

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 12

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Max Coll

AN ACT

RELATING TO PUBLIC SCHOOLS; ENACTING THE FINE ARTS EDUCATION ACT; PROVIDING POWERS AND DUTIES; PROVIDING FUNDING FOR FINE ARTS IN PUBLIC SCHOOLS THROUGH THE FUNDING FORMULA; 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. -- Sections 1 through 6 of this act may be cited as the "Fine Arts Education Act". "

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

"[NEW MATERIAL] PURPOSE. --

A. The purpose of the Fine Arts Education Act is to encourage school districts to offer opportunities for

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 elementary school students to participate in fine arts  
2 activities, including visual arts, music, theater and dance.

3 B. Participation in fine arts programs encourages  
4 cognitive and affective development by:

5 (1) focusing on a variety of learning styles  
6 and engaging students who might otherwise fail;

7 (2) training students in complex thinking and  
8 learning;

9 (3) helping students to devise creative  
10 solutions for problems;

11 (4) providing students new challenges; and

12 (5) teaching students how to work  
13 cooperatively with others and to understand and value diverse  
14 cultures. "

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

17 "[NEW MATERIAL] DEFINITION. --As used in the Fine Arts  
18 Education Act, "fine arts education programs" includes programs  
19 of education through which students participate in activities  
20 related to visual arts, music, theater and dance. "

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

23 "[NEW MATERIAL] STATE BOARD AND DEPARTMENT OF EDUCATION--  
24 POWERS AND DUTIES. --

25 A. The state board shall issue guidelines for the

. 142100. 1

underscored material = new  
[bracketed material] = delete

1 development and implementation of fine arts education programs.

2 B. The department of education shall:

3 (1) administer and enforce the provisions of  
4 the Fine Arts Education Act; and

5 (2) assist local school boards in developing  
6 and evaluating programs. "

7 Section 5. A new section of the Public School Code is  
8 enacted to read:

9 "[NEW MATERIAL] PROGRAM PLAN AND EVALUATION. --

10 A. A local school board may prepare and submit to  
11 the department of education a fine arts education program plan  
12 in accordance with guidelines issued by the state board.

13 B. At a minimum, the plan shall include the fine  
14 arts education programs being taught, the ways in which the  
15 fine arts are being integrated into the curriculum and an  
16 evaluation component.

17 C. At yearly intervals, the local school board, the  
18 department of education and a parent advisory committee from  
19 the school district shall review the goals and priorities of  
20 the plan and make appropriate recommendations to the state  
21 board. "

22 Section 6. A new section of the Public School Code is  
23 enacted to read:

24 "[NEW MATERIAL] FINE ARTS EDUCATION PROGRAMS-- ELIGIBILITY  
25 FOR STATE FINANCIAL SUPPORT. --

. 142100. 1

underscored material = new  
[bracketed material] = delete

1           A. To be eligible for state financial support, a  
2 fine arts education program shall:

3                   (1) provide for the educational needs of  
4 students in the areas of visual arts, music, theater or dance;

5                   (2) integrate the fine arts into the  
6 curriculum;

7                   (3) use certified school instructors to  
8 supervise those who are teaching the program if those persons  
9 do not hold valid teaching licenses in one or more of the  
10 disciplines included in fine arts education; and

11                   (4) require background checks in accordance  
12 with Section 22-10-3.3 NMSA 1978.

13           B. A fine arts education program shall meet each  
14 requirement of Subsection A of this section and be approved by  
15 the department of education to be eligible for state financial  
16 support. "

17           Section 7. Section 22-8-18 NMSA 1978 (being Laws 1974,  
18 Chapter 8, Section 8, as amended) is amended to read:

19                   "22-8-18. PROGRAM COST CALCULATION--LOCAL SCHOOL BOARD  
20 RESPONSIBILITY. --

21           A. The total program units for the purpose of  
22 computing the program cost shall be calculated by multiplying  
23 the sum of the program units itemized as Paragraphs (1) through  
24 [~~(4)~~] (5) in this subsection by the [~~instruction~~] instructional  
25 staff training and experience index and adding the program

underscored material = new  
[bracketed material] = delete

1 units itemized as Paragraphs [~~(5)~~] (6) through [~~(8)~~] (9) in  
2 this subsection. The itemized program units are as follows:

3 (1) early childhood education;  
4 (2) basic education;  
5 (3) special education, adjusted by subtracting  
6 the units derived from membership in class D special education  
7 programs in private, nonsectarian, nonprofit training centers;

8 (4) bilingual multicultural education;  
9 (5) fine arts education;  
10 [~~(5)~~] (6) size adjustment;  
11 [~~(6)~~] (7) at-risk program;  
12 [~~(7)~~] (8) enrollment growth or new district

13 adjustment; and

14 [~~(8)~~] (9) special education units derived from  
15 membership in class D special education programs in private,  
16 nonsectarian, nonprofit training centers.

17 B. The total program cost calculated as prescribed  
18 in Subsection A of this section includes the cost of early  
19 childhood, special, bilingual multicultural, fine arts and  
20 vocational education and other remedial or enrichment programs.  
21 It is the responsibility of the local school board to determine  
22 its priorities in terms of the needs of the community served by  
23 that board. Funds generated under the Public School Finance  
24 Act are discretionary to local school boards, provided that the  
25 special program needs as enumerated in this section are met. "

. 142100. 1

