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SENATE BILL 110

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Linda M Lopez

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO EDUCATION; REQUIRING PROFESSIONAL DEVELOPMENT OF
TEACHERS.

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

Section 1. Section 22-2-2 NMSA 1978 (being Laws 1967,
Chapter 16, Section 5, as amended) is amended to read:

"22-2-2. STATE BOARD--DUTIES.-- Without limiting those
powers granted to the state board pursuant to Section 22-2-1
NMSA 1978, the state board shall perform the following duties:

- A. properly and uniformly enforce the provisions
of the Public School Code;
- B. determine policy for the operation of all
public schools and vocational education programs in the state;
- C. appoint a state superintendent;
- D. purchase and loan instructional material to

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1 students pursuant to the Instructional Material Law and adopt
2 [~~regulations~~] rules relating to the use and operation of
3 instructional material depositories in the instructional
4 material distribution process;

5 E. designate courses of instruction to be taught
6 in all public schools in the state;

7 F. assess and evaluate all state institutions and
8 those private schools that desire state accreditation;

9 G. determine the qualifications for and issue a
10 certificate to any person teaching, assisting teachers,
11 supervising an instructional program, counseling, providing
12 special instructional services or administering in public
13 schools, according to law and according to a system of
14 classification adopted and published by the state board;

15 H. suspend or revoke a certificate held by a
16 certified school instructor or certified school administrator,
17 according to law, for incompetency, immorality or for any
18 other good and just cause;

19 I. make full and complete reports on consolidation
20 of school districts to the legislature;

21 J. prescribe courses of instruction, requirements
22 for graduation and standards for all public schools, for
23 private schools seeking state accreditation and for the
24 educational programs conducted in state institutions other
25 than the New Mexico military institute;

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1 K. adopt [~~regulations~~] rules for the
2 administration of all public schools and bylaws for its own
3 administration;

4 L. require periodic reports on forms prescribed by
5 it from all public schools and attendance reports from private
6 schools;

7 M authorize adult educational programs to be
8 conducted in schools under its jurisdiction and adopt and
9 promulgate [~~regulations~~] rules governing all such adult
10 educational programs;

11 N. require any school under its jurisdiction that
12 sponsors athletic programs involving sports to mandate that
13 the participating student obtain catastrophic health and
14 accident insurance coverage, such coverage to be offered
15 through the school and issued by an insurance company duly
16 licensed pursuant to the laws of New Mexico;

17 O. require all accrediting agencies for public
18 schools in the state to act with its approval;

19 P. accept and receive all grants of money from the
20 federal government or any other agency for public school
21 purposes and disburse the money in the manner and for the
22 purpose specified in the grant;

23 Q. require prior approval for any educational
24 program in a public school that is to be conducted, sponsored,
25 carried on or caused to be carried on by a private

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1 organization or agency;

2 R. approve or disapprove all rules [~~or~~
3 ~~regulations~~] promulgated by any association or organization
4 attempting to regulate any public school activity and
5 invalidate any rule [~~or regulation~~] in conflict with any
6 [~~regulation~~] rule promulgated by the state board. The state
7 board shall require any association or organization attempting
8 to regulate any public school activity to comply with the
9 provisions of the Open Meetings Act and be subject to the
10 inspection of the Public Records Act. The state board may
11 require performance and financial audits of any association or
12 organization attempting to regulate any public school
13 activity. The state board shall have no power or control over
14 the rules [~~or regulations~~] or the bylaws governing the
15 administration of the internal organization of the association
16 or organization;

17 S. review decisions made by the governing board or
18 officials of any organization or association regulating any
19 public school activity, and any decision of the state board
20 shall be final in respect thereto;

21 T. accept or reject any charitable gift, grant,
22 devise or bequest. The particular gift, grant, devise or
23 bequest accepted shall be considered an asset of the state;

24 U. establish and maintain regional centers, at its
25 discretion, for conducting cooperative services between public

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1 schools and school districts within and among those regions
2 and to facilitate regulation and evaluation of school
3 programs;

4 V. assess and evaluate for accreditation purposes
5 at least one-third of all public schools each year through
6 visits by department of education personnel to investigate the
7 adequacy of pupil gain in standard required subject matter,
8 adequacy of pupil activities, functional feasibility of public
9 school and school district organization, adequacy of staff
10 preparation and other matters bearing upon the education of
11 the students;

12 W. provide for management and other necessary
13 personnel to operate any public school or school district that
14 has failed to meet requirements of law, state board standards
15 or state board [~~regulations~~] rules; provided that the
16 operation of the public school or school district shall not
17 include any consolidation or reorganization without the
18 approval of the local board of that school district. Until
19 such time as requirements of law, standards or [~~regulations~~]
20 rules have been met and compliance is assured, the powers and
21 duties of the local school board shall be suspended;

22 X. establish and implement a plan that provides
23 for technical assistance to local school boards through
24 workshops and other in-service training methods; provided,
25 however, that no plan shall require mandatory attendance by

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1 any member of a local school board;

2 Y. submit a plan applying for funds available
3 under Public Law 94-142 and disburse these funds in the manner
4 and for the purposes specified in the plan; [~~and~~]

5 Z. enforce requirements for home schools. Upon
6 finding that a home school is not in compliance with law, the
7 state board [~~shall have~~] has authority to order that a student
8 attend a public school or a private school; and

9 AA. develop a systemic framework for professional
10 development that provides training to ensure quality teachers
11 and principals and that improves and enhances student
12 achievement. The state board shall work with public school
13 educators, the commission on higher education and institutions
14 of higher education to establish the framework. The framework
15 shall include:

16 (1) the criteria for school districts to
17 apply for professional development funds, including an
18 evaluation component that will be used by the department of
19 education in approving local school district professional
20 development plans; and

21 (2) guidelines for developing extensive
22 professional development activities for school districts,
23 including teaching strategies, curriculum materials, distance
24 learning networks and web sites to ensure that the state
25 board's rules pertaining to content standards and benchmarks

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are used by New Mexico teachers."

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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6 February 9, 1999

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8 Mr. President:

9
10 Your EDUCATION COMMITTEE, to whom has been referred

11
12 SENATE BILL 110

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14 has had it under consideration and reports same with
15 recommendation that it DO PASS.

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18 Respectfully submitted,

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23 _____
24 Cynthia Nava, Chairman

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Adopted _____ Not

1 Adopted _____

2 (Chief Clerk)

(Chief Clerk)

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6 Date _____

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9 The roll call vote was 6 For 0 Against

10 Yes: 6

11 No: 0

12 Excused: Adair, Boitano, Gorham, Lopez

13 Absent: None

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