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SENATE BILL 153

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Craig W. Brandt

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; INCORPORATING THE HOME SCHOOL STUDENT PROGRAM UNIT PROVISION IN THE PROGRAM COST CALCULATION PROVISIONS OF THE PUBLIC SCHOOL FINANCE ACT; CHANGING THE TERM "HOME SCHOOLED" TO "HOME SCHOOL".

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) through (6) in this subsection by the instructional staff training and experience index and adding the program units itemized as

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1 Paragraphs (7) through [~~(13)~~] (14) in this subsection. The
2 itemized program units are as 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) fine arts education;
10 (6) elementary physical education;
11 (7) size adjustment;
12 (8) at-risk program;
13 (9) enrollment growth or new district
14 adjustment;

15 (10) special education units derived from
16 membership in class D special education programs in private,
17 nonsectarian, nonprofit training centers;

18 (11) national board for professional teaching
19 standards certification;

20 (12) home school student program unit;
21 [~~(12)~~] (13) home school student activities;

22 and

23 [~~(13)~~] (14) charter school student activities.

24 B. The total program cost calculated as prescribed
25 in Subsection A of this section includes the cost of early

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1 childhood, special, bilingual multicultural, fine arts and
2 vocational education and other remedial or enrichment programs.
3 It is the responsibility of the local school board or governing
4 body of a charter school to determine its priorities in terms
5 of the needs of the community served by that board. Except as
6 otherwise provided in this section, funds generated under the
7 Public School Finance Act are discretionary to local school
8 boards and governing bodies of charter schools; provided that
9 the special program needs as enumerated in this section are
10 met; and provided [~~however~~] further that if a public school has
11 been rated D or F for two consecutive years, the department
12 shall ensure that the local school board or governing body of a
13 charter school is prioritizing resources for the public school
14 toward proven programs and methods linked to improved student
15 achievement until the public school earns a C or better for two
16 consecutive years."

17 SECTION 2. Section 22-8-23.9 NMSA 1978 (being Laws 2013,
18 Chapter 113, Section 1) is amended to read:

19 "22-8-23.9. HOME [~~SCHOOLED~~] SCHOOL STUDENT PROGRAM
20 UNITS.--Notwithstanding the provision in Section 22-8-2 NMSA
21 1978 defining a qualified student as one who is regularly
22 enrolled in one-half or more of the minimum course requirements
23 approved by the department for public school students, home
24 [~~schooled~~] school students may take one or more classes at
25 public schools and, if so, shall generate program units as

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1 provided in this section. The home [~~schooled~~] school student
2 program unit for a school district is determined by multiplying
3 the number of home [~~schooled~~] school students who are enrolled
4 in one or more classes by the cost differential factor 0.25 per
5 class per home school student up to the enrollment required for
6 the home school student to meet the definition of "qualified
7 student". The home [~~schooled~~] school student program units
8 shall be paid to the school district in which they are
9 generated. A home [~~schooled~~] school student is eligible to
10 enroll in a public school in the attendance zone in which the
11 student resides or in another public school outside the
12 attendance zone as provided in Section 22-1-4 NMSA 1978. The
13 school district shall verify each home [~~schooled~~] school
14 student's academic and other eligibility to enroll in the
15 class."

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