

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 59

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Sheryl Williams Stapleton and Mary Kay Papen

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; AMENDING THE AT-RISK PROGRAM
UNITS; CHANGING THE AT-RISK INDEX CALCULATION; 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, as amended by Laws 2019, Chapter 206,
Section 15 and by Laws 2019, Chapter 207, Section 15) 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 department-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

.216074.2

underscored material = new
[bracketed material] = delete

1 report of specified services implemented to improve the
2 academic success of at-risk students. The report shall
3 identify the ways in which the school district and individual
4 public schools use funding generated through the at-risk index
5 and the intended outcomes. For purposes of this section, "at-
6 risk student" means a student who meets the criteria to be
7 included in the calculation of the three-year average total
8 rate in Subsection B of this section. The number of additional
9 units to which a school district is entitled under this section
10 is computed in the following manner:

$$11 \quad \text{At-Risk Index} \times \text{MEM} = \text{Units}$$

12 where MEM is equal to the total district membership, including
13 early childhood education, full-time-equivalent membership and
14 special education membership and where the at-risk index is
15 calculated in the following manner:

$$16 \quad \text{Three-Year Average Total Rate} \times [\text{0.25}] \text{ 0.30} = \text{At-Risk}$$

17 Index.

18 B. To calculate the three-year average total rate,
19 the department shall compute a three-year average of the school
20 district's percentage of membership used to determine its Title
21 I allocation, a three-year average of the percentage of
22 membership classified as English language learners using
23 criteria established by the office for civil rights of the
24 United States department of education and a three-year average
25 of the percentage of student mobility. The department shall

.216074.2

underscored material = new
~~[bracketed material] = delete~~

1 then add the three-year average rates. The number obtained
2 from this calculation is the three-year average total rate.

3 C. The department shall recalculate the at-risk
4 index for each school district every year.

5 D. For purposes of this section, "services" means
6 research-based or evidence-based social, emotional or academic
7 interventions, such as:

8 (1) case management, tutoring, reading
9 interventions and after-school programs that are delivered by
10 social workers, counselors, teachers or other professional
11 staff;

12 (2) culturally relevant professional and
13 curriculum development, including those necessary to support
14 language acquisition, bilingual and multicultural education;

15 (3) additional compensation strategies for
16 high-need schools;

17 (4) whole school interventions, including
18 school-based health centers and community schools;

19 (5) educational programming intended to
20 improve career and college readiness of at-risk students,
21 including dual or concurrent enrollment, career and technical
22 education, guidance counseling services and coordination with
23 post-secondary institutions; and

24 (6) services to engage and support parents and
25 families in the education of students."

.216074.2

underscoring material = new
~~[bracketed material]~~ = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SECTION 2. APPROPRIATION.--Fifty million five hundred thousand dollars (\$50,500,000) is appropriated from the general fund to the state equalization guarantee distribution of the public school fund for expenditure in fiscal year 2021 to increase the at-risk index. Any unexpended or unencumbered balance remaining at the end of fiscal year 2021 shall revert to the general fund.

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2020.