

SENATE BILL 201

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Roberto "Bobby" J. Gonzales

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

FOR THE LEGISLATIVE FINANCE COMMITTEE

AN ACT

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

.229275.1AIC February 24, 2025 (2:27pm)

underscored material = new  
[bracketed material] = delete  
Amendments: new = →bold, blue, highlight↵  
delete = →bold, red, highlight, strikethrough↵

underscored material = new  
[bracketed material] = delete  
Amendments: new = →bold, blue, highlight←  
delete = →bold, red, highlight, strikethrough←

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

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

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

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

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

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

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

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

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

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

B. All information requested pursuant to Subsection A of this section shall be submitted on forms prescribed and furnished by the department and shall comply with the

underscored material = new  
[bracketed material] = delete  
Amendments: new = →bold, blue, highlight←  
delete = →bold, red, highlight, strikethrough←

department's rules and procedures.

C. The department shall:

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

(2) submit annually, on or before ~~November 30~~ September 1, to the ~~secretary~~ department of finance and administration, the legislative finance committee and the legislative education study committee the recommendations of the department for:

(a) amendments to the public school finance formula;

(b) appropriations for the succeeding fiscal year to the public school fund ~~[for inclusion in the executive budget document; and]~~; SEC→and←SEC

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

SEC→~~(d) appropriations for the succeeding fiscal year for programs with accountability and evaluation plans pursuant to Section 22-8-23.13 NMSA 1978 that demonstrate causal evidence of improving approved performance measures pursuant to Section 6-3A-8 NMSA 1978; and~~←SEC

(3) submit annually, on or before November 30, to the department of finance and administration, the

underscored material = new  
[bracketed material] = delete  
Amendments: new = bold, blue, highlight  
delete = bold, red, highlight, strikethrough

legislative finance committee and the legislative education study committee any adjustments to the recommendations of the department for appropriations related to additional enrollment growth program units pursuant to Section 22-8-23.1 NMSA 1978."

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

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

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

B. Subject to legislative appropriation, money in the fund is appropriated to the department for the purposes of implementing ~~[evidence-based]~~ and evaluating public education reforms and 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 or promoting public education accountability]~~ SEC→ affecting performance measures approved pursuant to Section 6-3A-5 NMSA 1978←SEC .

C. The department of finance and administration, SEC→ after consultation with←SEC the legislative finance committee and the legislative education study committee SEC→ shall approve instructions for accountability and

underecored material = new  
[bracketed material] = delete  
Amendments: new = →bold, blue, highlight←  
delete = →bold, red, highlight, strikethrough←

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

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

(2) describe the specific activities of the program SEC→, including expected roles and responsibilities of all participating entities, ←SEC and how those activities SEC→and entities ←SEC will achieve expected program outcomes;

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

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

(5) provide a program evaluation plan to assess the causal impact of the program on expected outcomes SEC→whenever possible or, when not possible to assess causal impact, provide a rationale for the proposed evaluation design ←SEC ; and

(6) provide a description of methods, including planned statistical analysis, SEC→the agency or entity responsible for performing the evaluation ←SEC and the

underscored material = new

[bracketed material] = delete

Amendments: new = →bold, blue, highlight←

delete = →bold, red, highlight, strikethrough←

time line for releasing performance and program evaluation results to the department of finance and administration, the legislative finance committee, the legislative education study committee and the public.

~~SEC→D. The department shall submit an accountability and evaluation plan for each program receiving an appropriation from the public education reform fund to the department of finance and administration, the legislative finance committee and the legislative education study committee on or before June 15 of each year, and a final accountability and evaluation plan shall be approved by the department of finance and administration, after consultation with the legislative finance committee and the legislative education study committee, on or before September 1 of the first year of the appropriation."~~←SEC

SEC→D. The department shall submit an accountability and evaluation plan for each program receiving an appropriation from the public education reform fund to the department of finance and administration, the legislative finance committee and the legislative education study committee on or before July 1 of the year the appropriation is made and, if the department of finance and administration, the legislative finance committee and the legislative education study committee require, a revised plan on or before September

underscored material = new  
[bracketed material] = delete  
Amendments: new = →bold, blue, highlight←  
delete = →bold, red, highlight, strikethrough←

l of the same year.

E. On or before September 1 of the final year of an appropriation for a program or project, the department, the department of finance and administration, the legislative finance committee and the legislative education study committee shall consider the evaluation performed on the program or project and make recommendations regarding recurring funding for the following fiscal year."←SEC

- 7 -