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STATE OF NEW MEXICO  
**LEGISLATIVE  
EDUCATION STUDY  
COMMITTEE**

2023 Post-Session Review  
April 2023



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## 2023 Post-Session Review

April 2023

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Gwen Perea  
Warniment, Ph.D.  
Director

John Sena  
Deputy Director

Analysts  
Marit Andrews  
Tim Bedeaux  
Bridget Condon  
Daniel Estupiñan  
Jessica Hathaway  
Emily Hoxie

Marissa Branch  
Office Administrator

Alonzo Baca  
Financial Assistant

Jose Griego III  
Administrative Assistant



As educators continue to face the lingering impacts of the Covid-19 pandemic, and with New Mexico yet to fully resolve the court's findings in the *Martinez-Yazzie* consolidated lawsuit, legislators took a varied approach to address education issues across the state.

With record-setting revenue driven by oil and gas production, and forecasts of continued growth for the next few years, the Legislature invested heavily in kindergarten through 12th grade (K-12) public education during the 2023 regular session, including more than \$310 million in learning time initiatives, more than \$191 million to increase educational staff compensation, and \$122 million to fund a variety of specific initiatives aimed at supporting students, improving teacher preparation, providing more career technical education (CTE) options, and improving student outcomes in literacy and math, among others. Since 2019, funding for the state equalization guarantee (SEG), the state's education funding formula, which flows directly to school districts and charter schools, has increased from \$3.068 billion to \$3.96 billion, an almost 30 percent increase.

Legislators also addressed long-standing policy issues, namely the extension of the school year. Since 2019, when the optional K-5 Plus and Extended Learning Time programs were established in statute to provide opportunities to add days to school calendars, only a fraction of school districts and charter schools chose to participate. As a result, hundreds of millions of dollars reverted every year to a public education reform fund, established to collect the unspent dollars toward future use in education. Chapter 19 (House Bill 130) increased the number of required instructional hours, effectively adding an average of 10 school days for students and repealed the K-5 Plus and Extended Learning Time programs. It also repurposed funds previously used for those programs to pay for more school hours for all students, as well as including additional funding as an incentive to add more school days.

The Legislature also passed House Bill 126 (HB126), an overhaul of high school graduation requirements. The bill was the result of two years of study and discussion by Legislative Education Study Committee (LESC) members, staff, and education stakeholders. HB126 was designed to provide more options for high school students to meet core academic requirements in ways that were relevant to career and college pathways. The legislation would have removed an algebra II requirement, and provided local school boards and charter schools the opportunity to make decisions about additional local requirements. However, Governor Michelle Lujan Grisham vetoed the proposal.

And while the General Appropriation Act (GAA) of 2023 includes \$20 million for Indian education, efforts to establish a tribal education endowment fund and change the way funds for tribal education are distributed were not passed.

Other LESK-endorsed legislation, though, was chaptered. Those included changes to the school funding formula, increases to the principal responsibility factors, increases to minimum salaries for educational assistants, and critical changes to the public school capital outlay process that will make funds more easily accessible and help to ensure students have adequate facilities.

Despite massive spending increases and the passage of notable legislation, the Legislature will continue to face pressing issues during the interim. The body debated concerns related to special education, including more oversight of special education

funds and the state structure to ensure compliance, but legislation aimed at addressing those concerns did not pass. Members will certainly discuss special education during the interim.

Additionally, there continue to be questions about whether school districts are receiving sufficient transportation funding and whether overall school funding is sufficient or reaching students who need it most.

The biggest question may be whether the court makes any further determination in the *Martinez-Yazzie* lawsuit, and whether those findings inform interim discussions and proposals for the 2024 legislative session.

## Introduction

Strong growth in oil and natural gas production has contributed to significant increases in general fund revenue, with the Consensus Revenue Estimating Group projecting \$11.995 billion in general fund revenue in FY24. These projections represent an increase in general fund revenue of \$1.22 billion from FY23, and would be \$3.591 billion more than recurring general fund appropriations in FY23. In the 2023 legislative session, the Legislature leveraged those additional funds to support substantial increases in state government operations, with general fund appropriations totaling \$9.57 billion—an increase of 13.7 percent over FY23. A theme of turning “today’s dollars into tomorrow’s dollars” also emerged in the 2023 legislative session, with the Legislature investing in new endowment funds and directing more money toward existing endowment funds.

## Session Action

For FY24, the Legislature authorized significant increases in public school support, with increases for new instructional hour requirements, curricular enhancements such as at-risk services, fine arts programs, and elementary physical education programs, and increases in compensation and benefits for public school personnel.

### HB2 and Feed Bill Recurring General Fund Appropriations from FY24

(in thousands)

Agency Category	FY23 Operating Budget	GAA of 2023	Dollar Change	Percent Change
Legislature	\$24,077.4	\$33,107.1	\$9,029.7	37.5%
Judicial	\$348,719.9	\$387,998.3	\$39,278.4	11.3%
General Control	\$166,447.6	\$213,027.5	\$46,579.9	28.0%
Commerce and Industry	\$77,121.2	\$89,289.0	\$12,167.8	15.8%
Agriculture, Energy and Natural Resources	\$90,986.1	\$107,092.7	\$16,106.6	17.7%
Health, Hospitals, and Human Service	\$2,301,576.1	\$2,707,927.2	\$406,351.1	17.7%
Public Safety	\$491,536.8	\$519,997.5	\$28,460.7	5.8%
Public Schools	\$3,869,635.6	\$4,174,721.5	\$305,085.9	7.9%
Higher Education	\$939,050.4	\$1,212,469.2	\$273,418.8	29.1%
Compensation*	\$181,943.2	\$125,067.6	(\$56,875.6)	-31%
<b>Total</b>	<b>\$8,491,094.3</b>	<b>\$9,570,697.6</b>	<b>\$1,079,603.3</b>	<b>12.7%</b>

\*Includes all state employees except public school employees who are included in the 'public schools' agency category.

Source: LFC Files

## General Appropriation Act of 2023

Appendix E contains a list of all appropriations related to public education.

The GAA includes \$4.126 billion for public school support, a \$313.3 million, or 8.2 percent, increase over FY23. Public school support accounts for 44.3 percent of total recurring FY24 general fund appropriations, down from 45.6 percent in FY23. While the increase for public schools amounts to an 8.2 percent year-over-year change, this is less than the year-over-year increase in recurring general fund appropriations of 11 percent. However, between FY20 and FY23, the Legislature authorized appropriations for public education that exceeded increases in other areas of the budget. See Appendix F: Recurring General Fund Appropriations.

## State Equalization Guarantee

For FY24, the Legislature appropriated \$3.976 billion to the SEG, including \$3.969 billion from the general fund and \$7 million from driver license fees. The recurring appropriation to the SEG represents an increase of \$295.3 million, or 8 percent, compared with FY23. Although discretionary, some SEG appropriations are accompanied by language specifying particular programs and initiatives, which can be found in section 4, subsection K, 'Public School Support' of the GAA.

The SEG was enacted in 1974 with the intention of equitably distributing funding for the operation of public schools. The Legislature has frequently revised the funding formula since its inception but it has not significantly altered its overall structure.

**Educator Pay and Benefits.** For FY24, the Legislature focused on increasing compensation and benefits for public school employees, with the SEG appropriation including \$139.2 million for a 5 percent increase in public school personnel compensation. An additional appropriation of \$27.8 million will flow through the SEG to support a 1 percent supplemental increase in public school personnel compensation to assist employees in offsetting the effects of inflation and health insurance premium increases. The Legislature also included \$31.9 million in the SEG distribution to support increases in employer shares of insurance premiums as required in [Chapter 83 \(House Bill 533\)](#), which establishes parity in public school's employer health premium contributions with that of state employees enrolled in healthcare plans provided by the general services department.

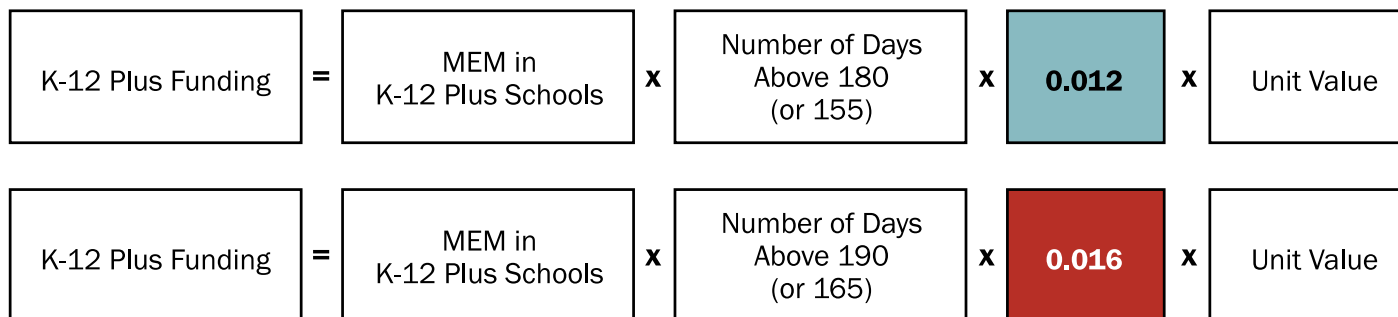
Several key pieces of legislation that received an LESC endorsement were also enacted by the Legislature, including [Chapter 14 \(House Bill 127\)](#), which increased the minimum salaries of educational assistants to \$25 thousand from \$12 thousand. Additionally, [Chapter 148 \(House Bill 199\)](#), which raised each of the administrative responsibility factors by 0.05, an increase of \$3,500 in the minimum salaries of principals and assistant principals, was enacted during the 2023 legislative session.

The \$295.3 million increase in the SEG distribution will also support an increase in health insurance premiums, a 1 percentage point increase in employer retirement contributions, and an increase in fixed costs.

**Learning Time.** The Legislature enacted [Chapter 19 \(House Bill 130\)](#), which increases instructional hour requirements for both primary- and secondary-level students to 1,140, sunsets the K-5 Plus and Extended Learning Time programs, and creates the K-12 Plus program. Each of these provisions is accompanied by funding in the GAA. In total, the Legislature appropriated \$202 million to increase instructional hour requirements, \$50.334 million from the general fund for K-12 plus programs, and an additional \$60 million from the public education reform fund (PERF) for K-12 Plus programs.



### Method of Calculating K-12 Plus Funding



**At-Risk and Curricular Enrichment.** The Legislature passed [Chapter 148 \(House Bill 199\)](#), an LESC-endorsed bill, that enacts three separate provisions in Chapter 148:

- Increase the at-risk multiplier to 0.33 from 0.30;
- Increase the fine arts factor to 0.055 from 0.05; and
- Increase each of the administrative responsibility factors by 0.05.

These provisions are accompanied by funding in the GAA, with the SEG distribution including \$31.9 million for increasing the at-risk factor, \$4.1 million for the fine arts factor, and \$8 million for the administrative responsibility factors. The SEG distribution also includes an additional \$12 million for instructional materials, for a total of \$55 million in FY24, and an increase of \$4 million in supports for elementary physical education programs.

**Other SEG Distributions.** The Legislature appropriated \$2 million from the general fund and \$1 million from the PERF to the SEG to support the enactment of [Chapter 56 \(House Bill 134\)](#), Menstrual Products in School Bathrooms.

Voter approval of House Joint Resolution 1 in 2022 could generate an estimated \$94 million in additional distributions for K-12 programs and services from the permanent school fund in FY24. These funds will support increases in learning time, public school personnel compensation, and programs and services for students considered to be 'at-risk.'

### Categorical Appropriations

The Legislature appropriated \$157.2 million for categorical appropriations from the general fund, an increase of \$18 million, or 12.9 percent, from FY23. Categorical appropriations are found in section 4 of the GAA, subsection K, titled 'Public School Support,' and include the transportation distribution, out-of-state tuition, supplemental distributions, the Indian education fund, and standards-based assessments.

Much of the increase in spending for categorical programs will be leveraged to support the implementation of provisions associated with the Indian Education Act, which will receive \$20 million, a \$5 million increase from FY23.

**Transportation Distribution.** The Legislature appropriated \$126.8 million from the general fund for public school transportation, a 10.6 percent increase from FY23.

The transportation distribution includes an appropriation of \$2.2 million to provide a 5 percent increase in transportation personnel compensation as well as \$442.3 thousand for a 1 percent supplemental increase in transportation personnel compensation.

Of note, Governor Michelle Lujan Grisham vetoed language in the GAA that would have prohibited the Public Education Department (PED) from including variables in the transportation distribution that adjust the allocation to school districts and charter schools

on the basis of population density. In her message, the governor stated, “The vetoed language conflicts with laws governing transportation distributions.”

## Public Education Department

The Legislature appropriated \$22.6 million to PED for the department’s operations, an increase of \$1.7 million from FY23. Much of the increase to the department’s operating budget was intended to strengthen PED oversight with the goal of improving compliance with the consolidated *Martinez-Yazzie* education sufficiency lawsuit, and to improve PED’s capacity to support school districts, charter schools, and external stakeholders. General fund appropriations for special programs decreased by \$12.9 million, or 33.1 percent from last year. The \$25.9 million appropriation from the general fund for special programs includes \$11.5 million for early literacy and reading support, \$5 million for school leader professional development, \$3 million for teacher professional development, \$3.1 million for science, technology, engineering, art, and math (STEAM) initiatives, and \$1.4 million for regional education cooperatives.

### Public Education Reform Fund

The PERF was created in 2019 to support the implementation of evidence-based initiatives related to high-quality teaching and school leadership, extended learning opportunities for students, educational interventions for at-risk students, effective and efficient school administration, and promoting accountability in public education.

The fund is non-reverting and consists of appropriations, unspecified gifts, grants and donations, and income from investment of the fund’s existing balance. The FY23 year-end balance of the fund may be \$142.2 million, based on current estimates of reversions from the K-5 Plus and Extended Learning Time Programs.

While the fund is administered by PED, the department may not allocate money from the fund that has not been appropriated by the Legislature. Designated appropriations in the GAA have language specifying unspent money must revert to the PERF.

### Public Education Reform Fund

For FY24, the Legislature appropriated \$183.2 million from the PERF, a year-over-year decrease of \$25.1 million, or 12 percent. Notable appropriations from the PERF include \$15 million for a one-year extension of the Family Income Index, \$60 million for K-12 Plus programs, \$10 million for community schools and family engagement services, \$20 million for CTE, \$1 million for the Hispanic Education Act, and \$5 million for the Bilingual Multicultural Education Act.

In recent years, much of the inflows to the PERF have been driven by reversions from the K-5 Plus and Extended Learning Time programs. With the enactment of Chapter 19, both programs will be phased out in FY24 and replaced with the K-12 Plus program. As this new initiative is implemented, LESC staff will actively monitor participation to ensure existing funds are being leveraged in their entirety by school districts and charter schools.

If implementation of the K-12 Plus program is widely embraced by school districts and charter schools, LESC staff anticipates a significant decrease in reversions to the fund, with a subsequent decrease in the fund’s balance and its ability to support non-recurring appropriations. A full overview of appropriations from the PERF can be found in Appendix E.

## Road Ahead

During the 2022 interim, the LESC engaged in frequent and comprehensive discussions on what the committee envisioned for SEG, categorical, and special program appropriations to public schools in FY24. This work culminated in committee endorsement of the LESC FY24 public school support recommendation on January 16, 2023. The Legislature ultimately enacted many of the recommendations that were included in the LESC-endorsed public school support scenario, including an increase to the at-risk and fine arts factors, increases in administrative responsibility factors, the creation of the K-12 Plus program, substantial funding for increased instructional hour requirements, and an increase in the minimum salaries for educational assistants.

As the 2023 interim begins, LESC staff will build on the prior interim's budgeting process, with the intention of holding frequent and comprehensive discussions with LESC members on what they individually and collectively envision for public school support in FY25. Similar to the 2022 interim process, these inclusive conversations will culminate in an LESC FY25 recommendation for public school support that builds on the progress from the 2023 regular session while addressing ongoing challenges in New Mexico's public education system.

Additionally, House Memorial 51 (HM51) requests LESC complete a comprehensive study of the public school funding formula with the goal of providing a full report and potential recommendations by the beginning of the 2025 legislative session.

Potential conversations in the 2023 interim may revolve around the methodology used to calculate the at-risk index and whether the LESC envisions a revised method of appropriating at-risk funds directly to public schools rather than at the district level. As the deadline for expending Elementary and Secondary School Emergency Relief funds approaches, LESC staff will also monitor spending of those federal funds and assess how the Legislature can support school districts' and charter schools' transition from those nonrecurring funds. Other topics may be intertwined with the LESC study of the funding formula, which may entail a comprehensive assessment of each cost differential in the funding formula, and whether these adequately support the committee's vision for public education in New Mexico.

## Introduction

Student success encompasses many factors that support student wellbeing and the culmination of the education system in readying students for postsecondary pathways, careers, and civic engagement. As schools continue to recover from the Covid-19 pandemic and respond to the 21st century needs of students and families, the Legislature has grappled with reaching consensus on the student outcomes that matter most for long-term success. This debate—and efforts to support students across their entire educational journey, as well as the health of the educational ecosystem—was reflected in the 2023 legislative session as lawmakers considered bills beginning with early childhood and spanning into college, career, and civic readiness.

This year's legislative session demonstrated, in particular, the role of the Legislature as the state continues to build a vision for education, respond to the *Martinez-Yazzie* education sufficiency lawsuit, address the academic, social-emotional, and physical needs of students, and ensure all students in New Mexico leave the educational system ready for postsecondary life.

## Session Action

The Legislature considered several measures during the 2023 legislative session to support the success of New Mexico's students. The range of topics reflect lawmakers consideration of legislation that provides a strong foundation of learning in early childhood and that truly readies students for college, career, and civic life by the end of their high school years.

### Early Learning

Early childhood is a profound life stage for cognitive, physical, and social-emotional development. Decades of neuroscience, behavioral research, and evaluative studies have established that early childhood represents a crucial window of opportunity. Given this body of research, the Legislature has made early childhood a priority investment area in the past several years, increasing both funding and capacity to serve New Mexico's young children. In November 2022, voters approved a ballot measure to tap the state's land grant permanent fund for additional distributions, and the Legislature acted during the 2023 legislative session to increase funding for early learning.

***Early Childhood Investments.*** As previously noted in the Public School Finance section of the 2023 LESC Post-Session Memo, [Chapter 146 \(House Bill 191\)](#) increases minimum annual distributions from the early childhood education and care fund. Pursuant to these increased distributions, the GAA of 2023 includes a total of \$150 million from the early childhood care and education fund. General fund appropriations to the Early Childhood and Education Care Department (ECECD) are up \$135 million, or 69 percent, and increase funding for both prekindergarten and childcare.

## Supporting Student Success

**Supports for Literacy Skill Development.** Without a strong foundation in literacy skills, children often fall behind in their academic journey. [Chapter 165 \(House Bill 481\)](#) amends language in the reading materials fund to allow school districts and charter schools to apply for funding for structured literacy instructional materials if the requested materials meet certain requirements. As also noted in the Equity section of this 2023 Post-Session Memo, research shows students’ cultural contexts are fundamental to their learning. Chapter 165 builds on previous legislative investments to support literacy development for New Mexico students.

In 2019, New Mexico passed a law requiring several key changes in how the state provides literacy instruction including expansion of professional development, student screening, and development of literacy plans at the school district and charter school level. In addition, beginning in 2020, PED unveiled a new statewide literacy framework focused on helping students to gain foundational reading skills. The GAA builds on these investments by allocating a total of \$21.5 million for early literacy and reading supports (\$8 million of which flows directly to school districts and charter schools through the SEG).

Structured literacy is an umbrella term used to describe evidence-based approaches for helping students learn to read and write proficiently. The term describes a science-based, explicit, systematic, cumulative approach to reading and writing instruction.

**FY18 - FY24 Early Literacy Funding to Public Education Department**  
(in millions)

	FY18	FY19	FY20	FY21	FY22	FY23	FY24	Total Funds FY21 - FY24 (Transition to structured literacy framework)
Early Literacy Funding	\$12.5	\$8.8	\$-	\$9.7	\$9.7	\$19.5	\$21.5	\$60.4

Source: LESC Files

**School Dual Credit Task Force.** House Bill 125 (HB125) would have created a temporary provision in law to establish a dual credit task force to study dual credit course offerings, enrollment practices, faculty hiring processes, student support services, credit transferability, and barriers to increasing dual credit participation. Despite passing both chambers of the Legislature unanimously, HB125 was vetoed by the governor. The veto message referenced the state’s existing Dual Credit Council as a body that may be able to accommodate the work of the proposed task force and that HB125 did not carry an appropriation to cover potential costs of the proposed task force.

The Legislature allocated \$13.5 million in the GAA to PED to build on previous investments that fund early literacy and reading supports. The GAA also includes \$8 million directly to school districts and charter schools to support early literacy.

**Study High School Start Times.** House Memorial 56 (HM56) requests the LESC to work with high school students, PED, and staff from school districts and charter schools to study high school start times and make a recommendation on a statutory high school start time. The memorial also requests the LESC to publish a report of its research and recommendations by December 31, 2023. HM56 is included in the LESC’s interim work plan.

## Systems of Support and Accountability

**LESC Public Education Study.** House Bill 216 (HB216), which passed both chambers of the Legislature unanimously, but was vetoed by the governor, would have expanded the scope of the LESC to include the study of New Mexico’s entire public educational system, including both early childhood and higher education matters. Currently, the

LESC is statutorily restricted from studies related to early childhood education and postsecondary education, except for teacher preparation programs.

**College, Career, and Civic Readiness**

As a student ends their high school career, they should ideally be ready for whatever opportunity they have chosen to pursue, whether that be any type of college or postsecondary learning, entry into the workforce, military service, entrepreneurship, or another pathway the student chooses. The Legislature has made significant investments in recent years to support the college, career, and civic readiness of its students.

<b>HB126 Proposed Changes</b>	
<b>Academic Subject</b>	<b>Proposed Changes</b>
English	4 units; including a requirement for a 3-unit sequence of courses and allowed English Language Development courses to apply; CTE and work-based learning may apply.
Math	4 units; including a sequence of algebra I and geometry or an equivalent pathway; CTE and work-based learning may apply; Algebra II must be offered
Science	3 units; including 2 units of lab sciences; CTE and work-based learning may apply
Social Studies	4 units; including U.S. history & geography (including NM history), government & economics/personal financial literacy (including civics), and world history & geography
Physical Education/Health	Physical Education: 0.5 units Health: 0.5 units
Electives	4 units; Must include a 2 unit pathway of the student's choice in a language other than English, fine arts, health, military, CTE, community learning with a capstone, or work-based learning
Local Discretion Units	2 units set by school districts and charter schools; May be electives or core academic units
Additional Requirements	School districts and charter schools must develop graduate profiles; Students must complete Next Step Plans aligned to graduate profiles; Dual credit must continue to be offered to students (Section 22-13-1.4 NMSA 1978)
<b>TOTAL UNITS</b>	<b>22 total units as state minimum</b> School districts and charter schools may exceed minimum requirements

**Reimagining High School Years.** Although many piecemeal changes have been made to the state’s high school graduation requirements, the Legislature last comprehensively updated its graduation requirements in 2007, with these requirements going into effect for students who began high school in the 2009-2010 school year. House Bill 126 (HB126), an LESC endorsed bill that would have updated the state’s high school graduation requirements, passed the Legislature during the 2023 legislative session, but was vetoed by the governor.

HB126 was the product of a nearly two-year long study by the LESC of state policy options to design high school graduation requirements. The bill, which would have amended state law to require 22 units to graduate, made a number of statutory changes and emphasized a rigorous set of core academics while increasing access to CTE, expanding opportunities for experiential student learning such as work-based learning, and increasing flexibility and personalization for students. The measure also gave school districts and charter schools a role in designing graduation requirements by requiring them to set two units for graduation and giving them the responsibility to develop “graduate profiles.” The bill would have also required students to complete a two-unit pathway of their choice to allow for increased career pathway planning during high school years and for student’s individual Next Step Plans to align to graduate profiles.

HB126 would have eliminated the algebra II graduation requirement, but would have required algebra II to continue to be offered to all students. HB126 would have also removed the requirement that students complete a dual credit, honors, or distance learning course to graduate—however, additional state law requires that dual credit is made available to all students.

**Funding and Supporting Modern Career Technical Education.** Recognizing the importance of modern CTE programs in supporting both the varied goals of New Mexico’s students, as well as a robust state economy, the Legislature considered several bills that addressed funding, staffing, and resources for schools to support CTE programs. [Chapter 65 \(House Bill 198\)](#) amends existing law to allow schools funded by the federal Bureau of Indian Education to access funds appropriated to the state’s CTE pilot project. [Chapter 128 \(Senate Bill 417\)](#) amends the state’s School Personnel Act to create additional statutory pathways for vocational educators to receive a level one license, as well as to progress to level two and level three license—the bill also exempts vocational educators from the salary minimums associated with each license level. [Chapter 199 \(House Bill 505\)](#), appropriates \$65 million to school districts to invest in CTE infrastructure. Additionally, the GAA includes a \$40 million appropriation to PED to support CTE programs, Innovation Zones, and work-based learning (with \$20 million from the general fund and \$20 million from the PERF).

**FY20 - FY24 State CTE Appropriations**  
(in millions)

FY20	FY21	FY22	FY23	FY24
\$4.5	\$5	\$3	\$10	\$40

Source: LESC Files

**Advanced Placement and International Baccalaureate Test Assistance.** The GAA includes \$1.25 million from the general fund to PED to fund Advanced Placement (AP) and International Baccalaureate (IB) tests. Historically, PED has received appropriations for AP exam fees, but this year’s appropriation expands funding to include IB exams.

**Opportunity Scholarship.** The Opportunity Scholarship, created in 2022, allows students to receive scholarships up to the amount of tuition and fees for state public higher education institutions and tribal colleges. Eligibility for the Opportunity Scholarship is limited to New Mexico residents who have not earned a bachelor’s degree and who are enrolled at least-half time (with half-time defined as enrollment in at least six credit hours).

In October 2022, the Higher Education Department (HED) reported 34 thousand students received the Opportunity Scholarship in fall 2022. Although the Opportunity Scholarship is not the only scholarship funded by the state of New Mexico, in its first year of operation, New Mexico’s postsecondary institutions saw enrollment growth of 4.1 percent across all postsecondary institutions.

During the 2023 legislative session, a number of bills related to the Opportunity Scholarship—including a bill to eliminate the scholarship (House Bill 107), and another to convert it to a forgivable loan (Senate Bill 481)—were introduced, but did not progress past initial committee hearings. The GAA includes a \$146 million appropriation from the general fund to HED to support the Opportunity Scholarship in FY24.

## Road Ahead

The 2023 legislative session saw an introduction of additional bills related to student success—from ideas to modify the state’s education funding formula to increase funding for CTE, initiate pilot programs to offer incentives for credentials earned in high school, redesign middle and junior high school, and rethink structures to support all students.

**Interim Priorities and Considerations**

The upcoming LESC work plan includes several items to continue to study and develop legislative proposals that bolster student success. LESC staff have identified three primary topics for ongoing study in the 2023 interim.

***School Engagement and Design for Secondary Students.*** Given research that shows school engagement, particularly in secondary school years, is low and that school attendance continues to be an area of concern, the LESC intends to study how secondary school environments can change to engage students and also restructure the school day, student's learning experiences, and the broader education ecosystem. LESC staff have spent previous interims considering the statutory changes that could allow for meaningful school redesign in secondary years and will continue to focus on this topic during the upcoming interim.

Revised high school graduation requirements could modernize New Mexico's high school graduation requirements and allow for a more engaging high school experience for students, ensure rigorous academic and skill development, and allow education to be more responsive to college and career options today. The LESC will continue to study this topic during the 2023 interim.

***College, Career, and Civic Readiness Metrics.*** A key component of the court's ruling in the *Martinez-Yazzie* education sufficiency lawsuit was that New Mexico was failing to make its students college and career ready. The LESC's interim work plan includes the study of college, career, and civic readiness metrics to define and measure student success. As the Legislature continues to create statutory changes that prepare all students equitably, it is imperative the body has an understanding of how funding is impacting student programming and outcomes. This study will aim to provide the Legislature with additional information about how funding impacts student outcomes and what role the Legislature can play in supporting a defined and operationalized definition of college, career, and civic readiness.

***Study CTE Funding.*** The Legislature appropriated \$40 million to PED (\$20 million from the general fund and \$20 million from the PERF) for CTE, Innovation Zones, and work-based learning initiatives and equipment. The LESC intends to monitor use of this funding including innovations, best practices in developing CTE programs, and how this funding is impacting access to modern CTE programs statewide.

While the following measures did not pass during the 2023 legislative session, the Legislature also considered additional funding for CTE through Senate Bill 108, which would have created a CTE program unit of 0.25 as part of the state's public school funding formula, and through Senate Bill 211, which would have created a pilot program to provide funding incentives for school districts and charter schools whose students earn industry-recognized credentials. In the LESC's work to study CTE funding, LESC staff also intend to study these approaches as part of a comprehensive effort to ensure adequate CTE funding.

***Study High School Start Times.*** As noted above, HM56 requests the LESC to study and make a recommendation about high school start times. This memorial is included in the LESC's work plan.



## Introduction

To recruit, train, and retain a high-quality teaching workforce, it is important to support all school personnel and view the educator workforce as an ecosystem inclusive of individuals both in and outside of the classroom. Addressing the needs of the educator workforce is key to improving student outcomes and addressing the ongoing *Martinez-Yazzie* education sufficiency lawsuit. Quality of teaching was a focus of the lawsuit ruling; among several findings, the court ruled “highly effective teachers are key to improving proficiency.” Research also shows that among school-related factors, educators are what matters most in impacting student’s learning outcomes.

## Session Action

During the 2023 legislative session, the Legislature took action and furthered conversations related to the educator ecosystem by increasing the salaries of educational assistants, decreasing employee costs of health insurance for school personnel making less than \$50 thousand annually, and expanding the criteria of individuals who can receive a National Board certification stipend. To further support the professional learning and preparation of educators, the Legislature also expanded professional development opportunities and expanded eligibility for the teacher affordability scholarship. In the 2023 legislative session, lawmakers introduced broad proposals to bolster the educator workforce. This includes salary increases, lowering health insurance premium costs for employees, and expanding access to professional learning opportunities.

### Legislation Targeting Salary and Benefits

A substantial body of research demonstrates teachers’ wages affect the quality of those who choose to enter the teaching profession and how long educators stay in the profession. Improving educator salaries and benefits in New Mexico was a primary focus of the Legislature.

***Educational Assistants.*** [Chapter 14 \(House Bill 127\)](#) amends the School Personnel Act to increase statutory minimum salaries for licensed educational assistants from \$12 thousand annually to \$25 thousand annually. According to data made available by PED, there are approximately 5,400 educational assistants working in public schools in New Mexico. While educational assistant salaries vary widely across the state, 40th day count data—the first reporting date for school districts and charter schools—from PED shows the average salary for one full-time equivalent (FTE) educational assistant is \$22 thousand annually; however, LESC staff analysis shows 28 percent of educational assistants earn less than \$20 thousand. Consequently, this statutory change will raise the salaries of over 70 percent of educational assistants in the state. The GAA of 2023 appropriates \$14.5 million to the SEG, the state’s public school funding formula, to fund salary raises for educational assistants.

House Bill 127 specifically targets salary increases for educational assistants working in the classroom. PED defines instructional assistants as educational assistants through job codes.

A [research study](#) published in the journal *Educational Evaluation and Policy Analysis* found consistent evidence of the positive effects of educational assistants on student

## School Personnel Background Checks

[Chapter 177 \(Senate Bill 383\)](#) amends the School Personnel Act to clarify the criminal history record check procedure for public school employees. PED noted the statutory changes are required to conform to Federal Bureau of Investigation (FBI) background criminal history check requirements and for PED to continue utilizing FBI background check processes. The statutory changes include:

- Clarifying who must undergo a criminal history background check;
- Outlining specific license types required to undergo a criminal history background check; and
- Explicitly requiring the submission of fingerprints through the state identification bureau to the FBI.

Public school employees, including licensed school personnel, are required to undergo a criminal history background check before they can begin employment. Under current law, any school employee providing instructional support services, teaching, or supervising an instructional program must hold a valid license for their respective functions.

### NMPSIA Share of Health Insurance Premiums

Salary Range	Previous Employer Share	Chapter 83 Employer Share
Less than \$15,000	80%	80%
\$15,000 to \$19,999	70%	80%
\$20,000 to \$24,999	65%	80%
\$25,000 to \$49,999	60%	80%
\$50,000 to \$59,999	60%	70%
\$60,000 or More	60%	60%

Source: LESC Files

school year. This increase in employer contributions to insurance premiums brings the NMPSIA share of health insurance premiums in alignment with state employee health insurance, which Chapter 83 matches exactly.

Stakeholders have expressed concerns regarding the limitations of the return-to-work program ending after 36 months. [Senate Bill 492](#) proposed amendments to the return-to-work program for educational retirees receiving pension benefits from the Educational Retirement Board. Specifically, the bill amended the program to allow a retired educational employee to return to work after a 90-day layout period and extend the number of months that an educational retiree may return to work from 36 months to 60 months. The bill passed out of the Senate but was not heard in the House.

performance in reading and math. The study concluded state investment to support educational assistants in the classroom is a cost-effective strategy to improve student academic outcomes.

**Universal Salary Increases.** The Legislature appropriated \$139.2 million from the general fund to the SEG to provide an average 5 percent salary increase to all public school personnel. The governor vetoed averaging language, meaning all school employees will receive a 5 percent salary increase for the 2023-2024 school year. Additionally, school personnel will receive a 1 percent supplemental salary increase to address inflation and health insurance premium increases, resulting a total 6 percent increase.

**Changes to Healthcare Costs.** [Chapter 83 \(House Bill 533\)](#) amends two sections of law to increase the minimum share of total health insurance premiums school districts, charter schools, and other entities participating in group health insurance plans from the Public Schools Insurance Authority (NMPSIA) are required to pay for employees making less than \$50 thousand annually. This will likely increase the take-home pay for many public school employees making less than \$50 thousand annually. For example, a public school employee making \$42 thousand annually, and who is enrolled in a NMPSIA plan, currently pays 40 percent of their health insurance premium. As a result of Chapter 83, this same employee will now pay 20 percent of their health insurance premium during the 2023-2024

### Legislation Targeting Teacher Supports

Teacher recruitment and retention challenges are a contributing factor to teacher shortages in New Mexico. The Legislature focused on addressing teacher retention challenges by providing additional professional learning time and expanding eligibility for the Teacher Preparation Affordability Scholarship.

**National Board Certification Units.** The National Board certification process is a voluntary system that certifies a teacher meets rigorous national standards for classroom instruction. National Board certification is offered in 25 different content areas, with most certifications applying to teachers, with others offered for school counselors or library media specialists.

[Chapter 145 \(House Bill 181\)](#) allows licensed school employees certified as National Board certified teachers (NBCTs) to generate program units in the public school funding formula beginning in FY24. Prior to Chapter 145, only NBCT educators working in a classroom could generate program units, meaning only current teachers were awarded a NBCT stipend. Chapter 145 will allow a greater number of individuals who are NBCT to be awarded a stipend.

**Professional Work Time.** During the 2023 session, the Legislature responded to this research by elevating professional learning opportunities for teachers in New Mexico. [Chapter 19 \(House Bill 130\)](#) professionalizes the work of educators by ensuring minimum school calendar requirements allow space for professional work, including teacher collaboration, mentorship, and professional development. As a result of statutory changes made by Chapter 19, elementary teachers may embed up to 60 hours of professional work time in the instructional work day and secondary teachers may embed up to 30 hours of professional work time in the instructional work day.

In December 2022, the National Conference of State Legislatures (NCSL), a bipartisan organization that represents state legislatures, released [an update](#) to its previous “No Time to Lose” report, titled “*The Time is Now*.” This new report found teacher professional learning to be a key component of student academic success. Specifically, the report noted that in countries with high performing education systems, teacher professional learning is prioritized, in some cases over time in front of students:

*“In high performing education systems, ongoing professional learning is prioritized much higher than here in the U.S. Teachers collaborate in teams to learn from and coach one another, assess students’ needs, brainstorm solutions and pilot innovative approaches. Teachers spend less time in front of students and more time honing their craft than here in the U.S. to ensure that students are with the most effective teachers in the world.”*

**Teacher Preparation Scholarship.** [Chapter 201 \(Senate Bill 307\)](#) expands the definition of eligible student to include licensed teachers pursuing a graduate degree in education or related to their teaching specialty. This change will allow for additional educators to develop professionally through higher education. To develop stronger pedagogical skills, many teachers choose to develop professionally by enrolling in higher education programs. The Teacher Preparation Affordability Act offers need based scholarships for students pursuing a teaching degree from a New Mexico public postsecondary institution. This scholarship awards up to \$6,000 per year for up to five years. Eligible students are allowed to use the funds for tuition, fees, books, courses supplies, and living expenses.

**Vocational and CTE Licensure.** [Chapter 128 \(Senate Bill 417\)](#) amends the School Personnel Act to create additional pathways for vocational educators—teachers who teach CTE courses—to enter the teaching profession and receive a level one license and progress to level two and level three licenses. Chapter 128 removes vocational educators from the salary minimums attached to the three-tier license system. Prior to Chapter 128, New Mexico offered a secondary vocational license for teachers who teach grades seven through 12, commonly known as an “800-level license,” developed through administrative code.

The GAA of 2023 includes a \$10 million nonrecurring appropriation from the PERF to the teacher preparation affordability scholarship fund. The Legislative Finance Committee (LFC) higher education budget recommendation includes a \$5 million appropriation from the teacher preparation affordability scholarship fund to HED.

## Road Ahead

Over the past year, the New Mexico Legislature has invested in the educator workforce substantially, from salary increases to providing teachers with professional learning opportunities. During the 2023 interim, LESC staff have identified three key priorities to study, aimed at supporting the legislature’s commitment to the educator workforce.

***Educator Preparation.*** The 2023 legislative session saw an introduction of additional bills related to educator preparation—from ideas including establishing universal requirements at New Mexico’s colleges of education to expanding teacher preparation scholarships. House Bill 460 (HB460) proposed a variety of changes to educator preparation programs in New Mexico. This included ensuring all teacher preparation programs offer the same foundational content requirements, developing a unified course numbering system for all courses within teacher preparation programs, allowing for courses taken at one educator preparation program to be fully transferrable to another, prescribing four-year educator preparation program requirements, and establishing reporting requirements for educator preparation programs. During the interim, LESC staff will build on the work of HB460 by examining the crucial role teacher preparation programs play in shaping the quality of education and the outcomes of students. Through an analysis of educator preparation programs, staff can identify both areas of strength and opportunities for improvement to enhance the effectiveness of New Mexico’s teachers and their impact on student learning.

***Supply and Demand of Educator Workforce.*** Understanding the supply and demand of educators is critical for ensuring there is a well-trained and high-quality workforce to support the education of New Mexico’s students. During the interim, LESC staff will continue to study the nuances of educator supply and demand to identify strong policy options to address workforce needs. This includes examining policy around pay incentives, career ladders, and differentiated supports for educators.

***Evaluation of Educator Workforce Initiatives.*** It is important for legislative staff to evaluate investments in education to ensure investments are effectively supporting teacher growth and student learning. During the 2023 interim, LESC staff will evaluate legislative investments in programs including teacher residencies and student teaching stipends to better develop an understanding of the effectiveness of these programs and to craft policy changes and budget investments going forward. This evaluation will also help identify areas where additional resources may be needed to address any gaps or shortcomings in programs seeking to support New Mexico’s educator workforce. LESC staff will also monitor the implementation of the vocational license system established by Chapter 128.

## Introduction

Discussions about school infrastructure and capital outlay funding among school districts, the LESC, the Public School Facilities Authority (PSFA), the Public School Capital Outlay Council (PSCOC), and the Public School Capital Outlay Task Force (PSCOOTF), resulted in significant legislative action during the 2023 legislative session. In addition to providing funding for school security, CTE, and local maintenance priorities, the Legislature made a number of changes to the Public School Capital Outlay Act designed to help school districts gain access to public capital outlay funding to improve school infrastructure.

## Session Action

During the 2022 legislative interim, ongoing conversations revealed challenges in New Mexico's system of funding for public school facilities. Demand for PSCOC awards via the standards- and systems-based programs declined in recent years. Many school districts noted that, with the transition to the "phase two" state and local match calculation, the local match required for participation in PSCOC programs was too high. In addition, a number of school districts receiving direct appropriations from the Legislature accumulated an offset total that became cost prohibitive over time. As a result of low demand for PSCOC projects, the balance of the public school capital outlay fund (PSCOF) ballooned. PSFA estimated the PSCOF balance may have exceeded \$1 billion in unused funding if school districts continued refusing to participate in PSCOC programs.

### Chapter 98 (Senate Bill 131): Capital Outlay Omnibus Bill

The resulting legislation, [Chapter 98 \(Senate Bill 131\)](#), endorsed by both the LESC and PSCOOTF, was designed to increase demand for PSCOC-funded projects. The bill contained three policy levers to reduce the burden of PSCOC projects on school districts:

- ***Temporarily reduce local match percentages by one-third, or one-half for micro-districts.*** This provision will increase the state's responsibility to pay for projects. On average, the state covers 30 percent of the cost of PSCOC projects; Chapter 98 will increase the state's responsibility to an average of 56 percent of project costs. This provision is retroactive to PSCOC awards made in FY23 and will sunset at the end of FY26.
- ***Eliminate outstanding and future offsets for direct legislative appropriations.*** Prior to the enactment of Chapter 98, legislators were discouraged from giving capital outlay funds to school districts by having the amount of a future PSCOC award reduced by the amount of any direct legislative appropriation to any school district. These reductions, called "legislative offsets," were cumulative and stacked up over time. Chapter 98 forgives \$74 million in outstanding offsets, removing a barrier to PSCOC projects for many school districts.

- ***Eliminate an upcoming credit for “local revenue” in the state and local match calculation.*** When the Legislature removed the Impact Aid credit from the public school funding formula in 2021, the school districts that receive Impact Aid funding explained they would spend significant portions of their new revenue on long-standing capital needs. These expenditures were slated to be included in the state and local match calculation, but Chapter 98 rescinds this credit. The policy will allow the plaintiff school districts in the Zuni lawsuit, Gallup-McKinley County Schools and Zuni Public Schools, unrestricted use of their Impact Aid revenue.

Among its provisions, Chapter 98 also made a minor change to PSFA’s budget capacity. PSFA’s budget will now be based on the average of PSCOC awards for the past five years, up from three years. This change will provide PSFA with a more predictable budget that will be less subject to year-over-year changes in PSCOC awards.

At the heart of New Mexico’s system for capital outlay funding is a principal objective to maintain equity and uniformity among public schools, as required by the *Zuni* capital outlay lawsuit and the New Mexico Constitution. Rather than pursuing equity by “lowering the ceiling” for school districts via complicated programmatic requirements,

Rather than pursuing equity by “lowering the ceiling,” Chapter 98 maintains equity by “raising the floor,” elevating school districts’ spending power by removing unnecessary barriers in the public school capital outlay system.

Chapter 98 maintains equity by “raising the floor,” elevating school districts’ spending power by removing unnecessary barriers in the public school capital outlay system. Staff anticipate the enactment of Chapter 98 will significantly increase demand for PSCOC projects. As the bill is implemented, LESC, in partnership with LFC staff, will monitor school districts’ participation in the standards- and systems-based award programs and make recommendations toward potential permanent changes to the state and local match calculation.

### **Chapter 199 (House Bill 505): Direct Capital Appropriations**

In addition to sweeping changes to the Public School Capital Outlay Act, the Legislature also passed additional legislation to improve districts’ access to capital outlay funding, especially for priority projects like those involving school security and CTE.

***School Security Infrastructure.*** School security remains a high priority for school districts. According to statistics compiled by Education Week, there were 51 school shooting incidents across the U.S. in 2022, the highest number in recent history. In the first three months of 2023 alone, there have been 13 school shootings in the U.S. resulting in 10 deaths and 13 other injuries. Reducing school violence demands a multi-faceted strategy that involves mental health supports for students, gun policy reforms, and investments in technology and infrastructure designed to keep students safe.

[Chapter 199 \(House Bill 505\)](#) appropriates \$35 million for school security infrastructure statewide. In contrast to the application process used in the now discontinued PSCOC security program, the \$35 million appropriation will flow to school districts quickly with few strings attached, allowing districts to take advantage of the funds early in FY24.

The methodology for the distribution of funds in Chapter 199 is based on an effective methodology first used in FY22, which distributed \$75 million in funding for local maintenance priorities to school districts. The distribution amounts are proportional to each district’s state match from the Public School Capital Improvements Act, commonly known as “SB9” or “the two-mill levy.” However, despite being included in the definition of “school districts” in the Public School Capital Outlay Act, charter schools did not receive any portion of the \$75 million in FY22.

**Career Technical Education Infrastructure.** As school districts and charter schools have begun to recognize the benefits of modern CTE programs, many have also noted that significant investments in capital can be barriers to launching effective programs. Chapter 199 appropriates \$65 million to school districts to invest in CTE infrastructure. In the case that school districts classify other needs as higher priorities than CTE, these funds may also be spent on prekindergarten facilities or other local maintenance priorities. In addition to this \$65 million, PSEA received an additional appropriation of \$5 million for prekindergarten facilities. As with the \$35 million for school security, the intent of these appropriations is to ensure funds flow quickly and seamlessly, allowing school districts to spend the funding efficiently.

**Direct Legislative Appropriations.** In addition to large-scale initiatives overseen by PSCOC, Chapter 199 makes more than 200 direct appropriations to school districts and charter schools, totaling \$41.9 million for schools’ individual capital needs. Of this amount, \$37 million went to school districts and an additional \$4.9 million to state-chartered charter schools. Albuquerque Public Schools received a majority of the capital appropriations directed to school districts, totaling \$18.6 million. The governor did not veto any public school projects, but did adjust the language for one project. See **Appendix I, Direct Capital Outlay Appropriations.**

LESC analysis of the appropriation language authorized in Chapter 199 found school security, information technology, and grounds maintenance and landscaping ranked among the most common purposes for direct capital appropriations in 2023. The language underscores the importance of the legislature’s investment in school security infrastructure in 2023.

Aside from appropriations for new capital expenditures, [Chapter 203 \(Senate Bill 309\)](#) made a few language adjustments and reauthorizations to capital appropriations related to public school infrastructure authorized in previous years:

- The purpose of a 2022 appropriation to South Valley Preparatory Academy in Albuquerque was changed from building construction to land acquisition;
- The timeframe for expenditure of two 2019 appropriations to the New Mexico School for the Blind and Visually Impaired in Alamogordo was extended through 2025;
- The timeframe for expenditure of two 2021 appropriations to PED for school bus replacement and school bus cameras was extended through 2025; and
- The purpose of a 2022 appropriation to Roots and Wings Community School in Taos was expanded to include land acquisition.

**Total Appropriations for Public School Capital Outlay Projects**

Laws 2023, Chapter 199 (HB505)

District/Charter/Agency	Total HB505 Appropriations
Albuquerque	\$18,640,642
Animas	\$325,000
Artesia	\$1,300,000
Bernalillo	\$200,000
Chama Valley	\$100,000
Cobre	\$685,000
Cuba	\$310,000
Elida	\$435,000
Española	\$246,222
Floyd	\$175,000
Hatch Valley	\$100,000
Hondo Valley	\$885,000
Lake Arthur	\$375,000
Las Cruces	\$272,147
Las Vegas City	\$550,000
Lordsburg	\$150,000
Lovington	\$575,000
Melrose	\$210,000
Mora	\$375,000
Mountainair	\$125,000
Questa	\$275,000
Region 9 REC	\$586,500
Rio Rancho	\$4,162,000
Santa Fe	\$1,105,000
Santa Rosa	\$115,000
Silver City	\$380,000
Taos	\$3,810,000
Wagon Mound	\$165,000
West Las Vegas	\$400,000
<b>TOTAL SCHOOL DISTRICTS</b>	<b>\$37,032,511</b>
State-Chartered Charter Schools	\$4,857,000
PSFA	\$105,000,000
PED	\$37,015,000
<b>TOTAL PUBLIC EDUCATION</b>	<b>\$183,904,511</b>

Source: LESOC Files





buys time for the state to study the new “phase two” state and local match formula, allowing the state to make recommendations toward a “phase three” formula in future years. During the 2022 interim, [LESC staff identified a number of assumptions](#) the phase two formula makes that may be contributing to its inefficacy, including that it assumes districts are making full use of their local mill revenue, that the cost of construction has ballooned in recent years, and that the formula assumes facilities will be replaced regularly over a 45-year period, ignoring long-standing needs that have accumulated over time in some priority school districts.

***Study and Recommend Changes to the Public School Transportation Formula.***

While the transportation formula fell out of the spotlight during the Covid-19 pandemic, some school district stakeholders continue to assert it is inadequate to meet their needs. LESC staff have recognized [issues with the transportation formula](#), like the use of fluctuating variables that contribute to inconsistencies in year-over-year funding. Compounding these concerns are dramatically increasing fuel costs, as well as an expansion of technology and infrastructure that may make electric school buses a realistic proposal in some school districts. New Mexico is due for an in-depth study of the public school transportation formula; LESC is poised to explore the formula throughout the 2023 interim and make recommendations toward a revised formula in the 2024 legislative session.

***Study Public School Ventilation.*** During the Covid-19 pandemic, New Mexico schools received significant amounts of funding to update school heating, ventilation, and air conditioning (HVAC) systems to reduce the transmission of the virus. However, after discussions about school HVAC projects during the 2023 session, it became clear the state does not understand whether this funding served its intended purpose. During the session, the Legislature passed [House Joint Memorial 7](#), requesting PSCOOTF to study gaps in the construction and operation of public school HVAC systems and identify a potential source of funding for HVAC maintenance and repairs.

***Study Funding for Tribally-Authorized School Facilities and Early Childhood Facilities.*** As the Legislature considers how New Mexico’s tribes, nations, and pueblos could become the authorizers of their own public schools, as further discussed in the Equity section of this 2023 Post-Session Memo, it should also work to identify a source of funding for those school facilities. School districts are required to pay a local match for capital outlay projects, an amount that is based on their “ability to pay” pursuant to taxes they levy on their constituents. Little is known about the “ability to pay” for New Mexico’s tribes, nations, and pueblos, requiring further study in the 2023 interim. Such is also the case for facilities under the jurisdiction of the ECECD, which have also expressed an interest in accessing public school capital outlay funds but lack a dedicated revenue source to pay a local match. LESC staff plan to study both early childhood facilities and tribally-authorized schools to find an appropriate mechanism to provide capital outlay funding.

## Introduction

Conversations about kindergarten through 12th grade education in New Mexico often revolve around what necessary supports—whether funding, policy guidance, school district flexibility, or otherwise—are most critical to support students and increase academic outcomes. Evidence of the gap in achievement and access to a quality education was highlighted in the *Martinez-Yazzie* lawsuit, and the Legislature has made significant policy changes and investments in an effort to support the most vulnerable students across the state. For many years, legislative actions to improve student success often focused on classroom or teacher-related changes, however as research shows engaging families and communities improves student outcomes, lawmakers have increasingly considered how to support an education ecosystem that can respond to the unique circumstances and needs of every student in a collaborative way that supports the local community and families.

## Session Action

While education policy requires conversations about children’s cognitive development and effectively teaching content knowledge, lawmakers have realized the role of schools can go beyond just teaching academics, and schools can foster students’ development in their relationships, health, emotional skills, and overall well-being. During the 2023 legislative session, non-academic barriers to learning came under a spotlight, and lawmakers enacted several pieces of legislation with the goal of allowing students to be engaged in the classroom and make the most of their academic learning time.

According to Farm to Table New Mexico, a nonprofit dedicated to promoting sustainable agriculture in the state, over 82 percent of New Mexico’s school students are eligible for U.S. Department of Agriculture free or reduced cost lunch, while more than one in four children in the state are considered food insecure, relying on school meals for their main meal of their day.

### Healthy Universal School Meals

Hunger and the negative impacts of students living with food insecurity have long been discussed, and traditional school programs to support these students, such as the National School Lunch Program and the Community Eligibility Provision, are supported by federal funding distributed by state agencies. Ahead of the 2023 legislative session, Governor Lujan Grisham announced her administration would be supporting a proposal to expand free school meals for students by maximizing federal programs and providing additional state funds to cover the cost of meals for students who were not already eligible for existing programs.

[Chapter 30 \(Senate Bill 4\)](#) expands free meals to all public and charter school students attending schools that are operating the national school breakfast and lunch programs, and allows tribally controlled schools and private schools operating the national school breakfast and lunch programs to opt in to offer free, high quality meals, regardless of family income. Throughout the legislative process, several amendments were adopted to strengthen the ability for Chapter 30 to fulfill its intent and clarify language, but ultimately the key components of Chapter 30 remained:

- Requires public school districts and charter schools operating the national lunch program and the school breakfast program to establish a program to offer high-

- quality meals at no charge to all students;
- Obliges eligible school food authorities to use money received to purchase commodities necessary to improve meal quality, including food and other consumables, equipment, staffing, labor needs or training, and technical assistance; and
- Mandates PED to promulgate rules regarding meal quality improvement requirements and procedures for establishes an annual certification.

To support Chapter 30 and providing universal healthy meals, the GAA includes \$20 million for PED to implement universal free meals, \$2.4 million for food programs, and \$166.8 thousand to support personnel and employee benefits for food programs.

### Menstrual Products in School Bathrooms

Student health and access to healthcare products was a predominant discussion among legislators trying to alleviate nonacademic barriers to student success. According to a [2021 study](#), 23 percent of students in the U.S. reported struggling to afford period products. The report outlined stigmas that often prevent students from discussing issues around their period: 70 percent of respondents said the school environment makes them especially self-conscious of their period and 77 percent of students believe there needs to be more in-depth education about menstrual health.

[Chapter 56 \(House Bill 134\)](#) requires school districts and charter schools to provide menstrual products to students at no cost in public elementary, middle, and high school bathrooms. The GAA includes \$2 million from the general fund and \$1 million from the PERF to require free menstrual products in public schools.

Work during the 2022 interim laid the foundation for House Bill 112 (HB112), which sought to establish a pilot program for schools to implement wellness rooms to support the emotional, mental and behavioral health of students. Although HB112 did not pass, the GAA includes \$200 thousand to PED to pilot wellness rooms in public and charter schools.

### School-Based Health Centers

[Chapter 48 \(Senate Bill 397\)](#) codifies school-based health centers (SBHCs) in state law. SBHCs are clinics on, or near, school grounds that provide health services to students, and sometimes staff or community members. The GAA includes \$3 million from the early childhood care and education fund to the Department of Health to support existing SBHCs, and \$1.5 million from the general fund for start-up costs related to SBHCs.

[Chapter 84 \(House Bill 4\)](#), the New Mexico Voting Rights Act, makes every general and regular local election a school holiday. Schools must account for this and adjust school calendars to ensure they meet minimum instructional hours.

## Road Ahead

The LESC anticipates continuing conversations around community and family supports during the interim as a result of the 2023 legislative session. Through research and partnership with local stakeholders, the LESC will study additional school programs, systems, and staff supports that are most effective to support the needs of New Mexico's children.

### Community Schools Task Force

During the 2022 interim, the LESC heard from PED and the Coalition for Community Schools to understand what a community school provides, in addition to learning, for

students and their families, and most critically, how and why these schools engage with their local communities. Legislators showed great interest in continuing their support for and investment in community schools, which was clear during the 2023 legislative session.

House Memorial 44 (HM44) requests PED to convene a task force to analyze and evaluate:

- Adequacy of current grant funding to hire a full-time school-based community schools coordinator and support high-quality implementation of the community schools strategy;
- Effect of the lack of recurring state funding on the sustainability of community schools initiatives;
- Need for indicators of high-quality community schools, including implementation of a certification program for eligibility for annual funding; and
- Cost and return on investment to the state of supporting and funding community schools.

Additionally, the task force will partner with the Coalition for Community Schools to develop a comprehensive set of criteria by which applicant public schools may be certified as high quality community schools and eligible for recurring funding. The work of this task force will be a priority for the LESC during the 2023 interim, and it is expected the findings of this task force will greatly influence legislation relating to community schools in subsequent sessions. The GAA includes \$10 million to PED for community school and family engagement initiatives.

### **Investing in Counselors and Promoting Residency Pilots**

In addition to providing funding and policy changes to support the schools and programs that allow students to succeed beyond academic learning, it is also critical that the Legislature invest in the people who fulfill the many support roles within a school system. School counselors and social workers, for example, play a crucial role in ensuring that schools provide a safe and nurturing environment, and can help students learn the necessary mindsets and behaviors to advance achievement outcomes. While teacher recruitment and retention challenges are often at the forefront of education staffing discussions, in New Mexico school districts and charter schools also face difficulties in recruiting and retaining school counselors and school social workers.

During the 2023 interim, the LESC will examine the preparation of school personnel, including school counselors, to make policy and budget recommendations grounded in best practice. One example of a best practice preparation strategy are residencies, which offer an innovative approach to recruiting and retaining a high-quality workforce. In New Mexico, this work began with teacher residency programs, and the GAA of 2023 appropriates \$2 million to expand residency pilots to support principals, social workers, and counselors. Teacher residency programs are teacher preparation programs that bridge in-classroom coursework with meaningful supervised on-the-job training and applied learning in the classroom. National research indicates teacher residencies have proven effective in expanding the teacher talent pipeline and developing diverse, effective, classroom-ready teachers. Although there is existing national research on the effectiveness of teacher residencies, it is important for LESC to investigate whether residency models could improve the outcomes of other components of the educator workforce, such as school counselors.

## School Attendance Changes

One of the most critical topics when discussing how to support students and remove barriers to learning is attendance. School districts and policymakers can go to great lengths to help students succeed, but efforts will go unnoticed if students are not in school. During the 2022 interim, the LESC heard about rates of attendance across New Mexico schools, the challenges and strengths of implementing the current attendance law, and potential ways to improve the Attendance for Success Act (AFSA). Prior to the pandemic, according to PED, the average chronic absence rate in New Mexico in the 2018-2019 school year was 17.87 percent. In 2020-2021, that number rose to 29.66 percent, and in 2021-2022 the number increased again to 40.4 percent. While state averages show an alarming increase, some New Mexico school districts saw chronic absenteeism rates as high as 66.02 percent and during the interim, many school districts expressed concerns about strategies to effectively address chronic absenteeism among their students.

Senate Bill 367 (SB367), introduced during the 2023 legislative session, sought to make several significant amendments to AFSA. SB367 did not pass, however, the GAA includes a \$5 million appropriation to PED for attendance success initiatives. The topic of attendance and absenteeism will once again be a major force during the 2023 interim, and the LESC will continue to work with stakeholders to determine effective methods to get kids in school, keep kids in school, and allow districts to adequately support students who have unique barriers contributing to their attendance.

## Introduction

The *Martinez-Yazzie* lawsuit found significant achievement gaps between economically disadvantaged students, English learners, special education students, Native American students, and their non-disadvantaged peers.

Throughout the 2023 legislative session, lawmakers continued their focus on bolstering supports for student groups identified in the consolidated *Martinez-Yazzie* education sufficiency lawsuit, introducing bills related to the implementation of the Indian Education Act, the Hispanic Education Act, the Bilingual Multicultural Education Act, and supports for students with disabilities. The Legislature also heard bills related to the court's findings in the *Martinez-Yazzie* lawsuit, including measures to increase funding for schools with high concentrations of poverty, increase funding for at-risk students, improve efforts to foster culturally- and linguistically-responsive teaching and learning, and streamline reporting requirements for schools so they can focus more on student instruction. Additionally, the Legislature introduced measures on the administration of public schools, as well as PED.

## Session Action

Senate Bill 482 would have created the State-Tribal Education Compact Schools Act and authorized PED to enter into state-tribal education compacts with Indian nations, tribes, or pueblos in New Mexico to establish language- and culture-based schools, but was not heard in the House.

In the 2023 legislative session, lawmakers introduced broad proposals to benefit students in a collective manner, such as the previously mentioned increase of instructional hours, as well as specific investments to address each of the student groups identified in the *Martinez-Yazzie* lawsuit.

### Native American Education

Lawmakers passed three bills in the 2023 legislative session to improve outcomes for Native American students through increased funding, expanded technical assistance for schools, and efforts to strengthen tribal self-determination in education. Historically, educational outcomes for Native American students have been below their non-Native peers. According to [PED's 2021-2022 Tribal Education Status Report](#):

- In reading, half as many Native American students were proficient compared to the percentage of proficient Asian American students;
- In math, one-fifth of Native American students were proficient;
- In science, just under one-third of Native American students were proficient.

[Research](#) shows incorporating Native language and culture in schools improves academic outcomes for Native American students. In addition, the court ruling in the *Martinez-Yazzie* education sufficiency lawsuit noted the state is not meeting the need for culturally relevant instructional materials for Native American students as ensured by the Indian Education Act.

Recognizing the importance of an aligned, culturally and linguistically relevant education that builds on the strengths of students and their communities from birth to career, the Legislature passed laws to support Native American students from early childhood through postsecondary education. With respect to early childhood, [Chapter 20 \(House Bill 148\)](#) requires the ECECD to enter into intergovernmental agreements with Indian nations, tribes, pueblos, or tribal organizations to administer early childhood education and care programs using their own culturally and linguistically relevant standards, assessments, and evaluations. Regarding sixth through 12th grade students, [Chapter 65 \(House Bill 198\)](#) amends existing law to allow secondary schools funded by the federal Bureau of Indian Education (BIE) to be eligible applicants for the state’s CTE pilot project and for these schools to also be eligible recipients of grants from the corresponding CTE fund. Considering postsecondary students, [Chapter 72 \(House Bill 280\)](#) requires the HED to establish two American Indian technical assistance centers in geographically distinct regions of the state to serve all American Indian students and federally recognized Indian nations, tribes, and pueblos in New Mexico. In addition, the GAA of 2023 includes \$20 million for the Indian education fund and \$20 million for tribal library capital outlay, as well as various funding for tribal education initiatives at postsecondary institutions.

### Hispanic Education and Bilingual Multicultural Education

Legislators heard two bills and two memorials seeking to support educators with teaching English to speakers of other languages and to ensure PED fully complies with existing law, addressing and funding the linguistic rights of New Mexico’s bilingual multicultural students.

The Hispanic Education Act provides for the study, development, and implementation of education systems that affect the educational success of Hispanic students to close the achievement gap and increase graduation rates. The Hispanic Education Advisory Council exists in statute to advise PED secretary on improving public education for Hispanic students, increasing parental involvement and community engagement in the education of Hispanic students, and increasing the number of Hispanic high school graduates who succeed in postsecondary academic, professional, or vocational education. House Bill 381 (HB381) proposed amending the Hispanic Education Act to allow members of the Hispanic Education Advisory Council to receive per diem

### Postsecondary Appropriations for Native American Student Services

Postsecondary Institution	Appropriation Description	Appropriation Amount (dollars in thousands)
University of New Mexico, main campus	Tribal education initiatives	\$1,050.0
University of New Mexico Gallup branch	Tribal education initiatives	\$100.0
University of New Mexico, research and public service projects	Southwest Indian law clinic	\$196.1
University of New Mexico, research and public service projects	American Indian Summer Bridge Program	\$250.0
University of New Mexico, health science center	Native American suicide prevention	\$90.2
University of New Mexico, health science center	Native American health center	\$312.1
University of New Mexico, health science center	Native American health student success program	\$60.0
New Mexico State University, main campus	Tribal education initiatives	\$200.0
New Mexico State University, Grants branch	Tribal education initiatives	\$100.0
New Mexico State University, research and public services projects	Indian resources development	\$265.9
New Mexico Highlands University, main campus	Tribal education initiatives	\$200.0
New Mexico Highlands University, research and public service projects	Tribal education initiatives	\$225.0
Northern New Mexico College, research and public services projects	Native American student center	\$150.0
San Juan College, main campus	Tribal education initiatives	\$100.0

Source: GAA

House Joint Memorial 3 and Senate Joint Memorial 6 requested the Governor to proclaim 2023 as the “Year of Bilingual Multicultural Education,” in recognition of the 50th anniversary of the Bilingual Multicultural Education Act. The memorials also made requests related to the implementation of bilingual multicultural education programs, but neither passed.

and mileage for their services, created the Hispanic education fund to be administered by PED, and provided technical clean-up. While HB381 was not heard in the House, the GAA includes \$1 million for the Hispanic Education Act.

Senate Joint Memorial 14 requests a working group to study all state and federal reporting requirements on schools; SJM14 is included in LESC's work plan.

House Bill 152 (HB152) requested \$350 thousand to update the Prueba de Español para la Certificación Bilingüe, the Spanish proficiency endorsement exam, which is required for educators to add a Spanish bilingual endorsement to their teaching license. Although HB152 did not pass, the GAA includes \$750 thousand to update the Prueba de Español para la Certificación Bilingüe Spanish proficiency endorsement exam and other language proficiency exams for licensure endorsement.

Recognizing that [research](#) shows English learners receiving bilingual instruction perform better on measures of English reading proficiency than English learners receiving English-only instruction, the Legislature appropriated \$5 million in the GAA to support the Bilingual Multicultural Education Act. The Bilingual Multicultural Education Act establishes the goal for all students in New Mexico to become bilingual and biliterate in English and a second language. As detailed in the [LESC 2022 Annual Report](#), the results of the new statewide system of summative assessments showed the achievement gap between English learners and their non-English learner peers persists across all subjects.

### Promoting Equity in Schools

The Legislature continued to contemplate supports for at-risk students, including mechanisms to increase funding, enhance culturally- and linguistically-responsive teaching and learning, and strengthen special education.

Senate Bill 285 proposed to create and amend several sections of law related to special education in New Mexico public schools, but the measure was not heard in the House. Special education is a priority on the LESC work plan for the 2023 interim.

***Family Income Index.*** The family income index was enacted in 2021 as a means to target funding to public schools with high concentrations of poverty. The index calculates funding based on each public school's percentage of students from households with incomes below 130 percent of the federal poverty level. Unlike the at-risk index, the family income index uses school-level data and distributes funds to be used at the school level. [Chapter 23 \(Senate Bill 3\)](#) amends the Family Income Index Act to remove some restrictions on how funding for the act must be used by schools, and adds language to specify instructional resources and materials purchased with family income index allocations must be evidence-based and high-quality. The GAA includes \$15 million for family income index at-risk interventions, which must be prioritized to schools with the highest family income indexes.

***Culturally- and Linguistically-Responsive Teaching and Learning.*** The legislature heard four bills that sought to enhance culturally- and linguistically-responsive teaching and learning or curricula, recognizing that [research](#) shows students' cultural contexts are fundamental to their learning. [Chapter 165 \(House Bill 481\)](#) amends language in the reading materials fund to allow school districts and charter schools to apply for funding for structured literacy instructional materials if the requested materials meet certain requirements. There is no money in the fund currently, so the change will have no immediate impact. The GAA includes various literacy appropriations, including \$13.5 million for early literacy and reading supports (\$11.5 million from the general fund and \$2 million from the PERF), \$5 million for instructional materials from the PERF, and an additional \$8 million for early literacy and reading supports allocated directly to school districts and charter schools through the SEG, the state's public education funding formula.



**Special Education.** PED statewide summative assessment data from the 2021-2022 school year shows few special education students in New Mexico are proficient in key academic areas—just 15 percent of special education students were proficient in early literacy, 9 percent were proficient in English language arts and science, and only 6 percent were proficient in math. Nearly a third did not graduate from high school on time in 2021. Students with disabilities are twice as likely to receive an out-of-school suspension (13 percent) as are students without disabilities (6 percent). Students with disabilities represent 12 percent of students in public schools but 58 percent of students placed in seclusion or involuntary confinement. They also represent 75 percent of students physically restrained at school and make up 25 percent of students arrested and referred to law enforcement.

To address these issues, lawmakers introduced proposals to improve outcomes for special education students and address restraint and seclusion techniques in New Mexico public schools. Senate Memorial 68 requests the Developmental Disabilities Council to convene a working group to develop uniform guidelines for restraint and seclusion techniques in New Mexico. As detailed in the LESC work plan, LESC staff will participate in the SM68 working group.

## Road Ahead

During the 2022 interim, the LESC heard from various stakeholders that despite the Legislature's investment of nearly \$1 billion since the *Martinez-Yazzie* decision to increase access to student programming and services, as well as teacher preparation and training, it is unclear if the student groups named in the lawsuit are any better off. Further, LESC members considered how the Covid-19 pandemic impacted student achievement for all students, and exacerbated the long-standing achievement and opportunity gaps between student groups named in the *Martinez-Yazzie* lawsuit and their non-disadvantaged peers. As detailed in the [LESC 2022 Annual Report](#), LESC staff recommended broad proposals to benefit students in a collective manner, including increasing the number of instructional hours to ensure all students have sufficient time in school and to counteract the impact of the Covid-19 pandemic. Staff also recommended increasing the at-risk factor in the school funding formula, providing stable and consistent funding to support the Indian Education Act, and the creation of a tribal education trust fund.

Legislators acted on many LESC recommendations during the 2023 legislative session, increasing instructional hours, increasing the at-risk factor, and appropriating \$20 million to the Indian education fund, among other legislative achievements. However, more work remains. During the 2023 interim, the LESC will continue to consider implementation of recommendations from the 2022 Annual Report, for example the tribal education trust fund. LESC will also prioritize research and potential legislative changes with equity as an overarching theme, for example addressing the needs of our special education students. LESC staff will also begin a deep inquiry into how New Mexico can address low mathematics proficiency overall as well as substantial opportunity and achievement gaps as identified in the *Martinez-Yazzie* lawsuit. LESC staff will also study how increasing the role Indian nations, tribes, and pueblos have in the education of Native American students can increase educational outcomes for these students.

House Bill 140 would have created a tribal education trust fund with an initial investment of \$50 million to support New Mexico tribes, nations, and pueblos in sharing responsibility for the public education of Native students in a manner compatible with tribal sovereignty. House Bill 147 would have amended the Indian Education Act to designate 50 percent of funding from the Indian education fund to New Mexico tribes distributed via a weighted statutory formula. Neither LESC-endorsed bill passed, but LESC staff will continue to study Indian education and Indian education capital outlay during the interim.



A decorative graphic on a red background. It features a large red circle on the left side. To the right of the circle, there are four horizontal light green bars of varying lengths, stacked vertically. Above the circle, there are four vertical light green bars of varying heights, also stacked vertically. The word "APPENDIX" is centered in a white box in the upper right quadrant.

*APPENDIX*

# Appendix A: Legislation Related to Public Education (Organized by Bill Number)

Legislation Related to Public Education Introduced in the  
First Session of the 56th Legislature of the State of New Mexico  
(Organized by Bill Number)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter Number
<b>House Bills</b>						
1	<a href="#">HB25</a>				HCEDC	
2	<a href="#">HB30</a>				HEC	
3	<a href="#">HB36</a>				HEC	
4	<a href="#">HB39</a>				HAFC	
5	<a href="#">HB42</a>				HAFC	
6	<a href="#">HB43</a>		(49-12)		SJC	
7	<a href="#">HB52</a>				HAFC	
8	<a href="#">HB65</a>				HLVMC	
9	<a href="#">HB82</a>				HAFC	
10	<a href="#">HB85</a>				HEC	
11	<a href="#">HB99</a>				HAFC	
12	<a href="#">HB102</a>				HAFC	
13	<a href="#">HB107</a>				HEC	
14	<a href="#">HB108</a>				HEC	
15	<a href="#">HB111</a>				HCPAC	
16	<a href="#">HB112</a>				House	
17	<a href="#">HB125</a>		(62-0)	(37-0)	Vetoed	
18	<a href="#">HB126</a>	X	(64-3)	(40-0)	Vetoed	
19	<a href="#">HB127</a>	X	(62-0)	(35-0)	Chaptered	Ch. 14
20	<a href="#">HB130</a>	X	(62-0)	(34-6)	Chaptered	Ch. 19
21	<a href="#">HB134</a>		(42-20)	(27-13)	Chaptered	Ch. 56
22	<a href="#">HB140</a>	X			HAFC	
23	<a href="#">HB143</a>				HEC	
24	<a href="#">HB145</a>		(60-0)	(36-0)	Chaptered	Ch. 58
25	<a href="#">HB147</a>	X			House	
26	<a href="#">HB148</a>		(64-0)	(39-0)	Chaptered	Ch. 20
27	<a href="#">HB149</a>				HEC	
28	<a href="#">HB151</a>		(40-25)		SJC	
29	<a href="#">HB152</a>				HAFC	
30	<a href="#">HB156</a>				HHHC	
31	<a href="#">HB181</a>		(66-2)	(35-0)	Chaptered	Ch. 145
32	<a href="#">HB189</a>		(67-0)	(40-0)	Vetoed	
33	<a href="#">HB191</a>		(55-8)	(39-0)	Chaptered	Ch. 146
34	<a href="#">HB194</a>				HEC	
35	<a href="#">HB198</a>		(64-0)	(35-0)	Chaptered	Ch. 65
36	<a href="#">HB199</a>	X	(60-1)	(40-0)	Chaptered	Ch. 148
37	<a href="#">HB216</a>		(63-0)	(39-0)	Vetoed	
38	<a href="#">HB226</a>		(62-3)	(37-0)	Chaptered	Ch. 149
39	<a href="#">HB252</a>				HEC	
40	<a href="#">HB254</a>				HEC	
41	<a href="#">HB256</a>				HAFC	
42	<a href="#">HB262</a>		(63-3)	(36-0)	Chaptered	Ch. 155
43	<a href="#">HB266</a>				HEC	
44	<a href="#">HB279</a>				HEC	
45	<a href="#">HB280</a>		(61-0)	(36-0)	Chaptered	Ch. 72
46	<a href="#">HB283</a>				HEC	
47	<a href="#">HB285</a>				House	
48	<a href="#">HB296</a>				HAFC	
49	<a href="#">HB302</a>				HEC	
50	<a href="#">HB325</a>				HEC	
51	<a href="#">HB335</a>				HEC	
52	<a href="#">HB337</a>		(68-0)	(40-0)	Chaptered	Ch. 75
53	<a href="#">HB342</a>		(66-0)	(35-0)	Chaptered	Ch. 17
54	<a href="#">HB369</a>				HEC	

Appendix A: Legislation Related to Public Education (Organized by Bill Number)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter Number		
55	<a href="#">HB371</a>	INSTRUCTIONAL SUPPORT STUDENT LOAN REPAYMENT			HEC		55	
56	<a href="#">HB375</a>	CHARTER SCHOOL EXPENDITURE PLAN	(67-0)	(38-0)	Vetoed		56	
57	<a href="#">HB381</a>	HISPANIC EDUCATION FUND	(61-0)		Senate		57	
58	<a href="#">HB383</a>	SUMMER & OUT-OF-SCHOOL TIME PROGRAMMING			HAFC		58	
59	<a href="#">HB384</a>	SOCIAL WORKER & VETERINARIAN LICENSURE	(61-0)	(40-0)	Chaptered	Ch. 190	59	
60	<a href="#">HB386</a>	SECONDARY ED USE OF LATINX			HEC		60	
61	<a href="#">HB388</a>	CYBERSECURITY FUND	(52-15)		SFC		61	
62	<a href="#">HB391</a>	AUDIOLOGY & SPEECH-LANGUAGE PATHOLOGY COMPACT			HJC		62	
63	<a href="#">HB394</a>	NO GENDER REASSIGNMENT TEACHING IN SCHOOLS			HEC		63	
64	<a href="#">HB396</a>	INCREASE LOCAL SCHOOL BOARD TERM LENGTH			HEC		64	
65	<a href="#">HB401</a>	RENAME TECHNOLOGY FOR EDUCATION ACT	(64-0)	(35-1)	Chaptered	Ch. 161	65	
66	<a href="#">HB413</a>	SCHOOL CLASS LOAD SIZES			HEC		66	
67	<a href="#">HB417</a>	MINIMUM POST-SECONDARY COMPENSATION			HEC		67	
68	<a href="#">HB420</a>	REDUCE ADVERSE CHILDHOOD EXPERIENCES			HAFC		68	
69	<a href="#">HB447</a>	GRADUATE STUDENT LOAN ACT			HEC		69	
70	<a href="#">HB448</a>	DROPOUT RECOVERY ACT			HAFC		70	
71	<a href="#">HB460</a>	HIGHER EDUCATION PREP & COLLEGES OF ED.			HEC		71	
72	<a href="#">HB461</a>	CHILDREN'S & FAMILIES' RIGHTS ACT			House		72	
73	<a href="#">HB464</a>	IMPROVE EDUCATIONAL OUTCOMES			HEC		73	
74	<a href="#">HB467</a>	EDUCATION EMPLOYEE PENSION SOLVENCY			HEC		74	
75	<a href="#">HB472</a>	CAREER TECH. EDUCATOR COMMUNITY ED. ACT			HEC		75	
76	<a href="#">HB480</a>	EDUCATION FREEDOM ACCOUNT ACT			HEC		76	
77	<a href="#">HB481</a>	ALIGN SCHOOL READING MATERIALS	(44-15)	(40-0)	Chaptered	Ch. 165	77	
78	<a href="#">HB483</a>	SCHOOL GIFTED EDUCATION REQUIREMENTS			HEC		78	
79	<a href="#">HB487</a>	NO TEACHING OF CRITICAL RAZA THEORY			HEC		79	
80	<a href="#">HB492</a>	WOMEN'S SPORTS PROTECTION ACT			HHHC		80	
81	<a href="#">HB505</a>	CAPITAL OUTLAY PROJECTS	(41-26)	(27-13)	Chaptered	Ch. 199	81	
82	<a href="#">HB506</a>	ETHNIC STUDIES STANDARDS			HEC		82	
83	<a href="#">HB533</a>	PUBLIC PEACE, HEALTH, SAFETY & WELFARE	(44-16)	(32-8)	Chaptered	Ch. 83	83	
<b>Senate Bills</b>								
84	<a href="#">SB3</a>	FAMILY INCOME INDEX DISTRIBUTIONS FLEXIBILITY	(58-4)	(35-0)	Chaptered	Ch. 23	84	
85	<a href="#">SB4</a>	HEALTHY UNIVERSAL SCHOOL MEALS	(63-0)	(35-0)	Chaptered	Ch. 30	85	
86	<a href="#">SB5</a>	PUBLIC HEALTH AND CLIMATE RESILIENCY			SFC		86	
87	<a href="#">SB11</a>	PAID FAMILY & MEDICAL LEAVE ACT		(23-15)	HCEDC		87	
88	<a href="#">SB20</a>	EDUCATIONAL RETIREMENT BOARD CHANGES	(61-0)	(34-0)	Chaptered	Ch. 87	88	
89	<a href="#">SB24</a>	SCHOOL REPORTING ON USE OF FEDERAL FUNDS		(36-2)	HEC		89	
90	<a href="#">SB28</a>	TEACHER SCHOOL SUPPLY PURCHASE TAX DEDUCTION			STBTC		90	
91	<a href="#">SB49</a>	REDUCE ADVERSE CHILDHOOD EXPERIENCES			SFC		91	
92	<a href="#">SB60</a>	PHOTOVOLTAIC SYSTEMS IN NEW PUBLIC SCHOOLS			SFC		92	
93	<a href="#">SB79</a>	NM UNIVERSITY QUANTUM MATERIALS & TECH PGM.			SFC		93	
94	<a href="#">SB86</a>	NMSU RURAL & TRIBAL DEVELOPMENT INSTITUTE			SFC		94	
95	<a href="#">SB93</a>	MORA SCHOOL SECURITY			SEC		95	
96	<a href="#">SB95</a>	STATEWIDE SCHOOL SAFETY			SEC		96	
97	<a href="#">SB108</a>	CAREER TECHNICAL EDUCATION PROGRAM UNIT		(32-0)	HEC		97	
98	<a href="#">SB109</a>	EDUCATION FREEDOM ACCOUNTS			SEC		98	
99	<a href="#">SB111</a>	TEMPORARY SUSPENSION OF LICENSING FEES	(61-0)	(37-1)	Vetoed		99	
100	<a href="#">SB113</a>	EQUAL EDUCATION OPPORTUNITY SCHOLARSHIP			STBTC		100	
101	<a href="#">SB120</a>	OPEN ENROLLMENT FOR MILITARY CHILDREN	(63-0)	(37-0)	Chaptered	Ch. 33	101	
102	<a href="#">SB129</a>	PERMANENT FUND FOR EDUCATION IMPLEMENTATION			SEC		102	
103	<a href="#">SB131</a>	PUBLIC SCHOOL FUNDING CHANGES	X	(50-0)	(35-0)	Chaptered	Ch. 98	103
104	<a href="#">SB137</a>	REQUIRE 30-MINUTE RECESS FOR SOME GRADES			SEC		104	
105	<a href="#">SB149</a>	STUDY FREE TUITION FOR CERTAIN PROGRAMS			SFC		105	
106	<a href="#">SB151</a>	GRADUATE SCHOLARSHIP ACT CHANGES			SFC		106	
107	<a href="#">SB211</a>	CAREER DEVELOPMENT SUCCESS PILOT PROGRAM			SFC		107	
108	<a href="#">SB219</a>	COLLEGE STUDENT ATHLETE ENDORSEMENTS	(53-5)	(31-1)	Chaptered	Ch. 105	108	
109	<a href="#">SB234</a>	NO SODA SALES ON SCHOOL GROUNDS			SEC		109	
110	<a href="#">SB280</a>	CYBERSECURITY ACT	(43-15)	(22-9)	Chaptered	Ch. 115	110	
111	<a href="#">SB281</a>	INDEPENDENT CONSTRUCTION INSPECTORS			STBTC		111	
112	<a href="#">SB283</a>	REDUCING SUSPENSIONS & EXPULSIONS ACT			SJC		112	
113	<a href="#">SB289</a>	K-12 OUTDOOR EDUCATION PROGRAM			SEC		113	

Appendix A: Legislation Related to Public Education (Organized by Bill Number)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter Number
114	<a href="#">SB307</a>		(62-1)	(35-0)	Chaptered	Ch. 201
115	<a href="#">SB325</a>				SFC	
116	<a href="#">SB340</a>				SEC	
117	<a href="#">SB341</a>				SEC	
118	<a href="#">SB347</a>				SFC	
119	<a href="#">SB357</a>		(65-0)	(40-0)	Vetoed	
120	<a href="#">SB367</a>			(37-0)	HEC	
121	<a href="#">SB383</a>		(67-0)	(39-0)	Chaptered	Ch. 177
122	<a href="#">SB384</a>				SEC	
123	<a href="#">SB387</a>				SEC	
124	<a href="#">SB397</a>		(40-25)	(26-11)	Chaptered	Ch. 48
125	<a href="#">SB400</a>				SFC	
126	<a href="#">SB417</a>		(66-0)	(38-0)	Chaptered	Ch. 128
127	<a href="#">SB422</a>				SEC	
128	<a href="#">SB437</a>				SRC	
129	<a href="#">SB438</a>				SRC	
130	<a href="#">SB450</a>		(64-0)	(33-0)	Chaptered	Ch. 178
131	<a href="#">SB452</a>		(62-1)	(32-0)	Chaptered	Ch. 132
132	<a href="#">SB465</a>				SEC	
133	<a href="#">SB466</a>				SFC	
134	<a href="#">SB474</a>		(69-0)	(38-0)	Chaptered	Ch. 180
135	<a href="#">SB481</a>				SFC	
136	<a href="#">SB482</a>			(37-1)	HEC	
137	<a href="#">SB490</a>				SEC	
138	<a href="#">SB492</a>			(34-6)	HLVMC	
139	<a href="#">SB521</a>		(51-17)	(26-10)	Vetoed	
<b>Joint Resolutions</b>						
140	<a href="#">HJR7</a>				HEC	
141	<a href="#">SJR1</a>			(36-1)	House	
142	<a href="#">SJR2</a>				SRC	
<b>Memorials and Joint Memorials</b>						
143	<a href="#">HM44</a>		(63-1)		Passed	
144	<a href="#">HM51</a>		(63-1)		Passed	
145	<a href="#">HM56</a>		(60-0)		Passed	
146	<a href="#">HM69</a>				HEC	
147	<a href="#">HJM3</a>		(57-0)		Senate	
148	<a href="#">SJM6</a>				Tabled	
149	<a href="#">SJM14</a>		(70-0)	(36-0)	Passed	

# Appendix B: Legislation Related to Public Education (Organized by Category)

## Legislation Related to Public Education Introduced in the First Session of the 56th Legislature of the State of New Mexico

(Organized by Category)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter Number
<b>Public School Finance</b>						
1	<a href="#">HB145</a>		(60-0)	(36-0)	Chaptered	Ch. 58
2	<a href="#">HB191</a>		(55-8)	(39-0)	Chaptered	Ch. 146
3	<a href="#">SB108</a>			(32-0)	HEC	
4	<a href="#">HM44</a>		(63-1)		Passed	
5	<a href="#">HB199</a>	X	(60-1)	(40-0)	Chaptered	Ch. 148
6	<a href="#">HB226</a>		(62-3)	(37-0)	Chaptered	Ch. 149
7	<a href="#">HB375</a>		(67-0)	(38-0)	Vetoed	
8	<a href="#">HB480</a>				HEC	
9	<a href="#">SB24</a>			(36-2)	HEC	
10	<a href="#">SB109</a>				SEC	
11	<a href="#">SB129</a>				SEC	
12	<a href="#">SB438</a>				SRC	
13	<a href="#">HM51</a>		(63-1)		Passed	
<b>Early Learning</b>						
14	<a href="#">HB420</a>				HAFC	
15	<a href="#">HB461</a>				House	
16	<a href="#">HB481</a>		(44-15)	(40-0)	Chaptered	Ch. 165
17	<a href="#">SB49</a>				SFC	
18	<a href="#">SJR2</a>				SRC	
<b>College, Career, and Civic Readiness</b>						
19	<a href="#">HB52</a>				HAFC	
20	<a href="#">HB82</a>				HAFC	
21	<a href="#">HB107</a>				HEC	
22	<a href="#">HB125</a>		(62-0)	(37-0)	Vetoed	
23	<a href="#">HB126</a>	X	(64-3)	(40-0)	Vetoed	
24	<a href="#">HB198</a>		(64-0)	(35-0)	Chaptered	Ch. 65
25	<a href="#">HB256</a>				HAFC	
26	<a href="#">HB279</a>				HEC	
27	<a href="#">HB335</a>				HEC	
28	<a href="#">HB342</a>		(66-0)	(35-0)	Chaptered	Ch. 17
29	<a href="#">HB369</a>				HEC	
30	<a href="#">HB447</a>				HEC	
31	<a href="#">HB506</a>				HEC	
32	<a href="#">SB151</a>				SFC	
33	<a href="#">SB211</a>				SFC	
34	<a href="#">SB340</a>				SEC	
35	<a href="#">SB341</a>				SEC	
36	<a href="#">SB481</a>				SFC	
37	<a href="#">HM56</a>		(60-0)		Passed	
<b>Equity in Education</b>						
38	<a href="#">HB140</a>	X			HAFC	
39	<a href="#">HB147</a>	X			House	
40	<a href="#">HB148</a>		(64-0)	(39-0)	Chaptered	Ch. 20
41	<a href="#">HB149</a>				HEC	
42	<a href="#">HB266</a>				HEC	
43	<a href="#">HB280</a>		(61-0)	(36-0)	Chaptered	Ch. 72
44	<a href="#">HB285</a>				House	
45	<a href="#">HB381</a>		(61-0)		Senate	
46	<a href="#">HB464</a>				HEC	
47	<a href="#">HB483</a>				HEC	
48	<a href="#">HB492</a>				HHHC	
49	<a href="#">SB3</a>		(58-4)	(35-0)	Chaptered	Ch. 23
50	<a href="#">SB113</a>				STBTC	
51	<a href="#">SB482</a>			(37-1)	HEC	
52	<a href="#">HJM3</a>		(57-0)		Senate	

Appendix B: Legislation Related to Public Education (Organized by Category)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter Number
53	<a href="#">SJM6</a> "YEAR OF BILINGUAL MULTICULTURAL EDUCATION"				Tabled	
<b>Student Supports</b>						
54	<a href="#">HB43</a> AFFIRMATIVE CONSENT POLICY IN SCHOOLS		(49-12)		SJC	
55	<a href="#">HB108</a> TRANSFER OF CERTAIN SCHOOL STUDENTS				HEC	
56	<a href="#">HB112</a> PUBLIC SCHOOL WELLNESS ROOM PILOT PROJECT				House	
57	<a href="#">HB130</a> K-12 PLUS PROGRAM	X	(62-0)	(34-6)	Chaptered	Ch. 19
58	<a href="#">HB134</a> MENSTRUAL PRODUCTS IN SCHOOL BATHROOMS		(42-20)	(27-13)	Chaptered	Ch. 56
59	<a href="#">HB194</a> PUBLIC SCHOOL FINANCE CHANGES				HEC	
60	<a href="#">HB216</a> LESLIE PUBLIC EDUCATION STUDY		(63-0)	(39-0)	Vetoed	
61	<a href="#">HB252</a> SCHOOL DISTRICT ATTENDANCE INCENTIVES				HEC	
62	<a href="#">HB283</a> SCHOOL MARSHAL ACT				HEC	
63	<a href="#">HB302</a> SCHOOL-AGE NAME, IMAGE & LIKENESS USE				HEC	
64	<a href="#">HB383</a> SUMMER & OUT-OF-SCHOOL TIME PROGRAMMING				HAFC	
65	<a href="#">HB448</a> DROPOUT RECOVERY ACT				HAFC	
66	<a href="#">SB4</a> HEALTHY UNIVERSAL SCHOOL MEALS		(63-0)	(35-0)	Chaptered	Ch. 30
67	<a href="#">SB86</a> NMSU RURAL & TRIBAL DEVELOPMENT INSTITUTE				SFC	
68	<a href="#">SB120</a> OPEN ENROLLMENT FOR MILITARY CHILDREN		(63-0)	(37-0)	Chaptered	Ch. 33
69	<a href="#">SB137</a> REQUIRE 30-MINUTE RECESS FOR SOME GRADES				SEC	
70	<a href="#">SB149</a> STUDY FREE TUITION FOR CERTAIN PROGRAMS				SFC	
71	<a href="#">SB219</a> COLLEGE STUDENT ATHLETE ENDORSEMENTS		(53-5)	(31-1)	Chaptered	Ch. 105
72	<a href="#">SB283</a> REDUCING SUSPENSIONS & EXPULSIONS ACT				SJC	
73	<a href="#">SB347</a> NMSU STEM PLUS CENTER				SFC	
74	<a href="#">SB384</a> SCHOOL ATHLETICS CHANGES				SEC	
75	<a href="#">SB397</a> SCHOOL-BASED HEALTH CENTERS		(40-25)	(26-11)	Chaptered	Ch. 48
76	<a href="#">SB400</a> MIDDLE & JUNIOR HIGH SCHOOL REDESIGN				SFC	
77	<a href="#">SB465</a> EDUCATIONAL INSTITUTION DEMOGRAPHIC DATA				SEC	
<b>Teaching and Personnel</b>						
78	<a href="#">HB487</a> NO TEACHING OF CRITICAL RAZA THEORY				HEC	
79	<a href="#">HB25</a> MINIMUM WAGE INCREASE & INDEXING				HCEDC	
80	<a href="#">HB36</a> SCHOOL GROUP INSURANCE CONTRIBUTIONS				HEC	
81	<a href="#">HB39</a> DUAL-LICENSED INSTRUCTIONAL SUPPORT PROVIDERS				HAFC	
82	<a href="#">HB65</a> RETURN TO WORK FOR AFFILIATED PUBLIC EMPLOYER				HLVMC	
83	<a href="#">HB102</a> HEALTH CARE INSURANCE FOR EDUCATORS				HAFC	
84	<a href="#">HB111</a> HOLOCAUST AND GENOCIDE STUDIES ACT				HCPAC	
85	<a href="#">HB127</a> EDUCATION ASSISTANT SALARY INCREASE	X	(62-0)	(35-0)	Chaptered	Ch. 14
86	<a href="#">HB151</a> NON-TENURE-TRACK FACULTY UNEMPLOYMENT		(40-25)		SJC	
87	<a href="#">HB152</a> PRUEBA DE ESPANOL PARA LA CERTIFICATION				HAFC	
88	<a href="#">HB181</a> NATIONAL BOARD CERTIFIED PROGRAM UNITS		(66-2)	(35-0)	Chaptered	Ch. 145
89	<a href="#">HB189</a> EDUCATIONAL RETIREMENT CHANGES		(67-0)	(40-0)	Vetoed	
90	<a href="#">HB254</a> SCHOOL MARSHAL ACT				HEC	
91	<a href="#">HB296</a> INSTRUCTIONAL SUPPORT PROVIDERS				HAFC	
92	<a href="#">HB337</a> EARLY CHILDHOOD DEPT. BACKGROUND CHECKS		(68-0)	(40-0)	Chaptered	Ch. 75
93	<a href="#">HB371</a> INSTRUCTIONAL SUPPORT STUDENT LOAN REPAYMENT				HEC	
94	<a href="#">HB384</a> SOCIAL WORKER & VETERINARIAN LICENSURE		(61-0)	(40-0)	Chaptered	Ch. 190
95	<a href="#">HB386</a> SECONDARY ED USE OF LATINX				HEC	
96	<a href="#">HB391</a> AUDIOLOGY & SPEECH-LANGUAGE PATHOLOGY COMPACT				HJC	
97	<a href="#">HB394</a> NO GENDER REASSIGNMENT TEACHING IN SCHOOLS				HEC	
98	<a href="#">HB413</a> SCHOOL CLASS LOAD SIZES				HEC	
99	<a href="#">HB417</a> MINIMUM POST-SECONDARY COMPENSATION				HEC	
100	<a href="#">HB460</a> HIGHER EDUCATION PREP & COLLEGES OF ED.				HEC	
101	<a href="#">HB467</a> EDUCATION EMPLOYEE PENSION SOLVENCY				HEC	
102	<a href="#">HB472</a> CAREER TECH. EDUCATOR COMMUNITY ED. ACT				HEC	
103	<a href="#">HB533</a> PUBLIC PEACE, HEALTH, SAFETY & WELFARE		(44-16)	(32-8)	Chaptered	Ch. 83
104	<a href="#">SB11</a> PAID FAMILY & MEDICAL LEAVE ACT			(23-15)	HCEDC	
105	<a href="#">SB20</a> EDUCATIONAL RETIREMENT BOARD CHANGES		(61-0)	(34-0)	Chaptered	Ch. 87
106	<a href="#">SB28</a> TEACHER SCHOOL SUPPLY PURCHASE TAX DEDUCTION				STBTC	
107	<a href="#">SB79</a> NM UNIVERSITY QUANTUM MATERIALS & TECH PGM.				SFC	
108	<a href="#">SB111</a> TEMPORARY SUSPENSION OF LICENSING FEES		(61-0)	(37-1)	Vetoed	
109	<a href="#">SB289</a> K-12 OUTDOOR EDUCATION PROGRAM				SEC	
110	<a href="#">SB307</a> LICENSED TEACHER PREP AFFORDABILITY		(62-1)	(35-0)	Chaptered	Ch. 201



## Appendix B: Legislation Related to Public Education (Organized by Category)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter Number
111	<a href="#">SB325</a>				SFC	
112	<a href="#">SB357</a>		(65-0)	(40-0)	Vetoed	
113	<a href="#">SB383</a>		(67-0)	(39-0)	Chaptered	Ch. 177
114	<a href="#">SB387</a>				SEC	
115	<a href="#">SB417</a>		(66-0)	(38-0)	Chaptered	Ch. 128
116	<a href="#">SB450</a>		(64-0)	(33-0)	Chaptered	Ch. 178
117	<a href="#">SB492</a>			(34-6)	HLVMC	
118	<a href="#">SB521</a>		(51-17)	(26-10)	Vetoed	
119	<a href="#">HM69</a>				HEC	
<b>School Administration and Governance</b>						
120	<a href="#">HB85</a>				HEC	
121	<a href="#">HB143</a>				HEC	
122	<a href="#">HB156</a>				HHHC	
123	<a href="#">HB325</a>				HEC	
124	<a href="#">HB396</a>				HEC	
125	<a href="#">SB234</a>				SEC	
126	<a href="#">SB367</a>			(37-0)	HEC	
127	<a href="#">SB422</a>				SEC	
128	<a href="#">SB466</a>				SFC	
129	<a href="#">SB490</a>				SEC	
130	<a href="#">HJR7</a>				HEC	
131	<a href="#">SJR1</a>			(36-1)	House	
132	<a href="#">SJM14</a>		(70-0)	(36-0)	Passed	
133	<a href="#">SB437</a>				SRC	
<b>Capital Outlay and Infrastructure</b>						
134	<a href="#">HB30</a>				HEC	
135	<a href="#">HB42</a>				HAFC	
136	<a href="#">HB99</a>				HAFC	
137	<a href="#">HB262</a>		(63-3)	(36-0)	Chaptered	Ch. 155
138	<a href="#">HB388</a>		(52-15)		SFC	
139	<a href="#">HB401</a>		(64-0)	(35-1)	Chaptered	Ch. 161
140	<a href="#">HB505</a>		(41-26)	(27-13)	Chaptered	Ch. 199
141	<a href="#">SB5</a>				SFC	
142	<a href="#">SB60</a>				SFC	
143	<a href="#">SB93</a>				SEC	
144	<a href="#">SB95</a>				SEC	
145	<a href="#">SB131</a>	X	(50-0)	(35-0)	Chaptered	Ch. 98
146	<a href="#">SB280</a>		(43-15)	(22-9)	Chaptered	Ch. 115
147	<a href="#">SB281</a>				STBTC	
148	<a href="#">SB452</a>		(62-1)	(32-0)	Chaptered	Ch. 132
149	<a href="#">SB474</a>		(69-0)	(38-0)	Chaptered	Ch. 180

## Appendix C: Reading the General Appropriations Act

### Reading the General Appropriations Act as Related to Education

The final version of the General Appropriations Act (GAA) of 2023 is [here](#).

**General guidelines when reading the GAA** (also noted in Section 3 beginning on [page 2](#)):

- Appropriation amounts are expressed in thousands of dollars, unless otherwise indicated.
- If the appropriation is from the Other State Funds column, continue reading to identify the source.
- Continue reading to identify any reversion provisions.

#### Key Sections and Subsections of the GAA

**Section 4: FISCAL YEAR 2024 APPROPRIATIONS** (begins on page [5](#) of the bill)

- **Section 4, Subsection F**, is titled “Health, Hospitals and Human Services,” and includes appropriations for the Early Childhood Education and Care Department (page [77](#)).
- **Section 4, Subsection I**, is titled “Other Education,” (page [132-136](#)) and includes operational appropriations and special appropriations for the Public Education Department (PED), regional education cooperatives, and the Public School Facilities Authority (PSFA).
- **Section 4, Subsection J**, is titled “Higher Education,” (page [136-179](#)) and includes the Higher Education Department (HED), as well as each university and community college.
- **Section 4, Subsection K**, is titled “Public School Support,” (page [179-186](#)) and includes the state equalization guarantee (SEG) distribution and categorical appropriations. The SEG is a needs-based funding formula designed to equitably distribute state revenue for operations of school districts and charter schools. SEG funding accounts for around 75 percent of a school district or charter school’s operating budget and is discretionary.

**Section 5: SPECIAL APPROPRIATIONS** (begins on page [186](#) with appropriations to PED on page [219-222](#))

- Amounts in Section 5 are appropriated from the general fund or other funds as indicated for the purposes specified, and unless otherwise indicated, may be expended in fiscal year 2023 and fiscal year 2024.

**Section 6: SUPPLEMENTAL AND DEFICIENCY APPROPRIATIONS** (begins on page [228](#) of the bill).

- Amounts in Section 6 are appropriated from the general fund or other funds as indicated for expenditure in **FY23** for the purposes specified.

**Section 7: Information Technology Appropriations** (begins on page [232](#)).

**Section 8: Compensation Appropriations** (begins on page [242](#)).

**Section 9: Special Transportation Appropriations** (begins on page [245](#)).

**Section 10: Fund Transfers** (begins on page [247](#)).

**Section 11: Additional Supplemental Health and Human Services Appropriations** (begins on page [248](#)).

**Section 12: Additional Fiscal Year 2023 Budget Adjustment Authority** (begins on page [250](#)).

**Section 13: Certain Fiscal Year 2024 Budget Adjustments Authorized** (begins on page [253](#)).

**Section 14: Transfer Authority** (begins on page [263](#)).

## Appendix D: Selected GAA Language Related to Public Education

### SELECTED LANGUAGE RELATED TO PUBLIC EDUCATION FROM THE GENERAL APPROPRIATION ACT OF 2023

~~Strikethrough~~ Indicates Executive Veto

#### State Equalization Guarantee Distribution

The rate of distribution of the state equalization guarantee distribution shall be based on a program unit value determined by the secretary of public education. The secretary of public education shall establish a preliminary unit value to establish budgets for the 2023-2024 school year and then, on verification of the number of units statewide for fiscal year 2024 but no later than January 31, 2024, the secretary of public education may adjust the program unit value. In setting the preliminary unit value and the final unit value in January, the public education department shall consult with the department of finance and administration, ~~legislative finance committee and legislative education study committee.~~

The state equalization guarantee distribution includes thirty-one million nine hundred twenty-six thousand two hundred dollars (\$31,926,200) from the general fund contingent on enactment of a bill in the first session of the fifty-sixth legislature amending the Public School Code to increase the at-risk index multiplier to thirty-three hundredths and two million dollars (\$2,000,000) from the general fund and one million dollars (\$1,000,000) from the public education reform fund to require free menstrual products in public schools.

The state equalization guarantee distribution includes two hundred fifty-two million three hundred thirty-three thousand five hundred dollars (\$252,333,500) from the general fund for distribution to school districts and charter schools for extended learning programs. The general fund appropriation includes ninety-four million dollars (\$94,000,000) from the additional annual distribution of the permanent school fund as authorized by the 2022 amendment to Article 12, Section 7 of the constitution of New Mexico.

The public education department shall not approve the operating budget of any school district or charter school that provides fewer instructional hours to students in the 2023-2024 school year than instructional hours provided to students in the 2022-2023 school year.

The general fund appropriation to the state equalization guarantee distribution includes sufficient funding to provide all affected employees an hourly salary of at least fifteen dollars (\$15.00).

The general fund appropriation to the state equalization guarantee distribution includes one hundred thirty-nine million one hundred fifty-seven thousand five hundred dollars (\$139,157,500) to provide ~~an average~~ five percent salary increase to all public school personnel. The secretary of public education shall not approve the operating budget of a school district or charter school that does not provide ~~an average~~ five percent salary increase for all public school personnel.

The general fund appropriation to the state equalization guarantee distribution includes twentyseven million eight hundred thirty-one thousand five hundred dollars (\$27,831,500) to provide a one percent salary increase to all public

## Appendix D: Selected GAA Language Related to Public Education

school personnel to address inflation and health premium costs. The general fund appropriation to the state equalization guarantee distribution includes seven million nine hundred sixty-two thousand four hundred dollars (\$7,962,400) contingent on enactment of a bill in the first session of the fifty-sixth legislature amending the School Personnel Act raising the responsibility factors for principals and assistant principals.

The general fund appropriation to the state equalization guarantee distribution includes fourteen million five hundred thousand dollars (\$14,500,000) contingent on enactment of a bill in the first session of the fifty-sixth legislature amending the School Personnel Act raising the minimum annual salary for licensed educational assistants to twenty-five thousand dollars (\$25,000).

The general fund appropriation to the state equalization guarantee distribution includes thirty-one million nine hundred seventy-nine thousand five hundred dollars (\$31,979,500) contingent on enactment of a bill in the first session of the fifty-sixth legislature amending the Public School Insurance Authority Act to increase the minimum employer contributions for employee group health benefits.

For fiscal year 2024, if the program cost made available is insufficient to meet the level of state support required by the special education maintenance of effort requirements of Part B of the federal Individuals with Disabilities Education Act, the public education department shall reduce the program cost and state equalization guarantee distribution appropriation in an amount sufficient to cover the projected shortfall and distribute that amount to school districts and charter schools in proportion to each school district's and charter school's share of the total statewide program cost to meet the level of support required by Part B of the federal Individuals with Disabilities Education Act for fiscal year 2024. The public education department shall reset the final unit value and recalculate each school district's and charter school's program cost for fiscal year 2024.

The general fund appropriation to the state equalization guarantee distribution includes fifty-five million dollars (\$55,000,000) for school districts and charter schools to purchase culturally and linguistically appropriate instructional materials for eligible students, including dual-credit instructional materials and educational technology.

The general fund appropriation to the state equalization guarantee distribution includes twenty-one million dollars (\$21,000,000) for school districts and charter schools to meet requirements of Section 22-10A-9 NMSA 1978, create an educational plan pursuant to Section 22-8-6 NMSA 1978 and provide targeted and ongoing professional development focused on case management, tutoring, data-guided instruction, coaching or other evidence-based practices that improve student outcomes.

The general fund appropriation to the state equalization guarantee distribution includes eight million dollars (\$8,000,000) for school districts and charter schools to provide evidence-based structured literacy interventions and develop literacy collaborative models that lead to improved reading and writing achievement of students in kindergarten through fifth grade.

The public education department shall not approve the operating budget of any school district or charter school to operate a four-day school week during the

## Appendix D: Selected GAA Language Related to Public Education

2023-2024 school year that did not provide a four-day school week during the 2022-2023 school year.

The public education department shall monitor and review the operating budgets of school districts and charter schools to ensure the school district or charter school is prioritizing available funds to those functions most likely to improve student outcomes. If a school district or charter school submits a fiscal year 2024 operating budget that, in the opinion of the secretary of public education, fails to prioritize funds as described in this paragraph, the secretary of public education shall, prior to approving the school district's or charter school's fiscal year 2024 budget, direct the school district or charter school to revise its submitted budget or shall make such revisions as required to meet the requirements of this paragraph.

The general fund appropriation to the public school fund shall be reduced by the amounts transferred to the public school fund from the current school fund and from federal Mineral Leasing Act receipts otherwise unappropriated.

The other state funds appropriation to the state equalization guarantee distribution includes balances received by the public education department pursuant to Section 66-5-44 NMSA 1978.

Any unexpended balances in the authorized distributions remaining at the end of fiscal year 2024 from appropriations made from the general fund shall revert to the general fund.

### Categorical Distributions

**Transportation Distribution.** The general fund appropriation to the transportation distribution includes two million two hundred eleven thousand five hundred dollars (\$2,211,500) to provide ~~an average~~ five percent salary increase to all public school transportation personnel. The secretary of public education shall not approve the operating budget of a school district or charter school that does not provide ~~an average~~ five percent salary increase for all public school transportation personnel.

The general fund appropriation to the transportation distribution includes four hundred forty-two thousand three hundred dollars (\$442,300) to provide a one percent salary increase to all public school transportation personnel to address inflation and health premium costs.

~~For fiscal year 2024, the public education department shall not include any variables within the calculation of the transportation distribution that adjust the allocation to each school district and state-chartered charter school based on district population densities.~~

**Emergency Supplemental Distribution.** The secretary of public education shall not distribute any emergency supplemental funds to a school district or charter school that is not in compliance with the Audit Act or that has cash and invested reserves, other resources or any combination thereof equaling five percent or more of their operating budget.

Any unexpended balances in the supplemental distribution of the public education department remaining at the end of fiscal year 2024 from appropriations made from the general fund shall revert to the general fund.

## Appendix D: Selected GAA Language Related to Public Education

**Indian Education Fund.** The secretary of public education, in collaboration with the assistant secretary for Indian education, shall develop a methodology to allocate the twenty million dollar (\$20,000,000) general fund appropriation ~~to tribal education departments, tribal libraries, Native American language programs, school districts and charter schools~~ based on operational needs and student enrollment for expenditure in fiscal year 2024 and fiscal year 2025. Any unexpended balances remaining at the end of fiscal year 2025 shall revert to the Indian education fund. The public education department shall begin distribution of awards from this appropriation no later than September 1, 2023.

**Standards-Based Assessments.** Any unexpended balances in the standards-based assessments appropriation remaining at the end of fiscal year 2024 from appropriations made from the general fund shall revert to the general fund.

### Special Appropriations (Below-the-Line)

The public education department shall prioritize special appropriation awards to school districts or charter schools that implement K-12 plus programs for all eligible students.

The other state funds appropriation to the public education department for early literacy and reading support is from the public education reform fund.

~~A school district or charter school may submit an application to the public education department for an allocation from the teacher professional development appropriation to support mentorship and professional development for teachers. The public education department shall prioritize awards to school districts or charter schools that budget the portion of the state equalization guarantee distribution attributable to meeting requirements of Section 22-10A-9 NMSA 1978 and providing targeted and ongoing professional development for purposes of new teacher mentorship, case management, tutoring, data-guided instruction, coaching or other evidence-based practices that improve student outcomes. The public education department shall not make an award to a school district or charter school that does not submit an approved educational plan pursuant to Section 22-8-6 NMSA 1978 or an approved teacher mentorship program pursuant to Section 22-10A-9 NMSA 1978.~~

The internal service funds/interagency transfers appropriation to the graduation, reality and dual-role skills program of the public education department is from the federal temporary assistance for needy families block grant to New Mexico.

The other state funds appropriation to the public education department for national board certification assistance is from the national board certification scholarship fund.

The other state funds appropriation to the public education department for the teacher residency program is from the educator licensure fund.

Any unexpended balances in special appropriations to the public education department remaining at the end of fiscal year 2024 from appropriations made from the general fund shall revert to the general fund.

Any unexpended balances in special appropriations to the public education department remaining at the end of fiscal year 2024 from appropriations made

# Appendix E: Public School Support and Related Appropriations

## Public School Support and Related Appropriations for FY24 (in thousands of dollars)

	FY23 Opbud	GAA of 2023	
<b>PROGRAM COST</b>			
<b>Prior Year Program Cost OpBud</b>	<b>3,295,448.6</b>	<b>3,684,078.0</b>	
<b>UNIT CHANGES</b>			
At-Risk Index Factor Increase (0.33)		31,926.2	
Other Projected Net Unit Changes	(23,863.6)		
Fine Arts Programs Factor Increase (0.055)		4,100.0	
Extended Learning Time (ELT) Programs	(15,168.0)	(95,000.0)	
Targeted Compensation for K-5 Plus and ELT School Personnel (FY23: 3%)	64,027.5	(64,027.5)	
K-5 Plus Schools		(119,895.9)	
K-12 Plus Units		50,333.5	
<b>UNIT VALUE CHANGES</b>			
New Instructional Hour Requirements (1,140 hours)		202,000.0	
Compensation Increase for School Personnel (5%)	176,813.0	139,157.5	
Supplemental Salary Increase (1%)		27,831.5	
Targeted Compensation for Instructional Personnel	10,092.3		
Minimum Wage Increase (FY22: \$11.50, FY23: \$15.00)	10,164.3		
Three-Tier Minimum Salary Increase (FY23: \$50k, \$60k, \$70k)	76,768.2		
Increase Minimum Salary for Instructional Assistants (\$25k)		14,500.0	
Increase Principal Responsibility Factors		7,962.4	
Employer Retirement Contribution Increase (FY22: 1%, FY23: 2%, FY24: 1%)	40,157.0	22,123.5	
Instructional Materials and Educational Technology	8,000.0	12,000.0	
Elementary P.E. and Student Wellness Programs	8,000.0	4,000.0	
Insurance	18,000.0	15,742.0	
Employer Health Insurance Contribution Increase		31,979.5	
Fixed Costs	5,638.7	5,191.4	
Feminine Hygiene Products		2,000.0	
Mentorship and Professional Development	10,000.0		
<b>Subtotal Current Year Program Cost Base</b>	<b>3,684,078.0</b>	<b>3,976,002.1</b>	
<b>\$ Change from OpBud</b>	<b>388,629.4</b>	<b>291,924.1</b>	
<b>% Change from OpBud</b>	<b>11.8%</b>	<b>7.9%</b>	
<b>STATE EQUALIZATION GUARANTEE (SEG)</b>			
<b>Prior Year SEG OpBud</b>	<b>3,288,448.6</b>	<b>3,673,711.4</b>	
Program Cost Changes	395,629.4	302,290.7	
Less: Other State Funds	(10,366.6)	(7,000.0)	
<b>Subtotal SEG Base</b>	<b>3,673,711.4</b>	<b>3,969,002.1</b>	
<b>\$ Change from OpBud</b>	<b>385,262.8</b>	<b>295,290.7</b>	
<b>% Change from OpBud</b>	<b>11.7%</b>	<b>8.0%</b>	
<b>CATEGORICAL APPROPRIATIONS</b>			
<b>TRANSPORTATION DISTRIBUTION</b>			
Maintenance and Operations	87,455.9	98,124.7	
Fuel	11,750.6	13,184.1	
Rental Fees	7,841.6	8,798.2	
Transportation for Extended Learning Time	3,175.6	4,061.0	
Transportation for K-5 Plus	899.2		
Compensation Increase for Transportation Personnel (FY23: 7%, FY24: 5%)	3,548.3	2,211.5	
Supplemental Salary Increase (1%, SB521)		442.3	
<b>Subtotal Transportation Distribution</b>	<b>114,671.2</b>	<b>126,821.8</b>	
<b>\$ Change from OpBud</b>	<b>7,615.0</b>	<b>12,150.6</b>	
<b>% Change from OpBud</b>	<b>7.1%</b>	<b>10.6%</b>	

Appendix E: Public School Support and Related Appropriations

	FY23 Opbud	GAA of 2023		
50	<b>OTHER CATEGORICAL APPROPRIATIONS</b>		50	
51	Out-of-State Tuition	315.0	362.0	51
52	Emergency Supplemental	2,000.0	2,000.0	52
53	Standards-Based Assessments	7,236.0	8,000.0	53
54	Indian Education Fund	14,988.6	20,000.0	54
55	<b>Subtotal Current Year Categorical Appropriations</b>	<b>139,210.8</b>	<b>157,183.8</b>	55
56	<b>\$ Change from OpBud</b>	<b>16,353.6</b>	<b>17,973.0</b>	56
57	<b>% Change from OpBud</b>	<b>13.3%</b>	<b>12.9%</b>	57
58	<b>SUBTOTAL PUBLIC SCHOOL SUPPORT</b>		58	
59	<b>\$ Change from OpBud</b>	<b>401,616.4</b>	<b>313,263.7</b>	59
60	<b>% Change from OpBud</b>	<b>11.8%</b>	<b>8.2%</b>	60
61	<b>RELATED REQUESTS: RECURRING</b>		61	
62	Regional Education Cooperatives	1,100.0	1,350.0	62
63	Martinez-Yazzie Student and Program Supports	5,100.0		63
64	Early Literacy and Reading Support	8,000.0	11,500.0	64
65	School Leader Professional Development	2,500.0	5,000.0	65
66	Teacher Professional Development	3,000.0	3,000.0	66
67	Student Nutrition and Wellness	2,400.0		67
68	GRADS - Teen Parent Interventions	650.0	750.0	68
69	STEAM (Science, Technology, Engineering, Arts, and Math) Initiatives	3,000.0	3,096.6	69
70	Advanced Placement Test Fee Waivers and Training	1,000.0	1,250.0	70
71	Outdoor Classroom Initiatives	500.0		71
72	Career Technical Education	250.0		72
73	At-Risk Interventions for Students	10,000.0		73
74	Health and Behavioral Health Curriculum	460.0		74
75	Youth in Film Initiatives	210.0		75
76	Post-Graduation Pathway Initiatives	440.0		76
77	Media Literacy Programs	200.0		77
78	<b>Subtotal Related Requests: Recurring</b>	<b>38,810.0</b>	<b>25,946.6</b>	78
79	<b>\$ Change from OpBud</b>	<b>18,903.0</b>	<b>(12,863.4)</b>	79
80	<b>% Change from OpBud</b>	<b>95.0%</b>	<b>-33.1%</b>	80
81	<b>PUBLIC EDUCATION DEPARTMENT</b>		81	
82	Prior Year OpBud	15,097.5	20,869.0	82
83	Base Changes	5,771.5	1,720.0	83
84	<b>Subtotal PED Operational Budget</b>	<b>20,869.0</b>	<b>22,589.0</b>	84
85	<b>% Change from OpBud</b>	<b>38.2%</b>	<b>8.2%</b>	85
86	<b>TOTAL SECTION 4</b>		86	
87	Prior Year OpBud	3,446,310.3	3,872,601.2	87
88	Base Changes	426,290.9	302,120.3	88
89	<b>TOTAL SECTION 4</b>	<b>3,872,601.2</b>	<b>4,174,721.5</b>	89
90	<b>% Change from OpBud</b>	<b>12.4%</b>	<b>7.8%</b>	90
<b>SECTIONS 5, 6, 7, AND OTHER NONRECURRING APPROPRIATIONS</b>				
91	<b>General Fund</b>		91	
92	Micro-credentials		1,100.0	92
93	Behavioral Health Supports		5,000.0	93
94	Attendance Success Initiatives		5,000.0	94
95	Special Education Initiatives		5,000.0	95
96	Career Technical Education		20,000.0	96
97	Potential FY20 Impact Aid Liability	30,000.0		97
98	Tribal Libraries	2,000.0		98
99	Sufficiency Lawsuit Fees	500.0	500.0	99
100	<b>Subtotal Sections 5, 6, and 7</b>	<b>32,500.0</b>	<b>36,600.0</b>	100



## Appendix E: Public School Support and Related Appropriations

		FY23 Opbud	GAA of 2023		
101	<b><u>Public Education Reform Fund (PERF)</u></b>				101
102	Family Income Index Support		15,000.0		102
103	Transportation for K-5 Plus Programs	3,034.7			103
104	Community School and Family Engagement Initiatives	8,000.0	10,000.0		104
105	K-12 Plus Programs	22,183.8	60,000.0		105
106	Out-of-School Learning, Summer Enrichment, and Quality Tutoring Camps		20,000.0		106
107	Tribal and Rural Community-Based Extended Learning	13,310.3			107
108	K-12 Plus Planning Grants and Incentives	21,000.0			108
109	Transportation for K-12 Plus Schools	1,551.0			109
110	Career Technical Education	10,000.0	20,000.0		110
111	Teacher and Administrator Evaluation System	2,000.0	2,000.0		111
112	Teacher Residencies	15,500.0	13,000.0		112
113	Principal, Counselor, and Social Worker Residency Pilots		2,000.0		113
114	Paid Student Teaching and Licensure Support	6,000.0	6,500.0		114
115	Teach Up (ENMU, NMHU, SJCC, WNMU)	4,000.0	2,000.0		115
116	Teacher Preparation Affordability Scholarship Fund	20,000.0	8,000.0		116
117	Teacher Loan Repayment Fund	5,000.0	2,500.0		117
118	Endowed Faculty Teaching Positions	50,000.0			118
119	Martinez-Yazzie Educational Technology and IT Staffing	10,000.0			119
120	Targeted Dual Credit Programs	4,000.0			120
121	Early Literacy and Reading Support	3,500.0	2,000.0		121
122	At-Risk Interventions for Students (Feminine Hygiene Products)	5,000.0	1,000.0		122
123	School Budget Transparency	1,000.0			123
124	Cyber Security and Data Systems	1,500.0			124
125	Parity for 520 Certificate Holders	1,250.0			125
126	Hispanic Education Act	500.0	1,000.0		126
127	Bilingual Multicultural Education Act		5,000.0		127
128	Instructional Materials Supplement		5,000.0		128
129	Math Achievement		5,000.0		129
130	Outdoor Classroom Initiatives		250.0		130
131	School Panic Buttons		1,000.0		131
132	Special Education Training and Credentials		2,000.0		132
133	<b>Subtotal Public Education Reform Fund</b>	<b>208,329.8</b>	<b>183,250.0</b>		133
134	<b><u>Other State Funds (OSF) and Inter-Agency Transfers</u></b>				134
135	National Board Certification Scholarship Fund	500.0	500.0		135
136	School Safety Summits (PSCOF)		200.0		136
137	School Panic Buttons (PSCOF)	1,000.0			137
138	School Wellness Rooms (CSF)		200.0		138
139	Teacher Residencies (ELF)		2,000.0		139
140	Charter School Revolving Loan Fund (PSCOF)	10,000.0			140
141	Tribal Library Capital Outlay (PSCOF)		20,000.0		141
142	Pre-Kindergarten Classrooms (PSCOF)	5,000.0	5,000.0		142
143	School Bus Replacement (PSCOF)	5,194.0	16,700.0		143
144	School Bus Replacement Deficiency (PSCOF)		7,500.0		144
145	School Bus Cameras (STB)	132.5	315.0		145
146	Alternative School Bus Fueling or Charging Infrastructure (PSCOF)	200.0			146
147	CTE, Prekindergarten, Maintenance SB-9 Distribution (PSCOF)	75,000.0	65,000.0		147
148	Security SB-9 Distribution (PSCOF)		35,000.0		148
149	GRADS – Teen Parent Interventions (TANF)		500.0		149
150	<b>Subtotal OSF and Inter-Agency Transfers</b>	<b>97,026.5</b>	<b>152,915.0</b>		150
151	<b>TOTAL NONRECURRING</b>	<b>337,856.3</b>	<b>336,165.0</b>		151

# Appendix F: Recurring General Fund Appropriations

## Recurring General Fund Appropriations<sup>1</sup>

(in thousands)

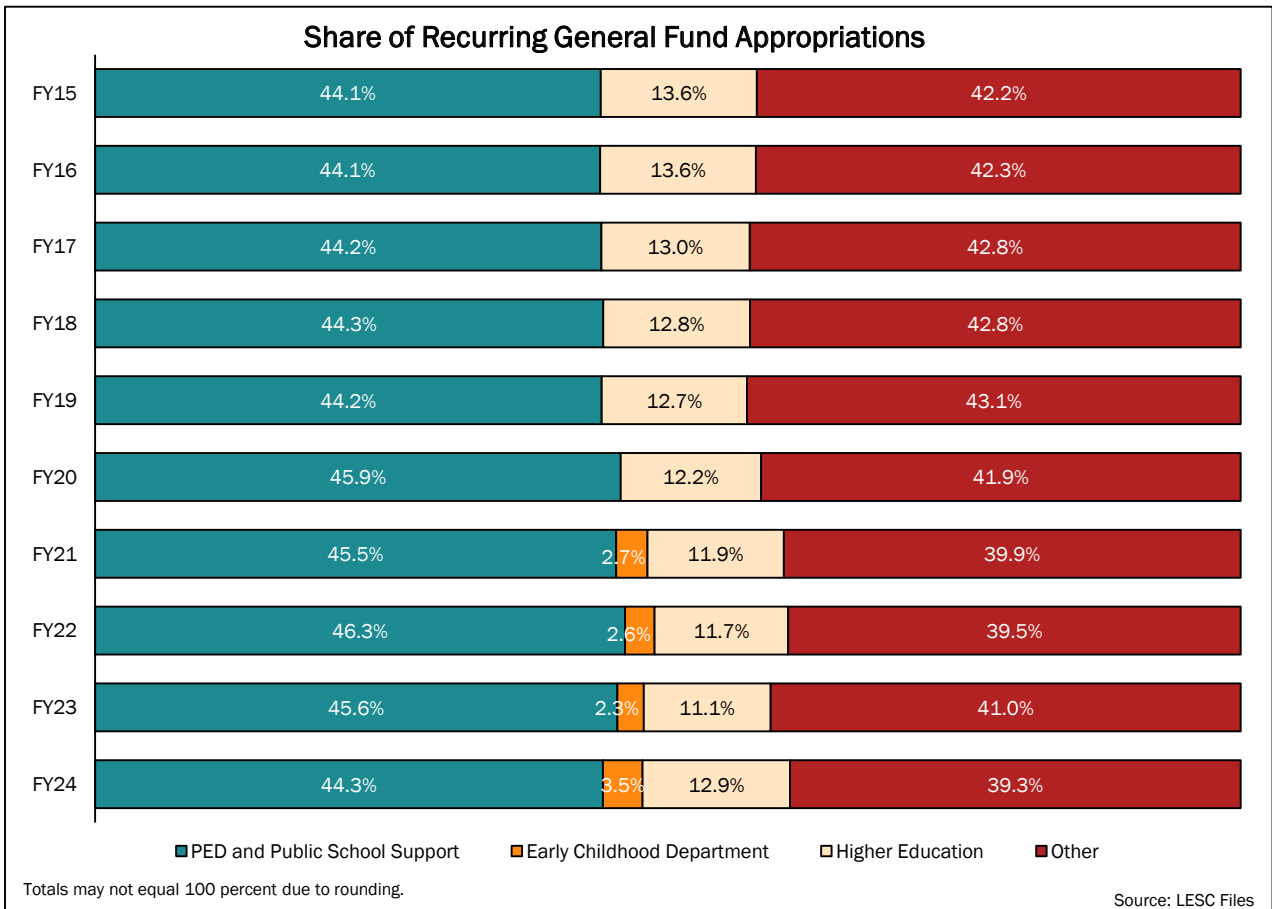
Year	PED and Public School Support	Early Childhood Department	Higher Education	Total Education	Total General Fund
FY15	\$2,715,469.6		\$838,606.8	\$3,554,076.4	\$6,151,134.6
FY16	\$2,735,613.3		\$843,428.2	\$3,579,041.5	\$6,204,334.3
FY17	\$2,682,429.5		\$786,866.8	\$3,469,296.3	\$6,070,229.1
FY18	\$2,695,524.5		\$779,345.1	\$3,474,869.6	\$6,077,955.6
FY19	\$2,801,153.0		\$803,478.4	\$3,604,631.4	\$6,332,267.1
FY20	\$3,252,017.6		\$867,043.6	\$4,119,061.2	\$7,085,292.5
FY21 <sup>2</sup>	\$3,211,908.3	\$193,588.2	\$840,676.4	\$4,246,172.9	\$7,062,924.8
FY22 <sup>3</sup>	\$3,446,297.3	\$191,588.2	\$870,309.6	\$4,508,195.1	\$7,449,687.3
FY23	\$3,869,635.6	\$195,112.6	\$939,050.4	\$5,003,798.6	\$8,486,094.3
FY24	\$4,174,721.5	\$327,612.3	\$1,212,469.2	\$5,714,803.0	\$9,417,787.2

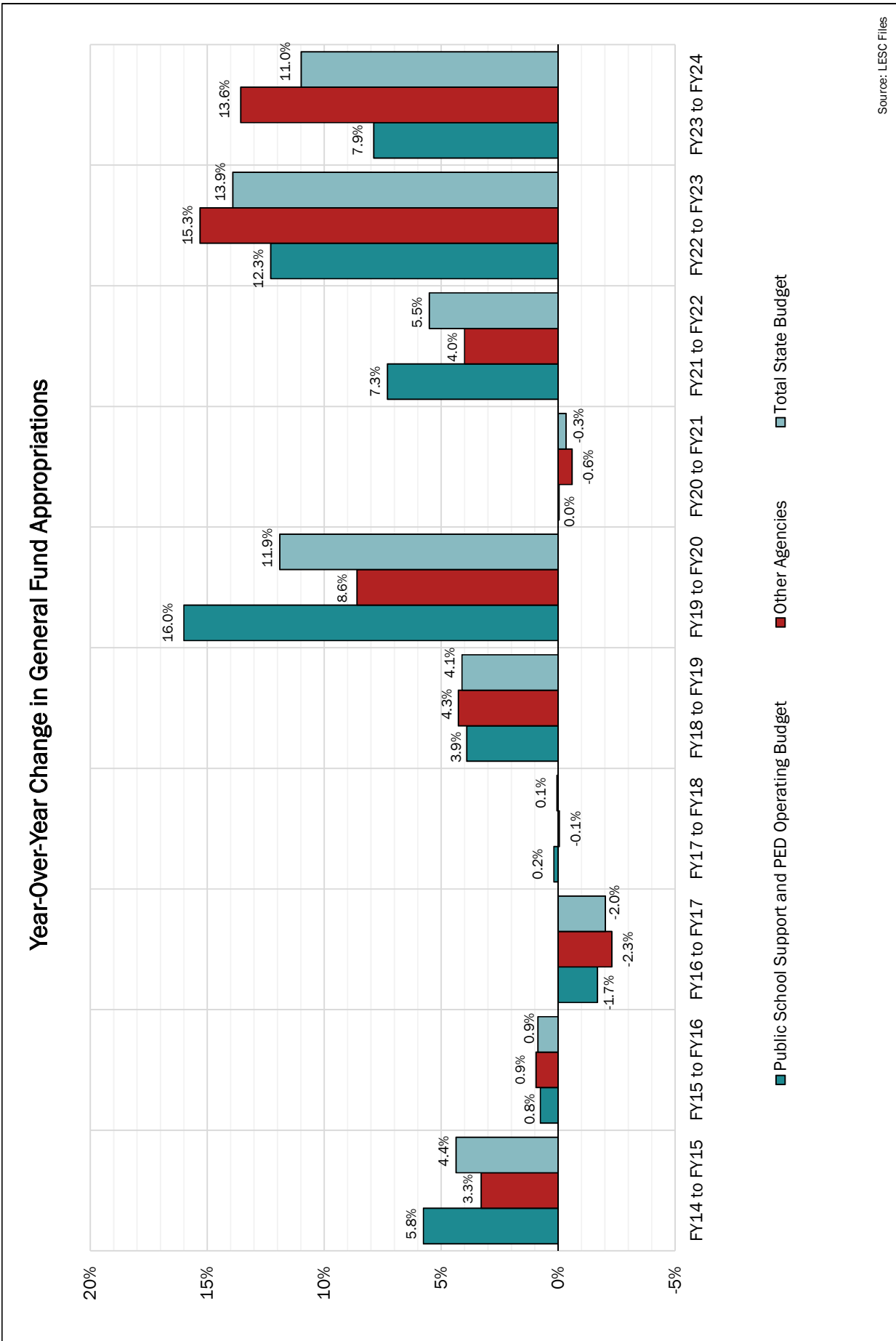
Source: LESC Files

<sup>1</sup>This table includes only recurring general fund appropriations and excludes all other revenue sources, which in some cases supplant recurring general fund appropriations, public school capital outlay fund revenue in FY17 through FY20, or "House Bill 2 Junior" appropriations in FY20.

<sup>2</sup>Beginning in FY21, appropriations for prekindergarten programs in public schools moved from the Public Education Department to the Early Childhood Education and Care Department. As a result, prekindergarten funding is not included in the PED column in FY21 or FY22, but is included in FY20 and earlier years.

<sup>3</sup>For FY22, the PED and Public School Support column includes \$57.4 million from Section 8 of the General Appropriation Act of 2021, which includes an appropriation of \$34 million to the Department of Finance and Administration for an increase to employer contributions to the educational retirement fund. This table assumes public schools' share of the \$34 million appropriation is \$21.7 million.





Source: LESC Files

## Appendix F: Recurring General Fund Appropriations

### Recurring General Fund Appropriations for Public Education

(in thousands)

Year	PED Operating Budget	State Equalization Guarantee Distribution <sup>2</sup>	Categorical Appropriations	Special or "Below-the-Line" Programs <sup>2</sup>
FY15	\$11,969.2	\$2,481,311.0	\$127,066.6	\$95,122.8
FY16	\$11,879.7	\$2,492,525.8	\$130,790.1	\$100,417.7
FY17 <sup>1</sup>	\$11,065.3	\$2,481,192.4	\$99,040.1	\$91,131.7
FY18 <sup>1</sup>	\$11,065.3	\$2,501,808.7	\$94,465.5	\$88,185.0
FY19 <sup>1</sup>	\$11,246.6	\$2,582,377.6	\$116,628.9	\$90,900.0
FY20 <sup>1</sup>	\$13,246.6	\$3,068,803.4	\$102,928.5	\$64,389.0
FY21 <sup>3</sup>	\$14,322.2	\$3,046,463.4	\$124,176.7	\$26,946.1
FY22	\$14,531.9	\$3,288,305.7	\$122,857.2	\$20,472.6
FY23	\$19,463.4	\$3,673,711.4	\$139,210.8	\$37,250.0
FY24	\$22,589.0	\$3,969,002.1	\$157,183.8	\$25,946.6

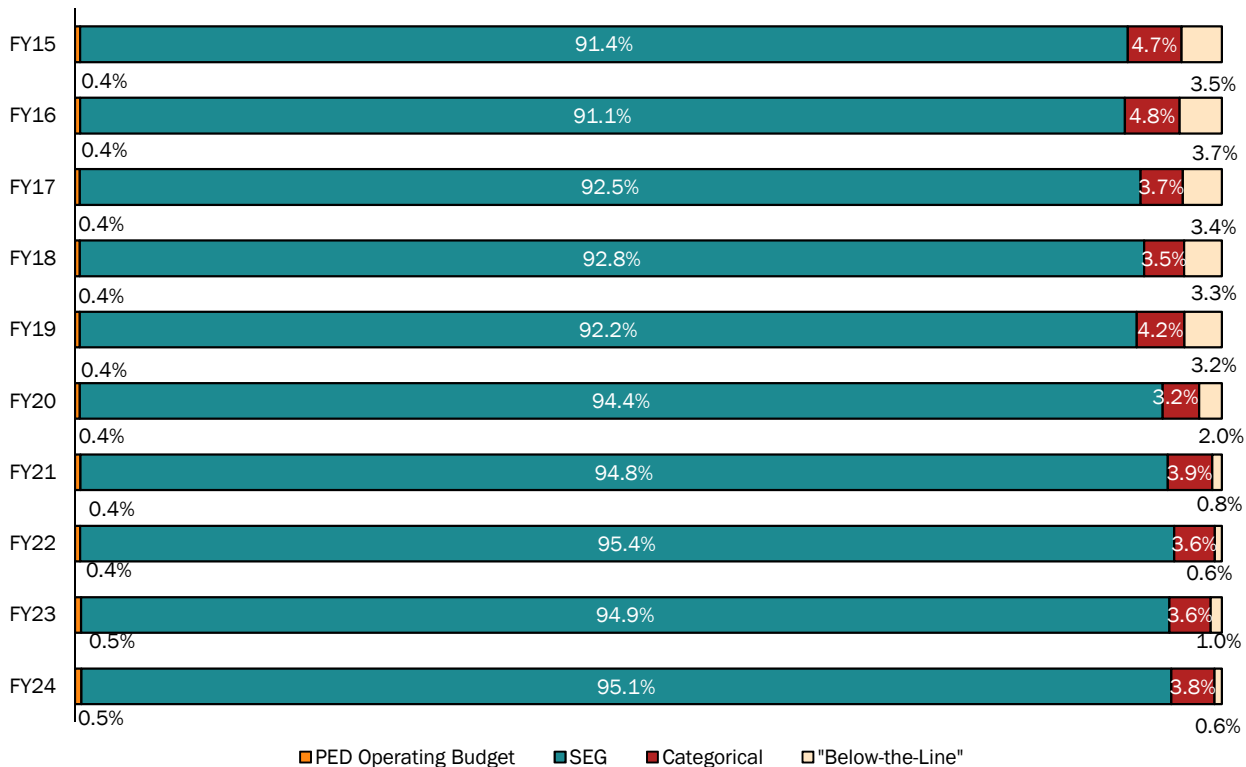
Source: LESC Files

<sup>1</sup>In FY17 through FY20, the categorical appropriations column does not include public school capital outlay fund revenue appropriated for transportation and instructional materials.

<sup>2</sup>The special or "below-the-line" programs column includes K-3 Plus program appropriations in FY12 through FY19. Beginning in FY20, the K-5 Plus program was funded through the state equalization guarantee distribution.

<sup>3</sup>Beginning in FY21, appropriations for prekindergarten are made to the Early Childhood Education and Care Department and are not included in this table.

### Share of Public Education Appropriations



Source: LESC Files

## Appendix G: Unit Value History

### Unit Value History

Fiscal Year	Preliminary Unit Value	Final Unit Value	Change From Preliminary Unit Value to Final Unit Value		Change From Prior Year Final Unit Value	
			Dollars	Percent	Dollars	Percent
1975		\$616.50				
1976		\$703.00			\$86.50	14.0%
1977		\$800.00			\$97.00	13.8%
1978		\$905.00			\$105.00	13.1%
1979		\$1,020.00			\$115.00	12.7%
1980		\$1,145.00			\$125.00	12.3%
1981		\$1,250.00			\$105.00	9.2%
1982		\$1,405.00			\$155.00	12.4%
1983 <sup>1</sup>	\$1,540.00	\$1,511.33	(\$28.67)	-1.9%	\$106.33	7.6%
1984		\$1,486.00			(\$25.33)	-1.7%
1985		\$1,583.50			\$97.50	6.6%
1986 <sup>2</sup>	\$1,608.00	\$1,618.87	\$10.87	0.7%	\$35.37	2.2%
1987		\$1,612.51			(\$6.36)	-0.4%
1988		\$1,689.00			\$76.49	4.7%
1989		\$1,737.78			\$48.78	2.9%
1990		\$1,811.51			\$73.73	4.2%
1991		\$1,883.74			\$72.23	4.0%
1992		\$1,866.00			(\$17.74)	-0.9%
1993	\$1,851.73	\$1,867.96	\$16.23	0.9%	\$1.96	0.1%
1994	\$1,927.27	\$1,935.99	\$8.72	0.5%	\$68.03	3.6%
1995	\$2,015.70	\$2,029.00	\$13.30	0.7%	\$93.01	4.8%
1996	\$2,113.00	\$2,113.00	\$0.00	0.0%	\$84.00	4.1%
1997	\$2,125.83	\$2,149.11	\$23.28	1.1%	\$36.11	1.7%
1998	\$2,175.00	\$2,175.00	\$0.00	0.0%	\$25.89	1.2%
1999	\$2,322.00	\$2,344.09	\$22.09	1.0%	\$169.09	7.8%
2000 <sup>3</sup>	\$2,460.00	\$2,460.00	\$0.00	0.0%	\$115.91	4.9%
2001	\$2,632.32	\$2,647.56	\$15.24	0.6%	\$187.56	7.6%
2002	\$2,868.72	\$2,871.01	\$2.29	0.1%	\$223.45	8.4%
2003	\$2,896.01	\$2,889.89	(\$6.12)	-0.2%	\$18.88	0.7%
2004	\$2,977.23	\$2,976.20	(\$1.03)	0.0%	\$86.31	3.0%
2005	\$3,035.15	\$3,068.70	\$33.55	1.1%	\$92.50	3.1%
2006	\$3,165.02	\$3,198.01	\$32.99	1.0%	\$129.31	4.2%
2007 <sup>4</sup>	\$3,444.35	\$3,446.44	\$2.09	0.1%	\$248.43	7.8%
2008	\$3,645.77	\$3,674.26	\$28.49	0.8%	\$227.82	6.6%
2009 <sup>5</sup>	\$3,892.47	\$3,871.79	(\$20.68)	-0.5%	\$197.53	5.4%
2010 <sup>6</sup>	\$3,862.79	\$3,792.65	(\$70.14)	-1.8%	(\$79.14)	-2.0%
2011 <sup>7</sup>	\$3,712.45	\$3,712.17	(\$0.28)	0.0%	(\$80.48)	-2.1%
2012	\$3,585.97	\$3,598.87	\$12.90	0.4%	(\$113.30)	-3.1%
2013	\$3,668.18	\$3,673.54	\$5.36	0.1%	\$74.67	2.1%

## Appendix G: Unit Value History

### Unit Value History

Fiscal Year	Preliminary Unit Value	Final Unit Value	Change From Preliminary Unit Value to Final Unit Value		Change From Prior Year Final Unit Value	
			Dollars	Percent	Dollars	Percent
40 2014	\$3,817.55	\$3,817.55	\$0.00	0.0%	\$144.01	3.9%
41 2015	\$4,005.75	\$4,007.75	\$2.00	0.0%	\$190.20	5.0%
42 2016	\$4,027.75	\$4,037.75	\$10.00	0.2%	\$30.00	0.7%
43 2017 <sup>8</sup>	\$4,040.24	\$3,979.63	(\$60.61)	-1.5%	(\$58.12)	-1.4%
44 2018 <sup>9</sup>	\$4,053.55	\$4,115.60	\$62.05	1.5%	\$135.97	3.4%
45 2019	\$4,159.23	\$4,190.85	\$31.62	0.8%	\$75.25	1.8%
46 2020	\$4,565.41	\$4,602.27	\$36.86	0.8%	\$411.42	9.8%
47 2021	\$4,531.74	\$4,536.75	\$5.01	0.1%	(\$65.52)	-1.4%
48 2022	\$4,770.70	\$4,863.00	\$92.30	1.9%	\$233.95	5.2%
49 2023	\$5,450.92	\$5,522.50	\$71.58	1.3%	\$659.50	13.6%
50 2024	\$6,241.67					

Source: LESC Files

Note: This chart begins in 1975, the first year the state equalization guarantee (SEG) went into effect. The unit value is the amount school districts and charter schools receive for each program unit that is allocated by the funding formula based on student enrollment, student need, and other factors. To determine the value of each program unit, the Public Education Department (PED) divides the total SEG appropriation by a forecast of statewide total number of program units. In 1993, PED began utilizing a preliminary unit value to adjust for fluctuations in federal funding and student counts throughout the year: Every April, PED announces a preliminary unit value (typically using conservative estimates so as to minimize risks of budget cuts halfway through the school year) that school districts and charter schools use to determine their budgets for the upcoming fiscal year. In January, the final unit value is set by PED (typically resulting in a budget increase for school districts and charter schools halfway through the school year).

[For more information on New Mexico public school funding, refer to LESC funding primers](#)

<sup>1</sup>Two percent general fund appropriation reduction.

<sup>2</sup>Final unit value includes \$10.87 due to the half mill levy redistribution (Laws 1985, Chapter 15).

<sup>3</sup>Basis for funding changes to use prior-year average membership of the 40th, 80th, and 120th school days.

<sup>4</sup>Basis for funding changes to use prior-year average membership of the 80th and 120th school days.

<sup>5</sup>Decrease in final value due to solvency measures.

<sup>6</sup>Preliminary unit value includes \$256.39 in federal *American Recovery and Reinvestment Act of 2009* (ARRA) funding; final value includes \$334.59 in ARRA funding.

<sup>7</sup>Preliminary unit value includes \$37.70 in ARRA funding; final unit value includes \$37.85 in ARRA funding and \$101.98 in federal education jobs funding.

<sup>8</sup>Final unit value set 1.5 percent lower than preliminary value (Laws 2016, 2nd S.S., Chapter 6).

<sup>9</sup>Final unit value includes June distributions to meet federal special education maintenance of effort requirements and to reduce reversions to the general fund.

## Appendix H: Legislative Changes to the Public School Funding Formula

### Legislative Changes to the Public School Funding Formula, 1974 – 2023

Underlined text indicates new formula change in 2023

Enacted by the New Mexico Legislature in 1974, the public school funding formula is designed to distribute operational funds to local school districts in an objective manner based upon the educational needs of individual students and the costs of the programs designed to meet those needs. To determine the amount each school district and charter school needs to operate, the funding formula generates “program units” based on the unique circumstances of the school district or charter school. Although primarily based on student enrollment, these program units are weighted for school size, teacher qualifications, the special needs of students, and other factors. The number of program units for each school district and charter school is then multiplied times a unit value set by the secretary of public education, based on the total statewide appropriation to the state equalization guarantee.

Program cost differentials in the original formula were based upon nationwide data regarding the relative costs of various school programs, as well as experience in New Mexico. The objectives of the formula were (1) to equalize educational opportunity statewide by crediting certain local and federal revenues and then distributing state funds in an objective manner and (2) to retain local autonomy in actual use of funds by making the distribution noncategorical, allowing school districts to address needs specific to the local school population.

The funding formula consists of 17 components:

1. Early Childhood Education Program Units	(22-8-19 NMSA 1978)	11. Charter School Activities Program Units	(22-8-23.6 NMSA 1978)
2. Basic Program Units	(22-8-20 NMSA 1978)	12. Elementary Physical Ed. Program Units	(22-8-23.7 NMSA 1978)
3. Special Education Program Units	(22-8-21 NMSA 1978)	13. Home School Activities Program Units	(22-8-23.8 NMSA 1978)
4. Bilingual Multicultural Program Units	(22-8-22 NMSA 1978)	14. Home School Student Program Units	(22-8-23.9 NMSA 1978)
5. Size Adjustment Program Units	(22-8-23 NMSA 1978)	15. Extended Learning Time Program Units	(22-8-23.10 NMSA 1978)
6. Enrollment Growth Program Units	(22-8-23.1 NMSA 1978)	16. K-5 Plus Program Units	(22-8-23.11 NMSA 1978)
7. New District Adjustment	(22-8-23.2 NMSA 1978)	17. K-12 Plus Program Units	(22-8-24 NMSA 1978 and
8. At-Risk Program Units	(22-8-23.3 NMSA 1978)	18. Staffing Cost Multiplier	22-8-49 NMSA 1978)
9. National Board Certification Program Units	(22-8-23.4 NMSA 1978)		
10. Fine Arts Education Program Units	(22-8-23.5 NMSA 1978)		

Since 1974, the statutory sections setting out the public school funding formula have been amended or added to more than 50 times. These changes for each funding formula component are outlined below.

### 1. Early Childhood Education Program Units (22-8-19 NMSA 1978)

- 1976 The law increased the kindergarten cost differential from 1.1 to 1.3 program units per FTE student and limited each student to 0.5 FTE.
- 1990 The law increased the kindergarten cost differential from 1.3 to 1.44 units per FTE student.
- 1997 The law amended statute to include three- and four-year-old students with developmental disabilities in the calculation of early childhood FTE.
- 2000 The law phased in voluntary full-day kindergarten over five years, with students in full-day programs counted as 1 FTE and students in half-day kindergarten or three- and four-year-old students with developmental disabilities counted as 0.5 FTE.

### 2. Basic Program Units (22-8-20 NMSA 1978)

- 1976 The law increased the cost differential for seventh through ninth grade students from 1.2 to 1.25, decreased the cost differential for 10th through 12th grade students from 1.4 to 1.25, and eliminated a funding formula factor for vocational education, resulting in a single cost differential of 1.25 for seventh through 12th grade, which includes support for vocational education.
- 1991 The law increased the cost differential for first grade from 1.1 to 1.26 for FY92 to provide funding for the partial implementation of the first grade class size reduction provisions of the Public School Reform Act. The law increased the first grade cost differential to 1.42 for FY93.
- 1993 The law decreased the cost differential factor for first grade from 1.42 to 1.26, with the change retroactive to FY93. This law was signed in January 1993.
- 1993 Legislation signed in April 1993 (1) decreased the cost differential for first grade from 1.26 to 1.2; (2) increased the cost differential for 2nd and 3rd grade from 1.1 to 1.18; and (3) increased the cost differential for fourth through sixth grade from 1.0 to 1.045. The April 1993 changes were part of legislation enacted to establish average class loads for elementary school teachers at individual schools. Average class loads were not to exceed an average of 22 students in first grade, second grade, and third grade, starting in FY94 and not to exceed 24 students in fourth grade, fifth grade, and sixth grade, starting in FY95. The law also provided for full-time instructional assistants in first grade classes with



21 or more students and required special education students that were integrated into a regular education classroom for part of the day be counted in calculating class average sizes.

**3. Special Education Program Units (22-8-21 NMSA 1978)**

- 1976 The law decreased the cost differential for D-level special education students from 3.8 to 3.5.
- 1976 The law amended statute to provide two support options for A- and B- level special education programs: (a) 0.12 units for each basic program unit generated in first through third grade or (b) 20 program units per program.
- 1977 The law restricted special education support to students ages 5 to 21.
- 1980 The law eliminated the option of funding A- and B-level special education programs based upon first through third grade enrollment.
- 1980 The law implemented an administrative procedure to fund ancillary services at 20 program units per FTE.
- 1984 The law changed the funding basis for special education to the higher of the 40th- or 80th-day enrollment. Other programs were funded based on 40th-day enrollment.
- 1985 The law established programs for three- and four-year-old students with developmental disabilities, with a two-year phase-in.
- 1987 The law established formula funding for three- and four-year-old students with developmental disabilities at a cost differential of 3.5 units per student, inclusive of all ancillary services.
- 1990 The law changed the calculation of special education membership from the higher of 40th- or 80<sup>th</sup>-day membership to membership on December 1 of the school year.
- 1992 The law removed references to “a special classroom” when defining special education.
- 1994 The law amended sections of the Public School Code to provide for a change in the determination of eligibility for gifted services.

- 1997 The law amended special education factors to count all students at grade level and three- and four-year-old students with developmental disabilities at kindergarten membership; to fund D-level and three- and four-year-old students with developmental disabilities at two units in addition to the regular grade level weights; to fund C-level students at one unit in addition to the regular grade level weights; and to fund A- and B-level students at 0.7 units, in addition to regular grade level weights.
- 1997 The law provided additional program units for special education ancillary services, including diagnosticians, at 25 program units per FTE.

#### **4. Bilingual Multicultural Education Program Units (22-8-22 NMSA 1978)**

- 1976 The law changed bilingual multicultural education cost differential from 0.5 to 0.3.
- 1987 An amendment to the Bilingual Multicultural Education Act (Section 22-23-1 NMSA 1978 *et. seq.*) expanded eligibility for bilingual multicultural education programs to include students in seventh through 12th grade, phased in over three years beginning in FY89.
- 1990 The law authorized increases in the bilingual multicultural education cost differential from 0.3 units per FTE student to 0.35 units in FY91, 0.4 units in FY92, 0.45 units in FY93, and 0.5 units in FY94.
- 1992 The law changed the phase-in of the cost differential increase for bilingual multicultural education program units. Under the 1990 law, the cost differential in FY93 was set at 0.45. The 1992 law set the cost differential for FY93 at 0.425.
- 1993 The law changed the phase-in of the cost differential increase for bilingual multicultural education program units. Under the 1990 law, the cost differential for FY94 and subsequent fiscal years was set at 0.5. The 1993 law set the cost differential for FY94 at 0.45 and the cost differential for FY95 and subsequent fiscal years at 0.5.

#### **5. Size Adjustment Program Units (22-8-23 NMSA 1978)**

- 1976 The law added the rural isolation factor, sometimes called “sparsity,” to the funding formula for school districts with more than 10,000 students and with less than 4,000 students for each senior high school that does not generate small school funding. The only school district to qualify based on these criteria was Gallup-McKinley County Schools.

- 1977 The law prohibited generation of small school units for separate schools for kindergarten, vocational, or alternative education.
- 1979 The law increased the multiplier used to calculate the rural isolation factor from 0.2 to 0.5.
- 1981 The law expanded the eligibility for small school funding for senior high schools from those with under 200 students to those with under 400 students. The law set up two formulas for calculating small school program units for senior high schools and provided that the school district would receive the greater of the two calculations.
- 1989 The law enacted two new urban factors, sometimes called “density,” in the funding formula to provide additional program units to school districts with enrollments (a) in excess of 10,000 students but fewer than 35,000 students; and (b) of 35,000 students or more.
- 1991 The law added a third urban factor to the formula dealing with school districts with membership of more than 10,000 students and less than 15,000 students and readjusted the formulas for districts with membership of (a) more than 15,000 students but fewer than 35,000 students; and (b) more than 35,000 students.
- 1993 The law amended statute to allow early childhood centers to generate size adjustment program units for kindergarten students.
- 1997 The law repealed “density” factor units added in 1989 and 1991 and replaced them with at-risk program units.
- 2014 The law provided additional program units for school districts with less than 200 students, sometimes called “micro districts.”
- 2019 The law phased-out over five years small school program units for school districts with more than 2,000 students and provided that charter schools in school districts with fewer than 2,000 students could generate small school program units. The law added the rural population factor, phased in over five years, for school district with at least 40 percent of their population located in rural areas, as defined by the U.S. Census Bureau. Charter schools located within a school district with a rural population of at least 40 percent would also generate units for rural population.

### 6. Enrollment Growth Program Units (22-8-23.1 NMSA 1978)

- 1990 The law added the enrollment growth factor to the funding formula, phased in over two years, for school districts where current year funded membership is at least 1 percent higher than the prior year funded membership. For FY91, each new student was funded at 0.25 program units and for FY92 and subsequent fiscal years new students were funded at 0.5 program units.
- 1999 Language included in the General Appropriation Act increased the enrollment growth factor from 0.5 to one for FY00 and provided that new formula-based programs use current year rather than prior year enrollment. This change did not remain in effect beyond FY00.
- 2003 The law changed the way enrollment growth units were calculated. For school districts where the 40th-day membership in the current year is at least 1 percent higher than the 40th-day membership in the prior year, each new student was funded at 0.5 program units and new students above the 1 percent threshold were funded at 1.5 program units. The law excluded full-day kindergarten membership for the first year that full-day kindergarten is implemented in a school.
- 2006 The law allowed charter schools with a growth rate of greater than 1 percent to generate enrollment growth program units, effective in FY08. Prior to FY08, charter school growth was considered within the school district's enrollment growth calculation.
- 2010 The law replaced the term "40th day" with "first reporting date." Although the Public School Finance Act has replaced the term "40th day," it is still used by some to mean the first reporting date.

### 7. New District Adjustment Program Units (22-8-23.2 NMSA 1978)

- 1993 The law amended the Public School Finance Act to provide additional program units to a newly created school district and to provide additional program units to any school district that experiences a decline in membership as a result of the creation of a new school district. The law provides that the newly created school district receive an additional 0.147 program units for each student and that a school district with membership declines based on the newly created school district receive 0.17 program units for each student lost. The law establishing the new district adjustment was enacted before the public school funding formula was amended to base funding on prior year enrollment.

**8. At-Risk Program Units (22-8-23.3 NMSA 1978)**

- 1997 The law amended statute to include an at-risk factor in the funding formula, which is available to all school districts and is determined by a neural network computer analysis computation based upon the school district's percent of Title I-eligible students, students with limited English proficiency, mobility rates, and dropout rates.
  
- 2002 The law amended statute to change the calculation of the at-risk index to eliminate the neural network methodology and to base the calculation of the at-risk index on a three-year average rate of three student variables (Title I eligibility, limited English proficiency, and district mobility rate), to require recalculation of the index each year, and to hold school districts harmless for three years beginning with FY03 at no less than 90 percent of the at-risk funding generated in FY01.
  
- 2014 The law amended statute to increase the multiplier used to calculate the at-risk index from 0.0915 to 0.106 and required the school district to report of specified services to improve the academic success of at-risk students, including the ways schools use funding generated through the at-risk index and intended outcomes. The law defined of "at-risk student" for the purposes of this section as a student included in the calculation of the at-risk index.
  
- 2018 The law amended statute to phase-in increases to the multiplier used to calculate the at-risk index from 0.106 to 0.13 in FY19, 0.14 in FY20 and 0.15 in FY21.
  
- 2019 The law amended statute to increase the multiplier used to calculate the at-risk index to 0.25, effective in FY20, and defines "services" as "research-based or evidence-based social, emotional, or academic interventions." The law includes examples of such interventions.
  
- 2020 The law amended statute to increase the multiplier used to calculate the at-risk index to 0.30, effective in FY21.

**[2023 The law amended statute to increase the multiplier used to calculate the at-risk index to 0.33, effective in FY24.](#)**

**9. National Board for Professional Teaching Standards Units (22-8-23.4 NMSA 1978)**

2003 The law established a factor to provide a yearly, one-time salary differential for teachers who are certified by the National Board of Professional Teaching Standards (NBPTS). The differential is calculated by multiplying by 1.5 the number of NBPTS-certified teachers employed by a school district on or before the 40th day of the school year by the current year's unit value.

2006 The law expanded eligibility for national board certification program units to charter schools.

2010 The law replaced the term "40th day" with the term "first reporting date." Although the Public School Finance Act has replaced the term "40th day," it is still used by some to mean the first reporting date.

**2023** [The law expanded eligibility for national board certification program units to all licensed school employees certified by the National Board for Professional Teaching Standards.](#)

**10. Fine Arts Education Program Units (22-8-23.5 NMSA 1978)**

2003 The law established a factor to provide additional funding to school districts offering PED-approved elementary arts education programs. The program was phased-in over three years, with a cost differential of 0.0166 for FY04, 0.0332 for FY05, and 0.05 for FY06 and subsequent fiscal years.

**2023** [The law amended statute to increase the fine arts multiplier to 0.055, effective in FY24.](#)

**11. Charter School Student Activities Program Units (22-8-23.6 NMSA 1978)**

2006 The law established additional program units for charter school students that participate in extracurricular activities in a school district. A charter school student is allowed to participate in a school activity in the attendance zone in which the student resides, according to New Mexico Activities Association (NMAA) guidelines, or at another school subject to NMAA transfer guidelines. The cost differential for each charter school student is 0.1.

**12. Elementary Physical Education Program Units (22-8-23.7 NMSA 1978)**

2007 The law established a factor of 0.06 to provide additional funding to school districts offering PED-approved elementary physical education programs for students in kindergarten through 6th grade, with priority given to schools that have the highest proportion of students most in need based on the percentage of students eligible for free or reduced-fee lunch or in schools that serve an entire school district. PED is required to determine annually the programs and the number of students that will receive state financial support in accordance with available funding.

**13. Home School Student Activities Program Units (22-8-23.8 NMSA 1978)**

2007 The law established additional program units for home school students to participate in one school district athletic activity at the public school in the attendance zone in which the student resides, according to NMAA guidelines. The cost differential for each home school student is 0.1.

2009 The law increased the number of school district activities in which a home school student may participate from one athletic activity to three athletic activities.

2012 The law eliminated the requirement that home school student activities program units be based on athletic activities. “Activities” was changed to mean athletics, co-curricular and extracurricular activities sanctioned by the New Mexico Activities Association.

**14. Home School Student Program Units (22-8-23.9 NMSA 1978)**

2013 The law created program units for school districts and charter schools that serve home schooled students. A school district or charter school generates 0.25 program units per class taken by a home schooled student.

2014 The law made a technical change to Section 22-8-18 NMSA 1978 to clarify that program units for home school students are not multiplied by the school district’s or charter school’s training and experience index. Section 22-8-23.9 NMSA 1978 was also amended to remove the term “home schooled” and replace it with “home school.”

**15. Extended Learning Time Program Units (22-8-23.10 NMSA 1978)**

2019 The law created program units for a school district or charter school that has at least 190 days in a school year, has a minimum of 80 hours per year of professional development for instructional staff, and provides after school programs. A school district or charter school generates 0.11 program units per student for extended learning time programs.

2021 The law provided flexibility around instructional days added to the school year. Each extended learning time program at a school operating under a 5-day school week shall provide no fewer than 190 days per school year or 10 additional instructional days per school year to be eligible for extended learning time program units. Each extended learning program at a school with fewer than 1000 mem operating under a 4-day school week shall provide no fewer than 160 days per school year or 8 additional instructional days per school year to be eligible for extended learning time program units.

[2023 The law sunset the Extended Learning Time Program and ended the allocation of its respective program units effective in FY24.](#)

**16. K-5 Plus Program Units (22-8-23.11 NMSA 1978)**

2019 The law created program units for elementary schools with programs authorized pursuant to the K-5 Plus Act. A school district or charter school generates 0.3 program units for each student in a department-approved K-5 Plus program.

2021 The law provides that a program that spans two fiscal years is only funded in a single fiscal year.

[2023 The law sunset the K-5 Plus Program and ended the allocation of its respective program units effective in FY24.](#)

**17. K-12 Plus Program Units (New Section: Laws 2023, Chapter 19)**

[2023 The law created program units in a school district or charter school that meets the 1,140 minimum instructional hour requirement and exceeds either 180 days of instruction for a five-day school week \(or 155 days of instruction for a four-day school week\). A factor of 0.012 will be generated if a school district or charter school exceeds 180 \(or 155\) days of instruction and a factor of 0.016 will be generated if the days of instruction exceed either 190 \(or 165\) days. No school district or charter school may generate K-12 Plus program units for days of instruction exceeding 205 \(or 175\) days.](#)



**18. Staffing Cost Multiplier (22-8-24 NMSA 1978 and 22-8-49 NMSA 1978)**

Prior to FY20, the instructional staff training and experience (T&E) index (Section 22-8-24 NMSA 1978) was used to allocate additional funds to school districts and charter schools with higher staffing costs, based on the academic credentials and years of experience of staff. In 2018, the Legislature amended the Public School Finance Act to align the T&E index with the three-tiered licensure system by creating the teacher cost index (TCI) (Section 22-8-49 NMSA 1978). The T&E index will be phased-out and TCI will be phased-in from FY20 to FY23.

1975 The law provided that the T&E index be calculated in accordance with instructions issued by the chief of the public school finance division of the Department of Finance and Administration.

1981 The law amended section 22-8-25 NMSA 1978 to provide that the T&E index used to calculate program cost was from October of the prior fiscal year.

1993 The law amended statute to provide that no school district could have a T&E index of less than 1. Previously, no school district could have a T&E index of less than 0.95.

1993 The law provided that a new school district would have a T&E index of 1.12.

2018 The law created the teacher cost index, based on the licensure level and years of experience for each classroom teacher in a school district or charter school, and provided for the replacement of the T&E index over five years. In addition, Section 22-8-18 NMSA 1978 was amended to provide that the staffing cost multiplier would only be multiplied by early childhood education program units and basic program units; previously, special education program units, bilingual multicultural education program units, elementary fine arts program units, and elementary physical education program units were also multiplied by the staffing cost multiplier.

**State Equalization Guarantee – Determination of Amount (22-8-25 NMSA 1978)**

The state equalization guarantee distribution is the amount of money distributed by the state to each school district and charter school to ensure that school district's or charter school's respective operating revenues, including certain local federal revenues, are equal to the school district's or charter school's program cost. Currently, the state's allocation to each school district and charter school equals the program cost minus 75 percent of the local half mill levy, noncategorical federal Impact Aid revenues, and federal forest reserve payments.

- 1975 The law required that local and federal revenues used to calculate the state equalization guarantee be based on the amount received by the school district from June 1 of the previous fiscal year through May 31 of the current fiscal year and required a school district that has received more than its entitlement to refund the overpayment to the general fund.
- 1979 The law implemented a 50 percent hold-harmless provision in the event the federal government reduced or eliminated grants authorized under P.L. 874, now called Impact Aid.
- 1981 The law phased in the “Big Mac” tax reduction over three years. For the 1981 tax year, property taxes were reduced from 8.925 mills to 0.5 mills on residential property and 4 mills on nonresidential property and oil and gas severance. For the 1982 tax year, nonresidential property and oil and gas severance taxes were reduced to 2 mill. For 1983 and subsequent tax years, nonresidential property and oil and gas severance taxes were reduced to 0.5 mills and the 95 percent credit for the levy was eliminated.
- 1986 The law enacted the “P.L. 874 fix,” which (a) reenacted the 95 percent credit for the local half mill levy that was eliminated during the 1981 “Big Mac” tax reduction; (b) excluded federal Impact Aid funding for special education support from the 95 percent credit for federal revenues; (c) eliminated motor vehicle fees as source of local revenue subject to the 95 percent credit; (d) eliminated the save-harmless provision associated with property tax reductions enacted in 1981; and (e) changed methodology for funding special education students in Los Alamos Public Schools.
- 1986 The law created a hold harmless for school districts with less than 200 students that are facing declining enrollment.
- 1988 The law eliminated the 95 percent credit for the additional federal Impact Aid received by a school district under a specific provision of federal law. That provision of federal law provided that federal Impact Aid allocations for students living on Indian lands be multiplied by 125 percent. As a result of the law, New Mexico discontinued the 95 percent credit for the additional 25 percent in federal Impact Aid for Indian education.
- 1993 The law amended the Public School Finance Act to require school districts with more than 30,000 students to develop a school-based budgeting plan for all schools with voluntary participation by individual schools. Only Albuquerque Public Schools fit the criteria.
- 1993 The law amended the Public School Finance Act to provide for parent input in the local school board budget process.

- 1999 The law required the calculation of program units for the state equalization guarantee distribution to be as follows: effective in FY00, the use of prior year 40th-day and 80th-day membership and effective in FY01 and subsequent fiscal years, the use of prior year average of the membership on the 40th, 80th, and 120th days.
- 1999 The law reduced from 95 to 75 the percentage of a school district's federal revenue (Impact Aid and forest reserve payments) and local revenues (half mill levy) for which the state takes credit in determining the state equalization guarantee and earmarked the 20 percent difference for school district capital outlay needs.
- 2002 The law required program units for a school district with less than 200 students be based on the average enrollment of the 40th, 80th, and 120th days of the prior year or on the 40th day of the current year, whichever is greater.
- 2005 The law removed the requirement that school districts budget for capital outlay an amount of their state aid equal to 20 percent of the federal revenue (Impact Aid and forest reserve payments) and local revenue (half mill levy) for which the state takes credit in calculating the school districts' state equalization guarantee; require program units be calculated based on the average of the prior year 80th and 120th day enrollment; and allowed PED, in determining a school district's state equalization guarantee, to deduct from the school district's total program cost 90 percent of the school district's certified portion of the debt service payment on bonds authorized pursuant to the Energy Efficiency and Renewable Energy Bonding Act.
- 2005 The law required program units for a school district with less than 200 students be based on the average enrollment of the 80th and 120th days of the prior year or on the 40th day of the fiscal current year, whichever is greater.
- 2006 The law required program units for a charter school with less than 200 students be based on the average enrollment on the 80th and 120th days of the prior year or on the 40th day of the current year, whichever is greater.
- 2010 The law replaced most statutory references to the 40th, 80th and 120th day and provided the first reporting date would be on the second Wednesday in October, the second reporting date on the second Wednesday in December, and third reporting date on the second Wednesday in February. The law allows PED to withhold up to 100 percent of allotments of funds to any school district or charter school that fails to comply with reporting requirements.
- 2011 The law changed the second reporting date to December 1 or the first working day in December.

- 2017 The law expanded the 75 percent credit for federal revenue to state-chartered charter schools, which receive federal Impact Aid directly from the federal government. Federal Impact Aid for locally chartered charter schools is received from the school district and the 75 percent credit applied to the school district.
- 2021 The law eliminated the 75 percent credit for federal and local revenue in the calculation of the state equalization guarantee.

## Appendix I: Direct Capital Outlay Appropriations

### Appendix I: Direct Appropriations Included in Laws 2023, Chapter 199 (House Bill 505)

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
1 16-2 (GF)	Albuquerque	ACE Leadership High School	\$300,000	To plan, design, construct, furnish and equip improvements to buildings and grounds, including fencing, information technology, security infrastructure and installation of related equipment
2 16-4 (GF)	Albuquerque	Albuquerque Sign Language Academy Charter School	\$355,000	To purchase and equip activity buses, including wheelchair lifts
3 16-7 (GF)	Albuquerque	Alice King Community School	\$220,000	To plan, design, construct, purchase and equip playground improvements including landscaping, field turf and drainage
4 16-10 (GF)	Albuquerque	Cien Aguas International School	\$395,000	To plan, design, construct, furnish, renovate and equip improvements to buildings and grounds including fencing, information technology, security infrastructure, a playground and installation of related equipment
5 16-11 (GF)	Albuquerque	Coral Community Charter School	\$95,000	To plan, design, construct, renovate, furnish and equip improvements to buildings and grounds including fencing, information technology, security infrastructure, a science, technology, engineering, arts and mathematics learning space and installation of related equipment
6 16-12 (GF)	Albuquerque	Cottonwood Classical Preparatory School	\$182,778	To plan, design, construct, furnish, renovate and equip improvements to buildings and grounds including fencing, information technology, security infrastructure, heating, ventilation and air conditioning systems and installation of related equipment
7 16-13 (GF)	Albuquerque	Health Leadership Charter High School	\$320,000	To plan, design, construct, furnish, renovate, equip, install and improve buildings and grounds including fencing, information technology, security infrastructure and related equipment
8 16-15 (GF)	Albuquerque	New Mexico Academy Media Arts Charter School	\$275,000	To plan, design, construct, furnish, equip and improve buildings and grounds including fencing, information technology, security infrastructure and an outdoor green space
9 16-16 (GF)	Albuquerque	Robert F. Kennedy Charter School	\$570,000	To plan, design, construct, furnish, renovate and equip improvements to buildings and grounds including fencing, information technology, security infrastructure, purchase of an activities vehicle and installation of related equipment.
10 16-17 (GF)	Albuquerque	South Valley Academy Charter School	\$400,000	To plan, design, construct, furnish and equip improvements to buildings and grounds including fencing, information technology, security infrastructure and installation of related equipment

Note: ~~Red text~~ indicates language was vetoed.

# Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
11 16-21 (GF)	Albuquerque	Southwest Secondary learning center	\$275,000	To plan, design, construct, furnish and equip improvements to buildings and grounds including fencing, restrooms, information technology, security infrastructure and installation of related equipment
12 16-23 (GF)	Albuquerque	International School at Mesa del Sol	\$100,000	To plan, design, construct, furnish, renovate and equip improvements to buildings and grounds including fencing, information technology, security infrastructure and installation of related equipment
13 16-24 (GF)	Albuquerque	Adobe Acres Elementary School	\$100,000	To plan, design, construct, purchase, equip and furnish outdoor benches and shade structures
14 16-25 (GF)	Albuquerque	Alamosa Elementary School	\$150,000	To plan, design, construct, purchase, equip and furnish outdoor benches and shade structures
15 16-26 (GF)	Albuquerque	Albuquerque High School	\$100,000	To plan, design, construct and improve <del>the Our Youth mural painting in</del> the cafeteria
16 16-27 (GF)	Albuquerque	Districtwide	\$125,000	To purchase and equip vehicles for the district police department
17 16-28 (GF)	Albuquerque	Districtwide	\$116,490	To plan, design, construct, equip, purchase and furnish infrastructure, shade structures, benches and landscaping outdoor learning spaces, including equipment and infrastructure to improve wi-fi connectivity
18 16-29 (GF)	Albuquerque	Armijo Elementary School	\$99,500	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, and for the purchase and installation of secure entryways and fencing
19 16-30 (GF)	Albuquerque	Arroyo del Oso Elementary School	\$90,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping
20 16-31 (GF)	Albuquerque	Atrisco Elementary School	\$75,000	To plan, design, improve, construct, renovate, equip and install site improvements and information technology, including the purchase and installation of career technical equipment, infrastructure, furniture and fixtures
21 16-32 (GF)	Albuquerque	Atrisco Heritage Academy High School	\$200,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping

Note: **Red-text** indicates language was vetoed.

## Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
22 16-33 (GF)	Albuquerque	Bellehaven Elementary School	\$40,000	To purchase, install, furnish and improve library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure libraries and bookrooms
23 16-34 (GF)	Albuquerque	Carlos Rey Elementary School	\$250,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
24 16-35 (GF)	Albuquerque	Chamiza Elementary School	\$105,000	To plan, design, construct, renovate, equip and provide improvements to fine art facilities, art rooms, performing art buildings and music classes, including the purchase and installation of stage curtains, seating, carpet, sound and lighting, refinishing of stages, kilns, musical instruments, band equipment, choir risers, information technology and related equipment and furniture
25 16-36 (GF)	Albuquerque	Chaparral Elementary School	\$100,000	To plan, design, construct, purchase, equip and furnish outdoor benches and shade structures
26 16-37 (GF)	Albuquerque	Chelwood Elementary School	\$212,950	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
27 16-38 (GF)	Albuquerque	Cibola High School	\$150,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping
28 16-39 (GF)	Albuquerque	Collet Park Elementary School	\$90,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
29 16-40 (GF)	Albuquerque	Corrales Elementary School	\$171,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
30 16-41 (GF)	Albuquerque	Del Norte High School	\$95,000	To plan, design, build, purchase, equip, furnish and install fixtures, furniture, flooring, carpet, window coverings and related equipment student wellness rooms
31 16-42 (GF)	Albuquerque	Dennis Chavez Elementary School	\$50,000	To plan, design, construct, upgrade and renovate school facilities to improve energy efficiency and water conservation, including lighting, turf, solar panels, window coverings and xeriscaping

Note: Red-text indicates language was vetoed.

# Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
32 16-43 (GF)	Albuquerque	Digital Arts and Technology Academy Charter School	\$100,000	To plan, design, construct, furnish, renovate, equip and install buildings and grounds, including information technology and related equipment, furniture and infrastructure, security infrastructure and equipment and fencing
33 16-44 (GF)	Albuquerque	East Mountain High School	\$402,000	To plan, design and construct accessibility improvements, including exterior stairways
34 16-45 (GF)	Albuquerque	East San Jose Elementary School	\$100,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
35 16-46 (GF)	Albuquerque	Edmund G. Ross Elementary School	\$75,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
36 16-47 (GF)	Albuquerque	Edward Gonzales Elementary School	\$70,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping
37 16-48 (GF)	Albuquerque	Eisenhower Middle School	\$85,000	To purchase, install, furnish and improve library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure libraries and bookrooms
38 16-49 (GF)	Albuquerque	El Camino Real Academy Charter School	\$50,000	To plan, design, construct, renovate, furnish, equip, purchase and install improvements, including buildings and grounds, fencing, information technology and related furniture, equipment and infrastructure, security infrastructure and a science laboratory and related equipment
39 16-50 (GF)	Albuquerque	Eldorado High School	\$140,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping
40 16-51 (GF)	Albuquerque	Emerson Elementary School	\$176,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
41 16-52 (GF)	Albuquerque	Eugene Field Elementary School	\$25,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
42 16-53 (GF)	Albuquerque	Garfield Community School	\$187,500	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing

Note: **Red-text** indicates language was vetoed.



## Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
43	Albuquerque	Georgia O'Keeffe Elementary School	\$15,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
44	Albuquerque	Gilbert L. Sena Charter High School	\$250,000	To plan, design, construct, furnish, renovate and equip buildings and grounds, fencing, security infrastructure and information technology and related furniture, equipment and infrastructure, including the purchase and installation of outdoor learning spaces and related equipment
45	Albuquerque	Gordon Bernell Charter School	\$401,490	To plan, design, construct and expand, including a career development center formerly incarcerated high school and adult education students
46	Albuquerque	Grant Middle School	\$225,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping
47	Albuquerque	Griegos Elementary School	\$100,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
48	Albuquerque	Harrison Middle School	\$200,000	To plan, design, build, purchase, equip, furnish and install fixtures, furniture, flooring, carpet, window coverings and related equipment student wellness rooms
49	Albuquerque	Hawthorne Elementary School	\$175,800	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
50	Albuquerque	Hayes Middle School	\$125,000	To plan, design, construct, purchase, equip and furnish outdoor benches and shade structures
51	Albuquerque	Helen Cordero Elementary School	\$100,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
52	Albuquerque	Highland High School	\$133,000	To purchase, acquire, furnish, improve or install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure the improvements libraries and bookrooms
53	Albuquerque	Hoover Middle School	\$65,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping

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# Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
54 16-65 (GF)	Albuquerque	Hubert H. Humphrey Elementary School	\$75,000	To purchase, install, furnish and improve library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure libraries and bookrooms
55 16-66 (GF)	Albuquerque	Inez Elementary School	\$75,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
56 16-67 (GF)	Albuquerque	Jackson Middle School	\$225,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping
57 16-68 (GF)	Albuquerque	Janet Kahn School of integrated arts	\$50,000	To plan, design, construct, equip, purchase and furnish infrastructure, shade structures, benches and landscaping outdoor learning spaces, including equipment and infrastructure to improve wireless internet connectivity
58 16-69 (GF)	Albuquerque	Jefferson Middle School	\$75,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
59 16-70 (GF)	Albuquerque	Jimmy Carter Middle School	\$100,000	To plan, design, construct, purchase, equip and furnish outdoor benches and shade structures
60 16-71 (GF)	Albuquerque	John Adams Middle School	\$150,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping
61 16-72 (GF)	Albuquerque	John Baker Elementary School	\$65,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
62 16-73 (GF)	Albuquerque	Kennedy Middle School	\$150,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping
63 16-74 (GF)	Albuquerque	Kit Carson Elementary School	\$100,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping
64 16-75 (GF)	Albuquerque	La Academia de Esperanza Charter School	\$350,000	To plan, design, construct, furnish, renovate and equip buildings and grounds, fencing, information technology and related equipment, furniture and infrastructure and security infrastructure, including the purchase and installation of portable buildings and related equipment

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## Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
65 16-76 (GF)	Albuquerque	La Cueva High School	\$90,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
66 16-77 (GF)	Albuquerque	La Mesa Elementary School	\$102,000	To purchase and install information technology, including related equipment, furniture and infrastructure, digital touch screens and classroom presentation boards
67 16-78 (GF)	Albuquerque	Lyndon B. Johnson Middle School	\$225,850	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
68 16-79 (GF)	Albuquerque	Lew Wallace Elementary School	\$50,000	To plan, design, construct, equip, purchase and furnish infrastructure, shade structures, benches and landscaping outdoor learning spaces, including equipment and infrastructure to improve wireless internet connectivity
69 16-80 (GF)	Albuquerque	Longfellow Elementary School	\$50,000	To plan, design, construct, purchase, equip and furnish outdoor benches and shade structures
70 16-81 (GF)	Albuquerque	Los Padillas Elementary School	\$100,000	To plan, design, construct, equip, purchase and furnish infrastructure, shade structures, benches and landscaping outdoor learning spaces, including equipment and infrastructure to improve wireless internet connectivity
71 16-82 (GF)	Albuquerque	Los Puentes Charter School	\$100,000	To plan, design, construct, furnish, renovate and equip buildings and grounds, including fencing, information technology and related equipment, furniture, infrastructure, security infrastructure and related equipment
72 16-83 (GF)	Albuquerque	Los Ranchos Elementary School	\$120,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
73 16-84 (GF)	Albuquerque	MacArthur Elementary School	\$170,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
74 16-85 (GF)	Albuquerque	Madison Middle School	\$75,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
75 16-86 (GF)	Albuquerque	Manzano High School	\$200,000	To plan, design, improve, construct, renovate, equip and install site improvements and information technology, including the purchase and installation of career technical equipment, infrastructure, furniture and fixtures

# Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
76 16-87 (GF)	Albuquerque	Marie Hughes Elementary School	\$250,000	To plan, design, build, purchase, equip, furnish and install fixtures, furniture, flooring, carpet, window coverings and related equipment student wellness rooms
77 16-88 (GF)	Albuquerque	Mark Armijo Academy	\$525,000	To plan, design, construct, purchase, improve, renovate and equip facilities
78 16-89 (GF)	Albuquerque	Mary Ann Binford Elementary School	\$125,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
79 16-90 (GF)	Albuquerque	Mission Avenue Elementary School	\$120,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
80 16-91 (GF)	Albuquerque	Monte Vista Elementary School	\$50,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
81 16-92 (GF)	Albuquerque	Montessori of Rio Grande Charter School	\$50,000	To plan, design, construct and improve the grounds, including the purchase and installation of fencing, turf, drainage improvements, landscaping and related equipment
82 16-93 (GF)	Albuquerque	Montezuma Elementary School	\$40,000	To plan, design, construct, purchase, equip and furnish outdoor benches and shade structures
83 16-94 (GF)	Albuquerque	Mountain View Elementary School	\$100,000	To plan, design, construct, equip, purchase and furnish infrastructure, shade structures, benches and landscaping outdoor learning spaces, including equipment and infrastructure to improve wireless internet connectivity
84 16-95 (GF)	Albuquerque	Navajo Elementary School	\$75,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping
85 16-96 (GF)	Albuquerque	Nex+Gen Academy	\$100,000	To plan, design, construct, purchase, equip and furnish outdoor benches and shade structures
86 16-97 (GF)	Albuquerque	North Star Elementary School	\$50,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping

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## Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses	87
87 16-98 (GF)	Albuquerque	Onate Elementary School	\$75,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing	87
88 16-99 (GF)	Albuquerque	Osuna Elementary School	\$90,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping	88
89 16-100 (GF)	Albuquerque	Pajarito Elementary School	\$100,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing	89
90 16-101 (GF)	Albuquerque	Petroglyph Elementary School	\$103,903	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping	90
91 16-102 (GF)	Albuquerque	Reginald Chavez Elementary School	\$50,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping	91
92 16-103 (GF)	Albuquerque	Rio Grande High School	\$600,000	To plan, design, construct, purchase, renovate, equip and improve the grounds and parking lots, including fencing, resurfacing, striping, drainage, traffic signs and landscaping	92
93 16-104 (GF)	Albuquerque	Rio Grande High School	\$120,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping	93
94 16-105 (GF)	Albuquerque	Rudolfo Anaya Elementary School	\$40,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing	94
95 16-106 (GF)	Albuquerque	S.Y. Jackson Elementary School	\$65,000	To purchase, install, furnish and improve library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure libraries and bookrooms	95
96 16-107 (GF)	Albuquerque	Sandia High School	\$600,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping	96
97 16-108 (GF)	Albuquerque	Sandia Mountain Natural History Center	\$102,278	To plan, design, construct, equip, purchase and furnish infrastructure, shade structures, benches and landscaping outdoor learning spaces, including equipment and infrastructure to improve wireless internet connectivity	97

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# Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
98 16-109 (GF)	Albuquerque	Siembra Leadership High School	\$150,000	To plan, design, construct, furnish, renovate and equip buildings and grounds, including fencing, information technology and related equipment, furnishings and infrastructure, security infrastructure and installation of related equipment
99 16-110 (GF)	Albuquerque	Sierra Vista Elementary School	\$175,850	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
100 16-111 (GF)	Albuquerque	Sombra del Monte Elementary School	\$50,000	To plan, design, construct, equip, purchase and furnish infrastructure, shade structures, benches and landscaping outdoor learning spaces, including equipment and infrastructure to improve wireless internet connectivity
101 16-112 (GF)	Albuquerque	Sunset View Elementary School	\$53,388	To plan, design, construct, upgrade and renovate school facilities to improve energy efficiency and water conservation, including lighting, turf, solar panels, window coverings and xeriscaping
102 16-113 (GF)	Albuquerque	Susie Rayos Marmon Elementary School	\$175,850	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
103 16-114 (GF)	Albuquerque	Taft Middle School	\$120,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
104 16-115 (GF)	Albuquerque	Taylor Middle School	\$181,367	To plan, design, construct, equip, purchase and furnish infrastructure, shade structures, benches and landscaping outdoor learning spaces, including equipment and infrastructure to improve wireless internet connectivity
105 16-116 (GF)	Albuquerque	Tierra Antigua Elementary School	\$175,850	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
106 16-117 (GF)	Albuquerque	Tomasita Elementary School	\$175,000	To plan, design, construct, renovate, purchase, equip and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing
107 16-118 (GF)	Albuquerque	Tony Hillerman Middle School	\$138,980	To plan, design, construct, upgrade and renovate school facilities to improve energy efficiency and water conservation, including lighting, turf, solar panels, window coverings and xeriscaping
108 16-119 (GF)	Albuquerque	Tres Volcanes Community Collaborative School	\$150,000	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping

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## Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses	
109 16-120 (GF)	Albuquerque	Truman Middle School	\$175,000	To plan, design, construct, purchase, equip and furnish outdoor benches and shade structures	109
110 16-121 (GF)	Albuquerque	Valley High School	\$322,500	To plan, design, construct and renovate fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of weight room and sports equipment, fencing, bleachers, track resurfacing, paving and landscaping	110
111 16-122 (GF)	Albuquerque	Van Buren Middle School	\$150,000	To plan, design, construct, renovate, equip and improve the buildings and grounds, including the purchase and installation of a marquee, exterior lighting and electrical systems	111
112 16-123 (GF)	Albuquerque	Van Buren Middle School	\$105,000	To purchase and install information technology, including related equipment, furniture and infrastructure, digital touch screens and classroom presentation boards	112
113 16-124 (GF)	Albuquerque	Ventana Ranch Elementary School	\$125,000	To plan, design, improve, construct, renovate, equip and install site improvements and information technology, including the purchase and installation of career technical equipment, infrastructure, furniture and fixtures	113
114 16-125 (GF)	Albuquerque	Vision Quest Alternative Middle School	\$70,000	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing	114
115 16-126 (GF)	Albuquerque	Volcano Vista High School	\$324,190	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing	115
116 16-127 (GF)	Albuquerque	Washington Middle School	\$55,000	To plan, design, construct, renovate, equip and provide improvements to fine art facilities, art rooms, performing art buildings and music classes, including the purchase and installation of stage curtains, seating, carpet, sound and lighting, refinishing of stages, kilns, musical instruments, band equipment, choir risers, information technology and related equipment and furniture	116
117 16-128 (GF)	Albuquerque	West Mesa High School	\$175,850	To plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology and facilities, the purchase and installation of secure entryways and fencing	117
118 16-129 (GF)	Albuquerque	Whittier Elementary	\$50,000	To plan, design, build, purchase, equip, furnish and install fixtures, furniture, flooring, carpet, window coverings and related equipment student wellness rooms	118

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# Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
119 16-130 (GF)	Albuquerque	Wilson Middle School	\$155,000	To plan, design, construct, renovate, equip and provide improvements to fine art facilities, art rooms, performing art buildings and music classes. including the purchase and installation of stage curtains, seating, carpet, sound and lighting, refinishing of stages, klins, musical instruments, band equipment, choir risers, information technology and related equipment and furniture
120 16-131 (GF)	Albuquerque	Wilson Middle School	\$152,278	To plan, design, construct, equip, purchase and furnish infrastructure, shade structures, benches and landscaping outdoor learning spaces, including equipment and infrastructure to improve wireless internet connectivity
121 16-212 (GF)	Albuquerque	New Mexico International School	\$100,000	To plan, design and construct parking lot and traffic flow improvements
122 16-149 (GF)	Animas	Districtwide	\$75,000	To purchase and equip a maintenance service truck with utility box and utility dump trailer
123 16-213 (GF)	Animas	Districtwide	\$250,000	To plan, design and construct parking lot improvements, including entrance and exit roads and paving, sealing and striping
124 16-139 (GF)	Artesia	Districtwide	\$800,000	To plan, design, construct, renovate, equip and improve the running track the Bulldog bowl
125 16-140 (GF)	Artesia	Districtwide	\$500,000	To plan, design, construct, purchase, equip and improve the career technical education facilities
126 16-184 (GF)	Bernalillo	Cochiti Elementary and Middle Schools	\$200,000	To plan, design, construct, furnish and equip a multicultural center including training spaces and language and innovation classrooms
127 16-168 (GF)	Chama Valley	Tierra Amarilla Elementary School	\$100,000	To plan, design and construct improvements including structural repair, mold remediation and sidewalk repair accessibility and code compliance
128 16-142 (GF)	Cobre	Districtwide	\$185,000	To plan, design, construct, improve, purchase and install information technology and security systems, including related infrastructure, equipment, furniture and cameras

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## Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses	129
129 16-143 (GF)	Cobre	Districtwide	\$500,000	To plan, design, construct, equip and furnish improvements to athletic complexes	129
130 16-185 (GF)	Cuba	Districtwide	\$310,000	To plan, design, construct, furnish, equip and renovate areas within a school building use as a health facility, including fencing, information technology and related furnishings, equipment and infrastructure, security infrastructure and purchase and installation of related equipment	130
131 16-172 (GF)	Elida	Districtwide	\$325,000	To purchase and equip an activity bus, including addition of the school logo and colors	131
132 16-173 (GF)	Elida	Districtwide	\$110,000	To plan, design, construct, replace and improve flooring in the gymnasium lobby, elementary school hallways and high school hallways	132
133 16-169 (GF)	Española	Española Valley High School	\$40,000	To purchase and equip a utility terrain vehicle security staff	133
134 16-171 (GF)	Española	El Rito Elementary School/ Ojo Caliente Elementary School	\$206,222	To plan, design and construct an allseason turf playground El Rito elementary school and to plan, design, construct, improve and replace heating, ventilation and air conditioning systems	134
135 16-174 (GF)	Floyd	Districtwide	\$175,000	To plan, design, construct, replace and improve floors in a gymnasium and a multipurpose room	135
136 16-135 (GF)	Hatch Valley	Hatch Valley High School	\$100,000	To purchase, install and equip a controlled environment vertical garden unit	136
137 16-157 (GF)	Hondo Valley	Districtwide	\$125,000	To plan, design, construct and improve roofing	137
138 16-158 (GF)	Hondo Valley	Districtwide	\$760,000	To plan, design, purchase and construct a water tank	138
139 16-132 (GF)	Lake Arthur	Lake Arthur High School	\$150,000	To plan, design, construct, improve and equip bathrooms	139

Note: Red-text indicates language was vetoed.

# Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
140 16-133 (GF)	Lake Arthur	Lake Arthur Middle School	\$225,000	To plan, design, construct and repair the roof
141 16-136 (GF)	Las Cruces	Districtwide	\$75,000	To plan, design, construct and renovate an employee assistance and staff wellness center
142 16-138 (GF)	Las Cruces	Rio Grande Preparatory institute	\$197,147	To plan, design, construct and renovate the front area of the school as a plaza mercado to showcase student work from the career and technical education programs
143 16-175 (GF)	Las Vegas City	Memorial Middle School	\$100,000	To plan, design, construct, furnish and equip a science laboratory, including plumbing, electrical, heating, ventilation and air conditioning systems and safety equipment
144 16-176 (GF)	Las Vegas City	Robertson High School	\$100,000	To plan, design, construct and replace bleachers in the Michael Marr gymnasium
145 16-180 (GF)	Las Vegas City	Districtwide	\$40,000	To purchase and install water filtration systems
146 16-181 (GF)	Las Vegas City	Mike Mateo Sena Elementary School	\$50,000	To plan, design, construct, improve and replace a water system, including water treatment facilities, wells, ventilation and drainage
147 16-182 (GF)	Las Vegas City	Robertson High School campus	\$100,000	To plan, design, construct, purchase and install gutters, downspouts and related piping and drains two buildings
148 16-183 (GF)	Las Vegas City	Robertson High School	\$160,000	To plan, design, construct, renovate and equip the media arts center including cameras, a studio laboratory and audio equipment
149 16-150 (GF)	Lordsburg	Districtwide	\$150,000	To plan, design, construct, replace and install security system cameras
150 16-151 (GF)	Lovington	Ben Alexander Elementary School	\$100,000	To plan, design, construct, purchase, install and equip a security system including playground fencing, a main entrance security gate, cameras, card access equipment and integration into the district security systems

Note: **Red-text** indicates language was vetoed.

## Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
151 16-152 (GF)	Lovington	Jefferson Elementary School	\$50,000	To plan, design, construct, purchase, install and equip a main entrance security system including cameras and card access equipment and integration into the district security systems
152 16-153 (GF)	Lovington	Llano Elementary School	\$150,000	To plan, design, construct, purchase, install and equip two main entrance security systems including cameras and card access equipment and integration into the district security systems
153 16-154 (GF)	Lovington	Lovington High School	\$100,000	To plan, design, construct, purchase, install and equip a main entrance security gate from the student parking lot to the main campus, including cameras and access controls, and to purchase and install one-way view film on classroom windows
154 16-155 (GF)	Lovington	Sixth Grade Academy	\$75,000	To plan, design, construct, purchase, install and equip a main entrance security system including cameras and card access equipment and integration into the district security systems
155 16-156 (GF)	Lovington	Yarbro Elementary School	\$100,000	To plan, design, construct, purchase, install and equip security systems, fencing and gates, including access control equipment, cameras and integration into district security systems, classroom wings
156 16-134 (GF)	Melrose	Districtwide	\$210,000	To purchase and equip an activity bus
157 16-164 (GF)	Mora	Mora High School/Holman Elementary School	\$50,000	To purchase, equip and install security fencing
158 16-165 (GF)	Mora	Districtwide	\$325,000	To plan, design, construct, furnish, equip and improve a building use as a recreation and emergency evacuation facility
159 16-211 (GF)	Mountainair	Districtwide	\$125,000	To purchase and equip an activity bus with wheelchair lift capabilities
160 16-205 (GF)	Questa	Districtwide	\$275,000	To plan, design, construct and equip a security system district schools, including cameras, security gates, security doors and technology and equipment to operate the system
161 16-159 (GF)	Region 9 REC	Region 9 REC- Multiple Districts	\$175,000	To plan, design, construct, furnish and equip a security system, including secure entrances, an early childhood complex

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# Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses	
162 16-160 (GF)	Region 9 REC	Region 9 REC - Multiple Districts	\$50,000	To plan, design, construct and equip improvements to the main offices, including a conference room and an elevator and bathrooms thmeat accessibility requirements	210
163 16-161 (GF)	Region 9 REC	Region 9 REC - Multiple Districts	\$34,500	To purchase, equip and install exterior doors the main offices	211
164 16-162 (GF)	Region 9 REC	Region 9 REC - Multiple Districts	\$25,000	To plan, design, construct and upgrade electrical fixtures and infrastructure the main office	212
165 16-163 (GF)	Region 9 REC	Region 9 REC - Multiple Districts	\$302,000	To plan, design, construct and replace a roof	213
166 16-186 (GF)	Rio Rancho	Rio Rancho High School/ V. Sue Cleveland High School	\$60,000	To plan, design and replace the baseball scoreboards	161
167 16-187 (GF)	Rio Rancho	Rio Rancho High School	\$15,000	To purchase and equip a public address sound system the gymnasium	162
168 16-188 (GF)	Rio Rancho	Districtwide	\$300,000	To plan, design, purchase and install an access control system the career technical education center	163
169 16-189 (GF)	Rio Rancho	Districtwide	\$300,000	To plan, design, purchase and install a security camera system the career technical education center	164
170 16-190 (GF)	Rio Rancho	Districtwide	\$200,000	To plan, design, purchase and install a gunshot detection system the career technical education center	165
171 16-192 (GF)	Rio Rancho	ASK Academy Charter School	\$987,000	To plan, design, construct, furnish and equip improvements to buildings and grounds including fencing, information technology, security infrastructure and installation of related equipment	166
172 16-193 (GF)	Rio Rancho	Enchanted Hills Elementary School	\$1,000,000	To plan, design, purchase and install a fire protection system	167

Note: **Red-text** indicates language was vetoed.

## Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses	
173 16-194 (GF)	Rio Rancho	Rio Rancho Elementary School	\$500,000	To plan, design, purchase and install a fire protection system	168
174 16-195 (GF)	Rio Rancho	Districtwide	\$250,000	To purchase and install intercom equipment to meet code requirements fire alarm integration campuses	169
175 16-196 (GF)	Rio Rancho	Districtwide	\$100,000	To plan, design, purchase and install security cameras middle schools	170
176 16-197 (GF)	Rio Rancho	Districtwide	\$450,000	To plan, design, purchase and install wireless network access points and cabling infrastructure	171
177 16-200 (GF)	Santa Fe	Ortiz Middle School	\$140,000	To plan, design, construct and replace water lines and infrastructure, including demolition, removal and replacement of concrete, building foundations, flooring and soil	172
178 16-201 (GF)	Santa Fe	Academy for Technology and the Classics Charter School	\$150,000	To plan, design, construct, furnish and equip a track and field sports facility, including parking, concessions, restrooms, a storage building, field lighting, drainage, fencing, bleachers and related furnishings	173
179 16-203 (GF)	Santa Fe	Districtwide	\$815,000	To plan, design and construct affordable housing lease to district staff on property owned by the Santa Fe public school district	174
180 16-148 (GF)	Santa Rosa	Districtwide	\$115,000	To purchase and equip an activity bus	175
181 16-141 (GF)	Silver City	Districtwide (Cliff Schools)	\$50,000	To plan, design, construct, equip and furnish improvements to the schools in Cliff	176
182 16-147 (GF)	Silver City	Districtwide	\$330,000	To purchase and equip activity buses	177
183 16-209 (GF)	Taos	Anansi Charter School	\$300,000	To plan, design and construct a building and to construct and improve facilities, including a secure covered entry portal and upgrades to electrical, plumbing, technology and security systems	178

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# Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses	
184 16-210 (GF)	Taos	Districtwide	\$3,510,000	To plan, design, construct, furnish and equip an auxiliary multipurpose gym	179
185 16-166 (GF)	Wagon Mound	Districtwide	\$50,000	To plan, design, construct, replace and install fire panels the elementary and high schools	180
186 16-167 (GF)	Wagon Mound	Districtwide	\$115,000	To purchase and equip an activity bus	181
187 16-177 (GF)	West Las Vegas	West Las Vegas High School	\$200,000	To plan, design, construct, furnish and equip a greenhouse	182
188 16-178 (GF)	West Las Vegas	Districtwide	\$100,000	To purchase and equip sound systems	183
189 16-179 (GF)	West Las Vegas	West Las Vegas High School	\$100,000	To plan, design, construct and equip a health and wellness center	184
<b>TOTAL - SCHOOL DISTRICTS</b>			<b>\$37,032,511</b>		
190 16-1 (GF)	State Charter	Twenty-First Century Public Academy	\$440,000	To acquire land an expansion of the campus and to plan, design, construct, furnish, renovate and equip improvements to buildings and grounds, including fencing, information technology, security infrastructure and installation of related equipment	185
191 16-3 (GF)	State Charter	ACES Technical Charter School	\$100,000	To purchase school equipment, including classroom furniture and technology, and to install information technology and related equipment, furniture and infrastructure science, technology, engineering and mathematics education	186
192 16-5 (GF)	State Charter	Albuquerque School of Excellence Charter School	\$125,000	To plan, design, construct, furnish and equip improvements to buildings and grounds, including fencing, information technology, security infrastructure, outdoor learning spaces and installation of related equipment,	187
193 16-6 (GF)	State Charter	Albuquerque Collegiate Charter School	\$100,000	To plan, design, construct, furnish, equip, purchase and install improvements to buildings and grounds, including fencing, information technology and related equipment, furniture and infrastructure, a playground and related equipment	188
194 16-8 (GF)	State Charter	Altura Preparatory School	\$20,000	To plan, design, construct, furnish and equip improvements to buildings and grounds including fencing, information technology, security infrastructure and installation of related equipment	189

Note: **Red-text** indicates language was vetoed.

## Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
195 16-9 (GF)	State Charter	Cesar Chavez Community School	\$95,000	To plan, design, construct, furnish and equip improvements to buildings and grounds including fencing, information technology, security infrastructure and installation of related equipment
196 16-14 (GF)	State Charter	Mission Achievement and Success Charter School	\$200,000	To plan, design, construct, furnish and equip buildings and grounds including fencing, information technology, security infrastructure and installation of related equipment, in Albuquerque in Bernalillo county;
197 16-18 (GF)	State Charter	South Valley Preparatory School	\$432,000	To plan, design, construct, purchase, equip and improve facilities
198 16-19 (GF)	State Charter	Solare Collegiate Charter School	\$195,000	To plan, design, construct, furnish, equip, purchase and install improvements to buildings and grounds, including fencing, information technology and related equipment, furniture and infrastructure, security infrastructure and related equipment
199 16-20 (GF)	State Charter	South Valley Preparatory School	\$25,000	To plan, design, construct, purchase, renovate, expand, furnish and equip classrooms, a multipurpose area and early childhood facilities
200 16-22 (GF)	State Charter	Southwest Aeronautics Mathematics and Science Academy Charter School	\$200,000	To plan, design, construct, furnish and equip improvements to buildings and grounds including fencing, information technology, security infrastructure and installation of related equipment
201 16-137 (GF)	State Charter	New America School	\$200,000	To plan, design, construct, furnish, renovate and equip buildings and grounds, including fencing, information technology and related equipment, furniture and infrastructure, security infrastructure and installation of related equipment, and to purchase and equip activity vehicles
202 16-144 (GF)	State Charter	Aldo Leopold Charter School	\$160,000	To purchase and equip activity vehicles
203 16-145 (GF)	State Charter	Aldo Leopold Charter School	\$150,000	To plan, design, construct, furnish and equip improvements
204 16-146 (GF)	State Charter	Aldo Leopold Charter School	\$75,000	To plan, design, construct, furnish and equip improvements to outdoor classrooms
205 16-170 (GF)	State Charter	McCurdy Charter School	\$210,000	To plan, design, install and construct security system improvements, including perimeter fencing, cameras, vape detectors and supporting technology

Note: Red-text indicates language was vetoed.

# Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
206 16-191 (GF)	State Charter	Sandoval Academy of Bilingual Education	\$200,000	To plan, design, construct, furnish, renovate and equip buildings and grounds, including fencing, information technology and related equipment, furniture and infrastructure, security infrastructure and related equipment
207 16-198 (GF)	State Charter	Turquoise Trail Charter School	\$235,000	To plan, design, construct, replace and renovate an elementary school playground
208 16-199 (GF)	State Charter	New Mexico School for the Arts	\$685,000	To plan, design, construct equip and furnish the final phase of a student dormitory
209 16-202 (GF)	State Charter	Thrive Community Charter School	\$200,000	To plan, design, construct, furnish, renovate and equip buildings and grounds, including fencing, information technology and related equipment, furniture and infrastructure, security infrastructure and related equipment
210 16-204 (GF)	State Charter	Roots and Wings Community School	\$200,000	To plan, design, construct, improve and repair buildings and grounds
211 16-206 (GF)	State Charter	Red River Valley Charter School	\$400,000	To plan, design, construct and equip facilities, including parking lots, fencing and playground equipment
212 16-207 (GF)	State Charter	Taos Academy Charter School	\$100,000	To plan, design, construct and equip a career technical education facility
213 16-208 (GF)	State Charter	Vista Grande Charter High School	\$110,000	To plan, design, construct, purchase and equip a portable building and a modular building a middle school
<b>SUBTOTAL - CHARTER SCHOOLS</b>			<b>\$4,857,000</b>	
<b>SUBTOTAL - SCHOOL DISTRICTS AND CHARTER SCHOOLS (GF)</b>			<b>\$41,889,511</b>	
214 44-1 (PSCOF)	PED	Statewide	\$315,000	To purchase cameras newly purchased to-and-from buses
215 44-2 (PSCOF)	PED	Statewide	\$16,700,000	To purchase district-owned to-and-from school buses statewide; and

Note: **Red-text** indicates language was vetoed.



## Appendix I: Direct Capital Outlay Appropriations

Approp. Section and Number (Source)	District	School	Amount	Allowable Expenses
216 44-3 (PSCOF)	PED	Statewide	\$20,000,000	To plan, design, construct, renovate, furnish and equip tribal libraries statewide, including facilities in the Pueblo of Jemez, the Pueblo of Santa Clara, the Pueblo of Santo Domingo and the Mescalero Apache Nation, with award amounts to be determined by the department based on submission of cost estimates from a qualified professional and documentation of readiness to proceed
217 45-1 (PSCOF)	PSFA	Statewide	\$65,000,000	To make a distribution to each school district in fiscal year 2024 career-technical educational facilities and pre-kindergarten facilities for the maintenance and repair of public school buildings in fiscal year 2024 and subsequent fiscal years. The public school facilities authority shall make the distribution to each school district in a manner such that each school district receives the greater of one hundred thousand dollars (\$100,000) or a percentage of the total appropriation equal to the percentage attributable to that school district from the total distributions made to school districts fiscal year 2024 pursuant to the Public School Capital Improvements Act. A distribution provided to a school district pursuant to the appropriation made in this section is not subject to any local match or offset otherwise required pursuant to the Public School Capital Outlay Act; and
218 45-2 (PSCOF)	PSFA	Statewide	\$35,000,000	To make a distribution to each school district in fiscal year 2024 for school security infrastructure in public school buildings in fiscal year 2024 and subsequent fiscal years. The public school facilities authority shall make the distribution to each school district in a manner such that each school district receives the greater of fifty thousand dollars (\$50,000) or a percentage of the total appropriation equal to the percentage attributable to that school district from the total distributions made to school districts fiscal year 2024 pursuant to the Public School Capital Improvements Act. A distribution provided to a school district pursuant to the appropriation made in this section is not subject to any local match or offset otherwise required pursuant to the Public School Capital Outlay Act.
219 46-1 (PSCOF)	PSFA	Statewide	\$5,000,000	For expenditure in fiscal years 2023 through 2027, unless otherwise provided in Section 2 of this act, to plan, design, construct, renovate and equip infrastructure improvements and classrooms for pre-kindergarten facilities statewide
220 46-1 (PSCOF)	PSFA	Statewide	\$5,000,000	For expenditure in fiscal years 2023 through 2027, unless otherwise provided in Section 2 of this act, to plan, design, construct, renovate and equip infrastructure improvements and classrooms for pre-kindergarten facilities statewide
<b>SUBTOTAL - STATE AGENCIES (PSCOF)</b>			<b>\$147,015,000</b>	
<b>TOTAL - PUBLIC SCHOOL CAPITAL APPROPRIATIONS</b>			<b>\$188,904,511</b>	

Note: Red-text indicates language was vetoed.

