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HOUSE BILL 167

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

PAULINE K. GUBBELS

AN ACT

RELATING TO EDUCATION; AMENDING THE INCENTIVES FOR SCHOOL  
IMPROVEMENT ACT.

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

Section 1. Section 22-13A-2 NMSA 1978 (being Laws 1989,  
Chapter 137, Section 2, as amended) is amended to read:

"22-13A-2. PURPOSE. -- The purpose of the Incentives for  
School Improvement Act is to provide financial incentives to  
individual schools and teachers that exceed expected academic  
performance. "

Section 2. Section 22-13A-6 NMSA 1978 (being Laws 1989,  
Chapter 137, Section 6, as amended) is amended to read:

"22-13A-6. FUND CREATED. --

A. There is created in the state treasury the  
"incentives for school improvement fund". The fund shall

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1 consist of any state money appropriated to the fund, [ any]  
2 federal money allocated to the state for the purposes of the  
3 Incentives for School Improvement Act, undistributed annual  
4 balances and earnings of the fund and [ any] gifts or bequests  
5 made to the fund. The state treasurer shall invest the fund  
6 as other state funds are invested. The balance remaining in  
7 the fund at the end of the fiscal year shall not revert to the  
8 general fund.

9 B. The fund is appropriated to the department for  
10 the purpose of implementing and administering the Incentives  
11 for School Improvement Act. No more than three percent of the  
12 fund may be retained by the department for administrative  
13 purposes.

14 C. Money in the fund other than that used for  
15 administrative purposes shall be distributed directly to  
16 schools evidencing the greatest improvement as determined by  
17 the department. Disbursements shall be made only to that  
18 number of schools constituting not more than ten percent of  
19 the student membership in the state. Distributions shall be  
20 made proportionately to schools that qualify.

21 D. Money received by a school from the fund shall  
22 not be used for salaries, salary increases or bonuses. Money  
23 in the fund may be used for a one-time salary adjustment that  
24 does not become part of the employee's wage base for future  
25 salary increment purposes. The one-time salary adjustment

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1 shall be paid in return for services currently rendered to the  
2 school. Money shall be used as determined by the school  
3 principal and teachers in cooperation with other school  
4 employees and the community. "