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SENATE BILL 1155

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

INTRODUCED BY

CYNTHIA NAVA

AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING THE INCENTIVES FOR SCHOOL
IMPROVEMENT ACT TO PROVIDE REWARDS TO SCHOOLS THAT PERFORM
HIGHER THAN EXPECTED; MAKING AN APPROPRIATION TO THE INCENTIVES
FOR SCHOOL IMPROVEMENT FUND.

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

Section 1. Section 22-13A-1 NMSA 1978 (being Laws 1989,
Chapter 137, Section 1) is amended to read:

"22-13A-1. SHORT TITLE. -- [~~This act~~] Chapter 22, Article
13A NMSA 1978 may be cited as the "Incentives for School
Improvement Act". "

Section 2. Section 22-13A-2 NMSA 1978 (being Laws 1989,
Chapter 137, Section 2) is amended to read:

"22-13A-2. PURPOSE. -- The purpose of the Incentives for
School Improvement Act is to provide financial incentives to

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1 ~~[school districts in order to improve the academic performance~~
2 ~~and school behavior of students]~~ individual schools that exceed
3 expected academic performance. "

4 Section 3. Section 22-13A-4 NMSA 1978 (being Laws 1989,
5 Chapter 137, Section 4) is amended to read:

6 "22-13A-4. PROGRAM CREATED--ADMINISTRATION--PROGRAM
7 APPROVAL.--The "incentives for school improvement program" is
8 created. The program shall be administered by the department.
9 The department shall develop a standardized method to measure
10 the progress of students enrolled in public schools ~~[electing to~~
11 ~~participate in the program]~~ in school districts throughout the
12 state. The standardized method developed shall be reviewed and
13 approved by the state board. "

14 Section 4. Section 22-13A-5 NMSA 1978 (being Laws 1989,
15 Chapter 137, Section 5) is amended to read:

16 "22-13A-5. PROGRAM IMPLEMENTATION--MEASUREMENT CRITERIA.--

17 A. The department shall develop a formula by which
18 to measure school achievement in the areas of academic
19 performance ~~[and student behavior. This formula shall include a~~
20 ~~factor which takes into account the number of students at risk~~
21 ~~of school failure in attendance at a school]~~ with consideration
22 of socioeconomic variables. The product of this formula shall
23 take the form of a composite rating assigned to each school
24 ~~[participating in the program]~~ in every school district.

25 B. Academic performance shall be measured by:

- 1 (1) nationally standardized test scores;
2 (2) graduation competency scores; and
3 (3) other factors deemed relevant by the
4 department.

5 ~~[C. Student behavior shall be measured by:-~~

- 6 ~~(1) dropout rates;~~
7 ~~(2) graduation rates;~~
8 ~~(3) attendance rates; and~~
9 ~~(4) other factors deemed relevant by the~~
10 ~~department.~~

11 ~~D. The students at risk of school failure factor~~
12 ~~shall be measured by:-~~

- 13 ~~(1) the number of bilingual program units~~
14 ~~received by the school;~~
15 ~~(2) the number of low-income students as~~
16 ~~measured by federal poverty guidelines; and~~
17 ~~(3) other factors deemed relevant by the~~
18 ~~department]~~

19 C. The socioeconomic variables shall be measured by:

- 20 (1) the percentage of student mobility rates;
21 (2) the percentage of limited English-
22 proficient students using criteria established by the federal
23 office of civil rights;
24 (3) the percentage of students eligible for
25 free and reduced-fee lunches; and

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1 (4) other factors deemed relevant by the
2 department.

3 [E-] D. Annually, the department shall assign a new
4 composite rating to ~~[all schools electing to participate in the~~
5 ~~program]~~ each school. The department shall compare the new
6 rating to the previous annual rating. Schools increasing their
7 composite rating shall be ranked in order. The schools
8 evidencing the greatest increase in rating shall receive
9 monetary disbursements from the fund. "

10 Section 5. Section 22-13A-6 NMSA 1978 (being Laws 1989,
11 Chapter 137, Section 6) is amended to read:

12 "22-13A-6. FUND CREATED. --

13 A. There is created in the state treasury the
14 "incentives for school improvement fund". The fund shall
15 consist of any state money appropriated to the fund, any federal
16 money allocated to the state for the purposes of ~~[this]~~ the
17 Incentives for School Improvement Act, undistributed annual
18 balances and earnings of the fund and any gifts or bequests made
19 to the fund. The state treasurer shall invest the fund as other
20 state funds are invested. The balance remaining in the fund at
21 the end of the fiscal year shall not revert to the general fund.

22 B. The fund ~~[shall be expended by the superintendent~~
23 ~~of public instruction]~~ is appropriated to the department for the
24 purpose of implementing and administering the Incentives for
25 School Improvement Act. No more than one-half of one percent of

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1 the fund [~~shall~~] may be retained by the [~~state superintendent~~]
2 department for administrative purposes.

3 C. Money in the fund other than that used for
4 administrative purposes shall be distributed directly to [~~the~~
5 ~~New Mexico elementary, middle and secondary~~] schools evidencing
6 the greatest improvement [~~based upon their composite rating~~] as
7 determined by the department. Disbursements shall be made only
8 to that number of schools constituting not more than ten percent
9 of the student membership in the state. Distributions shall be
10 made proportionately to schools that qualify. Money received by
11 a school from the fund shall not be [~~utilized~~] used for
12 salaries, [~~or~~] salary increases or bonuses. Money shall be
13 [~~utilized for school improvement purposes~~] used as determined by
14 the school principal and teachers in cooperation with other
15 school employees and the community. "

16 Section 6. APPROPRIATION. -- One million three hundred
17 thousand dollars (\$1,300,000) is appropriated from the general
18 fund to the incentives for school improvement fund for
19 expenditure in fiscal year 1998 for the purpose of implementing
20 and administering the Incentives for School Improvement Act.
21 Any unexpended or unencumbered balance remaining at the end of
22 fiscal year 1998 shall revert to the general fund.

1 FORTY-THIRD LEGISLATURE
2 FIRST SESSION, 1997
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6 March 4, 1997
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8 Mr. President:
9

10 Your EDUCATION COMMITTEE, to whom has been referred
11

12 SENATE BILL 1155
13

14 has had it under consideration and reports same with
15 recommendation that it DO PASS, and thence referred to the
16 FINANCE COMMITTEE.
17

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19 Respectfully submitted,
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23 _____
24 Cynthia Nava, Chairman
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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

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Date _____

The roll call vote was 6 For 0 Against
Yes: 6
No: 0
Excused: Boitano, Duran, Gorham, Maloof
Absent: None

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6 March 17, 1997

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8 Mr. President:

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10 Your FINANCE COMMITTEE, to whom has been referred

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12 SENATE BILL 1155

13
14 has had it under consideration and reports same with
15 recommendation that it DO PASS, amended as follows:

- 16
17
- 18 1. On page 1, lines 13 and 14, strike "; MAKING AN
19 APPROPRIATION TO THE INCENTIVES FOR SCHOOL IMPROVEMENT FUND".
 - 20
21 2. On page 4, line 25, strike "one-half of one" and insert in
22 lieu thereof "three".
 - 23
24 3. On page 5, strike lines 16 through 22 in their entirety.
- 25

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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SFC/SB 1155

Page 9

Respectfully submitted,

Ben D. Altamirano, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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SFC/SB 1155

Page 10

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Eisenstadt, Ingle, Lyons, McKibben, Smith

Absent: None

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State of New Mexico
House of Representatives

FORTY-THIRD LEGISLATURE

FIRST SESSION, 1997

March 21, 1997

Mr. Speaker:

Your EDUCATION COMMITTEE, to whom has been referred

SENATE BILL 1155, as amended

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

Respectfully submitted,

Samuel F. Vigil, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Mallory, McSherry, Nicely, Trujillo, W.C. Williams

Absent: None

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