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SENATE BILL 789

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Sue Wilson Beffort

AN ACT

**RELATING TO PUBLIC SCHOOLS; ALLOWING SCHOOL DISTRICTS TO BE
ELIGIBLE FOR ADDITIONAL PROGRAM UNITS FOR HOME SCHOOL AND
CHARTER SCHOOL STUDENTS PARTICIPATING IN EXTRACURRICULAR
ACTIVITIES.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. Section 22-8-18 NMSA 1978 (being Laws 1974,
Chapter 8, Section 8, as amended by Laws 2003, Chapter 144,
Section 1 and by Laws 2003, Chapter 152, Section 7) is amended
to read:**

**"22-8-18. PROGRAM COST CALCULATION--LOCAL SCHOOL BOARD
RESPONSIBILITY. --**

**A. The total program units for the purpose of
computing the program cost shall be calculated by multiplying
the sum of the program units itemized as Paragraphs (1) through
. 155455. 1**

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1 (5) in this subsection by the instructional staff training and
2 experience index and adding the program units itemized as
3 Paragraphs (6) through [~~(9)~~] (11) in this subsection. The
4 itemized program units are as follows:

- 5 (1) early childhood education;
- 6 (2) basic education;
- 7 (3) special education, adjusted by subtracting
8 the units derived from membership in class D special education
9 programs in private, nonsectarian, nonprofit training centers;
- 10 (4) bilingual multicultural education;
- 11 (5) fine arts education;
- 12 (6) size adjustment;
- 13 (7) at-risk program;
- 14 (8) enrollment growth or new district
15 adjustment;
- 16 (9) special education units derived from
17 membership in class D special education programs in private,
18 nonsectarian, nonprofit training centers; [~~and~~]
- 19 (10) national board for professional teaching
20 standards certification; and
- 21 (11) home school and charter school activities
22 program units.

23 B. The total program cost calculated as prescribed
24 in Subsection A of this section includes the cost of early
25 childhood, special, bilingual multicultural, fine arts and

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1 vocational education and other remedial or enrichment programs.
2 It is the responsibility of the local school board to determine
3 its priorities in terms of the needs of the community served by
4 that board. Funds generated under the Public School Finance
5 Act are discretionary to local school boards, provided that the
6 special program needs as enumerated in this section are met. "

7 Section 2. A new section of the Public School Finance Act
8 is enacted to read:

9 "[NEW MATERIAL] HOME SCHOOL AND CHARTER SCHOOL ACTIVITIES
10 PROGRAM UNITS. --A school district is eligible for additional
11 program units for home school and charter school students
12 participating in school district extracurricular activities
13 sanctioned by the New Mexico activities association. The
14 number of home school and charter school activities program
15 units is calculated by multiplying the MEM of home school and
16 charter school students participating in school district
17 extracurricular activities by a factor of .1. "

18 Section 3. A new section of the Public School Code is
19 enacted to read:

20 "[NEW MATERIAL] HOME SCHOOL STUDENT PARTICIPATION IN
21 PUBLIC SCHOOL EXTRACURRICULAR ACTIVITIES. --

22 A. The New Mexico activities association and the
23 local school board in the school district in which a home
24 school is located shall allow home school students in grades
25 seven through twelve to participate in school district

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1 extracurricular activities sanctioned by the New Mexico
2 activities association if they meet eligibility requirements
3 other than enrollment in a particular public school.

4 B. A home school student otherwise eligible to
5 participate in an extracurricular activity shall participate in
6 the public school in the attendance zone in which the student
7 lives. "

8 Section 4. A new section of the 1999 Charter Schools Act
9 is enacted to read:

10 "[NEW MATERIAL] CHARTER SCHOOL STUDENT PARTICIPATION IN
11 PUBLIC SCHOOL EXTRACURRICULAR ACTIVITIES. --

12 A. The New Mexico activities association and the
13 local school board in the school district in which a charter
14 school is located shall allow charter school students in grades
15 seven through twelve to participate in school district
16 extracurricular activities sanctioned by the New Mexico
17 activities association if they meet eligibility requirements
18 other than enrollment in a particular public school and if the
19 charter school does not offer such activities sanctioned by the
20 New Mexico activities association or any other association.

21 B. A charter school student otherwise eligible to
22 participate in an extracurricular activity shall participate in
23 the public school in the attendance zone in which the student
24 lives or in which the student's charter school is located;
25 provided, however, that the student may choose only one public

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school in which to participate."

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