

HOUSE BILL 200

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; ESTABLISHING PROGRAM UNITS FOR LICENSED SCHOOL EMPLOYEES WITH BILINGUAL AND TEACHING ENGLISH TO SPEAKERS OF OTHER LANGUAGES ENDORSEMENTS; PROVIDING FOR THE CALCULATION OF PROGRAM UNITS FOR BILINGUAL AND TEACHING ENGLISH TO SPEAKERS OF OTHER LANGUAGES ENDORSEMENTS; PROVIDING FOR PUBLIC EDUCATION DEPARTMENT VERIFICATION.

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

SECTION 1. Section 22-8-18 NMSA 1978 (being Laws 1974, Chapter 8, Section 8, as amended) is amended to read:

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

A. The total program units for the purpose of computing the program cost shall be calculated by multiplying the sum of the program units itemized as Paragraphs (1) and (2)

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1 in this subsection by the staffing cost multiplier and adding  
2 the program units itemized as Paragraphs (3) through [~~(15)~~]  
3 (17) in this subsection. The itemized program units are as  
4 follows:

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

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- 1                                   (16) bilingual endorsement; and
- 2                                   (17) teaching English to speakers of other
- 3                                   languages endorsement.

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

19                                   SECTION 2. Section 22-8-23.4 NMSA 1978 (being Laws 2003,  
20 Chapter 144, Section 2 and Laws 2003, Chapter 152, Section 9,  
21 as amended) is amended to read:

22                                   "22-8-23.4. NATIONAL BOARD FOR PROFESSIONAL TEACHING  
23 STANDARDS--BILINGUAL ENDORSEMENTS--TEACHING ENGLISH TO SPEAKERS  
24 OF OTHER LANGUAGES ENDORSEMENTS--PROGRAM UNITS.--

25                                   A. The number of program units for licensed school  
  
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1 employees certified by the national board for professional  
2 teaching standards is determined by multiplying by one and one-  
3 half the number of licensed school employees certified by the  
4 national board for professional teaching standards employed by  
5 the school district or charter school on or before the first  
6 reporting date of the school year and verified by the  
7 department. Department approval of these units shall be  
8 contingent on verification by the school district or charter  
9 school that these licensed school employees hold certification  
10 by the national board for professional teaching standards and  
11 are receiving a one-time salary differential equal to or  
12 greater than the amount generated by the units multiplied by  
13 the program unit value during the fiscal year in which the  
14 school district or charter school will receive these units.

15 B. The number of program units for licensed school  
16 employees with bilingual endorsements is determined by  
17 multiplying by one the number of licensed school employees with  
18 a bilingual endorsement that are employed by a school district  
19 or charter school in a department-approved bilingual  
20 multicultural education program on or before the first  
21 reporting date of the school year and verified by the  
22 department. Department approval of these units shall be  
23 contingent on verification by the school district or charter  
24 school that these licensed school employees hold a bilingual  
25 endorsement, are employed in a department-approved bilingual

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1 multicultural education program and are receiving a one-time  
2 salary differential equal to or greater than the amount  
3 generated by the units multiplied by the program unit value  
4 during the fiscal year in which the school district or charter  
5 will receive these units.

6 C. The number of program units for teachers with a  
7 teaching English to speakers of other languages endorsement is  
8 determined by multiplying by one-half the number of teachers  
9 with a teaching English to speakers of other languages  
10 endorsement employed by the school district or charter school  
11 on or before the first reporting date of the school year and  
12 verified by the department. Department approval of these units  
13 shall be contingent on verification by the school district or  
14 charter school that these teachers hold a teaching English to  
15 speakers of other languages endorsement and are receiving a  
16 one-time salary differential equal to or greater than the  
17 amount generated by the units multiplied by the program unit  
18 value during the fiscal year in which the school district or  
19 charter school will receive these units."