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SENATE BILL 185

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

INTRODUCED BY

Ramsay L. Gorham

AN ACT

RELATING TO PUBLIC SCHOOLS; ENACTING THE MIDDLE SCHOOL
INITIATIVE ACT; PRESCRIBING DUTIES; MAKING AN APPROPRIATION.

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

Section 1. A new section of the Public School Code is
enacted to read:

" NEW MATERIAL SHORT TITLE. -- This act may be cited as
the "Middle School Initiative Act". "

Section 2. A new section of the Public School Code is
enacted to read:

" NEW MATERIAL PURPOSE. -- The purpose of the Middle
School Initiative Act is to provide statewide before- and
after-school programs that include extracurricular activities
for students in grades six through nine to teach and develop
physical fitness, sport, activity, school pride and a sense of

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1 community. "

2 Section 3. A new section of the Public School Code is
3 enacted to read:

4 "[NEW MATERIAL] DEFINITIONS. -- As used in the Middle
5 School Initiative Act:

6 A. "eligible school" means a public middle school
7 or junior high school, a public elementary school that enrolls
8 students in grade six or a public high school that enrolls
9 students in grade nine; and

10 B. "extracurricular activity" means a competitive
11 sport or other activity that supports academic, social,
12 leadership or other skills and that provides opportunities for
13 youth, including academic decathlon, cheerleading, drill team,
14 chess, journalism, mock trial, music, science fair, speech,
15 student council, homework club or other activity approved by
16 the department of education. "

17 Section 4. A new section of the Public School Code is
18 enacted to read:

19 "[NEW MATERIAL] EXTRACURRICULAR ACTIVITIES--
20 REQUIREMENTS-- DISTRIBUTION. --

21 A. Students at each eligible school shall be
22 offered up to three extracurricular activities, including one
23 sport and two other activities, during the school year.
24 Students enrolled in grade six of an elementary school shall
25 be offered at least two extracurricular activities, including

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1 one sport, during the school year. Students enrolled in grade
2 nine of a high school shall be offered at least two
3 extracurricular activities, including one sport, during the
4 school year.

5 B. Extracurricular activities shall be conducted
6 before or after regular school hours.

7 C. A school district may employ teachers or other
8 persons to teach and supervise extracurricular activities;
9 provided that persons employed to teach sports shall be
10 qualified as provided by rules of the department of education.

11 D. The department of education shall distribute
12 money to local school districts on an equal basis for each
13 middle school and junior high school. Elementary schools with
14 grade six and high schools with grade nine shall receive one-
15 half of the amount distributed to middle schools and junior
16 high schools.

17 E. Money distributed for extracurricular
18 activities may be expended for materials and other costs
19 associated with an activity; provided, however, that no more
20 than five hundred dollars (\$500) per semester may be used to
21 employ teachers and other supervisory personnel.

22 F. The department of education shall monitor
23 extracurricular activity programs and verify through the
24 budget and program review process that each eligible school is
25 complying with the provisions of the Middle School Initiative

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1 Act and rules adopted pursuant to that act. If an eligible
2 school is not in compliance with the provisions of that act or
3 rules adopted pursuant to that act, the school shall not be
4 eligible for money for the following semester.

5 G. The department of education shall adopt and
6 promulgate rules to carry out the provisions of the Middle
7 School Initiative Act. "

8 Section 5. APPROPRIATION. -- Three million dollars
9 (\$3,000,000) is appropriated from the general fund to the
10 state department of public education for expenditure in fiscal
11 year 2000 to carry out the purposes of the Middle School
12 Initiative Act. Any unexpended or unencumbered balance
13 remaining at the end of fiscal year 2000 shall revert to the
14 general fund.

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
3
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5 February 26, 1999
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8 Mr. President:

9
10 Your EDUCATION COMMITTEE, to whom has been referred

11
12 SENATE BILL 185
13

14 has had it under consideration and reports same with
15 recommendation that it DO PASS, amended as follows:
16

17 1. On page 3, line 20, strike "five hundred dollars
18 (\$500)" and insert in lieu thereof "the maximum rate set by the
19 local board of education per activity".

20 2. On page 3, line 20, after "semester" insert "but not to
21 exceed thirty-five percent of the total activity cost".
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23 and further recommends that it now be referred to the FINANCE
24 COMMITTEE.
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Respectfully submitted,

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Cynthia Nava, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Boitano, Duran, Lopez

Absent: None

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