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HOUSE BILL 317

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

DELORES C. WRIGHT

AN ACT

RELATING TO EDUCATION; AUTHORIZING ADDITIONAL PROGRAM UNITS FOR SCHOOL DISTRICTS OPERATING MULTITRACK YEAR-ROUND SCHOOLS; MAKING AN APPROPRIATION.

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1 withdrawn from the public school, [~~includes~~] include students
2 absent from the public school for as many as ten consecutive
3 school days;

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

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

12 E. "department" or "division" means the state
13 department of public education;

14 F. "early childhood education ADM" or "early
15 childhood education MEM" means the full-time-equivalent MEM of
16 students attending approved early childhood education programs;

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

23 H. "operating budget" means the annual financial
24 plan required to be submitted by a local school board;

25 I. "program cost" is the product of the total number

1 of program units to which a school district is entitled
2 multiplied by the dollar value per program unit established by
3 the legislature;

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

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

11 L. "public money" or "public funds" means all money
12 from public or private sources received by a local school board
13 or officer or employee of a local school board for public use;

14 M. "qualified student" means a public school student
15 who:

16 (1) has not graduated from high school;

17 (2) is regularly enrolled in one-half or more
18 of the minimum course requirements approved by the state board
19 for public school students; and

20 (3) is at least five years of age prior to
21 12:01 a.m. on September 1 of the school year; or

22 (4) is at least three years of age at any time
23 during the school year and is receiving special education
24 services pursuant to regulation of the state board; or

25 (5) has not reached his twenty-second birthday

Underscored material = new
[bracketed material] = delete

1 on the first day of the school year and is receiving special
2 education services pursuant to regulation of the state board;
3 [and]

4 N. "state superintendent" means the superintendent
5 of public instruction or his designee; and

6 0. "multitrack year-round school" means a school
7 that a school district demonstrates has satisfied the following
8 criteria:

9 (1) the students are divided into three or more
10 groups or tracks that rotate attendance the majority of the
11 school days during the school year and at least one group or
12 track is not in attendance at the school while all other groups
13 or tracks are in attendance; and

14 (2) the operation of the school on a multitrack
15 year-round calendar has increased the enrollment capacity of the
16 school. "

17 Section 2. Section 22-8-18 NMSA 1978 (being Laws 1974,
18 Chapter 8, Section 8, as amended) is amended to read:

19 "22-8-18. PROGRAM COST CALCULATION--LOCAL SCHOOL BOARD
20 RESPONSIBILITY. --

21 A. The total program units for the purpose of
22 computing the program cost shall be calculated by multiplying
23 the sum of the program units itemized as Paragraphs (1) through
24 (4) in this subsection by the instruction staff training and
25 experience index and adding the program units itemized as

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1 Paragraphs (5) through [~~(7)~~] (8) in this subsection. The
2 itemized program units are as follows:

- 3 (1) early childhood education;
- 4 (2) basic education;
- 5 (3) special education, adjusted by subtracting
6 the units derived from class D special education MEM in private,
7 nonsectarian, nonprofit training centers;
- 8 (4) bilingual multicultural education;
- 9 (5) size adjustment;
- 10 (6) multitrack year-round school;
- 11 [~~(6)~~] (7) enrollment growth or new district
12 adjustment; and
- 13 [~~(7)~~] (8) special education units derived from
14 class D special education MEM in private, nonsectarian,
15 nonprofit training centers.

16 B. The total program cost calculated as prescribed
17 in Subsection A of this section includes the cost of early
18 childhood, special, bilingual multicultural and vocational
19 education and other remedial or enrichment programs. It is the
20 responsibility of the local school board to determine its
21 priorities in terms of the needs of the community served by that
22 board. Funds generated under the Public School Finance Act are
23 discretionary to local school boards, provided that the special
24 program needs as enumerated in this section are met. "

25 Section 3. A new section of the Public School Finance Act

Underscored material = new
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1 is enacted to read:

2 " [NEW MATERIAL] MULTITRACK YEAR-ROUND SCHOOL UNITS. --

3 A. A school district that is operating a multitrack
4 year-round school is eligible for additional program units. The
5 number of additional program units to which a district is
6 entitled pursuant to this section is computed in the following
7 manner:

8 multitrack school MEM X .05 = units.

9 B. For the purposes of this section, "multitrack
10 school MEM" means the total membership of students enrolled in a
11 multitrack year-round school. "

12 Section 4. APPROPRIATION. -- Four hundred fifty thousand
13 dollars (\$450,000) is appropriated from the general fund to the
14 public school fund in fiscal year 1998 for distribution through
15 the state equalization guarantee distribution for expenditure to
16 school districts with approved multitrack year-round schools.
17 Any unexpended or unencumbered balance remaining at the end of
18 fiscal year 1998 shall revert to the general fund.

State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE

FIRST SESSION, 1997

February 21, 1997

Mr. Speaker:

Your EDUCATION COMMITTEE, to whom has been referred

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has had it under consideration and reports same with
recommendation that it DO PASS, amended as follows:

1. On page 1, line 12, after "OPERATING", strike "MULTITRACK
YEAR-ROUND SCHOOLS" and insert in lieu thereof "SCHOOLS ON
VARIABLE SCHOOL CALENDARS".

2. On page 4, strike lines 6 through 16 and insert:

"0. "variable school calendar school" means a school
that operates on a calendar for school or school district
operations extending over a ten-, eleven- or twelve-month period
or portions thereof in excess of nine months that permits
attendance on a staggered schedule to achieve optimum and maximum
use of school facilities and personnel.".

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3. On page 5, line 10, strike "multitrack year-round" and insert in lieu thereof "variable school calendar".

4. On page 6, line 2, strike "MULTITRACK YEAR-ROUND" and insert in lieu thereof "VARIABLE SCHOOL CALENDAR".

5. On page 6, lines 3 and 4, strike "multitrack year-round" and insert in lieu thereof "variable school calendar".

6. On page 6, line 8, strike "multitrack" and insert in lieu thereof "variable school calendar".

7. On page 6, line 9, strike "multitrack" and insert in lieu thereof "variable school calendar".

8. On page 6, line 11, strike "multitrack year-round" and insert in lieu thereof "variable school calendar".

9. On page 6, line 16, strike "multitrack year-round" and insert in lieu thereof "variable school calendar".,

and thence referred to the APPROPRIATIONS AND FINANCE
COMMI TTEE.

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Respectfully submitted,

Samuel F. Vigil, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Nicely, Trujillo, Weeks, S.M Williams

Absent: None

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