

AN ACT

RELATING TO EDUCATION; AMENDING THE INSTRUCTIONAL MATERIAL
DISTRIBUTION TO CHANGE THE ADDITIONAL PUPIL COUNT.

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

Section 1. Section 22-15-9 NMSA 1978 (being Laws 1967,
Chapter 16, Section 213, as amended) is amended to read:

"22-15-9. DISTRIBUTION OF FUNDS FOR INSTRUCTIONAL
MATERIAL.--

A. On or before July 1 of each year, the
department of education shall allocate to each school
district, state institution or private school not less than
ninety percent of its estimated entitlement as determined
from the estimated forty-day membership for the next school
year. A school district's, state institution's or private
school's entitlement is that portion of the total amount of
the annual appropriation less a deduction for a reasonable
reserve for emergency expenses that its forty-day membership
bears to the forty-day membership of the entire state. For
the purpose of this allocation, additional pupils shall be
counted as six pupils. The allocation for adult basic
education shall be based on a full-time equivalency obtained
by multiplying the total previous year's enrollment by .25.

B. On or before January 15 of each year, the
department of education shall recompute each entitlement

using the forty-day membership for that year, except for adult basic education, and shall allocate the balance of the annual appropriation adjusting for any over- or under-estimation made in the first allocation.

C. An amount not to exceed thirty percent of the allocations attributed to each local school district, state institution or adult basic education center may be used for instructional material not included on the multiple list provided for in Section 22-15-8 NMSA 1978. Adult basic education centers may expend up to one hundred percent of their instructional material funds for items that are not on the multiple list.

D. The department of education shall establish procedures for the distribution of funds directly to local school districts, state institutions and adult basic education centers. The department of education shall distribute funds to private schools on a reimbursement basis for instructional material included on the multiple list provided for in Section 22-15-8 NMSA 1978.

E. A school district, state institution or adult basic education center that has funds remaining for the purchase of instructional material at the end of the fiscal year shall retain those funds for expenditure in subsequent years. Any balance remaining in an instructional material account of a private school at the end of the fiscal year

shall remain available for reimbursement by the department of
education for instructional material purchases in subsequent
years." _____