

1 SENATE BILL 315

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO PUBLIC SCHOOLS; CREATING THE NEW MEXICO SCHOOL FOR  
12 THE ARTS AS A SPECIAL STATEWIDE RESIDENTIAL PUBLIC HIGH SCHOOL;  
13 CREATING A SCHOOL BOARD FOR THE SCHOOL; REQUIRING THE BOARD TO  
14 BE A BOARD OF FINANCE; PROVIDING POWERS AND DUTIES.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 22-1-2 NMSA 1978 (being Laws 2003,  
18 Chapter 153, Section 3, as amended by Laws 2015, Chapter 58,  
19 Section 2 and by Laws 2015, Chapter 108, Section 1) is amended  
20 to read:

21 "22-1-2. DEFINITIONS.--As used in the Public School Code:

22 A. "academic proficiency" means mastery of the  
23 subject-matter knowledge and skills specified in state academic  
24 content and performance standards for a student's grade level;

25 B. "charter school" means a school authorized by a

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1 chartering authority to operate as a public school;

2 C. "commission" means the public education  
3 commission;

4 D. "department" means the public education  
5 department;

6 E. "home school" means the operation by the parent  
7 of a school-age person of a home study program of instruction  
8 that provides a basic academic educational program, including  
9 reading, language arts, mathematics, social studies and  
10 science;

11 F. "instructional support provider" means a person  
12 who is employed to support the instructional program of a  
13 school district, including educational assistant, school  
14 counselor, social worker, school nurse, speech-language  
15 pathologist, psychologist, physical therapist, occupational  
16 therapist, recreational therapist, marriage and family  
17 therapist, interpreter for the deaf and diagnostician;

18 G. "licensed school employee" means teachers,  
19 school administrators and instructional support providers;

20 H. "local school board" means the policy-setting  
21 body of a school district and the policy-setting body of the  
22 New Mexico school for the arts;

23 I. "local superintendent" means the chief executive  
24 officer of a school district;

25 J. "New Mexico school for the arts" means a special

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1 statewide residential public school that has the powers and  
2 duties of a public school and a school district, except that it  
3 is not a political subdivision of the state and does not have  
4 taxing or bonding authority;

5 [J-] K. "parent" includes a guardian or other  
6 person having custody and control of a school-age person;

7 [K-] L. "private school" means a school, other than  
8 a home school, that offers on-site programs of instruction and  
9 that is not under the control, supervision or management of a  
10 local school board;

11 [L-] M. "public school" means that part of a school  
12 district that is a single attendance center in which  
13 instruction is offered by one or more teachers and is  
14 discernible as a building or group of buildings generally  
15 recognized as either an elementary, middle, junior high or high  
16 school or any combination of those and includes a charter  
17 school and the New Mexico school for the arts;

18 [M-] N. "school" means a supervised program of  
19 instruction designed to educate a student in a particular  
20 place, manner and subject area;

21 [N-] O. "school administrator" means a person  
22 licensed to administer in a school district and includes school  
23 principals, central district administrators and charter school  
24 head administrators;

25 [O-] P. "school-age person" means a person who is

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1 at least five years of age prior to 12:01 a.m. on September 1  
2 of the school year and who has not received a high school  
3 diploma or its equivalent. A maximum age of twenty-one shall  
4 be used for a person who is classified as special education  
5 membership as defined in Section 22-8-21 NMSA 1978 or as a  
6 resident of a state institution;

7 ~~[P-]~~ Q. "school building" means a public school, an  
8 administration building and related school structures or  
9 facilities, including teacher housing, that is owned, acquired  
10 or constructed by the school district as necessary to carry out  
11 the functions of the school district;

12 ~~[Q-]~~ R. "school bus private owner" means a person,  
13 other than a school district, the department, the state or any  
14 other political subdivision of the state, that owns a school  
15 bus;

16 ~~[R-]~~ S. "school district" means an area of land  
17 established as a political subdivision of the state for the  
18 administration of public schools and segregated geographically  
19 for taxation and bonding purposes;

20 ~~[S-]~~ T. "school employee" includes licensed and  
21 nonlicensed employees of a school district;

22 ~~[T-]~~ U. "school principal" means the chief  
23 instructional leader and administrative head of a public  
24 school;

25 ~~[U-]~~ V. "school year" means the total number of

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1 contract days offered by public schools in a school district  
2 during a period of twelve consecutive months;

3 [V.] W. "secretary" means the secretary of public  
4 education;

5 [W.] X. "state agency" or "state institution" means  
6 the New Mexico military institute, New Mexico school for the  
7 blind and visually impaired, New Mexico school for the deaf,  
8 New Mexico boys' school, girls' welfare home, New Mexico youth  
9 diagnostic and development center, Sequoyah adolescent  
10 treatment center, Carrie Tingley crippled children's hospital,  
11 New Mexico behavioral health institute at Las Vegas and any  
12 other state agency responsible for educating resident children;

13 [X.] Y. "state educational institution" means an  
14 institution enumerated in Article 12, Section 11 of the  
15 constitution of New Mexico;

16 [Y.] Z. "substitute teacher" means a person who  
17 holds a certificate to substitute for a teacher in the  
18 classroom; and

19 [Z.] AA. "teacher" means a person who holds a level  
20 one, two or three-A license and whose primary duty is classroom  
21 instruction or the supervision, below the school principal  
22 level, of an instructional program or whose duties include  
23 curriculum development, peer intervention, peer coaching or  
24 mentoring or serving as a resource teacher for other teachers

25 [~~AA.~~ "~~certified school instructor~~" means a teacher

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1 ~~or instructional support provider; and~~

2 BB. ~~"certified school employee" or "certified~~  
3 ~~school personnel" means a licensed school employee]."~~

4 SECTION 2. Section 22-1-4 NMSA 1978 (being Laws 1975,  
5 Chapter 338, Section 1, as amended) is amended to read:

6 "22-1-4. FREE PUBLIC SCHOOLS--EXCEPTIONS--WITHDRAWING AND  
7 ENROLLING--OPEN ENROLLMENT.--

8 A. Except as provided by the New Mexico School for  
9 the Arts Act and Section 24-5-2 NMSA 1978, a free public school  
10 education shall be available to any school-age person who is a  
11 resident of this state and has not received a high school  
12 diploma or its equivalent.

13 B. A free public school education in those courses  
14 already offered to persons pursuant to the provisions of  
15 Subsection A of this section shall be available to any person  
16 who is a resident of this state and has received a high school  
17 diploma or its equivalent if there is available space in such  
18 courses.

19 C. ~~[Any]~~ A person entitled to a free public school  
20 education pursuant to the provisions of this section may enroll  
21 or re-enroll in a public school at any time and, unless  
22 required to attend school pursuant to the Compulsory School  
23 Attendance Law, may withdraw from a public school at any time.

24 D. In adopting and promulgating rules concerning  
25 the enrollment of students transferring from a home school or

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1 private school to the public schools, the local school board  
2 shall provide that the grade level at which the transferring  
3 student is placed is appropriate to the age of the student or  
4 to the student's score on a student achievement test  
5 administered according to the statewide assessment and  
6 accountability system.

7 E. A local school board shall adopt and promulgate  
8 rules governing enrollment and re-enrollment at public schools  
9 other than charter schools within the school district. These  
10 rules shall include:

11 (1) definition of the school district boundary  
12 and the boundaries of attendance areas for each public school;

13 (2) for each public school, definition of the  
14 boundaries of areas outside the school district boundary or  
15 within the school district but outside the public school's  
16 attendance area and within a distance of the public school that  
17 would not be served by a school bus route as determined  
18 pursuant to Section 22-16-4 NMSA 1978 if enrolled, which areas  
19 shall be designated as "walk zones";

20 (3) priorities for enrollment of students as  
21 follows:

22 (a) first, students residing within the  
23 school district and within the attendance area of a public  
24 school and students who had resided in the attendance area  
25 prior to a parent who is an active duty member of the armed

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1 forces of the United States or member of the national guard  
2 being deployed and whose deployment has required the student to  
3 relocate outside the attendance area for custodial care;

4 (b) second, students enrolled in a  
5 school rated as "F" for two of the prior four years pursuant to  
6 the A-B-C-D-F Schools Rating Act;

7 (c) third, students who previously  
8 attended the public school; and

9 (d) fourth, all other applicants;

10 (4) establishment of maximum allowable class  
11 size if smaller than that permitted by law; and

12 (5) rules pertaining to grounds for denial of  
13 enrollment or re-enrollment at schools within the school  
14 district and the school district's hearing and appeals process  
15 for such a denial. Grounds for denial of enrollment or re-  
16 enrollment shall be limited to:

17 (a) a student's expulsion from any  
18 school district or private school in this state or any other  
19 state during the preceding twelve months; or

20 (b) a student's behavior in another  
21 school district or private school in this state or any other  
22 state during the preceding twelve months that is detrimental to  
23 the welfare or safety of other students or school employees.

24 F. In adopting and promulgating rules governing  
25 enrollment and re-enrollment at public schools other than



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1 charter schools within the school district, a local school  
2 board may establish additional enrollment preferences for rules  
3 admitting students in accordance with the third and fourth  
4 priorities of enrollment set forth in Subparagraphs (c) and (d)  
5 of Paragraph (3) of Subsection E of this section. The  
6 additional enrollment preferences may include:

- 7 (1) after-school child care for students;
- 8 (2) child care for siblings of students  
9 attending the public school;
- 10 (3) children of employees employed at the  
11 public school;
- 12 (4) extreme hardship;
- 13 (5) location of a student's previous school;
- 14 (6) siblings of students already attending the  
15 public school; and
- 16 (7) student safety.

17 G. As long as the maximum allowable class size  
18 established by law or by rule of a local school board,  
19 whichever is lower, is not met or exceeded in a public school  
20 by enrollment of first- and second-priority persons, the public  
21 school shall enroll other persons applying in the priorities  
22 stated in the school district rules adopted pursuant to  
23 Subsections E and F of this section. If the maximum would be  
24 exceeded by enrollment of an applicant in the second through  
25 fourth priority, the public school shall establish a waiting

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1 list. As classroom space becomes available, persons highest on  
2 the waiting list within the highest priority on the list shall  
3 be notified and given the opportunity to enroll."

4 SECTION 3. Section 22-15F-2 NMSA 1978 (being Laws 2008,  
5 Chapter 15, Section 2) is amended to read:

6 "22-15F-2. PURPOSE OF ACT.--The purpose of the New Mexico  
7 School for the Arts Act is to provide for the establishment of  
8 the "New Mexico school for the arts" as a statewide residential  
9 [~~state-chartered charter~~] public high school that provides New  
10 Mexico students who have demonstrated artistic abilities and  
11 potential with the educational opportunity to pursue a career  
12 in the arts. The school shall function as a special high  
13 school that has the powers and duties of a school district  
14 except for taxation, bonding and other activities available  
15 only to a political subdivision of the state."

16 SECTION 4. Section 22-15F-3 NMSA 1978 (being Laws 2008,  
17 Chapter 15, Section 3) is amended to read:

18 "22-15F-3. DEFINITIONS.--As used in the New Mexico School  
19 for the Arts Act:

- 20 A. "board" means the [~~governing body~~] board of  
21 education of the school; [~~and~~]
- 22 B. "school" means the New Mexico school for the  
23 arts; and
- 24 C. "superintendent" means the head administrator of  
25 the school, who carries out the educational, budgetary,

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1 financial and other policies of the board."

2 SECTION 5. Section 22-15F-4 NMSA 1978 (being Laws 2008,  
3 Chapter 15, Section 4) is amended to read:

4 "22-15F-4. PURPOSE OF SCHOOL [~~SCHOOL EXEMPT FROM CERTAIN~~  
5 ~~PROVISIONS OF THE CHARTER SCHOOLS ACT]~~.--

6 A. [~~The commission may charter a~~] The "New Mexico  
7 school for the arts" [as] is a special statewide residential  
8 [~~state-chartered charter~~] public high school for grades nine  
9 through twelve to offer intensive [~~preprofessional~~] pre-  
10 professional instruction in the performing and visual arts  
11 combined with a strong academic program that leads to a New  
12 Mexico diploma of excellence.

13 B. The school and the board are subject to [~~all the~~  
14 ~~provisions of the Charter Schools Act, except Subsection K of~~  
15 ~~Section 22-8B-4 NMSA 1978 and Section 22-8B-4.1 NMSA 1978]~~ the  
16 provisions of the Public School Code in the same manner as  
17 other public schools, school districts and local school boards.  
18 The school shall not charge tuition, except as otherwise  
19 provided in the Public School Code. The school shall be  
20 supported by state funds in the same manner as other [~~charter~~  
21 ~~high schools authorized by the commission]~~ public schools  
22 belonging to local school boards.

23 C. The school shall receive operational and capital  
24 funding in the same manner as other public schools.

25 D. Teachers and instructional support staff shall

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1 be provided with access to instruction-related professional  
2 development in the same manner as other public school teachers  
3 and instructional support staff to ensure the acquisition of  
4 best practices in teaching in academics and the arts and other  
5 fields represented by the instructional support staff."

6 SECTION 6. Section 22-15F-5 NMSA 1978 (being Laws 2008,  
7 Chapter 15, Section 5) is amended to read:

8 "22-15F-5. BOARD CREATED--POWERS AND DUTIES--SOLICITATION  
9 OF GIFTS, GRANTS AND DONATIONS.--

10 A. The provisions of Sections 22-5-1, 22-5-1.1,  
11 22-5-3 and 22-5-3.1 NMSA 1978 notwithstanding, the school shall  
12 be governed by a board of [at least five] education of nine  
13 members [constituted as provided in the school's application  
14 for charter] appointed by the governor with the advice and  
15 consent of the senate. The governor shall appoint members from  
16 a list of names provided by the New Mexico school for the arts  
17 art institute. No more than four members shall be from each  
18 congressional district and no more than five members shall be  
19 from the same political party. No member of the board shall  
20 serve as a member of another [charter] school board. The board  
21 shall have such powers and perform such duties as required by  
22 state and federal law [and the school's charter], including  
23 soliciting and receiving gifts, grants and donations to further  
24 the purposes of the school and to assist the school in  
25 providing free or reduced-fee room and board for those

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1 residential students who cannot pay all or part of residential  
2 costs. The board must qualify as a board of finance.

3 B. The board is subject to all applicable  
4 provisions of Chapter 22, Article 5 NMSA 1978.

5 C. The board shall appoint a superintendent for the  
6 school, who shall have the powers and duties specified in  
7 Section 22-5-14 NMSA 1978."

8 SECTION 7. Section 22-15F-6 NMSA 1978 (being Laws 2008,  
9 Chapter 15, Section 6) is amended to read:

10 "22-15F-6. ADMISSIONS CRITERIA--EQUAL OPPORTUNITY--  
11 OUTREACH.--

12 A. The admissions criteria shall be designed to  
13 admit students who show exceptional promise or aptitude in the  
14 arts and a strong desire to pursue a career in the arts. The  
15 admissions process shall be conducted in a way that provides  
16 equal opportunity for admission to each prospective student  
17 regardless of that student's exposure to previous artistic  
18 training and without regard to the student's ability to pay  
19 residential costs.

20 B. The board shall ensure, to the greatest extent  
21 possible and without jeopardizing admissions standards, that an  
22 equal number of students is admitted to the school from each of  
23 the state's congressional districts.

24 C. The board shall submit an annual report to the  
25 [~~charter schools division and the commission~~] governor and the

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1 legislature that includes demographic information about both  
2 applicants and students admitted to the school, including the  
3 counties and the congressional districts represented by the  
4 students enrolled and the makeup of the student body in terms  
5 of socioeconomic status, gender and ethnicity.

6 D. The school shall conduct outreach activities  
7 throughout the state to acquaint potential students with the  
8 programs offered by the school. The outreach activities shall  
9 include programs for middle school students and workshops for  
10 teachers. There shall be no admissions criteria established  
11 for participation in outreach activities. Outreach may include  
12 summer school programming in Santa Fe or other locations around  
13 the state."

14 SECTION 8. Section 22-15F-7 NMSA 1978 (being Laws 2008,  
15 Chapter 15, Section 7) is amended to read:

16 "22-15F-7. ROOM AND BOARD CHARGES.--

17 A. The school shall charge residential students a  
18 fee to cover the costs of room and board. The board shall  
19 establish a sliding-fee scale based on ~~[the]~~ a student's  
20 ability to pay. The ~~[commission]~~ secretary shall approve room  
21 and board charges and the sliding-fee scale ~~[during the~~  
22 ~~planning year of the school and may approve changes to the~~  
23 ~~charges and scale as requested by the board]~~.

24 B. The school shall report each year to the  
25 ~~[charter schools division and the commission]~~ secretary on the

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1 number of students requiring financial assistance for room and  
2 board; the amount of financial assistance provided; and the  
3 amount and source of gifts, grants and donations received by  
4 the school to provide that financial assistance."

5 SECTION 9. Section 22-15F-8 NMSA 1978 (being Laws 2008,  
6 Chapter 15, Section 8, as amended) is amended to read:

7 "22-15F-8. ROOM AND BOARD COSTS--OUTREACH ACTIVITIES--USE  
8 OF STATE EQUALIZATION GUARANTEE DISTRIBUTIONS PROHIBITED.--The  
9 school, either through a foundation or other private or public  
10 funding sources, shall obtain funding to ensure that the school  
11 has adequate revenue to pay for all expenses associated with  
12 outreach activities provided for in Section 22-15F-6 NMSA 1978  
13 and for room and board costs for those students who are not  
14 able to pay the full cost of room and board as provided in  
15 Section 22-15F-7 NMSA 1978. The school shall account  
16 separately for the costs of outreach activities and room and  
17 board and for the revenue received from private or public  
18 sources to pay those costs. The school shall not use money  
19 received from the state equalization guarantee distribution for  
20 these purposes. [~~Failure of the school to secure adequate  
21 funding for these purposes shall be grounds for denial or  
22 revocation of a charter.~~]"

23 SECTION 10. Section 22-24-3 NMSA 1978 (being Laws 1975,  
24 Chapter 235, Section 3, as amended by Laws 2018, Chapter 66,  
25 Section 1 and by Laws 2018, Chapter 71, Section 2) is amended

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1 to read:

2 "22-24-3. DEFINITIONS.--As used in the Public School  
3 Capital Outlay Act:

4 A. "authority" means the public school facilities  
5 authority;

6 B. "building system" means a set of interacting  
7 parts that makes up a single, nonportable or fixed component of  
8 a facility and that, together with other building systems,  
9 makes up an entire integrated facility or property, including  
10 roofing, electrical distribution, electronic communication,  
11 plumbing, lighting, mechanical, fire prevention, facility  
12 shell, interior finishes, heating, ventilation and air  
13 conditioning systems and school security systems, as defined by  
14 the council;

15 C. "~~constitutional~~ special schools" means the  
16 New Mexico school for the blind and visually impaired, ~~and~~  
17 the New Mexico school for the deaf and the New Mexico school  
18 for the arts;

19 D. "~~constitutional~~ special schools support  
20 spaces" means all facilities necessary to support the  
21 ~~constitutional~~ special schools' educational mission that are  
22 not included in the ~~constitutional~~ special schools'  
23 educational adequacy standards, including performing arts  
24 centers, facilities for athletic competition, school district  
25 administration and facility and vehicle maintenance;

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1           E. "council" means the public school capital outlay  
2 council;

3           F. "education technology infrastructure" means the  
4 physical hardware used to interconnect education technology  
5 equipment for school districts and school buildings necessary  
6 to support broadband connectivity as determined by the council;

7           G. "fund" means the public school capital outlay  
8 fund;

9           H. "maximum allowable gross square foot per  
10 student" means a determination made by applying the established  
11 maximum allowable square foot guidelines for educational  
12 facilities based on type of school and number of students in  
13 the current published New Mexico public school adequacy  
14 planning guide to the department's current year certified first  
15 reporting date membership;

16           I. "replacement cost per square foot" means the  
17 statewide cost per square foot as established by the council;

18           J. "school district" includes state-chartered  
19 charter schools and the ~~[constitutional]~~ special schools;

20           K. "school district population density" means the  
21 population density on a per square mile basis of a school  
22 district as estimated by the authority based on the most  
23 current tract level population estimates published by the  
24 United States census bureau; and

25           L. "school district population density factor"

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1 means zero when the school district population density is  
2 greater than fifty people per square mile, six-hundredths when  
3 the school district population density is greater than fifteen  
4 but less than fifty-one persons per square mile and twelve-  
5 hundredths when the school district population density is less  
6 than sixteen persons per square mile."

7 SECTION 11. Section 22-25-2 NMSA 1978 (being Laws 1975  
8 (S.S.), Chapter 5, Section 2, as amended) is amended to read:

9 "22-25-2. DEFINITIONS.--As used in the Public School  
10 Capital Improvements Act:

11 ~~[A. "program unit" means the product of the program~~  
12 ~~element multiplied by the applicable cost differential factor,~~  
13 ~~as defined in Section 22-8-2 NMSA 1978; and~~

14 B.] A. "capital improvements" means expenditures,  
15 including payments made with respect to lease-purchase  
16 arrangements as defined in the Education Technology Equipment  
17 Act or the Public School Lease Purchase Act but excluding any  
18 other debt service expenses, for:

19 (1) erecting, remodeling, making additions to,  
20 providing equipment for or furnishing public school buildings;

21 (2) purchasing or improving public school  
22 grounds;

23 (3) maintenance of public school buildings or  
24 public school grounds, including the purchasing or repairing of  
25 maintenance equipment and participating in the facility

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1 information management system as required by the Public School  
2 Capital Outlay Act and including payments under contracts with  
3 regional education cooperatives for maintenance support  
4 services and expenditures for technical training and  
5 certification for maintenance and facilities management  
6 personnel, but excluding salary expenses of school district  
7 employees;

8 (4) purchasing activity vehicles for  
9 transporting students to extracurricular school activities;

10 (5) purchasing computer software and hardware  
11 for student use in public school classrooms; and

12 (6) purchasing and installing education  
13 technology improvements, excluding salary expenses of school  
14 district employees, but including tools used in the educational  
15 process that constitute learning and administrative resources,  
16 and which may also include:

17 (a) satellite, copper and fiber-optic  
18 transmission; computer and network connection devices; digital  
19 communication equipment, including voice, video and data  
20 equipment; servers; switches; portable media devices, such as  
21 discs and drives to contain data for electronic storage and  
22 playback; and the purchase or lease of software licenses or  
23 other technologies and services, maintenance, equipment and  
24 computer infrastructure information, techniques and tools used  
25 to implement technology in schools and related facilities; and

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1 (b) improvements, alterations and  
2 modifications to, or expansions of, existing buildings or  
3 tangible personal property necessary or advisable to house or  
4 otherwise accommodate any of the tools listed in this  
5 paragraph;

6 B. "charter school" includes the New Mexico school  
7 for the arts; and

8 C. "program unit" means the product of the program  
9 element multiplied by the applicable cost differential factor,  
10 as defined in Section 22-8-2 NMSA 1978."

11 SECTION 12. Section 22-26-2 NMSA 1978 (being Laws 1983,  
12 Chapter 163, Section 2, as amended) is amended to read:

13 "22-26-2. DEFINITION.--As used in the Public School  
14 Buildings Act:

15 A. "capital improvements" means expenditures,  
16 including payments made with respect to lease-purchase  
17 arrangements as defined in the Education Technology Equipment  
18 Act but excluding any other debt service expenses, for:

19 [~~A.~~] (1) erecting, remodeling, making  
20 additions to, providing equipment for or furnishing public  
21 school buildings;

22 [~~B.~~] (2) payments made pursuant to a financing  
23 agreement entered into by a school district or a charter school  
24 for the leasing of a building or other real property with an  
25 option to purchase for a price that is reduced according to

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1 payments made;

2 [G-] (3) purchasing or improving public school  
3 grounds;

4 [D-] (4) purchasing activity vehicles for  
5 transporting students to and from extracurricular school  
6 activities; provided that this authorization for expenditure  
7 does not apply to school districts with a student MEM greater  
8 than sixty thousand;

9 [E-] (5) administering the projects undertaken  
10 pursuant to [~~Subsections A~~] Paragraphs (1) and [G] (3) of this  
11 [~~section~~] subsection, including expenditures for facility  
12 maintenance software, project management software, project  
13 oversight and district personnel specifically related to  
14 administration of projects funded by the Public School  
15 Buildings Act; provided that expenditures pursuant to this  
16 subsection shall not exceed five percent of the total project  
17 costs; and

18 [F-] (6) purchasing and installing education  
19 technology improvements, excluding salary expenses of school  
20 district employees, but including tools used in the educational  
21 process that constitute learning and administrative resources,  
22 and which may also include:

23 [(+)] (a) satellite, copper and fiber-  
24 optic transmission; computer and network connection devices;  
25 digital communication equipment, including voice, video and

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1 data equipment; servers; switches; portable media devices, such  
2 as discs and drives to contain data for electronic storage and  
3 playback; and purchase or lease of software licenses or other  
4 technologies and services, maintenance, equipment and computer  
5 infrastructure information, techniques and tools used to  
6 implement technology in schools and related facilities; and  
7 [~~2~~] (b) improvements, alterations and  
8 modifications to, or expansions of, existing buildings or  
9 tangible personal property necessary or advisable to house or  
10 otherwise accommodate any of the tools listed in this  
11 subsection; and

12 B. "charter school" includes the New Mexico school  
13 for the arts."

14 SECTION 13. TEMPORARY PROVISION--CURRENT GOVERNING  
15 COUNCIL MEMBERS.--The current governing council shall continue  
16 as the board of education for the New Mexico school for the  
17 arts until the terms of its members have expired. The governor  
18 shall nominate and, with the advice and consent of the senate,  
19 appoint three additional members from congressional districts  
20 not represented or underrepresented on the current governing  
21 council to serve staggered terms on the board of education. In  
22 making the appointments, the governor shall maintain the  
23 current staggering of terms. As terms of current governing  
24 council members expire, the governor shall ensure that the  
25 provisions of Subsection A of Section 22-15F-5 NMSA 1978 are

.212024.3

underscoring material = new  
~~[bracketed material]~~ = delete

1 met.

2 SECTION 14. EFFECTIVE DATE.--The effective date of the  
3 provisions of this act is July 1, 2019.

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