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HOUSE BILL 890

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Ben Lujan

AN ACT

**RELATING TO EDUCATION; AMENDING SECTIONS OF THE TECHNOLOGY FOR
EDUCATION ACT TO ALLOW LEASES OF EDUCATIONAL TECHNOLOGY TO
ACCREDITED PRIVATE SCHOOLS.**

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

**Section 1. A new section of the Technology for Education
Act is enacted to read:**

**" [NEW MATERIAL] EDUCATIONAL TECHNOLOGY LEASE PROGRAM FOR
ACCREDITED PRIVATE SCHOOLS. --**

**A. An accredited private school may submit an
application to the bureau to lease educational technology,
including software technology, for the benefit of its
students. The bureau shall approve the application and lease
the educational technology to the accredited private school at
fair market value if:**

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1 (1) the bureau has approved the accredited
2 private school's technology plan;

3 (2) the accredited private school has
4 established and implemented an effective review and monitoring
5 process by its own staff members and experts in the field of
6 educational technology; and

7 (3) the bureau has determined that the
8 accredited private school will be responsible for distribution
9 of the software technology and other educational technology
10 for use by its students and for the safekeeping of the
11 technology.

12 B. The lease agreement between the bureau and the
13 accredited private school shall contain such terms and
14 conditions as are set by rule of the state board.

15 C. The annual amount expended on educational
16 technology leased to an accredited private school shall not
17 exceed the amount that the accredited private school would
18 have received as a school district pursuant to Section
19 22-15A-9 NMSA 1978 if its students were qualified students.

20 D. The bureau may expend the educational
21 technology fund to purchase software technology and other
22 educational technology leased pursuant to this section, and
23 revenues received from the lease of the technology shall be
24 deposited in the educational technology fund. "

25 Section 2. Section 22-15A-2 NMSA 1978 (being Laws 1994,

. 135152. 2

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1 Chapter 96, Section 2) is amended to read:

2 "22-15A-2. DEFINITIONS. -- As used in the Technology for
3 Education Act:

4 A. "accredited private school" means a school that
5 has been accredited in compliance with a state board-approved
6 process and accrediting agency;

7 [~~A.~~] B. "bureau" means the education technology
8 bureau in the department of education;

9 [~~B.~~] C. "chief" means the chief of the bureau;

10 [~~C.~~] D. "council" means the council on technology
11 in education; ~~and~~

12 [~~D.~~] E. "educational technology" means tools used
13 in the educational process that constitute learning resources
14 and may include closed circuit television systems, educational
15 television and radio broadcasting, cable television,
16 satellite, copper and fiber optic transmission, computer,
17 [~~video and audio laser and CD-ROM discs, video and audio~~
18 tapes] software technology or other technologies and the
19 training, maintenance, equipment and computer infrastructure
20 information, techniques and tools used to implement technology
21 in classrooms and library and media centers; and

22 F. "software technology" means computer software,
23 video and audio laser and CD-ROM discs or videotapes and
24 audiotapes used to enhance learning by students and that do
25 not purport to teach religious tenets, doctrines or worship."

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1 Section 3. Section 22-15A-4 NMSA 1978 (being Laws 1994,
2 Chapter 96, Section 4) is amended to read:

3 "22-15A-4. BUREAU DUTIES. -- In accordance with the
4 policies and [~~regulations~~] rules of the state board, the
5 bureau shall:

6 A. administer the provisions of the Technology for
7 Education Act;

8 B. develop a statewide plan for the integration of
9 educational technology into the public schools and accredited
10 private schools and coordinate technology-related education
11 activities with other state agencies, the federal government,
12 business consortia and public or private agencies or
13 individuals;

14 C. assist school districts and accredited private
15 schools to develop and implement a strategic, long-term plan
16 for utilizing educational technology in the school system;

17 D. upon approval of a school district's technology
18 plan, make distributions to school districts from the
19 educational technology fund;

20 E. recommend funding mechanisms that will support
21 the development and maintenance of an effective educational
22 technology infrastructure in the state;

23 F. promote collaboration among government,
24 business, educational organizations and telecommunications
25 entities to expand and improve the use of technology in

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1 education;

2 G. assess and determine the educational technology
3 needs of school districts and accredited private schools; and

4 H. provide staff support for and coordinate the
5 activities of the council. "

6 Section 4. Section 22-15A-7 NMSA 1978 (being Laws 1994,
7 Chapter 96, Section 7) is amended to read:

8 "22-15A-7. COUNCIL DUTIES. --The council shall:

9 A. advise the bureau on implementation of the
10 provisions of the Technology for Education Act;

11 B. work with the bureau to conduct periodic
12 assessments of the need for educational technology in the
13 public school system and in accredited private schools and
14 make recommendations to the state board on how to meet those
15 needs;

16 C. promote the collaborative development and
17 implementation of educational technologies, projects and
18 practices to enhance instruction capabilities;

19 D. develop and recommend to the state board a
20 statewide plan to infuse educational technology into the
21 public school system and in accredited private schools in
22 support of state and national education goals; and

23 E. provide assistance to the bureau in review of
24 school district and accredited private school technology
25 plans. "

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