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HOUSE BILL 147

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Javier Martínez

AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; INCREASING SCHOOL SIZE FOR
ELIGIBILITY FOR SIZE ADJUSTMENT PROGRAM UNITS; STOPPING THE
PHASE-OUT OF THE UNIT.

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

SECTION 1. Section 22-8-23 NMSA 1978 (being Laws 1975,
Chapter 119, Section 1, as amended by Laws 2019, Chapter 206,
Section 14 and by Laws 2019, Chapter 207, Section 14) is
amended to read:

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

A. An approved public school, including a charter
school, with a MEM of fewer than four hundred, including early
childhood education full-time-equivalent MEM but excluding
membership in class C and class D programs and excluding full-
time-equivalent membership in three- and four-year-old

.216527.1

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1 developmentally disabled programs, that is geographically
2 located in a school district with fewer than ~~two~~ four
3 thousand MEM, is eligible for additional program units.
4 Separate schools established to provide special programs,
5 including but not limited to vocational and alternative
6 education, shall not be classified as public schools for
7 purposes of generating size adjustment program units. The
8 number of additional program units to which a school district
9 or charter school is entitled under this subsection is the sum
10 of elementary-junior high units and senior high units computed
11 in the following manner:

12 Elementary-Junior High Units

13 200 - MEM

14 _____ x 1.0 x MEM = Units

15 200

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

22 Senior High Units

23 200 - MEM

24 _____ x 2.0 x MEM = Units

25 200

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1 or,

2 Senior High Units

3 400 - MEM

4 _____ x 1.6 x MEM = Units

5 400

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

9 B. An approved public school with a MEM of fewer
10 than four hundred, including early childhood education full-
11 time-equivalent MEM but excluding MEM in class C and class D
12 programs and excluding full-time-equivalent MEM in three- and
13 four-year-old developmentally disabled programs, geographically
14 located in a school district with [~~two~~] five thousand MEM or
15 more is eligible for additional program units computed in the
16 following manner:

17 (1) for fiscal year 2020, eighty percent of
18 the sum of elementary-junior high units and senior high units
19 as prescribed in Subsection A of this section; and

20 (2) for fiscal year 2021 and subsequent fiscal
21 years, sixty percent of the sum of elementary-junior high units
22 and senior high units as prescribed in Subsection A of this
23 section.

24 [~~(3) for fiscal year 2022, forty percent of~~
25 ~~the sum of elementary-junior high units and senior high units~~

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1 ~~as prescribed in Subsection A of this section;~~

2 ~~(4) for fiscal year 2023, twenty percent of~~
3 ~~the sum of elementary-junior high units and senior high units~~
4 ~~as prescribed in Subsection A of this section; and~~

5 ~~(5) for fiscal year 2024 and subsequent fiscal~~
6 ~~years, no elementary-junior high units and senior high units as~~
7 ~~prescribed in Subsection A of this section.]~~

8 C. A school district with total MEM of fewer than
9 four thousand, including early childhood education full-time-
10 equivalent MEM, is eligible for additional program units. The
11 number of additional program units to which a school district
12 is entitled under this subsection is the number of district
13 units computed in the following manner:

$$\begin{array}{r} \text{District Units} \\ 4,000 - \text{MEM} \\ \hline 4,000 \end{array} \times 0.15 \times \text{MEM} = \text{Units}$$

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

21 D. A school district, as defined in Subsection R of
22 Section 22-1-2 NMSA 1978, with a MEM of fewer than two hundred,
23 including early childhood education full-time-equivalent MEM,
24 is eligible for additional program units if the department
25 certifies that the school district has implemented practices to

1 reduce scale inefficiencies, including shared service
2 agreements with regional education cooperatives or other school
3 districts for noninstructional functions and distance
4 education. The numbers of additional program units to which a
5 school district is entitled under this subsection is the number
6 of units computed in the following manner:

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

7
8 where MEM is equal to the total district MEM, including early
9 childhood education full-time-equivalent MEM.

10 E. A school district with a rural population rate
11 greater than forty percent or a charter school initially
12 chartered before July 1, 2018 and geographically located in a
13 school district with a rural population rate greater than forty
14 percent is eligible for additional program units. The number
15 of additional program units to which a school district or
16 charter school is entitled pursuant to this subsection is
17 determined by multiplying the full-time-equivalent MEM by the
18 rural population rate and the cost differential factor of 0.03
19 for fiscal year 2020, 0.06 for fiscal year 2021, 0.09 for
20 fiscal year 2022, 0.12 for fiscal year 2023 and 0.15 for fiscal
21 year 2024 and subsequent fiscal years."