

1 HOUSE BILL 135

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

3 INTRODUCED BY

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5 Patricia Roybal Caballero

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10 AN ACT

11 RELATING TO PUBLIC SCHOOL FINANCE; PROVIDING NATIVE LANGUAGE
12 EDUCATION PROGRAM UNITS.

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

15 SECTION 1. Section 22-8-18 NMSA 1978 (being Laws 1974,
16 Chapter 8, Section 8, as amended by Laws 2019, Chapter 206,
17 Section 13 and by Laws 2019, Chapter 207, Section 13) is
18 amended to read:

19 "22-8-18. PROGRAM COST CALCULATION--LOCAL
20 RESPONSIBILITY.--

21 A. The total program units for the purpose of
22 computing the program cost shall be calculated by multiplying
23 the sum of the program units itemized as Paragraphs (1) and (2)
24 in this subsection by the staffing cost multiplier and adding
25 the program units itemized as Paragraphs (3) through [~~16~~]

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1 (17) in this subsection. The itemized program units are as
2 follows:

- 3 (1) early childhood education;
- 4 (2) basic education;
- 5 (3) special education, adjusted by subtracting
6 the units derived from membership in class D special education
7 programs in private, nonsectarian, nonprofit training centers;
- 8 (4) bilingual multicultural education;
- 9 (5) native language education;
- 10 ~~(5)~~ (6) fine arts education;
- 11 ~~(6)~~ (7) elementary physical education;
- 12 ~~(7)~~ (8) size adjustment;
- 13 ~~(8)~~ (9) at-risk;
- 14 ~~(9)~~ (10) enrollment growth or new district
15 adjustment;
- 16 ~~(10)~~ (11) special education units derived
17 from membership in class D special education programs in
18 private, nonsectarian, nonprofit training centers;
- 19 ~~(11)~~ (12) national board for professional
20 teaching standards certification;
- 21 ~~(12)~~ (13) home school student;
- 22 ~~(13)~~ (14) home school student activities;
- 23 ~~(14)~~ (15) charter school student activities;
- 24 ~~(15)~~ (16) K-5 plus; and
- 25 ~~(16)~~ (17) extended learning time.

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1 B. The total program cost calculated as prescribed
2 in Subsection A of this section includes the cost of early
3 childhood, special, bilingual multicultural, native language,
4 fine arts and vocational education and other remedial or
5 enrichment programs. It is the responsibility of the local
6 school board or governing body of a charter school to determine
7 its priorities in terms of the needs of the community served by
8 that board. Except as otherwise provided in this section,
9 funds generated under the Public School Finance Act are
10 discretionary to local school boards and governing bodies of
11 charter schools; provided that the special program needs as
12 enumerated in this section are met; and provided further that
13 the department shall ensure that the local school board or
14 governing body of a charter school is prioritizing resources
15 for the public school toward proven programs and methods linked
16 to improved student achievement."

17 **SECTION 2.** A new section of the Public School Finance Act
18 is enacted to read:

19 "[NEW MATERIAL] NATIVE LANGUAGE PROGRAM UNITS.--The number
20 of native language program units is determined by multiplying
21 the full-time-equivalent MEM in native language programs
22 implemented in accordance with the provisions of the Indian
23 Education Act and the Bilingual Multicultural Education Act by
24 the cost differential factor 0.5."

25 **SECTION 3.** EFFECTIVE DATE.--The effective date of the

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1 provisions of this act is July 1, 2020.

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