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AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; INCORPORATING THE HOME SCHOOL STUDENT PROGRAM UNIT PROVISION IN THE PROGRAM COST CALCULATION PROVISIONS OF THE PUBLIC SCHOOL FINANCE ACT; CHANGING THE TERM "HOME SCHOOLED" TO "HOME SCHOOL".

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

SECTION 1. Section 22-8-18 NMSA 1978 (being Laws 1974, Chapter 8, Section 8, as amended) is amended to read:

"22-8-18. PROGRAM COST CALCULATION--LOCAL RESPONSIBILITY.--

A. The total program units for the purpose of computing the program cost shall be calculated by multiplying the sum of the program units itemized as Paragraphs (1) through (6) in this subsection by the instructional staff training and experience index and adding the program units itemized as Paragraphs (7) through (14) in this subsection. The itemized program units are as follows:

- (1) early childhood education;
- (2) basic education;
- (3) special education, adjusted by subtracting the units derived from membership in class D special education programs in private, nonsectarian, nonprofit training centers;
- (4) bilingual multicultural education;
- (5) fine arts education;
- (6) elementary physical education;
- (7) size adjustment;
- (8) at-risk program;
- (9) enrollment growth or new district

1 adjustment;

2 (10) special education units derived from
3 membership in class D special education programs in private,
4 nonsectarian, nonprofit training centers;

5 (11) national board for professional
6 teaching standards certification;

7 (12) home school student program unit;

8 (13) home school student activities; and

9 (14) charter school student activities.

10 B. The total program cost calculated as prescribed
11 in Subsection A of this section includes the cost of early
12 childhood, special, bilingual multicultural, fine arts and
13 vocational education and other remedial or enrichment
14 programs. It is the responsibility of the local school board
15 or governing body of a charter school to determine its
16 priorities in terms of the needs of the community served by
17 that board. Except as otherwise provided in this section,
18 funds generated under the Public School Finance Act are
19 discretionary to local school boards and governing bodies of
20 charter schools; provided that the special program needs as
21 enumerated in this section are met; and provided further that
22 if a public school has been rated D or F for two consecutive
23 years, the department shall ensure that the local school
24 board or governing body of a charter school is prioritizing
25 resources for the public school toward proven programs and
methods linked to improved student achievement until the
public school earns a C or better for two consecutive years."

SECTION 2. Section 22-8-23.9 NMSA 1978 (being Laws
2013, Chapter 113, Section 1) is amended to read:

"22-8-23.9. HOME SCHOOL STUDENT PROGRAM UNITS.--

1 Notwithstanding the provision in Section 22-8-2 NMSA 1978
2 defining a qualified student as one who is regularly enrolled
3 in one-half or more of the minimum course requirements
4 approved by the department for public school students, home
5 school students may take one or more classes at public
6 schools and, if so, shall generate program units as provided
7 in this section. The home school student program unit for a
8 school district is determined by multiplying the number of
9 home school students who are enrolled in one or more classes
10 by the cost differential factor 0.25 per class per home
11 school student up to the enrollment required for the home
12 school student to meet the definition of "qualified student".
13 The home school student program units shall be paid to the
14 school district in which they are generated. A home school
15 student is eligible to enroll in a public school in the
16 attendance zone in which the student resides or in another
17 public school outside the attendance zone as provided in
18 Section 22-1-4 NMSA 1978. The school district shall verify
19 each home school student's academic and other eligibility to
20 enroll in the class."
