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HOUSE BILL 514

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Elizabeth "Liz" Thomson

AN ACT

RELATING TO PUBLIC EDUCATION; REQUIRING A SCHOOL NURSE IN EACH
ELEMENTARY SCHOOL WITH THREE HUNDRED OR MORE STUDENTS.

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

SECTION 1. Section 22-8-9 NMSA 1978 (being Laws 1967,
Chapter 16, Section 63, as amended) is amended to read:

"22-8-9. BUDGETS--MINIMUM REQUIREMENTS.--

A. A budget for a school district shall not be
approved by the department that does not provide for:

(1) a school year and school day as provided
in Section 22-2-8.1 NMSA 1978; ~~and~~

(2) a pupil-teacher ratio or class or teaching
load as provided in Section 22-10A-20 NMSA 1978; and

(3) a licensed registered nurse in at least
each public elementary school with a MEM of three hundred or

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1 more students; provided that a school district may apply to the
2 department for a waiver of this provision if the school
3 district is unable to hire or contract with the required school
4 nurse.

5 B. The department shall, by rule, establish the
6 requirements for an instructional day, the standards for an
7 instructional hour and the standards for a full-time teacher
8 and for the equivalent thereof.

9 C. The provision of a school nurse in every public
10 elementary school with a MEM of three hundred or more shall be
11 phased in over a four-year period as follows, with priority
12 given to those public schools that serve the highest proportion
13 of students who are eligible for free or reduced-fee lunch:

14 (1) effective with the 2013-2014 school year,
15 at least one-fourth of required public elementary schools;

16 (2) effective with the 2014-2015 school year,
17 at least one-half of required public elementary schools;

18 (3) effective with the 2015-2016 school year,
19 at least three-fourths of required public elementary schools;

20 and

21 (4) effective with the 2016-2017 school year,
22 all required public elementary schools, unless a waiver has
23 been approved by the department pursuant to Subsection B of
24 this section, and including any public elementary schools that
25 have a MEM lower than three hundred but that have one or more

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1 licensed registered nurses available for hire or contract."

2 SECTION 2. APPROPRIATION.--Five million dollars
3 (\$5,000,000) is appropriated from the general fund to the
4 public education department for expenditure in fiscal year 2014
5 to fund phase 1 of the elementary school nurse requirement of
6 Section 22-8-9 NMSA 1978. Any unexpended or unencumbered
7 balance remaining at the end of fiscal year 2014 shall revert
8 to the general fund.

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