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SENATE BILL 303

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

INTRODUCED BY

Timothy Z. Jennings

AN ACT

RELATING TO PUBLIC SCHOOLS; ENACTING THE LEGISLATIVE PARENTAL INVOLVEMENT ACT; PROVIDING POWERS AND DUTIES; CREATING A FUND; PROVIDING FOR DISTRIBUTIONS; MAKING AN APPROPRIATION.

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

Section 1. A new section of the Public School Code is enacted to read:

" [NEW MATERIAL] SHORT TITLE. -- This act may be cited as the "Legislative Parental Involvement Act". "

Section 2. A new section of the Public School Code is enacted to read:

" [NEW MATERIAL] PURPOSE. -- The purpose of the Legislative Parental Involvement Act is to promote school and community partnerships that will increase parental involvement in public schools to promote the social, emotional and academic growth

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1 of children; to foster relationships and improve  
2 communications between home, school, the parent, the student  
3 and the community; and to provide greater accountability among  
4 parents, school personnel and students. "

5 Section 3. A new section of the Public School Code is  
6 enacted to read:

7 "[NEW MATERIAL] DEFINITIONS. --As used in the Legislative  
8 Parental Involvement Act:

9 A. "fund" means the legislative parental  
10 involvement fund;

11 B. "parental involvement" means that parents of  
12 students at a public school are involved in school activities,  
13 including participating in a parent-teacher organization,  
14 assisting in classroom activities, chaperoning student  
15 activities, participating in school fund-raising activities or  
16 attending parent-teacher conferences or other school-related  
17 functions;

18 C. "parental involvement funds" means the money  
19 raised by a participating school and state matching funds; and

20 D. "participating school" means a public school  
21 that has at least fifty percent parental involvement and  
22 participates in the legislative parental involvement program. "

23 Section 4. A new section of the Public School Code is  
24 enacted to read:

25 "[NEW MATERIAL] LEGISLATIVE PARENTAL INVOLVEMENT

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1 PROGRAM - PARTICIPATING SCHOOLS-- STATE MATCHING FUNDS--  
2 EXPENDITURES. --

3 A. The "legislative parental involvement program"  
4 is created in the department of education to distribute state  
5 matching funds to participating schools for increasing  
6 parental involvement based on a ratio of the amount of money  
7 raised by the participating school and the participating  
8 school's percentage of students eligible for free and reduced  
9 fee lunch programs. The department may promulgate rules to  
10 implement the program, including the monitoring component  
11 provided for in Section 8 of the Legislative Parental  
12 Involvement Act.

13 B. A public school that meets the definition of a  
14 participating school is eligible for state matching funds  
15 through the legislative parental involvement program.

16 C. On or before November 15 and April 15 of each  
17 school year, a participating school shall report to the  
18 department of education the amount and sources of money raised  
19 by the participating school.

20 D. The student council and the parent-teacher  
21 association of the participating school shall determine how  
22 parental involvement funds are to be expended; provided that  
23 if the public school does not have a student council or  
24 parent-teacher association, the school principal shall  
25 constitute a committee of parents and students to determine

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1 the expenditures. Parental involvement funds may be used to  
2 purchase educational materials, including textbooks, library  
3 books, educational media and technological enhancements, but  
4 shall not be used for salaries or capital outlay  
5 expenditures. "

6 Section 5. A new section of the Public School Code is  
7 enacted to read:

8 "[NEW MATERIAL] LEGISLATIVE PARENTAL INVOLVEMENT FUND  
9 CREATED. --

10 A. The "legislative parental involvement fund" is  
11 created in the state treasury. The fund shall consist of any  
12 state money appropriated to the fund, any federal money  
13 allocated to the state for the purposes of the Legislative  
14 Parental Involvement Act, undistributed annual balances and  
15 earnings of the fund and any gifts, grants, donations or  
16 bequests made to the fund. The balance remaining in the fund  
17 at the end of the fiscal year shall not revert to the general  
18 fund.

19 B. The department of education shall administer  
20 the fund and money in the fund is appropriated to the  
21 department to carry out the purposes of the Legislative  
22 Parental Involvement Act. No more than three percent of the  
23 fund may be retained by the department for administrative  
24 purposes. Money in the fund other than that used for  
25 administrative purposes shall be distributed directly to

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1 schools that qualify for funding under the provisions of that  
2 act. "

3 Section 6. A new section of the Public School Code is  
4 enacted to read:

5 "[NEW MATERIAL] LEGISLATIVE PARENTAL INVOLVEMENT FUND--  
6 DISTRIBUTION. --

7 A. The department of education shall distribute  
8 state matching funds from the fund once in the fall semester  
9 and once in the spring semester. For the fall semester, on or  
10 before December 1 of each year, and for the spring semester,  
11 on or before May 1 of each year, the department shall  
12 distribute fifty percent of the balance of the fund as of July  
13 1 of the fiscal year of distribution, less three percent for  
14 administration. The money shall be distributed pursuant to  
15 the formula provided in Subsection B of this section on a  
16 first-come, first-served basis; provided that no single annual  
17 award shall exceed twenty thousand dollars (\$20,000) per  
18 participating school.

19 B. The ratios for state matching funds shall be:

20 Students Receiving Free and Reduced	Ratio of
21 Fee Lunches by School as Percentage	Participating-
22 of Fortieth Day Membership for Fall	School Money
23 Semester and Eightieth Day Membership	Generated to State
24 for Spring Semester	Matching Funds

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- 1 greater than 90% 1: 4
- 2 less than 90%, but greater than 75% 1: 3
- 3 less than 75%, but greater than 50% 1: 2
- 4 less than 50%, but greater than 25% 1: 1
- 5 less than 25% 1: . 5. "

6 Section 7. A new section of the Public School Code is  
7 enacted to read:

8 "[NEW MATERIAL] ANNUAL REPORTS-- PROGRAM MONITORING. --

9 A. Annually, at a time specified by the department  
10 of education, each school district that has participating  
11 schools shall file a report with the department regarding  
12 distributions received, expenditures made, parental  
13 involvement activities held, the impact of parental  
14 involvement on student achievement and any related information  
15 required by the department of education. The department shall  
16 compile the results of the legislative parental involvement  
17 program and report annually to the legislative education study  
18 committee.

19 B. The department of education shall develop  
20 procedures for schools to measure and report increases in  
21 parental involvement and the effect of parental involvement on  
22 both specific student academic achievement and school academic  
23 achievement.

24 C. If the department of education determines that  
25 a participating school is not complying with the provisions of

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1 the legislative parental involvement program, it shall notify  
2 the participating school and the school district that the  
3 participating school may not receive funding for the program  
4 for the next semester. "

5 Section 8. APPROPRIATION. -- Fifteen million dollars  
6 (\$15,000,000) is appropriated from the general fund to the  
7 legislative parental involvement fund for expenditure in  
8 fiscal year 2001 and subsequent fiscal years to carry out the  
9 provisions of the Legislative Parental Involvement Act. Any  
10 unexpended or unencumbered balance remaining at the end of a  
11 fiscal year shall not revert to the general fund.