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HOUSE BILL 161

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

Dennis J. Roch and Howie Morales

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING THE SCHOOL ATHLETICS EQUITY ACT TO ELIMINATE CERTAIN REPORTING REQUIREMENTS FOR GRADES SEVEN AND EIGHT; CLARIFYING OTHER REPORTING REQUIREMENTS.

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

SECTION 1. Section 22-31-2 NMSA 1978 (being Laws 2009, Chapter 178, Section 2) is amended to read:

"22-31-2. ~~APPLICABILITY--NONDISCRIMINATION.--~~Except as provided in Subsections C, D and E of Section 22-31-3 NMSA 1978, the School Athletics Equity Act applies to each public school that has an athletics program for grades seven through twelve. Each public school shall operate its program in a manner that does not discriminate against students or staff on the basis of gender."

SECTION 2. Section 22-31-3 NMSA 1978 (being Laws 2009, .187856.1

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1 Chapter 178, Section 3) is amended to read:

2 "22-31-3. DATA REPORTING.--The department shall collect
3 annual data from public schools on their athletics programs.
4 Each public school shall collect and submit the prior-year data
5 required in this section in a format required by the
6 department. The data submitted shall include:

7 A. by August 31, 2011, the following information
8 pertaining to enrollment:

9 (1) the total enrollment in each public school
10 as an average of enrollment at the [~~eightieth and one hundred~~
11 ~~twentieth days of the school year~~] second and third reporting
12 dates;

13 (2) student enrollment by gender;

14 (3) total number of students participating in
15 athletics;

16 (4) athletics participation by gender; and

17 (5) the number of boys' teams and girls' teams
18 by sport and by competition level;

19 B. by August 31, 2011, the following information
20 pertaining to athletic directors and coaches [~~and other school~~
21 ~~personnel~~]:

22 (1) the [~~name~~] names and [~~gender~~] genders of
23 each public school's athletic director and other athletic
24 program staff;

25 (2) the [~~name~~] names of each team's coaches

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1 ~~[and other team personnel]~~, with their gender, job title and
2 employment status, such as full-time, part-time, contract or
3 ~~[seasonal]~~ volunteer, specified;

4 (3) the coach-to-athlete ~~[and staff-to-~~
5 ~~athlete]~~ ratio for each team; and

6 (4) the stipend or other compensation for
7 coaching paid to coaches of boys' teams and to coaches of
8 girls' teams for each public school;

9 C. by August 31, 2012, an accounting of the funding
10 sources that are used to support the school's athletics
11 programs in grades nine through twelve and to which ~~[teams]~~
12 programs those funds are allocated; funding sources include
13 state funding, federal funding, fundraising or booster clubs,
14 game and concession receipts, gate receipts, cash or in-kind
15 donations, grants and any other source;

16 D. by August 31, 2012, the following information
17 regarding expenses for athletics programs in grades nine
18 through twelve, including:

19 (1) any capital outlay expenditures for each
20 public school's athletics programs; and

21 (2) the expenditures for each public school's
22 athletics programs, ~~[and~~

23 ~~(3) the expenditures for individual teams]~~
24 including travel expenses such as transportation, meal
25 allowances and overnight accommodations; equipment; uniforms;

.187856.1

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1 facilities; facilities improvements; publicity expenses;
2 awards; banquets; insurance; and any other expenses incurred by
3 each [~~team~~] athletic program; and

4 E. by August 31, 2012, a statement of benefits and
5 services to each [~~team~~] athletic program in grades nine through
6 twelve, including:

- 7 (1) replacement schedules for [~~equipment~~]
8 uniforms [~~and supplies~~];
9 (2) practice and game schedules; and
10 (3) [~~access to~~] locker rooms, weight rooms and
11 practice, competitive and training facilities [~~and~~
12 ~~(4) assistance in obtaining scholarships~~]."