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AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; AMENDING THE AT-RISK PROGRAM UNITS; CHANGING THE AT-RISK INDEX CALCULATION.

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 by Laws 2019, Chapter 206, Section 15 and by Laws 2019, Chapter 207, Section 15) 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 department-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 implemented to improve the academic success of at-risk students. The report shall identify the ways in which the school district and individual public schools use funding generated through the at-risk index and the intended outcomes. For purposes of this section, "at-risk student" means a student who meets the criteria to be included in the calculation of the three-year average total rate in Subsection B of this section. The number of additional units to which a school district is entitled under this section is computed in the following

1 manner:

2
$$\text{At-Risk Index} \times \text{MEM} = \text{Units}$$

3 where MEM is equal to the total district membership,
4 including early childhood education, full-time-equivalent
5 membership and special education membership and where the at-
6 risk index is calculated in the following manner:

7
$$\text{Three-Year Average Total Rate} \times 0.30 = \text{At-Risk}$$

8
$$\text{Index.}$$

9 B. To calculate the three-year average total rate,
10 the department shall compute a three-year average of the
11 school district's percentage of membership used to determine
12 its Title 1 allocation, a three-year average of the
13 percentage of membership classified as English language
14 learners using criteria established by the office for civil
15 rights of the United States department of education and a
16 three-year average of the percentage of student mobility.
17 The department shall then add the three-year average rates.
18 The number obtained from this calculation is the three-year
19 average total rate.

20 C. The department shall recalculate the at-risk
21 index for each school district every year.

22 D. For purposes of this section, "services" means
23 research-based or evidence-based social, emotional or
24 academic interventions, such as:

- 25 (1) case management, tutoring, reading

1 interventions and after-school programs that are delivered by
2 social workers, counselors, teachers or other professional
3 staff;

4 (2) culturally relevant professional and
5 curriculum development, including those necessary to support
6 language acquisition, bilingual and multicultural education;

7 (3) additional compensation strategies for
8 high-need schools;

9 (4) whole school interventions, including
10 school-based health centers and community schools;

11 (5) educational programming intended to
12 improve career and college readiness of at-risk students,
13 including dual or concurrent enrollment, career and technical
14 education, guidance counseling services and coordination with
15 post-secondary institutions; and

16 (6) services to engage and support parents
17 and families in the education of students."

18 SECTION 2. EFFECTIVE DATE.--The effective date of the
19 provisions of this act is July 1, 2020. _____

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