

1 SENATE BILL 201
2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY
4 Roberto "Bobby" J. Gonzales
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7
8 FOR THE LEGISLATIVE FINANCE COMMITTEE
9

10 AN ACT

11 RELATING TO PUBLIC SCHOOL FINANCE; CHANGING THE USE OF THE
12 PUBLIC EDUCATION REFORM FUND TO ALLOW FUNDING FOR REFORM
13 PROJECTS INCLUDED IN ACCOUNTABILITY AND EVALUATION PLANS
14 APPROVED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION;
15 REQUIRING THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO
16 CONSULT WITH THE LEGISLATIVE FINANCE COMMITTEE AND THE
17 LEGISLATIVE EDUCATION STUDY COMMITTEE PRIOR TO APPROVING
18 INSTRUCTIONS FOR ACCOUNTABILITY AND EVALUATION PLANS.
19

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

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

23 "22-8-12.1. MEMBERSHIP PROJECTIONS AND BUDGET
24 REQUESTS.--

25 A. Each local school board or governing body of a

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1 state-chartered charter school shall submit annually, on or
2 before October 15, to the department:

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

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

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

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

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

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

17 B. All information requested pursuant to Subsection
18 A of this section shall be submitted on forms prescribed and
19 furnished by the department and shall comply with the
20 department's rules and procedures.

21 C. The department shall:

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

25 (2) submit annually, on or before ~~November~~

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1 30] September 1, to the [~~secretary~~] department of finance and
2 administration, the legislative finance committee and the
3 legislative education study committee the recommendations of
4 the department for:

5 (a) amendments to the public school
6 finance formula;

7 (b) appropriations for the succeeding
8 fiscal year to the public school fund [~~for inclusion in the~~
9 ~~executive budget document; and~~];

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

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

18 (3) submit annually, on or before November 30,
19 to the department of finance and administration, the
20 legislative finance committee and the legislative education
21 study committee any adjustments to the recommendations of the
22 department for appropriations related to additional enrollment
23 growth program units pursuant to Section 22-8-23.1 NMSA 1978."

24 SECTION 2. Section 22-8-23.13 NMSA 1978 (being Laws 2019,
25 Chapter 206, Section 19 and Laws 2019, Chapter 207, Section 19)

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1 is amended to read:

2 "22-8-23.13. PUBLIC EDUCATION REFORM FUND CREATED.--

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

7 B. Subject to legislative appropriation, money in
8 the fund is appropriated to the department for the purposes of
9 implementing ~~[evidence-based]~~ and evaluating public education
10 reforms and initiatives ~~[related to high-quality teaching and~~
11 ~~school leadership, extended learning opportunities for~~
12 ~~students, educational interventions for at-risk students,~~
13 ~~effective and efficient school administration or promoting~~
14 ~~public education accountability]~~ affecting performance measures
15 approved pursuant to Section 6-3A-5 NMSA 1978.

16 C. The department of finance and administration,
17 after consultation with the legislative finance committee and
18 the legislative education study committee, shall approve
19 instructions for accountability and evaluation plans and shall
20 send the instructions on or before May 1 to the department.
21 The notification shall set forth the process for completing and
22 submitting accountability and evaluation plans and shall direct
23 the department to:

24 (1) identify the goals, objectives and
25 expected outputs and outcomes of the program receiving an

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1 appropriation from the public education reform fund;

2 (2) describe the specific activities of the
3 program and how those activities will achieve expected program
4 outcomes;

5 (3) provide a summary of whether the program
6 is evidence-based, research-based, promising or does not yet
7 have rigorous research on its effectiveness;

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

10 (5) provide a program evaluation plan to
11 assess the causal impact of the program on expected outcomes;
12 and

13 (6) provide a description of methods,
14 including planned statistical analysis, and the time line for
15 releasing performance and program evaluation results to the
16 department of finance and administration, the legislative
17 finance committee, the legislative education study committee
18 and the public.

19 D. The department shall submit an accountability
20 and evaluation plan for each program receiving an appropriation
21 from the public education reform fund to the department of
22 finance and administration, the legislative finance committee
23 and the legislative education study committee on or before June
24 15 of each year, and a final accountability and evaluation plan
25 shall be approved by the department of finance and

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1 administration, after consultation with the legislative finance
2 committee and the legislative education study committee, on or
3 before September 1 of the first year of the appropriation."

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