

1 SENATE BILL 279

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Mimi Stewart

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10 AN ACT

11 RELATING TO PUBLIC SCHOOLS; AMENDING THE PUBLIC SCHOOL CODE TO
12 DEFINE AND ESTABLISH CRITERIA FOR SUPPLEMENTAL ACCOUNTABILITY
13 MODEL SCHOOLS TO BE EXCLUDED FROM ELIGIBILITY TO GENERATE STATE
14 EQUALIZATION GUARANTEE SIZE ADJUSTMENT UNITS.

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

17 SECTION 1. Section 22-8-23 NMSA 1978 (being Laws 1975,
18 Chapter 119, Section 1, as amended) is amended to read:

19 "22-8-23. SIZE ADJUSTMENT PROGRAM UNITS.--

20 A. An approved public school with a MEM of less
21 than 400, including early childhood education full-time-
22 equivalent MEM but excluding membership in class C and class D
23 programs and excluding full-time-equivalent membership in
24 three- and four-year-old developmentally disabled programs, is
25 eligible for additional program units. Separate schools

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1 established to provide special programs, including [~~but not~~
2 ~~limited to~~] vocational and alternative education and any school
3 that is a supplemental accountability model school that
4 qualifies for a modified accountability calculation pursuant to
5 department rule, shall not be classified as public schools for
6 purposes of generating size adjustment program units. The
7 number of additional program units to which a school district
8 is entitled under this subsection is the sum of elementary-
9 junior high units and senior high units computed in the
10 following manner:

11 Elementary-Junior High Units

12 200 - MEM

13 _____ x 1.0 x MEM = Units

14 200

15 where MEM is equal to the membership of an approved elementary
16 or junior high school, including early childhood education
17 full-time-equivalent membership but excluding membership in
18 class C and class D programs and excluding full-time-equivalent
19 membership in three- and four-year-old developmentally disabled
20 programs;

21 Senior High Units

22 200 - MEM

23 _____ x 2.0 x MEM = Units

24 200

25 or,

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Senior High Units

400 - MEM

$$\frac{\quad}{400} \times 1.6 \times \text{MEM} = \text{Units}$$

whichever calculation for senior high units is higher, where MEM is equal to the membership of an approved senior high school excluding membership in class C and class D programs.

B. A school district with total MEM of less than 4,000, including early childhood education full-time-equivalent MEM, is eligible for additional program units. The number of additional program units to which a school district is entitled under this subsection is the number of district units computed in the following manner:

District Units

4,000 - MEM

$$\frac{\quad}{4,000} \times 0.15 \times \text{MEM} = \text{Units}$$

where MEM is equal to the total district membership, including early childhood education full-time-equivalent membership.

C. A school district with over 10,000 MEM with a ratio of MEM to senior high schools less than 4,000:1 is eligible for additional program units based on the number of approved regular senior high schools that are not eligible for senior high units under Subsection A of this section. The

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1 number of additional program units to which an eligible school
2 district is entitled under this subsection is the number of
3 units computed in the following manner:

$$4 \quad 4,000 - \text{MEM}$$
$$5 \quad \underline{\hspace{2cm}} \quad \times 0.50 = \text{Units}$$

6 Senior High Schools

7 where MEM is equal to the total district membership, including
8 early childhood education full-time-equivalent membership, and
9 where senior high schools are equal to the number of approved
10 regular senior high schools in the school district.

11 D. A school district, as defined in Subsection R of
12 Section 22-1-2 NMSA 1978, with a MEM of less than 200,
13 including early childhood education full-time-equivalent MEM,
14 is eligible for additional program units, provided that the
15 department certifies that the school district has implemented
16 practices to reduce scale inefficiencies, including shared
17 service agreements with regional education cooperatives or
18 other school districts for noninstructional functions and
19 distance education. The number of additional program units to
20 which a school district is entitled under this subsection is
21 the number of units computed in the following manner:

$$22 \quad 200 - \text{MEM} = \text{Units}$$

23 where MEM is equal to the total district MEM, including early
24 childhood education full-time-equivalent MEM.

25 E. For purposes of this section, "supplemental

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1 accountability model school" means a school that, from the time
2 it was established, has had as its primary mission addressing
3 the needs of students who are at risk of educational failure as
4 indicated by poor grades, truancy, disruptive behavior,
5 eligibility for special education services or other factors
6 associated with temporary or permanent withdrawal from school
7 and that meets requirements pursuant to department rule."