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SENATE BILL 61

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

INTRODUCED BY

Ben D. Altamirano

AN ACT

**RELATING TO PUBLIC SCHOOL FINANCE; CHANGING THE CALCULATION OF
THE AT-RISK INDEX USED TO DETERMINE ADDITIONAL PROGRAM UNITS;
MAKING AN APPROPRIATION.**

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

**Section 1. Section 22-8-23.3 NMSA 1978 (being Laws 1997,
Chapter 40, Section 7) is amended to read:**

"22-8-23.3. AT-RISK PROGRAM UNITS. --

**A. A school district is eligible for additional
program units if it establishes within its state board
approved educational plan identified services to assist
students to reach their full academic potential. A school
district receiving additional at-risk program units shall
include a report of specified services in its annual
accountability report pursuant to Section 22-1-6 NMSA 1978.**

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1 The number of additional units to which a school district is
2 entitled under this section is computed in the following
3 manner:

$$4 \quad \text{At-Risk Index} \times \text{MEM} = \text{Units}$$

5 where MEM is equal to the total district membership, including
6 early childhood education, full-time-equivalent membership and
7 special education membership and where the at-risk index is
8 calculated in the following manner:

$$9 \quad \text{[Refined At-Risk Cluster]} \text{ Three-Year Average Total Rate } \times \\ 10 \quad \text{[0.015]} \text{ 0.0915 } = \text{At-Risk Index.}$$

11 B. To calculate the [~~refined at-risk cluster~~]
12 three-year average total rate, the department shall [~~rank~~
13 ~~order each school district in the state on the basis~~] compute
14 a three-year average of the district's percentage of
15 membership used to determine its Title I allocation, a three-
16 year average of the percentage of membership classified as
17 [~~limited~~] English [~~proficient~~] language learners using
18 criteria established by the federal office of civil rights and
19 a three-year average of the percentage of student mobility
20 [~~and the percentage of dropouts in the school district. Using~~
21 ~~this data, the department shall initially group districts into~~
22 ~~nine clusters using a neural network computer analysis. Each~~
23 ~~school district shall be assigned a whole number from one to~~
24 ~~nine reflecting its initial cluster assignment, with higher~~
25 ~~need districts receiving a higher number and lower need~~

underscored material = new
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1 ~~districts receiving a lower number. This number shall be~~
2 ~~modified on the basis of a school district's relative position~~
3 ~~in the cluster and further refined through the use of a second~~
4 ~~neural network computer analysis, a back propagation. Using~~
5 ~~the results of this analysis, the department shall refine the~~
6 ~~cluster assignment and the number assigned to each school~~
7 ~~district].~~ The department shall then add the three-year
8 average rates. The number obtained from this calculation is
9 the ~~[refined at-risk cluster]~~ three-year average total rate.

10 C. The department shall recalculate the at-risk
11 index for each school district every ~~[two years]~~ year. For
12 the school years beginning in 2002, 2003 and 2004, no school
13 district shall receive less than ninety percent of the at-risk
14 funding generated in the immediately preceding fiscal year."

15 Section 2. APPROPRIATION. -- Three million dollars
16 (\$3,000,000) is appropriated from the general fund to the
17 state department of public education for expenditure in fiscal
18 year 2003 to provide funding for at-risk programs in public
19 schools statewide. Any unexpended or unencumbered balance
20 remaining at the end of fiscal year 2003 shall revert to the
21 general fund.