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HOUSE BILL 782

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

RICHARD T. (DICK) KNOWLES

AN ACT

RELATING TO EDUCATION; AMENDING A SECTION OF THE PUBLIC SCHOOL
CODE PERTAINING TO THE DUTIES OF THE STATE BOARD OF EDUCATION.

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

Section 1. Section 22-2-2 NMSA 1978 (being Laws 1967,
Chapter 16, Section 5, as amended) is amended to read:

"22-2-2. STATE BOARD--DUTIES.-- Without limiting those
powers granted to the state board pursuant to Section 22-2-1
NMSA 1978, the state board shall perform the following duties:

A. properly and uniformly enforce the provisions of
the Public School Code;

B. determine policy for the operation of all public
schools and vocational education programs in the state;

C. appoint a state superintendent;

D. purchase and loan instructional material to

1 students pursuant to the Instructional Material Law and adopt
2 regulations relating to the use and operation of instructional
3 material depositories in the instructional material distribution
4 process;

5 E. designate courses of instruction to be taught in
6 all public schools in the state;

7 F. assess and evaluate all state institutions and
8 those private schools that desire state accreditation;

9 G. determine the qualifications for and issue a
10 certificate to any person teaching, assisting teachers,
11 supervising an instructional program, counseling, providing
12 special instructional services or administering in public
13 schools, according to law and according to a system of
14 classification adopted and published by the state board;

15 H. suspend or revoke a certificate held by a
16 certified school instructor or certified school administrator,
17 according to law, for incompetency, immorality or for any other
18 good and just cause;

19 I. make full and complete reports on consolidation
20 of school districts to the legislature;

21 J. prescribe courses of instruction, requirements
22 for graduation and standards for all public schools, for private
23 schools seeking state accreditation and for the educational
24 programs conducted in state institutions other than New Mexico
25 military institute;

Underscored material = new
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1 K. adopt regulations for the administration of all
2 public schools and bylaws for its own administration;

3 L. require periodic reports on forms prescribed by
4 it from all public schools and attendance reports from private
5 schools;

6 M authorize adult educational programs to be
7 conducted in schools under its jurisdiction and promulgate and
8 publish regulations governing all such adult educational
9 programs;

10 N. require any school under its jurisdiction that
11 sponsors athletic programs involving sports to mandate that the
12 participating student obtain catastrophic health and accident
13 insurance coverage, such coverage to be offered through the
14 school and issued by an insurance company duly licensed pursuant
15 to the laws of New Mexico;

16 O. require all accrediting agencies for public
17 schools in the state to act with its approval;

18 P. accept and receive all grants of money from the
19 federal government or any other agency for public school
20 purposes and disburse the money in the manner and for the
21 purpose specified in the grant;

22 Q. require prior approval for any educational
23 program in a public school that is to be conducted, sponsored,
24 carried on or caused to be carried on by a private organization
25 or agency;

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1 R. approve or disapprove all rules or regulations
2 promulgated by any association or organization attempting to
3 regulate any public school activity and invalidate any rule or
4 regulation in conflict with any regulation promulgated by the
5 state board. The state board may require performance and
6 financial audits of any association or organization attempting
7 to regulate any public school activity. The state board shall
8 have no power or control over the rules or regulations or the
9 bylaws governing the administration of the internal organization
10 of the association or organization;

11 S. review decisions made by the governing board or
12 officials of any organization or association regulating any
13 public school activity, and any decision of the state board
14 shall be final in respect thereto;

15 T. accept or reject any charitable gift, grant,
16 devise or bequest. The particular gift, grant, devise or
17 bequest accepted shall be considered an asset of the state;

18 U. establish and maintain regional centers, at its
19 discretion, for conducting cooperative services between public
20 schools and school districts within and among those regions and
21 to facilitate regulation and evaluation of school programs;

22 V. assess and evaluate for accreditation purposes at
23 least one-third of all public schools each year through visits
24 by department of education personnel to investigate the adequacy
25 of pupil gain in standard required subject matter, adequacy of

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1 pupil activities, functional feasibility of public school and
2 school district organization, adequacy of staff preparation and
3 other matters bearing upon the education of the students;

4 W. provide for management and other necessary
5 personnel to operate any public school or school district that
6 has failed to meet requirements of law, state board standards or
7 state board regulations; provided that the operation of the
8 public school or school district shall not include any
9 consolidation or reorganization without the approval of the
10 local board of that school district. Until such time as
11 requirements of law, standards or regulations have been met and
12 compliance is assured, the powers and duties of the local school
13 board shall be suspended;

14 X. establish and implement a plan that provides for
15 technical assistance to local school boards through workshops
16 and other in-service training methods; provided, however, that
17 no plan shall require mandatory attendance by any member of a
18 local school board;

19 Y. submit a plan applying for funds available under
20 Public Law 94-142 and disburse these funds in the manner and for
21 the purposes specified in the plan; and

22 Z. enforce requirements for home schools. Upon
23 finding that a home school is not in compliance with law, the
24 state board shall have authority to order that a student attend
25 a public school or a private school."

State of New Mexico House of Representatives

FORTY- SECOND LEGISLATURE

SECOND SESSION, 1996

February 14, 1996

Mr. Speaker:

Your EDUCATION COMMITTEE, to whom has been referred

HOUSE BILL 782

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

Respectfully submitted,

Samuel F. Vigil, Chairman

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

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Adopted _____ Not Adopted _____

(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Trujillo, Weeks, SM Williams

Absent: None

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

February 14, 1996

Mr. President:

Your EDUCATION COMMITTEE, to whom has been referred

HOUSE BILL 782

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

Respectfully submitted,

Carlos R. Cisneros, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

1 HEC/HB 782

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Date _____

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The roll call vote was 6 For 0 Against

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Yes: 6

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No: 0

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Excused: Carraro, Duran, Lyons, Scott

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Absent: None

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