

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 49**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**Danice R. Picraux**

**FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE**

**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.**

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

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  
[bracketed material] = delete

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 2001, 2002, 2003 and 2004, no  
13 school district shall receive less than ninety percent of the  
14 at-risk funding generated in the immediately preceding fiscal  
15 year. "

16 Section 2. APPROPRIATION. -- Three million dollars  
17 (\$3,000,000) is appropriated from the general fund to the  
18 state department of public education for expenditure in fiscal  
19 year 2002 to provide funding for at-risk programs in public  
20 schools statewide. Any unexpended or unencumbered balance  
21 remaining at the end of fiscal year 2002 shall revert to the  
22 general fund.