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HOUSE BILL 19

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

INTRODUCED BY

Luciano "Lucky" Varela and John M. Sapien

AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING THE PUBLIC SCHOOL FINANCE
ACT TO MODIFY AND UPDATE THE AT-RISK INDEX; MAKING AN
APPROPRIATION.

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 school district is eligible for additional
program units if it establishes within its [~~state board~~]
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, [~~in its annual~~
~~accountability report pursuant to Section 22-1-6 NMSA 1978]~~

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1 including reading coaches, additional instructional time,
2 tutoring and school- and student-level interventions to improve
3 academic proficiency together with intended outcomes related to
4 the specified services. The number of additional units to
5 which a school district is entitled under this section is
6 computed in the following manner:

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

7
8 where MEM is equal to the total district membership, including
9 early childhood education, full-time-equivalent membership and
10 special education membership and where the at-risk index is
11 calculated in the following manner:

$$\text{Three-Year Average Total Rate} \times [0.0915] \underline{0.115} = \text{At-Risk Index.}$$

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

23 C. The department shall recalculate the at-risk
24 index for each school district every year. [~~For the 2002-2003,~~
25 ~~2003-2004 and 2004-2005 school years, a school district shall~~

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1 ~~not receive less than ninety percent of the at-risk funding~~
2 ~~generated in fiscal year 2001.]"~~

3 SECTION 2. APPROPRIATION.--Twenty million dollars
4 (\$20,000,000) is appropriated from the general fund to the
5 public education department for distribution through the state
6 equalization guarantee for expenditure in fiscal year 2015 to
7 pay for additional program units generated as a result of the
8 increase in the at-risk index in Section 1 of this act. Any
9 unexpended or unencumbered balance remaining at the end of
10 fiscal year 2015 shall revert to the general fund.

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