

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 287

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Rhonda S. King

AN ACT

RELATING TO PUBLIC SCHOOLS; CLARIFYING THAT A KINDERGARTEN
STUDENT BORN ANY TIME ON SEPTEMBER 1 SHALL BE ACCEPTED FOR
KINDERGARTEN ENROLLMENT.

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

Section 1. Section 22-8-2 NMSA 1978 (being Laws 1978,
Chapter 128, Section 3, as amended) is amended to read:

"22-8-2. DEFINITIONS.--As used in the Public School
Finance Act:

A. "ADM" or "MEM" means membership;

B. "membership" means the total enrollment of
qualified students on the current roll of a class or school on
a specified day. The current roll is established by the
addition of original entries and reentries minus withdrawals.
Withdrawals of students, in addition to students formally

1 withdrawn from the public school, include students absent from
2 the public school for as many as ten consecutive school days;
3 provided that withdrawals do not include students in need of
4 early intervention and habitual truants the school district is
5 required to intervene with and keep in an educational setting
6 as provided in Section 22-12-9 NMSA 1978;

7 C. "basic program ADM" or "basic program MEM" means
8 the MEM of qualified students but excludes the full-time-
9 equivalent MEM in early childhood education and three- and
10 four-year-old students receiving special education services;

11 D. "cost differential factor" is the numerical
12 expression of the ratio of the cost of a particular segment of
13 the school program to the cost of the basic program in grades
14 four through six;

15 E. "department" or "division" means the public
16 education department;

17 F. "early childhood education ADM" or "early
18 childhood education MEM" means the full-time-equivalent MEM of
19 students attending approved early childhood education programs;

20 G. "full-time-equivalent ADM" or "full-time-
21 equivalent MEM" is that membership calculated by applying to
22 the MEM in an approved public school program the ratio of the
23 number of hours per school day devoted to the program to six
24 hours or the number of hours per school week devoted to the
25 program to thirty hours;

.181115.1

1 H. "operating budget" means the annual financial
2 plan required to be submitted by a local school board or
3 governing body of a state-chartered charter school;

4 I. "program cost" is the product of the total
5 number of program units to which a school district is entitled
6 multiplied by the dollar value per program unit established by
7 the legislature;

8 J. "program element" is that component of a public
9 school system to which a cost differential factor is applied to
10 determine the number of program units to which a school
11 district is entitled, including but not limited to MEM, full-
12 time-equivalent MEM, teacher, classroom or public school;

13 K. "program unit" is the product of the program
14 element multiplied by the applicable cost differential factor;

15 L. "public money" or "public funds" means all money
16 from public or private sources received by a school district or
17 state-chartered charter school or officer or employee of a
18 school district or state-chartered charter school for public
19 use;

20 M. "qualified student" means a public school
21 student who:

22 (1) has not graduated from high school;

23 (2) is regularly enrolled in one-half or more
24 of the minimum course requirements approved by the department
25 for public school students; and

.181115.1

underscored material = new
~~[bracketed material]~~ = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(3) in terms of age:

(a) is at least five years of age [~~prior~~
~~to 12:01 a.m.~~] on September 1 of the school year;

(b) is at least three years of age at
any time during the school year and is receiving special
education services pursuant to rules of the department; or

(c) has not reached the student's
twenty-second birthday on the first day of the school year and
is receiving special education services pursuant to rules of
the department; and

N. "state superintendent" means the secretary of
public education or the secretary's designee."