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BILL

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

DISCUSSION DRAFT

FOR THE GOVERNMENT RESTRUCTURING TASK FORCE

AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; LIMITING SIZE ADJUSTMENT  
PROGRAM UNITS.

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) is amended to read:

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

A. An approved public school ~~[with]~~ that is located  
in a small town, village or rural community with a population  
of less than three thousand, that is located at least five  
miles from another public school offering a similar academic  
program and that has a MEM of less than 400, 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

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

10 Elementary-Junior High Units  
11  $200 - \text{MEM} \times 1.0 \times \text{MEM} = \text{Units}$   
12 200

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

19 Senior High Units  
20  $200 - \text{MEM} \times 2.0 \times \text{MEM} = \text{Units}$   
21 200

22 or,

23 Senior High Units  
24  $400 - \text{MEM} \times 1.6 \times \text{MEM} = \text{Units}$   
25 400

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

4 B. A school district with total MEM of less than  
5 [~~4,000~~] 3,000, including early childhood education full-time-  
6 equivalent MEM, the central office of which is located more  
7 than fifteen miles from the central office of another school  
8 district that also has a total MEM of less than 3,000, is  
9 eligible for additional program units. The number of  
10 additional program units to which a school district is entitled  
11 under this subsection is the number of district units computed  
12 in the following manner:

13 District Units

14 [~~4,000~~] 3,000 - MEM x 0.15 x MEM = Units

15 [~~4,000~~] 3,000

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

19 C. A school district with [~~over~~] more than 10,000  
20 MEM with a ratio of MEM to senior high schools less than  
21 4,000:1 is eligible for additional program units based on the  
22 number of approved regular senior high schools that are not  
23 eligible for senior high units under Subsection A of this  
24 section. The number of additional program units to which an  
25 eligible school district is entitled under this subsection is

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1 the number of units computed in the following manner:

2 
$$\frac{4,000 - MEM}{\text{Senior High Schools}} \times 0.50 = \text{Units}$$

3 Senior High Schools

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

8 SECTION 2. APPLICABILITY.--This act applies to the 2012-  
9 2013 school year and subsequent school years.

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