



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

2020 Post-Session Review
April 2020

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Throughout 2019 and into the 2020 legislative session, education stakeholders statewide identified similar priorities for improving New Mexico's system of free public education. Legislators, the Public Education Department (PED), and other stakeholders agreed on the importance of improving educator compensation and preparation, mitigating the impacts of childhood hunger and poverty, building rigorous career and technical education pathways for students, expanding evidence-based extended learning time programs, creating a dedicated funding source for the state's new Early Childhood Education and Care Department, and increasing capital outlay funding for school districts with scarce local property tax revenues. However, stakeholders had many ideas on what constituted the best solution to each problem, which led to competing legislation and difficult choices to be made by legislators. During the 2020 legislative session, the Legislature generally prioritized funds toward evidence-based programs designed to close the achievement gap between the state's advantaged and disadvantaged students.

The Legislature's actions continued a trend of addressing deficiencies identified in the consolidated *Martinez* and *Yazzie* lawsuit, in which the 1st Judicial District Court found the state was not meeting its constitutional mandate to provide a sufficient education for at-risk students, including economically disadvantaged students, Native American students, English learners, and students with disabilities. In response to the lawsuit, the Legislature further increased the state's at-risk index to provide more discretionary funding to school districts for at-risk programs and expanded PED's authority and capacity to monitor school districts' use of the increased funding. In addition, the Legislature maintained investments in the K-5 Plus extended school year program, a program highlighted by the court as an effective strategy to improve outcomes for at-risk students. Prioritizing evidence-based programs will remain a concern moving into the 2020 legislative interim, as a rapidly evolving situation with the COVID-19 pandemic leaves the state's economic future in turmoil; legislators may soon be required to re-evaluate 2020 investments and reprioritize funding to meet students' most immediate needs.

For FY21, the Legislature approved a total of \$7.621 billion in recurring general fund appropriations, an increase of \$536.1 million, or 7.6 percent, from the FY20 operating budget. To protect against revenue volatility, recurring appropriations were kept below forecasted revenue, to maintain a healthy reserve level. After accounting for vetoes, nonrecurring appropriations from the general fund totaled an additional \$826.3 million. For public education, the Legislature authorized additional nonrecurring appropriations from the public education reform fund and the public school capital outlay fund.

Recurring General Fund Appropriations in GAA and Feed Bill
(in thousands)

Area of Government	FY20 OpBud	FY21 GAA/Feed Bill	Change	Percent Change
Legislative	\$20,731.6	\$21,961.9	\$1,230.3	5.9%
Judicial	\$318,833.0	\$332,924.7	\$14,091.7	4.4%
General Control	\$147,535.6	\$156,582.7	\$9,047.1	6.1%
Commerce and Industry	\$62,622.1	\$69,071.3	\$6,449.2	10.3%
Ag., Energy, and Nat.Resources	\$75,638.6	\$80,372.9	\$4,734.3	6.3%
Early Childhood ¹	\$168,400.2	\$206,612.7	\$38,212.5	22.7%
Health and Human Svcs.	\$1,743,236.8	\$1,867,672.1	\$124,435.3	7.1%
Public Safety	\$468,659.3	\$496,461.8	\$27,802.5	5.9%
Higher Education	\$867,043.6	\$905,553.4	\$38,509.8	4.4%
Public Education	\$3,212,191.7	\$3,418,340.8	\$206,149.1	6.4%
Compensation ²	\$400.0	\$65,870.8		
Total GAA and Feed Bill	\$7,085,292.5	\$7,621,425.1	\$536,132.6	7.6%

¹Appropriations for public school prekindergarten programs are included in the Early Childhood category.

²Compensation appropriations in Section 8 of the General Appropriation Act for state agencies and higher education are included with the budget of the agency receiving the funds for FY20 and in the compensation category for FY21. Compensation appropriations for public schools are included in the public education category.

Source: LFC Files

Appropriations for public schools, including prekindergarten programs at public schools overseen by the Early

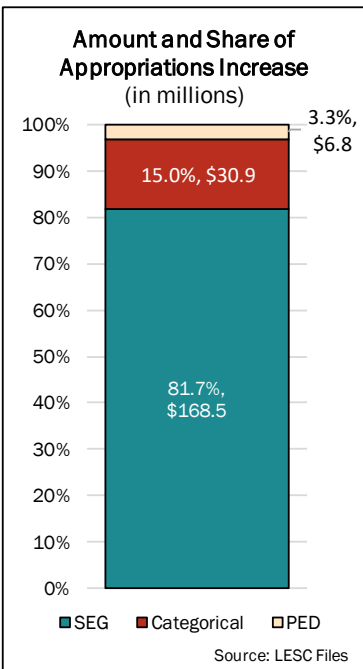
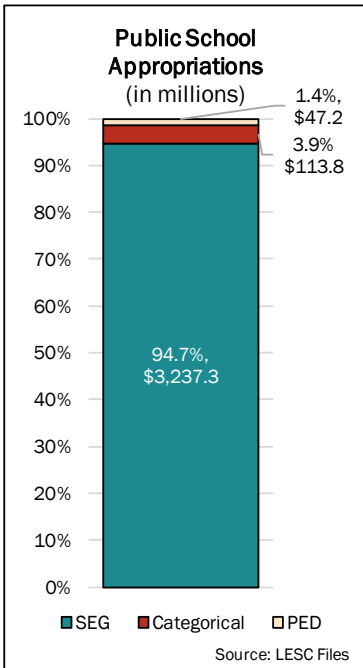
Childhood Education and Care Department and research and public service project appropriations to higher education institutions for educator preparation, totaled \$3.468 billion, or 45.5 percent of total recurring appropriations. The FY21 budget increased recurring appropriations by \$216 million, or 6.6 percent, with significant additional funding to increase educator compensation, provide additional services to at-risk students, and provide professional development and mentorship support for early career teachers.

General Fund Revenue and Reserve Estimates

When developing the FY21 budget, appropriators targeted general fund reserve levels of 25 percent to account for risks to the consensus general fund revenue forecast. While staff economists with the Consensus Revenue Estimating Group (CREG) projected recurring general fund revenue would be \$7.882 billion in FY21, the forecast noted revenue collections could be lower due to volatility in oil production and the price of oil. Sensitivity analysis performed by CREG estimated a decrease in general fund revenue of \$940 million in FY21 if oil prices were to fall to \$35 per barrel for a sustained period and oil and gas production, exploration, drilling, and employment levels were to decline.

CREG estimates a \$1 price change in the price of oil sustained over the entire fiscal year has a \$22 million impact on general fund revenue.

On March 9, global oil prices fell by 24 percent, the second largest daily price decline on record according to the U.S. Energy Information Administration (EIA). In subsequent days, oil prices continued to drop, with the price of West Texas intermediate (WTI) crude oil, a benchmark in oil pricing, sinking as low as \$20 per barrel. While acknowledging uncertainty in the oil market, EIA's short-term energy outlook from March 11, 2020, forecast average WTI prices of \$38 per barrel in calendar year 2020, \$19 per barrel below the January forecast from EIA and well below the price assumed by the consensus revenue forecast.



PED has not yet set the preliminary program unit value for FY21, but staff analysis indicates the value could increase by 4 percent with the current appropriation. School districts and charter schools would also generate additional program units from the at-risk index. However, PED is likely to set the preliminary unit value lower in anticipation of a special session to reduce appropriations levels.

In addition to oil-price-related revenue risks, general fund revenues are also subject to risks from overall economic conditions, which have deteriorated due to the recent outbreak of the novel coronavirus. While the total general fund impact of these events has not yet been determined, it will be significant.

Recurring Appropriations for Public Schools

For FY21, recurring appropriations for public school support and the Public Education Department (PED) total \$3.418 billion, an increase of \$206 million, or 6.4 percent from FY20. This amounts to funding of about \$10.6 thousand per student, based on the number of students enrolled in October 2019, an increase of \$714 per student, or 7.2 percent, using comparable data from FY19 and FY20.

For FY21, 94.7 percent of public school appropriations, and 81 percent of the increase, are allocated to the state equalization guarantee distribution (SEG), the pool of money distributed to school districts and charter schools through a funding formula with adjustments for certain local and federal revenue. Although based on the needs of the students enrolled and other conditions within the school district or charter school, local entities have broad discretion in how they spend SEG funding. Recurring general fund appropriations for categorical programs grew at a faster rate than appropriations to the SEG and PED primarily as the result of the Legislature discontinuing use of \$25 million in public school capital outlay fund revenue for transportation, replacing that with \$25 million in recurring general fund revenue.

Program Cost Appropriations

Appropriations for public schools for FY21 assumed a program cost of \$3.327 billion, including \$191.3 million earmarked only for the K-5 Plus extended school year program or extended learning time programs. This represents an increase of \$190 million, or 6.1 percent from FY20. The Legislature prioritized funding to recruit, retain, and support educators, with \$105 million to cover the costs of increased salary and benefits for educators and \$15.2 million to support mentorship and induction programs. In addition, the appropriation continues to increase funding for at-risk services, with a \$50.2 million increase for the at-risk index, pursuant to LESC-endorsed legislation to increase the multiplier used to calculate the at-risk index from 0.25 to 0.30. Additional increases are allocated to provide early literacy and reading support, to fund additional elementary physical education program units, and to ensure sufficient funding to meet projected increases in demand for extended learning time programs.

While the SEG appropriation assumed a program cost increase of \$190 million, it is unlikely PED will set the unit value high enough to allow the full amount to be included in school districts' and charter schools' initial FY21 budgets. This is because the GAA assumes \$83 million in funding formula credits for federal and local revenue, an increase from \$63.5 million in FY20. Although actual FY19 funding formula credits totaled \$84.1 million, PED typically makes conservative assumptions of funding formula credits when setting the initial program unit value to avoid clawing back SEG from school districts and charter schools if funding formula credits are lower than projected. In its FY21 budget request PED projected funding formula credits of about \$69 million; however, the Legislature assumed a higher level when making appropriations.

Categorical Appropriations

Recurring appropriations for categorical programs — or programs where funding is restricted for transportation, standards-based assessments, the Indian education fund or other specific purposes — total \$133.8 million, an increase of \$5.9 million over FY20 appropriations, which included \$25 million from the public school capital outlay fund. Though the Legislature was authorized to use \$25 million in public school capital outlay dollars to fund school transportation operations, the Legislature chose to rely solely on general fund revenue for operational expenses.

Public Education Department Appropriations

The Legislature approved \$32.3 million in recurring general fund appropriations for special programs at PED, with a focus on professional development programs, early literacy, and supports for programs included in the court's findings in the consolidated *Martinez* and *Yazzie* lawsuit, including bilingual multicultural education, special education, indigenous education, and community schools. Additional funds are also included to improve student nutrition programs, including \$650 thousand to eliminate school meal copayments for students qualifying for reduced fee lunch.

In the past two years, the Legislature has provided significant increases to PED to improve oversight and technical support of school districts and charter schools. PED's FY19 operating budget was \$11.2 million, or about two-thirds the amount appropriated for FY21.

For PED operations, the Legislature appropriated \$14.9 million, an increase of \$1.3 million, or 9.5 percent. This amount does not include amounts appropriated to the Department of Finance and Administration to provide current PED employees with a 4 percent raise.

Nonrecurring Appropriations

The General Appropriation Act of 2020 includes \$87.7 million in nonrecurring appropriations for public schools, with \$67.9 million from the public education reform fund, \$18.9 million from the public school capital outlay fund, and \$945 thousand from the general fund. These appropriations include \$30 million to provide flexibility for K-5 Plus programs and pilot K-12 Plus programs, \$18.9 million to provide capital outlay funding to school districts receiving federal Impact Aid, and \$9 million for PED to develop culturally and linguistically appropriate instructional materials and curricula.

House Memorial 46, which failed to pass, would have created an Educator Compensation Task Force to study how to enhance the teacher cost index, the public school funding factor for teacher experience, to reward teacher qualifications, such as microcredentials in specific specialties, additional duties, and leadership positions.

Teacher quality is the number one school-based factor impacting student outcomes, but like in many states, New Mexico's education system is strained due to challenges in recruiting and retaining high-quality teachers. Special education, bilingual, math, and other specialized teachers, necessary positions to ensure a quality education for all students, continue to be in high demand with increasing pressure as the state responds to the *Martinez* and *Yazzie* consolidated lawsuit. The court noted access to a quality teacher directly impacts student achievement and can improve the performance of at-risk students, such as students from economically disadvantaged backgrounds and English-learners. Continued efforts and investments by the Legislature for educator recruitment, preparation, and retention aim to strengthen the teaching workforce in New Mexico.

Educator Compensation and Benefits

Competitive educator compensation, both pay and benefits, is an effective strategy to recruit new teachers and retain experienced teachers. New Mexico's teacher turnover is among the highest in the United States, which the court found in the *Martinez* and *Yazzie* consolidated lawsuit has negative impacts on student outcomes.

Another approach to educator compensation proposed during the 2020 legislative session that did not pass was an increase to the funding formula for salary differentials based on additional teacher duties related to special education, bilingual education, and new teacher mentorship.

LESC endorsed [House Bill 90](#), Licensed School Employee Program Units, which aimed to extend the one-time salary increase for being national board certified to other licensed school employees; currently, only licensed teacher are eligible for the one time salary increase. The bill was determined to be not germane to the session and was not considered.

[Chapter 48 \(House Bill 364\)](#) ensures public employees, including public school employees, have access to a high-quality labor organization and more autonomy over decisions related to labor organization participation in their workplace.

Across-the-Board Salary Increases

Differing recommendations regarding educator pay approaches and funding levels demonstrated the Legislature's continued attention to ensuring sufficient compensation for New Mexico educators. Even though most proposals discussed were not adopted, the General Appropriation Act of 2020 (GAA) includes compensation increases for all school employees. Teachers will receive an average 4 percent compensation increase through a \$59.1 million appropriation to the state equalization guarantee (SEG) distribution, allocations to school districts and charter schools based on a formula. Through a \$33.4 million recurring general fund appropriation, all other school personnel will also receive an average 4 percent pay increase. Laws 2019, Chapter 114, (Senate Bill 437) raised the minimum wage in New Mexico to \$9 per hour in FY20, \$10.50 per hour beginning in FY21, \$11.50 per hour in FY22, and \$12 per hour in FY23. The Legislature appropriated \$1.1 million as an increase to the SEG to cover the \$10.50 minimum wage increase.

Insurance Premiums

The Legislature appropriated \$11.5 million in recurring general fund revenue to the SEG to cover increases to the employer portion of insurance premiums. This appropriation will provide sufficient funds for a 6 percent health insurance premium increase for all school districts and charter schools based on FY20 budgeted expenditures, adjusted for the amounts typically unspent in these budget lines. Requests from the Public Schools Insurance Authority (NMPSIA) and the Public Education Department (PED's) reflected a 7.4 percent increase to health insurance premiums

and a 9.5 percent increase to property and liability insurance premiums, which would have required an appropriation of \$19.8 million to the SEG distribution. Albuquerque Public Schools (APS), which is self-insured, did not request a funding increase, but plans to raise insurance premiums.

Retiree Healthcare

The governor vetoed [House Bill 45](#), Changes to Retiree Health Care, which would have increased employer and employee contributions to the retiree healthcare fund because the Legislature did not appropriate funding to cover the cost of the increase. This fund is administered by the Retiree Health Care Authority (RHCA) and provides subsidized health, dental, vision, and life insurance for retired public employees, including public school educators. The fund actuaries predict if no changes are made to the plan or contribution rate levels, the plan will become insolvent in FY44, limiting access for future retirees.

Educational Retirement Act

[Chapter 10 \(Senate Bill 111\)](#), endorsed by LESC, addresses concerns that recent changes to the Educational Retirement Board's return-to-work provisions exacerbated the shortage of high-quality substitute teachers in New Mexico public schools. The law allows ERB members to return to work after 90 days without suspending their pension if they earn less than \$15 thousand per year, similar to a provision available to ERB members before July 2019. ERB retirees who return to work at 0.25 FTE or less and substitute teachers working on a day-to-day basis will not have to make contributions to the educational retirement fund; contributions for those employees were scheduled to begin in July, but were repealed by Chapter 10. Contribution requirements for PERA retirees receiving a pension who now work for an ERB-covered employer are also repealed. The changes in Chapter 10 reduce ERB's anticipated revenue increases following the amendments to the Educational Retirement Act in 2019 aimed to improve the long term sustainability of the pension plan.

Teacher Recruitment, Preparation, and Retention

The judge ruled in the consolidated *Martinez* and *Yazzie* lawsuit that certain groups of students do not have access to high-quality teachers. To strengthen the teaching profession, the Legislature approved funding focused on teacher recruitment for high-need positions, high-quality teacher preparation strategies, and financial support to help teacher candidates and licensed teachers stay in the profession.

Recruitment

The Legislature appropriated a nonrecurring \$1 million appropriation to PED from the public education reform fund to place teachers in hard-to-staff schools and provide ongoing support and development following placement. PED also will receive a \$500 thousand recurring general fund appropriation in FY21 for a school district or charter school that works with a nonprofit organization with previous demonstrated success to recruit recent high-quality college graduates and professionals to teach in low-income urban and rural public schools. Similar appropriations to PED in previous years have been distributed to Teach for America.

[Chapter 53 \(Senate Bill 137\)](#) expands eligibility for state occupational and professional licensure, including licenses within education, to any person who meets all other licensure qualifications regardless of the applicant's citizenship or immigration status.

The Legislature appropriated \$50 thousand to PED to hire a teaching pathways coordinator to support expanding high-retention pathways into teaching, including teacher

residencies, educator preparation programs, and grow-your-own programs. The position would also support reporting requirements tied to the Educator Accountability Reporting System (EARS), which examines the quality and performance of educator preparation programs in the state.

Teacher Residencies

Chapter 25 (House Bill 92), LESC-endorsed legislation, allows teacher preparation programs at New Mexico institutions of higher education and tribal colleges to apply in

House Bill 359, Rural Teacher Tax Credit, proposed a tax incentive of \$1,500 for teachers working in rural school districts as a recruitment and retention tool for teachers in these areas. It was never heard by a committee.

LESC-endorsed **Senate Bill 36** aimed to create a task force to study educator preparation programs in the state to improve the quality of teacher preparation and increase accountability for their preparation. The bill never received a committee hearing.

partnership with a school district for funding under a PED-administered grant program to establish teacher residency programs. These programs prepare teacher candidates in a one-year guided apprenticeship in a classroom with an expert teacher while completing coursework that leads to licensure. For FY20, the Legislature appropriated \$1 million to PED to create teacher residency pilots, but PED failed to align program requirements with national best practices shown to recruit and retain high-quality teachers in high-need teaching positions. For FY21, the Legislature appropriated a nonrecurring \$2 million appropriation from the public education reform fund to PED to administer teacher residencies in FY21 that align with requirements in Chapter 25. These requirements include a teacher resident teaching alongside an expert teacher for a full academic year, undertaking rigorous teacher licensure coursework, and providing financial support to teacher residents during participation, among other elements.

House Bill 280 and **Senate Bill 89**, which both failed, would have created scholarships for college of education students or licensed teachers seeking an endorsement or degrees in teaching English to speakers of other languages or bilingual and multicultural education.

HED received a \$2.2 million supplemental appropriation in the GAA for the teacher preparation affordability scholarship program for scholarship awards in FY20.

Financial Incentives for Recruitment and Retention

Financial incentives, such as scholarships and loan repayment programs, are intended to increase the number of people who pursue a specific career path. To address the shortage of teachers in New Mexico, targeted scholarships and loan repayment programs help offset the initial costs of pursuing an education degree or incentivize teachers who have already incurred loans to stay in the profession by decreasing their debt.

While two bills that focused on bilingual teacher preparation did not pass, the Legislature appropriated funding for the Teacher Preparation Affordability Act, the Teacher Loan Repayment Act, and the Grow-Your-Own Teacher Act. All three financial aid programs aim to align with current educator workforce needs focusing on the diversity of the candidates and high-need teaching positions.

Teacher Preparation Affordability Scholarships

The Teacher Preparation Affordability Act, a scholarship program for teacher candidates created during the 2019 legislative session, provides need-based scholarships prioritized for English learner and minority students pursuing an education degree, as well as students intending to work in a high-need teaching position. HED will receive a \$5 million nonrecurring general fund appropriation to make teacher preparation affordability scholarship awards in FY21. To prepare for a low fund balance following FY21 scholarship awards and in light of significant revenue leading into the 2020 legislative session, the Legislature authorized HED to spend an additional \$5 million from the teacher preparation scholarship fund for expenditure in subsequent years. The GAA also includes budget adjustment language that allows the student financial aid program at HED to request a budget adjustment of up to an additional \$2.2 million from the teacher loan repayment fund if the \$5 million appropriation is insufficient for scholarship obligations.

LESC has requested data on the number of students benefiting from these programs, including the type of teaching license and endorsement scholarship recipients are pursuing; however, few institutions of higher education provided information.

Teacher Loan Repayment Scholarships

During the 2019 legislative session, the Teacher Loan Repayment Act was amended to align with current educator need, prioritizing funds for teachers who are licensed and teach bilingual, early childhood, science, technology, engineering, mathematics, career technical, and special education due to high vacancy rates in these positions. Additionally, contractual terms within the scholarship agreement were changed to increase teacher retention. The Legislature appropriated \$2 million from the teacher loan repayment fund to HED for the teacher loan repayment program in FY21. Similar to the teacher preparation affordability program, there is also budget adjustment language in the GAA allowing the student financial aid program at HED to request a budget adjustment of up to an additional \$1.1 million from the teacher loan repayment fund.

HED also received a supplemental appropriation for the teacher loan repayment program of \$1.1 million for scholarship awards in FY20.

Grow Your Own Teachers Act Scholarships

The Grow-Your-Own Teachers Act is a scholarship program available to education assistants pursuing a teaching degree for up to \$6,000 per year for a maximum of five years. The GAA includes a nonrecurring \$500 thousand appropriation for this scholarship program to PED from the public education reform fund. However, PED will need to make a transfer to HED, the administrator of the grow your own teachers fund.

Additional Higher Education Funding Supporting New Teachers

In addition to funding for the Grow-Your-Own Teachers Act, institutions of higher education received just over \$1 million in recurring general fund appropriations for their own efforts to prepare, recruit and retain teachers. The University of New Mexico (UNM) will receive \$400 thousand to build a culturally responsive program for expanding educator preparation, professional development for current leaders, and educational leadership across the state of New Mexico. New Mexico State University (NMSU) will receive \$155 thousand for their Alliance for the Advancement for Teaching for Learning aimed at recruiting new educators into the profession and supporting teachers in specialized fields such as science, technology, engineering, and math (STEM). Eastern New Mexico University (ENMU) will receive a total of \$300 thousand, including \$200 thousand to cover tuition and fees for 50 teacher education students, the continuation of an investment made by the Legislature last year. For FY20, ENMU received \$200 thousand to cover students cost of education in exchange for four years of service in New Mexico public schools. ENMU will receive an additional \$100 thousand for Greyhound Promise scholarships, which matches the appropriation the Legislature made last year for this same purpose.

Santa Fe Community College received a \$150 thousand appropriation for teacher education expansion in FY21. SFCC notes its extensive online class offerings positions them to have a statewide impact on producing new teachers.

NMSU's Alliance for the Advancement for Teaching and Learning leads the Educator Rising program for the state, aimed at recruiting students into the teaching pipeline. This entity also researches teacher supply and demand data through the Southwest Outreach Academic and Research Lab (SOAR).

In FY20, 24 prospective teachers were awarded an average of \$3,000 per semester in Greyhound Promise Scholarships, plus a \$500 stipend for books. ENMU reports there was a waiting list at the start of the spring semester despite very little time to advertise the program.

Mentorship and Professional Development

Lack of support for public school teachers contributes to high turnover rates. New Mexico has one of the highest teacher turnover rates in the United States at 23 percent and was second only to Arizona between 2011 and 2014. Research has found first-year teachers assigned a mentor are more likely to return the following year, indicating mentoring could be a valuable strategy to improve teacher retention. Additionally, ongoing

high-quality professional development focused on teacher learning and improved instruction leads to increased classroom learning. The Legislature recognized the need for additional support for all teachers, no matter where they are in their practice, by investing significantly in teacher mentorship and professional development.

Beginning Mentorship Statute

Differing proposals around supporting implementation of the teacher mentorship program for beginning teachers statute were introduced during the 2020 legislative session. Section 22-10A-9 NMSA 1978, the teacher mentorship program for beginning teachers statute, originally enacted in 2003, requires school districts to provide PED-approved teacher mentorship programs to all beginning teachers to ensure an effective transition into the teaching field. Due to inconsistent funding, not all beginning teachers have had access to mentorship programs required by this statute and necessary to advance in the teacher licensure system. To fund implementation of the statute, [Chapter 24 \(House Bill 62\)](#), LESC-endorsed legislation, amends Section 22-10A-9 NMSA 1978 to require PED to annually distribute up to \$2,000 per beginning teacher to school districts and charter schools for mentorship programs and creates a fund to distribute these funds. Even though funding was provided to support mentorship and mentorship stipends through an SEG increase, no appropriation was made into the beginning teacher mentorship fund to implement mentorship for beginning teachers as required by the statute. Going into the 2020 legislative session, LFC's budget recommendation included a \$6.8 million increase to program cost for an average 4 percent pay differential for teachers who mentor new teachers. The differential did not make it into the GAA. However, school districts and charter schools will be required in FY21 to report in their budget reviews whether they are submitting and implementing mentorship programs as required.

Mentorship and Professional Development Appropriations

The GAA includes an increase to the SEG of \$11 million for mentorship and professional development and a \$4.2 million increase for mentorship stipends. School districts are required to use the SEG increase to meet requirements of the teacher mentorship program for beginning teachers statute, Section 22-8-6 NMSA 1978, and create an educational plan and ongoing professional development focused on case management, tutoring, data-guided instruction, coaching, or other evidence-based practices that improve student outcomes. PED is required to monitor and evaluate how school districts and schools use funding for mentorship and professional development and report its findings to the governor, LFC, and LESC on or before November 1, 2020. Additionally, PED will receive a recurring general fund appropriation of \$3.5 million for teacher recruitment, mentorship, professional development, evaluation, and retention.

PED also will receive a number of special program appropriations for professional development, including \$3 million for principal, school leader, and board member professional development and \$200 thousand for computer science teacher professional development.

National Board Certification Scholarships

[Chapter 26 \(House Bill 102\)](#), LESC-endorsed legislation, allows PED to make scholarship awards to level 2 and 3A teachers to cover the cost of National Board certification, a performance-based, peer-reviewed process created to demonstrate how teacher performance impacts student learning and achievement. The GAA includes a nonrecurring appropriation from the public education reform fund to PED of \$500 thousand for this purpose. Currently, a teacher who receives National Board certification is eligible

to advance from a level 2 teaching license to a level 3-A teaching license if the teacher meets other requirements. Teacher pay increases from a minimum \$50 thousand for a level 2 teacher to a minimum \$60 thousand for a level 3-A teacher. Additionally, teachers who receive National Board certification will receive an additional stipend on top of their base salaries for each year they are certified. National Board certification in English as a new language qualifies as a teaching English to speakers of other languages (TESOL) endorsement on an existing state teaching license.

Educator Evaluation

Starting in 2019, PED started to transition out of the NMTeach evaluation system to a new teacher effectiveness system. For the 2019-2020 school year, an interim evaluation system was used while PED worked with a statewide teacher evaluation task force to create the new teacher evaluation and scoring system. The department plans to make final recommendations to the secretary of education and governor by spring 2020. For FY21, the Legislature appropriated \$1 million to PED from the public education reform fund to implement the educator evaluation system.

Efforts to support students' learning emerged as a priority in the 2020 legislative session. Legislators significantly increased funding to support the student populations identified in the *Martinez* and *Yazzie* consolidated lawsuit, expanded the appropriation for extended learning time programs (ELTP), and utilized the education reform fund to support K-5 Plus and offer more flexibility to participating schools.

Bilingual, Multicultural, and Special Education

In response to the *Martinez* and *Yazzie* consolidated lawsuit, the Legislature made a continued investment to support students the judge identified as not having access to an equitable education, including English learners, Native Americans, and special education students. The General Appropriation Act of 2020 (GAA) includes a \$5.5 million appropriation to the Public Education Department (PED) for indigenous, multilingual, multicultural, and special education programs. Language in the GAA earmarks \$1 million of this appropriation to be transferred to the Indian Affairs Department and about \$1.7 million for special education initiatives. PED is granted flexibility in allocating the remaining \$2.9 million. The Legislature also provided funding to support implementation of the Indian Education Act, the Bilingual Multicultural Education Act, and current law around special education programs.

The Legislature appropriated \$6 million for new elementary physical education program units, adding money to the program for the first time since FY09. Since FY09, PED has not recalculated elementary physical education program units, leading some school districts to be funded for more students than were enrolled. The GAA includes language capping the number of program units based on student enrollment in the prior year.

The Indian Education Act and Indian education fund were enacted to ensure all Native American students enrolled in public schools have access to equitable and culturally relevant learning environments and instructional materials. This year the Legislature held funding for the Indian education fund flat at \$6 million. From FY15 through FY19, the Legislature appropriated \$2.5 million annually to the fund. Additionally, the general fund appropriation to PED for indigenous, multilingual, multicultural and special education program includes a \$1 million transfer to the Indian Affairs Department for bilingual education and curriculum development for early childhood Native American English language learners. Language in the GAA allows tribal departments of education to develop culturally and linguistically relevant early childhood instructional materials, assessment tools, instruments for evaluating teachers and programs, needs assessments of early childhood education facilities, and plans for constructing new facilities.

In the *Martinez* and *Yazzie* decision, the court found the goals of the Indian Education Act had not been realized in most school districts with large Native American student populations.

In accordance with federal law, PED regulations require gifted students and all students with disabilities to have access to a free and appropriate education designed to meet their unique needs. PED must monitor public schools to ensure they provide students with disabilities with appropriate evidence-based instruction. In addition to the \$1.7 million earmarked for special education, PED also received a \$750 thousand appropriation to convene a statewide meeting of special education stakeholders to research, review, and present on programs to meet the special needs of students with disabilities.

During the 2019 interim, PED identified “whole child education” as a key strategy for responding to the *Martinez* and *Yazzie* consolidated lawsuit. PED may use the remaining \$2.9 million to support their whole child education initiative, which encompasses pro-

grams for indigenous, multicultural, and special education students. According to PED presentations during the 2020 legislative session, the department may use funding to

- Implement the Bilingual Multicultural Education Act, Indian Education Act, and Hispanic Education Act;
- Create responsive education models that serve students with disabilities under the Individuals with Disabilities Education Act and federal program guidelines;
- Create multi-layered systems of support and gifted education;
- Implement and grow the indigenous education initiative;
- Create a Spanish language proficiency assessment for state-funded bilingual and multicultural education programs;
- Revise the New Mexico Spanish language proficiency exam, the assessment used for the bilingual endorsement, and develop a bilingual and multicultural education teacher licensure pathway; and
- Create culturally and linguistically responsive frameworks to meet the needs of English learner and bilingual students.

The Bilingual Multicultural Education Act (BMEA) requires full implementation of research-based bilingual and multicultural education programs, including professional development for teachers and instruction and assessment for students. However, implementation varies by school district, and programs are insufficiently monitored by PED. Furthermore, a lack of bilingual frameworks in indigenous communities poses a challenge to bilingual program implementation. As a result, students across the state encounter inconsistent bilingual and multicultural learning experiences. PED received a \$100 thousand nonrecurring general fund appropriation to conduct a biliteracy framework study. The Legislature also appropriated \$9 million in nonrecurring revenue from the public education reform fund to develop culturally- and linguistically-relevant instructional materials. PED is required to monitor and evaluate the extent to which school districts and charter schools purchase and use materials relevant to the cultures, languages, history, and experiences of culturally and linguistically diverse students.

HB199, Study Biliteracy Framework, would have directed PED to convene a working group to study successful biliteracy program implementation and best practices for serving bilingual students around the state and advise PED on how to better implement these programs. Even though the bill was not enacted, the Legislature made a \$100 thousand nonrecurring general fund appropriation to conduct a biliteracy framework study. GAA language did not specify what should be included in the study, giving PED flexibility on what elements to include.

Extended Learning Time

Recognizing evidence-based programs that extend learning time for students have the potential to close the persistent achievement gap between New Mexico's low-income students and their more affluent peers, the Legislature appropriated \$221.3 million in recurring and nonrecurring revenue for the K-5 Plus extended school year program, extended learning time programs (ELTP), and pilot K-12 Plus programs, an increase of \$8 million from FY20. These programs were a focus of the plaintiffs in the consolidated *Martinez* and *Yazzie* lawsuit, who argued additional learning time is necessary to ensure New Mexico's at-risk students are adequately prepared for college or the workforce.

K-5 Plus

In 2019, the Legislature appropriated enough funding so 86.7 thousand students, or every low-income, low-performing school, could fully participate in K-5 Plus, but schools did not take advantage of all of the available funding due to the short time for implementation and evidence-based statutory program requirements some schools considered too restrictive. In FY20, school districts and charter schools only applied for 24 percent of the K-5 Plus appropriation.

In response to stakeholder concerns that statutory requirements are limiting K-5 Plus participation, the Legislature provided flexibility in the K-5 Plus appropriation for 2020.

Holding the FY20 appropriation flat, the Legislature appropriated \$119.9 million for K-5 Plus programs for elementary schools where 80 percent of students meet statutory requirements. LESC staff estimate the \$119 million earmarked for K-5 Plus could serve more than 80 thousand students in FY21; however, PED indicates initial applications for FY21 K-5 Plus programs are only 50 thousand. Language included in the GAA allows PED to use up to \$35 million in funding earmarked for K-5 Plus to fund ELTPs if there is insufficient funding earmarked for ELTPs and school districts and charter schools do not apply for all K-5 Plus funds.

For FY21, the Legislature appropriated \$30 million in nonrecurring revenue from the public education reform fund to support public schools establishing partial K-5 Plus programs – in other words, K-5 Plus programs that do not comply with all the evidence-based requirements of the K-5 Plus Act – that will fully comply with all statutory provisions by FY23. PED can also use this funding to pilot K-12 Plus programs at elementary schools, middle schools, and high schools, provided that students in K-12 Plus receive no fewer than 25 additional instructional days beyond the regular school year and teachers in the K-12 Plus program receive collaboration time to align K-12 Plus programming to state standards. Language in this section of the GAA requires K-12 Plus pilot programs to be implemented for an entire grade level; however, the governor vetoed this language.

Language in Section 6 of the GAA allows an elementary school offering K-5 Plus to all students in FY20 to be eligible for funding based on prior year enrollment; however, there does not appear to be similar language for FY21.

Many schools that appear to struggle with implementation of K-5 Plus programs with fidelity could benefit from this initial flexibility, which would allow school districts and charter schools to build up programs over time. In addition, language in the GAA also allows school districts and charter schools that implement K-5 Plus school-wide to receive funding based on prior-year enrollment, providing funding stability for FY20. PED is projecting a significant increase in demand for FY21, because school districts and charter schools have had more time to plan for these programs.

Extended Learning Time Programs

Similar to K-5 Plus, school districts and charter schools did not avail themselves of the entire \$62.5 million appropriation for ELTP in FY20, enough to serve 123.5 thousand students, and only applied for 68 percent of the ELTP appropriation. Assuming increased uptake in FY21, the Legislature increased funding for ELTP, appropriating \$71.4 million, an increase of \$8.9 million. LESC staff estimate the \$71.4 million earmarked for ELTPs could serve more than 130 thousand students in FY21. PED indicates initial applications for ELTPs total more 190 thousand students. For this reason, the GAA included language allowing up to \$35 million of the appropriation for K-5 Plus programs to be used for ELTPs if there is funding left over after funding all K-5 Plus programs. Staff estimate \$35 million could fund more than 65 thousand students in ELTPs.

In addition, for FY21 the Legislature appropriated \$5 million to pilot ELTPs in historically defined Indian impacted school districts or charter schools and school districts with a student population of less than 200. The governor vetoed language in the GAA of 2020 that required summer extended learning opportunities to include a minimum of 25 days of instruction.

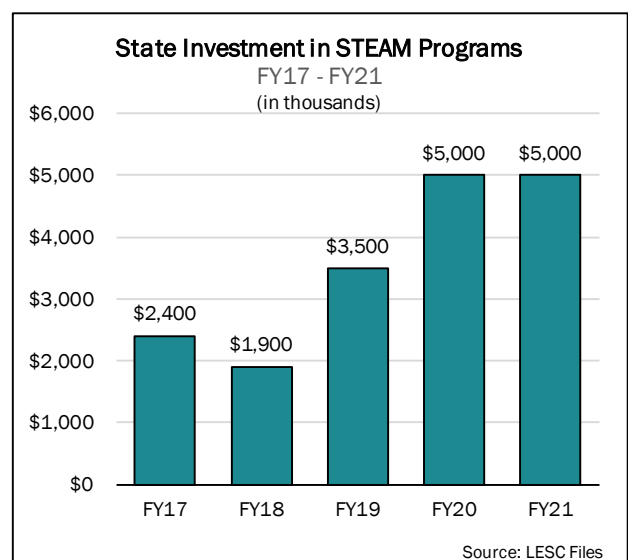
In recent years, state lawmakers have placed increasing focus on programs to better prepare New Mexico students for college or the workforce. Legislation passed during the 2020 legislative session, including a joint memorial requesting the creation of a task force on career and technical education (CTE), a diploma program for veterans of the Vietnam War, and several appropriations for college and career readiness initiatives, reflect this focus. Other introduced measures included an early physics education program, efforts to expand science, technology, engineering, arts, and mathematics initiatives and CTE programs to rural areas of the state, and measures to restore funding for adult students in public schools.

Career and Technical Education

Robust CTE is an evidence-based strategy for improving student outcomes and has become a priority for education stakeholders in New Mexico. In 2019, the Legislature enacted a seven-year CTE pilot project to provide funding for school districts and charter schools to develop programs of study in CTE. Building on that work, this year legislators passed House Joint Memorial 2 (HJM2) creating the Career Technical Education Task Force. HJM2 requests LESC and the Legislative Finance Committee (LFC) to convene a task force to examine the funding requirements of developing CTE programs statewide and provide a report on the status of CTE in New Mexico. The General Appropriation Act of 2020 (GAA) also maintains a \$3 million recurring general fund appropriation and a \$2 million nonrecurring appropriation from the public education reform fund for CTE. The \$3 million appropriation is for PED to support high quality CTE programs pursuant to the CTE pilot project enabling legislation. The \$2 million appropriation is for CTE programs that include targeted online learning experiences, integration of algebra and geometry into CTE coursework, and opportunities for work-based learning.

Science, Technology, Engineering, Arts, and Mathematics

Given that the statewide science proficiency rate was only 35 percent in FY19 and many of the fastest-growing sectors in the state and local economies pertain to science, technology, engineering, arts, and mathematics (STEAM), lawmakers have prioritized efforts to improve the performance of New Mexico students in these areas. Funding for STEAM programs has increased steadily in recent years; for FY21 the Legislature maintained the \$5 million recurring general fund appropriation for STEAM initiatives. Historically, the Public Education Department (PED) has allocated the majority of this funding to contracts with regional education cooperatives (RECs) to provide professional development. The GAA also includes \$75 thousand for Mathematics, Engineering, and Science Achievement (MESA), a competitive extracurricular STEAM program, and \$100 thousand for a robotics competition sponsored by Eastern New Mexico University.



Adult Education

In the 2020 legislative session, lawmakers reiterated their intent to transition away from the practice of educating adult students in public schools. Last year, responding to concerns about equitable funding and student safety, the Legislature created an upper age limit of 22 years for a “school-age person.” As a result, in FY21 new adult students will cease to generate public school formula funding. Adult students continually enrolled

Chapter 72 (Senate Bill 99) creates a process for school boards to award high school diplomas to honorably discharged veterans of the Vietnam War whose entry to service prevented their graduation from a New Mexico high school.

as of the third reporting period of the 2018-2019 school year will be eligible for funding until they disenroll. School districts and charter schools enrolled 612 adult students in FY19. Because turnover of adult students in public schools is high, this number will likely decrease significantly in coming years. This year, the Legislature held funding for Higher Education Department (HED) adult education programs flat at \$8.2 million but omitted language allowing HED to allocate up to \$3 million to services for students impacted by the school age change.

Other College and Career Readiness Appropriations

In addition to the aforementioned initiatives, the Legislature appropriated funds for several other college and career readiness measures. To help ensure dual-credit courses remain accessible for high school students, the GAA includes 21 appropriations to university branch campuses and community colleges that offer dual-credit courses. These “dual-credit adjustments,” which total just over \$2 million, are intended to partially reimburse institutions of higher education for waiving tuition and fees for dual-credit students. The GAA also includes a \$1.5 million recurring general fund appropriation to PED for dual-credit instructional materials. Recognizing the value of employability

The GAA includes a total of \$700 thousand for PED’s Graduation, Reality, and Dual-Role Skills (GRADS) program: a \$500 thousand recurring general fund appropriation and a \$200 thousand transfer from the federal block grant for the Temporary Assistance for Needy Families program. GRADS is a statewide program to help expectant and parenting teens graduate from high school, pursue higher education or employment, and develop employability and healthy parenting skills.

skills, legislators made a \$500 thousand research and public service project appropriation to the University of New Mexico to develop an online soft skills learning program for public school students. The GAA also includes a \$1.5 million recurring general fund appropriation to PED for advanced placement test assistance and a \$100 thousand recurring general fund appropriation for PED to contract with an organization that provides college and career readiness systems for public school students in kindergarten through 12th grade. Combined, these appropriations signal a strong commitment to helping New Mexico students prepare for postsecondary education and workforce entry.

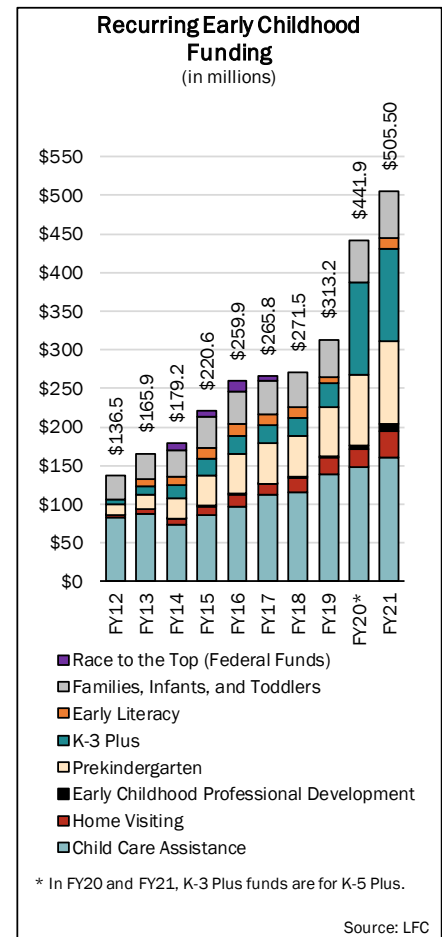
Early Childhood Education

During the 2020 legislative session, the Legislature continued New Mexico's significant investment in early childhood education, and established a dedicated funding source for early childhood education and care services. The Legislature has prioritized early childhood education funding through two economic downturns because some early childhood interventions have proven successful at narrowing the achievement gap between low-income students and their more affluent peers. Early childhood education, specifically prekindergarten, was also a focus of the plaintiffs in the consolidated *Martinez* and *Yazzie* lawsuit, which noted that full-day prekindergarten addresses the issue of at-risk students starting school behind other students. In 2019, the Legislative Finance Committee (LFC) found competition for children, a lack of coordination among programs, and rapid expansion of programming may be negatively impacting program quality. For this reason, the Legislature focused on improving program access, quality, collaboration, and coordination, trying to ensure the expansion of early childhood educational services does not outpace the development of a highly qualified workforce.

Early Childhood Education and Care Fund

As New Mexico has grown its investment in early childhood education from \$136.5 million in FY12 to \$505.5 million in FY21, conversations have focused on the need for an earmarked source of funding for early childhood programs, including earmarking an increased distribution from the land grant permanent fund (LGPF) for early childhood education. [See Appendix H: Early Childhood Program Appropriations by Agency and Source.](#)

Approval of a permanent fund distribution has proved elusive; however, [Chapter 3 \(House Bill 83\)](#) creates a long-term, revenue-producing asset for early childhood education and care services and programs – the early childhood endowment fund. The law also creates the early childhood education and care program fund, which would receive distributions from the early childhood endowment fund for the purpose of administering early childhood education and care services and childcare and prekindergarten, and similar programs; money in the early childhood education and care program fund will be subject to appropriation by the Legislature and will be administered by the Early Childhood Education and Care Department (ECECD). The General Appropriation Act (GAA) of 2020 transfers \$320 million from the general fund to the early childhood endowment fund in FY21, and Chapter 3 will distribute revenue in excess of an annual five-year average of federal mineral leasing payments to the fund. Additionally, if general fund reserves exceed 25 percent of recurring appropriations, distributions from the oil and gas emergency school tax that would otherwise go to the state's



FY20 and FY21 Early Childhood Education Program Funding

(in millions)

	FY20	FY21	Diff.	Percent Change
General Fund	\$283.3	\$332.8	\$49.5	17.5%
Fund Balance	\$4.3	\$1.7	-\$2.6	-60.5%
Federal Funds	\$63.4	\$65.8	\$2.4	3.8%
Other State Funds	\$1.1	\$1.1	\$0.0	0.0%
All Other Funds	\$30.8	\$40.0	\$9.2	29.9%
TANF	\$59.1	\$64.1	\$5.0	8.5%
Total	\$442.0	\$505.5	\$63.5	14.4%

Source: LFC

rainy day fund will go to the early childhood endowment fund. Chapter 3 distributes \$20 million from the early childhood endowment fund to the early childhood education and care program fund in FY22, and then in FY23 and each year thereafter, the bill distributes the greater of \$30 million or 5 percent of the three-year average of the early childhood endowment fund to the program fund.

Lawmakers have introduced bills to increase annual distributions from the LGPF for the purpose of early childhood education and care services for years, but proposals were met with concerns about the legality of tapping the fund for early childhood education and care services that are not in public schools. The early childhood endowment fund provides a dedicated revenue stream to fund early childhood programs into the future without depleting the corpus of the LGPF and taking money away from the public schools and other beneficiaries of the fund.

FY20 and FY21 Early Childhood Program Funding
(in millions)

	FY20	FY21	Funding Increase	Percent Change
Children, Youth and Families Department/Early Childhood Education and Care Department				
Child Care Assistance	\$ 148.5	\$ 160.9	\$ 12.4	8.4%
Home Visiting	\$ 23.2	\$ 34.4	\$ 11.2	48.3%
Early Childhood Professional Development	\$ 4.2	\$ 9.3	\$ 5.1	121.4%
Prekindergarten	\$ 46.0	\$ 54.4	\$ 8.4	18.3%
Public Education Department				
Prekindergarten	\$ 45.1	\$ 52.2	\$ 7.1	15.7%
K-5 Plus	\$ 119.9	\$ 119.9	\$ -	0.0%
Early Literacy Initiative	\$ -	\$ 14.0	\$ 14.0	N/A*
Department of Health				
Family, Infant and Toddlers Program (FIT)	\$ 55.0	\$ 60.4	\$ 5.4	9.8%
Total	\$ 441.9	\$ 505.5	\$ 63.6	14.4%

*Percent increase from FY20 cannot be calculated because no funding was appropriated in FY20.

Source: LFC

Early Literacy

The percent of third graders achieving proficiency on New Mexico’s standards-based assessment remains below 30 percent. In addition, on New Mexico’s standards-based assessment in FY19, economically disadvantaged third graders performed 24 percentage points below non-economically disadvantaged third graders in achieving reading proficiency. The scale of the achievement gap was a focal point in the *Martinez and Yazzie* consolidated lawsuit.

While LESC-endorsed [Senate Bill 74](#), which would have created a voluntary early reading professional development summer program for kindergarten through second grade teachers, did not pass, the GAA includes \$12.9 million in early literacy appropriations. The GAA includes \$10 million in the state equalization guarantee distribution (SEG) for school districts and charter schools to provide evidence-based structured literacy interventions to improve reading and

writing achievement for kindergarten through second grade students, \$2 million for school districts or charter schools to apply to the Public Education Department (PED) for early literacy and reading support programs, and \$875 thousand in nonrecurring funds for an early literacy summer professional development program and other early literacy initiatives. PED will prioritize early literacy and reading support awards to school districts and charter schools that budget the early literacy portion of their SEG distribution to providing evidence-based literacy interventions and developing literacy collaborative models for purposes of improving the reading and writing achievement of kindergarten through second grade students.

Program Funding

For FY21, the Legislature increased overall prekindergarten funding by \$15.5 million, or 17 percent, from FY20. Expansion of prekindergarten services has been a significant

focus of the Legislature for almost a decade. The plaintiffs in the consolidated *Martinez* and *Yazzie* lawsuit argued and the court found prekindergarten has “not been funded to the extent that all at-risk students can participate.” The GAA originally included language that required the appropriation for prekindergarten programs in public schools – under ECECD starting in FY21 – to only be used to convert half-day prekindergarten slots to full-day prekindergarten slots; however, this language was vetoed, perhaps in recognition of potential workforce and facility capacity issues. The number of students served in FY21 will depend on the number of half-day and full-day prekindergarten programs funded.

The GAA also specifies that public prekindergarten program awards must be prioritized to school districts or charter schools that provide PED-approved K-5 Plus programs. Private and public prekindergarten programs will be consolidated under EC-ECD in FY21, although PED will access funds from ECECD to support prekindergarten in the public education system. It is not yet clear how ECECD and PED will collaborate on prekindergarten awards.

Other Relevant Appropriations

The GAA also included a few piecemeal appropriations for early childhood education and care services. The general fund appropriation to PED for indigenous, multilingual, multicultural, and special education includes \$1 million to be transferred to the Indian Affairs Department for tribal departments of education to develop culturally and linguistically relevant early childhood curriculum, assessment tools and appropriate teacher and program evaluation instruments; to conduct needs assessments of early childhood education facilities; and to develop plans for constructing needed facilities. In addition, the GAA includes an appropriation of \$874 thousand to New Mexico State University to provide funding for the Anna, Age Eight Institute for the data-driven prevention of childhood trauma and maltreatment, which is working to prevent adverse childhood experiences (ACEs) in New Mexico.

ACEs are defined as 10 potentially traumatic experiences that fall into the categories of abuse, neglect, and other household challenges that occur before a child reaches their 18th birthday. A hallmark 1997 study revealed the connection between a high number of ACEs and an increased risk of unhealthy behavior, such as smoking cigarettes, and disease.

Student and School Supports

Academic and social supports are critical for the academic and emotional development of students and the implementation of learning climates that foster high academic success. Research shows that systems that holistically support students lead to better relationships among educators and students, increase student's attachment to school, and serve as an essential link between students and their families and school resources and community-based health and social services. These services also have a positive impact on learning environments and academic achievement. During the 2020 legislative session, legislators considered a number of bills and appropriation requests related to improving support for students, and ultimately passed multiple measures ranging from appropriations for particular programs and more at-risk funding for school districts and charter schools to legislation that eliminated barriers to food insecurity for students and improved training for school resource officers to ensure they respond appropriately to students' need. While only a few of the measures were enacted, these measures are targeted to improve services for at-risk students and address many of the findings in the consolidated *Martinez* and *Yazzie* lawsuit.

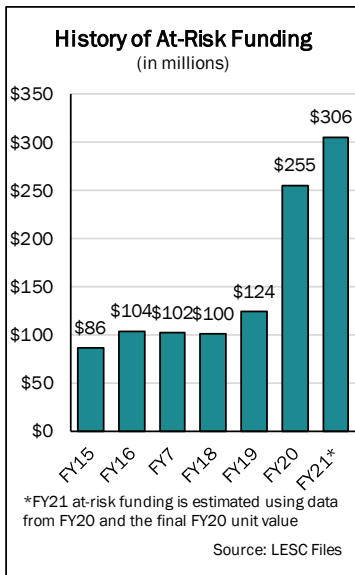
Funding for At-Risk Students

At-Risk Factor of the Public School Funding Formula

The Legislature appropriated \$50.1 million in new general fund revenue to the public school funding formula to increase funding allocated through the at-risk component of the formula. [Chapter 23 \(House Bill 59\)](#) increases the at-risk index in the funding formula from 0.25 to 0.30 for FY21 and subsequent fiscal years, bringing total at-risk funding to an estimated \$305 million in FY21. Funding for the at-risk factor totaled just under \$86 million in FY15, or 28 percent of what is estimated to be generated in FY21. The change to the factor included in Chapter 23 is consistent with the findings and conclusions issued in the *Martinez* and *Yazzie* consolidated lawsuit, which note it would be reasonable to increase the funding formula's at-risk factor to somewhere between 0.25 and 0.5.

Much of the discussion during the 2020 legislative session centered on ensuring these funds are used to meet the needs of at-risk students and improve student outcomes. Existing statutory language requires school districts and charter schools that receive at-risk program units to include a report on specified services implemented to improve the academic success of at-risk students, defined in the statute as low-income, highly mobile, or English learning students. Statutory language also currently requires funds be used on research-based or evidence-based social, emotional, or academic interventions, leaving significant local control. The Legislative Finance Committee notes that because at-risk funding is part of school districts' and charter schools' unrestricted formula funding allocations, increasing at-risk funding carries little assurance that school practices or student outcomes will fundamentally change.

It will be important for PED to improve their FY21 budget approval process to ensure dollars are used consistent with statutory requirements, especially in light of concerns that school districts and charter schools may not have used the significant increases they received in FY20 for expenditures that complied with statutory requirements.



Community Schools

Community schools, if implemented with fidelity to the four key community school pillars, have the capacity to address a myriad of adversities that threaten children from low-income families in addition to closing the achievement gap. Recognizing the potential benefits of community schools, the Legislature doubled funding for community schools from \$2 million in FY20 to \$4 million in FY21. In FY20, PED awarded planning grants of \$50 thousand to 26 schools, totaling \$1.3 million, and implementation grants of \$150 thousand to six schools, totaling \$900 thousand. LESC staff estimates PED will need \$4.8 million to continue funding the 32 entities' implementation grants in FY21, likely leaving little room for PED to fund new applications in FY21.

Amid funding concerns, PED requested [House Bill 236](#), which would have eliminated limits on grant funding amounts for community school planning and implementation grants. Current law sets planning grants at \$50 thousand and implementation grants at \$150 thousand. During the 2020 legislative session, PED indicated the specific grant amounts, included in statute in Laws 2019, Chapter 198, limited the department's ability to "right size" grant funding for individual schools; removing the limitations, PED argued, would allow the department to make grants for planning and implementation that better meet the needs of grantees. The bill, however, died on the Senate floor.

School-Based Health Centers

Research from the U.S. Department of Health and Human Services has linked school-based health centers (SBHCs) to increased graduation rates and grade point averages nationwide. By ensuring students have adequate access to healthcare, SBHCs allow students to stay healthy and focus on their education. Currently, 82 SBHCs operate across 30 New Mexico counties, many of which are undergoing shortages of qualified healthcare providers. For FY21, the Legislature appropriated \$4.2 million in general fund revenue to the Department of Health to support school-based health centers; this represents a \$900 thousand increase in general fund appropriations over FY20 appropriations, which included all but \$50 thousand of a \$1.4 million recurring general fund appropriation to PED that the department transferred to DOH. DOH estimates the appropriation will be matched almost dollar for dollar with federal funds.

Food Insecurity

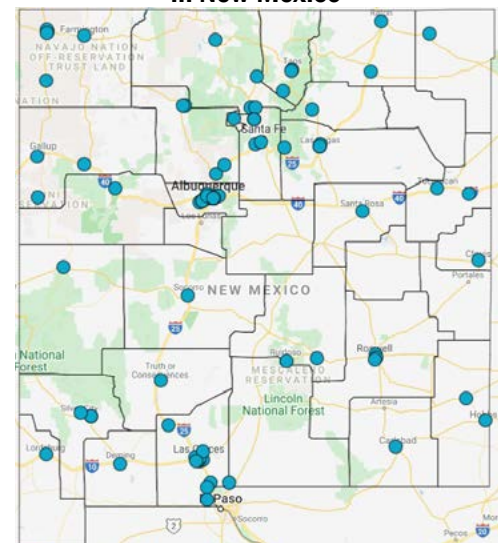
Focus has been placed on removing barriers to food access for public school students over the past several years. New Mexico generally has one of the highest child poverty rates in the nation; low-income families are more likely to suffer from food insecurity and they generally have to spend a much larger proportion of their income on food purchases than middle- and upper-income families. Children who live in households experiencing food insecurity are more likely to exhibit behavioral, emotional, and academic problems in school, which often result in school suspensions, grade retention, poor engagement with education, referrals to mental health services, and lower executive functioning. The court found, in the *Martinez and Yazzie* consolidated lawsuit, adverse consequences of hunger problems in New Mexico school include low test scores and high rates of discipline.

The Learning Policy Institute (LPI), a nonprofit education policy and practice research organization, completed a systematic review of 143 research studies of community schools and found most community schools share the following four key pillars of support:

- Integrated student supports,
- Expanded learning time and opportunities,
- Family and community engagement, and
- Collaborative leadership and practice.

The Legislature made a recurring general fund appropriation of \$4.2 million to the Department of Health for school-based health centers, including a \$50 thousand appropriation to extend the hours of school-based health centers. This represents a funding increase of 28 percent over the FY20 appropriation.

**Map of School-Based Health Centers
in New Mexico**



Source: New Mexico Association of School-Based Health Centers

The Legislature continued the \$1.6 million recurring general fund appropriation for the school “breakfast-after-the-bell” program. Pursuant to the program, a school district or charter school that has 85 percent or more of the enrolled students eligible for free or reduced-price lunch (FRL) is required to provide free breakfast to all students after the instructional day has begun. School districts and charter schools with fewer than 85 percent FRL students are not required to offer free breakfast but may do so at their election. The funding appropriated by the Legislature covers the required copayments for reduced-price eligible students and the entire cost of breakfast for non-FRL-eligible students.

Additionally, for FY21, the Legislature doubled the recurring general fund appropriation for New-Mexico-grown fruits and vegetables for schools from \$200 thousand to \$400 thousand.

The federal Bill Emerson Good Samaritan Act was created to encourage food donations to nonprofit organizations by minimizing liability.

New training requirements for school resource officers, beginning in FY23, include training in the following:

- Understanding the adolescent brain, crisis management, and de-escalation techniques;
- Tools to be a positive role model;
- The responsibility of the school resource officer to school personnel, students, and families;
- Strategies for facilitating referrals and mitigating truancy;
- Tools such as classroom management to provide law-related education to students;
- Content on adolescent development, mental health disorders, and treatment; and
- Identification and response to students with mental health and behavioral health needs.

School Meal Copayments. Laws 2017, Chapter 117, enacted the Hunger-Free Students’ Bill of Rights, which requires public schools to provide all students with a U.S. Department of Agriculture reimbursable meal, regardless of whether students can pay for that meal. [Chapter 12 \(House Bill 10\)](#) of the 2020 legislative session enacts a new section of the Public School Code that, beginning in FY21, will prohibit school districts and charter schools from requiring a copayment from a student who is eligible for reduced-price meals for breakfast or lunch if that school provides a breakfast or lunch program. The General Appropriation Act of 2020 includes a \$650 thousand recurring general fund appropriation to the Public Education Department to reimburse school districts and charter schools for the cost of the copayment. The cost of copayments totaled \$621.1 thousand in FY19. PED notes the bill is expected to eliminate copayments for approximately 12.5 thousand students at an estimated rate of \$50 per participating student (based on a 30 cent copayment for breakfast and a 40 cent copayment for lunch). It will also eliminate some of the financial burden placed on school districts and charter schools by the Hunger-Free Students’ Bill of Rights, primarily for those reduced-price eligible students whose parents do not reimburse a school for their meals.

Repackaging Leftover School Meals. Additionally, the Senate passed Senate Memorial 10, which requests PED to convene a working group by June 1, 2020, to develop recommendations for repackaging school meals for donation to students. The memorial notes high food waste at public schools in New Mexico could be eliminated by repackaging food that would normally be wasted and sending that food home with students. A number of programs around the country have started packaging breakfast and lunch food that is left over from school meals to send home with students in need.

School Safety

School safety has been a major discussion in the state since the deadly shooting at Aztec High School in December 2017. During the 2018 legislative session, significant capital funding was made available through FY22 to ensure school campuses are physically secure. In addition to capital funding, the Legislature has considered a number of school safety measures, including measures related to improving the physical and mental health of students, improving outside factors that may lead to disruptive or violent behavior, limiting and reducing exclusionary disciplinary actions, and limiting access to firearms. [Chapter 67 \(House Bill 184\)](#) amends the Law Enforcement Protection Fund Act to provide an annual distribution from the fund to school districts to cover the cost of training school district resource officers beginning in FY23. School district police departments will receive an annual distribution from the fund of \$45 thousand, plus \$1,000 for each certified police officer they employ. Chapter 67 requires a law enforcement officer hired as a new school resource officer beginning in FY23 to receive specific training within 12 months of being hired as a school resource officer. Additionally, any law enforcement officer already employed as a school resource officer in FY23 when the bill takes effect will be required to receive the specific training no later than July 1, 2023. Trainings will be provided or approved by the New Mexico Law Enforcement Academy in consultation with PED.

School Improvement

Amid concerns PED’s decisions to reclassify four schools previously identified as “more rigorous intervention” (MRI) schools pursuant to New Mexico’s federal Every Student

Succeeds Act state plan resulted in the loss of significant amounts of funding in FY20, LESC recommended an appropriation of \$5 million to ensure continued funding for the interventions being implemented at these schools. While Hawthorne Elementary School in Albuquerque Public Schools (APS) never received funding from PED to implement its turnaround plan, Los Padillas Elementary School (APS) and Dulce Elementary School (Dulce Public Schools) saw award reductions of 92 percent when they were reclassified as “comprehensive support and improvement” schools; Whittier Elementary School saw such improved student achievement, the school’s ESSA support designation was removed entirely, along with the funding to support the school’s improvement plan. The Legislature appropriated \$2.9 million for schools previously identified as MRI schools, which should sufficiently cover the losses for the three schools and provide new funding for Hawthorne, which never received any funding from PED.

Summary of Awards to Schools Identified as Needing "More Rigorous Interventions"

	FY19 Award	FY20 Award	Percent Change
Albuquerque Public Schools			
Hawthorne Elementary		\$148,267	
Los Padillas Elementary	\$760,115	\$58,822	-92%
Whittier Elementary	\$760,114		-100%
Dulce Public Schools			
Dulce Elementary	\$775,000	\$63,369	-92%

Source: PED

The 1st Judicial District Court in the consolidated *Martinez* and *Yazzie* lawsuit found the Public Education Department had failed to properly supervise and audit school districts' use of funding for at-risk students, despite significant authority to do so. To properly oversee the state's education system, PED needs the staffing and resources to provide school districts and charter schools with the support they need to build their budgets to best meet the needs of at-risk students and fully implement the state laws mentioned in the lawsuit. Additionally, PED will need to update data reporting and budget review systems to minimize administrative burdens while ensuring the department has sufficient information from public schools.

The Legislature appropriated \$750 thousand for PED to pay legal fees related to continued litigation in the consolidated *Martinez* and *Yazzie* lawsuit. In March, attorneys representing the state asked the judge to rule the state had complied with the court's order and dismiss the lawsuit.

Public Education Department Operations

For FY21, the Legislature appropriated \$14.9 million in recurring general fund appropriations for PED operations, an increase of \$1.3 million or 9.5 percent over FY20. This increase builds on a \$2.3 million increase, or 21.1 percent, provided for FY20 to ensure PED had the capacity to meet the court's order in the consolidated *Martinez* and *Yazzie* lawsuit. This significant investment in PED capacity should help the department meet the demands of the court. Although PED had requested a slightly higher amount for department operations to add 10 new positions, the department continues to struggle with vacancy rates. PED's FY21 appropriation does not include funding for new positions, but the additional funding will allow the department to fill vacant positions.

The \$14.9 million appropriated to PED for FY21 does not include appropriations made to the Department of Finance and Administration to provide a 4 percent salary increase for state employees. That appropriation could increase PED's operating budget by between \$300 thousand and \$400 thousand.

School District Budget Oversight

Laws enacted during the 2019 legislative session could require PED to increase staffing levels to support additional oversight responsibilities. To comply with the court's order in the consolidated *Martinez* and *Yazzie* lawsuit, the Legislature required school districts and charter schools to report additional data on how their schools are using funding appropriated by the Legislature for programming and to demonstrate to PED the steps the school district or charter school is taking to fully implement the Indian Education Act, the Hispanic Education Act, and the Bilingual Multicultural Education Act. The new law also requires school districts to provide information of spending for services for students with disabilities. According to PED staff, the department has been developing templates for the educational plans school districts and charter schools are required to submit as part on the FY21 budget review process.

The General Appropriation Act of 2020 again included language that prohibits a school district or charter school from moving to a four-day school week from a five-day school week in FY21. School districts already operating a four-day week are allowed to continue.

While PED has been developing plans for an enhanced budget review process, the recent coronavirus outbreak poses challenges to the department to ensure school districts and charter schools are able to adapt to the new requirements for FY21. Due to the governor's order banning public events, the department was forced to cancel its annual spring budget workshop, which provides the department an opportunity to pass information and updated procedures along to school district and charter school budget officials. Additionally, PED typically conducts a small number of budget technical reviews with school districts and charter schools in April

and May, but an extended response to the public health emergency could jeopardize this process. While PED should make every effort to continue these trainings on a virtual basis, the limited scope could limit the effectiveness of these activities.

Regional Support Systems

The Legislature appropriated \$1 million in recurring funding from the public education reform fund to PED for accountability and regional support systems based in regional education cooperatives (REC). This appropriation is in addition to the \$110 thousand in general fund appropriations to each of the 10 RECs, for a total of \$1.1 million. PED had requested \$3.4 million to build a regional support infrastructure, with 3 FTE in each REC to provide support to school districts and charter schools for budget development and program design. PED indicates this staff will also assist with the annual budget review process. At the reduced appropriation, it is PED might not be able to build this regional support infrastructure. While PED could supplement this appropriation with allocations from its operational budget, PED might need to use the additional funding from its operating budget to fill needed positions at the department.

Language in the GAA requires PED to monitor and evaluate the ways in which school districts and individual schools use funding designated for at-risk programs, bilingual and multicultural education programs, extended learning time programs, K-5 Plus programs, special education programs, new teacher mentorship programs, and instructional materials. PED is required to report findings and recommendations before November 1, 2020.

School District Budgets

While state funding through the formula-based state equalization guarantee (SEG) distribution is provided to school districts and charter schools on a noncategorical basis, the Legislature has provided for several reporting and program review requirements in state law to increase the transparency of school district budgets and to ensure schools are spending money appropriated by the Legislature in a manner consistent with legislative intent.

Budgeting for Classroom Expenses Requirements

For FY21, the General Appropriation Act (GAA) included language that requires PED to analyze the percent of school district and charter school spending on instruction, student support services, and instructional support services. For most school districts and charter schools, PED will conduct an analysis to identify statistical outliers. School districts and charter schools that spend less on these categories than comparable school districts will be required to increase their budgets for these categories over the amount provided in the prior school year. Additional language requires Albuquerque Public Schools, the only school district in the state with more than 50 thousand students, to budget at least 80 percent of operational fund dollars for instruction, student support services, and instructional support services, an increase from the 75 percent requirement included for FY20.

In FY19, Albuquerque Public Schools spent 77.4 percent of operational fund expenses in the instruction, student support, and instructional support categories. With total FY19 operational fund spending of \$656.8 million in FY19, APS would have needed to shift \$16.4 million away from other expenses to reach 80 percent.

While the intent of the language on minimum budgeted expenditures for instruction, student support services, and instructional support services reflects an intent to ensure public education funding is spent on the classroom, policymakers must balance the needs of school districts and charter schools to provide safe and healthy environments for students and employees. While expenses for facilities maintenance; heating, cooling, and other utilities; and custodial services are necessary for the proper functioning of a school, they are not included the categories specified in the GAA language. Additionally, the state invests significant amounts in public school capital

The Public School Facilities Authority recommends a spending range of between \$5.50 per square foot and \$8 per square foot to support school maintenance programs.

outlay projects. Encouraging school districts to minimize spending on preventive maintenance programs jeopardizes this investment over the long term because facilities improperly maintained must be replaced sooner. In addition to analyzing classroom expenditures, the Legislature should encourage PED to monitor facility maintenance spending. Finally, requiring school districts to analyze whether new or updated public school facilities will lead to an increase in operational costs before receiving capital outlay awards could help school districts minimize these expenses more effectively.

School District Budget Transparency

[Chapter 71 \(Senate Bill 96\)](#) requires PED to provide additional information to the public on school district budgets and spending, building on transparency efforts in the federal Every Student Succeeds Act. The current federal requirements mandate a school district report the amount spent per pupil at each school site on the school's annual report card. Schools are required to report the per-pupil spending of federal revenue and of state and local revenue on FY19 school report cards. The new requirements in state law will require site-based reporting to go into much more detail than the federal requirement and requires PED to develop an online reporting system and to include information on how school sites are budgeting funds to support at-risk students, provide bilingual and multicultural education, and support special education.

Although state law has required school district financial information to be included on the New Mexico Sunshine Portal since FY13, the information was unavailable until recently.

In addition to the \$3 million included in the GAA for the development of the online reporting system and training and technical support, [Chapter 71](#) appropriates \$3 million for the project in FY21 through FY23, leading to more funding being appropriated than initially requested for the project. Both appropriations are from the public education reform fund.

School District Administration

The Legislature included additional funding for school districts and charter school for administrative costs. The appropriation to the SEG included \$4.8 million in fixed costs, which include expenses such as utilities, maintenance costs, and supplies. This appropriation provides for a 2.5 percent increase in utilities costs and a 1 percent increase in other fixed costs categories. Although the Legislature did not include an increase to the SEG to cover the costs of increased property and liability insurance payments, the Public Schools Insurance Authority (PSIA) will receive a \$10 million nonrecurring appropriation to pay insurance claims. As a result, PSIA did not increase FY21 property and liability premiums.

School District Transportation

Transportation programs will receive \$116 million in recurring appropriations for FY21, an increase of \$2.4 million, or 2 percent, from FY20. In addition, rental fees for contractor-owned school buses will decrease in FY21, meaning a larger portion of the total appropriation will go to operations and maintenance. The appropriation included \$4.5 million in additional funding for operations, maintenance, and fuel costs, an increase of 4.3 percent. Additionally, [Chapter 81 \(House Bill 349\)](#) includes nearly \$9 million from the public school capital outlay fund to replace approximately 101 school buses older than the 12 years required in statute.

Previous LESC research has identified several issues with public school transportation funding, with inconsistent year-over-year operational allocations for many school districts, excess operational funding for some state-chartered charter schools, and a frag-

mented and complicated system to replace school buses. Though PED requested \$500 thousand for a study of transportation allocation and expenditures, this request was not funded. LESC may wish to consider how the committee could engage stakeholders in a statewide study to holistically reform the school transportation funding formula.

Chapter 81 also includes \$252 thousand for school bus cameras and authorizes \$200 thousand of the Volkswagen “clean diesel” lawsuit settlement for alternatively fueled buses or school bus charging stations, subject to the approval of the settlement trustee.

Assessments

For standards-based assessment contracts PED requested and the Legislature appropriated \$8 million for FY21, a \$2 million, or 33 percent, increase from the cost of the PARCC in previous years. Additional funding will cover the costs of providing formative and interim assessments aligned to state content standards as optional tools leading up to the summative statewide assessments. Since FY15, required summative assessments have been paid for by PED rather than individual school districts, but school districts continued to cover the cost of other assessments. The Legislature may wish to monitor the uptake of PED-developed interim assessments to take credit in the SEG based on school districts’ and charter schools’ cost savings.

During the 2019 interim, PED developed a new standardized assessment system, including many of the recommendations of the Student Success Task Force. The department selected Cognia to develop new assessments using items from the PARCC item bank coupled with a growing number of New Mexico-developed items each year, a process designed to minimize year-over-year change and provide comparability between the new assessment and the PARCC. The department also opted to use College Board’s PSAT in ninth and 10th grade and SAT in 11th grade, college admissions assessments previously optional for high school students.

Instructional Materials

The Legislature continued to provide recurring funding for instructional materials through the public school funding formula and the Legislature included a \$4.5 million nonrecurring appropriation for instructional materials from the public education reform fund in the FY21 budget. The appropriation to the SEG includes \$30 million in funding for instructional materials. School districts collectively budgeted about \$17 million for textbooks, a little more than half of the SEG funding provided, but by including funding in the SEG the Legislature allowed school districts and charter schools flexibility to purchase other kinds of materials with instructional materials dollars. Some of these purchases were not allowed when allocations were made to the instructional material fund.

In addition to allocations to school districts and charter schools, the GAA included a \$9 million nonrecurring appropriation from the public education reform fund for PED to develop culturally and linguistically appropriate instructional materials and curricula.

Information Technology Projects

The General Appropriation Act of 2020 included \$5.9 million for information technology projects at PED in FY21 and **Chapter 71** included \$3 million in funding for FY21 through FY23 to develop and provide training for the online financial reporting system, for a total of \$8.9 million for four IT projects at PED. Of the \$8.9 million funded, \$2.9 million was for projects vetted through the Department of Information Technology compliance and project management process. With these appropriations, the department will develop a new grants management system, improve the data collection system for educator preparation programs, and continue the development of a real-time data management system.

With the apparent duplicate appropriation for the online financial reporting system, PED received additional funding that could be used to improve how PED collects financial data from school districts and charter schools, however, PED's current data collection needs go beyond financial data. PED's current IT strategic plan notes previous IT plans failed to articulate a complete vision for a modernized data system, with data often siloed into separate systems for finance, education, and licensure systems. School districts and charter schools are sometimes required to submit duplicate information, increasing administrative burdens associated with new reporting requirements.

In addition to PED IT projects, the Legislature appropriated \$500 thousand from the public education reform fund for cybersecurity and data systems upgrades. According to PED, school districts and charter schools have been targeted for cybersecurity intrusions, including "ransomware" attacks — malicious software that locks a user out of its computer system until the school district or charter school makes a payment to the person responsible for the infection. PED indicates it will use the funding to evaluate school districts cybersecurity needs.

Although the quality of school facilities has improved significantly since the *Zuni* capital outlay lawsuit began, and the state has awarded \$2.6 billion in capital outlay funding to school districts since FY03, litigant school districts still believe more work must be done. While several bills to provide annual funding to school districts and charter schools that receive federal Impact Aid funds were introduced, the Legislature ultimately rejected these proposals but appropriated \$18.9 million in public school capital outlay funds to the Public School Facilities Authority (PSFA) to award to school districts and charter schools that receive federal Impact Aid payments for students residing on Indian lands.

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 Schools (GMCS) and Grants-Cibola County Public Schools. Four years ago, GMCS reopened the *Zuni* lawsuit – which had never been closed – seeking 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 the LESC Annual Report: https://www.nmlegis.gov/Entity/LESC/Documents/Reports_To_The_Legislature/LESCReportToLegislature_2020.pdf.

The Legislature also discussed improvements to the public school capital outlay process, including passage of [Chapter 64 \(House Bill 254\)](#), which provides increased equity in the Public School Capital Improvements Act. [Chapter 81 \(House Bill 349\)](#) provides for direct legislative appropriations to individual school districts and charter schools, [Chapter 82 \(House Bill 355\)](#) reauthorizes previously approved school projects, [Chapter 84 \(Senate Bill 207\)](#) authorizes the issuance of general obligation bonds, and [Chapter 57 \(House Bill 27\)](#) authorizes the New Mexico Finance Authority (NMFA) to provide loans for facility projects from the public project revolving fund.

Equity

Impact Aid School Districts

Lawmakers' conversations in the 2020 legislative session were a continuation of discussions that began in the 2019 legislative session; school districts that are plaintiffs in the *Zuni* lawsuit claim the public school capital outlay system remains inequitable because, given the large proportion of federal land in the school districts, they cannot raise sufficient local revenue to build beyond the statewide adequacy standards, unlike school districts with higher land valuations. In the 2019 legislative session, bills were introduced to eliminate the operating funding formula credit for Impact Aid funds, which reduces the state equalization guarantee distribution (SEG) to a school district by an amount equal to 75 percent of a school district's Impact Aid grant, following from plaintiff's arguments that eliminating the credit would provide more general fund revenue for capital expenditures. However, Impact Aid payments are part of a school district's operational fund and eliminating the credit would create disproportional differences in operational funding without addressing capital needs directly. In the 2020 legislative session, several bills were introduced that did not make any changes to the amount of Impact Aid credited in the public school funding formula but created a separate annual distribution equal to the amount of Impact Aid payments credited in the SEG. Ultimately, none of these bills passed, with the Legislature deciding to address the inequity within the capital outlay system instead of within school districts' operational funding.

Several school districts that receive federal Impact Aid have challenged the methodology used by the U.S. Department of Education to determine if New Mexico has an equalized school finance system. Legislation to provide additional operational funding to school districts could signal to the U.S. Department of Education that the state is not committed to maintaining an equalized school finance system.

The General Appropriation Act of 2020 (GAA) includes \$18.9 million for maintenance,

repair, and infrastructure projects for school districts and state-chartered charter schools that receive federal Impact Aid funds for Indian lands. PSFA, staff to the Public School Capital Outlay Council (PSCOC), is required to allocate an amount to each school district and state-chartered charter school proportionate to their share of federal Impact Aid payments for students residing on Indian lands from the public school capital outlay fund. PSCOC will establish an application process with the assistance of PSFA during the 2020 interim.

Public School Capital Improvements Act

For years, stakeholders have discussed the need to improve the state funding calculation in the Public School Capital Improvements Act, commonly known as “SB9” or the two-mill property tax levy, to provide greater equity in capital outlay funding to school districts with low property tax revenue. [Chapter 64 \(House Bill 254\)](#), the result of these conversations, changes the Public School Capital Improvements Act state funding calculation to give all school districts more capital outlay funds and target additional dollars to school districts with the greatest reliance on state funding for their capital needs. The new law maintains the current Public School Capital Improvements Act structure, with the state funding calculation based on a program guarantee and school districts either get a minimum or maximum guarantee adjustment depending on the funds they generate from their local two-mill levy. However, Chapter 64 adjusts the amounts included through the minimum and maximum guarantee adjustments. Chapter 64 also adds an additional factor to the state funding calculation so all school districts also receive an additional distribution adjusted by their Public School Capital Outlay Act phase two state match percentages. The law also changes the state funding calculation

A duplicate version of [Chapter 64 \(HB254\)](#), [Senate Bill 159](#), was endorsed by LESC.

The Public School Capital Outlay Act state and local match is currently transitioning from the “phase one” to the “phase two” calculation; the transition will be complete in FY24. Chapter 64 uses only the phase two calculation to provide stability of funding for school districts and the state.

to include only specified program units, specifically program units for early childhood education, basic education, special education, school district size, enrollment growth, at-risk students, and staffing cost differentials. Including only nondiscretionary program units provides for stability of funding and the ability for school districts and PED to predict revenues. Under the new law, all school districts will see an increase in state funding for public school capital improvements, with the total statewide funding increasing from \$17.3 million to an estimated \$34.9

million in FY21.

Direct Appropriations and Reauthorizations

The Legislature appropriated \$40.5 million, and reauthorized \$5 million, in public school projects in 2020. Public school projects range from facility construction to systems improvements and installations, such as the purchase of security cameras. In addition, the

GAA includes a \$1.6 million appropriation from the general fund and the public education reform fund to PSFA for the statewide deployment of mobile panic buttons at public schools; the governor vetoed language that would have required a local match for any awards.

The state and local match calculation, which determines the portion of project costs school districts and charter schools must pay for PSCOC-funded projects, was enacted in response to the *Zuni* lawsuit. Removing the requirement for a local match could disqualify the PSCOC award process.

Public School Capital Outlay Appropriations

[Chapter 81](#) authorizes \$313.4 million in statewide capital outlay projects when subtracting the \$109.5 million in vetoes; of that total, \$27.5 million is appropriated for specific projects at individual public schools, when subtracting the \$13 million in vetoes for public school projects. The \$27.5 million includes \$9.4 million for statewide projects: \$9 million from the public school capital outlay fund to purchase and equip school-district-owned school buses; \$252 thousand from the general fund to purchase, install, and equip school district-owned buses with cameras; and \$200 thou-

sand of the Volkswagen “Clean Diesel” lawsuit settlement to provide infrastructure for fueling and charging stations for alternatively fueled school buses statewide, subject to the approval of the settlement trustee. School districts and charter schools will receive \$15.6 million for 260 projects, ranging from \$5,000 “to acquire, plan, design, construct, renovate, purchase and improve security systems” to \$1.4 million “to plan, design, construct, renovate and equip a youth center.” In addition, the New Mexico School for the Blind and Visually Impaired will receive \$2.5 million to design and construct Garrett dormitory, including remediation and demolition of the existing dormitory. [See Appendix I: Public School Capital Outlay Expenditures.](#)

Public School Capital Outlay Reauthorizations

[Chapter 82](#) was enacted to reauthorize or reappropriate unexpended balances from the proceeds of severance tax bonds as well as unexpended balances of appropriations made from general fund revenues and other state funds. Chapter 82 expands or changes 121 previously approved projects – 12 of which are school projects – from their original purpose, extends expenditure periods, or establishes conditions for reverting unexpended balances. The public school capital outlay reauthorizations contained in Chapter 82 primarily address infrastructure improvements, such as asbestos and lead paint abatement, portable classroom purchases, and other facility improvements. Original authorizations for the 12 school projects were between 2012 and 2019. Of the roughly \$5 million in reauthorizations for these school projects, \$591 thousand will go to school districts and locally chartered charter schools, \$266 thousand will go to state-chartered charter schools, and \$4.1 million will go to the New Mexico School for the Blind and Visually Impaired. Of the 12 public school reauthorizations, four were reauthorized for a purpose different than the original appropriation. [See Appendix J: Public School Capital Outlay Reauthorizations.](#)

[Chapter 57 \(HB27\)](#) authorizes the New Mexico Finance Authority (NMFA) to provide loans from the public project revolving fund to 18 separate state and local entities – four of which are school districts or charter schools – based on terms and conditions established by NMFA.

Public School General Obligation Bonds

[Chapter 84](#) authorizes the issuance of \$198.5 million in general obligation bonds, which must be approved by voters during a statewide general election, including \$3 million for public school libraries statewide, \$5.3 million for the New Mexico School for the Deaf, \$3 million for the New Mexico Military Institute, \$940 thousand for the New Mexico School for the Blind and Visually Impaired, and \$700 thousand for the Santa Fe Indian School. Types of projects include facility construction, library resource acquisition, and fencing. [See Appendix K: Education-Related General Obligation Bond Projects.](#)

Appendix A: Public Education Bills by Bill Number

Legislation Related to Public Education Introduced in the
Second Session of the 54th Legislature of the State of New Mexico
(Organized by Bill Number)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter
House Bills						
HB4	FEDERALLY IMPACTED LOCATION SUPPORT PGM		(54-2)		SEC	
HB10	NO REDUCED SCHOOL MEAL COPAYMENTS		(67-0)	(39-0)	Chaptered	Ch. 12
HB45	CHANGES TO RETIREE HEALTH CARE FUND		(53-11)	(21-11)	VETO	
HB46	CHANGES TO EDUCATIONAL RETIREMENT FUND				HAFC	
HB49	GROW YOUR OWN TEACHERS ACT ELIGIBILITY				HRC	
HB51	ETHNIC STUDIES TO MEET PED CONTENTS				HRC	
HB53	HEALTH SVCS AS PART OF SUFFICIENT EDUCATION				HRC	
HB58	ENMU ROBOTICS FUNDING				HAFC	
HB59	AT-RISK PROGRAM UNITS & INDEX CALC. CHANGE	X	(61-0)	(37-1)	Chaptered	Ch. 23
HB62	TEACHER MENTORSHIP PROGRAM	X	(64-0)	(37-0)	Chaptered	Ch. 24
HB63	SOFT SKILL EDUCATION FUNDING				HAFC	
HB65	SCHOOL BASED HEALTH CLINICS FUNDING	X			HAFC	
HB69	REDUCE COLLEGE HUNGER PILOT PROGRAM	X			HAFC	
HB70	FRIENDSHIPS BETWEEN CERTAIN STUDENTS	X			HAFC	
HB71	TEEN TECHNOLOGY CENTER PROGRAMS	X			HAFC	
HB83	EARLY CHILDHOOD EDUCATION & CARE FUND		(51-14)	(37-1)	Chaptered	Ch. 3
HB84	GROUP HEALTH INSURANCE EMPLOYER CONTRIBUTION				HRC	
HB86	EARLY CHILDHOOD CARE WORKFORCE SUPPORT PGM				HEC	
HB87	BILINGUAL MULTICULTURAL ADVISORY COUNCIL	X			HRC	
HB88	ADULT BASIC EDUCATION SERVICES	X			HEC	
HB89	ADULT ED FOR STUDENTS IN JUSTICE SYSTEM	X			HEC	
HB90	LICENSED SCHOOL EMPLOYEE PROGRAM UNITS	X			HRC	
HB92	TEACHER RESIDENCY ACT	X	(62-0)	(41-0)	Chaptered	Ch. 25
HB95	STATEWIDE DANCE PROGRAM FUNDING				HAFC	
HB102	NATIONAL BOARD CERTIFICATION SCHOLARSHIP ACT	X	(61-1)	(39-0)	Chaptered	Ch. 26
HB110	EXCUSED ABSENCES FOR MENTAL HEALTH DAYS				HRC	
HB112	AFTER SCHOOL & SUMMER ENRICHMENT PROGRAMS				HAFC	
HB125	PORTABLE PLANETARIUM FOR BILINGUAL STEM ED				HEC	
HB127	TASK FORCE ON ASSET MAPPING AND GAP ANALYSIS				HAFC	
HB131	DISTRIBUTION TO TAXING SCHOOL DISTRICTS				HRC	
HB134	FUNDING TO IMPROVE EDUCATIONAL OUTCOMES				HAFC	
HB135	NATIVE LANGUAGE EDUCATIONAL PGM UNITS				HRC	
HB136	AMERICAN INDIAN STUDENT COLLEGE READINESS PGM				HAFC	
HB137	NATIVE AMERICAN PROJECTS				HAFC	
HB138	FUNDING FOR YAZZIE LAWSUIT RESPONSES				HAFC	
HB139	ZUNI PUEBLO EDUCATION IMPROVEMENTS				HAFC	
HB140	MESCALERO APACHE EDUCATION IMPROVEMENTS				HAFC	
HB147	PUBLIC SCHOOL SIZE ADJUSTMENT PROGRAM UNITS				HRC	
HB150	BERNALILLO EXTENDED LEARNING & ENRICHMENT PGMS				HAFC	
HB152	FUND FOR ADULT EDUCATION SERVICES				HEC	
HB153	BILINGUAL MULTICULTURAL EDUCATIONAL PROGRAM				HAFC	

Appendix A: Education Bills by Bill Number

**Legislation Related to Public Education Introduced in the
Second Session of the 54th Legislature of the State of New Mexico
(Organized by Bill Number)**

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter
43	HB172				HEC	
44	HB177				HAFC	
45	HB180				HRC	
46	HB184		(62-1)	(39-0)	Chaptered	Ch. 67
47	HB197				HAFC	
48	HB198				HAFC	
49	HB199		(67-0)		Senate	
50	HB219				HRC	
51	HB221				HAFC	
52	HB224				HAFC	
53	HB226				HRC	
54	HB227				HEC	
55	HB236		(52-9)		Senate	
56	HB239		(63-0)		SFC	
57	HB240				HEC	
58	HB241				HEC	
59	HB244				HEC	
60	HB254		(66-0)	(40-0)	Chaptered	Ch. 64
61	HB260				HRC	
62	HB277				HAFC	
63	HB279				HEC	
64	HB280				HEC	
65	HB281				HRC	
66	HB287				HEC	
67	HB290				HEC	
68	HB296				HAFC	
69	HB298				HAFC	
70	HB309				HRC	
71	HB310				HAFC	
72	HB314				HEC	
73	HB315				HRC	
74	HB321				HRC	
75	HB324				HRC	
76	HB329				HAFC	
77	HB342				HRC	
78	HB345				HRC	
79	HB352				HRC	
80	HB354				HRC	
81	HB359				HEC	
82	HB360				HRC	
83	HB361				HRC	
84	HB363				HAFC	

Appendix A: Education Bills by Bill Number

**Legislation Related to Public Education Introduced in the
Second Session of the 54th Legislature of the State of New Mexico
(Organized by Bill Number)**

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter
85	HB364		(43-25)	(24-17)	Chaptered	Ch. 48
86	Senate Bills					
87	SB3				HAFC	
88	SB7				SFC	
89	SB10				SCC	
90	SB11				SCC	
91	SB13				SEC	
92	SB18				SCONC	
93	SB21				SFC	
94	SB31			(40-0)	House	
95	SB34				SCC	
96	SB35				SFC	
97	SB36	X			SCC	
98	SB37				SFC	
99	SB38	X			SCC	
100	SB42				SFC	
101	SB47				SFC	
102	SB48				SFC	
103	SB71				SCC	
104	SB74	X			SFC	
105	SB89	X			SCC	
106	SB93				SCC	
107	SB96		(70-0)	(37-0)	Chaptered	Ch. 71
108	SB99		(67-0)	(39-0)	Chaptered	Ch. 72
109	SB109				SFC	
110	SB110				SFC	
111	SB111	X	(32-7)	(66-2)	Chaptered	Ch. 10
112	SB112				SEC	
113	SB130		(67-0)	(42-0)	Chaptered	Ch. 50
114	SB132				SFC	
115	SB133				SCORC	
116	SB135				SEC	
117	SB137		(50-18)	(42-0)	Chaptered	Ch. 53
118	SB141				SEC	
119	SB142				SEC	
120	SB155				SFC	
121	SB156				SEC	
122	SB158				SCC	
123	SB159	X		(37-0)	HTRC	
124	SB165				SCC	
125	SB171				SEC	
126	SB173				SCC	

Appendix A: Public Education Bills by Bill Number

Legislation Related to Public Education Introduced in the Second Session of the 54th Legislature of the State of New Mexico (Organized by Bill Number)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter	
127	SB174				SCC	127	
128	SB183				SFC	128	
129	SB193				SCC	129	
130	SB198				SEC	130	
131	SB199				SFC	131	
132	SB202			(35-7)	HAFC	132	
133	SB205				SEC	133	
134	SB213				SFC	134	
135	SB222				SFC	135	
136	SB239				SFC	136	
137	SB249				SEC	137	
138	SB251				SEC	138	
139	SB252				SEC	139	
140	SB254				SFC	140	
141	SB255				SCC	141	
142	SB257				SCC	142	
143	SB263				SFC	143	
144	SB276				SCC	144	
145	SB292				SFC	145	
146	SB316				SFC	146	
147	SB317				SFC	147	
148	Joint Resolutions						148
149	HJR1		(44-25)		SFC	149	
150	HJR2				HCPAC	150	
151	HJR6				HEC	151	
152	HJR9				HAFC	152	
153	Memorials and Joint Memorials						153
154	HJM2		(61-0)	(42-0)	Passed	154	
155	HJM3		(65-2)	(40-0)	Passed	155	
156	HJM5		(68-0)		SRC	156	
157	HM12				House	157	
158	HM24				House	158	
159	HM31		(68-0)		Signed	159	
160	HM46				House	160	
161	HM48				House	161	
162	SJM7			(36-0)	House	162	
163	SJM10			(35-0)	House	163	
164	SM10			(35-0)	Signed	164	
165	SM31				Senate	165	

Note: Bill number is linked to bill web page on the New Mexico Legislature website.

Source: LESC Files

Appendix B: Public Education Bills by Category

Legislation Related to Public Education Introduced in the Second Session of the 54th Legislature of the State of New Mexico

(Organized by Category)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter
Early Childhood Education						
HB83	EARLY CHILDHOOD EDUCATION & CARE FUND		(51-14)	(37-1)	Chaptered	Ch. 3
HB86	EARLY CHILDHOOD CARE WORKFORCE SUPPORT PGM				HEC	
HB197	CHILDHOOD ED PROGRAMS IN RURAL AREA				HAFC	
HB198	WNMU EARLY CHILDHOOD ED PROGRAM				HAFC	
HB224	STATEWIDE LITERACY PROGRAMS				HAFC	
HB279	PRE-K ENROLLMENT INCREASE FUNDING				HEC	
HB345	NATIVE AMERICAN EARLY CHILDHOOD EDUCATION				HRC	
HJR1	PERMANENT FUNDS FOR EARLY CHILDHOOD, CA		(44-25)		SFC	
SB3	EARLY CHILDHOOD EDUCATION & CARE FUND			(40-0)	HAFC	
SB7	CENTER OF EXCELLENCE AT WNMU				SFC	
SB18	RENEWABLE ENERGY PRODUCTION TAX				SCONC	
SB35	APPROP TO NMSU FOR PREVENTION OF CHILD ABUSE				SFC	
SB74	VOLUNTARY EARLY READING DEVELOPMENT PROGRAM	X			SFC	
Learning						
HB51	ETHNIC STUDIES TO MEET PED CONTENTS				HRC	
HB58	ENMU ROBOTICS FUNDING				HAFC	
HB63	SOFT SKILL EDUCATION FUNDING				HAFC	
HB71	TEEN TECHNOLOGY CENTER PROGRAMS	X			HAFC	
HB87	BILINGUAL MULTICULTURAL ADVISORY COUNCIL	X			HRC	
HB88	ADULT BASIC EDUCATION SERVICES	X			HEC	
HB89	ADULT ED FOR STUDENTS IN JUSTICE SYSTEM	X			HEC	
HB112	AFTER SCHOOL & SUMMER ENRICHMENT PROGRAMS				HAFC	
HB125	PORTABLE PLANETARIUM FOR BILINGUAL STEM ED				HEC	
HB134	FUNDING TO IMPROVE EDUCATIONAL OUTCOMES				HAFC	
HB135	NATIVE LANGUAGE EDUCATIONAL PGM UNITS				HRC	
HB136	AMERICAN INDIAN STUDENT COLLEGE READINESS PGM				HAFC	
HB137	NATIVE AMERICAN PROJECTS				HAFC	
HB138	FUNDING FOR YAZZIE LAWSUIT RESPONSES				HAFC	
HB139	ZUNI PUEBLO EDUCATION IMPROVEMENTS				HAFC	
HB140	MESenateERO APACHE EDUCATION IMPROVEMENTS				HAFC	
HB150	BERNALILLO EXTENDED LEARNING & ENRICHMENT PGMs				HAFC	
HB152	FUND FOR ADULT EDUCATION SERVICES				HEC	
HB153	BILINGUAL MULTICULTURAL EDUCATIONAL PROGRAM				HAFC	
HB172	DUAL CREDIT PROGRAM FUNDING				HEC	
HB177	REGIONAL PARTNERSHIP SCHOOL DEMO PROJECT				HAFC	
HB199	STUDY BILITERACY FRAMEWORKS		(67-0)		Senate	
HB219	K-5 PLUS PROGRAM ELIGIBILITY				HRC	
HB221	CULTURAL & LINGUISTIC EDUCATION SUPPORT				HAFC	
HB227	ELEMENTARY SCHOOL MENTORING & TUTORING				HEC	
HB239	INCREASE FINE ARTS ED PROGRAM UNIT		(63-0)		SFC	
HB281	ENGLISH LEARNER ED PGM REQUIREMENTS				HRC	
HB287	GRANT COUNTY SCHOOL STEAM PROGRAMS				HEC	

Appendix B: Public Education Bills by Category

**Legislation Related to Public Education Introduced in the
Second Session of the 54th Legislature of the State of New Mexico**
(Organized by Category)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter	
44	HB290				HEC	44	
45	HB296				HAFC	45	
46	HB298				HAFC	46	
47	HB310				HAFC	47	
48	HB314				HEC	48	
49	HB329				HAFC	49	
50	HB342				HRC	50	
51	HB352				HRC	51	
52	HB361				HRC	52	
53	HB363				HAFC	53	
54	HJR2				HCPAC	54	
55	HJR9				HAFC	55	
56	HJM2		(61-0)	(42-0)	Passed	56	
57	HJM5		(68-0)		SRC	57	
58	HM12				House	58	
59	HM31		(68-0)		Signed	59	
60	HM48				House	60	
61	SB21				SFC	61	
62	SB37				SFC	62	
63	SB38	X			SCC	63	
64	SB42				SFC	64	
65	SB47				SFC	65	
66	SB93				SCC	66	
67	SB99		(67-0)	(39-0)	Chaptered	Ch. 72	
68	SB109				SFC	68	
69	SB112				SEC	69	
70	SB155				SFC	70	
71	SB156				SEC	71	
72	SB165				SCC	72	
73	SB174				SCC	73	
74	SB183				SFC	74	
75	SB193				SCC	75	
76	SB205				SEC	76	
77	SB249				SEC	77	
78	SB263				SFC	78	
79	SB316				SFC	79	
80	SJM10			(35-0)	House	80	
81	SM31				Senate	81	
82	Public School Capital Outlay						82
83	HB4		(54-2)		SEC	83	
84	HB131				HRC	84	
85	HB254		(66-0)	(40-0)	Chaptered	Ch. 64	

Appendix B: Public Education Bills by Category

Legislation Related to Public Education Introduced in the Second Session of the 54th Legislature of the State of New Mexico

(Organized by Category)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter
86	SB31			(40-0)	House	
87	SB135				SEC	
88	SB141				SEC	
89	SB142				SEC	
90	SB159	X		(37-0)	HTRC	
91	SB198				SEC	
92	SB292				SFC	
93	SB317				SFC	
94	SJM7			(36-0)	House	
95	School District Administration and Oversight					
96	HB147				HRC	
97	HB244				HEC	
98	HB354				HRC	
99	HJR6				HEC	
100	SB34				SCC	
101	SB71				SCC	
102	SB96		(70-0)	(37-0)	Chaptered	Ch. 71
103	Student Supports					
104	HB10		(67-0)	(39-0)	Chaptered	Ch. 12
105	HB53				HRC	
106	HB59	X	(61-0)	(37-1)	Chaptered	Ch. 23
107	HB65	X			HAFC	
108	HB69	X			HAFC	
109	HB70	X			HAFC	
110	HB95				HAFC	
111	HB110				HRC	
112	HB127				HAFC	
113	HB184		(62-1)	(39-0)	Chaptered	Ch. 67
114	HB236		(52-9)		Senate	
115	HB241				HEC	
116	HB315				HRC	
117	HB321				HRC	
118	HM24				House	
119	SB10				SCC	
120	SB11				SCC	
121	SB48				SFC	
122	SB130		(67-0)	(42-0)	Chaptered	Ch. 50
123	SB132				SFC	
124	SB133				SCORC	
125	SB171				SEC	
126	SB202			(35-7)	HAFC	
127	SB251				SEC	

Appendix B: Public Education Bills by Category

**Legislation Related to Public Education Introduced in the
Second Session of the 54th Legislature of the State of New Mexico**
(Organized by Category)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter
128	SB252 EXPAND SCHOOL FOOD PROGRAMS				SEC	
129	SB257 EVICTION PREVENTION ACT				SCC	
130	SB276 MEDICAL CANNABIS IN SCHOOLS				SCC	
131	SM10 DONATING SCHOOL MEALS TO STUDENTS			(35-0)	Signed	
132	Teaching					
133	HB45 CHANGES TO RETIREE HEALTH CARE FUND		(53-11)	(21-11)	Vetoed	
134	HB46 CHANGES TO EDUCATIONAL RETIREMENT FUND				HAFC	
135	HB49 GROW YOUR OWN TEACHERS ACT ELIGIBILITY				HRC	
136	HB62 TEACHER MENTORSHIP PROGRAM	X	(64-0)	(37-0)	Chaptered	Ch. 24
137	HB84 GROUP HEALTH INSURANCE EMPLOYER CONTRIBUTION				HRC	
138	HB90 LICENSED SCHOOL EMPLOYEE PROGRAM UNITS	X			HRC	
139	HB92 TEACHER RESIDENCY ACT	X	(62-0)	(41-0)	Chaptered	Ch. 25
140	HB102 NATIONAL BOARD CERTIFICATION SCHOLARSHIP ACT	X	(61-1)	(39-0)	Chaptered	Ch. 26
141	HB180 INSTRUCTIONAL SUPPORT PROVIDER LOAN REPAYMENT				HRC	
142	HB226 RETIRED TEACHERS AS SUBSTITUTES				HRC	
143	HB240 COLLEGE BILINGUAL ED FACULTY				HEC	
144	HB260 RETIRED TEACHERS AS SUBSTITUTES				HRC	
145	HB277 ENMU GREYHOUND PROMISE SCHOLARSHIP				HAFC	
146	HB280 BILINGUAL TEACHER PREPARATION ACT				HEC	
147	HB309 PAY RATE FOR CERTAIN TEACHERS				HRC	
148	HB324 RETURN TO WORK FOR SOME SCHOOL PERSONNEL				HRC	
149	HB359 RURAL TEACHER TAX CREDIT				HEC	
150	HB360 EDUCATION DEGREE LOAN REPAYMENT				HRC	
151	HB364 PUBLIC SECTOR COLLECTIVE BARGAINING CHANGES		(43-25)	(24-17)	Chaptered	Ch. 48
152	HJM3 SCHOOL PERSONNEL CAREER PATHWAY		(65-2)	(40-0)	Passed	
153	HM46 EDUCATOR COMPENSATION TASK FORCE				House	
154	SB13 INCREASE SALARIES FOR SPECIAL ED TEACHERS				SEC	
155	SB36 CREATING THE TEACHER PREPARATION TASK FORCE	X			SCC	
156	SB89 BILINGUAL TEACHER SCHOLARSHIP ACT	X			SCC	
157	SB110 PUBLIC SECTOR COLLECTIVE BARGAINING CHANGES				SFC	
158	SB111 CHANGES TO EDUCATIONAL RETIREMENT	X	(32-7)	(66-2)	Chaptered	Ch. 10
159	SB137 LICENSURE ELIGIBILITY WITHOUT LAWFUL PRESENCE		(50-18)	(42-0)	Chaptered	Ch. 53
160	SB158 RETIREE HEALTH CARE FUND CONTRIBUTION RATES				SCC	
161	SB173 SPECIAL EDUCATION LOAN FOR SERVICE ACT				SCC	
162	SB199 ENMU GREYHOUND PROMISE SCHOLARSHIPS				SFC	
163	SB213 TEACHER PROFESSIONAL DEVELOPMENT				SFC	
164	SB222 PRE-SERVICE TEACHER COMPUTER SCIENCE PROGRAM				SFC	
165	SB239 ACEQUIAS & LAND GRANT IN PUBLIC EDUCATION				SFC	
166	SB254 GROUP HEALTH INSURANCE EMPLOYER CONTRIBUTIONS				SFC	
167	SB255 TEACHER PREP SCHOLARSHIP ELIGIBILITY				SCC	

Note: Bill number is linked to bill web page on the New Mexico Legislature website.

Source: LESC Files

Appendix C: Public School Support and Related Appropriations for FY21

Public School Support and Related Appropriations for FY21 (in thousands of dollars)

School Year 2019-2020 Preliminary Unit Value = \$4,565.41
School Year 2019-2020 Final Unit Value = \$4,602.27

	FY20 OpBud	Laws 2020, Chapter 83
PROGRAM COST	\$2,646,377.6	\$3,137,303.4
UNIT CHANGES		
Increase At-Risk Index (Multiplier for FY20: 0.25; FY21: 0.30)	\$113,177.9 ¹	\$50,152.1 ¹
Set School Age Limit at 22	(\$6,129.0)	
Phase-Out School Size Adjustment for Schools Within Large Districts	(\$9,041.6)	
Phase-In Rural Population Units	\$5,204.5 ¹	
Extended Learning Time Program Units (190 Days, After School Programs, and 80 Hours of Professional Development)	\$62,497.4 ¹	\$8,896.6 ²
K-5 Plus Program Units	\$119,895.9 ¹	²
Additional Elementary P.E. Program Units		\$6,000.0
Net Program Unit Changes	(\$11,173.3)	(\$10,287.0)
UNIT VALUE CHANGES		
Instructional Materials	\$30,000.0	
Increase Employer Retirement Contributions 0.25 Percentage Points	\$4,250.0 ¹	
Insurance	\$9,014.0	\$11,567.6
Fixed Costs	\$4,000.0	\$4,764.9
Mentorship, Professional Development, and Induction Programs		\$11,000.0
Mentorship Stipends		\$4,198.1
Early Literacy and Reading Support Programs		\$10,000.0
Minimum Wage Increase (Laws 2019, Chapter 114; FY20: \$9.00; FY21: \$10.50)	\$169.6	\$1,100.0
Compensation Increase for Teachers (FY20: 6%; FY21: average 4%)	\$77,753.0	\$59,180.2
Compensation Increase for Other Employees (FY20: 6%; FY21: average 4%)	\$43,919.8	\$33,447.4
Increase Teacher Minimum Salaries (\$41k, \$50k, \$60k)	\$38,217.4 ¹	
Increase Principal and Assistant Principal Minimum Salary (\$60K*responsibility factor)	\$2,215.6 ¹	
SUBTOTAL PROGRAM COST	\$3,137,303.4	\$3,327,323.3
Dollar Change Over Prior Year Appropriation	\$490,925.8	\$190,019.9
Percent Change	18.6%	6.1%
LESS PROJECTED CREDITS (FY19 Actual Credits of \$84,100.6)	(\$63,500.0)	(\$83,000.0)
LESS OTHER STATE FUNDS (From Driver's License Fees)	(\$5,000.0)	(\$7,000.0)
STATE EQUALIZATION GUARANTEE	\$3,068,803.4	\$3,237,323.3
Dollar Change Over Prior Year Appropriation	\$486,425.8	\$168,519.9
Percent Change	18.8%	5.5%
CATEGORICAL PUBLIC SCHOOL SUPPORT		
Transportation		
Maintenance and Operations	\$56,397.9	\$86,664.8
Fuel	\$12,979.0	\$13,108.8
Rental Fees (Contractor-Owned Buses)	\$9,194.4	\$7,119.7
Transportation for Extended Learning Time Programs	\$2,745.6 ¹	\$3,707.3
Transportation for K-5 Plus Programs	\$3,744.0 ¹	\$3,818.9
Compensation Increase for Transportation Employees (FY20: 6%, FY21: 4% average)	\$3,567.6	\$1,594.0
SUBTOTAL TRANSPORTATION	\$88,628.5 ³	\$116,013.5
Out-of-State Tuition	\$300.0	\$285.0
Emergency Supplemental	\$1,000.0	\$2,000.0
Dual Credit Instructional Materials	\$1,000.0	\$1,500.0
Standards-Based Assessments	\$6,000.0	\$8,000.0
Indian Education Fund	\$6,000.0	\$6,000.0
TOTAL CATEGORICAL	\$102,928.5	\$133,798.5
TOTAL PUBLIC SCHOOL SUPPORT	\$3,171,731.9	\$3,371,121.8
Dollar Change Over Prior Year Appropriation	\$474,975.4	\$199,389.9
Percent Change	17.6%	6.3%

Appendix C: Public School Support and Related Appropriations for FY21

Public School Support and Related Appropriations for FY21 (in thousands of dollars)

School Year 2019-2020 Preliminary Unit Value = \$4,565.41 School Year 2019-2020 Final Unit Value = \$4,602.27		FY20 OpBud	Laws 2020, Chapter 83
51	RELATED REQUESTS: RECURRING		
52	Regional Education Cooperatives	\$1,039.0	\$1,100.0
53	Indigenous, Multilingual, Multicultural and Special Education	\$1,000.0	\$5,500.0
54	English Learners and Bilingual Education Program Evaluation and Support	\$2,500.0	
55	Early Literacy and Reading Support		\$2,000.0
56	Principal, School Leader, and Board Member Professional Development	\$2,500.0	\$3,000.0
57	Teacher Evaluation System	\$1,000.0 ⁴	
58	Teacher Professional Development Programs	\$2,500.0	\$3,455.0
59	Community School Initiatives	\$2,000.0	\$4,000.0
60	Breakfast for Elementary Students	\$1,600.0	\$1,600.0
61	New Mexico Grown Fruits and Vegetables	\$450.0	\$400.0
62	GRADS - Teen Parent Interventions	\$200.0 ⁵	\$500.0 ⁵
63	School-Based Health Centers	\$1,350.0	
64	STEAM Initiative (Science, Technology, Engineering, Arts, and Math)	\$5,000.0	\$5,000.0
65	Advanced Placement Test Fee Waivers and Training	\$1,500.0	\$1,500.0
66	Career Technical Education Fund (Laws 2019, Ch. 61)	\$3,000.0	\$3,000.0
67	Accountability and Regional Support Systems		⁶
68	School Lunch Copayments		\$650.0
69	College and Career Readiness		\$100.0
70	Feminine Hygiene Products	\$170.0	\$170.0
71	Teaching Pathways Coordinator	\$50.0	\$50.0
72	Teacher Professional Development for Computer Science	\$200.0	\$200.0
73	MESA Programs	\$75.0	\$75.0
74	TOTAL RELATED APPROPRIATIONS: RECURRING	\$26,841.0	\$32,300.0
75	Dollar Change Over Prior Year Appropriation	(\$35,059.0)	\$5,459.0
76	Percent Change	-56.6%	20.3%
77	SUBTOTAL PUBLIC EDUCATION FUNDING	\$3,198,572.9	\$3,403,421.8
78	Dollar Change Over Prior Year Appropriation	\$408,666.4	\$204,848.9
79	Percent Change	14.6%	6.4%
80	PUBLIC EDUCATION DEPARTMENT	\$13,618.8	\$14,919.0
81	Dollar Change Over Prior Year Appropriation	\$2,372.2	\$1,300.2
82	Percent Change	21.1%	9.5%
83	TOTAL - PUBLIC SCHOOL SUPPORT AND PED	\$3,212,191.7	\$3,418,340.8
84	Dollar Change Over Prior Year Appropriation	\$411,038.6	\$206,149.1
85	Percent Change	14.7%	6.4%
86	OTHER PUBLIC SCHOOL RELATED APPROPRIATIONS - RECURRING		
87	Early Childhood Education and Care Department - Public Pre-Kindergarten Fund	\$39,000.0 ⁷	\$48,700.0 ⁷
88	<i>TEACHER PREPARATION PROGAMS - FINANCIAL AID AND RSPSs</i>		
89	Higher Education Department - Teacher Preparation Affordability Fund	⁸	¹⁰
90	Higher Education Department - Teacher Loan Repayment Fund	⁸	¹⁰
91	Higher Education Department - Grow Your Own Teachers Act	\$370.0	
92	University of New Mexico - Grow Your Own Teachers Network		\$400.0
93	New Mexico State University - Alliance Teaching and Learning Advancement	\$155.9	\$155.9
94	Eastern New Mexico University - Teacher Education Preparation Program	\$200.0	\$200.0
95	Eastern New Mexico University - Greyhound Promise	\$100.0	\$100.0
96	Santa Fe Community College - Teacher Education Expansion		\$150.0
97	GRAND TOTAL - SECTION 4 PUBLIC SCHOOL APPROPRIATIONS	\$3,252,017.6	\$3,468,046.7
98	Dollar Change Over Prior Year Appropriation	\$450,864.5	\$216,029.1
99	Percent Change	16.1%	6.6%

Appendix C: Public School Support and Related Appropriations for FY21

Public School Support and Related Appropriations for FY21 (in thousands of dollars)

	FY20 OpBud	Laws 2020, Chapter 83
School Year 2019-2020 Preliminary Unit Value = \$4,565.41		
School Year 2019-2020 Final Unit Value = \$4,602.27		
SECTION 5 APPROPRIATIONS: NONRECURRING GENERAL FUND OR PUBLIC EDUCATION REFORM FUND		
FROM THE PUBLIC EDUCATION REFORM FUND		
Career Technical Education Fund (Laws 2019, Ch. 61)	\$2,000.0 ⁹	\$2,000.0
Culturally and Linguistically Appropriate Instructional Materials and Curricula		\$9,000.0
Cyber Security and Data Systems Upgrade		\$500.0
Early Literacy Summer Professional Development		\$875.0
School Budget Transparency Website		\$3,000.0 ¹
Educator Evaluation System		\$1,000.0
Emergency Supplemental Funding for School Districts		
National Board Certification Grants		\$500.0 ¹
School Improvement Grants		\$2,933.1
Grow Your Own Teachers Act		\$500.0
Statewide Special Education Convening		\$750.0
Teacher Residency Pilot	\$1,000.0 ⁹	\$2,000.0 ¹
Teacher Placement in Hard-to-Staff Schools		\$1,000.0
Panic Buttons in Public Schools (to Public School Facilities Authority)		\$1,500.0
Summer Extended Learning for Native American Students and Small Schools		\$5,000.0
K-12 Plus Pilot and K-5 Plus Transition Programs		\$30,000.0
Instructional Materials	\$26,500.0 ⁹	\$4,500.0
PED IT Systems		\$2,866.0
FROM THE GENERAL FUND		
Teacher Evaluation System Research and Development	\$1,000.0	
Standards-Based Assessment Research and Development	\$2,000.0	
Emergency Supplemental Funding for School Districts	\$1,000.0	
Dual-Credit Instructional Materials	\$500.0	
Sufficiency Lawsuit Fees	\$1,250.0	\$750.0
Biliteracy Framework Study		\$100.0
Panic Buttons in Public Schools (to Public School Facilities Authority)		\$95.0
Teacher Preparation Affordability Fund (to the Higher Education Department)		\$5,000.0
Insurance Claims (to Public Schools Insurance Authority)		\$10,000.0
FROM THE PUBLIC SCHOOL CAPITAL OUTLAY FUND		
Maintenance, Repair, and Infrastructure Projects in Impact Aid Areas (to PSFA)		\$18,867.0
OTHER NONRECURRING APPROPRIATIONS		
Laws 2019, Ch. 277/ Laws 2020, Ch. 81: School Bus Replacement (from PSCOF)	\$32,895.0	\$8,989.0
Laws 2019, Ch. 277: Prekindergarten Classrooms (from PSCOF)	\$5,000.0	
Laws 2019, Ch. 277: School Teacherages (from PSCOF)	\$10,000.0	
Laws 2019, Ch. 277: Impact Aid Infrastructure and Facilities (from the general fund)	\$24,000.0	
Ch. 81: School Bus Cameras (from the general fund)		\$252.4
Ch. 81: Alternative School Bus Fueling or Charging Infrastructure (VW settlement)		\$200.0
TRANSFERS		
Teacher Loan Repayment Fund	\$10,000.0	
Teacher Preparation Affordability Scholarship Fund	\$10,000.0	
TOTAL - NONRECURRING AND TRANSFERS	\$127,145.0	\$112,177.5

¹This appropriation was contingent on the enactment of legislation.

Source: LESC

²The General Appropriation Act (GAA) of 2020 included language earmarking funds for ELTP and K-5 Plus and providing flexibility for programs in FY21.

³Laws 2016 (2nd S.S.), Chapter 2 (Senate Bill 4) authorized up to \$25 million in annual appropriations to the instructional material fund and transportation distribution from the public school capital outlay fund (PSCOF) in FY18 through FY22. The GAA of 2019 appropriated \$25 million to the transportation distribution.

⁴The GAA of 2019 included \$1 million from the educator licensure fund.

⁵The GAAs of 2019 and 2020 included \$200 thousand in temporary assistance for needy families (TANF) funds.

⁶The GAA of 2020 included \$1 million from the public education reform fund.

⁷Beginning in FY21, appropriations to the public pre-kindergarten fund will move from PED to the Early Childhood Education and Care Department. The GAA of 2019 and 2020 included \$3.5 million in TANF funds for prekindergarten.

⁸Section 6 of the GAA of 2020 included FY20 appropriations of \$1.1 million for programs from the teacher loan repayment fund and \$2.2 million for programs from the teacher

⁹This appropriation was from the general fund in FY20.

¹⁰The GAA of 2020 included FY21 appropriations of \$2 million for programs from the teacher loan repayment fund and \$5 million for programs from the teacher preparation affordability scholarship fund.

Appendix D: Selected Education-Related Language from the General Fund

SELECTED PUBLIC EDUCATION RELATED LANGUAGE FROM THE GENERAL APPROPRIATION ACT OF 2020

Strikethrough Indicates Executive Veto

Section 4

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 2020-2021 school year and then, on verification of the number of units statewide for fiscal year 2021 but no later than January 31, 2021, 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, the legislative finance committee and the legislative education study committee.

The secretary of public education shall ensure that during fiscal year 2021 no full-time level one teacher receives a base salary less than forty-one thousand dollars (\$41,000).

The general fund appropriation to the state equalization guarantee distribution includes fifty-nine million one hundred eighty thousand two hundred dollars (\$59,180,200) to provide an average four percent salary increase to all licensed teachers whose primary duty is classroom instruction. The secretary of public education shall not approve the operating budget of a school district or charter school that does not provide an average four percent salary increase for all licensed teachers whose primary duty is classroom instruction.

The general fund appropriation to the state equalization guarantee distribution includes thirty-three million four hundred forty-seven thousand four hundred dollars (\$33,447,400) to provide an average four percent salary increase for all school personnel, other than licensed teachers whose primary duty is classroom instruction. The secretary of public education shall not approve the operating budget of a school district or charter school that does not provide an average four percent salary increase for all school personnel, other than licensed teachers whose primary duty is classroom instruction.

The general fund appropriation to the state equalization guarantee distribution includes fifty million one hundred fifty-two thousand one hundred dollars (\$50,152,100) contingent on enactment of a bill in the second session of the fifty-fourth legislature amending the Public School Finance Act to increase the at-risk index multiplier to three-tenths.

The general fund appropriation to the state equalization guarantee distribution includes seventy-one million three hundred ninety-four thousand one hundred dollars (\$71,394,100) for extended learning time programs pursuant to Section 22-8-23.10 NMSA 1978. The secretary of public education shall consider those extended learning time programs eligible for state financial support and the amount of state funding available for extended learning time programs and determine, in consultation with the department of finance and administration, legislative finance committee and legislative education study committee, the programs and consequent numbers of students in extended learning time programs that will be used to calculate the number of additional program units for extended learning time programs. Any amount of the seventy-one million three hundred ninety-four thousand one hundred dollar (\$71,394,100) appropriation that is not distributed through the extended learning time program factor, calculated by multiplying the final program unit value set for the 2020-2021 school year by the total extended learning time program units and subtracting that product from seventy-one million three hundred ninety-four thousand one hundred dollars (\$71,394,100), shall be transferred to the public education reform fund.

The general fund appropriation to the state equalization guarantee distribution includes one hundred nineteen million eight hundred ninety-five thousand nine hundred dollars (\$119,895,900) for K-5plus programs pursuant to the K-5 Plus Act. The secretary of public education shall consider those K-5plus

Appendix D: Selected Education-Related Language from the General Fund

programs eligible for state financial support and the amount of state funding available for K-5 plus programs and determine, in consultation with the department of finance and administration, legislative finance committee and legislative education study committee, the programs and consequent numbers of students in K-5 plus programs that will be used to calculate the number of additional program units for K-5 plus programs. Any amount of the one hundred nineteen million eight hundred ninety-five thousand nine hundred dollars (\$119,895,900) appropriation that is not distributed through the K-5 plus program factor, calculated by multiplying the final program unit value set for the 2020-2021 school year by the total K-5 plus program units and subtracting that product from one hundred nineteen million eight hundred ninety-five thousand nine hundred dollars (\$119,895,900), shall be transferred to the public education reform fund.

For fiscal year 2021, in approving schools for participation in the K-5 plus program, the public education department shall prioritize approval for school districts or charter schools that provide the program to all elementary students. A school district or charter school that provides a department-approved K-5 plus program as defined in Section 22-13D-2.B. NMSA 1978 to all elementary school students in the school district or charter school in fiscal year 2021 shall be eligible to generate K-5 plus program units using the total average number of elementary school students enrolled on the second and third reporting date of the 2019-2020 school year multiplied by the cost differential factor of three-tenths as established in Section 22-8-23.11 NMSA 1978.

For fiscal year 2021, if the general fund appropriation to the state equalization guarantee distribution for extended learning time programs is insufficient to meet the level of state support required for department-approved extended learning time programs and the secretary of public education certifies to the department of finance and administration, legislative finance committee and legislative education study committee that sufficient funds are available for department-approved K-5 plus programs, up to thirty-five million dollars (\$35,000,000) of the general fund appropriation to the state equalization guarantee distribution for K-5 plus programs may be used for extended learning time programs.

For fiscal year 2021, the secretary of public education may allow an elementary school ~~starting a new K-5 plus program~~ with at least eighty percent of students that participate in the K-5 plus program staying with the same teacher and cohort of students during the regular school year to be eligible for K-5 plus program units in fiscal year 2021, provided the elementary school shall meet all requirements of Subsection B of Section 22-13D-2.B. NMSA 1978 by fiscal year 2022.

For fiscal year 2021, 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 in an amount that equals the projected shortfall and distribute that amount to school districts and charter schools in the same manner and on the same basis as the state equalization guarantee distribution to meet the level of support required by Part B of the federal Individuals with Disabilities Education Act for fiscal year 2021 ~~and shall reduce the final unit value to account for the reduction.~~

The general fund appropriation to the state equalization guarantee distribution includes six million dollars (\$6,000,000) for elementary physical education programs. After considering those elementary physical education programs eligible for state financial support and the amount of state funding available for elementary physical education, the secretary of public education shall annually determine the programs and the consequent numbers of students in elementary physical education that will be used to calculate the number of elementary physical education program units, provided that no school district or charter school shall generate elementary physical education program units in fiscal year 2021 in excess of the total average number of elementary school students enrolled on the second and third reporting date of the 2019-2020 school year multiplied by the cost differential factor of six one-hundredths as established in Section 22-8-23.7 NMSA 1978.

The public education department shall monitor and evaluate the ways in which school districts and individual schools use funding distributed for at-risk program units, bilingual and multicultural education program units, extended learning time program units, K-5 plus program units, special education program units, instructional materials, new teacher mentorship and classroom instruction in fiscal year 2021 and report its findings and recommendations to the governor, legislative education study committee and legislative finance committee on or before November 1, 2020.

Appendix D: Selected Education-Related Language from the General Fund

The general fund appropriation to the state equalization guarantee distribution includes thirty million dollars (\$30,000,000) for school districts and charter schools to purchase culturally and linguistically appropriate instructional materials for eligible students. A school district or charter school that does not use the allocation for instructional materials shall provide the public education department a description of how the allocation was used and demonstrate that budgeted spending levels for instructional materials are sufficient to provide a free and appropriate public education to all students.

The public education department shall monitor and evaluate the extent to which schools purchase and use instructional materials relevant to the cultures, languages, history and experiences of culturally and linguistically diverse students and report its findings and recommendations to the governor, legislative education study committee and legislative finance committee on or before November 1, 2020.

The general fund appropriation to the state equalization guarantee distribution includes eleven million dollars (\$11,000,000) 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 public education department shall monitor and evaluate the ways in which school districts and individual schools use funding for mentorship and professional development and report its findings and recommendations to the governor, legislative education study committee and legislative finance committee on or before November 1, 2020.

The general fund appropriation to the state equalization guarantee distribution includes ten million dollars (\$10,000,000) 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 second grade. The public education department shall monitor and evaluate the ways in which school districts and individual schools use funding distributed for early literacy interventions and collaborative models and report its findings and recommendations to the governor, legislative education study committee and legislative finance committee on or before November 1, 2020.

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 2020-2021 school year that did not provide a four-day school week during the 2019-2020 school year.

The public education department shall not approve the operating budget of any school district or charter school with less than fifty thousand students that spends less than one standard deviation below the average expenditure rate of comparable school districts and charter schools on instruction, student support services and instructional support services unless that school district or charter school demonstrates the budgeted spending level for instruction, student support services and instructional support services is an increase from the prior year and is sufficient to provide a free and appropriate public education to all students.

The public education department shall not approve the operating budget of any school district or charter school with greater than or equal to fifty thousand students that spends less than eighty percent of general fund appropriations on instruction, student support services and instructional support services unless that school district or charter school demonstrates the budgeted spending level for instruction, student support services and instructional support services is an increase from the prior year and is sufficient to provide a free and appropriate public education to all students.

Funds appropriated from the general fund to the state equalization guarantee distribution or any cash balances derived from appropriations from the general fund to the state equalization guarantee distribution in any year shall not be used to fund any litigation against the state unless or until a court issues a final decision in favor of a plaintiff school district or charter school and all legal remedies have been exhausted.

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.

Appendix D: Selected Education-Related Language from the General Fund

The general fund appropriation to the state equalization guarantee distribution reflects the deduction of federal revenue pursuant to Paragraph (2) of Subsection C of Section 22-8-25 NMSA 1978 that includes payments to school districts and charter schools commonly known as “impact aid funds” pursuant to 20 U.S.C. 7701 et seq., and formerly known as “PL874 funds.”

The other state funds appropriation is from the balances received by the public education department pursuant to Section 66-5-44 NMSA 1978.

~~Within thirty calendar days of initial submission, the secretary of public education shall process and pay each request for reimbursement submitted to the public education department by a school district or charter school.~~

The department of finance and administration may adjust a school district’s or charter school’s monthly state equalization guarantee progress payment to provide flexibility to meet cash flow needs, provided that no school district or charter school shall receive an annual state equalization guarantee distribution that is more than their proportionate fiscal year 2021 share.

Any unexpended balances in the authorized distributions remaining at the end of fiscal year 2021 from appropriations made from the general fund shall revert to the general fund.

Transportation Distribution

The general fund appropriation to the transportation distribution includes three million seven hundred seven thousand three hundred dollars (\$3,707,300) for transportation of students to extended learning time programs. If a school district or state-chartered charter school does not transport students to extended learning time programs, the school district’s or state-chartered charter school’s proportionate share of the three million seven hundred seven thousand three hundred dollar (\$3,707,300) appropriation to the transportation distribution for extended learning time programs shall be transferred to the public education reform fund.

The general fund appropriation to the transportation distribution includes three million eight hundred eighteen thousand nine hundred dollars (\$3,818,900) for transportation of students to K-5 plus programs. If a school district or state-chartered charter school does not transport students to K-5 plus programs, the school district’s or state-chartered charter school’s proportionate share of the three million eight hundred eighteen thousand nine hundred dollar (\$3,818,900) appropriation to the transportation distribution for K-5 plus programs shall be transferred to the public education reform fund.

The general fund appropriation to the transportation distribution includes one million five hundred ninety-four thousand dollars (\$1,594,000) to provide an average four percent salary increase for 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 four percent salary increase for public school transportation personnel.

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, or 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 2021 from appropriations made from the general fund shall revert to the general fund.

Dual Credit Instructional Materials

The general fund appropriation to the public education department for dual-credit instructional materials shall be used by the department to reimburse school districts, charter schools, state-supported schools

Appendix D: Selected Education-Related Language from the General Fund

and bureau of Indian education high schools in New Mexico for the cost of required textbooks and other course supplies for students enrolled in the dual-credit program to the extent of the available funds.

Any unexpended balances in the dual-credit instructional materials appropriation remaining at the end of fiscal year 2021 from appropriations made from the general fund shall revert to the general fund.

Standards-Based Assessments

Any unexpended balances in the standards-based assessments appropriation remaining at the end of fiscal year 2021 from appropriations made from the general fund shall revert to the general fund.

Public Education Department Special Appropriations

A school district or charter school may submit an application to the public education department for an allocation from the early literacy and reading support appropriation to support literacy interventions for students in kindergarten through second grade. 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 providing evidence-based literacy interventions and developing literacy collaborative models for purposes of improving the reading and writing achievement of students in kindergarten through second grade. 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 22-8-6NMSA 1978 or an approved teacher mentorship program report pursuant to Section 22-10A-9 NMSA 1978.

The general fund appropriation to the career technical education fund, as established in Section 22-1-13 NMSA 1978, includes three million dollars (\$3,000,000) for the public education department to support high-quality career technical education pilot programs pursuant to Section 22-1-12 NMSA 1978.

The general fund appropriation to the public education department for community school initiatives shall be used to establish or expand community school initiatives pursuant to Section 22-32-4 NMSA 1978.

The general fund appropriation to the public education department for indigenous, multilingual, multicultural and special education includes one million six hundred fifty thousand dollars (\$1,650,000) to monitor and ensure public schools and educators provide appropriate, evidence-based instruction for students with disabilities.

The general fund appropriation to the public education department for indigenous, multilingual, multicultural and special education includes one million dollars (\$1,000,000) to the Indian affairs department for tribal departments of education to develop early childhood culturally and linguistically relevant curriculum, to design culturally and linguistically relevant assessment tools and culturally appropriate teacher and program evaluation instruments, to conduct needs assessments of early childhood education facilities and to develop plans for constructing needed facilities.

A school district or charter school may submit an application to the public education department for an allocation from the teachers 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 general fund appropriation to the public education department for teachers professional development shall be used to improve teacher preparation, recruitment, mentorship, professional development, evaluation and retention.

Appendix D: Selected Education-Related Language from the General Fund

The general fund appropriation to the public education department for teachers professional development includes five hundred thousand dollars (\$500,000) to a school district or charter school that works with a nonprofit organization that recruits recent college graduates and professionals who have demonstrated a record of achievement to teach in low-income urban and rural public schools with a demonstrated success of recruiting teachers in districts with a historic difficulty in recruiting and retaining highly qualified teachers.

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 general fund appropriation to the public education department for college and career readiness shall be used to contract with an organization to address long-term economic development throughout the state through increased college and career readiness by providing proven kindergarten through twelfth grade research-based college and career readiness systems that have a long history of a successful track record in New Mexico of serving low-income, Hispanic and Native American students and other generationally underserved populations statewide.

A school district or charter school may submit an application to the public education department for an allocation from the science, technology, engineering, arts and math initiatives appropriation to develop, in consultation with industry or community partners, programs to improve the pipeline of graduates into high-demand science, technology, engineering, arts or math careers.

The other state funds appropriation to the public education department for accountability and regional support systems is from the public education reform fund and shall be used to improve regional fiscal and programmatic oversight of public school operations.

Any unexpended balances in the special appropriations to the public education department remaining at the end of fiscal year 2021 from appropriations made from the general fund shall revert to the general fund.

Appendix E: Recurring General Fund Appropriations

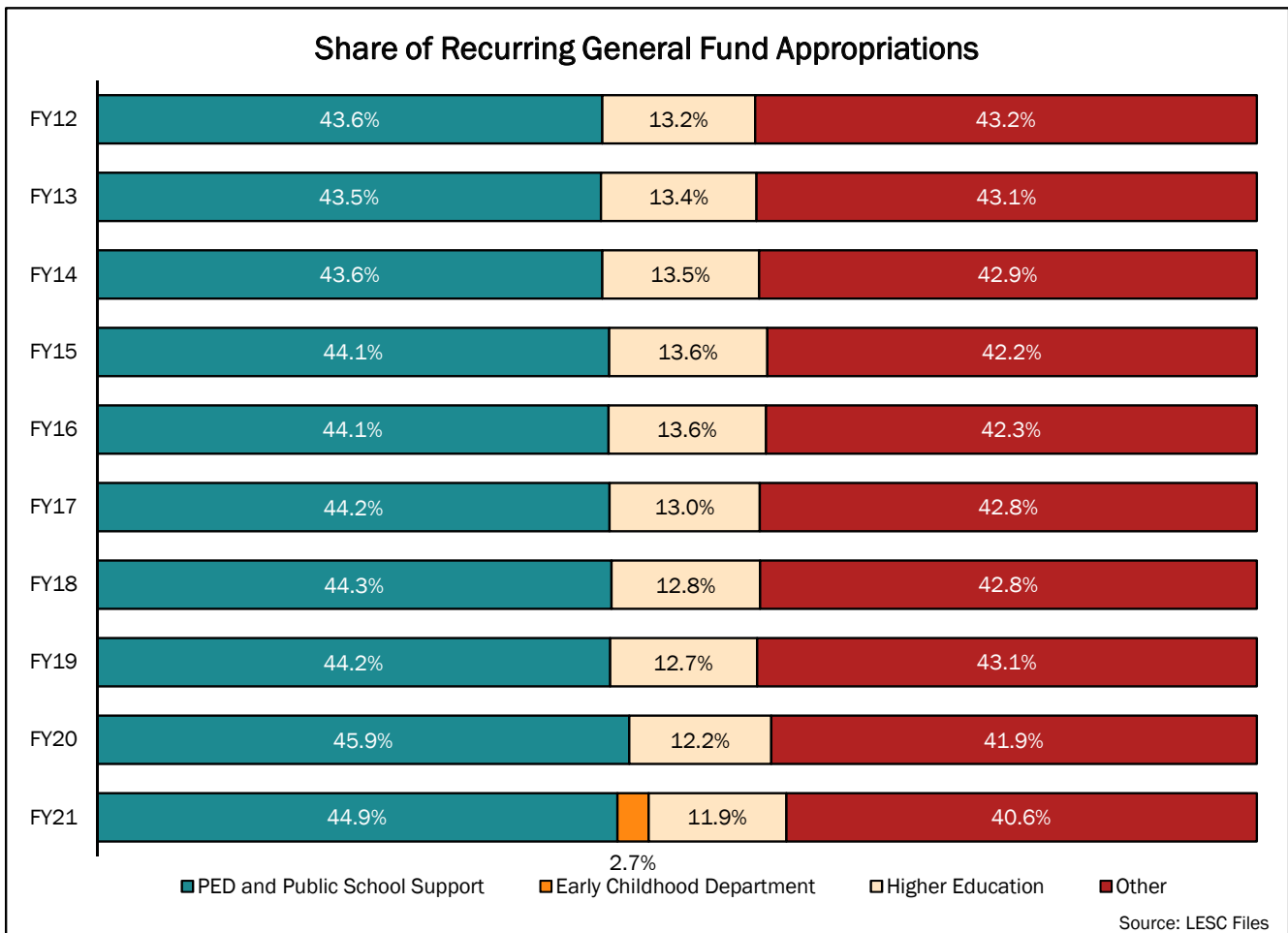
Recurring General Fund Appropriations¹
(in thousands)

Year	PED and Public School Support	Early Childhood Department	Higher Education	Total General Fund
FY12	\$2,366,012.0		\$716,565.3	\$5,431,388.6
FY13	\$2,455,341.4		\$757,716.6	\$5,650,139.2
FY14	\$2,567,549.5		\$796,028.3	\$5,893,578.1
FY15	\$2,715,469.6		\$838,606.8	\$6,151,134.6
FY16	\$2,735,613.3		\$843,428.2	\$6,204,334.3
FY17	\$2,682,429.5		\$786,866.8	\$6,070,229.1
FY18	\$2,695,524.5		\$779,345.1	\$6,077,955.6
FY19	\$2,801,153.0		\$803,478.4	\$6,332,267.1
FY20	\$3,252,017.6		\$867,043.6	\$7,085,292.5
FY21 ²	\$3,418,340.8	\$206,612.7	\$905,553.4	\$7,621,425.1

Source: LESC Files

¹This 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.

²Beginning 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, FY21 funding is not included in the PED column, but is included in FY20 and earlier years. Adding \$48.7 million in prekindergarten would increase the PED share of the total budget to 45.5 percent.



Appendix E: Recurring General Fund Appropriations

Recurring General Fund Appropriations for Public Education

(in thousands)

Year	PED Operating Budget	State Equalization Guarantee Distribution	Categorical Appropriations	Special or "Below-the-Line" Programs
FY12	\$10,534.2	\$2,225,491.4	\$112,930.6	\$17,055.8
FY13	\$11,711.9	\$2,273,588.9	\$129,179.4	\$41,833.5
FY14	\$11,786.1	\$2,361,895.8	\$136,845.9	\$57,022.3
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 ¹	\$11,065.3	\$2,481,192.4	\$99,040.1	\$91,131.7
FY18 ¹	\$11,065.3	\$2,501,808.7	\$94,465.5	\$88,185.0
FY19 ¹	\$11,246.6	\$2,582,377.6	\$116,628.9	\$90,900.0
FY20 ^{1,2}	\$13,246.6	\$3,068,803.4	\$102,928.5	\$64,389.0
FY21 ³	\$14,919.0	\$3,237,323.3	\$133,798.5	\$32,300.0

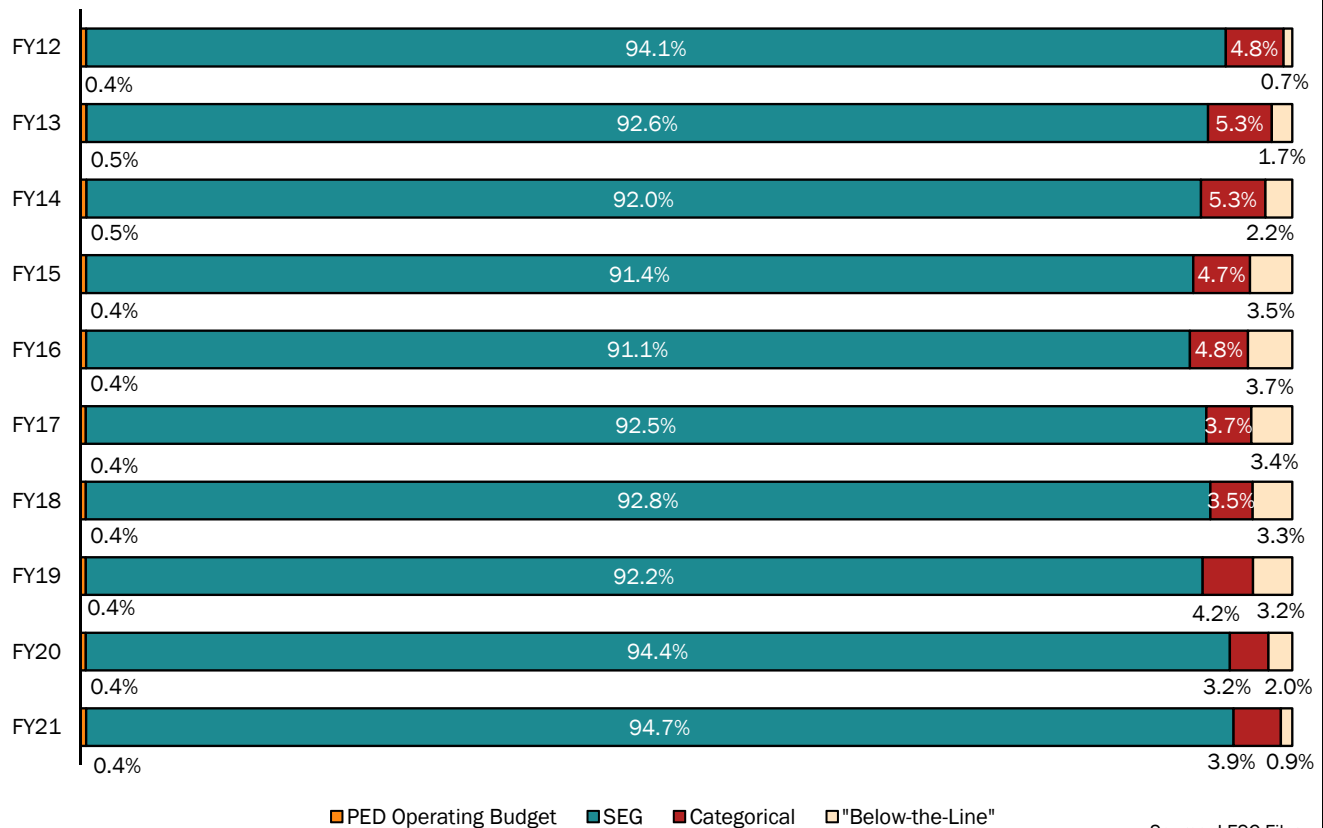
Source: LESC Files

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

²The special or "below-the-line" programs column include 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.

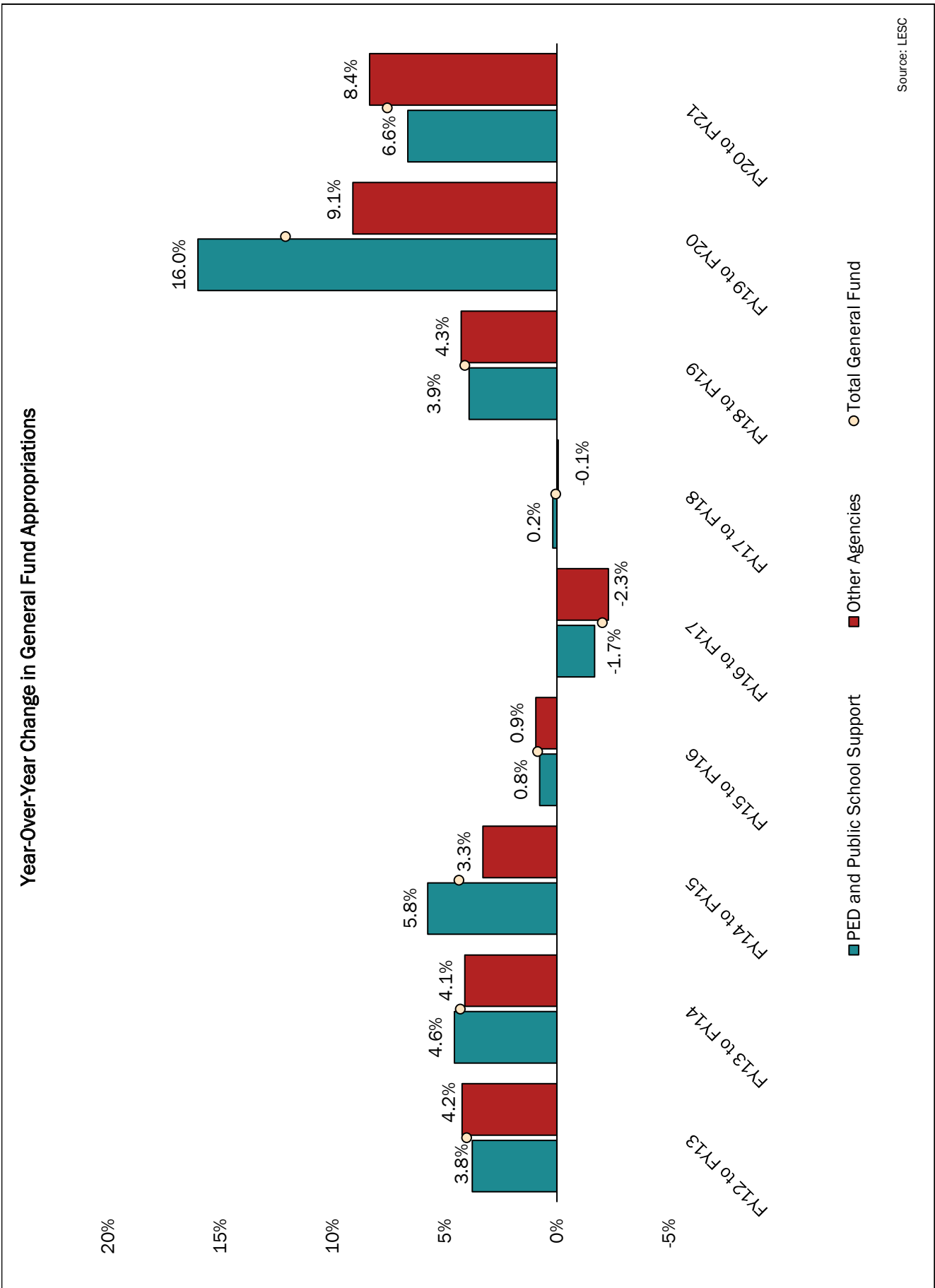
³Beginning in FY21, appropriations for prekindergarten are made to the Early Childhood Education and Care Department and are not included in this table. In FY20, appropriations for prekindergarten in the special or "below-the-line" programs column were \$39 million.

Share of Public Education Appropriations



Source: LESC Files

Appendix F: Year-Over-Year Change in General Fund Appropriations



Appendix G: Unit Value History

Unit Value History

Fiscal Year	Preliminary Unit Value	Final Unit Value	Change From Initial 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 ¹	\$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 ²	\$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 ³	\$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 ⁴	\$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 ⁵	\$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 ⁶	\$3,892.47	\$3,871.79	(\$20.68)	-0.5%	\$197.53	5.4%
2010	\$3,862.79 ⁷	\$3,792.65 ⁸	(\$70.14)	-1.8%	(\$79.14)	-2.0%
2011	\$3,712.45 ⁹	\$3,712.17 ¹⁰	(\$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%
2014	\$3,817.55	\$3,817.55	\$0.00	0.0%	\$144.01	3.9%

Appendix G: Unit Value History

Unit Value History

Fiscal Year	Preliminary Unit Value	Final Unit Value	Change From Initial to Final Unit Value		Change From Prior Year Final Unit Value	
			Dollars	Percent	Dollars	Percent
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	\$4,040.24	\$3,979.63 ¹¹	(\$60.61)	-1.5%	(\$58.12)	-1.4%
44 2018	\$4,053.55	\$4,115.60 ¹²	\$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	0.81%	\$411.42	9.8%

Source: LESC Files

¹The 1982-1983 general fund appropriation was reduced by 2 percent.

²The final unit value includes \$10.87 due to the half mill redistribution (Laws 1985, Chapter 15).

³The "floating" unit value went into effect.

⁴The basis for funding changed to use the prior-year average membership on the 40th, 80th, and 120th school days.

⁵The basis for funding changed to the prior-year average membership of the 80th and 120th school days.

⁶The 2009 solvency measures resulted in a \$20.68 decrease in the FY09 unit value.

⁷The FY10 preliminary unit value included \$256.39 in federal *American Recovery and Reinvestment Act of 2009* (ARRA) funding.

⁸The FY10 final unit value included \$334.59 in ARRA funding.

⁹The FY11 preliminary unit value included \$37.70 in ARRA funding.

¹⁰The FY11 final unit value included \$37.85 in ARRA funding and \$101.98 in federal education jobs funding.

¹¹Laws 2016 (2nd S.S.), Chapter 6 directed the secretary of public education to set the final unit value 1.5 percent lower than the preliminary FY17 unit value.

¹²The FY18 final unit value included 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 Funding Formula

Legislative Changes to the Public School Funding Formula, 1974 - 2020

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 on 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 dollar amount called 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 on 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)
2. Basic Program Units (22-8-20 NMSA 1978)
3. Special Education Program Units (22-8-21 NMSA 1978)
4. Bilingual Multicultural Program Units (22-8-22 NMSA 1978)
5. Size Adjustment Program Units (22-8-23 NMSA 1978)
6. Enrollment Growth Program Units (22-8-23.1 NMSA 1978)
7. New District Adjustment (22-8-23.2 NMSA 1978)
8. At-Risk Program Units (22-8-23.3 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)
11. Charter School Activities Program Units (22-8-23.6 NMSA 1978)
12. Elementary Physical Ed. Program Units (22-8-23.7 NMSA 1978)
13. Home School Activities Program Units (22-8-23.8 NMSA 1978)
14. Home School Student Program Units (22-8-23.9 NMSA 1978)
15. Extended Learning Time Program Units (22-8-23.10 NMSA 1978)
16. K-5 Plus Program Units (22-8-23.11 NMSA 1978)
17. Staffing Cost Multiplier (22-8-24 NMSA 1978 and 22-8-49 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 included 3- and 4-year-old developmentally disabled students 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 3- and 4-year-old developmentally disabled students counted as 0.5 FTE.

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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 second and third 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 integrated into a regular education classroom for part of the day to 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 on 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 3- and 4-year-old developmentally disabled children, with a two-year phase-in.
- 1987 The law established formula funding for 3- and 4-year-old developmentally disabled children 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 80th-day membership to membership on December 1 of the school year.

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- 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 3- and 4-year-old developmentally disabled students at kindergarten membership; to fund D-level and 3- and 4-year-old developmentally disabled students at two units in addition to the regular grade level weights—to fund C-level students at 1.0 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 the 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 thousand students and with fewer 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

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provide additional program units to school districts with enrollments (a) in excess of 10 thousand students but fewer than 35 thousand students; and (b) of 35 thousand students or more.

- 1991 The law added a third urban factor to the formula dealing with school districts with membership of more than 10 thousand students and less than 15 thousand students and readjusted the formulas for districts with membership of (a) more than 15 thousand students but fewer than 35 thousand students; and (b) more than 35 thousand 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 fewer 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 1.0 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

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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, available to all school districts and determined by a neural network computer analysis computation based on the school district's percent of student used to calculate the school district's federal funding under Title I, Part A of the Elementary and Secondary Education Act, 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 on 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 "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 included 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.

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 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.

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.

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

2006 The law established additional program units for charter school students who 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 sixth 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. Funding was included in the appropriation to the state equalization guarantee in FY08, FY09, and FY21; however, the factor has not been fully funded.

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.

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 school students. A school district or charter school generates 0.25 program units per class taken by a home school 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."

16. 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.

15. 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.

17. Staffing Cost Multiplier

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.

- 1975¹ 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.
- 1993² 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.
- 1993³ 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 property tax 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

¹The history noted indicate this section was amended by Laws 1976 (S.S.) Chapter 32; however, a review of Laws 1975 Chapter 119 and Laws 1976 (S.S.) Chapter 32 indicate there were no changes made by the 1976 law.

²Chapter 91.

³The history noted indicate this section was amended by Laws 1976 (S.S.) Chapter 32; however, a review of Laws 1975 Chapter 119 and Laws 1976 (S.S.) Chapter 32 indicate there were no changes made by the 1976 law.

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- 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 fewer than 200 students and 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 thousand 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 fewer 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.

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- 2005 The law required program units for a school district with fewer 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 fewer 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.

Appendix I: Early Childhood Program Appropriations

Early Childhood Program Appropriations (in millions of dollars)

	FY12 Actual	FY13 Actual	FY14 Actual	FY15 Actual	FY16 Actual	FY17 Actual	FY18 Actual	FY19 Actual	FY20 OPBUD	Laws 2020
Children, Youth and Families Department - Early Childhood Education and Care Department										
Childcare Assistance										
General Fund	\$ 26.8	\$ 29.8	\$ 33.3	\$ 30.3	\$ 30.0	\$ 30.6	\$ 30.6	\$ 52.6	\$ 52.6	\$ 57.6
Federal Funds	\$ 30.4	\$ 31.6	\$ 15.1	\$ 23.9	\$ 36.0	\$ 51.4	\$ 54.9	\$ 52.0	\$ 58.3	\$ 60.7
OSF	\$ 0.8	\$ 1.4	\$ 0.8	\$ -	\$ -	\$ -	\$ -	\$ 0.9	\$ 1.1	\$ 1.1
USDA E&T	\$ 0.6	\$ 0.6	\$ 0.6	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TANF	\$ 24.3	\$ 23.8	\$ 23.2	\$ 30.5	\$ 30.5	\$ 30.5	\$ 30.5	\$ 33.5	\$ 36.5	\$ 41.5
Total Childcare Assistance	\$ 82.9	\$ 87.2	\$ 73.0	\$ 84.7	\$ 96.5	\$ 112.5	\$ 116.0	\$ 139.0	\$ 148.5	\$ 160.9
Home Visiting										
General Fund	\$ 2.3	\$ 3.2	\$ 4.5	\$ 6.3	\$ 7.3	\$ 3.2	\$ 8.0	\$ 10.6	\$ 12.4	\$ 15.3
Federal Funds	\$ -	\$ 2.7	\$ 2.5	\$ 3.3	\$ 3.7	\$ 5.3	\$ 5.1	\$ 5.1	\$ 5.1	\$ 5.1
TANF	\$ -	\$ -	\$ -	\$ 2.0	\$ 4.5	\$ 5.0	\$ 5.0	\$ 5.0	\$ 5.0	\$ 5.0
Tobacco Settlement Fund	\$ -	\$ -	\$ 1.1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Medicaid Match	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.8	\$ 9.0
Total Home Visiting	\$ 2.3	\$ 5.9	\$ 8.1	\$ 11.6	\$ 15.5	\$ 13.5	\$ 18.1	\$ 20.7	\$ 23.2	\$ 34.4
Early Childhood Professional Development										
General Fund	\$ 0.5	\$ 0.5	\$ 0.5	\$ 1.0	\$ 1.3	\$ 0.9	\$ 1.3	\$ 1.4	\$ 4.2	\$ 9.3
Prekindergarten: Four Year Old Services										
General Fund	\$ 8.2	\$ 9.2	\$ 8.5	\$ 14.3	\$ 11.0	\$ 8.5	\$ 9.7	\$ 9.7	\$ 19.7	\$ 19.7
TANF	\$ -	\$ -	\$ -	\$ 6.1	\$ 11.6	\$ 11.6	\$ 12.1	\$ 12.1	\$ 12.1	\$ 12.1
Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.5	\$ 0.5	\$ 0.6	\$ 0.6	\$ 0.6
Tobacco Settlement Fund	\$ -	\$ -	\$ 3.1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ 8.2	\$ 9.2	\$ 11.6	\$ 20.4	\$ 22.6	\$ 20.6	\$ 22.3	\$ 22.4	\$ 32.4	\$ 32.4
Prekindergarten: Three Year Old Services										
General Fund	\$ -	\$ -	\$ -	\$ -	\$ 2.0	\$ 4.7	\$ 3.5	\$ 5.4	\$ 9.4	\$ 13.4
TANF	\$ -	\$ -	\$ -	\$ -	\$ 2.0	\$ 2.0	\$ 2.0	\$ 2.0	\$ 2.0	\$ 2.0
Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.4	\$ 1.2	\$ 1.1	\$ 1.1	\$ 1.1
Total	\$ -	\$ -	\$ -	\$ -	\$ 4.0	\$ 7.1	\$ 6.7	\$ 8.5	\$ 12.5	\$ 16.5
Prekindergarten: Mixed-Age Pilot Services										
General Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.6	\$ 1.1	\$ 5.5
TANF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.6	\$ 1.1	\$ 5.5
Subtotal CYFD/ECECD PreK										
	\$ 8.2	\$ 9.2	\$ 11.6	\$ 20.4	\$ 26.6	\$ 27.8	\$ 29.0	\$ 31.5	\$ 46.0	\$ 54.4
Planning Grant: High Quality Early Childhood Development Centers										
General Fund	\$ -	\$ -	\$ -	\$ 0.5	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL CYFD/ECECD	\$ 93.9	\$ 102.8	\$ 93.1	\$ 118.2	\$ 139.8	\$ 154.8	\$ 164.4	\$ 192.6	\$ 221.9	\$ 259.0
Public Education Department - Special Appropriations *										
Prekindergarten: Four Year Old Basic Services										
General Fund	\$ 6.3	\$ 10.0	\$ 15.0	\$ 17.7	\$ 21.0	\$ 21.0	\$ 21.0	\$ 29.0	\$ 39.0	\$ 48.7
TANF	\$ -	\$ -	\$ -	\$ -	\$ 3.5	\$ 3.5	\$ 3.5	\$ 3.5	\$ 3.5	\$ 3.5
Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2.6	\$ -
Total	\$ 6.3	\$ 10.0	\$ 15.0	\$ 17.7	\$ 24.5	\$ 24.5	\$ 24.5	\$ 32.5	\$ 45.1	\$ 52.2
Prekindergarten: Four Year Old Extended Day Services										
General Fund	\$ -	\$ -	\$ -	\$ 1.5	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Subtotal PED PreK	\$ 6.3	\$ 10.0	\$ 15.0	\$ 19.2	\$ 24.5	\$ 24.5	\$ 24.5	\$ 32.5	\$ 45.1	\$ 52.2
K-5 Plus										
General Fund	\$ 5.3	\$ 11.0	\$ 16.0	\$ 21.2	\$ 23.7	\$ 22.6	\$ 23.7	\$ 30.2	\$ 119.9	\$ 119.9
Early Literacy										
General Fund	\$ -	\$ 8.5	\$ 11.5	\$ 14.5	\$ 15.0	\$ 14.1	\$ 12.5	\$ 8.8	\$ -	\$ 14.0
TOTAL PED	\$ 11.6	\$ 29.5	\$ 42.5	\$ 54.9	\$ 63.2	\$ 61.2	\$ 60.7	\$ 71.5	\$ 165.0	\$ 186.1
Department of Health										
Family, Infant and Toddlers Program (Birth to 3)²										
General Fund	\$ 14.5	\$ 14.0	\$ 14.5	\$ 20.1	\$ 19.7	\$ 19.4	\$ 20.2	\$ 21.5	\$ 25.0	\$ 29.4
All other funds	\$ 16.5	\$ 19.6	\$ 19.6	\$ 19.6	\$ 23.0	\$ 24.3	\$ 26.3	\$ 26.7	\$ 30.0	\$ 31.0
TOTAL DOH	\$ 31.0	\$ 33.6	\$ 34.1	\$ 39.7	\$ 42.7	\$ 43.7	\$ 46.5	\$ 48.2	\$ 55.0	\$ 60.4
TOTAL RECURRING EARLY CHILDHOOD PROGRAMS										
	\$ 136.5	\$ 165.9	\$ 169.7	\$ 212.8	\$ 245.7	\$ 259.7	\$ 271.6	\$ 312.3	\$ 441.9	\$ 505.5
Race to the Top- Early Learning Challenge										
Federal Funds	\$ -	\$ -	\$ 9.4	\$ 7.8	\$ 14.0	\$ 6.2	\$ -	\$ -	\$ -	\$ -
GRAND TOTAL EARLY CHILDHOOD PROGRAMS	\$ 136.5	\$ 165.9	\$ 179.1	\$ 220.6	\$ 259.6	\$ 265.9	\$ 271.6	\$ 312.3	\$ 441.9	\$ 505.5

Source: CYFD, PED, HSD, DOH, and LFC Files

Appendix J: Public School Capital Outlay Expenditures

Appendix: Public School Capital Outlay Expenditures in Laws 2020, Chapter 81 (House Bill 349)

—~~strike~~through indicates executive veto

Site (School District)	Purpose	Amount
STATEWIDE PROJECTS FUNDED WITH GENERAL FUND REVENUE		
1 Statewide to PED	To purchase, install and equip district-owned school buses with cameras.	\$252,400
2 Statewide to PED	To plan, design, construct, install, purchase and equip school buses in Bernalillo county.	\$35,000
4	Total enacted for general fund statewide projects	\$252,400
5	Executive vetoes for general fund statewide projects	\$35,000
STATEWIDE PROJECTS FUNDED WITH PUBLIC SCHOOL CAPITAL OUTLAY FUND REVENUE (SUPPLEMENTAL SEVERANCE TAX BONDS)		
6 Statewide to PED	For expenditure in fiscal years 2021 through 2024, unless otherwise provided in Section 2 of this act, to purchase and equip district-owned school buses statewide.	\$8,989,000
7	Total enacted for public school capital outlay fund statewide projects	\$8,989,000
8	Executive vetoes for public school capital outlay fund statewide projects	\$0
STATEWIDE PROJECTS FUNDED WITH ENVIRONMENTAL MITIGATION TRUST REVENUE		
9 Statewide to PED	To provide infrastructure for fueling and charging stations for alternatively fueled school buses statewide pursuant to the Public School Finance Act (contingent on trustee approval).	\$200,000
10	Total enacted for environmental mitigation trust projects	\$200,000
11	Executive vetoes for environmental mitigation trust projects	\$0
SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH GENERAL FUND REVENUE		
12 Animas Public School District	To purchase and install information technology, including related equipment, furniture and infrastructure.	\$125,000
13 ABQ Charter Academy (Albuquerque Public Schools)	To plan, design, construct and replace roofs and heating, ventilation and air conditioning systems.	\$225,000
14 ACE Leadership High School (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase of lighting and a security system and installation of related equipment, wiring and infrastructure.	\$90,000
15 Adobe Acres Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$5,000
16 Alameda Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$25,000
17 Alamosa Elementary School (Albuquerque Public Schools)	To plan, design, construct, improve and renovate the grounds, including the purchase and installation of a marquee, related equipment, exterior lighting and electrical systems.	\$50,000
18 Albuquerque High School (Albuquerque Public Schools)	To acquire, plan, design, build, purchase, equip, furnish and install fixtures, furniture, flooring, carpet, window coverings and information technology, including related equipment, furniture and infrastructure, for shared student community spaces.	\$50,000
19 Alice King Community School (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish, equip and improve facilities, buildings and grounds and to purchase and install information technology, including related equipment, furniture and infrastructure.	\$50,000
20 Alvarado Elementary School (Albuquerque Public Schools)	To purchase, acquire and install resources for information technology, including related equipment, furniture, wiring and infrastructure.	\$75,000
21 Apache Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$130,000
22 Albuquerque Public Schools	To plan, design and construct infrastructure and site improvements and to purchase and install equipment, fixtures, furniture and information technology, including related equipment, furniture and infrastructure, for culinary arts, automotive repair, computer-aided drawing, building technology, business management and finance, family and consumer science, technology, education and other college and career readiness and career technical programs.	\$346,000
23 Albuquerque Public Schools	To purchase and install information technology, including related equipment, furniture, wiring and infrastructure, for the district police department.	\$90,000
24 Albuquerque Public Schools	To purchase and equip vehicles for the district police department.	\$380,000
25 Arroyo del Oso Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$150,000

Appendix J: Public School Capital Outlay Expenditures

Appendix: Public School Capital Outlay Expenditures in Laws 2020, Chapter 81 (House Bill 349)

— ~~strikethrough~~ indicates executive veto

Site (School District)	Purpose	Amount
SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH GENERAL FUND REVENUE		
26 Atrisco Heritage Academy High School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security, the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$85,000
27 Atrisco Heritage Academy High School (Albuquerque Public Schools)	To plan, design, construct, purchase, install and renovate the soccer grounds and fields, including related equipment, fencing, bleachers and benches, asphalt paving, drainage improvements, turf and grass playing surfaces, scoreboard and scoreboard repairs, soccer goals and landscaping.	\$90,000
28 Bandelier Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$65,000
29 Barcelona Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$5,000
30 Bel-Air Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$30,000
31 Bellevue Elementary School (Albuquerque Public Schools)	To purchase, acquire, furnish, improve and install library equipment, furniture, fixtures, book shelves, books, infrastructure and information technology, including related equipment, furniture and infrastructure, for libraries and bookrooms.	\$60,000
32 Carlos Rey Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$5,000
33 Chamiza Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$25,000
34 Chelwood Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$70,000
35 Cibola High School (Albuquerque Public Schools)	To plan, design, construct and renovate the grounds, fields, track areas, gym floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage improvements, turf and landscaping.	\$150,000
36 Cien Aguas International School (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase and installation of a heating, ventilation and air conditioning system, security fencing, wiring and information technology, including related equipment, furniture and infrastructure.	\$45,000
37 Cleveland Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$95,000
38 Cochiti Elementary School (Albuquerque Public Schools)	To purchase, acquire and install resources for information technology, including related equipment, furniture, wiring and infrastructure.	\$47,000
39 Collet Park Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$130,000
40 Comanche Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$80,000
41 Coral Community Charter School (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase of security systems, fencing, education and information technology and installation of related equipment, wiring and infrastructure.	\$30,000
42 Corrales Elementary School (Albuquerque Public Schools)	To purchase and equip collaborative learning equipment.	\$75,000
43 Corrales Elementary School (Albuquerque Public Schools)	To purchase, acquire and install resources for information technology, including related equipment, furniture, wiring and infrastructure.	\$77,800
44 Cottonwood Classical Charter School (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds and for the installation of related equipment, fencing, education and information technology, wiring and infrastructure.	\$200,000

Appendix J: Public School Capital Outlay Expenditures

Appendix: Public School Capital Outlay Expenditures in Laws 2020, Chapter 81 (House Bill 349)

— ~~strikethrough~~ indicates executive veto

Site (School District)	Purpose	Amount
SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH GENERAL FUND REVENUE		
45 Coyote Willow Family School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$45,000
46 Del Norte High School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$130,100
47 Dennis Chavez Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$150,000
48 Desert Ridge Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$55,000
49 Desert Willow Family School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$15,000
50 Double Eagle Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$55,000
51 Duranes Elementary School (Albuquerque Public Schools)	To acquire, plan, design, build, purchase, equip, furnish and install fixtures, furniture, flooring, carpet, window coverings and information technology, including related equipment, furniture and infrastructure for shared student community spaces.	\$100,000
52 Early College Academy (Albuquerque Public Schools)	To purchase and install information technology, including related equipment, furniture and infrastructure.	\$50,000
53 East Mountain High School (Albuquerque Public Schools)	To plan, design, construct and renovate the bathroom facilities.	\$150,000
54 East Mountain High School (Albuquerque Public Schools)	To purchase, equip and install technology improvements, including student and faculty computers and a special education portal for student information systems.	\$100,000
55 East Mountain High School (Albuquerque Public Schools)	To purchase, replace, equip and install heating, ventilation and air conditioning systems.	\$200,000
56 Academy Virtual High School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security, secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications, alarm upgrades and information technology.	\$70,000
57 Edmund G. Ross Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$75,000
58 Edward Gonzales Elementary School (Albuquerque Public Schools)	To purchase, acquire, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, infrastructure and information technology, including related equipment, furniture and infrastructure, for libraries and bookrooms.	\$35,000
59 Eisenhower Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$75,000
60 El Camino Real Academy Charter School (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase and installation of a heating, ventilation and air conditioning system; security fencing, wiring and information technology, including related equipment, furniture and infrastructure.	\$60,000
61 Eldorado High School (Albuquerque Public Schools)	To plan, design, construct and renovate the grounds, fields, track areas, gym floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage improvements, turf and landscaping.	\$135,000
62 Emerson Elementary School (Albuquerque Public Schools)	To plan, design, construct and renovate the grounds, fields, track areas, gym floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage improvements, turf and landscaping.	\$145,000
63 Freedom High School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$80,000

Appendix J: Public School Capital Outlay Expenditures

Appendix: Public School Capital Outlay Expenditures in Laws 2020, Chapter 81 (House Bill 349)

— ~~strike~~through indicates executive veto

Site (School District)	Purpose	Amount
SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH GENERAL FUND REVENUE		
64 Garfield Middle School (Albuquerque Public Schools)	To purchase, acquire and install resources for information technology, including related equipment, furniture, wiring and infrastructure.	\$72,000
65 George I. Sanchez Community School (Albuquerque Public Schools)	To plan, design, construct, purchase, install, repair and renovate the grounds, sidewalks, bus drop-offs and pick-ups and parking lots, including related equipment, fencing, resurfacing, striping, drainage improvements, traffic signs and landscaping, and to purchase and equip utility vehicles and golf carts.	\$5,000
66 George I. Sanchez Community School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$25,000
67 Georgia O'Keefe Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$55,000
68 Gilbert L. Sena Charter High School (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds and for fencing and information technology, including related equipment, furniture and infrastructure.	\$185,000
69 Gordon Bemeil Charter School (Albuquerque Public Schools)	To purchase and install alternative energy improvements, including solar panels and an electric vehicle charging station.	\$30,000
70 Gordon Bemeil Charter School (Albuquerque Public Schools)	To plan, design, and construct an outdoor educational and community space.	\$25,000
71 Governor Bent Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$74,000
72 Grigoso Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$80,000
73 Harrison Middle School (Albuquerque Public Schools)	To plan, design, construct and renovate the grounds, fields, track areas, gym floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage improvements, turf and landscaping.	\$25,000
74 Hawthorne Elementary School (Albuquerque Public Schools)	To purchase library books, including print and electronic resources, for the libraries and bookrooms.	\$30,000
75 Health Leadership High School (Albuquerque Public Schools)	To acquire, land for and to plan, design, construct, improve, renovate, furnish, equip and install buildings and grounds, including security equipment, fencing, paving, information technology and related infrastructure, furnishings and equipment.	\$45,000
76 Helen Cordero Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$10,000
77 Highland High School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$60,000
78 Hodgin Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$40,000
79 Hoover Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$95,000
80 Inez Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$40,000
81 International School at Mesa del Sol Charter (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds and install related equipment, fencing, education and information technology, wiring, paving and infrastructure.	\$175,000
82 International School for Tenant Digital Arts and Technology (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds and to install related equipment, fencing, education and information technology, wiring, paving and infrastructure.	\$170,000

Appendix J: Public School Capital Outlay Expenditures

Appendix: Public School Capital Outlay Expenditures in Laws 2020, Chapter 81 (House Bill 349)
~~—strike through~~ indicates executive veto

Site (School District)	Purpose	Amount
101 Marie M. Hughes Elementary School (Albuquerque Public Schools)	To purchase, acquire and install resources for information technology, including related equipment, furniture, wiring and infrastructure.	\$70,500
102 Mark Armijo Academy Charter (Albuquerque Public Schools)	To plan, design, construct, renovate, purchase, furnish, equip and install buildings and grounds, including classroom portable buildings, fencing, wiring and information technology, and related infrastructure, furniture and equipment.	\$113,000
103 Mark Twain Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$90,000
104 Matheson Park Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$80,000
105 McCollum Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$130,000
106 McKinley Middle School (Albuquerque Public Schools)	To purchase, acquire and install resources for information technology, including related equipment, furniture, wiring and infrastructure.	\$90,000
107 Mission Avenue Elementary School (Albuquerque Public Schools)	To acquire, plan, design, build, purchase, equip, furnish and install fixtures, furniture, flooring, carpet, window coverings and information technology, including related equipment, furniture and infrastructure, for shared student community spaces.	\$99,000
108 Mitchell Elementary School (Albuquerque Public Schools)	To purchase, acquire and install resources for information technology, including related equipment, furniture, wiring and infrastructure.	\$70,000
109 Montessori of the Rio Grande Charter (Albuquerque Public Schools)	To plan, design, construct and renovate the grounds and parking lots, including the purchase and installation of related equipment, fencing, resurfacing, striping, drainage improvements, traffic signs and landscaping.	\$50,000
110 Montezuma Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$75,000
111 Mountain View Elementary School (Albuquerque Public Schools)	To plan, design, purchase, construct, renovate and improve energy efficiency and water conservation at the school site and buildings, including lighting, turf, solar panels, window coverings and landscaping.	\$5,000
112 Mountain View Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$5,000
113 Navajo Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$10,000
114 New Futures High School (Albuquerque Public Schools)	To plan, design, construct and renovate the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures, turf, bleachers, drainage improvements and landscaping.	\$80,000
115 New Futures High School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$80,000
116 New Mexico International School Charter (Albuquerque Public Schools)	To renovate a parking lot and accompanying landscaping, including resurfacing and re-striping the lot, improving landscape and designing and constructing new vehicular access.	\$100,000
117 New Mexico International School Charter (Albuquerque Public Schools)	To renovate the roof, including removing existing materials and replacing roof and skylights and other roof penetrations.	\$380,000
118 Nex+Gen Academy High School (Albuquerque Public Schools)	To plan, design, construct, purchase, install, repair and renovate the grounds, sidewalks, bus drop-offs and pick-ups and parking lots, including related equipment, fencing, resurfacing, striping, drainage improvements, traffic signs and landscaping, and to purchase and equip utility vehicles and golf carts.	\$20,000
119 North Star Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$55,000
120 Onate Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$70,000

Appendix J: Public School Capital Outlay Expenditures

Appendix: Public School Capital Outlay Expenditures in Laws 2020, Chapter 81 (House Bill 349)

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Site (School District)	Purpose	Amount
SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH GENERAL FUND REVENUE		
121 Oauna Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$104,000
122 Pajarito Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$5,000
123 Petroglyph Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$138,250
124 Polk Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$25,000
125 Polk Middle School (Albuquerque Public Schools)	To plan, design, construct and renovate the grounds, fields, track areas, gym floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage improvements, turf and landscaping.	\$10,000
126 Public Academy for Performing Arts (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure, secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$20,000
127 Reginald Chavez Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$40,000
128 Rio Grande High School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications, alarm upgrades and information technology, a gymnasium, parking lot improvements and lighting.	\$10,000
129 Robert F. Kennedy Charter (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds and to install related equipment, fencing, education and information technology, wiring, paving and infrastructure.	\$245,000
130 Rudolf Anaya Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$10,000
131 S.Y. Jackson Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$65,000
132 Sandia High School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$120,000
133 Sandia Mountain Natural History Center (Albuquerque Public Schools)	To plan, design, construct, purchase, install, repair and renovate the grounds, sidewalks, bus drop-offs and pick-ups and parking lots, including related equipment, fencing, resurfacing, striping, drainage improvements, traffic signs and landscaping, and to purchase and equip utility vehicles and golf carts.	\$50,000
134 Seven Bar Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$136,300
135 Siembra Leadership High School (Albuquerque Public Schools)	To purchase and equip furniture and equipment.	\$50,000
136 Sierra Vista Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$45,000
137 Sombra del Monte Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$104,000
138 South Valley Academy Charter (Albuquerque Public Schools)	To plan, design, purchase, construct, renovate and improve energy efficiency and water conservation at the school site and buildings, including lighting, turf, solar panels, window coverings and landscaping.	\$45,000

Appendix J: Public School Capital Outlay Expenditures

Appendix: Public School Capital Outlay Expenditures in Laws 2020, Chapter 81 (House Bill 349) — ~~struck through~~ Indicates executive veto

Site (School District)	Purpose	Amount
SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH GENERAL FUND REVENUE		
139 South Valley Academy Charter School (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase and installation of a heating, ventilation and air conditioning system, security fencing, wiring and information technology, including related equipment, furniture and infrastructure.	\$75,000
140 Sunset View Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$45,000
141 Taft Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$50,000
142 Taylor Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$75,000
143 Technology Leadership Charter School (Albuquerque Public Schools)	To plan, design, purchase land, construct, renovate, furnish and equip buildings and grounds, including the purchase of security systems and installation of related equipment, fencing, education and information technology, wiring and infrastructure.	\$80,000
144 Tierra Antigua Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$45,000
145 Tony Hillerman Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$55,000
146 Tres Volcanes Community School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$45,000
147 Truman Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$35,000
148 Twenty-First Century Public Academy Charter School (Albuquerque Public Schools)	To acquire land for and to plan, design, construct, renovate, furnish and equip buildings and grounds, including security systems, communication systems, fencing and information technology and related equipment, furniture, wiring and infrastructure.	\$300,000
149 Valley High School (Albuquerque Public Schools)	To plan, design, construct and renovate the grounds, fields, softball fields and track areas, including the purchase and installation of related equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage improvements, grass, turf and landscaping.	\$80,000
150 Valley High School (Albuquerque Public Schools)	To acquire, plan, design, build, purchase, equip, furnish and install fixtures, furniture, flooring, carpet, window coverings and information technology, including related equipment, furniture and infrastructure, for shared student community spaces.	\$106,000
151 Van Buren Middle School (Albuquerque Public Schools)	To plan, design, construct and renovate the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures, turf, bleachers, drainage improvements and landscaping.	\$130,000
152 Van Buren Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$180,000
153 Ventana Ranch Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$55,000
154 Volcano Vista High School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$75,000
155 Washington Middle School (Albuquerque Public Schools)	To plan, design, purchase, construct, renovate and improve energy efficiency and water conservation at the school site and buildings, including lighting, turf, solar panels, window coverings and landscaping.	\$40,000
156 Wherry Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$50,000
157 Wilson Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$165,000

Appendix J: Public School Capital Outlay Expenditures

Appendix: Public School Capital Outlay Expenditures in Laws 2020, Chapter 81 (House Bill 349)
 —strikethrough indicates executive veto

Site (School District)	Purpose	Amount
SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH GENERAL FUND REVENUE		
158 Zia Elementary School (Albuquerque Public Schools)	To plan, design, construct and renovate the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures, turf, bleachers, drainage improvements and landscaping.	\$65,000
159 Zuni Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$50,000
160 Capitlan Municipal Schools	To plan, design, construct, purchase and install a lighting system for the baseball and softball complex.	\$75,000
161 Cobre Consolidated Schools	To equip, purchase and install information technology, including related equipment, furnishings, and infrastructure.	\$100,000
162 Cobre Consolidated Schools	To purchase and equip security entry systems.	\$100,000
163 Cobre Consolidated Schools	To plan, design, construct, purchase, equip and furnish improvements to the Tom Powers softball field.	\$200,000
164 Corona Public Schools	To purchase and equip an activity vehicle.	\$45,000
165 Corona Public Schools	To purchase and equip a maintenance vehicle.	\$30,000
166 Des Moines Municipal Schools	To purchase and equip vehicles.	\$100,000
167 Dora Consolidated Schools	To plan, design, construct, purchase, equip and furnish portable bleachers and shade structures.	\$75,000
168 Espanola Public Schools	To plan, design, construct, purchase, equip and furnish uniforms and instruments.	\$110,000
169 Espanola Public Schools	To purchase and install a radio communications system.	\$50,000
170 Espanola Public Schools	To purchase stringed instruments to expand music programs, including mariachi and orchestra.	\$50,000
171 Espanola Public Schools	To purchase and install vape detectors for student restrooms.	\$50,000
172 Floyd Municipal Schools	To plan, design, construct, purchase, equip and install an intercom system.	\$100,000
173 Gadsden Independent Schools	For renovation and special needs equipment at health and wellness centers in middle schools.	\$50,000
174 Lake Arthur Municipal Schools	To purchase and equip activity vehicles.	\$100,000
175 Las Cruces Public Schools	To purchase student furniture for classrooms serving autistic students.	\$270,000
176 Las Cruces Public Schools	To purchase, install, replace and improve media equipment, including for internet school broadcasting.	\$100,000
177 Lovington Municipal Schools	To purchase, equip and install security improvements, including card readers, to exterior entrance doors.	\$75,000
178 Las Vegas City Public Schools Memorial Middle School	To decommission and demolish Paul D. Henry Elementary School.	\$75,000
179 (Las Vegas City Public Schools)	To plan, design, construct, equip, furnish and improve a life skills room, including a restroom, washer and dryer, shower stall and tub and kitchenette.	\$50,000
180 Melrose Municipal Schools	To plan, design and construct a parking lot.	\$45,000
181 Mesa Vista Consolidated Schools	To plan, design, construct, equip, purchase and install safety improvements, including fencing, and to renovate playgrounds at elementary schools.	\$150,000
182 Mora Independent Schools	To purchase and equip activity buses.	\$128,000
183 Moriarty High School	To purchase, equip and install a marquee.	\$47,000
184 (Moriarty-Edgewood Schools)	To plan, design, construct, purchase and equip improvements to the junior reserve officers training corps.	\$32,000
185 Moriarty-Edgewood Schools	To purchase and equip pickup trucks for the agricultural education/future farmers of America program.	\$77,000
186 Pecos Independent Schools	To purchase band instruments for middle schools and high schools.	\$10,000
187 Pecos Independent Schools	To plan, design, construct, purchase, equip and install improvements to the heating, ventilation and air conditioning systems.	\$64,000
188 Cielo Azul Elementary School (Rio Rancho Public Schools)	To plan, design and construct additional parking.	\$250,000
189 Colinas del Norte Elementary School (Rio Rancho Public Schools)	To plan, design, construct, renovate and expand the nurse's office.	\$65,000
190 Eagle Ridge Middle School (Rio Rancho Public Schools)	To plan, design, construct, purchase, equip and install landscaping for erosion mitigation.	\$7,500
191 Eagle Ridge Middle School (Rio Rancho Public Schools)	To plan, design, construct, renovate and expand the nurse's office.	\$22,500
192 Mountain View Middle School (Rio Rancho Public Schools)	To plan, design, construct, renovate and expand the nurse's office.	\$30,000

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Site (School District)	Purpose	Amount
SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH GENERAL FUND REVENUE		
193 Rio Rancho High School (Rio Rancho Public Schools)	To plan, design, construct, purchase, equip and install landscaping for erosion mitigation.	\$400,000 193
194 Rio Rancho Public Schools	To plan, design, construct, purchase, equip and install improvements to the cybersecurity system districtwide.	\$441,000 194
195 Rio Rancho Public Schools	To plan, design, construct, replace, purchase, equip and install upgrades to the fire alarm system to include voice evacuation and mass notification at elementary schools.	\$25,000 195
196 Rio Rancho Public Schools	To purchase, improve and install equipment and furnishings, including information technology, for a robotics program to assist youth in science, technology, engineering and mathematics.	\$100,000 196
197 V. Sue Cleveland High School (Rio Rancho Public Schools)	To plan, design, construct, purchase, furnish, equip and install improvements to the greenhouse, including heating and cooling for year-round growing and educational use.	\$6,000 197
198 Vista Grande Elementary School (Rio Rancho Public Schools)	To plan, design, construct, renovate, purchase, equip and install stucco.	\$162,000 198
199 Roy Municipal Schools	To purchase and equip vehicles.	\$57,975 199
200 Academy for Technology and the Classics (Santa Fe Public Schools)	To plan, design, construct, replace, purchase, furnish and equip security improvements, including cameras, bullet resistant coating on doors, central locking hardware to exterior doors, blackout shades for exterior windows and replacement of exterior stairs.	\$75,000 200
201 Santa Fe Public Schools	To purchase and install information technology improvements, including related equipment, furniture and infrastructure.	\$50,000 201
202 Santa Fe Public Schools	To plan, design, equip, purchase and install security system upgrades.	\$280,000 202
203 Silver Consolidated Schools	To plan, design, construct, furnish and equip improvements to the Ben Altamirano sports complex.	\$140,000 203
204 Cottonwood Valley Charter (Socorro Consolidated Schools)	To plan, design, construct and renovate the basketball court.	\$20,000 204
205 Cottonwood Valley Charter (Socorro Consolidated Schools)	To plan, design, construct, purchase, equip and make improvements to landscaping and fencing.	\$10,000 205
206 Taos Municipal Schools	To purchase and improve equipment for school cafeterias.	\$50,000 206
207 Taos Municipal Schools	To plan, design, construct, equip, purchase and install security systems and cameras.	\$200,000 207
208 Tatum Municipal Schools	To purchase and equip an activity vehicle.	\$65,000 208
209 Tatum Municipal Schools	To purchase and equip an activity vehicle.	\$55,000 209
210 Wagon Mound Public Schools	To purchase and equip activity buses.	\$128,000 210
211 Rio Gallinas School of Ecology and the Arts Charter (West Las Vegas Public Schools)	To purchase and install a security system and technology upgrades, including security cameras, intercom and viewboards.	\$43,000 211
212 West Las Vegas Public Schools	To plan, design and construct an auto body and welding facility for the career technical education program.	\$193,000 212
213 West Las Vegas Public Schools	To purchase and install artificial turf for fields and fields.	\$20,000 213
214	Total enacted for school district general fund projects	\$7,923,650 214
215	Executive vetoes for school district general fund projects	\$9,184,075 215
STATE-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH GENERAL FUND REVENUE		
216 Altura Preparatory Charter (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase of security systems and installation of related equipment, fencing, education and information technology, wiring and infrastructure.	\$55,000 216
217 Solare Collegiate Charter School (Albuquerque Public Schools)	To plan, design, construct, renovate, purchase, furnish, equip and install buildings and grounds, including playground, basketball court and recreation equipment, fencing, wiring and information technology and related infrastructure, furniture and equipment.	\$43,000 217
218 Albuquerque Collegiate Charter School (Albuquerque Public Schools)	To plan, design, construct, renovate, purchase, furnish, equip and install buildings and grounds, including a security system, playground improvements, fencing, wiring and information technology and equipment.	\$38,000 218
219 Montessori Elementary and Middle Charter (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase of educational and information technology and installation of related equipment, fencing, wiring and infrastructure.	\$141,000 219
220 Albuquerque Sign Language Academy (Albuquerque Public Schools)	To acquire land.	\$135,000 220
221 Albuquerque School of Excellence Charter (Albuquerque Public Schools)	To plan, design, purchase, construct, renovate, furnish and equip buildings and grounds, including the purchase of makers space equipment and furniture and installation of related equipment, fencing, information technology, wiring and infrastructure.	\$235,000 221
222 Cesar Chavez Community School (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds and for installation of fencing and information technology, including related equipment, furniture and infrastructure.	\$56,000 222
223 Mission Achievement and Success Charter (Albuquerque Public Schools)	To purchase and equip playground and physical education equipment.	\$125,000 223

Appendix J: Public School Capital Outlay Expenditures

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Site (School District)	Purpose	Amount
STATE-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH GENERAL FUND REVENUE		
224 Mission Achievement and Success Charter (Albuquerque Public Schools)	To purchase, equip, install and improve security equipment and cameras.	\$75,000
225 Media Arts Collaborative Charter (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase and installation of a heating, ventilation and air conditioning system, security fencing, wiring and information technology, including related equipment, furniture and infrastructure.	\$105,000
226 SAMS Academy Charter School (Albuquerque Public Schools)	To plan, design, construct, renovate, furnish and equip buildings and grounds and for fencing and information technology, including related equipment, furniture and infrastructure.	\$125,000
227 Southwest Secondary Learning Center (Albuquerque Public Schools)	To plan, design, construct, renovate, purchase, furnish and equip buildings and grounds, including the installation of a science, technology, engineering, art and mathematics laboratory and related equipment, infrastructure, fencing, wiring and information technology and related equipment.	\$143,000
228 Tierra Adentro Charter School (Albuquerque Public Schools)	To plan, design, construct, equip, furnish and purchase technology.	\$223,000
229 New America - Las Cruces (Las Cruces Public Schools)	To plan, design, construct, purchase, renovate, furnish and equip improvements to the buildings and grounds, including information technology and related equipment, wiring and infrastructure.	\$50,000
230 Aldo Leopold Charter (Silver Consolidated Schools)	To plan, design, construct, furnish and equip facility improvements.	\$40,000
231 Aldo Leopold Charter (Silver Consolidated Schools)	To purchase and equip vehicles.	\$25,000
232 McCurdy Charter School (Española Public Schools)	To plan, design, construct, equip, purchase and install outdoor furniture, benches and playground equipment and to purchase and install vape detectors.	\$75,000
233 ASK Academy Charter (Rio Rancho Public Schools)	To plan, design, purchase, construct, renovate, furnish, equip and install improvements to buildings and grounds, including purchase and installation of science laboratory equipment and furniture, fencing, information technology, wiring and infrastructure.	\$296,000
234 New Mexico School for the Arts (Santa Fe Public Schools)	To plan, design and construct a dormitory and cafeteria/multipurpose space.	\$1,465,000
235 Tierra Encantada Charter (Santa Fe Public Schools)	To plan, design, purchase, construct, equip and furnish a building.	\$40,000
236 Turquoise Trail Charter (Santa Fe Public Schools)	To plan, design, construct, renovate, purchase, furnish and equip improvements, including security systems, education and information technology, buildings and grounds infrastructure, fencing, wiring and paving.	\$10,000
237 Roots and Wings Community School (Questa Independent Schools)	To acquire land and buildings as educational facilities.	\$10,000
238	Total enacted for state-chartered charter school general fund projects	\$228,000
239	Executive vetoes for state-chartered charter school general fund projects	\$3,234,000
CONSTITUTIONAL SPECIAL SCHOOL PROJECTS FUNDED WITH GENERAL FUND REVENUE		
240 NM School for the Blind and Visually Impaired	For expenditure in fiscal years 2020 through 2024, unless otherwise provided in Section 2 of this act, to plan, design, construct, renovate, furnish and equip the Garrett dormitory, including remediation and demolition of the existing dormitory.	\$1,600,000
241	Total enacted for constitutional special school general fund projects	\$1,600,000
242	Executive vetoes for constitutional special school general fund projects	\$0
OTHER AGENCY PROJECTS FUNDED WITH GENERAL FUND REVENUE		
243 Department of Transportation	To plan, design and construct an access road on the east side of Arisco Heritage Academy high school.	\$25,000
244 Higher Education Department	To support the MESA student group at Chaparral middle school and Gadsden middle school with the purchase of technology equipment to participate in science technology, engineering and math education enrichment in the Gadsden independent school district.	\$50,000
245	Total enacted for other agency general fund projects	\$0
246	Executive vetoes for other agency general fund projects	\$75,000
SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH PUBLIC SCHOOL CAPITAL OUTLAY FUND REVENUE (SUPPLEMENTAL SEVERANCE TAX BONDS)		
247 Albuquerque Public Schools	To plan, design, construct, and improve buildings and facilities for the junior reserve officers' training corps program, including the purchase and installation of related equipment, furniture, fit and marksmanship target ranges .	\$197,000
248 Grant Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$200,000

Appendix J: Public School Capital Outlay Expenditures

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Site (School District)	Purpose	Amount
SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL, PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH PUBLIC SCHOOL CAPITAL OUTLAY FUND REVENUE (SUPPLEMENTAL SEVERANCE TAX BONDS)		
249 Hawthorne Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$202,000
250 Hayes Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$198,666
251 Highland Autism Center (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$170,000
252 Hubert H. Humphrey Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$150,000
253 Jackson Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$130,000
254 Jefferson Middle School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$130,000
255 Kennedy Middle School (Albuquerque Public Schools)	To plan, design, construct, renovate, purchase and improve security systems, including the purchase and installation of related equipment, fencing, shade structures, turf, bleachers, drainage improvements and landscaping.	\$125,000
256 La Academia de Esperanza (Albuquerque Public Schools)	To plan, design, construct, renovate, purchase and improve security systems, including the purchase of activity transportation, information technology and installation of related equipment, fencing, wiring and infrastructure.	\$38,000
257 Lavaland Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$100,000
258 Manzano High School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$195,000
259 Monte Vista Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$100,000
260 Montessori of the Rio Grande Elementary School (Albuquerque Public Schools)	To plan, design, construct and renovate the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures, turf, bleachers, drainage improvements and landscaping.	\$105,000
261 New Mexico International School (Albuquerque Public Schools)	To design, develop and construct a playground, including purchasing and acquiring play structures and equipment and relevant playground landscaping.	\$300,000
262 Painted Sky Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$100,000
263 Rio Grande High School (Albuquerque Public Schools)	To plan, purchase, design, construct, equip and furnish facilities related to the new gymnasium wing, including related building infrastructure and the purchase and installation of related equipment, monitoring equipment, weight room equipment, fencing, bleachers, asphalt paving, drainage improvements and landscaping.	\$1,000,000
264 Tomasita Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$190,000
265 Valley High School (Albuquerque Public Schools)	To purchase, acquire and install resources for information technology, including related equipment, furniture, wiring and infrastructure.	\$250,000
266 Whittier Elementary School (Albuquerque Public Schools)	To acquire, plan, design, construct, renovate, purchase and improve security systems, including upgrades to technology, grounds, infrastructure and facilities related to security and the installation of secure vestibule entryways, locks, cameras, access card security systems, fencing, telecommunications alarm upgrades and information technology.	\$208,800

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SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH PUBLIC SCHOOL CAPITAL OUTLAY FUND REVENUE (SUPPLEMENTAL SEVERANCE TAX BONDS)		
267 Elida High School (Elida Municipal Schools)	To plan, design, construct, repair and renovate the roof.	\$150,000
268 Las Vegas City Public School District	To acquire land and to plan, design, construct, renovate and equip a youth center.	\$1,400,000
269 Mariachi Cardenal (Las Vegas City Public Schools)	To purchase equipment— including musical instruments, costumes and recording equipment ; for Mariachi Cardenal.	\$48,000
270 Pojoaque Valley High School (Pojoaque Valley Public Schools)	To plan, design, construct, purchase, replace and install a heating, ventilation and air conditioning system.	\$145,000
271 Raton Public Schools	To purchase and equip an activity bus for student travel.	\$128,000
272 Santa Fe Public Schools	To plan, design, and construct improvements to the dance barns facility.	\$440,000
273 Texico Municipal Schools	For replacement of and improvements to athletic facilities, including the football field, track, bleachers and press box.	\$300,000
274	Total enacted for school district public school capital outlay fund projects	\$6,280,466
275	Executive vetoes for school district public school capital outlay fund projects	\$440,000
STATE-CHARTERED CHARTER SCHOOL PUBLIC EDUCATION DEPARTMENT PROJECTS FUNDED WITH PUBLIC SCHOOL CAPITAL OUTLAY FUND REVENUE (SUPPLEMENTAL SEVERANCE TAX BONDS)		
276 South Valley Preparatory School	To acquire land for and to plan, design, construct, renovate, equip and furnish buildings, equipment or portables.	\$235,000
277	Total enacted for state-chartered charter school public school capital outlay fund projects	\$235,000
278	Executive vetoes for state-chartered charter school public school capital outlay fund projects	\$0
CONSTITUTIONAL SPECIAL SCHOOL PROJECTS FUNDED WITH PUBLIC SCHOOL CAPITAL OUTLAY FUND REVENUE (SUPPLEMENTAL SEVERANCE TAX BONDS)		
279 NM School for the Blind and Visually Impaired	To plan, design, construct, renovate, furnish and equip the Garrett dormitory, including remediation and demolition of the existing dormitory.	\$900,000
280	Total enacted for constitutional special school public school capital outlay fund projects	\$900,000
281	Executive vetoes for constitutional special school public school capital outlay fund projects	\$0
OTHER AGENCY PROJECTS FUNDED WITH PUBLIC SCHOOL CAPITAL OUTLAY FUND REVENUE (SUPPLEMENTAL SEVERANCE TAX BONDS)		
282 Department of Environment	To plan, design, purchase and construct a water tank for the Hondo Valley public school district.	\$750,000
283 Department of Transportation	To plan, design, construct, expand and improve crosswalks for schools in the Albuquerque public school district.	\$138,000
284	Total enacted for other agency public school capital outlay fund projects	\$888,000
285	Executive vetoes for other agency public school capital outlay fund projects	\$0
286	OVERALL TOTAL FOR ALL PROJECTS	\$27,476,516
287	EXECUTIVE VETOS FOR ALL PROJECTS	\$12,968,075

Source: LESC

Appendix K: Public School Capital Outlay Reauthorizations

Appendix: Public School Capital Outlay Reauthorizations Laws 2020, Chapter 82 (House Bill 355, with emergency clause)

Site (School District)	Purpose	Purpose Change	Agency Change	Time of Expenditure	Amount
SCHOOL DISTRICTS AND LOCALLY-CHARTERED CHARTER SCHOOLS					
1 Atrisco Heritage Academy (Albuquerque Public Schools)	Extends the time of expenditure of the \$295 thousand appropriation in Laws 2016, Chapter 81 (S. 24, S.S. 7) to plan, design and construct an access road, including driveways, trail connections and modifications to Senator Dennis Chavez boulevard and to 118th street. Expands the purpose of the appropriation to include sidewalks and signal modifications.	X		Extended through FY22	\$295,000
2 Highland High School (Albuquerque Public Schools)	Reauthorizes the unexpended balance of the \$66 thousand appropriation in Laws 2019, Chapter 277 (S. 20, S.S. 94) to purchase and equip an activity van. The appropriation shall not be expended for the original purpose but is changed to purchase and equip a trailer and outdoor education equipment for Highland high school and throughout the Albuquerque public school district.	X		Extended through FY22	\$66,000
3 Los Puentes Charter School (Albuquerque Public Schools)	Reauthorizes the unexpended balance of the \$180 thousand appropriation in Laws 2019, Chapter 277 (S. 20, S.S. 117) to plan, design, construct, improve, equip and furnish a portable classroom building. The appropriation shall not be expended for the original purpose but is changed to plan, design, construct, renovate, furnish and equip buildings and grounds and install related equipment, fencing, education and information technology, wiring, paving and infrastructure.	X		Extended through FY23	\$180,000
4 Mary Ann Binford Elementary School (Albuquerque Public Schools)	Extends the time of expenditure of the \$76.25 thousand appropriation in Laws 2016, Chapter 81 (S. 14, S.S. 11) to plan, design, renovate and construct improvements to the grounds, fields and track areas, including the purchase and installation of related equipment, furniture and landscaping.			Extended through FY22	\$76,250
5 Robert F. Kennedy Charter School (Albuquerque Public Schools)	Extends the time of expenditure of the \$16.5 thousand appropriation in Laws 2018, Chapter 80 (S. 16, S.S. 116) to purchase and install equipment for a virtual learning laboratory.			Extended through FY22	\$16,579
6 Robert F. Kennedy Charter School (Albuquerque Public Schools)	Extends the time of expenditure of the \$20 thousand appropriation in Laws 2018, Chapter 80 (S. 16, S.S. 115) to purchase and install information technology, including related equipment, furniture and infrastructure.			Extended through FY22	\$20,000
7 Robert F. Kennedy Charter School (Albuquerque Public Schools)	Extends the time of expenditure of the \$49.5 thousand appropriation in Laws 2018, Chapter 68 (S. 36) to purchase and install equipment for a virtual learning laboratory.			Extended through FY22	\$49,500
STATE-CHARTERED CHARTER SCHOOLS					
8 Albuquerque Sign Language Academy (Albuquerque Public Schools)	Extends the time of expenditure of the \$210 thousand appropriation in Laws 2016, Chapter 81 (S. 14, S.S. 1) to plan, design and construct a facility.			Extended through FY22	\$210,000
9 Amy Biehl High School (Albuquerque Public Schools)	Extends the time of expenditure of the \$22 thousand appropriation in Laws 2016, Chapter 81 (S. 14, S.S.2) to for asbestos and lead paint abatement and to plan, design, construct and renovate the basement.			Extended through FY22	\$22,000
10 South Valley Preparatory School (Albuquerque Public Schools)	Expands the purpose of the \$33.6 thousand appropriation in Laws 2018, Chapter 80 (S. 16, S.S. 13) to acquire land and to plan, design, construct, purchase, equip and install portable classrooms to include planning, designing, renovating, equipping, furnishing and purchasing buildings and equipment for the school.	X			\$33,600
CONSTITUTIONAL SPECIAL SCHOOLS					
11 NM School for the Blind and Visually Impaired	Extends the time of expenditure of the \$1.8 million appropriation in Laws 2014, Chapter 66 (S. 45, S.S.2) to plan, design, construct, renovate, equip and furnish the Quimby gymnasium and natatorium and make other infrastructure improvements campuswide. The appropriation was reauthorized in Laws 2016, Chapter 83 (S. 113) to clarify the funding source and the time of expenditure was extended in Laws 2018, Chapter 68 (S. 86).			Extended through FY22	\$1,844,015
12 NM School for the Blind and Visually Impaired	Extends the time of expenditure of the \$2.3 million appropriation in Laws 2014, Chapter 66 (S. 45, S.S. 3) to plan, design, construct, renovate, equip and furnish residential cottages, including the demolition of Sacramento dormitory, and to make other infrastructure improvements campuswide. The appropriation was previously reauthorized in Laws 2016, Chapter 83 (S. 113) to clarify the funding source and the time of expenditure was previously extended in Laws 2018, Chapter 68 (S. 87).			Extended through FY22	\$2,294,411

Source: LESC

Appendix L: Public School Capital Outlay, General Obligation Bonds

Appendix: Education Related General Obligation Bond Projects Laws 2020, Chapter 84 (Senate Bill 207, with emergency clause)

~~strikethrough~~ indicates executive veto

Site (Agency/District)	Project	Amount
STATEWIDE PROJECTS FUNDED WITH GENERAL OBLIGATION BONDS		
1 Statewide (Public Education Department)	For equipment and supplemental library resource acquisitions, including print, non-print and electronic resources, at public school libraries statewide.	\$3,000,000
2	Total enacted for statewide projects	\$3,000,000
3	Executive vetoes for statewide projects	\$0
DIRECT APPROPRIATIONS TO CONSTITUTIONAL SPECIAL SCHOOLS FUNDED WITH GENERAL OBLIGATION BONDS		
4 NM School for the Blind and Visually Impaired	To plan, design, construct, renovate, furnish and equip the Tapia building.	\$938,967
5 NM School for the Deaf	To plan, design, construct, renovate, furnish and equip the dining hall.	\$5,300,000
6	Total enacted for constitutional special school projects	\$6,238,967
7	Executive vetoes for constitutional special school projects	\$0
DIRECT APPROPRIATIONS TO OTHER SCHOOLS FUNDED WITH GENERAL OBLIGATION BONDS		
8 Santa Fe Indian School (Indian Affairs Department)	To plan, design, construct and upgrade infrastructure, including entry boundary fencing and storm water drainage and mitigation.	\$700,000
9	Total enacted for other school projects	\$700,000
10	Executive vetoes for other school projects	\$0
11	Total Education-Related Statewide Projects after Executive Action (4 Authorized)	\$9,938,967
12	Total Education-Related Executive Vetoes (0 Vetoes)	\$0

Source: LESC

