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AN ACT

RELATING TO EDUCATION; AMENDING THE DEFINITION OF "EDUCATION TECHNOLOGY INFRASTRUCTURE" IN THE PUBLIC SCHOOL CAPITAL OUTLAY ACT TO INCLUDE THE INTERCONNECTION BETWEEN STUDENTS AND TEACHERS TO SUPPORT REMOTE LEARNING; REQUIRING THE PUBLIC SCHOOL CAPITAL OUTLAY COUNCIL TO ESTABLISH GUIDELINES TO FUND EDUCATION TECHNOLOGY INFRASTRUCTURE TO ENSURE THAT THOSE EXPENDITURES ARE IN ACCORD WITH THE DEVELOPMENT OF A STATEWIDE EDUCATION TECHNOLOGY INFRASTRUCTURE NETWORK; DECLARING AN EMERGENCY.

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

SECTION 1. Section 22-24-3 NMSA 1978 (being Laws 1975, Chapter 235, Section 3, as amended by Laws 2018, Chapter 66, Section 1 and by Laws 2018, Chapter 71, Section 2) is amended to read:

"22-24-3. DEFINITIONS.--As used in the Public School Capital Outlay Act:

A. "authority" means the public school facilities authority;

B. "building system" means a set of interacting parts that makes up a single, nonportable or fixed component of a facility and that, together with other building systems, makes up an entire integrated facility or property, including roofing, electrical distribution, electronic communication,

1 plumbing, lighting, mechanical, fire prevention, facility  
2 shell, interior finishes, heating, ventilation and air  
3 conditioning systems and school security systems, as defined  
4 by the council;

5 C. "constitutional special schools" means the  
6 New Mexico school for the blind and visually impaired and the  
7 New Mexico school for the deaf;

8 D. "constitutional special schools support spaces"  
9 means all facilities necessary to support the constitutional  
10 special schools' educational mission that are not included in  
11 the constitutional special schools' educational adequacy  
12 standards, including performing arts centers, facilities for  
13 athletic competition, school district administration and  
14 facility and vehicle maintenance;

15 E. "council" means the public school capital  
16 outlay council;

17 F. "education technology infrastructure" means the  
18 physical hardware and services used to interconnect students,  
19 teachers, school districts and school buildings necessary to  
20 support broadband connectivity and remote learning as  
21 determined by the council;

22 G. "fund" means the public school capital outlay  
23 fund;

24 H. "maximum allowable gross square foot per  
25 student" means a determination made by applying the

1 established maximum allowable square foot guidelines for  
2 educational facilities based on type of school and number of  
3 students in the current published New Mexico public school  
4 adequacy planning guide to the department's current year  
5 certified first reporting date membership;

6 I. "replacement cost per square foot" means the  
7 statewide cost per square foot as established by the council;

8 J. "school district" includes state-chartered  
9 charter schools and the constitutional special schools;

10 K. "school district population density" means the  
11 population density on a per square mile basis of a school  
12 district as estimated by the authority based on the most  
13 current tract level population estimates published by the  
14 United States census bureau; and

15 L. "school district population density factor"  
16 means zero when the school district population density is  
17 greater than fifty people per square mile, six-hundredths  
18 when the school district population density is greater than  
19 fifteen but less than fifty-one persons per square mile and  
20 twelve-hundredths when the school district population density  
21 is less than sixteen persons per square mile."

22 SECTION 2. Section 22-24-4.5 NMSA 1978 (being Laws  
23 2014, Chapter 28, Section 4, as amended) is amended to read:

24 "22-24-4.5. EDUCATION TECHNOLOGY INFRASTRUCTURE  
25 DEFICIENCY CORRECTIONS.--

1           A. No later than September 1, 2014, the council,  
2 with the advice of the department and the department of  
3 information technology, shall define and develop:

4                   (1) minimum adequacy standards for an  
5 education technology infrastructure deficiency corrections  
6 initiative to identify and determine reasonable costs for  
7 correcting education technology infrastructure deficiencies  
8 in or affecting school districts;

9                   (2) a methodology for prioritizing projects  
10 to correct education technology infrastructure deficiencies  
11 in or affecting school districts; and

12                   (3) a methodology for determining a school  
13 district's share of the project costs.

14           B. The council shall develop guidelines for a  
15 statewide education technology infrastructure network that  
16 integrates regional hub locations for network services and  
17 the installation and maintenance of equipment. The council  
18 may fund education technology infrastructure projects or  
19 items that the council determines are in accord with the  
20 guidelines and necessary to education for:

21                   (1) students;

22                   (2) school buses;

23                   (3) internet connectivity within a school  
24 district;

25                   (4) a multi-district regional education

1 network; and

2 (5) a statewide education network.

3 C. The council may approve allocations from the  
4 fund pursuant to Subsection M of Section 22-24-4 NMSA 1978  
5 and this section for projects in or affecting a school  
6 district committing to pay its share of the project costs.  
7 The council may adjust the school district's share of the  
8 project costs in accordance with Paragraph (11) of Subsection  
9 B of Section 22-24-5 NMSA 1978 or the methodology for  
10 determining the school district's share of the project  
11 costs."

12 SECTION 3. EMERGENCY.--It is necessary for the public  
13 peace, health and safety that this act take effect  
14 immediately.

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