

1 HOUSE BILL 173

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

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8 FOR THE LEGISLATIVE FINANCE COMMITTEE

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10 AN ACT

11 RELATING TO PUBLIC SCHOOL FINANCE; PROVIDING A PHASE-IN OF
12 ADDITIONAL OPERATIONAL FUNDING FORMULA UNITS FOR QUALIFYING
13 SCHOOL DISTRICTS TO IMPROVE THE ACADEMIC SUCCESS OF STUDENTS
14 WHO ARE AT RISK OF DROPPING OUT OF SCHOOL.

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

17 SECTION 1. Section 22-8-23.3 NMSA 1978 (being Laws 1997,
18 Chapter 40, Section 7, as amended) is amended to read:

19 "22-8-23.3. AT-RISK PROGRAM UNITS.--

20 A. A school district is eligible for additional
21 program units if it establishes within its department-approved
22 educational plan identified services to assist students to
23 reach their full academic potential. A school district
24 receiving additional at-risk program units shall include a
25 report of specified services implemented to improve the

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

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

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

15 ~~Three-Year Average Total Rate x 0.106 = At-Risk Index]~~ for
16 the fiscal year by multiplying the three-year average total
17 rate by the following decimal fractions:

18 (1) for fiscal year 2016, 0.106; and

19 (2) for fiscal year 2017 and subsequent fiscal
20 years, 0.114.

21 B. To calculate the three-year average total rate,
22 the department shall compute a three-year average of the school
23 district's percentage of membership used to determine its Title
24 I allocation, a three-year average of the percentage of
25 membership classified as English language learners using

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1 criteria established by the federal office of civil rights and
2 a three-year average of the percentage of student mobility.
3 The department shall then add the three-year average rates.
4 The number obtained from this calculation is the three-year
5 average total rate.

6 C. The department shall recalculate the at-risk
7 index for each school district every year."

8 SECTION 2. EFFECTIVE DATE.--The effective date of
9 provisions of this act is July 1, 2015.