

SENATE EDUCATION COMMITTEE SUBSTITUTE FOR
SENATE BILL 290

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; GIVING SCHOOL DISTRICTS THE
FLEXIBILITY NEEDED TO OPERATE WHEN APPROPRIATIONS OR THE UNIT
VALUE IS REDUCED AFTER SCHOOL BUDGETS HAVE BEEN APPROVED;
WAIVING CERTAIN REQUIREMENTS WHEN SUCH FUNDING SHORTFALLS
OCCUR; DECLARING AN EMERGENCY.

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

SECTION 1. A new section of the Public School Finance Act
is enacted to read:

"[NEW MATERIAL] FISCAL CRISIS--TEMPORARY WAIVER OF
REQUIREMENTS.--

A. During a school year in which the legislature
decreases the appropriation to the state equalization guarantee
distribution by two percent or more or when the secretary of
public education decreases the unit value by two percent or

.206636.2

underscored material = new
[bracketed material] = delete

1 more after the department has approved school budgets, a local
2 school board shall not be required to meet statutory minimums
3 for individual class load, teaching load and length of school
4 day or school year and may modify staffing patterns, subject
5 areas and purchases of instructional materials or make other
6 adjustments as required. The local school board may keep these
7 measures in place until the end of the school year.

8 B. The local superintendent and the local school
9 board shall seek input from school employees, parents and other
10 community members on the budget adjustments or actions taken
11 pursuant to Subsection A of this section.

12 C. Nothing in this section shall be construed to
13 impair a collective bargaining agreement.

14 D. The school district shall report to the
15 department the steps it has taken to avoid deficit spending."

16 SECTION 2. TEMPORARY PROVISION--CURRENT SCHOOL YEAR.--For
17 the remainder of the 2016-2017 school year, a local school
18 board shall not be required to meet statutory minimums for
19 individual class load, teaching load and length of school day
20 or school year and may modify staffing patterns, subject areas
21 and purchases of instructional materials or make other
22 adjustments as required. The local school board may keep these
23 measures in place until the end of the school year. Nothing in
24 this section shall be construed to impair a collective
25 bargaining agreement.

