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SENATE BILL 1095

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Cynthia Nava

AN ACT

RELATING TO PUBLIC SCHOOLS; PROVIDING FOR DUE PROCESS
REIMBURSEMENT COVERAGE THROUGH THE PUBLIC SCHOOL INSURANCE
AUTHORITY; MAKING AN APPROPRIATION.

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

Section 1. Section 22-29-3 NMSA 1978 (being Laws 1986,
Chapter 94, Section 3, as amended) is amended to read:

"22-29-3. DEFINITIONS.--As used in the Public School
Insurance Authority Act:

A. "authority" means the public school insurance
authority;

B. "board" means the board of directors of the
public school insurance authority;

C. "charter school" means a school organized as a
charter school pursuant to the provisions of the [1999] Charter

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1 Schools Act;

2 D. "director" means the director of the public
3 school insurance authority;

4 E. "due process reimbursement" means the
5 reimbursement of a school district's expenses for attorney
6 fees, hearing officer fees and other reasonable expenses
7 incurred as a result of a due process hearing conducted
8 pursuant to the federal Individuals with Disabilities Education
9 Improvement Act provided that due process reimbursement shall
10 be limited to forty thousand dollars (\$40,000) per claim and
11 one hundred twenty thousand dollars (\$120,000) per district per
12 year; and provided further that, Subsection J of this section
13 notwithstanding, due process reimbursement coverage shall be
14 extended to all school districts;

15 [~~E.~~] F. "educational entities" means state
16 educational institutions as enumerated in Article 12, Section
17 11 of the constitution of New Mexico and other state diploma,
18 degree-granting and certificate-granting post-secondary
19 educational institutions and regional education cooperatives;

20 [~~F.~~] G. "fund" means the public school insurance
21 fund;

22 [~~G.~~] H. "group health insurance" means coverage
23 that includes life insurance, accidental death and
24 dismemberment, medical care and treatment, dental care, eye
25 care and other coverages as determined by the authority;

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