

1 AN ACT

2 RELATING TO PUBLIC SCHOOLS; ENHANCING MANDATORY TRAINING FOR  
3 LOCAL SCHOOL BOARDS AND GOVERNING BODIES OF CHARTER SCHOOLS;  
4 ADDING THE NUMBER OF TRAINING HOURS ATTENDED BY MEMBERS TO  
5 THE SCHOOL SUPPORT AND ACCOUNTABILITY SYSTEM; LIMITING A  
6 LOCAL SCHOOL BOARD'S CONTRACT EXTENSION OR TERMINATION OF A  
7 SUPERINTENDENT AFTER A SCHOOL BOARD ELECTION; AMENDING THE  
8 CAMPAIGN REPORTING ACT AS IT APPLIES TO LOCAL SCHOOL BOARD  
9 CANDIDATES; REQUIRING LOCAL SCHOOL BOARD OR GOVERNING BODY  
10 MEETINGS TO BE WEBCAST AND ARCHIVED.

11  
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

13 SECTION 1. Section 1-22A-2 NMSA 1978 (being Laws 2013,  
14 Chapter 180, Section 2, as amended) is amended to read:

15 "1-22A-2. DEFINITIONS.--As used in the School District  
16 Campaign Reporting Act:

17 A. "campaign committee" means one or more persons  
18 authorized by a candidate to raise, collect or expend  
19 contributions on the candidate's behalf for the purpose of  
20 electing the candidate to office;

21 B. "candidate" means a person who seeks or  
22 considers an office in an election covered by the School  
23 District Campaign Reporting Act and who either has filed a  
24 declaration of candidacy or has received contributions or  
25 made expenditures of one thousand dollars (\$1,000) or more or

1 authorized another person or campaign committee to receive  
2 contributions or make expenditures of one thousand dollars  
3 (\$1,000) or more for the purpose of seeking election to a  
4 covered office;

5 C. "contribution" means a gift, subscription,  
6 loan, advance or deposit of money or other thing of value,  
7 including the estimated value of an in-kind contribution,  
8 that is made or received for a political purpose, including  
9 payment of a debt incurred in an election campaign; but  
10 "contribution" does not include the value of services  
11 provided without compensation or unreimbursed travel or other  
12 personal expenses of individuals who volunteer a portion or  
13 all of their time on behalf of a candidate or campaign  
14 committee;

15 D. "covered office" means the position of board of  
16 education member of a school district or the position of  
17 board member of a community college organized or operating  
18 pursuant to the provisions of Chapter 21, Article 13 or  
19 Article 16 NMSA 1978;

20 E. "election cycle" means the period beginning  
21 thirty days after an election for an office and ending thirty  
22 days following the subsequent election day for that office;

23 F. "expenditure" means a payment, transfer or  
24 distribution or obligation or promise to pay, transfer or  
25 distribute any money or other thing of value for a political

1 purpose, including payment of a debt incurred in an election  
2 campaign;

3 G. "political purpose" means advocating the  
4 election or defeat of a candidate in an election;

5 H. "prescribed form" means a form or electronic  
6 format prepared and prescribed by the secretary of state; and

7 I. "reporting individual" means a candidate or  
8 treasurer of a campaign committee."

9 SECTION 2. Section 1-22A-3 NMSA 1978 (being Laws 2013,  
10 Chapter 180, Section 3, as amended) is amended to read:

11 "1-22A-3. REPORTS REQUIRED--TIME AND PLACE OF FILING.--

12 A. A candidate or campaign committee that has  
13 received contributions or made expenditures of one thousand  
14 dollars (\$1,000) or more shall file with the secretary of  
15 state a report of all contributions received and expenditures  
16 made on a prescribed form, and the report shall be filed in  
17 the same or similar electronic system as that used for the  
18 Campaign Reporting Act. Except as otherwise provided in this  
19 section, all reports pursuant to the School District Campaign  
20 Reporting Act shall be filed electronically and  
21 electronically authenticated by the candidate using an  
22 electronic signature in conformance with the Electronic  
23 Authentication of Documents Act and the Uniform Electronic  
24 Transactions Act.

25 B. A candidate or campaign committee shall file a

1 campaign report of all contributions received and  
2 expenditures made during an election cycle and not previously  
3 reported by midnight on the twenty-first day before the  
4 election and on the thirtieth day following the election.

5 C. If a reporting date set by Subsection B of this  
6 section falls on a holiday, the report shall be filed on the  
7 next business day.

8 D. If a candidate or campaign committee has not  
9 received any contributions and has not made any expenditures  
10 since the last report filed with the secretary of state, the  
11 candidate or campaign committee shall only be required to  
12 file a statement of no activity, which shall not be required  
13 to be notarized, in lieu of a full report when that report  
14 would otherwise be due.

15 E. A report of expenditures and contributions  
16 filed after a deadline set forth in this section shall not be  
17 deemed to have been timely filed.

18 F. Except for candidates and campaign committees  
19 that file a statement of no activity, each candidate or  
20 campaign committee shall file a report of expenditures and  
21 contributions pursuant to the filing schedules set forth in  
22 this section, regardless of whether any expenditures were  
23 made or contributions were received during the reporting  
24 period. Reports shall be required until the candidate or  
25 campaign committee delivers a report to the secretary of

1 state stating that:

2 (1) there are no outstanding campaign debts;

3 (2) all money has been expended in  
4 accordance with the provisions of Section 1-22A-10 NMSA 1978;  
5 and

6 (3) the bank account for campaign funds  
7 maintained by the candidate or campaign committee has been  
8 closed.

9 G. A candidate who does not ultimately file a  
10 declaration of candidacy and does not file a statement of no  
11 activity shall file reports in accordance with Subsection B  
12 of this section.

13 H. A candidate may apply to the secretary of state  
14 for exemption from electronic filing in case of hardship,  
15 which shall be defined by the secretary of state."

16 SECTION 3. Section 22-2F-3 NMSA 1978 (being Laws 2019,  
17 Chapter 249, Section 3) is amended to read:

18 "22-2F-3. SCHOOL SUPPORT AND ACCOUNTABILITY SYSTEM--  
19 CREATED--ESTABLISHING A SCHOOL DASHBOARD--PRIORITIZING  
20 RESOURCES FOR SCHOOLS RECEIVING ADDITIONAL SUPPORT.--

21 A. The "school support and accountability system"  
22 is created in the department. The department, in  
23 consultation with school districts, charter schools, school  
24 personnel, tribal nations and the legislative education study  
25 committee, shall promulgate rules to carry out the provisions

1 of the School Support and Accountability Act through the  
2 system.

3 B. The system shall:

4 (1) differentiate Title 1 support to public  
5 schools in the state using the metrics identified in  
6 Paragraphs (2) and (3) of this subsection to assign, for each  
7 public school, a designation of targeted support,  
8 comprehensive support or more rigorous intervention to comply  
9 with the federal Elementary and Secondary Education Act of  
10 1965;

11 (2) include indicators of academic  
12 achievement that shall be afforded substantial weight and, in  
13 the aggregate, much greater weight than the indicators  
14 described in Paragraph (3) of this subsection, including:

15 (a) student proficiency on the  
16 New Mexico standards-based assessments pursuant to Subsection  
17 B of Section 22-2C-4 NMSA 1978;

18 (b) student growth, which will comprise  
19 a substantial part of the weighting of academic achievement  
20 indicators both for all students at the public school and  
21 disaggregated by quartile on the New Mexico standards-based  
22 assessments;

23 (c) progress of English language  
24 learners toward English language proficiency as measured by  
25 an assessment determined by the department; and

1 (d) for high schools, the four-year,  
2 five-year and six-year adjusted cohort graduation rates; and

3 (3) include indicators of school quality and  
4 student success that are valid, reliable, comparable and  
5 statewide, including:

6 (a) chronic absenteeism;

7 (b) college, career and civic  
8 readiness; and

9 (c) the educational climate of the  
10 school.

11 C. The department shall include in the system  
12 student data disaggregated by each major racial and ethnic  
13 group, economically disadvantaged students, English learner  
14 status, children with disabilities, gender and migrant  
15 status; provided that ethnicity and race shall be reported  
16 using the following categories:

17 (1) Caucasian, non-Hispanic;

18 (2) Hispanic;

19 (3) African American;

20 (4) American Indian or Alaska Native;

21 (5) Native Hawaiian or other Pacific  
22 Islander;

23 (6) Asian;

24 (7) two or more races; and

25 (8) other; provided that if the sample of

1 students in any category enumerated in Paragraphs (1) through  
2 (7) of this subsection is so small that a student in the  
3 sample may be personally identifiable in violation of the  
4 federal Family Educational Rights and Privacy Act of 1974,  
5 the report may combine that sample into the "other" category.

6 D. The department shall provide the technological  
7 platform for a dashboard for each public school. The  
8 dashboard shall provide school and student information to  
9 school stakeholders and policymakers in a transparent manner,  
10 including the following indicators:

11 (1) the results of each indicator included  
12 in Paragraphs (2) and (3) of Subsection B and in Subsection C  
13 of this section;

14 (2) designations of school quality and  
15 student success for any school meeting a specific standard  
16 set by the department for any indicator included in  
17 Paragraphs (2) and (3) of Subsection B of this section;

18 (3) designations of excellence for any  
19 school scoring in the ninetieth percentile for any indicator  
20 included in Paragraphs (2) and (3) of Subsection B of this  
21 section;

22 (4) designations of school quality and  
23 student success for any school meeting a specific standard  
24 set by the department for American Indian or Hispanic  
25 students for any indicator included in Paragraphs (2) and (3)

1 of Subsection B of this section;

2 (5) designations of excellence for any  
3 school scoring in the ninetieth percentile for American  
4 Indian or Hispanic students for any indicator included in  
5 Paragraphs (2) and (3) of Subsection B of this section;

6 (6) the designation of support for schools  
7 that meet the criteria for traditional support, targeted  
8 support, comprehensive support or more rigorous intervention;

9 (7) the demographics of the students and  
10 staff of the school;

11 (8) indicators of opportunity to learn  
12 standards, including:

13 (a) a survey of relevant and engaging  
14 curriculum and instruction;

15 (b) educational resources, including  
16 total school-level expenditures and total instructional  
17 expenditures per student; and

18 (c) qualified and competent school  
19 staff, including the percentage of teachers with three or  
20 more years of experience, the percentage of teachers who are  
21 fully licensed and endorsed in the field they teach, the  
22 types of degrees held by staff, information from the highly  
23 objective uniform statewide standard of evaluation for  
24 teachers and the percentage of national board-certified  
25 teachers; and

1 (9) the number of hours of training attended  
2 by each school's local school board members and whether each  
3 member met statutory training requirements.

4 E. The dashboard shall include each school's  
5 mission, vision and goals and provide for optional comments  
6 from the local school board about the strengths,  
7 opportunities for improvement and programmatic offerings  
8 corresponding to any of the reported indicators in the  
9 dashboard. For local school boards that do not provide this  
10 information, the department shall populate this section of  
11 the dashboard with information from the public school's  
12 educational plan for student success.

13 F. The department shall ensure that a local school  
14 board prioritizes the resources of a public school that has  
15 received a designation of targeted support, comprehensive  
16 support or more rigorous intervention toward improving  
17 student performance using evidence-based programs and a  
18 continuous improvement plan based on the indicators in  
19 Paragraphs (2) and (3) of Subsection B of this section  
20 identified through a school-level needs assessment until the  
21 public school no longer holds that designation."

22 SECTION 4. A new section of Chapter 22, Article 5  
23 NMSA 1978 is enacted to read:

24 "CONTRACT EXTENSION OR TERMINATION OF LOCAL  
25 SUPERINTENDENT--LIMITATION.--A local school board shall not,

1 during any time between the date of a regular local election  
2 in which school board positions are on the ballot and sixty  
3 days after the convening of the newly elected board or until  
4 sixty days after a majority of a local school board has been  
5 appointed:

6 A. extend the local superintendent's contract; or

7 B. terminate the local superintendent without  
8 cause."

9 SECTION 5. Section 22-5-13 NMSA 1978 (being Laws 2003,  
10 Chapter 153, Section 24) is amended to read:

11 "22-5-13. LOCAL SCHOOL BOARD MANDATORY TRAINING.--

12 A. The department shall develop a mandatory  
13 training course for local school board members that explains  
14 department rules, policies and procedures, statutory powers  
15 and duties of local school boards, legal concepts pertaining  
16 to public schools, finance and budget and other matters  
17 deemed relevant by the department. The department shall  
18 notify local school board members of the dates of the  
19 training course, the last of which shall not be later than  
20 three months after a local school board election.

21 B. Local school board members in their first term  
22 shall complete at least ten hours of mandatory training  
23 during their first year serving on the board. Training for  
24 new local school board members shall include:

25 (1) at least two hours covering laws and

1 department policies and procedures affecting local school  
2 boards or public schools, including ethics and school  
3 personnel;

4 (2) at least two hours covering public  
5 school finance, budgeting and fiduciary responsibilities of  
6 local school boards;

7 (3) at least two hours covering legal  
8 concepts pertaining to local school boards and school  
9 districts, including the Open Meetings Act and the Inspection  
10 of Public Records Act;

11 (4) at least two hours covering effective  
12 governance practices and effective methods of supporting and  
13 supervising the local superintendent; and

14 (5) at least two hours covering student  
15 achievement and student support services.

16 C. Mandatory training for all other local school  
17 board members shall include at least five hours per year and  
18 shall cover:

19 (1) laws and department policies and  
20 procedures affecting local school boards or public schools,  
21 including ethics and school personnel;

22 (2) public school finance, budgeting and  
23 fiduciary responsibilities of local school boards and  
24 performance-based budgeting;

25 (3) a local school board's role in

1 evaluating and improving student academic achievement and  
2 using data to set individual school goals for student  
3 academic achievement in each of the school district's public  
4 schools;

5 (4) a local school board's role in providing  
6 a safe learning environment conducive to improving student  
7 outcomes;

8 (5) legal concepts pertaining to local  
9 school boards and school districts, including the Open  
10 Meetings Act and the Inspection of Public Records Act;

11 (6) effective governance practices and  
12 effective methods of supporting and supervising the local  
13 superintendent; and

14 (7) other matters deemed relevant by the  
15 department."

16 SECTION 6. A new section of Chapter 22, Article 5  
17 NMSA 1978 is enacted to read:

18 "LOCAL SCHOOL BOARD MEETINGS--WEBCASTING AND  
19 ARCHIVING.--Except as otherwise provided in this section,  
20 live audio and video webcasts of local school board meetings  
21 shall be accessible through the school district's website and  
22 shall include a user interface that allows members of the  
23 public to submit written or verbal comments. A webcast shall  
24 begin as soon as practicable after the chair has called the  
25 meeting to order and shall terminate as soon as practicable

1 after the local school board has adjourned. Recordings of  
2 the webcasts and an electronic copy of any minutes approved  
3 at the meeting shall be posted on the school district's  
4 website within one week of the meeting's conclusion and shall  
5 be publicly available for at least three years following the  
6 date of the meeting unless the state records retention  
7 schedule provides otherwise."

8 SECTION 7. Section 22-8B-5.1 NMSA 1978 (being Laws  
9 2009, Chapter 18, Section 1) is amended to read:

10 "22-8B-5.1. GOVERNING BODY TRAINING.--

11 A. The department shall develop a mandatory  
12 training course for all governing body members that explains  
13 department rules, policies and procedures, statutory powers  
14 and duties of governing boards, legal concepts pertaining to  
15 public schools, finance and budget and other matters deemed  
16 relevant by the department. The department shall notify the  
17 governing body members of the dates of the training courses.

18 B. Governing body members in their first term  
19 shall complete at least ten hours of mandatory training  
20 during their first year serving on the governing body.

21 Training for new members shall include:

22 (1) at least two hours covering laws and  
23 department policies and procedures affecting governing bodies  
24 or charter schools, including ethics and school personnel;

25 (2) at least two hours covering public

1 school finance, budgeting and fiduciary responsibilities of  
2 governing bodies;

3 (3) at least two hours covering legal  
4 concepts pertaining to governing bodies and charter schools,  
5 including the Open Meetings Act and the Inspection of Public  
6 Records Act;

7 (4) at least two hours covering effective  
8 governance practices and effective methods of supporting and  
9 supervising a charter school leader; and

10 (5) at least two hours covering student  
11 achievement and student support services.

12 C. Mandatory training for all other governing body  
13 members shall include at least five hours per year and shall  
14 cover:

15 (1) laws and department policies and  
16 procedures affecting governing bodies or charter schools,  
17 including ethics and school personnel;

18 (2) public school finance, budgeting and  
19 fiduciary responsibilities of governing bodies and  
20 performance-based budgeting;

21 (3) a governing body's role in evaluating  
22 and improving student academic achievement and using data to  
23 set individual school goals for student academic achievement  
24 in charter schools;

25 (4) a governing body's role in providing a

1 safe learning environment conducive to improving student  
2 outcomes;

3 (5) legal concepts pertaining to governing  
4 bodies and charter schools, including the Open Meetings Act  
5 and the Inspection of Public Records Act;

6 (6) effective governance practices and  
7 effective methods of supporting and supervising charter  
8 school leaders; and

9 (7) other matters deemed relevant by the  
10 department."

11 SECTION 8. A new section of Chapter 22, Article 8B  
12 NMSA 1978 is enacted to read:

13 "GOVERNING BODY MEETINGS--WEBCASTING AND  
14 ARCHIVING.--Except as otherwise provided in this section,  
15 live audio and video webcasts of governing body meetings  
16 shall be accessible through the charter school's website and  
17 shall include a user interface that allows members of the  
18 public to submit written or verbal comments. A webcast shall  
19 begin as soon as practicable after the chair has called the  
20 meeting to order and shall terminate as soon as practicable  
21 after the governing body has adjourned. Recordings of the  
22 webcasts and an electronic copy of any minutes approved at  
23 the meeting shall be posted on the charter school's website  
24 within one week of the meeting's conclusion and shall be  
25 publicly available for at least three years following the

