

AN ACT

RELATING TO EDUCATION; AMENDING SECTIONS OF THE NMSA 1978 TO MAKE ATTENDANCE AT THE NEW MEXICO SCHOOL FOR THE VISUALLY HANDICAPPED UP TO PARENTAL DISCRETION AND TO REQUIRE THE SCHOOL TO COMPLY WITH FEDERAL LAW.

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

Section 1. Section 21-5-2 NMSA 1978 (being Laws 1903, Chapter 2, Section 6, as amended) is amended to read:

"21-5-2. MANAGEMENT OF NEW MEXICO SCHOOL FOR THE VISUALLY HANDICAPPED--CORPORATE POWERS.--

A. The management and control of the New Mexico school for the visually handicapped, the care and preservation of all property of which it shall become possessed, the erection and construction of all buildings necessary for its use and the disbursement and expenditure of all money appropriated by the state or that shall otherwise come into the school's possession shall be vested in a board of five regents, at least one of whom shall be visually handicapped and at least one other of whom shall be the parent of a visually handicapped child.

B. The regents and their successors in office shall constitute a body corporate under the name and style of "the board of regents of the New Mexico school for the visually handicapped". The board has the right as such of suing and being sued, of contracting and being contracted with, of making and using a common seal and altering the same at pleasure and of causing all things to be done necessary to carry out the provisions of Chapter 21, Article 5 NMSA 1978. A majority of the board shall constitute a

quorum for the transaction of business, but a smaller number may adjourn from time to time. The officers of the board shall be elected in the same manner and possess the same qualifications as the officers of the board of regents of the university of New Mexico.

C. The board of regents of the New Mexico school for the visually handicapped shall comply with provisions of the fourteenth amendment to the United States constitution, the federal Civil Rights of Institutionalized Persons Act and the Individuals with Disabilities Education Act."

Section 2. REPEAL.--Sections 21-5-5 and 21-5-8 NMSA 1978 (being Laws 1915, Chapter 33, Sections 1 and 4, as amended) are repealed. _____