SENATE BILL 616

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Linda M. Lopez

AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; REQUIRING THAT AT-RISK FUNDING GO TO THE PUBLIC SCHOOL THAT GENERATES IT RATHER THAN THE SCHOOL DISTRICT.

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, as amended) is amended to read:

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

A. A <u>public</u> school [district] is eligible for additional program units if it establishes within [its] <u>the</u> <u>school district's or charter school's</u> department-approved educational plan identified services to assist students to reach their full academic potential. A <u>public</u> school [district] receiving additional at-risk program units shall include a report of specified services implemented <u>at the</u>

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1   school level to improve the academic success of at-risk

2   students. The report shall identify the ways in which the

3   [school district and] individual public schools within the

4   school district use funding generated through the at-risk index

5   and the intended outcomes. For purposes of this section, "at-

6   risk student" means a student who meets the criteria to be

7   included in the calculation of the three-year average total

8   rate in Subsection B of this section. The number of additional

9   units to which a public school [district] is entitled under

10   this section is computed in the following manner:

11   At-Risk Index x MEM = Units

12   where MEM is equal to the total [district membership] MEM of

13   the public school, including early childhood education, full-

14   time-equivalent [membership] MEM and special education

15   [membership] MEM and where the at-risk index is calculated in

16   the following manner:

17   (1) for fiscal year 2019,

18   Three-Year Average Total Rate x 0.130 = At-Risk Index;

19   (2) for fiscal year 2020,

20   Three-Year Average Total Rate x 0.140 = At-Risk Index; and

21   (3) for fiscal year 2021 and subsequent fiscal

22   years,

23   Three-Year Average Total Rate x 0.150 = At-Risk Index.

24   B. To calculate the three-year average total rate,

25   the department shall compute a three-year average of the

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[school district's] public school's percentage of [membership] MEM used to determine its Title I allocation, a three-year average of the percentage of [membership] MEM classified as English language learners using criteria established by the [federal] office [of] for civil rights of the United States department of education and a three-year average of the percentage of student mobility. The department shall then add the three-year average rates. The number obtained from this calculation is the three-year average total rate.

C. The department shall recalculate the at-risk index for each public school [district] every year.

D. Each school district shall give the amount of the public-school-generated at-risk funding to that public school."

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