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HOUSE BILL 1065

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

W. C. "DUB" WILLIAMS

AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING SECTION 22-1-2 NMSA 1978  
(BEING LAWS 1967, CHAPTER 16, SECTION 2, AS AMENDED).

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

Section 1. Section 22-1-2 NMSA 1978 (being Laws 1967,  
Chapter 16, Section 2, as amended) is amended to read:

"22-1-2. DEFINITIONS. --As used in the Public School Code:

- A. "state board" means the state board of education;
- B. "state superintendent" means the superintendent  
of public instruction;
- C. "department of education" means the state  
department of public education;
- D. "certified school instructor" means any person  
holding a valid certificate authorizing the person to teach,  
supervise an instructional program, counsel or provide special

Underscored material = new  
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1 instructional services in the public schools of the state;

2 E. "certified school administrator" means any person  
3 holding a valid certificate authorizing the person to administer  
4 in the public schools of the state;

5 F. "certified school employee" or "certified school  
6 personnel" means any employee who is either a certified school  
7 instructor or a certified school administrator or both;

8 G. "non-certified school employee" means any  
9 employee who is not a certified school employee;

10 H. "certificate" means a certificate issued by the  
11 state board authorizing a person to teach, supervise an  
12 instructional program, counsel, provide special instructional  
13 services or administer in the public schools of the state;

14 I. "chief" or "director" means the state  
15 superintendent or his designee unless the context clearly  
16 indicates otherwise;

17 J. "private school" means a school, including pre-  
18 schools for under-school-age persons but excluding daycare  
19 facilities, offering on-site programs of instruction not under  
20 the control, supervision or management of a local school board,  
21 exclusive of home instruction offered by the parent, guardian or  
22 one having custody of the student;

23 K. "school district" means an area of land  
24 established as a political subdivision of the state for the  
25 administration of public schools and segregated geographically

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1 for taxation and bonding purposes;

2 L. "local school board" means the governing body of  
3 a school district;

4 M. "public school" means that part of a school  
5 district that is a single attendance center where instruction is  
6 offered by a certified school instructor or a group of certified  
7 school instructors and is discernible as a building or group of  
8 buildings generally recognized as either an elementary,  
9 secondary, junior high or high school or any combination  
10 thereof;

11 N. "school year" means the total number of teaching  
12 days offered by public schools in a school district during a  
13 period of twelve consecutive months;

14 O. "consolidation" means the combination of part or  
15 all of the geographical area of an existing school district with  
16 part or all of the geographical area of one or more contiguous  
17 existing school districts;

18 P. "consolidated school district" means a school  
19 district created by order of the state board by combining part  
20 or all of the geographical area of an existing school district  
21 with part or all of the geographical area of one or more  
22 contiguous existing school districts;

23 Q. "state institution" means the New Mexico military  
24 institute, the New Mexico school for the visually handicapped,  
25 the New Mexico school for the deaf, the New Mexico boys' school,

1 the New Mexico youth diagnostic and development center, the Los  
2 Lunas medical center, the Fort Stanton hospital, the Las Vegas  
3 medical center or the Carrie Tingley crippled children's  
4 hospital;

5 R. "state educational institution" means an  
6 institution enumerated in Article 12, Section 11 of the  
7 constitution of New Mexico;

8 S. "forty-day report" means the report of qualified  
9 student membership of each school district and of those eligible  
10 to be qualified students but enrolled in a private school or a  
11 home school for the first forty days of school;

12 T. "school" means any supervised program of  
13 instruction designed to educate a person in a particular place,  
14 manner and subject area;

15 U. "school-age person" means any person who is at  
16 least five years of age prior to 12:01 a.m. on September 1 of  
17 the school year and who has not received a high school diploma  
18 or its equivalent. A maximum age of twenty-one shall be used  
19 for persons who are classified as special education membership  
20 as defined in Section 22-8-2 NMSA 1978 or as residents of state  
21 institutions;

22 V. "home school" means the operation by a parent,  
23 guardian or other person having custody of a school-age person  
24 who instructs a home study program that provides a basic  
25 academic educational program, including but not limited to

Underscored material = new  
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1 reading, language arts, mathematics, social studies and science;  
2 and

3 W. "school building" means a public school, an  
4 administration building and related school structure or  
5 facilities, including teacher housing, as may be owned, acquired  
6 or constructed by the local school board and as necessary to  
7 carry out the powers and duties of the local school board."

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# **State of New Mexico House of Representatives**

**FORTY-THIRD LEGISLATURE**

**FIRST SESSION, 1997**

**March 19, 1997**

**Mr. Speaker:**

**Your EDUCATION COMMITTEE, to whom has been referred**

**HOUSE BILL 1065**

**has had it under consideration and reports same with  
recommendation that it DO PASS.**

**Respectfully submitted,**

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**Samuel F. Vigil, Chairman**

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HEC/HB 1065

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Mi era, Nicely, S. M Williams, Wright

Absent: None

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