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HOUSE BILL 289

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Alonzo Baldonado

AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; CHANGING AND CLARIFYING
STANDARDIZED REPORTING DATES.

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

SECTION 1. Section 22-8-13 NMSA 1978 (being Laws 1974,
Chapter 8, Section 3, as amended) is amended to read:

"22-8-13. REPORTS.--

A. Each public school shall keep accurate records
concerning membership in the public school.

B. The dates for which MEM is reported are as
follows:

(1) the first reporting date, the second
Wednesday in October;

(2) the second reporting date, [~~the second
Wednesday~~] December 1 or the first working day in December; and

underscored material = new
[bracketed material] = delete

1 (3) the third reporting date, the second
2 Wednesday in February.

3 C. The superintendent of each school district or
4 head administrator of a state-chartered charter school shall
5 maintain the following reports for each reporting period:

6 (1) the basic program MEM by grade in each
7 public school;

8 (2) the early childhood education MEM;

9 (3) the special education MEM in each public
10 school in class C and class D programs as defined in Section
11 22-8-21 NMSA 1978;

12 (4) the number of class A and class B programs
13 as defined in Section 22-8-21 NMSA 1978; and

14 (5) the full-time-equivalent MEM for bilingual
15 multicultural education programs.

16 D. The superintendent of each school district and
17 the head administrator of each state-chartered charter school
18 shall furnish all reports required by law or the department to
19 the department within ten working days of the close of each
20 reporting period. Failure of the department to approve timely
21 submissions shall not cause a school district or charter school
22 to be found noncompliant with the requirements of this section.
23 For purposes of this section, "working day" means every
24 calendar day excluding Saturdays, Sundays and legal holidays.

25 E. All information required pursuant to this

.184475.1

underscoring material = new
~~[bracketed material] = delete~~

1 section shall be on forms prescribed and furnished by the
2 department. A copy of any report made pursuant to this section
3 shall be kept as a permanent record of the school district or
4 charter school and shall be subject to inspection and audit at
5 any reasonable time.

6 F. The department may withhold up to one hundred
7 percent of allotments of funds to any school district or state-
8 chartered charter school where the superintendent or head
9 administrator has failed to comply with the requirements of
10 this section. Withholding may continue until the
11 superintendent or head administrator complies with and agrees
12 to continue complying with requirements of this section.

13 G. The provisions of this section may be modified
14 or suspended by the department for any school district or
15 school or state-chartered charter school operating under the
16 Variable School Calendar Act. The department shall require MEM
17 reports consistent with the calendar of operations of such
18 school district or school or state-chartered charter school and
19 shall calculate an equivalent MEM for use in projecting school
20 district or charter school revenue."