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SENATE BILL 388

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

William E. Sharer

AN ACT

**RELATING TO EDUCATION; PROVIDING ADDITIONAL STATE BOARD OF
EDUCATION DUTIES; WAIVING CERTAIN EDUCATION REQUIREMENTS FOR
SCHOOLS THAT ARE FOUND TO TEST ABOVE EDUCATIONAL STANDARDS AS
DETERMINED BY THE STATE BOARD OF EDUCATION.**

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

**Section 1. A new section of the Public School Code,
Section 22-2-2.1 NMSA 1978, is enacted to read:**

**"22-2-2.1. [NEW MATERIAL] ADDITIONAL STATE BOARD
DUTIES--WAIVER OF CERTAIN REQUIREMENTS. --**

**A. The state board shall waive the following for
all public schools that are found to test above educational
standards as determined by the state board:**

**(1) accreditation review requirements as
provided in Section 22-2-2 NMSA 1978;**

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underscored material = new
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1 (2) length of the school day requirement as
2 provided in Section 22-2-8.1 NMSA 1978;

3 (3) individual class load requirement as
4 provided in Section 22-2-8.2 NMSA 1978;

5 (4) subject area requirement as provided in
6 Section 22-2-8.3 NMSA 1978;

7 (5) graduation requirement as provided in
8 Section 22-2-8.4 NMSA 1978;

9 (6) evaluation standards for school personnel
10 as provided in Section 22-10-3.1 NMSA 1978; and

11 (7) purchase of instructional material from
12 the state-board-approved multiple list requirement as provided
13 in Section January 29, 2002 22-15-8 NMSA 1978.

14 B. Upon receiving a waiver request from a school
15 that is found to test above educational standards as
16 determined by the state board and in addition to the
17 requirements set forth in Subsection A of this section, the
18 state board may waive other requirements of the Public School
19 Code that impede innovation in education if the waiver request
20 is supported by the teachers at the requesting school and the
21 requesting school's local school board.

22 C. Waivers granted pursuant to this section shall
23 be for the school year following that in which a public school
24 is found to test above educational standards as determined by
25 the state board. "

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