000 from the General Fund to the Public Education Department for expenditure in FY17 to provide start-up funding for Española Public Schools (EPS) to develop and implement community-based partnerships that provide services such as counseling and life and job skills training for EPS students in grades 7 through 12.
- S 135 ARTS EDUCATION STANDARDS, *Sen. McSorley* — amends the Assessment and Accountability Act in the Public School Code to require the Public Education Department to adopt academic content standards in arts for first through 12th grade students; and requires standards in dance, media arts, music, theater, and visual arts based on nationally recognized standards. (For LESC)
- S 137aa **STUDENT ATHLETE BRAIN INJURY PROTOCOLS [Passed S/Passed H]**, *Sen. M. Sanchez* — provides for enhanced safety protocols to protect student athletes and young people who participate in non-scholastic youth athletic activities from brain injury. The bill establishes procedures, parallel to those for brain injuries related to school athletics, for determining whether an athlete has been injured, and for allowing the injured youth athlete to return to participation. The bill also directs the Department of Health to promulgate rules to establish safety protocols, as well as the nature and content of educational materials to be supplied to coaches, youth athletes, and their parents or guardians.
- S 141a PUBLIC SCHOOL FUNDING FORMULA AMENDMENTS [**Passed S**], *Sen. Morales & Rep. Roch* — amends the public school funding formula to establish a Teacher Cost Index and phase in the replacement of the existing Instructional Staff Training and Experience Index over five years; reduces small-school size adjustment program units for certain charter schools over five years; and increases the at-risk index multiplier over five years. (For LESC and LFC)
- S 143 NM MATH, ENGINEERING & SCIENCE PROGRAM, *Sen. Beffort* — appropriates \$200,000 from the General Fund to the Higher Education Department for expenditure in FY17 for the New Mexico Mathematics, Engineering and Science Achievement program.

- S 144a
CS/S 144a **RENAME “BREAKFAST AFTER THE BELL PROGRAM” [SGND (Mar 2) Ch 26 (Exec Msg 76)]**, *Sen. Kernan* — amends the Public School Code to clarify provisions of the Breakfast After the Bell Program to include flexibility for schools to serve breakfast before the instructional day begins provided the school also offers breakfast after the start of the instructional day in a location of the school’s choice.
- S 152 **MINIMUM SALARY FOR CERTAIN SCHOOL PERSONNEL**, *Sen. Ivey-Soto & Rep. Steinborn* — amends sections of the School Personnel Act to increase the minimum wage rate paid to certain school personnel to \$15 per hour. Beginning in FY19, the minimum wage rate will be adjusted based on the consumer price index.
- S 153 **COLLEGE CREDIT FOR MILITARY SERVICE [SGND (Feb. 26) Ch. 3 (Exec Msg 71)]**, *Sen. Brandt* — directs the secretary of the Higher Education Department to establish a consistent policy and articulation agreement regarding the evaluation and award of college credit based on military training. (For LESC)
- S 159 **CAREER STUDENT TECHNICAL ORGANIZATIONS**, *Sen. Campos* — appropriates \$400,000 from the General Fund to the board of regents of Eastern New Mexico University for expenditure in FY17 to support six career technical student organizations to accelerate career and technical education programs for students statewide.
- S 165 **SCHOOL “CURRENT YEAR MEM” CALCULATION [Passed S]**, *Sen. Muñoz* — amends a section of the Public School Finance Act relating to the public school funding formula to clarify that the definition of “current year MEM” for the purposes of calculating enrollment growth units does not include MEM calculated for new formula-based programs based on the first reporting date of the current year. (For LESC and LFC)
- S 182 **GUADALUPE COUNTY EARLY CHILDHOOD PROGRAMS**, *Sen. Campos* — appropriates \$50,000 from the General Fund to the Local Government Division of the Department of Finance and Administration for expenditure in FY17 to improve and expand early childhood education programs in Guadalupe County and in Anton Chico.
- S 183 **NORTHERN NM EARLY CHILDHOOD PROGRAMS**, *Sen. Campos* — appropriates \$150,000 from the General Fund to the Local Government Division of the Department of Finance and Administration for expenditure in FY17 to improve and expand early childhood education programs in Colfax, Guadalupe, Harding, Mora, Quay, San Miguel, and Taos counties.
- S 184 **EARLY CHILDHOOD PROGRAMS**, *Sen. Campos* — appropriates \$10.0 million from the General Fund to the Public Education Department for expenditure in FY17 for early childhood programs.
- S 205 **SCHOOL ATTENDANCE LAW EARLY WARNING SYSTEM**, *Sen. Beffort* — requires a school district or a private or charter school to inform students’ parents if they are in need of early intervention to prevent habitual truancy. Beginning with the 2016-2017 school year, public schools are to implement a Public Education Department (PED)-developed early warning system to identify students in danger of becoming habitually truant or dropping out. The bill defines “truancy prevention team,” and establishes the

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responsibilities of truancy prevention coaches. Beginning with the 2017-2018 school year, habitual truants will be subject to having their driving permits and licenses suspended or denied by the Motor Vehicle Department (MVD). Finally, the bill requires annual statewide reporting by PED in collaboration with MVD to the governor, LESC, and the Legislative Finance Committee. [Related to CS/H 240]

S 207 ENMU STEM-H STUDENT SUCCESS CENTER, *Sen. Ingle* — appropriates \$180,000 from the General Fund to the board of regents of Eastern New Mexico University for expenditure in FY17. Any unexpended or unencumbered balance remaining at the end of FY17 shall revert to the General Fund. The bill establishes a STEM-H student success center to increase minority students' interest, preparation, and success in science, technology, engineering, and mathematics, and health-related sciences.

S 293 CAPITAL OUTLAY PLANNING & MONITORING ACT, *Sen. Campos* — creates the Capital Outlay Planning and Monitoring Act to formalize government oversight of the state's capital outlay projects and expenditures. The bill creates a Capital Outlay Planning and Monitoring Division in the Department of Finance and Administration and requires it to carry out the provisions of the act.

S 306 **SCHOOL FUNDING FLEXIBILITY & WAIVERS [SGND (Mar 1) Ch 22**
CS/S 306 **(Exec Msg 74)]**, *Sen. Stewart* — amends the Public School Code to reinstate, for the 2016-2017 through 2018-2019 school years, a provision that allows the Secretary of Public Education to waive certain requirements pertaining to individual class load, teaching load, length of school day, staffing patterns, subject areas, and purchases of instructional materials for public schools that need financial flexibility to meet decreased support. The bill requires the Public Education Department to monitor the waivers and report to LESC and the Legislative Finance Committee on any issues or actions of a school district that appears to adversely affect student learning. It also repeals the phase-in of requirements after the 2010 economic downturn.

SENATE JOINT MEMORIALS

SJM 2a **CHILD FITNESS, P.E. & OBESITY TASK FORCE [Passed S/Passed H]**, *Sen. Stewart* — requests LESC to convene a task force to consider the function of elementary school physical education in reducing childhood obesity, evaluate the possibility of minimum time requirements for elementary physical education, and report its findings to the LESC by October 1, 2016. (For LESC)

SJM 12 **CHARTER SCHOOL CAREER & TECHNICAL COURSES**, *Sen. Beffort* — urges school districts and charter schools to fully implement statutory requirements by providing career and technical education courses to students in fourth through eighth grade and report their implementation efforts to the Public Education Department at the end of each semester.

SJM 17 **SCHOOL DISTRICT FAMILY ENGAGEMENT PROGRAMS**, *Sen. Lopez* — requests the Public Education Department and local schools to establish family and community engagement programs in school districts. The joint memorial urges local school boards statewide to collaborate and offer learning opportunities for parents, teachers,

administrators, and community partners to establish an engagement program for each school in every district.

SENATE JOINT RESOLUTIONS

- SJR 2
CS/SJR 2 PERMANENT FUNDS FOR CHILDHOOD EDUCATION, CA, *Sen. Padilla* — proposes a constitutional amendment to increase the annual distributions from the Land Grant Permanent Fund by 1.0 percent for the purposes of early childhood education for 10 years and suspends the additional distributions if the average value of the fund is less than \$10.0 billion, or if three-fifths of the members in each chamber of the Legislature vote to suspend the distributions. [Related SJR 17 and HJR 10]
- SJR 3a PERMANENT FUND ANNUAL DISTRIBUTIONS, CA [**Passed S**], *Sen. Padilla* — proposes a constitutional amendment to increase annual distributions from the Land Grant Permanent Fund (LGPF) to 5.8 percent. Current annual distributions are at 5.5 percent and will drop to 5.0 percent in FY17 and subsequent years. The amendment provides for the 0.8 percent increase to be an additional distribution that takes place for 10 years and requires the five-year average ending balance of the LGPF to be at least \$12 billion before this additional annual distribution is made.
- SJR 17 FUNDING FOR LONGER SCHOOL DAYS & YEARS, CA, *Sen. Cervantes* — proposes a constitutional amendment to increase annual distributions from the Land Grant Permanent Fund by 1.0 percent to increase the minimum instructional hours and days in a school year as provided by law. [Related to CS/SJR 2 and HJR 10]
- SJR 19** **PECOS VALLEY LAND SALE [**Passed S/Passed H**]**, *Sen. Kernan* — recognizes that a parcel of real property located in Artesia, is owned by the Pecos Valley Regional Education Cooperative and serves as the cooperative's main headquarters. The cooperative is an individual state agency attached to the Public Education Department, capable of owning, controlling, and managing the land independently of the General Services Department, and thus may dispose of the real property in question. Disposition of real property belonging to a state agency for consideration of more than \$1.0 million must be ratified by the Legislature, which SJR 19 ratifies. [Identical to HJR 21]
- SJR 20 ELECTED & APPOINTED BOARD OF EDUCATION, CA, *Sen. Soules* — proposes a constitutional amendment to create a 10-member "State Board of Education," that will determine public school policy, distribute funds, manage, and direct the Public Education Department, and the administration, operation, and finance of public schools. Five members are to be elected for staggered four-year terms, and five are to be appointed by the Governor, with the advice and consent of the Senate. The board will be required to appoint a qualified, experienced, and licensed educational administrator.

SENATE MEMORIALS

- SM 12** **DOÑA ANA YOUTH-CENTERED PROGRAMS [SGND]**, *Sen. Soules* — recognizes the recent history of youth-centered community programs in Doña Ana County, including the role that legislative efforts have had in the establishment of these programs, and resolves that other counties, municipalities, and Native American governmental entities in

New Mexico be encouraged to create partnerships to bring adults and youth together.

- SM 24a** **STUDENT RISK & RESILIENCY ASSESSMENT PROJECT [Passed S]**,
Sen. Padilla — requests the Department of Health (DOH) to determine the feasibility of implementation of the risk and resiliency assessment project for students statewide. The study will include data concerning students' behaviors that present health risks like alcohol and drug abuse, tobacco use, sexual activity, and thoughts of suicide. The bill requests DOH to report its findings and recommendations to the LESC and the Legislative Health and Human Services Committee by November 1, 2016.
- SM 25a** **SCHOOL-TO-WORK FOR STUDENTS WITH DISABILITIES [SGND]**,
Sen. Padilla — proposes to convene a task force to conduct a needs assessment and report on ways to improve the system of school-to-work transition for students with disabilities in New Mexico. The bill requests the task force to make formal recommendations for changes to existing policies, programs, or regulatory provisions. The bill also requests the task force to report its findings and recommendations to the LESC, the Legislative Health and Human Services Committee, and any other appropriate legislative committee by December 1, 2016.
- SM 65** **EARLY CHILDHOOD SERVICE PROVIDER TASK FORCE**, *Sen. Campos* — requests the Children, Youth and Families Department and the Public Education Department to convene a task force to study how to increase communication, coordination, and collaboration among early childhood service providers. The memorial requests that the task force include stakeholders in early childhood education and that its findings and recommendations are reported to the Legislative Health and Human Services Committee, LESC, and the Legislative Finance Committee by October 1, 2016.
- SM 90** **VIRTUAL SCHOOLS STUDY GROUP**, *Sen. Beffort* — requests LESC and the Legislative Finance Committee to establish a work group, including representation from the Legislature, the executive, school districts, and stakeholder groups to study funding and quality control issues for virtual schools, and make recommendations to the governor and the Legislature before the 2017 legislative session.