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SENATE BILL 207

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Craig W. Brandt

AN ACT

RELATING TO PUBLIC EDUCATION; PROHIBITING CERTAIN FEES;
ALLOWING CERTAIN FEES.

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] CERTAIN FEES PROHIBITED.--

A. A school, local school board or governing body
of a charter school shall not charge fees to a student for:

(1) participation in any course or program
conducted during the school day that:

(a) allows the student to earn a credit;

(b) is subject to the standardized
statewide grading system;

(c) is pursuant to an interim next-step

underscored material = new
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1 plan, next-step plan, final next-step plan or individualized
2 education plan;

3 (d) is necessary for enrollment, grade
4 promotion or graduation;

5 (e) constitutes fine arts education; or

6 (f) constitutes physical education;

7 (2) participation in any school-sanctioned
8 activity completed before the end of the school day;

9 (3) instruction, educational assistance,
10 special education or intervention rendered during the school
11 day;

12 (4) instructional materials for facilitating
13 learning, unless the instructional materials are replacement
14 instructional materials necessitated by the student's loss or
15 damage;

16 (5) school library materials, unless the
17 school library materials are replacement school library
18 materials necessitated by the student's loss or damage;

19 (6) materials, supplies or equipment needed
20 for a student to participate in any course or program conducted
21 during the school day, unless the materials, supplies or
22 equipment are replacement materials, supplies or equipment
23 necessitated by the student's loss or damage; or

24 (7) any item or service needed for a student
25 to attend or be enrolled in the school or be registered in the

.198877.2

1 school, school district or charter school. A school, local
2 school board or governing body of a charter school may charge a
3 student for a replacement item necessitated by the student's
4 loss or damage.

5 B. A school, local school board or governing body
6 of a charter school may charge fees to a student for:

7 (1) parking;

8 (2) attendance at an event conducted before or
9 after the school day or not on school grounds;

10 (3) participation in any activity sanctioned
11 by the New Mexico activities association not completed before
12 the end of the school day; or

13 (4) anything not prohibited in Subsection A of
14 this section.

15 C. Before a fee permitted in Subsection B of this
16 section and not prohibited in Subsection A of this section may
17 be charged to a student by a school, the fee shall be enacted
18 by a local school board or governing body of a charter school
19 at a public meeting, for which thirty days' notice was posted."