

HOUSE BILL 335

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

Debra M. Sariñana and Brian G. Baca and Tara Jaramillo and
Susan K. Herrera

AN ACT

RELATING TO PUBLIC EDUCATION; REQUIRING COMPUTER SCIENCE TO BE
EMBEDDED IN ELEMENTARY AND MIDDLE SCHOOL SUBJECTS AND OFFERED
AS A STANDALONE CLASS IN HIGH SCHOOL; PROVIDING FOR
PROFESSIONAL DEVELOPMENT FOR TEACHERS; CREATING A FUND; MAKING
AN APPROPRIATION.

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

SECTION 1. Section 22-13-1 NMSA 1978 (being Laws 2003,
Chapter 153, Section 57, as amended by Laws 2016, Chapter 17,
Section 1 and by Laws 2016, Chapter 18, Section 1) is amended
to read:

"22-13-1. SUBJECT AREAS--MINIMUM INSTRUCTIONAL AREAS
REQUIRED--ACCREDITATION.--

A. The department shall require public schools to
address department-approved academic content and performance

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1 standards when instructing in specific department-required
2 subject areas as provided in this section. A public school or
3 school district failing to meet these minimum requirements
4 shall not be accredited by the department.

5 B. All kindergarten through third grade classes
6 shall provide daily instruction in reading and language arts
7 skills, including phonemic awareness, phonics and
8 comprehension, and in mathematics. Students in kindergarten
9 and first grades shall be screened and monitored for progress
10 in reading and language arts skills, and students in second
11 grade shall take diagnostic tests on reading and language arts
12 skills.

13 C. All first, second and third grade classes shall
14 provide instruction in art, music and a language other than
15 English, and instruction that meets content and performance
16 standards shall be provided in science, social studies,
17 physical education and health education.

18 D. In fourth through eighth grades, instruction
19 that meets academic content and performance standards shall be
20 provided in the following subject areas:

21 (1) reading and language arts skills, with an
22 emphasis on writing and editing for at least one year and an
23 emphasis on grammar and writing for at least one year;

24 (2) mathematics;

25 (3) language other than English;

- 1 (4) communication skills;
- 2 (5) science;
- 3 (6) art;
- 4 (7) music;
- 5 (8) social studies;
- 6 (9) New Mexico history;
- 7 (10) United States history;
- 8 (11) geography;
- 9 (12) physical education; and
- 10 (13) health education.

11 E. Beginning with the 2008-2009 school year, in
12 eighth grade, algebra 1 shall be offered in regular classroom
13 settings or through online courses or agreements with high
14 schools.

15 F. In fourth through eighth grades, school
16 districts shall offer electives that contribute to academic
17 growth and skill development and provide career and technical
18 education. In sixth through eighth grades, media literacy may
19 be offered as an elective.

20 G. In ninth through twelfth grades, instruction
21 that meets academic content and performance standards shall be
22 provided in health education.

23 H. All health education courses shall include:

- 24 (1) age-appropriate sexual abuse and assault
25 awareness and prevention training that meets department

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1 standards developed in consultation with the federal centers
2 for disease control and prevention that are based on evidence-
3 based methods that have proven to be effective; and

4 (2) lifesaving skills training that follows
5 nationally recognized guidelines for hands-on psychomotor
6 skills cardiopulmonary resuscitation training. Students shall
7 be trained to recognize the signs of a heart attack, use an
8 automated external defibrillator and perform the Heimlich
9 maneuver for choking victims. The secretary shall promulgate
10 rules to provide for the:

11 (a) use of the following instructors for
12 the training provided pursuant to this paragraph: 1) school
13 nurses, health teachers and athletic department personnel as
14 instructors; and 2) any qualified persons volunteering to
15 provide training at no cost to the school district that the
16 school district determines to be eligible to offer instruction
17 pursuant to this paragraph; and

18 (b) approval of training and
19 instructional materials related to the training established
20 pursuant to this paragraph in both English and Spanish.

21 I. Beginning with the 2024-2025 school year, on the
22 implementation schedule provided in Section 22-13-1.1 NMSA
23 1978, computer science shall be offered in public schools so
24 that for elementary and middle schools, computer science shall
25 be embedded in other subjects and for high school students,

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1 computer science shall be a standalone course."

2 SECTION 2. Section 22-13-1.1 NMSA 1978 (being Laws 1986,
3 Chapter 33, Section 5, as amended) is amended to read:

4 "22-13-1.1. GRADUATION REQUIREMENTS.--

5 A. At the end of grades eight through eleven, each
6 student shall prepare an interim next-step plan that sets forth
7 the coursework for the grades remaining until high school
8 graduation. Each year's plan shall explain any differences
9 from previous interim next-step plans, shall be filed with the
10 principal of the student's high school and shall be signed by
11 the student, the student's parent and the student's guidance
12 counselor or other school official charged with coursework
13 planning for the student.

14 B. Each student must complete a final next-step
15 plan during the senior year and prior to graduation. The plan
16 shall be filed with the principal of the student's high school
17 and shall be signed by the student, the student's parent and
18 the student's guidance counselor or other school official
19 charged with coursework planning for the student.

20 C. An individualized education program that meets
21 the requirements of Subsections A and B of this section and
22 that meets all applicable transition and procedural
23 requirements of the federal Individuals with Disabilities
24 Education Act for a student with a disability shall satisfy the
25 next-step plan requirements of this section for that student.

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1 D. A local school board shall ensure that each high
2 school student has the opportunity to develop a next-step plan
3 based on reports of college and workplace readiness
4 assessments, as available, and other factors and is reasonably
5 informed about:

6 (1) curricular and course options, including
7 honors or advanced placement courses, dual-credit courses,
8 distance learning courses, career clusters and career pathways,
9 pre-apprenticeship programs or remediation programs that the
10 college and workplace readiness assessments indicate to be
11 appropriate;

12 (2) opportunities available that lead to
13 different post-high-school options; and

14 (3) alternative opportunities available if the
15 student does not finish a planned curriculum.

16 E. The secretary shall:

17 (1) establish specific accountability
18 standards for administrators, counselors, teachers and school
19 district staff to ensure that every student has the opportunity
20 to develop a next-step plan;

21 (2) promulgate rules for accredited private
22 schools in order to ensure substantial compliance with the
23 provisions of this section;

24 (3) monitor compliance with the requirements
25 of this section; and

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1 (4) compile such information as is necessary
2 to evaluate the success of next-step plans and report annually,
3 by December 15, to the legislative education study committee
4 and the governor.

5 F. Once a student has entered ninth grade, the
6 graduation requirements shall not be changed for that student
7 from the requirements specified in the law at the time the
8 student entered ninth grade.

9 G. Successful completion of a minimum of twenty-
10 three units aligned to the state academic content and
11 performance standards shall be required for graduation. These
12 units shall be as follows:

13 (1) four units in English, with major emphasis
14 on grammar and literature;

15 (2) three units in mathematics, at least one
16 of which is equivalent to the algebra 1 level or higher;

17 (3) two units in science, one of which shall
18 have a laboratory component; provided, however, that with
19 students entering the ninth grade beginning in the 2005-2006
20 school year, three units in science shall be required, one of
21 which shall have a laboratory component;

22 (4) three units in social science, which shall
23 include United States history and geography, world history and
24 geography and government and economics;

25 (5) one unit in physical education;

1 (6) one unit in communication skills or
2 business education, with a major emphasis on writing and
3 speaking and that may include a language other than English;

4 (7) one-half unit in New Mexico history for
5 students entering the ninth grade beginning in the 2005-2006
6 school year; and

7 (8) nine elective units and seven and one-half
8 elective units for students entering the ninth grade in the
9 2005-2006 school year that meet department content and
10 performance standards. Student service learning shall be
11 offered as an elective. Financial literacy shall be offered as
12 an elective. Pre-apprenticeship programs may be offered as
13 electives. Media literacy may be offered as an elective.

14 H. For students entering the ninth grade beginning
15 in the 2009-2010 school year, at least one of the units
16 required for graduation shall be earned as an advanced
17 placement or honors course, a dual-credit course offered in
18 cooperation with an institution of higher education or a
19 distance learning course.

20 I. The department shall establish a procedure for
21 students to be awarded credit through completion of specified
22 career technical education courses for certain graduation
23 requirements, and districts may choose to allow students who
24 successfully complete an industry-recognized credential,
25 certificate or degree to receive additional weight in the

1 calculation of the student's grade point average.

2 J. Successful completion of the requirements of the
3 New Mexico diploma of excellence shall be required for
4 graduation for students entering the ninth grade beginning in
5 the 2009-2010 school year. Successful completion of a minimum
6 of twenty-four units aligned to the state academic content and
7 performance standards shall be required to earn a New Mexico
8 diploma of excellence. These units shall be as follows:

9 (1) four units in English, with major emphasis
10 on grammar, nonfiction writing and literature; provided that
11 department-approved work-based training or career and technical
12 education courses that meet state English academic content and
13 performance standards shall qualify as one of the four required
14 English units;

15 (2) four units in mathematics, of which one
16 shall be the equivalent to or higher than the level of algebra
17 2, unless the parent submitted written, signed permission for
18 the student to complete a lesser mathematics unit; and provided
19 that a financial literacy course or department-approved work-
20 based training or career and technical education course that
21 meets state mathematics academic content and performance
22 standards shall qualify as one of the four required mathematics
23 units;

24 (3) three units in science, two of which shall
25 have a laboratory component; provided that department-approved

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1 work-based training or career and technical education courses
2 that meet state science academic content and performance
3 standards shall qualify as one of the three required science
4 units;

5 (4) three and one-half units in social
6 science, which shall include United States history and
7 geography, world history and geography, government and
8 economics and one-half unit of New Mexico history;

9 (5) one unit in physical education, as
10 determined by each school district, which may include a
11 physical education program that meets state content and
12 performance standards or participation in marching band, junior
13 reserve officers' training corps or interscholastic sports
14 sanctioned by the New Mexico activities association or any
15 other co-curricular physical activity;

16 (6) one unit in one of the following: a
17 career cluster course, workplace readiness or a language other
18 than English; and

19 (7) seven and one-half elective units that
20 meet department content and performance standards. Career and
21 technical education courses shall be offered as an elective.
22 Student service learning shall be offered as an elective.
23 Financial literacy shall be offered as an elective. Pre-
24 apprenticeship programs may be offered as electives. Media
25 literacy may be offered as an elective.

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1 K. For students entering the eighth grade in the
2 2012-2013 school year, a course in health education is required
3 prior to graduation. Health education may be required in
4 either middle school or high school, as determined by the
5 school district. Each school district shall submit to the
6 department by the beginning of the 2011-2012 school year a
7 health education implementation plan for the 2012-2013 and
8 subsequent school years, including in which grade health
9 education will be required and how the course aligns with
10 department content and performance standards. Health education
11 courses shall include:

12 (1) age-appropriate sexual abuse and assault
13 awareness and prevention training that meets department
14 standards developed in consultation with the federal centers
15 for disease control and prevention that are based on evidence-
16 based methods that have proven to be effective; and

17 (2) lifesaving skills training that follows
18 nationally recognized guidelines for hands-on psychomotor
19 skills cardiopulmonary resuscitation training. Students shall
20 be trained to recognize the signs of a heart attack, use an
21 automated external defibrillator and perform the Heimlich
22 maneuver for choking victims. The secretary shall promulgate
23 rules to provide for the:

24 (a) use of the following instructors for
25 the training provided pursuant to this paragraph: 1) school

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1 nurses, health teachers and athletic department personnel as
2 instructors; and 2) any qualified persons volunteering to
3 provide training at no cost to the school district that the
4 school district determines to be eligible to offer instruction
5 pursuant to this paragraph; and

6 (b) approval of training and
7 instructional materials related to the training established
8 pursuant to this paragraph in both English and Spanish.

9 L. For students entering the ninth grade in the
10 2017-2018 school year and subsequent school years:

11 (1) one of the units in mathematics required
12 by Paragraph (2) of Subsection J of this section may comprise a
13 computer science course if taken after the student demonstrates
14 competence in mathematics and if the course is not used to
15 satisfy any part of the requirement set forth in Paragraph (3)
16 of that subsection; and

17 (2) one of the units in science required by
18 Paragraph (3) of Subsection J of this section may comprise a
19 computer science course if taken after the student demonstrates
20 competence in science and if the course is not used to satisfy
21 any part of the requirement set forth in Paragraph (2) of that
22 subsection.

23 M. Beginning in the 2024-2025 school year, all
24 school districts shall offer at least one computer science
25 course in at least one high school; in the 2025-2026 school

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1 year, at least one computer science course shall be offered in
2 at least one-half of all high schools; and in the 2026-2027
3 school year, at least one computer science course shall be
4 offered in every high school in the school district. Computer
5 science courses shall:

6 (1) meet the academic content and performance
7 standards for computer science; and

8 (2) be offered in an in-person setting and be
9 offered as a virtual or distance course option only when a
10 traditional classroom setting is not feasible.

11 ~~[M.]~~ N. Final examinations shall be administered to
12 all students in all classes offered for credit.

13 ~~[N.]~~ O. Until July 1, 2010, a student who has not
14 passed a state graduation examination in the subject areas of
15 reading, English, mathematics, writing, science and social
16 science shall not receive a high school diploma. The state
17 graduation examination on social science shall include a
18 section on the constitution of the United States and the
19 constitution of New Mexico. If a student exits from the school
20 system at the end of grade twelve without having passed a state
21 graduation examination, the student shall receive an
22 appropriate state certificate indicating the number of credits
23 earned and the grade completed. If within five years after a
24 student exits from the school system the student takes and
25 passes the state graduation examination, the student may

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1 receive a high school diploma. Any student passing the state
2 graduation examination and completing all other requirements
3 within five years of entering ninth grade, including a final
4 summer session if completed by August 1, may be counted by the
5 school system in which the student is enrolled as a high school
6 graduate for the year in which completion and examination
7 occur.

8 [~~0.~~] P. Beginning with the 2010-2011 school year, a
9 student shall not receive a New Mexico diploma of excellence if
10 the student has not demonstrated competence in the subject
11 areas of mathematics, reading and language arts, writing,
12 social studies and science, including a section on the
13 constitution of the United States and the constitution of
14 New Mexico, based on a standards-based assessment or
15 assessments or a portfolio of standards-based indicators
16 established by the department by rule. The standards-based
17 assessments required in Section 22-2C-4 NMSA 1978 may also
18 serve as the assessment required for high school graduation.
19 If a student exits from the school system at the end of grade
20 twelve without having satisfied the requirements of this
21 subsection, the student shall receive an appropriate state
22 certificate indicating the number of credits earned and the
23 grade completed. If within five years after a student exits
24 from the school system the student satisfies the requirements
25 of this subsection, the student may receive a New Mexico

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1 diploma of excellence. Any student satisfying the requirements
2 of this subsection and completing all other requirements within
3 five years of entering ninth grade, including a final summer
4 session if completed by August 1, may be counted by the school
5 system in which the student is enrolled as a high school
6 graduate for the year in which all requirements are satisfied.

7 [P-] Q. As used in this section:

8 (1) "career and technical education",
9 sometimes referred to as "vocational education", means
10 organized programs offering a sequence of courses, including
11 technical education and applied technology education, that are
12 directly related to the preparation of individuals for paid or
13 unpaid employment in current or emerging occupations requiring
14 an industry-recognized credential, certificate or degree;

15 (2) "career and technical education course"
16 means a course with content that provides technical knowledge,
17 skills and competency-based applied learning and that aligns
18 with educational standards and expectations as defined in rule;

19 (3) "career cluster" means a grouping of
20 occupations in industry sectors based on recognized
21 commonalities that provide an organizing tool for developing
22 instruction within the educational system;

23 (4) "career pathways" means a sub-grouping
24 used as an organizing tool for curriculum design and
25 instruction of occupations and career specialities that share a

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1 set of common knowledge and skills for career success;

2 (5) "final next-step plan" means a next-step
3 plan that shows that the student has committed or intends to
4 commit in the near future to a four-year college or university,
5 a two-year college, a trade or vocational program, an
6 internship or apprenticeship, military service or a job;

7 (6) "interim next-step plan" means an annual
8 next-step plan in which the student specifies post-high-school
9 goals and sets forth the coursework that will allow the student
10 to achieve those goals; and

11 (7) "next-step plan" means an annual personal
12 written plan of studies developed by a student in a public
13 school or other state-supported school or institution in
14 consultation with the student's parent and school counselor or
15 other school official charged with coursework planning for the
16 student that includes one or more of the following:

17 (a) advanced placement or honors
18 courses;

19 (b) dual-credit courses offered in
20 cooperation with an institution of higher education;

21 (c) distance learning courses;

22 (d) career-technical courses; and

23 (e) pre-apprenticeship programs.

24 [Q.] R. The secretary may establish a policy to
25 provide for administrative interpretations to clarify

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1 curricular and testing provisions of the Public School Code."

2 SECTION 3. A new section of the Public School Code,
3 Section 22-13-1.8 NMSA 1978, is enacted to read:

4 "22-13-1.8. [NEW MATERIAL] COMPUTER SCIENCE COURSES--
5 PROFESSIONAL DEVELOPMENT.--

6 A. As used in this section:

7 (1) "computer science" means the study of
8 computers and algorithmic processes, including principles,
9 hardware and software designs, implementation and effects on
10 society; and

11 (2) "computer science course" means:

12 (a) a standalone course in high school;
13 and

14 (b) computer science embedded in other
15 subjects in elementary and middle school.

16 B. High school computer science courses shall:

17 (1) meet department academic content and
18 performance standards; and

19 (2) focus on teaching students how to create
20 new technologies and not simply how to use existing technology.

21 C. Beginning with operating budgets submitted by
22 April 15, 2024, each school district and charter school shall
23 include a report of the past year and the upcoming school year
24 that includes the following:

25 (1) the names and course codes of computer

1 science courses offered in each high school, including a course
2 description and which state computer science academic content
3 and performance standards are covered, to the extent such
4 information is available;

5 (2) the number and percentage of students who
6 enrolled in a computer science course in the previous school
7 year and the number and percentage of students estimated to
8 enroll in a computer science course, disaggregated by:

9 (a) gender;

10 (b) race or ethnicity;

11 (c) special education status, including
12 students under the federal Individuals with Disabilities
13 Education Act or federal Section 504 of the Rehabilitation Act
14 of 1973;

15 (d) English language learner status;

16 (e) eligibility for free or reduced-
17 price meals; and

18 (f) grade level; and

19 (3) the number of computer science teachers at
20 each high school, disaggregated by:

21 (a) licensure and endorsement;

22 (b) gender;

23 (c) race and ethnicity; and

24 (d) highest academic degree.

25 D. In disaggregating data, the confidentiality of

1 personally identifiable student and teacher data shall be
2 safeguarded consistent with the requirements of state and
3 federal law.

4 E. The department shall post on its website on or
5 before June 30 of each year the data received, disaggregated by
6 public school and aggregated at the state level. The
7 department shall publish a list of computer science course
8 codes and names, including a course description and which
9 courses align to the state computer science academic content
10 and performance standards.

11 F. To increase the number and expertise of computer
12 science teachers in the public schools, the department shall
13 implement a statewide program for computer science professional
14 development through appropriate delivery methods and shall use
15 the academic and technical resources of public post-secondary
16 educational institutions and other computer experts to design
17 and deliver professional development that:

18 (1) clarifies the conceptual foundations of
19 computer science;

20 (2) teaches research-based practices,
21 including hands-on and inquiry-based learning; and

22 (3) is intended for existing teachers with or
23 without prior exposure to computer science.

24 G. The department shall provide by rule for the
25 qualifications of approved providers and courses."

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1 SECTION 4. A new section of the Public School Code,
2 Section 22-13-1.9 NMSA 1978, is enacted to read:

3 "22-13-1.9. [NEW MATERIAL] COMPUTER SCIENCE PROGRAM
4 FUND--CREATION--DISTRIBUTIONS--ELIGIBLE ENTITIES--ELIGIBLE
5 FUNDING USES--APPLICATION REQUIREMENTS--PRIORITIES FOR AWARDS--
6 REPORTING REQUIREMENTS.--

7 A. The "computer science program fund" is created
8 as a nonreverting fund in the state treasury. The fund
9 consists of appropriations, gifts, grants and donations. The
10 department shall administer the fund, and money in the
11 fund is subject to appropriation. Expenditures from the fund
12 shall be by warrants signed by the secretary of finance and
13 administration pursuant to vouchers signed by the secretary of
14 public education or the secretary's authorized representative.

15 B. Grant amounts shall be determined by available
16 funding and grant applications. Funds from the computer
17 science program fund shall be distributed to the following
18 entities to develop and implement teacher professional
19 development programs for computer science courses and content:

- 20 (1) school districts or state-chartered
- 21 charter schools;
- 22 (2) public post-secondary educational
- 23 institutions; and
- 24 (3) regional education cooperatives.

25 C. The department may provide grants in accordance

1 with Subsection B of this section for the following purposes:

2 (1) high-quality professional development
3 programs for graduated teaching skills through grade levels,
4 beginning in elementary and middle schools with embedding
5 computer science in other subjects to and ending with
6 standalone computer science classes taught in high school;

7 (2) credentialing programs for computer
8 science teachers, including career and technical education and
9 academic supplemental endorsements, with the initial focus on
10 credentials for high school computer science teachers;

11 (3) the provision of mentoring and coaching;

12 (4) resource development to support
13 implementation, including a computer science resource bank; or

14 (5) student recruitment.

15 D. Applications shall be submitted to the
16 department in the form and manner provided by the department.
17 The application shall address how the applicant will use the
18 grant to:

19 (1) educate teachers with minimal computer
20 science background;

21 (2) use research- or evidence-based practices
22 for high-quality professional development;

23 (3) focus the professional development on the
24 conceptual foundations of computer science;

25 (4) provide teachers with concrete experience

1 with hands-on, inquiry-based practices;

2 (5) accommodate the particular teachers' and
3 students' needs in each school district and school; and

4 (6) ensure that participating school districts
5 begin offering the courses or content within the same or next
6 school year after the teacher receives the computer science
7 professional development.

8 E. The department shall prioritize the following
9 applications:

10 (1) school districts or state-chartered
11 charter schools that are working with providers of high-quality
12 professional development for kindergarten through twelfth grade
13 computer science;

14 (2) proposals that describe strategies to
15 enroll females and underrepresented minorities, students
16 eligible for free or reduced-fee lunch, students with
17 disabilities and English language learners; or

18 (3) proposals from rural or urban areas with a
19 low concentration of kindergarten through twelfth grade
20 computer science offerings, including local education agencies
21 that partner to form clusters of implementation.

22 F. Each award recipient shall report annually to
23 the department the following information:

24 (1) the number of teachers prepared;

25 (2) the number of students who participated in

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1 computer science classes;

2 (3) the gender, racial and socioeconomic
3 diversity of those students;

4 (4) the number and diversity of students with
5 passing advanced placement examination scores for high school
6 courses once that data is available;

7 (5) the number of teachers that started
8 implementing computer science in middle and high schools versus
9 the number of prepared teachers that attended professional
10 development;

11 (6) agendas from trainings or events; and

12 (7) a summary of which schools were
13 represented at a training or event."

14 SECTION 5. APPROPRIATION.--One million one hundred
15 thousand dollars (\$1,100,000) is appropriated from the general
16 fund to the computer science program fund for expenditure in
17 fiscal year 2024 and subsequent fiscal years to carry out the
18 purposes of the fund. Any unexpended or unencumbered balance
19 remaining at the end of a fiscal year shall not revert to the
20 general fund.

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