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AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; CHANGING THE USE OF THE PUBLIC EDUCATION REFORM FUND TO ALLOW FUNDING FOR REFORM PROJECTS INCLUDED IN ACCOUNTABILITY AND EVALUATION PLANS APPROVED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; REQUIRING THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONSULT WITH THE LEGISLATIVE FINANCE COMMITTEE AND THE LEGISLATIVE EDUCATION STUDY COMMITTEE PRIOR TO APPROVING INSTRUCTIONS FOR ACCOUNTABILITY AND EVALUATION PLANS.

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

SECTION 1. Section 22-8-12.1 NMSA 1978 (being Laws 1978, Chapter 128, Section 5, as amended) is amended to read:

"22-8-12.1. MEMBERSHIP PROJECTIONS AND BUDGET REQUESTS.--

A. Each local school board or governing body of a state-chartered charter school shall submit annually, on or before October 15, to the department:

(1) an estimate for the succeeding fiscal year of:

(a) the membership of qualified students to be enrolled in the basic program;

(b) the full-time-equivalent membership of students to be enrolled in approved early childhood

1 education programs; and

2 (c) the membership of students to be  
3 enrolled in approved special education programs;

4 (2) all other information necessary to  
5 calculate program costs; and

6 (3) any other information related to the  
7 financial needs of the school district or state-chartered  
8 charter school as may be requested by the department.

9 B. All information requested pursuant to  
10 Subsection A of this section shall be submitted on forms  
11 prescribed and furnished by the department and shall comply  
12 with the department's rules and procedures.

13 C. The department shall:

14 (1) review the financial needs of each  
15 school district or state-chartered charter school for the  
16 succeeding fiscal year;

17 (2) submit annually, on or before  
18 September 1, to the department of finance and administration,  
19 the legislative finance committee and the legislative  
20 education study committee the recommendations of the  
21 department for:

22 (a) amendments to the public school  
23 finance formula;

24 (b) appropriations for the succeeding  
25 fiscal year to the public school fund; and

1 (c) appropriations for the succeeding  
2 fiscal year for pupil transportation and instructional  
3 materials; and

4 (3) submit annually, on or before  
5 November 30, to the department of finance and administration,  
6 the legislative finance committee and the legislative  
7 education study committee any adjustments to the  
8 recommendations of the department for appropriations related  
9 to additional enrollment growth program units pursuant to  
10 Section 22-8-23.1 NMSA 1978."

11 SECTION 2. Section 22-8-23.13 NMSA 1978 (being Laws  
12 2019, Chapter 206, Section 19 and Laws 2019, Chapter 207,  
13 Section 19) is amended to read:

14 "22-8-23.13. PUBLIC EDUCATION REFORM FUND CREATED.--

15 A. The "public education reform fund" is created  
16 as a nonreverting fund in the state treasury and consists of  
17 appropriations; unspecified gifts, grants and donations to  
18 the fund; and income from investment of the fund.

19 B. Subject to legislative appropriation, money in  
20 the fund is appropriated to the department for the purposes  
21 of implementing and evaluating public education reforms and  
22 initiatives.

23 C. The department of finance and administration,  
24 the legislative finance committee and the legislative  
25 education study committee shall approve instructions for

1 accountability and evaluation plans and shall send the  
2 instructions on or before May 1 to the department. The  
3 notification shall set forth the process for completing and  
4 submitting accountability and evaluation plans and shall  
5 direct the department to:

6 (1) identify the goals, objectives and  
7 expected outputs and outcomes of the program receiving an  
8 appropriation from the public education reform fund;

9 (2) describe the specific activities of the  
10 program, including expected roles and responsibilities of all  
11 participating entities, and how those activities and entities  
12 will achieve expected program outcomes;

13 (3) provide a summary of whether the program  
14 is evidence-based, research-based, promising or does not yet  
15 have rigorous research pursuant to Section 6-3A-3 NMSA 1978 on  
16 its effectiveness;

17 (4) provide a list of performance measures  
18 and a monitoring plan to regularly assess program performance;

19 (5) provide a program evaluation plan to  
20 assess the causal impact of the program on expected outcomes  
21 whenever possible or, when not possible to assess causal  
22 impact, provide a rationale for the proposed evaluation  
23 design; and

24 (6) provide a description of methods,  
25 including planned statistical analysis, the agency or entity

