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SENATE BILL 105

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

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; CHANGING THE COST  
DIFFERENTIAL FACTOR FOR TWELFTH GRADE; LIMITING SMALL SCHOOL  
AND SMALL SCHOOL DISTRICT SIZE ADJUSTMENT PROGRAM UNITS.

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

Section 1. Section 22-8-20 NMSA 1978 (being Laws 1991,  
Chapter 85, Section 3, as amended by Laws 1993, Chapter 2,  
Section 1, Laws 1993, Chapter 226, Sections 21 and 22 and also  
by Laws 1993, Chapter 228, Sections 2 and 3) is amended to  
read:

"22-8-20. BASIC PROGRAM UNITS.--The number of basic  
program units is determined by multiplying the basic program  
MEM in each grade by the corresponding cost differential factor  
as follows:

Grades

Cost Differential Factor

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1	1	1.2
2	2 and 3	1.18
3	4 through 6	1.045
4	7 through [ <del>12</del> ] <u>11</u>	1.25
5	<u>12</u>	<u>1.045."</u>

6 Section 2. Section 22-8-23 NMSA 1978 (being Laws 1975,  
7 Chapter 119, Section 1, as amended) is amended to read:

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

9 A. An approved public school [~~with~~] that is located  
10 in a small town, village or rural community with a population  
11 of less than three thousand and that is located at least five  
12 miles from another public school offering a similar academic  
13 program and that has a MEM of less than 400, including early  
14 childhood education full-time-equivalent MEM but excluding  
15 membership in class C and class D programs and excluding full-  
16 time-equivalent membership in three- and four-year-old  
17 developmentally disabled programs, is eligible for additional  
18 program units. Separate schools established to provide special  
19 programs, including but not limited to vocational and  
20 alternative education, shall not be classified as public  
21 schools for purposes of generating size adjustment program  
22 units. The number of additional program units to which a  
23 school district is entitled under this subsection is the sum of  
24 elementary-junior high units and senior high units computed in  
25 the following manner:

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

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

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

or,

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

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

B. A school district with total MEM of less than ~~[4,000]~~ 3,000, including early childhood education full-time-equivalent MEM, the central office of which is located more than fifteen miles from the central office of another school district that also has a total MEM of less than 3,000, is eligible for additional program units. The number of

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1 additional program units to which a school district is entitled  
2 under this subsection is the number of district units computed  
3 in the following manner:

4 District Units  
5 
$$\frac{[4,000] \ 3,000 - \text{MEM} \times 0.15 \times \text{MEM}}{[4,000] \ 3,000} = \text{Units}$$

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

10 C. A school district with [~~over~~] more than 10,000  
11 MEM with a ratio of MEM to senior high schools less than  
12 4,000:1 is eligible for additional program units based on the  
13 number of approved regular senior high schools that are not  
14 eligible for senior high units under Subsection A of this  
15 section. The number of additional program units to which an  
16 eligible school district is entitled under this subsection is  
17 the number of units computed in the following manner:

18 
$$\frac{4,000 - \text{MEM}}{\text{Senior High Schools}} \times 0.50 = \text{Units}$$

20 where MEM is equal to the total district membership, including  
21 early childhood education full-time-equivalent membership, and  
22 where senior high schools are equal to the number of approved  
23 regular senior high schools in the school district."

24 Section 3. EFFECTIVE DATE.--The effective date of the  
25 provisions of this act is July 1, 2010.

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