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LEGISLATIVE EDUCATION STUDY COMMITTEE BILL ANALYSIS

54th Legislature, 2nd Session, 2020

| Bill Number | SB292/SIACS | Sponsor SIAC | |
|--------------|--------------------------|-----------------------------|--------------------|
| Tracking Num | 1 ber .217706.2 | Committee Referrals | SAIC/SFC |
| Short Title | Public Peace, Health, Sa | afety & Welfare (Changes to | Impact Aid) |
| - | | Origi | nal Date 2/18/2020 |
| Analyst Sim | on/Andrews | Last | Updated 2/19/2020 |
| • | | | - |

BILL SUMMARY

Synopsis of Bill

The Senate Indian and Cultural Affairs Committee Substitute for Senate Bill 292 (SB292/SIACS) would create a new section of the Public School Finance Act to provide school districts and statechartered charter schools with more than \$1 million in public school funding formula credits for federal Impact Aid with additional funding for instruction, student support services, instructional support services, capital outlay projects, and maintenance.

FISCAL IMPACT

The Senate Finance Committee Amendment to the House Appropriations and Finance Committee Substitute for House Bills 2 and 3 appropriates a total of \$18.9 million from the public school capital outlay fund to the Public School Facilities Authority (PSFA) for maintenance, repairs and other infrastructure expenditures in school districts and state-chartered charter schools that receive federal Impact Aid payments for students residing on Indian lands; PSFA will allocate an amount to eligible school districts and state-chartered charter schools based on the amount of federal Impact Aid credited in the SEG. It is important to note that school districts and state-chartered charter schools would only be eligible for this funding if they receive Indian Education Impact Aid revenue. See Attachment 6, Federal Impact Aid Payments, FY19.

SB292/SIACS provides additional state funding to certain school districts, which could have a disequalizing effect on school district and state-chartered charter school operational funding. New Mexico's public school funding formula is designed to equitably distribute state funding to school districts and state-chartered charter schools to minimize disparities in revenue available for operations. SB292/SIACS provides additional revenue outside of the public school funding formula to school districts with more than \$1 million in funding formula credits for federal Impact Aid. Based on FY19 funding formula credits, SB292/SIACS would allocate an estimated \$59.7 million to nine school districts, although this amount could increase based on actual FY20 Impact Aid payments. Although state-chartered charter school would be eligible to receive the grants proposed by SB292/SAICS, no state-chartered charter school currently reaches the \$1 million

threshold included in SB292/SIACS. Table 1 contains the nine school districts that would likely be eligible for grants.

SB292/SIACS appropriates an unspecified amount to the Public Education Department (PED) for distribution in FY21. The amount of the appropriation will be based on the actual amount of credited revenue for school districts and statechartered charter schools in FY20. Amounts appropriated to PED shall not revert at the end of FY21, however because the appropriation is for the actual amount that is to be distributed, there is unlikely to be any unexpended or unencumbered funds at the end of FY21.

| | Amount of FY19 |
|--------------------------------|-------------------|
| School District | Impact Aid Credit |
| Bernalillo Public Schools | \$3,649,632 |
| Central Consolidated Schools | \$18,132,411 |
| Cuba Independent Schools | \$1,124,646 |
| Dulce Independent Schools | \$3,122,036 |
| Gallup-McKinley County Schools | \$22,092,495 |
| Grants-Cibola County Schools | \$2,916,867 |
| Jemez Valley Public Schools | \$1,037,223 |
| Pojoaque Valley Public Schools | \$1,608,761 |
| Zuni Public Schools | \$5,978,855 |
| Estimtated Total | \$59,662,927 |

Source: LESC Files

Spending Restrictions and Reporting Requirements. SB292/SIACS allows school districts to use the grant funding provided by the bill on operational expenses, including instruction, support services for students, support services for instruction, and maintenance expenses. Most school district and state-chartered charter school spending would qualify to be spent from funds provided by the bill. In FY19, school districts and state-chartered charter schools spent about 70 percent of operational and grant funding on instruction, instructional support services and student support services. An additional 10 percent is spent on operations and maintenance of plant, which includes maintenance expenses allowed by the bill.

In addition to operational expenses, funds can be used to meet local match requirements for projects funded through the Public School Capital Outlay Council (PSCOC), or to make other capital improvement expenditures.

The bill requires this funding to be used in consultation with the Indian Affairs Department (IAD).

SB292/SIACS requires a school district or state-chartered charter school receiving funding based on the bill to report to PED and to the appropriate legislative interim committees on how the funding from this bill was expended. The bill does not explicitly provide PED the authority to set the report's content, but it is possible other financial reporting statutes give PED the authority to set the form and content of the report. It is unclear from the bill which interim committees will receive the reports. Possible committees include the Indian Affairs Committee, the Legislative Finance Committee, the Legislative Education Study Committee, or the Public School Capital Outlay Oversight Task Force.

The bill would not permit funds to be spent on food service operations, student transportation, or administrative expenses; however, these categories represent a relatively small share of overall spending. It is possible funds from the bill could supplant funds for instruction or support services currently funded with state equalization guarantee (SEG) dollars.

SUBSTANTIVE ISSUES

The federal Impact Aid program provides grants to school districts and state-chartered charter schools that are impacted by federal activity, based on the number of students enrolled in a school district or state-chartered charter school with a connection to federal activity. Children living on

Indian lands; children who live on federal property, including military bases and low-rent housing; children with parents that work on federal property; and children of military personnel are all considered "federally connected children." School districts and state-chartered charter schools apply for Impact Aid and receive the funds directly from the federal government. **Attachment 1: Federal Impact Aid Payments, FY19** shows school district and state-chartered charter school receipts of Impact Aid in FY19.

State Equalization. To maintain an equalized funding formula, the Public School Finance Act directs PED to include 75 percent of federal Impact Aid, federal forest reserve payments, and the local half mill levy when calculating a school district's or state-chartered charter school's state SEG distribution. The federal Impact Aid law allows a state with a program designed to equalize education funding to consider Impact Aid payments and reduce state aid payments when allocating state funds to school districts. States without an equalized funding formula are not allowed to consider Impact Aid when making state aid payments, and states may choose not to consider Impact Aid, though this could result in disequalization. Since the 1970s, New Mexico has been certified by the U.S. Department of Education as an equalized state.

Prior to the adoption of the funding formula in 1974, operational revenue to school districts was highly disequalized, and school districts with high levels of property wealth had more funding available for their schools. With the adoption of the new funding formula, New Mexico agreed to equalize operational revenue across school districts, including both federal revenues and local property taxes, although property taxes were assessed at a much higher rate before 1981. The funding formula allocates available funding to each school district and state-chartered charter school based on four revenue sources, depending on the unique circumstances and individualized needs of school districts and state-chartered charter schools to determine program cost, which each school district and state-chartered charter school is guaranteed to receive. A school district or state-chartered charter school will receive its full program cost through some combination of the SEG distribution, 75 percent of operational Impact Aid, 75 percent of federal forest reserve payments, and 75 percent of the local half mill levy.

Disparity Analysis. To consider Impact Aid as local revenue when allocating state aid, the state must demonstrate to the U.S. Secretary of Education that the disparity in per-student revenues is less than 25 percent, after eliminating the 5 percent of students with the highest per-student revenues and the 5 percent of students with the lowest per-student revenues. The calculation approved by the U.S. Department of Education also does not consider additional revenue provided to school districts and state-chartered charter schools based on the special needs of their student's population (such as special education funding or at-risk funding), or due to the geographic isolation of a school (such as the small school size adjustment). When performing the disparity test, federal regulations require the government to exclude amounts raised for capital outlay, debt service, and community service.

The disparity analysis approved by the U.S. Department of Education considers only unrestricted operational funding; however, some school districts receiving Impact Aid in New Mexico have challenged this calculation, arguing the disparity analysis should include funding for transportation, instructional materials, and other funding, including capital outlay funding. Although the funding included in SB292/SIACS is restricted, as discussed above, the bill allows spending for the vast majority of operational expenses. Additionally, making selective grants to certain school districts outside the public school funding formula could signal to the U.S. Department of Education a lack of commitment to equalized funding, potentially adding evidence to support the claims made by the school districts challenging the disparity calculation.

Public School Capital Outlay in SB292/SIACS. SB292/SIACS would create inequities in the PSCOC process, and potentially exacerbate the *Zuni* lawsuit, which is still ongoing. School districts that receive federal Impact Aid funds have argued these funds are essentially payments to replace lost property tax revenue because of federal activity. However, legislation has been enacted to provide additional state funding for school districts with low property tax bases. Laws 2018, Chapter 66 (SB30) changed PSCOC's state and local match calculation to be based on the net taxable value for a school district for the prior five years, the maximum allowable gross square footage per student pursuant to the adequacy planning guide, the cost per square foot of replacement facilities, and each school district's population density.

While *Zuni* litigant school districts have argued their Impact Aid is a payment in lieu of taxes and should be treated like property taxes and available for capital outlay, SB292/SIACS's payments would not be considered in PSCOC's state and local match calculation, which would introduce inequities into the state and local match calculation. The state and local match formula was put into place to provide equity in state funding of public school buildings and address the *Zuni* lawsuit. For this reason, the Legislature may want to consider including SB292/SIACS revenue that is used for capital outlay in the state and local match calculation, which would result in reducing the state share of projects at school districts that receive federally impacted location support program funds. See **Attachment 2, Potential Change to PSCOC State Match.** This analysis assumes 50 percent of SB292/SIACS revenue would be spent on capital outlay, however, it is important to note that SB292/SIACS allows up to 100 percent of funds to be spent on capital outlay.

This analysis shows that even with only 50 percent of SB292/SIACS revenue spent on capital outlay, all school districts would have more than 100 percent of what they would need to maintain their facilities. It also shows that if SB292/SIACS revenue were added to the state and local match calculation, all school districts receiving SB292/SIACS revenue would see their state match reduced to 6 percent – the lowest available – or 12 percent – the lowest available for rural school districts. For example, the FY21 state match for Jemez Valley Public Schools is 37 percent, and under SB292/SIACS the state match would not be changed. However, if SB292/SIACS was enacted and Jemez Valley Public Schools decided to use 50 percent of federally impacted support program funds for capital outlay, Jemez Valley Public Schools would have an additional \$190 thousand to spend on capital outlay annually, in addition to the \$380 thousand the state and local match formula estimates to be currently available. The PSCOC state match considers the amount of funding school districts need to replace their facilities over 45 years, and amortizes this amount to determine the amount of funding needed annually. Considering potential revenue from SB292/SIACS, Jemez Valley Public Schools is estimated to have \$570 thousand in annual capital outlay revenue, although only \$468 thousand is needed to replace their facilities to adequacy. This means Jemez Valley Public Schools would have 303 percent of what is needed for public school facilities, and if SB292/SIACS revenues were considered in the PSCOC state match calculation, Jemez Valley Public Schools would have their state match reduced from 37 percent to 12 percent. It is important to note that including SB292/SIACS funds would have lowered Jemez Valley Public School's state match to the floor of 6 percent – the lowest available under the Public School Capital Outlay Act - but Jemez Valley Public Schools receives 12 percent as a result of the school district's population density.

PSCOC uses the weighted New Mexico Condition Index (wNMCI) to rank the condition of school facilities, with schools in the worst condition at the top of the list of eligibility for PSCOC funding. Depending on state revenues, PSCOC determines a funding pool for applications, for example inviting schools ranked in the top 75 wNMCI to apply for funding. The PSCOC state match

determines how much the state participates in capital outlay funding for each school district. If SB292/SIACS capital outlay revenues are not considered in the PSCOC state match, school districts that receive federally impacted support program funds will still be able to receive their current level of funding from the state as their schools become eligible for funding. For example, Pojoaque Valley Public School's Pojoaque Middle School is currently ranked 40 on the wNMCI; if the school district decided to apply for PSCOC funding for Pojoaque Middle School, they would be able to receive 73 percent of the cost of the project from PSCOC. However, if federally impacted support program revenue was included in the calculation of the state and local match, Pojoaque Middle School would receive 6 percent of funding from PSCOC. See Attachment 3, School Districts that Receive Impact Aid Funds in the Top 100 FY20 wNMCI.

Public School Capital Outlay Funding. Litigant school districts have revived their claim that the capital outlay system is inequitable and argued that eliminating the 75 percent credit of Impact Aid funds would take care of the issue. The current standards-based public school capital outlay program was developed and established in response to a 1998 lawsuit filed in state district court by Zuni Public Schools and later joined by Gallup-McKinley County Public Schools and Grants-Cibola County Public Schools. Although the quality of school facilities has improved significantly since the lawsuit, and the state has awarded \$2.6 billion in capital outlay funding to school districts, litigant school districts are still concerned the system is inequitable. See **Attachment 4, Total PSCOC Dollars Awarded.** These alleged ongoing disparities led Gallup-McKinley County Schools to reopen the *Zuni* lawsuit – which had never been closed – and seek judicial intervention to cure what the school district characterizes as ongoing disparities in the current public school capital outlay funding system. For more information, see **LESC Annual Report** (https://www.nmlegis.gov/Entity/LESC/Documents/Reports_To_The_Legislature/LESCReportT_oLegislature_2020.pdf).

Work to Address Plaintiff Concerns. The reopening of the *Zuni* lawsuit and discussions during the 2019 legislative session prompted further consideration of the equity of the current public school capital outlay system. During the 2019 interim, multiple committees held legislative hearings on the issues with the current public school capital outlay system and potential solutions, including the feasibility of eliminating the operational credit the state takes for federal Impact Aid funds. In addition, the House Majority Office held multiple well-attended statewide meetings to discuss capital outlay issues and potential solutions for the 2020 legislatives session.

The state continues to work to ensure more equity in public school facility funding. A new state and local match formula, which adjusts the state and local shares of the PSCOC-funded projects based on a school district's ability to fund replacement of their schools, will be fully phased-in in FY24. In addition, PSCOC continues to adjust the public school capital outlay process. In response to plaintiff school district concerns, PSCOC directed the Public School Facilities Authority (PSFA), which staffs the council, to establish a process for funding teacher housing facilities. A separate retroactive standards-based award program allowed PSCOC to make awards to schools that received a standards-based award under an older version of the adequacy standards so they can "catch up" with current standards. PSFA reviewed past projects that received limited funding participation due to spaces being identified as "outside of adequacy" at the time of the award, but most requests from litigant school districts were for things within adequacy. In anticipation of another legislative authorization, PSFA will contact school districts eligible for retroactive standards-based awards and work to create an awards process.

ADMINISTRATIVE IMPLICATIONS

Under SB292/SIACS, the public school funding formula would continue to consider Impact Aid when allocating SEG dollars. As a result, PED will be required to continue to seek annual authorization from the U.S. Department of Education to certify the state as having in effect a program of state aid that equalizes expenditures for a free public education.

SB292/SAICS requires school districts and state-chartered charter schools receiving funds from the bill to consult with IAD. This provision would add a fourth state agency that has oversight over public school programs, in addition to PED, PSFA, and the Early Childhood Education and Care Department. These executive agencies may need to coordinate efforts to ensure school districts and state-chartered charter schools are not receiving contradictory guidance or requirements from different state agencies. IAD does not anticipate the requirements of SB292/SIACS would have a fiscal impact on the agency.

RELATED BILLS

Relates to HB4/aHEC/aHAFC, Federally Impacted Location Support Pgm, which creates a grant program for school districts and state-chartered charter schools that receive federal Impact Aid, based on a percentage of the average amount of total Impact Aid payments received for the preceding five school years.

Relates to SB142, Federal Revenue in School Funding, which removes the requirement that PED must take credit for 75 percent of federal Impact Aid payments in calculating a school district's or state-chartered charter school's SEG.

Relates to SB141, School Funding & Uses, appropriates \$86 million to PED to replace federal Impact Aid payments deducted from the distribution of state funds pursuant to the SEG.

Relates to SB135, Replace Some School Impact Aid Funding, which directs PED to distribute half of the federal Impact Aid credited under the SEG back to school districts that had at least \$1 million in federal Impact Aid funds credited against their SEG distribution and appropriates \$29.8 million to cover the distribution.

Relates to HB254 and SB159, Distributions to School Districts, which amends state funding calculations pursuant to the Public School Capital Improvements Act.

Relates to HB131, Distributions to Taxing School Districts, which would increase the state program guarantee pursuant to the Public School Capital Improvements Act.

Relates to SB198, School Impact Aid Credits Returned, which replaces the amount of federal Impact Aid credited under the SEG for school districts that had at least \$1 million in federal Impact Aid funds credited against their SEG distribution through a separate appropriation.

SB317, Fed Impacted Location Support Fund, which would establish a new state-funded grant program to provide school districts and state-chartered charter schools additional funding based on their amount of Impact Aid credited in the SEG.

SOURCES OF INFORMATION

- LESC Files
- Indian Affairs Department (IAD)

JWS/MA/tb/mc/sgs

| School District or Charter School | Operational Fund Impact Aid | Amount of SEG Credit | Indian Education Impact Aid | Special Education Impact Aid | Construction | Total |
|---------------------------------------|--------------------------------|----------------------|--------------------------------|---------------------------------|--------------|---------------|
| 1 Alamogordo Public Schools | \$979,075 | \$734,306 | | \$193,416 | | \$1,172,491 |
| 2 Albuquerque Public Schools | \$187,692 | \$140,769 | \$4,219 | \$112,494 | | \$304,404 |
| 3 Bernalillo Public Schools | \$4,866,177 | \$3,649,632 | \$1,213,004 | \$282,253 | | \$6,361,434 |
| 4 Bloomfield Schools | \$886,794 | \$665,095 | \$221,408 | \$166,479 | | \$1,274,680 |
| 5 Central Consolidated Schools | \$24,176,548 | \$18,132,411 | \$6,044,130 | \$1,209,741 | \$465,525 | \$31,895,943 |
| 6 Clovis Municipal Schools | \$379,641 | \$284,731 | | \$115,447 | | \$495,089 |
| 7 Cuba Independent Schools | \$1,499,528 | \$1,124,646 | \$371,357 | \$77,814 | \$31,613 | \$1,980,311 |
| 8 Dulce Independent Schools | \$4,162,714 | \$3,122,036 | \$1,040,676 | \$200,249 | \$75,713 | \$5,479,353 |
| e Española Public Schools | \$52,425 | \$39,319 | \$18,878 | \$19,478 | | \$90,782 |
| 10 Gallup-McKinley County Schools | \$29,456,661 | \$22,092,495 | \$7,303,634 | \$1,312,760 | \$669,150 | \$38,742,204 |
| 11 Grants-Cibola County Schools | \$3,889,156 | \$2,916,867 | \$972,289 | \$325,782 | | \$5,187,226 |
| 12 Jemez Mountain Public Schools | \$202,392 | \$151,794 | \$49,878 | \$14,039 | | \$266,308 |
| 13 Jemez Valley Public Schools | \$1,382,965 | \$1,037,223 | \$352,346 | \$65,569 | \$25,617 | \$1,826,497 |
| 14 Los Alamos Public Schools | \$508,652 | \$381,489 | \$45,971 | | | \$554,624 |
| 15 Los Lunas Public Schools | \$293,107 | \$219,830 | \$73,277 | \$95,061 | | \$461,445 |
| 16 Magdalena Municipal Schools | \$538,409 | \$403,807 | \$131,293 | \$61,051 | | \$730,752 |
| 17 Maxwell Municipal Schools | \$521 | \$391 | | | | \$521 |
| 18 McCurdy Charter School | \$60,630 | \$45,472 | \$7,051 | \$3,780 | | \$71,461 |
| 19 Peñasco Independent Schools | \$31,510 | \$23,633 | \$7,472 | \$10,544 | | \$49,526 |
| 20 Pojoaque Valley Public Schools | \$2,145,015 | \$1,608,761 | \$520,230 | \$124,139 | | \$2,789,385 |
| 21 Portales Municipal Schools | \$1,991 | \$1,493 | | \$9,425 | | \$11,416 |
| 22 Raton Public Schools | \$17,807 | \$13,355 | | | | \$17,807 |
| 23 Ruidoso Municipal Schools | \$236,695 | \$177,521 | \$59,174 | \$84,757 | | \$380,626 |
| 24 Southwest Aero., Math, and Science | \$5,380 | \$4,035 | | | | \$5,380 |
| 25 Southwest Preparatory | \$5,335 | \$4,001 | | | | \$5,335 |
| 26 Southwest Secondary | \$5,176 | \$3,882 | | | | \$5,176 |
| 27 Taos Municipal Schools | \$59,043 | \$44,282 | \$14,352 | \$35,495 | | \$108,890 |
| 28 Tularosa Municipal Schools | \$392,678 | \$294,509 | \$66,265 | \$52,433 | | \$511,376 |
| 29 Walatowa Charter High School | \$264,651 | \$198,489 | \$67,542 | \$12,961 | \$5,063 | \$350,217 |
| 30 Zuni Public Schools | \$7,971,807 | \$5,978,855 | \$1,982,178 | \$281,730 | \$153,900 | \$10,389,614 |
| 31 Statewide Total | \$84,660,172 | \$63,495,129 | \$20,566,623 | \$4,866,899 | \$1,426,580 | \$111.520.274 |

Federal Impact Aid Payments, FY19

9

| | | (A) | (B) | (C) | (D) | (E) = (A) + (D) | (F) = (E)/(B) | (C) | (H)=(G)-(C) |
|----------------------------------|---|--|---|----------------------------|--|---|--|--|--|
| School Districts | Annualiz Tax Rev to Calcul State | Annualized Property Tax Revenue Used to Calculate PSCOC State Match | Annualized Property Tax Revenue Used Calculate PSCOC to Replace School State Match Facilities ¹ | FY21 Actual State Match | Estimated FY21 SB292/SIACS Revenue for Capital Outlay ² | Estimated FY21 Revenue for Covered by Property Cospital Outlay (SB292/SIACS Revenue) Tax and SB292/SIACS Revenue and Local Revenue) Revenue | Percent of Amortization Covered by Property Tax and SB292/SIACS Revenue | Estimated FY24 and Subsequent Fiscal Years State Match | Potential Change from FY21 to FY24 |
| 1 Bernalillo Public Schools | \$ 2,7 | 2,747,807.44 | \$ 3,029,276 | 25% | \$1,824,816.00 | \$4,572,623.44 | 211% | 6% | -19% |
| 2 Central Consolidated Schools | \$ 3,4 | 3,461,014.47 | \$ 6,195,406 | %85 | \$9,066,205.50 | \$12,527,219.97 | 349% | 12% | -46% |
| 3 Cuba Independent Schools | 3 | 383,865.92 | \$ 653,013 | %0E | \$562,323.00 | \$946,188.92 | 231% | 12% | -18% |
| 4 Dulce Independent Schools | \$ 2,6 | 2,630,490.68 | \$ 770,852 | %9 | \$1,561,018.00 | \$4,191,508.68 | 746% | 6% | %0 |
| 5 Gallup-McKinley County Schools | \$ 3,5 | 3,586,727.62 | \$ 11,521,998 | %62 | \$11,046,247.50 | \$14,632,975.12 | 223% | 12% | -67% |
| 6 Grants-Cibola County Schools | \$ 1,3 | 1,373,020.44 | \$ 3,742,300 | %EL | \$1,458,433.50 | \$2,831,453.94 | 115% | 12% | -61% |
| 7 Jemez Valley Public Schools | °° ⇔ | 380,074.78 | \$ 467,847 | % 2 E | \$518,611.50 | \$898,686.28 | 303% | 12% | -25% |
| 8 Pojoaque Valley Public Schools | \$ | 819,259.86 | \$ 1,977,579 | %82 | \$804,380.50 | \$1,623,640.36 | 123% | 6% | -67% |
| 9 Zuni Public Schools | \$ | 10,270.03 | \$ 1,219,847 | 100% | \$2,989,427.50 | \$2,999,697.53 | 491% | 12% | -88% |
| 10 Statewide Total | \$1 | \$15,392,531 | \$29,578,119 | | \$29,831,463.00 | \$45,223,994.22 | | | |
| | | | | | | | | | |

Potential Change to PSCOC State Match with Inclusion of 50 Percent of SB292/SIACS Revenue

⁴The PSCOC state match calculation considers the amount of funding school districts need to replace their facilities over 45 years; this shows the amount of funds needed annually.

²Assumes 50 percent of SB292/SIACS revenue for capital outlay.

Source: LESC

| Rank | School District | School | Gross Area (Sq. Ft.) | wNMCI |
|----------|------------------------------------|--|-------------------------|------------------|
| | | Average wNMCI: 23.07% Average FCI: 51.63% Average wNMCI of Top | | |
| 1 | Alamogordo | Chaparral MS | 140,028 | 78.51% |
| 67 | Alamogordo | High Rolls Mountain Park ES | 11,858 | 40.24% |
| 78 | Alamogordo | Alamogordo HS | 327,447 | 39.12% |
| 91 | Alamogordo | Sierra ES | 44,513 | 38.05% |
| 10 | Albuquerque | Taft MS | 162,335 | 52.36% |
| 13 | Albuquerque | Arroyo Del Oso ES | 50,760 | 51.23% |
| 15 | Albuquerque (District Charter) | The International School at Mesa del Sol Charter School | 36,064 | 50.32% |
| 18 | Albuquerque | Eugene Field ES | 54,896 | 48.98% |
| 19 | Albuquerque | Edmund G. Ross ES | 64,216 | 48.74% |
| 20 | Albuquerque | John Adams MS | 135,204 | 48.68% |
| 25 | Albuquerque | Garfield MS | 88,643 | 47.25% |
| 27 | Albuquerque | Highland HS | 387,782 | 47.00% |
| 28 | Albuquerque | Kennedy MS | 103,677 | 46.51% |
| 30 | Albuquerque | Mark Twain ES | 65,587 | 46.00% |
| 31 | Albuquerque | Washington MS | 97,407 | 45.74% |
| 33 | Albuquerque (District Charter) | Albuquerque Charter Academy | 17,068 | 45.17% |
| 34 | Albuquerque | Mission Avenue ES | 62,891 | 45.02% |
| 36 | Albuquerque | Sierra Vista ES | 84,972 | 44.50% |
| 39 | Albuquerque | Polk MS | 94,909 | 44.30% |
| 41 | Albuquerque | S. Y. Jackson ES | 57,041 | 44.42% |
| | | | | |
| 45 47 | Albuquerque | Alamosa ES | 78,011 | 43.23% |
| 47 | Albuquerque (District Charter) | Digital Arts and Technology Academy Charter School | 51,210 | 42.90% 42.80% |
| | Albuquerque (District Charter) | La Academia de Esperanza Charter School | 21,246 | |
| 49 | Albuquerque | La Mesa ES | 85,467 | 42.45% |
| 50 | Albuquerque | Lavaland ES | 66,412 | 42.30% |
| 55 | Albuquerque | Emerson ES | 76,681 | 41.64% |
| 56 | Albuquerque | Griegos ES | 42,891 | 41.47% |
| 57 | Albuquerque | Cleveland MS | 108,148 | 41.32% |
| 59 | Albuquerque | Kirtland ES | 55,956 | 41.12% |
| 60 | Albuquerque | Eldorado HS | 340,986 | 40.91% |
| 63 | Albuquerque (District Charter) | El Camino Real Academy Charter School | 66,121 | 40.69% |
| 64 | Albuquerque | School on Wheels Alternative School | 14,615 | 40.53% |
| 66 | Albuquerque | Armijo ES | 64,363 | 40.30% |
| 68 | Albuquerque | San Antonito ES | 56,315 | 40.21% |
| 70 | Albuquerque | Alameda ES | 45,809 | 39.81% |
| 73 | Albuquerque | Jackson MS | 86,382 | 39.49% |
| 74 | Albuquerque | Matheson Park ES | 44,427 | 39.30% |
| 77 | Albuquerque | La Cueva HS | 384,271 | 39.22% |
| 79 | Albuquerque | Hodgin ES | 76,595 | 39.03% |
| 81 | Albuquerque | Sandia HS | 367,144 | 38.79% |
| 82 | Albuquerque | Eisenhower MS | 138,081 | 38.79% |
| 85 | | Kit Carson ES | | |
| 87 | Albuquerque | | 76,421 | 38.48% |
| | Albuquerque | Bellehaven ES | 51,078 | 38.36% |
| 89 97 | Albuquerque | Hayes MS | 106,764 | 38.19% |
| - | Albuquerque | Petroglyph ES | 79,635 | 37.54% |
| 99 | Albuquerque | Dennis Chavez ES | 83,160 | 37.35% |
| 2 | Central Consolidated | Newcomb ES | 67,465 | 69.30% |
| 72 | Clovis | Barry ES | 49,692 | 39.64% |
| 8 | Espanola | Chimayo ES | 35,026 | 52.58% |
| 51 | Espanola | Dixon ES | 20,768 | 42.06% |
| 84 | Espanola | Hernandez ES | 30,982 | 38.52% |
| 23 | Gallup McKinley | Gallup Central Alternative HS | 37,999 | 48.07% |
| 29 | Gallup McKinley | Gallup HS | 259,311 | 46.29% |
| 37 | Gallup McKinley | Chee Dodge ES | 59,182 | 44.47% |
| 69 | Gallup McKinley | Crownpoint HS | 81,218 | 39.87% |
| 98 | Gallup McKinley | Navajo Pine HS | 76,553 | 37.35% |
| 52 | Grants Cibola | Bluewater ES | 23,525 | 41.96% |
| 92 | Grants Cibola | Mount Taylor ES | 75,425 | 38.03% |
| 14 | Jemez Mountain | Gallina ES | 23,044 | 50.53% |
| 44 | Jemez Mountain | Coronado MS/HS | 90,398 | 43.36% |
| 44 | Jemez Mountain (District Charter) | Lindrith Heritage Charter | 11,971 | 43.74% |
| 75 | Los Alamos | Chamisa ES | | |
| | | | 47,890 | 39.29% |
| 40 58 | Pojoaque Valley Pojoaque Valley | Pojoaque MS Sixth Grade Academy | 83,511 15,047 | 44.29% 41.28% |
| | | LOUID GLADE ACADEMY | 16.0/1/ | 41.28% |

