

HOUSE BILL 257

**52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC EDUCATION; AMENDING THE PUBLIC SCHOOL CODE TO REQUIRE THAT EACH PUBLIC SCHOOL DISTRICT EMPLOY A MINIMUM OF ONE FULL-TIME, LICENSED REGISTERED SCHOOL NURSE; MAKING AN APPROPRIATION.

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

**SECTION 1.** Section 22-8-9 NMSA 1978 (being Laws 1967, Chapter 16, Section 63, as amended) is amended to read:

"22-8-9. BUDGETS--MINIMUM REQUIREMENTS.--

A. A budget for a school district shall not be approved by the department that does not provide for:

(1) a school year and school day as provided in Section 22-2-8.1 NMSA 1978; ~~and~~

(2) a pupil-teacher ratio or class or teaching load as provided in Section 22-10A-20 NMSA 1978; and

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1                   (3) a full-time, department-licensed  
2 registered school nurse employed in the school district.

3                   B. The department shall, by rule, establish the  
4 requirements for an instructional day, the standards for an  
5 instructional hour, [~~and~~] the standards for a full-time teacher  
6 and for the equivalent thereof.

7                   C. Except as provided in Subsection D of this  
8 section, the department shall promulgate rules for the  
9 implementation of the minimum requirement for a full-time,  
10 department-licensed registered school nurse in all school  
11 districts in New Mexico.

12                   D. The department may promulgate rules to allow for  
13 a waiver of the requirement in Paragraph (3) of Subsection A of  
14 this section for a rural school district with a student MEM of  
15 less than two hundred fifty; provided that:

16                         (1) the school district demonstrates that it  
17 can meet the requirements of this section by hiring a part-  
18 time, department-licensed registered school nurse; or

19                         (2) the school district is not able to hire a  
20 qualified nurse or contract with a third party for a qualified  
21 nurse because of insufficient availability of such nurses in  
22 its geographic vicinity; and

23                         (3) the school district requesting a waiver  
24 shall document its unsuccessful attempts to hire or contract  
25 with a department-licensed, registered school nurse."

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