

SENATE INDIAN AND CULTURAL AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 526

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

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
AMENDING THE PUBLIC SCHOOL CODE TO ESTABLISH A SIZE ADJUSTMENT
FACTOR FOR A SCHOOL DISTRICT WITH ONE OR MORE LARGE HIGH
SCHOOLS LOCATED IN ITS POPULATION CENTER AND HIGH SCHOOLS
LOCATED OUTSIDE THAT CENTER.

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

SECTION 1. Section 22-8-23 NMSA 1978 (being Laws 1975,
Chapter 119, Section 1, as amended) is amended to read:

"22-8-23. SIZE ADJUSTMENT PROGRAM UNITS.--

A. An approved public school with a MEM of less
than 400, including early childhood education full-time-
equivalent MEM but excluding membership in class C and class D
programs and excluding full-time-equivalent membership in
three- and four-year-old developmentally disabled programs, is

.208097.1

1 eligible for additional program units. Separate schools
 2 established to provide special programs, including [~~but not~~
 3 ~~limited to~~] vocational and alternative education, shall not be
 4 classified as public schools for purposes of generating size
 5 adjustment program units. The number of additional program
 6 units to which a school district is entitled under this
 7 subsection is the sum of elementary-junior high units and
 8 senior high units computed in the following manner:

9 Elementary-Junior High Units

10 200 - MEM

11 _____ x 1.0 x MEM = Units

12 200

13 where MEM is equal to the membership of an approved elementary
 14 or junior high school, including early childhood education
 15 full-time-equivalent membership but excluding membership in
 16 class C and class D programs and excluding full-time-equivalent
 17 membership in three- and four-year-old developmentally disabled
 18 programs;

19 Senior High Units

20 200 - MEM

21 _____ x 2.0 x MEM = Units

22 200

23 or,

24 Senior High Units

25 400 - MEM

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1 eligible for additional program units [~~based on the number of~~
2 ~~approved regular senior high schools that are not eligible for~~
3 ~~senior high units under Subsection A of this section. The~~
4 ~~number of additional program units to which an eligible school~~
5 ~~district is entitled under this subsection is the number of~~
6 ~~units~~] computed in the following manner:

$$\begin{aligned} & [4,000 - \text{MEM} \\ & \text{-----} \times 0.50 = \text{Units} \\ & \text{Senior High Schools}] \\ & \underline{\text{MEM} \times 0.085 = \text{Units}} \end{aligned}$$

11 where MEM is equal to the [~~total district membership, including~~
12 ~~early childhood education full-time-equivalent membership, and~~
13 ~~where senior high schools are equal to the number of approved~~
14 ~~regular senior high schools in] membership of approved regular
15 high schools located twenty miles or more from the central
16 administrative office of the school district.~~

17 D. A school district, as defined in Subsection R of
18 Section 22-1-2 NMSA 1978, with a MEM of less than 200,
19 including early childhood education full-time-equivalent MEM,
20 is eligible for additional program units, provided that the
21 department certifies that the school district has implemented
22 practices to reduce scale inefficiencies, including shared
23 service agreements with regional education cooperatives or
24 other school districts for noninstructional functions and
25 distance education. The number of additional program units to

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1 which a school district is entitled under this subsection is
2 the number of units computed in the following manner:

$$3 \quad 200 - \text{MEM} = \text{Units}$$

4 where MEM is equal to the total district MEM, including early
5 childhood education full-time-equivalent MEM."

6 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
7 provisions of this act is July 1, 2017.

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