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Projected increases in general fund revenue allowed the Legislature to increase appropriations for most programs in FY19. For FY19, recurring general fund appropriations for public education increased by \$107.4 million, or 3.9 percent from FY18. Public schools account for 44.2 percent of FY19 recurring general fund appropriations, 0.1 percent less than the FY18 share. While public schools saw slightly less growth in FY19 appropriations than some state agencies, public schools saw smaller cuts in FY17 and received slight increases in FY18, unlike other areas of state government.

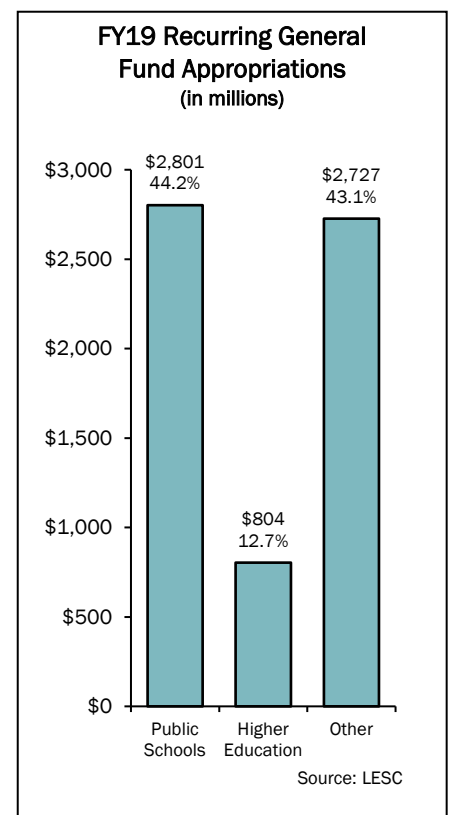
In addition to the budget, the primary concern of a 30-day legislative session, the House and Senate Education Committees also had robust conversations about the public school funding formula, public school capital outlay, minimum teacher salaries, supports for at-risk children, teacher licensing reciprocity, the legislative lottery scholarship, and other issues. Ultimately, of the nearly 140 pieces of education-related legislation introduced during the 2018 legislative session, 10 bills were enacted and nine memorials were passed.

## Public School Finance

Public education receives the largest share of the state's general fund budget annually. For FY19, the Legislature allocated additional resources for early childhood education programs, to support at-risk students, for school district and charter school staff compensation, and to replace general fund dollars for transportation and instructional materials which, in FY17 and FY18, had been supplanted by public school capital outlay fund revenue. Appropriations for the prekindergarten and extended school year K-3 Plus programs increased by \$14.5 million from FY18, or 30.1 percent, and the budget includes \$64.2 million to increase statutory minimum teacher salaries by \$2,000 and provide for across-the-board increases for all school personnel.

### FY18 Final Program Cost

For FY18, the distributed statewide program cost — the amount of funding the state assumes all school districts and charter schools need to operate — will total more than \$2.554 billion, up \$40 million, or 1.6 percent, from the FY17 final distributed program cost; however, this amount is still \$13 million less than the \$2.567 billion assumed by the Legislature during the 2017 legislative session due to lower than expected federal



To maintain an equalized school finance system, the funding formula takes credit for 75 percent of federal Impact Aid and forest reserve revenues received by some school districts and charter schools, but these payments vary from year to year and PED is uncertain how much school districts and charter schools will receive in any year.

Impact Aid revenue, payments some school districts and charter schools receive for students connected with the federal government, such as children of active-duty military personnel or children residing on Indian lands. Based on final funding data from PED, it appears PED assumed funding formula credits of \$48 million, rather than the \$58 million the department assumed at the beginning of the fiscal year. To avoid a large reversion to the general fund if school districts and charter schools receive additional Impact Aid revenue, the General Appropriation Act (GAA) of 2018 allows PED to distribute up to \$10 million to school districts and charter schools statewide if funds are available after final funding formula credits are calculated.

PED conservatively estimated funding formula credits for federal Impact Aid in part because delays in enacting a final federal budget led to significant uncertainty over the amounts school districts and charter schools would receive before the May 31 cutoff for FY18 credits. In March, the federal Office of Management and Budget approved the disbursement of additional Impact Aid payments to school districts and charter schools nationwide. Typically, when school districts and charter schools receive more Impact Aid than PED estimates, the appropriation not distributed due to higher than expected credits reverts to the general fund at the end of the fiscal year, but language included for FY18 allows PED to distribute those funds to school districts

House Bill 141 would have appropriated \$40.8 million to PED to restore school district and charter school cash balances. While the bill did not pass, the GAA included a \$5 million special appropriation to restore a portion of the cash balance credit, but this was vetoed by the governor.

and charter schools statewide. While this increase would not be available for school districts to budget during the 2017-2018 school year, the increase would help to compensate school districts and charter schools that had to dig into their cash balances in FY17 because the state took credit for those dollars as part of solvency measures. However, this distribution would benefit all school districts and charter schools, including those exempt from the solvency action due to low cash balances or receipt of emergency supplemental funding.

***Special Education Maintenance of Effort.*** The state continues to face challenges regarding special education maintenance of effort (MOE) – a federal requirement that a state make available at least as much money for special education as it did in the prior year to continue receiving federal grants under the Individuals with Disabilities Education Act. For FY18, the state could again fall short on MOE requirements, despite an increase in formula funding, due to a significant reduction in the number of program units generated based on ancillary service providers and the possible reduction in capital outlay spending at the School for the Blind and the Visually Impaired and the School for the Deaf. As a precaution, the General Appropriation Act of 2017 contained language that allows PED to reduce formula funds and reallocate those funds to school districts and charter schools to meet FY18 MOE requirements, but it is unclear if PED will make use of this provision; in previous years, PED has declined to implement this provision.

Program units generated for special education ancillary service providers are included in the calculation of special education maintenance of effort. The value of these program units fell by \$11 million between FY15 and preliminary FY18 program units.

## **FY19 Public School Support Appropriations**

Stronger state revenues because of increased oil and gas prices provided the Legislature with an estimated \$292 million in new money available for appropriation

for all state programs. The Legislature increased recurring FY19 general fund appropriations by \$259 million, or 4.3 percent. Of the \$259 million increase, \$107.4 million, or 41.5 percent, was allocated to public schools, 2.8 percentage points less than public education’s share of total FY18 appropriations. Although new money allowed the Legislature to begin to increase appropriations after years of flat or reduced budgets, public education appropriations reductions were smaller during the revenue downturn than other state agencies. As a result, many other state agencies had larger holes to fill once new money was available. For FY19, the Legislature took steps to reverse cuts and one-time measures used to balance the FY17 and FY18 budgets.

The FY19 budget reflected the Legislature’s focus on early childhood programs with a significant increase for the Children, Youth and Families Department (CYFD). The FY19 budget included a 10.2 percent increase for CYFD, including an additional \$22 million for childcare assistance, \$1.5 million for paraprofessional home visits to new families, and \$2.5 million for CYFD prekindergarten programs.

The Legislature also provided additional funding to reduce district attorney workload and vacancy rates for public defenders. District attorneys saw a 7.8 percent increase, with smaller increases for public defenders and the courts. Overall, judicial agencies saw a 4 percent increase, not including compensation appropriations, compared with 2.2 percent for public education.

After wiping out the general fund reserve during the worst of the fiscal crisis, the Legislature also made rebuilding the reserves a priority. The Legislative Finance Committee (LFC) estimates the state will end FY18 with 10.2 percent of recurring general fund appropriations in reserves. Economists estimate New Mexico needs at least 10 percent in reserves to withstand a moderate recession and 17 percent to withstand a severe recession.

**General Fund Revenue Estimates.** For FY19, the consensus general fund revenue forecasting group (CREG) estimated the Legislature would have \$292 million in additional revenue available for appropriation. In December, CREG projected FY19 recurring general fund revenue would total \$6.281 billion, up \$174 million from previous estimates; however, LFC noted this estimate was cautious based on the disproportionate impact increased revenue from oil and gas had on the estimate and limited underlying economic data. In January, CREG increased revenue estimates by \$82.4 million to \$6.374 billion for FY19, though continued to recommend cautious spending in FY19.

In the January revenue forecast, CREG noted several areas of concern. First, much of the increased projections relied on higher oil and gas prices, and economists noted increased production

**Recurring General Fund Appropriations for FY19**  
(in thousands)

Category	FY19 Appropriation	Change from FY18
Legislative	\$19,307.2	2.2%
Judicial	\$285,403.3	4.0%
General Government	\$126,579.1	10.2%
Commerce and Industry	\$52,702.2	9.9%
Agriculture & Natural Resources	\$68,855.1	9.7%
Health & Human Services	\$1,707,189.1	3.4%
Public Safety	\$436,545.7	1.9%
Public Education	\$2,754,389.0	2.2%
Higher Education	\$792,142.0	1.6%
<b>Total</b>	<b>\$6,243,112.7</b>	<b>2.8%</b>

This table does not include compensation appropriations from Section 8 of the General Appropriation Act of 2018.

Source: LFC

**General Fund Revenue**  
(in millions)

	FY17	FY18	FY19
Recurring Revenue	\$5,885.4	\$6,248.6	\$6,365.1
Recurring Appropriations	\$6,103.6	\$6,087.8	\$6,332.3
Projected Reserves	8.3%	10.2%	10.0%

Source: LFC

could depress prices. Additionally, taxpayers have protested \$455 million in tax assessment and successful tax protests could have a negative impact on revenue. Finally, economists noted the impact of federal tax reform was not yet known.

Based on the mid-session revenue forecast and FY19 appropriation levels, LFC projects general fund reserves at \$617.8 million, or 10.2 percent of recurring general fund appropriations, at the end of FY18 and \$636.4, or 10 percent, at the end of FY19.

**FY19 Program Cost.** For FY19, the Legislature assumed \$2.601 billion in program cost, up \$33.4 million, or 1.3 percent from FY18. Total program costs assume PED’s recommended \$59 million in credits for federal Impact Aid, federal forest reserve payments, and the half mill property tax levy for public schools. In addition, the Legislature appropriated \$45.4 million to increase compensation for school employees statewide in Section 8 of the GAA, increasing the total available for program cost to \$2.646 billion, or 3.1 percent more than in FY18.

**Compensation Increases.** The FY19 budget included a total of \$63 million in increases to the state equalization guarantee (SEG) – money that school districts and charter schools receive based on the funding formula – to provide compensation increases to teachers and other school employees. The GAA included \$17.6 million to increase the statutory minimum salaries for level 1, level 2, and level 3-A teachers by \$2,000. Laws 2018, Chapter 72, (Senate Bill 119) – LESC-endorsed legislation – aligned statutory minimum teacher and level 3-A counselor salaries with the budget, changing minimum salary levels in the School Personnel Act to \$36 thousand for level 1 teachers, \$44 thousand for level 2 teachers, and \$54 thousand for level 3-A teachers and counselors. For the past several years, language in the GAA has increased minimum salaries beyond statutory minimums, although such increases are subject to veto. Increasing the statutory minimums in the School Personnel Act eliminates the need for language in the GAA and ensures the higher minimum salary levels are not vulnerable.

**Minimum Teacher Salaries**  
(in thousands)

	Level 1	Level 2	Level 3
FY04- FY15	\$30	\$40	\$50
FY15	\$32	\$40	\$50
FY16	\$34	\$40	\$50
FY17	\$34	\$42	\$52
FY18	\$34	\$42	\$52
FY19	\$36	\$44	\$54

Source: LESC

Additionally, the GAA included additional funds for an average 2.5 percent salary increase for teachers and an average 2 percent salary increase for other school employees. By providing for average percentage increases, the Legislature gave school districts and charter schools the ability to address salary compaction concerns. In recent years, the Legislature included additional SEG funding to boost minimum teacher salaries but has not provided additional funds for across-the-board increases, which can result in small differences in salaries at a given licensure level. As a result, many teachers only saw significant pay increases when they increased licensure level. While the GAA of 2018 includes another increase to minimum salaries, the

average 2.5 percent increase is in addition to the minimum salary increase. School districts and charter schools have the flexibility to pool funding available for the 2.5 percent increase and target increases to teachers who will not see an increase due to minimum salary increases or licensure advancement. Language included with the compensation appropriations also encourages school districts and charter schools to provide average salary increases for other school employees at the same level of classroom teachers.

NCSL’s *No Time to Lose* report observed top-performing systems align compensation for beginning teachers with other “high-status” professions and provide for compensation systems that compensate teachers similarly to other professions.



*Funding Formula Changes.* Funding for at-risk students will increase by 22 percent in FY19, pursuant to Laws 2018, Chapter 55 (House Bill 188), legislation jointly endorsed by LESC and LFC to implement changes recommended by multiple studies of the public school funding formula over the past decade. These studies have noted New Mexico directs a relatively small amount of funding to support at-risk students – currently about 4 percent of formula funding – compared with other states. The legislation also aligns the instructional staff training and experience index (T&E index) with the state’s three-tiered licensure system.

Increasing the at-risk index and aligning the T&E index were high priorities for the Legislature. The state remains involved in two lawsuits alleging the amount of revenue appropriated for public education is insufficient to meet the constitutional mandate to establish and maintain a “uniform system of free public schools sufficient for the education of, and open to, all the children of school age in the state” and the plaintiffs argue the funding formula does not adequately allocate resources to serve at-risk students and the current T&E index favors wealthier schools. Changes to the funding formula over the next five years will increase the share of formula funding for at-risk students by nearly 50 percent and provide less weight to the T&E index, while ensuring school districts and charter schools are compensated for additional expenses when teachers advance licensure levels.

*Credits for Net Changes in Units.* The GAA included a total of \$9.5 million in credits for changes to program units. Most of this credit was accounted for by language in the GAA intended to clarify the meaning of “separate schools established to provide special programs” for the purpose of generating size adjustment program units for small schools. Current law prohibits, separate schools “including but not limited to vocational and alternative education,” from generating size adjustment program units. Inconsistent with statute, PED in recent years has allocated size adjustment program units to an increasing number of school offering special programs, including magnet schools, early college high schools, and credit recovery programs. In addition, the GAA accounts for a significant drop in program units between FY17 and FY18, for which no credit was taken in FY18. LFC has argued such credits allow the Legislature to focus additional resources on areas identified as needing additional support.

*General Appropriation Act Language.* The GAA included several provisions seeking to clarify how PED should allocate SEG funding. For FY19, language included in the GAA attempted to address concerns regarding the over-allocation of funding formula program units to certain school districts, the allocation of funding formula dollars to administration rather than instruction, and the trend of adopting a four-day school week.

The GAA included language that would have required PED to determine if a school district or charter school is spending more than average on direct instruction and instructional support services when compared with similar school districts or charter schools, but this language was vetoed by the governor.

Language in the GAA prohibits the department from approving the operating budget of any school district or charter school that seeks to operate a four-day school week unless that school district or charter school had a four-day school week in FY18. According to PED, 38 of 89 school districts, all in rural areas, operate a four-day school week and 22 of 99 charter schools operate a four-day

school week, many of which are in Albuquerque. Shorter school weeks have the potential to provide additional time for teacher professional development and planning, reduce student and teacher absenteeism, and, some argue, reduce energy or transportation costs. However, national research into shorter school weeks have been unable to determine if shorter school weeks have an impact on student achievement and have typically found cost-savings to be overstated. This prohibition will provide time to evaluate the tradeoffs involved in adopting a four-day school week.

Language in the GAA attempted to prohibit a number of school districts from generating elementary physical education (PE) program units for more students than were actually enrolled in elementary PE programs, but this language was vetoed by the governor. Since elementary physical education units were adopted in FY08, the GAA has included language directing PED to “annually determine the programs and consequent number of students in elementary physical education programs”; however, the number of program units allocated to each school district has not changed since FY09, the last year for which additional funding was provided for elementary PE. When enacted, the intent was to phase-in elementary PE when additional funding became available; however, elementary PE remains only partially funded.

Senate Bill 266 would have replaced the need-based phase-in of elementary PE currently provided for in statute (although not currently funded) and required the phase-in of one grade level each year, beginning with kindergarten. The bill did not pass the Legislature.

*FY19 Unit Value and Program Unit Estimates.* In April, PED announced the unit value — dollar amount distributed to school districts and charter schools for each program unit — would increase by 1.8 percent, less than the 3.1 percent increase. According to PED, the department set the preliminary unit value based on a total of 635 thousand program units, up 9,600 program units or 1.5 percent from final FY18 program units. PED also applied a more conservative assumption for funding formula credits. In December, the department recommended assumed credits of \$59 million; however, the initial unit value was set based on assumed credits of \$54 million.

School district and charter school funding is based on data collected in the prior year. Fiscal year 2019 formula funding is based on data submitted by school districts and charter schools on the second and third reporting dates of FY18 (December 1, 2017 and February 14, 2018).

Total statewide program units will likely increase in FY19 due to changes to that at-risk index, increases to the T&E index, and more special education ancillary services providers. However, enrollment data from October 2017 indicates that statewide student enrollment continues to shrink, which could offset some of the unit increases. Additionally, enrollment growth could be higher in FY19 due to the closure of a number of charter schools, including New Mexico Connections Academy. New Mexico Connections is the state’s largest charter school and enrolled more than 1,700 students in October.

Historically, PED has used conservative assumptions of unit value growth and funding formula credits to ensure the unit value is not cut mid-year. In an effort to encourage PED to adopt less conservative assumptions for FY18, the Legislature authorized PED to increase the preliminary FY18 unit value by up to \$16 per unit prior to the start of the school year. The Legislature also allowed PED, with Board of Finance approval, to access up to \$10 million in cash reserves if the department could not support an increased unit value with the amount appropriated by the Legislature. Ultimately, PED declined to increase the unit value prior to setting the final unit value in January 2018, when the department increased the unit value by \$30.

**Categorical Appropriations.** For FY19, appropriations for categorical programs — including transportation, instructional materials, supplemental distributions, the Indian education fund, dual-credit instructional materials, and standards-based assessments — increased by \$5 million, or 4.2 percent, from FY18. Recurring general fund appropriations increased by \$23 million, or 24.8 percent, but the appropriations from the public school capital outlay fund (PSCOF) fell by \$18 million. In FY17 and FY18, PSCOF revenue supplanted general fund appropriations for categorical programs to help balance the budget. With additional general fund revenue available, the Legislature chose to use only \$7 million of the \$25 million available. Continued use of PSCOF revenue would have reduced the amount available for capital projects and made it more difficult to replace general fund revenue when the authorization to use PSCOF revenue expires in FY22.

**Transportation.** For FY19, appropriations for the transportation distribution totaled \$98.8 million, a \$2 million, or 2 percent, increase from FY18. The general fund appropriation for the public school transportation distribution increased significantly from \$82.3 million in FY18 to \$96.3 million in FY19, while the PSCOF appropriation decreased from \$14.5 in FY18 to \$2.5 million in FY19. In addition, the Legislature appropriated \$1.2 million to increase transportation employee salaries, for a total appropriation of \$100 million. As it did for FY17 and FY18, the Legislature made separate appropriations for state-chartered charter school transportation and school district transportation for FY19; however, this language was again vetoed by the governor. In previous years, when the transportation distribution was a single lump sum, state-chartered charter schools received a larger amount of transportation funding than they were able to spend. The \$2.3 million transportation distribution to state-chartered charter schools closely mirrors actual FY17 expenditures.

In FY17, 22 state-chartered charter schools received \$2.2 million in transportation funding. Of those, seven charter schools were unable to spend \$101 thousand, or 4.7 percent of transportation funds allocated to state-chartered charter schools. This is in contrast with an \$85.8 million distribution to school districts, of which only \$175 thousand in 28 school districts, or 0.2 percent, went unspent.

Amid discussions about increasing funding for school transportation, the Legislature continued to consider opportunities for cost savings within the system. House Bill 86, a bill endorsed by LESC, would have extended the school bus replacement cycle from 12 years to 15 years or 300 thousand miles, whichever occurred first, delaying expenditures from the public school capital outlay fund and the general fund. Current law allows school districts and state-chartered charter schools to request to use their buses for longer periods of time under exceptional circumstances, but some school districts report PED has historically denied requests to do so. HB86 faced substantial criticism from school transportation officials and other advocates, who noted safety concerns and increased maintenance costs for older buses. The bill was substituted to require PED to allow school districts and state-chartered charter schools to use their buses for a longer period of time at their discretion, contingent on annual safety inspections. The substitute bill likely eliminated a majority of the cost savings associated with increasing the replacement cycle but addressed current PED practice. The substitute made it through the House but died through Senate inaction.

The Legislature also began considering sources of funding for new school buses, like funds from the Volkswagen lawsuit settlement. New Mexico is eligible to receive \$18

million in settlement funds from the lawsuit but is required to spend the funds on projects that reduce nitrogen oxide emissions from vehicles. Laws 2018, Chapter 20 (House Bill 306) – authorization of severance tax bond projects – includes language allowing PED to request up to \$8 million (or any other amount) in funds from the settlement with Volkswagen for the purchase of school buses in FY19 and FY20, if the trustee in the lawsuit determines the settlement funds can be used to purchase school buses. Electric school buses would qualify as an eligible project, but their use would likely only be possible in urban settings with the infrastructure to charge the buses. It is unclear whether new diesel bus purchases would qualify as eligible projects. Additionally, Laws 2018, Chapter 67 (Senate Bill 94) asks voters to approve a \$6 million bond for the purchase of school buses on the November 2018 ballot.

The FY19 instructional materials adoption cycle was originally set to include science, health, and physical education, but PED delayed the adoption of science materials until

*Instructional Materials.* For FY19, the Legislature appropriated a total of \$12.5 million for the instructional material fund, \$2 million more than the FY18 appropriation but significantly less than the amount appropriated for instructional materials in prior years. With only health and physical education materials scheduled for purchase in FY19, the FY19 cycle will be less costly than other cycles; however,

PED recently adopted the New Mexico STEM-Ready Science Standards with full implementation scheduled for FY19. New science materials will be purchased in FY20. Science materials are among the most expensive and the Legislature may need to significantly increase the instructional material appropriation for FY20. In FY13, the last cycle for science materials adoption, the instructional material fund appropriation totaled \$28.5 million.

**FY19 PED Special Program Appropriations**  
(in thousands)

Appropriation	Amount
Regional Education Cooperatives	\$1,038
K-3 Plus	\$30,200
Prekindergarten	\$29,000
Early Reading Initiative	\$8,837
Elementary Breakfast	\$1,600
Interventions and Supports	\$4,000
Truancy and Dropout Prevention Coaches	\$4,000
Principals Pursuing Excellence	\$2,000
Teachers Pursuing Excellence	\$2,000
STEM Initiative	\$3,000
After-School and Summer Enrichment	\$325
Evaluation System	\$1,000
College of Ed. Preparation Programs	\$1,000
College Prep. and Dropout Prevention	\$1,500
Advanced Placement	\$1,000
New Mexico-Grown Fruits and Veg.	\$200
GRADS Program	\$200
<b>Total</b>	<b>\$90,900</b>

Source: LESC

*Other Categorical Appropriations.* Recurring appropriations for other categorical programs remained flat with FY18 levels, with the exception of emergency supplemental funding. The GAA of 2017 included \$4 million for emergency supplemental funding: \$1 million in recurring general fund appropriations and \$3 million nonrecurring general fund appropriations. The Legislative Finance Committee considered \$2 million of the nonrecurring funds to be recurring. The GAA of 2018 included \$3 million in emergency supplemental funding – \$1 million in recurring general fund appropriations and \$2 million in nonrecurring general fund appropriations – \$1 million less than the GAA of 2017. While a number of school districts rely on emergency supplemental funding annually, significant increases to the SEG could help to increase budgets for a number of school districts that have faced shortfalls in recent years.

**PED Special Program Appropriations**

For FY19, the Legislature provided \$90.9 million for special programs at PED, commonly referred to as “below-the-line” programs, an increase of \$2.7 million, or 3.1 percent, from FY18. The Legislature continued to prioritize funding for early childhood programs that have demonstrated success in closing the achievement gap, with an increase of \$14.5 million



for prekindergarten and K-3 Plus and a decrease to other special programs of \$11.8 million. Additional funding for these programs was focused on increasing the number of 4-year-olds able to participate in prekindergarten and the number of kindergarten through third-grade students able to participate in this summer's K-3 Plus program. In addition, the Legislature sought to increase transparency of some PED initiatives by providing for separate appropriations for Principals Pursuing Excellence, Teachers Pursuing Excellence, and the truancy and dropout prevention initiative.

**Early Childhood Education.** While FY19 general fund appropriations in the GAA are a 4.3 percent increase over FY18, the act includes a 30 percent increase in general fund revenue for certain early childhood learning programs. High-quality early care and education programs can improve school readiness and academic success for children, especially for children living in poverty and with other adverse childhood experiences (ACEs). While almost \$8 million of state funds is needed to replace lost federal funds, total state and federal funding will increase \$36.7 million, or 13.7 percent, for childcare assistance; paraprofessional visits to new families; Family, Infant, and Toddlers Program (FIT); prekindergarten; the K-3 Plus extended school year program; and the PED early literacy intervention program. (See Appendix 5, Early Childhood Education Funding History)

**PED Special Programs for Early Learning.** Of the early childhood programs the state oversees, PED is responsible for implementation and oversight of its early literacy initiative, state-funded prekindergarten programs at public schools, and K-3 Plus. Appropriations for these programs totaled \$71.5 million, an increase of \$10.8 million, or 17.8 percent. These programs generally provide instructional support and extended learning opportunities for kindergarten through third-grade students.

**Prekindergarten.** For FY19, the Legislature appropriated \$32.5 million for PED-administered prekindergarten programs, an increase of \$8.1 million or 33 percent from FY18. The additional funding is estimated to serve an additional 2,500 students in half-day programs or 1,250 students in full-day programs. Additionally, the growth in the appropriation will allow PED to expand the number of school districts offering prekindergarten; PED indicated 10 additional school districts would like to open new prekindergarten programs to serve an estimated 1,100 students. LFC analysis has consistently shown positive impacts for participating students, including improved math and reading proficiency rates and lower special education and retention rates of participants through third grade. The *2017 LFC Early Childhood Accountability Report*

New Mexico's early childhood care and education system begins prenatally, extends through age 8, and spans several state agencies: the Children, Youth and Families Department, the Department of Health, The Human Services Department, and PED.

**FY18 and FY19 Early Childhood Education Funding**  
(in millions)

	FY18	FY19	Diff.	Percent Change
General Fund	\$130.3	\$169.3	\$39.1	30.0%
Fund Balance	\$1.7	\$1.7	\$0.1	0.0%
Federal Funds	\$60.0	\$52.3	-\$7.7	-12.8%
Other State Funds	\$0.0	\$0.9	\$0.9	
All Other Funds	\$24.3	\$25.8	\$1.5	6.2%
TANF	\$53.1	\$56.1	\$3.0	5.6%
<b>Total</b>	<b>\$269.3</b>	<b>\$306.1</b>	<b>\$36.8</b>	<b>13.7%</b>

**FY18 and FY19 Early Childhood Funding**  
(in millions)

	FY18	FY19	Funding Increase	Percent Change
<b>Children, Youth and Families Department</b>				
Child Care Assistance	\$ 116.0	\$ 134.2	\$ 18.2	15.7%
Home Visiting	\$ 18.7	\$ 20.2	\$ 1.5	8.0%
Early Childhood Professional Development	\$ 1.3	\$ 1.4	\$ 0.1	7.7%
Prekindergarten	\$ 29.0	\$ 31.5	\$ 2.5	8.6%
<b>Public Education Department</b>				
Prekindergarten	\$ 24.5	\$ 32.5	\$ 8.0	32.7%
K-3 Plus	\$ 23.7	\$ 30.2	\$ 6.5	27.4%
Early Literacy Initiative	\$ 12.6	\$ 8.8	\$ (3.8)	-30.2%
<b>Department of Health</b>				
Family, Infant and Toddlers Program	\$ 43.7	\$ 44.7	\$ 1.0	2.3%
<b>Human Services Department</b>				
Home Visiting	\$ -	\$ 2.6	\$ 2.6	
<b>Total</b>	<b>\$ 269.5</b>	<b>\$ 306.1</b>	<b>\$ 36.6</b>	<b>13.6%</b>

Source: LFC

recently found improved student achievement of participants into the fifth grade. As PED makes awards for FY19, better coordination between executive agencies and Head Start programs is needed to ensure state-funded slots are not supplanting federally funded Head Start slots in individual communities. In the past few years, state prekindergarten awards have been made in communities with Head Start programs, resulting in students moving from Head Start programs into state-funded programs and the loss of Head Start funding.

State-funded prekindergarten is administered through CYFD and PED. In FY19, CYFD was appropriated \$31.5 million for prekindergarten - \$2.3 million for basic services, \$19.7 million for extended-day services, and \$9.5 million for 3-year-old services.

*K-3 Plus.* The Legislature appropriated \$30.2 million for K-3 Plus programs, an increase of \$6.5 million, or 27.4 percent from FY18. As in prior years, PED will use a portion of the FY19 appropriation to serve students in July and August 2018 programs, but will need to withhold enough of the appropriation to fund June start-up programs for summer 2019. PED likely will need to withhold between \$10 million and \$12 million of the FY19 appropriation but has \$10 million of the FY18 appropriation it held for June 2018 programs, leaving an estimated \$28 million to \$30 million available for summer kindergarten-through-third-grade students this summer than the 15 thousand students served in summer 2017; summer 2017 capacity was reduced because PED did not adequately manage growth of the program in prior years. Additional funding will help school districts and charter schools restore the slots lost because of the decreased allocations in 2017.

In response to research from Utah State University that showed K-3 Plus is most effective when students stay with the same teacher and cohort of students throughout the school year, language in the GAA requires PED to allocate \$6.5 million of the FY19 appropriation to programs that keep K-3 Plus students with the same teacher. While the language is intended to ensure the highest impact on student achievement, it does not appear any summer 2018 programs should be denied because of this language; PED could use the \$10 million of the appropriation it will likely withhold for summer 2019 programs to enforce the requirement for summer 2019 programs.

*Early Reading Initiative.* The Legislature reduced the appropriation for the early reading initiative from \$12.5 million in FY18 to \$8.8 million in FY19. PED has shared limited accountability data with legislative agencies and has implemented multiple, inconsistent distribution methodologies from year to year, making it difficult to evaluate the program. Despite the targeted appropriation for early literacy, third-grade reading proficiency rates on the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment have remained below 30 percent since FY15.

*New Funding Streams for Early Childhood Education.* Much of the focus on early childhood education in recent years, including the 2018 legislative session, has been on identifying an earmarked source of funding for early childhood programs. LFC staff estimates \$190 million in additional revenue is needed to fully fund New Mexico's existing targeted early childhood programs based on current eligibility requirements and estimated participation rates. Three proposed constitutional amendments were considered that would have created increased distributions from the land grant permanent fund (LGPF) and the severance tax permanent fund (STPF) and were estimated to generate between \$39 million and \$203 million annually.

**K-3 Plus  
Enrollment by  
Summer**

2010	7,163
2013	11,639
2014	18,056
2015	19,383
2016	20,166
2017*	15,050

\*Based on awards; final enrollment not available.

Source: LESC Files

Two resolutions were introduced to ask voters to amend the constitution to increase the current 5 percent distribution from the LGPF to 6 percent and 6.5 percent. The additional distribution from the permanent school fund — reserved for the benefit of public schools — would have been earmarked for early childhood educational programs administered by state agencies or Indian nations, tribes, or pueblos. The LGPF was established in the federal law that “enabled” New Mexico to become both a state and the repository of income earned from state trust land with public schools or one of 21 other named state programs; the beneficiary of income from specific tracts of state land. A distribution to early childhood services might not be allowed because public schools historically have not provided programs for children birth to three years old and it is unclear if the distribution can serve this different purpose. It is also unclear if a portion of the distribution can be allocated to a different entity such as CYFD. Although public schools are the primary beneficiary of the trust, public schools historically have not provided programs for children from birth to age 3 and the state might not have the authority to require them to do so, or to change the beneficiary of a portion of their distribution. Congress might be able to approve the proposed distributions; however, the process to get congressional approval and how long it could take is unknown. Additional concerns exist about the capacity to expand early childhood programs while maintaining quality with the influx of up to \$203 million in a single year.

House Joint Resolution 1 would have asked voters to amend the constitution to increase land grant permanent fund distributions by an additional 1 percent and estimated generation of \$40.6 million in FY20, \$99.7 million in FY21, and \$149.7 million in FY22. The resolution passed the House 36-33 but was not voted on in the Senate. Senate Joint Resolution 2 would have asked the voters to amend the constitution to increase the land grant permanent fund distributions by 1.5 percent and estimated generation of \$203 million in FY20, \$214 million in FY21, and \$224 million in FY22. The resolution passed the Senate Education Committee but proceeded no further. Senate Joint Resolution 7 would have asked voters to amend the constitution to increase distributions from the severance tax permanent fund by 0.8 percent and estimated generation of \$38.8 million in FY20, \$39.7 million in FY21, and \$40.7 million in FY22. The resolution passed the Senate Rules Committee but proceeded no further.

During the last two legislative sessions, legislators have also considered resolutions to ask voters to amend the constitution to increase the distribution from the STPF, established in the state constitution but not federal law, as an alternative to increasing the distribution from the LGPF. The 2018 proposal would have increased the distribution from the STPF from 4.7 percent to 5.5 percent for early childhood programs. The proposal was estimated to generate approximately \$39 million annually and lacks some of the issues associated with using the LGPF for early childhood education. Current distributions from the STPF are not earmarked for any beneficiary and are transferred to the general fund for appropriation each year. The increased distribution would not need congressional approval and may be more manageable to build capacity and improve the quality of early learning programs in the near term.

Both the LGPF and STPF are investment funds and opponents to increase distributions from either fund note that increasing distributions will slow the growth of the funds and, consequently, reduce earnings in the long term.

While none of the proposals were successful, legislators and state administrators in New Mexico generally support high-quality early childhood programs and agree existing programs are improving the health, safety, stability, and education of New Mexico’s children. However, statewide early public education data continues to demonstrate the need to better serve young students, especially students who come from low-income families, to ensure they enter kindergarten ready to learn.

The New Mexico STEM-Ready Science standards were adopted by PED in November 2017 to incorporate the Next Generation Science Standards in full, including performance expectations, core principles, scientific and engineering practices, and crosscutting concepts that unify science and engineering. The adoption included six additional standards specific to New Mexico and will automatically include any future amendments.

***Interventions and Supports for Students, Teachers, Struggling Schools, and Parents.*** For FY18 and prior years, many of PED’s targeted initiatives were funded from a single line-item — interventions and supports for students, teachers, struggling schools, and parents. However, for FY19, the Legislature made a number of individual appropriations for specific programs to increase transparency. The GAA included \$2 million for Principals Pursuing Excellence, \$2 million for Teachers Pursuing Excellence, \$4 million for truancy and dropout prevention coaches, and \$4 million for other discretionary intervention programs. The Legislature eliminated funding for the department’s merit pay initiative; however, \$5 million in nonrecurring funds were appropriated for a new incentive pay initiative.

***Science, Technology, Engineering, and Math (STEM) Initiative.*** For FY19, the appropriation for the STEM initiative was increased to \$3 million, up from \$1.9 million in FY18. This initiative funds professional development programs for math and science teachers. Demand for science-related professional development could rise in FY19 due to the recent adoption of the New Mexico STEM-Ready Science standards. PED has previously indicated most of the \$1.1 million increase for the STEM initiative will be used to prepare teachers for the updated standards and for teacher-created instructional materials aligned with the new standards. Although implementation of the standards begin in FY19, instructional materials aligned to the new standards will not be available until FY20, leaving teachers with limited aligned materials. The Legislature included an additional \$500 thousand in nonrecurring funds to implement the STEM standards, for a total of \$3.5 million, although the total might not cover all needed professional development. For the adoption of the Common Core state standards, the Legislature appropriated \$2.5 million for use in FY12 through FY14, although some policymakers raised concerns the amount was insufficient to provide the professional development needed to implement the standards.

The GAA contains a \$50 thousand appropriation to Eastern New Mexico University (ENMU) to hold robot playshops in schools statewide, an appropriation introduced by the identical House Bill 237 and Senate Bill 146.

The governor also vetoed a \$400 thousand special appropriation to ENMU found in House Bill 78 and Senate Bill 53 to support state-chartered career and technical student organizations.

The governor vetoed a \$100 thousand special appropriation to the Cultural Affairs Department which, similar to an appropriation in Senate Bill 156, was intended to support schools’ participation in the National History Day program.

***Special Appropriations.*** The Legislature provided a total of \$13.4 million in nonrecurring revenue for special appropriations to PED. In some cases, the Legislature used nonrecurring funds to supplement programs partially funded with recurring revenue. The Legislature appropriated \$5 million to restore a portion of the \$40.8 million cash balance credit taken in FY17; however, the governor vetoed this appropriation. In addition, the Legislature provided \$5 million for PED’s proposed “exemplary teacher awards,” which will provide stipends of up to \$5,000 for teachers rated exemplary through PED’s NMTEACH teacher evaluation system, plus an additional stipend of up to \$5,000 for exemplary math or science teachers or teachers at the four schools designated as needing “more rigorous intervention” because of low performance. Language attached to the appropriation requires the teacher to have at least three years of student achievement data to receive an award. Additionally, the Legislature included language to require approval from collective bargaining units; however, the governor vetoed this language.



The Legislature included \$825 thousand to supplement recurring appropriations for Advanced Placement (\$100 thousand), New Mexico-grown fresh fruits and vegetables (\$225 thousand), and implementation of the new science standards (\$500 thousand). In addition, the GAA included \$300 thousand for automated text messaging systems in school districts and state-chartered charter schools. House Bill 332 would have required school districts to text parents of high school students with failing grades or before a required assessment. Although the bill failed, PED will still be able to purchase equipment and software for text messaging systems.

**PED Operating Budget.** For FY19, appropriations for PED’s operating budget totaled \$43.7 million, up \$9,000 from FY18, with \$11.1 million of that from the general fund, flat with FY18. While the department will benefit from an average 2 percent salary increase for state employees that was appropriated to the Department of Finance and Administration, it is unclear how much this will increase PED’s budget. PED’s general fund operating budget remains well below pre-recession levels. In FY08, recurring general fund appropriations for department operations totaled \$17.1 million and the department employed 325 full-time-equivalent staff. In FY17, the department averaged 224 FTE, although appropriations in recent years have assumed 241 FTE. Significant reductions to PED staff have limited the department’s ability to oversee the more than \$4 billion in federal, state, and local funds spent on public education.

PED will likely see additional revenue from educator licensure fees increase from FY18, which was not anticipated by the Legislature. Additional educator licensure fees could be used to fund the NMTEACH evaluation system. For FY19, the Legislature appropriated \$1 million in educator licensure fund revenue to PED for the teacher and administrator evaluation system. Legislative staff estimate the fee increases could generate about \$345 thousand in additional fees in FY19.

PED could see a reduction in its FY19 budget from the 2 percent withheld from charter schools to fund administrative support. For FY19, at least eight state-chartered charter schools face closure or opted to change the authorizer from the Public Education Commission to a local school district. These schools account for \$519 thousand of the \$2.6 million in FY18 revenues withheld for administrative support received by PED. This reduction could be offset by unit value increases or growth in other state-chartered charter schools.

The House passed House Memorial 46, which requests PED and the Higher Education Department (HED) engage stakeholders in a task force studying funding inequities for dual-credit courses. School districts and charter schools receive full funding for students enrolled in dual-credit courses regardless of where students receive their instruction, but universities are required to waive tuition for dual-credit students and receive less funding per student. The Dual Credit Council, a joint PED and HED advisory group, has been working on addressing the inequities, and is expected to announce proposed rule changes this year.

**Educator Licensure Fee Increases**

Licensure Category	Current Fee	Fee from Aug. 2018
Initial Teacher or Admin. License	\$125	\$150
Teacher License Endorsement	\$95	\$120
Instructional Support Providers <sup>1</sup>	\$125	\$150
Renewals for Teachers, Admin. or Instructional Support Providers	\$95	\$120
Other Support Providers <sup>2</sup>	\$35	\$50
Background Check	\$44	\$80

<sup>1</sup>Instructional support providers include individuals such as counselors, diagnosticians, social workers, and school nurses.

<sup>2</sup>Other support providers are substitute teachers, educational assistants, athletic coaches, health assistants, and Native language and culture teachers.

Source: PED

## Public School Capital Outlay

In 2018, the Legislature passed legislation affecting all three mechanisms public schools use to access capital outlay: direct legislative appropriations, local funding, and Public School Capital Outlay Council (PSCOC) awards. The Legislature passed

direct legislative appropriations for school projects and several bills were enacted that will impact the public school capital outlay process overseen by PSCOC as well as some local funding processes.

### **Direct Legislative Appropriations for Public School Capital Outlay**

The Legislature passed three bills that fund public school capital outlay: Laws 2018, Chapter 80 (House Bill 306), Severance Tax Bond Projects; Laws 2018, Chapter 68 (Senate Bill 245), Capital Outlay Reauthorization; and Laws 2018, Chapter 67 (Senate Bill 94), General Obligation Bond Projects. Chapter 80 authorizes \$179.8 million in capital outlay projects; of that total, almost \$22.7 million will go to public schools, and \$392 thousand for public school projects was vetoed. (See Appendix 5, “Public School Capital Outlay Appropriations.”) Notably, Chapter 80 earmarks \$6 million of public school capital outlay fund revenue for public school security systems statewide.

Lawmakers also approved legislation to repurpose or reauthorize certain existing capital outlay appropriations for schools funded with severance tax bond (STB) proceeds, as well as appropriations funded with supplemental severance tax bonds (SSTBs). (See Appendix 4, “Public School Capital Outlay Reauthorizations.”) Chapter 68 reauthorizes approximately \$26.2 million in previous STB and SSTB appropriations to change the purpose, agency, or time of expenditure of 10 public school capital outlay projects statewide including projects at the School for the Deaf and the School for the Blind and Visually Impaired. The public school capital outlay reauthorizations contained in Chapter 68 primarily address constructing prekindergarten classrooms, the purchase and installation of information technology equipment, and the planning, construction, and renovation of multipurpose educational centers, residential cottages, and an auditorium and gymnasium. The oldest reauthorized projects are from 2013 and the newest are from 2016. Of the roughly \$26.2 million in reauthorizations, \$79.5 thousand will go to school districts and locally authorized charter schools, \$310 thousand will go to state-chartered charter schools, \$5 million will go to the Public School Facilities Authority for prekindergarten classrooms statewide, and almost \$20.8 million of supplemental severance tax bonds is authorized for the constitutional special schools.

Chapter 67 authorizes the issuance of \$165.3 million in general obligation bonds, which must be approved by voters during a statewide general election, including \$6 million to replace public school buses owned by school districts, \$4 million for public school libraries, \$1.8 million for the School for the Deaf, and \$900 thousand for the Santa Fe Indian School. (See Appendix 6, “Education Related General Obligation Bond Projects.”)

Laws 2015, Chapter 63, reduced the statutory limits of STB and SSTB capacity to increase the amount of revenue deposited into the severance tax permanent fund. Laws 2016 (2nd Special Session), Chapter 2, authorized up to \$25 million to be used annually from FY18 through FY22 for school instructional materials and student transportation. In addition, Laws 2016 (2nd Special Session), Chapter 5, appropriated \$12.4 million in FY17 to the general fund from project reversions from public school capital outlay projects.

Discussions about the public school capital outlay fund during the 2018 session focused on dwindling reserves. While the Legislative Finance Committee forecast shows a stable bonding capacity for the next five years, SSTB revenue available for public school capital outlay projects overseen by PSCOC has decreased in recent years because of previous legislative action. The high water mark for public school capital outlay standards-based projects was in FY13, when PSCOC awarded \$256.1 million to public schools, compared with FY17 awards of \$90.5 million.

## School Security

Several school security bills were introduced during the 2018 legislative session in response to the recent shooting at Aztec High School. Discussions centered on physical and other security measures schools could implement to both prevent and respond to an armed threat or attack. For example, Senate Bill 124 attempted to appropriate \$60 million to PED to train school personnel how to respond to an armed threat or attack, fund security personnel, and purchase, install, and maintain security cameras and metal detectors on school premises. House Bill 130 attempted to reserve \$5 million of the public school capital outlay fund annually for five years for security system projects, such as the installation of surveillance equipment, vestibules, and fencing, and the retrofitting of windows with glazing or bulletproof glass. Lawmakers debated whether or not these measures are effective, as well as the potential harmful impacts to student learning and mental health.

Laws 2018, Chapter 80, includes a \$6 million appropriation from the public school capital outlay fund to PSCOC for a school security initiative, contingent on PSCOC approval. Additionally, Laws 2018, Chapter 71 (Senate Bill 239), allows up to \$10 million of the public school capital outlay fund be used annually by PSCOC in FY19 through FY22 for new security system projects. PSCOC will develop program guidelines, verify school district and charter school assessments and applications, and rank all applications according to the methodology adopted by PSCOC. All projects will be subject to the Public School Capital Outlay Act's state and local match formula, which stipulates the percentage the state and the school district must contribute. Security projects funded pursuant to Chapter 71 will also be subject to the offset requirement, which reduces the state match for districts that have received past direct legislative appropriations.

### Other Public School Capital Outlay Bills

In addition to the three funding bills and the school security bill, Laws 2018, Chapter 38 (House Bill 48), requires PED to use prior-year reporting data to distribute school property tax revenue pursuant to the Public School Capital Improvements Act, commonly referred to as SB9 revenue.

LESC endorsed two public school capital outlay bills for the 2018 session: Senate Bill 30 and House Bill 41. Laws 2018, Chapter 66 (Senate Bill 30) modifies the current formula used to calculate the state and local funding match requirements for projects funded pursuant to the Public School Capital Outlay Act. The new formula will be phased in over five years beginning in FY20 and adjusts the state and local match to more accurately reflect each school district's ability to pay to maintain their facilities to adequacy, as defined by the statewide adequacy standards in 6.27.30 NMAC. While the original version of the bill resulted in a number of school districts receiving no state match because they are financially able to maintain their facilities to adequacy without state help, a compromise was struck to set a minimum state match at 6 percent.

Public school capital outlay bills introduced during the 2018 legislative session that did not pass attempted to fix ongoing oversight issues and address charter school facility issues.

The current state and local match formula is based on the net taxable value of property within a school district and the number of students enrolled during the immediately preceding year. The new calculation is based on the net taxable value for a school district for the prior five years, the maximum allowable gross square footage per student pursuant to the adequacy planning guide, the cost per square foot of replacement of the facility, and the school district population density.

House Bill 41 proposed to require nonprofit organizations organized specifically to purchase facilities for a charter school to enter into a legally binding agreement with the charter school to transfer the facility's title to the charter school immediately on the nonprofit's final acquisition of the title. While HB41 passed the House unanimously, it never made it off the Senate calendar. This bill was endorsed by LESC and the Public School Capital Outlay Oversight Task Force.

The formula is the product of a study conducted by the Bureau of Business and Economic Research at the University of New Mexico that identified two factors in the formula as problematic. First, property tax valuations may not be the best measure of a district's ability to pay because valuations are subject to significant fluctuations when commodities such as oil and gas extraction comprise a large share of property valuation. Second, the formula does not account for differences in per-student facility construction or maintenance costs. Chapter 66 addresses some of the inequities brought forth by the Zuni lawsuit challenging the method for distributing capital outlay by reducing the state match for school districts able to build above adequacy and increasing the state match for other districts.

## Other 2018 Public School-Related Legislation Highlights

The Legislature introduced around 140 pieces of legislation related to public education, 15 percent of all measures introduced, in the form of bills, resolutions, and memorials. Many of these measures were focused on teachers and other school personnel, including bills to increase teacher salaries, expand their training and professional development requirements, and review paperwork burdens on teachers.

Senate Bill 33 proposed to transfer to the Public Education Commission one quarter of the 2 percent withholding, or 0.5 percent, from the state equalization guarantee distribution for PED's administrative support of state-chartered charter schools.

Other legislative efforts included bills to increase supports for at-risk students, focusing on the problems inherent in chronic absenteeism and poverty, with measures directly addressing issues of importance to Native American students, and memorials focusing on student wellness and nutrition. Nine memorials were passed and only 13 bills were sent to the governor, who vetoed three of them. (See Appendix 9, "Public School-Related Legislation by Topic," and Appendix 10, "Public School-Related Legislation with Summaries.")

During the 2017 interim, LESC heard from several school districts and charter schools with significant Native American student populations, including Gallup-McKinley County Schools, Grants/Cibola County Schools, Zuni Public Schools, and Taos Municipal Schools. Issues for Native American students included the addition of cultural classes and new programs aimed at tribal language acquisition; disappointment with the continued academic achievement gap for Native Americans, exacerbated by the need for better disaggregated data and growth analyses; greater communication between tribes and local school districts; a focus on education as a tribal community investment; and equal access to honors and Advanced Placement courses to help students become career- and college-ready.

### Governance and Administration

Successful measures related to school administration included memorials requesting the study of particular issues, such as a joint memorial requesting PED identify available federal programs that might be used to improve New Mexico student meals and health and improve meal program funding and training.

Legislative attempts to address charter school administration, none of which passed, included a bill to require a locally chartered charter school that wins an appeal of a local authorizer's denial to open or renew its charter to seek charter authorization from PEC. Finally, an LESC-endorsed memorial that would have requested LESC, with PED, form a work group to identify best practices and provide recommendations for the administration of virtual charter schools passed the Senate Education Committee but was not heard in the Senate.



## Supports for At-Risk and Low-Performing Students

Successful legislation from the recent session concerning at-risk students focused on Native American students. House Memorial 75 requests state agencies collaborate with tribal advisory groups to study health, social welfare, education, and other essential services and recommend policy and legislation to better serve New Mexico's tribal communities. Another piece of legislation, House Bill 151, would have required school districts and charter schools impacted by Native Americans to conduct a needs assessment to determine supports needed to help Native American students graduate and become career- and college-ready. The bill also would have required those local school districts and charter schools to meet with local tribes to prioritize the needs of Native students in their budgets to help these students close the achievement gap. The governor, however, vetoed HB151, indicating the bill established an unfunded mandate and offered no guidance on best practices or measuring progress. A nearly identical bill, House Bill 484, passed during the 2017 legislative session but was vetoed by the governor, who similarly objected to inclusion of unfunded mandates in the bill.

Other bills attempted to address such issues as childhood poverty, school attendance, and poor academic performance. The Poverty Awareness Training Act, proposed by House Bill 136, would have required certain local school districts and charter schools that receive at-risk program units to ensure all school employees attend training annually to educate them on the effects of poverty on social and academic development. House Bill 297 proposed a comprehensive approach to absenteeism by repealing the Compulsory School Attendance Law and replacing it with the Attendance for Success Act. Although it ultimately died in the House Judiciary Committee, the bill would have focused interventions for absent students on partnerships between schools and local service providers, businesses, healthcare providers, and other community entities, all of which have an interest in a well-educated, successful citizenry. Similar programs have been shown to be effective in certain school districts within the state. The bill provided for progressive sanctions for chronic absenteeism, including the possibility of refusal or suspension of a student's driver's license until the student demonstrates compliance with the act. While the bill would have allowed school districts to create their own truancy guidelines, some members voiced concern over this possible loss of driving privileges, ultimately causing the bill to fail despite it being less punitive in its approach to driver's licenses than current law, which requires the Children's Court to suspend driving privileges of habitual truants.

Two bills proposed to enact "Michael's Law," limiting school use of restraint and seclusion as disciplinary measures and requiring notice to parents when their children are subjected to restraint and seclusion. The restraint and seclusion provisions of the bills, however, were largely duplicative of measures enacted in Laws 2017, Chapter 33, and would have created direct conflict with existing statute, because the bills proposed new sections of law, rather than amendments to existing ones.

## Teachers and Other School Personnel

During the 2018 legislative session, the Legislature considered bills related to teacher licensure, school personnel compensation, background checks, paperwork reduction, and trainings on school sexual assault reporting and suicide awareness and prevention.

Senate Bill 234 would have required all current and prospective school employees to undergo a fingerprint-based background check; however, the bill died in the Senate. Screening school employees and volunteers through background checks protects students and may potentially reduce school district liability exposures.

Senate Memorial 111 and House Memorial 34, focused on reducing paperwork required to be completed by educators, passed and were signed in their respective chambers. Less paperwork for teachers and other school employees could possibly translate into increased instructional time for students and reduce costs associated with processing and administering paperwork. SM111 requests PED convene a task force to study the feasibility of reducing the paperwork education employees are required to complete and study a moratorium on unfunded mandates in schools. HM34 requests PED convene a task force similar to SM111.

Senate Bill 31 would have appropriated \$100 thousand to PED to train public school teachers and administrators on reporting allegations of sexual assault; however, the bill died in committee. Additionally, Senate Bill 172 would have directed PED to promulgate rules that require public and private school personnel to undergo suicide awareness and prevention training; however, the bill failed on the Senate floor.

The Legislature nearly passed House Bill 51, a bill that would have closed a loophole that allowed charter school students to participate in extracurricular activities in schools outside attendance zone of the public school in which they reside. Charter school students are currently the only group of students who can take advantage of this loophole, with home school and private school students being subject to this same restriction. The bill passed the House unanimously but died in the Senate.

Attracting and retaining teachers is one of the most important drivers of a well-functioning education system. Five bills related to teacher licensure were considered by the Legislature that proposed PED expedite licensure applications for military spouses and veterans, create a level 4 teaching license, and require alternatively licensed teachers to complete a course in classroom management.

Laws 2018, Chapter 8 (Senate Bill 97), will require PED to provide for expedited teacher licensure for military service members, spouses of military service members, and veterans with both current and expired teaching licenses from another jurisdiction. Senate Bill 116 and House Bill 177 would both have established a level 4 teaching license with additional teacher leader duties; however, both bills were tabled in committee.

House Bill 85, which the Legislature passed but the governor vetoed, would have allowed educational employees covered under the Educational Retirement Act to convert unused sick leave to Educational Retirement Board (ERB) service credit. The governor vetoed HB85 because it might negatively impact the educational retirement fund. Current estimates show the fund does not have enough assets to pay all of the benefits that have been earned. ERB estimates it will take 61 years to pay down the \$7.4 billion in unfunded obligations. The veto message also indicated the bill was vetoed due to the fact that school districts' benefits vary widely, possibly precluding teachers who earn personal leave (not specifically sick leave) from taking advantage of the benefits of HB85.

Other bills relating to teachers and other school personnel were introduced during the 2018 legislative session; however, these particular bills were not germane and included the following topics: teacher loan repayment program incentives, career technical education teacher development, hiring flexibility for charter school teachers, and additional teacher license requirements for alternatively licensed teachers.

### **Miscellaneous Legislation**

In FY18, the legislative lottery scholarship covered only 60 percent of tuition averages, less than in previous years, making it the focus of much debate during the 2018 session. Laws 2018, Chapter 70 (Senate Bill 140), decouples awards from tuition rates and sets a flat award of \$1,500 for research institutions, \$1,020 for comprehensive institutions, and \$380 for community colleges for qualified students on a per-semester basis. The bill directs the Higher Education Department (HED) to raise or lower scholarship amounts based on enrollment and available funding. House Bill 178 and House Bill 270 also attempted to decouple scholarship amounts from tuition costs, but neither bill passed. House Bill 147 would have eliminated the mandate to transfer at least 30 percent of the gross revenue from lottery ticket sales to the legislative lottery fund provided that the total

amount of net revenue does not fall below \$40 million, in which case the 30 percent transfer would be reinstated, but it also did not pass.

Three bills seeking to make higher education more affordable to certain students received unanimous bicameral support and were signed by the governor. Laws 2018, Chapter 20 (House Bill 68), creates the Luciano “Lucky” Varela Opportunity Scholarship at the New Mexico Military Institute (NMMI) to increase the number of low-income New Mexico high school students attending NMMI. The bill allows the NMMI board of regents, with the approval of HED, to transfer up to \$500 thousand of the institute’s budget balances, including existing scholarship endowments, to the Luciano ‘Lucky’ Varela Opportunity Scholarship fund. Laws 2018, Chapter 32 (Senate Bill 143), removes the earnings cap for eligibility for the Public Service Law Loan Repayment Program that provides loan repayment assistance to certain attorneys in public service employment. Laws 2018, Chapter 76 (House Bill 55), expands the benefits and school options for recipients of the Fire Fighter and Peace Officer Survivors Scholarship, allowing scholarship recipients to receive the scholarship for six years and attend a public higher education institution anywhere in the United States.

## Appendix 1: Recurring General Fund Appropriations

(in thousands)

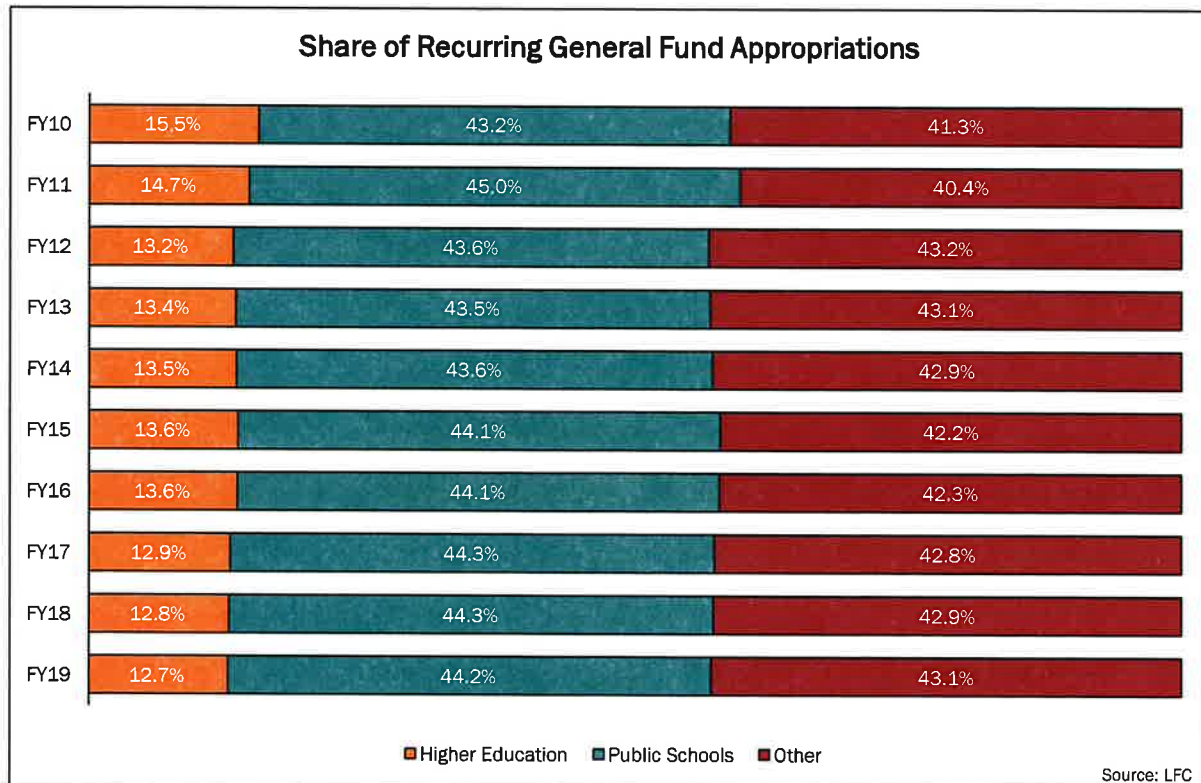
Year	Public Schools <sup>1</sup>	Higher Education	Total Education	Total General Fund Appropriations
FY10	\$2,276,079.3	\$816,389.9	\$3,092,469.2	\$5,269,834.6
FY11	\$2,339,263.2	\$762,281.8	\$3,101,545.0	\$5,202,846.8
FY12	\$2,366,012.0	\$716,565.3	\$3,082,577.3	\$5,431,388.6
FY13	\$2,455,341.4	\$757,716.6	\$3,213,058.0	\$5,650,139.2
FY14	\$2,567,549.5	\$796,028.3	\$3,363,577.8	\$5,893,578.1
FY15	\$2,715,469.6	\$838,606.8	\$3,554,076.4	\$6,151,134.6
FY16	\$2,736,289.9	\$843,428.2	\$3,579,718.1	\$6,204,334.3
FY17	\$2,690,429.5	\$786,866.8	\$3,477,296.3	\$6,079,030.8
FY18 <sup>2</sup>	\$2,695,525.5	\$779,345.1	\$3,474,870.6	\$6,082,297.5
FY19 <sup>3</sup>	\$2,800,971.7	\$804,071.0	\$3,605,042.7	\$6,332,267.1

Source: LFC

<sup>1</sup>This table includes only recurring general fund appropriations and excludes all other funds, which in some cases supplant recurring general fund appropriations, including federal American Recovery and Reinvestment Act revenue in FY10 and FY11, federal education jobs funds in FY11, and public school capital outlay fund revenue in FY17 and FY18.

<sup>2</sup>The FY18 total general fund column includes \$19.6 million in recurring Section 5 special appropriations. The public schools column includes \$10.6 million of the \$19.6 million.

<sup>3</sup>The FY19 totals include \$46.6 million in compensation appropriations for public schools, \$11.3 million in compensation appropriations for higher education, and \$89.2 million in total compensation appropriations.





## Recurring General Fund Appropriations (continued)

(in thousands)

Year	Public School Support	Related Recurring Appropriations	Public Education Department	Total General Fund Appropriations
FY10 <sup>1</sup>	\$2,230,429.2	\$30,150.7	\$15,499.4	\$5,269,834.6
FY11 <sup>2</sup>	\$2,309,175.1	\$16,132.7	\$13,955.4	\$5,202,846.8
FY12	\$2,338,422.0	\$17,055.8	\$10,534.2	\$5,431,388.6
FY13	\$2,402,768.3	\$41,833.5	\$10,739.6	\$5,650,139.2
FY14	\$2,498,741.1	\$57,022.3	\$11,786.1	\$5,893,578.1
FY15	\$2,608,377.6	\$95,122.8	\$11,969.2	\$6,151,134.6
FY16	\$2,623,315.9	\$101,022.7	\$11,951.3	\$6,204,334.3
FY17 <sup>3</sup>	\$2,580,232.5	\$99,131.7	\$11,065.3	\$6,079,030.8
FY18 <sup>4</sup>	\$2,596,274.2	\$88,185.0	\$11,065.3	\$6,082,297.5
FY19 <sup>5</sup>	\$2,699,006.5	\$90,900.0	\$11,065.3	\$6,332,267.1

<sup>1</sup>The FY10 public school support column does not include \$210 million in federal *American Recovery and Reinvestment Act* (ARRA) funds. The FY10 related recurring appropriations column includes \$1.2 million appropriated directly to regional education cooperatives.

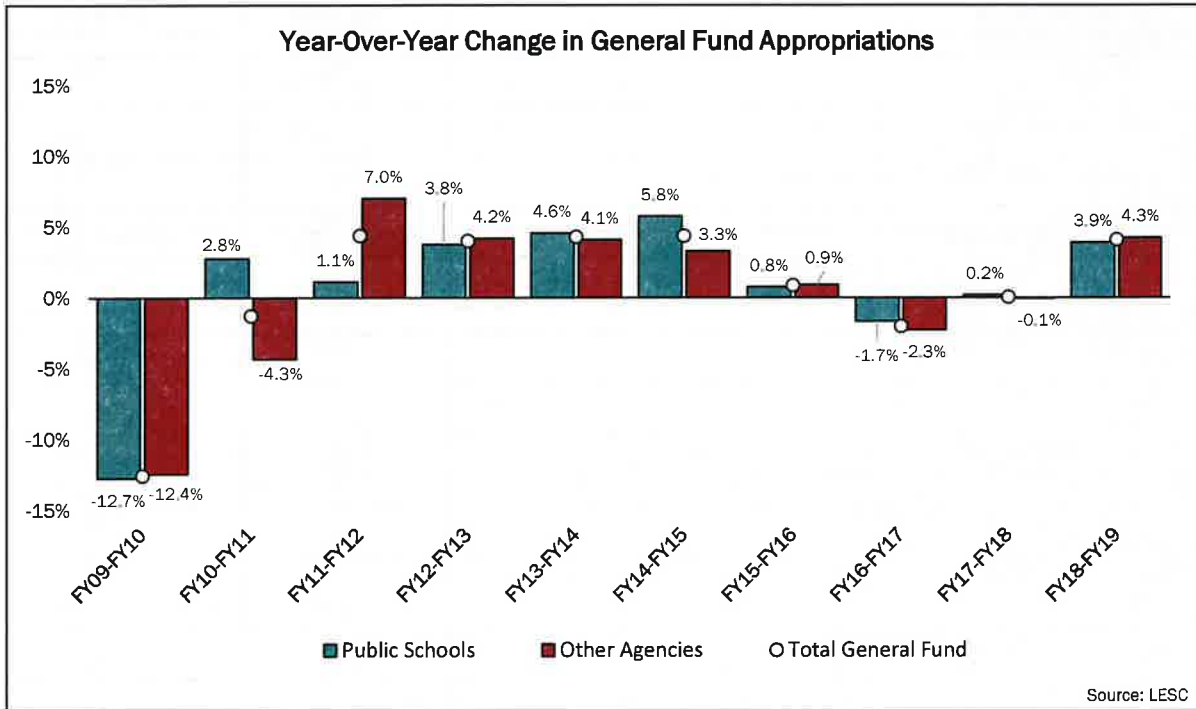
<sup>2</sup>The FY11 public school support column does not include \$24 million in federal ARRA funds and \$64 million in federal education jobs funds.

<sup>3</sup>The FY17 public school support column does not include \$25 million in public school capital outlay fund revenue.

<sup>4</sup>The FY18 total general fund appropriations column includes \$19.6 million in recurring Section 5 special appropriations. The public school support column includes \$10.6 million of the \$19.6 million.

<sup>5</sup>The FY19 public school support column includes \$46.6 million in compensation appropriations. The total general fund appropriations column includes \$89.2 million in compensation appropriations. The total amount appropriated for compensation at the public education department is not yet available.

Source: LFC



**Appendix 2: Public School Support and Related Appropriations**  
(in thousands of dollars)

	FY18 Final Unit Value = \$4,084.26 FY19 Preliminary Unit Value = \$4,159.23	FY18 OpBud	GAA of 2018
1	<b>PROGRAM COST</b>	\$2,550,192.4	\$2,567,558.7
2	Base Adjustment/Reversion Credit		(\$2,318.3)
3	<b>UNIT CHANGES</b>		
4	<del>Eliminate Size Adjustment for Special Separate Schools of Alternative Education</del>		(\$6,162.8) <sup>10</sup>
5	Increase At-Risk Index Factor from 0.106 to 0.130		\$22,541.4 <sup>11</sup>
6	Other Projected Net Unit Changes	(\$3,183.7)	(\$1,066.6)
7	<b>UNIT VALUE CHANGES</b>		
8	Insurance		\$2,794.3
9	Restore Some Special Session Cuts	\$12,000.0	
10	Section 5 Recurring Special Appropriation to the State Equalization Guarantee	\$8,550.0 <sup>1</sup>	
11	Increase Teacher Minimum Salaries (\$2,000 per Level)		\$17,611.5 <sup>9</sup>
12	Increase Salaries for Teacher by 2.5 Percent and Other Employees by 2 Percent		\$45,419.4
13	<b>SUBTOTAL PROGRAM COST</b>	\$2,567,558.7	\$2,646,377.6
14	Dollar Increase/Decrease From Prior Year Appropriation	\$17,366.3	\$78,818.9
15	Percentage Increase/Decrease	0.7%	3.1%
16	<b>LESS PROJECTED CREDITS</b>	(\$60,750.0) <sup>2</sup>	(\$59,000.0)
17	<b>LESS OTHER STATE FUNDS (From Driver's License Fees)</b>	(\$5,000.0)	(\$5,000.0)
18	<b>STATE EQUALIZATION GUARANTEE</b>	\$2,501,808.7	\$2,582,377.6
19	Dollar Increase/Decrease From Prior Year Appropriation	\$20,616.3	\$80,568.9
20	Percentage Increase/Decrease	0.8%	3.2%
21	<b>CATEGORICAL PUBLIC SCHOOL SUPPORT</b>		
22	<del>TRANSPORTATION - School District (with language)</del>		
23	Maintenance and Operations	\$61,778.4	\$72,282.2
24	Fuel	\$11,092.9	\$12,979.0
25	Rental Fees (Contractor-Owned Buses)	\$7,542.6	\$8,825.0
26	Increase <del>School District</del> Transportation Salaries by 2 Percent		\$1,136.3
27	<b>Subtotal <del>School District</del> Transportation</b>	\$80,413.9 <sup>3,4</sup>	\$95,222.5 <sup>3,8</sup>
28	<del>TRANSPORTATION - State Chartered Charter School (with language)</del>	\$1,611.3	\$1,885.3
29	Rental Fees (Contractor-Owned Buses)	\$315.7	\$369.4
30	Increase <del>State Chartered Charter School</del> Transportation Salaries by 2 Percent		\$27.0
31	<b>Subtotal <del>Charter School</del> Transportation</b>	\$1,927.0 <sup>3</sup>	\$2,281.7 <sup>3</sup>
32	<b>SUBTOTAL TRANSPORTATION</b>	\$82,340.9 <sup>3,4</sup>	\$97,504.3 <sup>3,8</sup>
33	<b>SUPPLEMENTAL DISTRIBUTIONS</b>		
34	Out-of-State Tuition	\$300.0	\$300.0
35	Emergency Supplemental	\$1,000.0 <sup>1</sup>	\$2,000.0
36	Instructional Material Fund		\$8,000.0 <sup>8</sup>
37	Dual Credit Instructional Materials	\$1,000.0	\$1,000.0
38	PARCC Standards-Based Assessments	\$6,000.0	\$6,000.0
39	Indian Education Fund	\$1,824.6 <sup>5</sup>	\$1,824.6 <sup>5</sup>
40	<b>TOTAL CATEGORICAL</b>	\$92,465.5	\$116,628.9
41	<b>TOTAL PUBLIC SCHOOL SUPPORT</b>	\$2,594,274.2	\$2,699,006.5
42	Dollar Increase/Decrease From Prior Year Appropriation	\$14,041.7	\$104,732.3
43	Percentage Increase/Decrease	0.5%	4.0%
44	<b>RELATED REQUESTS: RECURRING</b>		
45	Regional Education Cooperatives Operations	\$935.0	\$1,038.0
46	K-3 Plus Fund	\$23,700.0	\$30,200.0
47	Public Prekindergarten Fund	\$21,000.0 <sup>6</sup>	\$29,000.0 <sup>6</sup>
48	Early Reading Initiative	\$12,500.0	\$8,837.0
49	Breakfast for Elementary Students	\$1,600.0	\$1,600.0
50	Interventions and Support for Students, Struggling Schools, Parents, and Teachers	\$15,000.0	\$4,000.0
51	Truancy and Dropout Prevention Coaches		\$4,000.0
52	Principal Mentorship - Principals Pursuing Excellence		\$2,000.0
53	Teacher Mentorship/Teachers Pursuing Excellence	\$900.0	\$2,000.0
54	Science, Technology, Engineering, and Math Initiative	\$1,900.0	\$3,000.0
55	After-School and Summer Enrichment Programs	\$325.0	\$325.0
56	NMTeach Evaluation System	\$4,000.0	\$1,000.0 <sup>12</sup>
57	Teacher and School Leader Preparation Programs	\$2,100.0	\$1,000.0
58	College Preparation, Career Readiness, and Dropout Prevention	\$2,200.0	\$1,500.0
59	Advanced Placement	\$825.0	\$1,000.0
60	New Mexico Grown Fruits and Vegetables		\$200.0
61	GRADS - Teen Pregnancy Prevention	\$200.0	\$200.0
62	Stipends for Teachers in Hard to Staff Areas	\$1,000.0	
63	<b>TOTAL RELATED APPROPRIATIONS: RECURRING</b>	\$88,185.0	\$90,900.0
64	Dollar Increase/Decrease From Prior Year Appropriation	(\$2,946.7)	\$2,715.0
65	Percentage Increase	-3.2%	3.1%

**Appendix 2: Public School Support and Related Appropriations**  
(in thousands of dollars)

		FY18 Final Unit Value = \$4,084.26	
		FY19 Preliminary Unit Value = \$4,159.23	
		FY18 OpBud	GAA of 2018
66	<b>SUBTOTAL PUBLIC EDUCATION FUNDING</b>	<b>\$2,682,459.2</b>	<b>\$2,789,906.5</b>
67	Dollar Increase/Decrease From Prior Year Appropriation	\$11,095.0	\$107,447.3
68	Percentage Increase	0.4%	4.0%
69	<b>PUBLIC EDUCATION DEPARTMENT</b>	<b>\$11,065.3</b>	<b>\$11,065.3</b>
70	Dollar Increase/Decrease From Prior Year Appropriation	\$0.0	\$0.0
71	Percentage Increase	0.0%	0.0%
72	<b>TOTAL SECTION 4 APPROPRIATIONS</b>	<b>\$2,693,524.5</b>	<b>\$2,800,971.8</b>
73	Dollar Increase/Decrease From Prior Year Appropriation	\$11,095.0	\$107,447.3
74	Percentage Increase	0.4%	4.0%
75	<b>SECTION 5 - SPECIAL APPROPRIATIONS</b>		
76	Sufficiency Lawsuit Fees	\$1,250.0 <sup>1</sup>	\$1,200.0
77	Emergency Supplemental Funding	\$3,000.0 <sup>1</sup>	\$1,000.0
78	Advanced Placement Tests		\$100.0
79	Excellence in Teaching Awards		\$5,000.0
80	Implementation of New Science Standards		\$500.0
81	New Mexico Grown Fresh Fruits and Vegetables		\$225.0
82	Ready to Learn Early Childhood Program		\$50.0
83	Restore School District and Charter School Operational Cash Balances		<del>\$5,000.0</del>
84	Automated Text Messaging Systems		\$300.0
85	<b>CATEGORICAL APPROPRIATIONS DETAIL</b>		
86	Transportation - General Fund	\$82,340.9	\$97,504.3
87	Transportation - Public School Capital Outlay Fund	\$14,500.0	\$2,500.0
88	<b>Total Transportation</b>	<b>\$96,840.9</b>	<b>\$100,004.3</b>
89	Instructional Material Fund - General Fund		\$8,000.0 <sup>1</sup>
90	Instructional Material Fund - Public School Capital Outlay Fund	\$10,500.0	\$4,500.0
91	<b>Total Instructional Material Fund</b>	<b>\$10,500.0</b>	<b>\$12,500.0</b>

<sup>1</sup>Section 5 of the General Appropriation Act of 2017 appropriated \$8.6 million in nonrecurring revenue to the state equalization guarantee and \$2 million in emergency supplemental funding that the Legislative Finance Committee considered recurring appropriations. The \$2 million in special recurring appropriations for emergency supplemental funding is included on line 77 and is not included in the FY18 public school support total.

<sup>2</sup>The GAA of 2017 assumed \$750 thousand in federal Impact Aid credits for state-chartered charter schools pursuant to Laws 2017, Chapter 78 (Senate Bill 135).

<sup>3</sup>The GAAs of 2017 and 2018 included separate transportation distributions for school districts and state-chartered charter schools. The governor vetoed the separate distributions, effectively rendering a single transportation appropriation.

<sup>4</sup>Laws 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 to FY22. The GAA of 2017 appropriated \$14.5 million to school district transportation and \$10.5 million to the instructional material fund from PSCOF and included flexibility language allowing the use of funds appropriated for transportation and instructional materials for either purpose.

<sup>5</sup>The GAAs of 2017 and 2018 included \$675.4 thousand from Indian education fund balance.

<sup>6</sup>The GAAs of 2017 and 2018 included \$3.5 million in temporary assistance for needy families funds for prekindergarten.

<sup>7</sup>The GAA of 2017 authorized PED to use up to \$750 thousand from remaining balances in select initiative appropriations (excluding appropriations for regional education cooperatives, K-3 Plus, prekindergarten, and early reading) for legal fees related to defending the state in *Martinez v. State of New Mexico* (No. D-101-CV-2014-00793) and *Yazzie v. State of New Mexico* (No. D-101-CV-2014-02224).

<sup>8</sup>As authorized by Laws 2016 (2nd S.S.), Chapter 2, the GAA of 2018 appropriated \$2.5 million to school district transportation and \$4.5 million to the instructional material fund from PSCOF.

<sup>9</sup>The GAA of 2018 included language to ensure school districts and charter schools raise minimum teacher salaries for level 1 teachers from \$34 thousand to \$36 thousand, for level 2 teachers from \$42 thousand to \$44 thousand, and for level 3 teachers from \$52 thousand to \$54 thousand.

<sup>10</sup>The GAA of 2018 included language to clarify the types of schools that are prohibited by statute from receiving small school size adjustment program units. Schools without geographic attendance zones could not generate those program units, including early college high schools, magnet schools, or credit recovery programs. This language was vetoed by the governor.

<sup>11</sup>The GAA of 2018 included language noting the state equalization guarantee distribution included sufficient funding to increase the cost differential for the at-risk index. While the governor line-item vetoed the language, Laws 2018, Chapter 55, (House Bill 188) amended the Public School Finance Act to establish the increase, effective in FY19. As a result, the increase will take effect despite the line-item veto.

<sup>12</sup>The GAA of 2018 included \$1 million from the educator licensure fund.

Source: LESC

## APPENDIX 3

### SELECTED PUBLIC EDUCATION RELATED LANGUAGE FROM THE GENERAL APPROPRIATION ACT OF 2018

~~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 2018-2019 school year and then, on verification of the number of units statewide for fiscal year 2019 but no later than January 31, 2019 the secretary of public education may adjust the program unit value.

Notwithstanding the provisions of the School Personnel Act, the secretary of public education shall ensure that no full-time level one teacher receives a base salary less than thirty-six thousand dollars (\$36,000), no full-time level two teacher receives a base salary less than forty-four thousand dollars (\$44,000) and no full-time level three-A teacher receives a base salary less than fifty-four thousand dollars (\$54,000) during fiscal year 2019.

The final program cost calculation of a first-year charter school shall use membership reported on the first reporting date of the current fiscal year in the calculation of program units.

For fiscal year 2019, 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 2019 and shall reset the final unit value to account for the reduction.

~~A separate school established to provide an educational program at a specific grade level different from the primary educational program of the school district in which the school is located, including but not limited to a vocational, alternative education, early college high or credit recovery program or school to which a student must apply for admission or in which student placement is determined by criteria other than the geographic location of the student's residence, shall not be classified as a public school for purposes of generating size adjustment program units unless it is a school established to serve students residing within a defined geographic area that accepts students who transfer from outside that area, including transfers in accordance with Subsection D of Section 22-2E-4 NMSA 1978.~~



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 2019 in excess of the total average number of elementary students enrolled on the second and third reporting dates of the 2017-2018 school year multiplied by the cost differential factor of six one-hundredths as established in Section 22-8-23.7 NMSA 1978.~~

~~The general fund appropriation to the state equalization guarantee distribution includes sufficient funding to increase the cost differential factor of the at-risk index from 0.106 to 0.13 for purposes of calculating at-risk program units pursuant to Section 22-8-18 NMSA 1978. The public education department shall monitor and evaluate the ways in which school districts and individual schools use funding generated through the additional at-risk program units and the intended outcomes pursuant to Section 22-8-23.3 NMSA 1978 for fiscal year 2019 and report its findings to the legislative education study committee and the legislative finance committee on or before February 1, 2019.~~

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 2018-2019 school year that did not provide a four-day school week during the 2017-2018 school year.

~~The department shall not approve nor certify an operating budget of any school district or charter school with a proportion of spending for direct instruction and instructional support services lower than the average proportion of spending for direct instruction and instructional support services of comparable school districts or charter schools with similar student membership unless that school district or charter school demonstrates the proportion of spending for direct instruction and instructional support services is sufficient to provide a free and appropriate public education to students that is uniform with all other students in the state.~~

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.

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 distribution 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 2019 share.~~

Any unexpended balances in the authorized distributions remaining at the end of fiscal year 2019 from appropriations made from the general fund shall revert to the general fund.

#### **State-Chartered Charter School Transportation Distribution**

~~The appropriation to the state-chartered charter school transportation distribution shall only be allocated to state-chartered charter schools. The public education department shall calculate an adjustment factor for state-chartered charter schools and shall calculate the distribution for state-chartered charter schools from the state-chartered charter school transportation distribution using the state-chartered charter school adjustment factor pursuant to the provisions of Sections 22-8-29.1 and 22-8-29.4 NMSA 1978. Rental fees for contractor-owned buses providing transportation services to a state-chartered charter school shall be paid out of the state-chartered charter school transportation distribution.~~

Notwithstanding the provisions of Section 22-8-26 NMSA 1978, a state-chartered charter school that receives a transportation allocation that exceeds the amount required to provide to-and-from transportation, three- and four-year-old developmentally disabled transportation and vocational education transportation during fiscal year 2019 shall deposit one hundred percent of the remaining balance in the transportation emergency fund at the end of fiscal year 2019.

#### **School-District Transportation Distribution**

~~The appropriations to the school district transportation distribution shall only be allocated to school districts. The public education department shall calculate an adjustment factor for school districts and shall calculate the distribution for school districts from the school district transportation distribution using the school district adjustment factor pursuant to the provisions of Sections 22-8-29.1 and 22-8-29.4 NMSA 1978. Rental fees for contractor-owned buses providing transportation services to a school district shall be paid out of the school district transportation distribution.~~

The other state funds appropriation to the school district transportation distribution is from the public school capital outlay fund.

### **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 2019 from appropriations made from the general fund shall revert to the general fund.

### **Instructional Materials**

The general fund appropriation to the instructional material fund is made from federal Mineral Leasing Act receipts.

The other state funds appropriation to the instructional material fund is made from the public school capital outlay fund.

The public education department shall not calculate, allocate or withhold any entitlement or distribution for private school students or private schools from the instructional material fund unless the New Mexico supreme court enters a final decision in *Moses, et al. v. Ruzkowski, et al.*, No. S-1-SC-34974, finding an allocation from the instructional material fund for private school students or private schools does not violate the constitution of the state of New Mexico.

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 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 distribution remaining at the end of fiscal year 2019 from appropriations made from the general fund shall revert to the general fund.

### **Indian Education Fund**

The general fund appropriation to the Indian education fund of the public education department includes four hundred thousand dollars (\$400,000) for a national nonprofit organization to provide teaching support in schools with a high proportion of Native American students.

The other state funds appropriation is from the Indian education fund.



## **Regional Education Cooperatives**

The general fund appropriation to the four corners regional education cooperative is contingent on authorization of a four corners regional education cooperative ~~in San Juan county~~ by the public education department pursuant to Section 22-2B-3 NMSA 1978.

## **Public Education Department Special Appropriations**

The internal service funds/interagency transfers appropriation to the public pre-kindergarten fund of the public education department is from the federal temporary assistance for needy families block grant to New Mexico.

Notwithstanding the provisions of Article 23 of Chapter 32A NMSA 1978, the appropriations to the public pre-kindergarten fund of the public education department include sufficient funding to continue the established extended-day prekindergarten pilot program during the 2018-2019 school year.

In setting the per-student funding amount for the summer 2018 k-3 plus program, the secretary of public education shall use the final unit value set for the 2017-2018 school year as the basis for funding June, July and August 2018 k-3 plus programs.

The general fund appropriation to the k-3 plus fund of the public education department includes sufficient funds to pilot k-3 plus in fourth and fifth grades pursuant to Section 22-13-28.2 NMSA 1978.

The secretary of public education shall use an amount of the general fund appropriation to the k-3 plus fund for fiscal year 2019 in this section equal to the difference between that appropriation and the fiscal year 2018 general fund appropriation to the k-3 plus fund in Subparagraph h of the public education department special appropriations in Subsection I of Section 4 of Chapter 135 of Laws 2017 to make awards to new or expansion k-3 plus programs at school districts and charter schools that keep students who participate in k-3 plus with the same teacher and cohort of students during the regular school year.

The other state funds appropriation to the public education department for the teacher and administrator evaluation system is from the educator licensure fund.

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.

Except for money in the appropriations for college preparation, career readiness and dropout prevention and interventions and support for students, teachers, struggling schools and parents that is for use by the public education department to provide services or support, the appropriations are contingent on being distributed by the department to school districts and charter schools based on proposals submitted by school districts and charter schools and approved by the department.

Except for appropriations to the public pre-kindergarten fund and k-3 plus fund, any unexpended balances in the special appropriations to the public education department remaining at the end of fiscal year 2019 from appropriations made from the general fund shall revert to the general fund.



## Section 5

(112) For excellence in teaching awards for public school teachers in fiscal year 2019. Each classroom teacher who is teaching in the 2018-2019 school year who achieved an exemplary performance evaluation for the 2017-2018 school year and whose 2017-2018 annual teacher evaluation included three years of student achievement data shall receive a one-time additional compensation increase of up to five thousand dollars (\$5,000) in fiscal year 2019. A teacher who meets these qualifications and either taught a secondary math or science class in the 2017-2018 school year and is teaching a secondary math or science class in the 2018-2019 school year or who teaches in a school identified as a more rigorous intervention school as defined by New Mexico's Every Student Succeeds Act state plan in the 2018-2019 school year shall receive an additional, one-time additional compensation increase of up to five thousand dollars (\$5,000). The public education department may reduce one-time additional compensation amounts to stay within the appropriation. ~~The public education department shall not distribute any one-time additional compensation increases allowed pursuant to this section to any eligible teachers who teach in a school district or charter school with an established collective bargaining unit unless the collective bargaining unit has approved the one-time additional compensation increases.~~

(114) For legal fees related to defending the state in Martinez v. state of New Mexico No. D-101-CV-2014-00793 and Yazzie v. state of New Mexico No. D-101-CV-2014-02224 ~~for expenditure in fiscal year 2019.~~

~~(117) To restore the operational cash balances of the school districts and charter schools whose fiscal year 2017 state equalization guarantee distributions were reduced in accordance with Section 2 of Chapter 3 of Laws 2017 in proportion to those school districts' and charter schools' reductions under Section 2 of Chapter 3 of Laws 2017. The appropriation is contingent on August 2018 consensus general fund revenue estimates for preliminary fiscal year 2018 and fiscal year 2019 year end general fund reserves of at least ten percent and is for expenditure in fiscal year 2019.~~

(138) After calculation of the final state equalization guarantee distribution for fiscal year 2018 and prior to the end of fiscal year 2018, the public education department may reset the final unit value in June 2018 to distribute that portion of the unallocated appropriation to the state equalization guarantee distribution in Subsection K of Section 4 of Chapter 135 of Laws 2017 not in excess of ten million dollars (\$10,000,000).

**Appendix 4: Unit Value History**  
1974-1975 School Year through 2017-2018 School Year

	School Year	Preliminary Unit Value	Final Unit Value	Increase/ Decrease from Previous Year	Percent Difference	
1	1974-1975		\$616.50			1
2	1975-1976		\$703.00	\$86.50	14.0%	2
3	1976-1977		\$800.00	\$97.00	13.8%	3
4	1977-1978		\$905.00	\$105.00	13.1%	4
5	1978-1979		\$1,020.00	\$115.00	12.7%	5
6	1979-1980		\$1,145.00	\$125.00	12.3%	6
7	1980-1981		\$1,250.00	\$105.00	9.2%	7
8	1981-1982		\$1,405.00	\$155.00	12.4%	8
9	1982-1983 <sup>1</sup>	\$1,540.00	\$1,511.33	\$106.33	7.6%	9
10	1983-1984		\$1,486.00	(\$25.33)	-1.7%	10
11	1984-1985		\$1,583.50	\$97.50	6.6%	11
12	1985-1986 <sup>2</sup>	\$1,608.00	\$1,618.87	\$35.37	2.2%	12
13	1986-1987		\$1,612.51	(\$6.36)	-0.4%	13
14	1987-1988		\$1,689.00	\$76.49	4.7%	14
15	1988-1989		\$1,737.78	\$48.78	2.9%	15
16	1989-1990		\$1,811.51	\$73.73	4.2%	16
17	1990-1991		\$1,883.74	\$72.23	4.0%	17
18	1991-1992		\$1,866.00	(\$17.74)	-0.9%	18
19	1992-1993 <sup>3</sup>	\$1,851.73	\$1,867.96	\$1.96	0.1%	19
20	1993-1994	\$1,927.27	\$1,935.99	\$68.03	3.6%	20
21	1994-1995	\$2,015.70	\$2,029.00	\$93.01	4.8%	21
22	1995-1996	\$2,113.00	\$2,113.00	\$84.00	4.1%	22
23	1996-1997	\$2,125.83	\$2,149.11	\$36.11	1.7%	23
24	1997-1998	\$2,175.00	\$2,175.00	\$25.89	1.2%	24
25	1998-1999	\$2,322.00	\$2,344.09	\$169.09	7.8%	25
26	1999-2000 <sup>4</sup>	\$2,460.00	\$2,460.00	\$115.91	4.9%	26
27	2000-2001	\$2,632.32	\$2,647.56	\$187.56	7.6%	27
28	2001-2002	\$2,868.72	\$2,871.01	\$223.45	8.4%	28
29	2002-2003	\$2,896.01	\$2,889.89	\$18.88	0.7%	29
30	2003-2004	\$2,977.23	\$2,976.20	\$86.31	3.0%	30
31	2004-2005	\$3,035.15	\$3,068.70	\$92.50	3.1%	31
32	2005-2006 <sup>5</sup>	\$3,165.02	\$3,198.01	\$129.31	4.2%	32
33	2006-2007 <sup>5,6</sup>	\$3,444.35	\$3,446.44	\$248.43	7.8%	33
34	2007-2008	\$3,645.77	\$3,674.26	\$227.82	6.6%	34
35	2008-2009 <sup>7</sup>	\$3,892.47	\$3,871.79	\$197.53	5.4%	35
36	2009-2010	\$3,862.79 <sup>8</sup>	\$3,792.65 <sup>9</sup>	(\$79.14)	-2.0%	36
37	2010-2011	\$3,712.45 <sup>10</sup>	\$3,712.17 <sup>11</sup>	(\$80.48)	-2.1%	37
38	2011-2012	\$3,585.97	\$3,598.87	(\$113.30)	-3.1%	38
39	2012-2013	\$3,668.18	\$3,673.54	\$74.67	2.1%	39
40	2013-2014	\$3,817.55	\$3,817.55	\$144.01	3.9%	40
41	2014-2015	\$4,005.75	\$4,007.75	\$190.20	5.0%	41
42	2015-2016	\$4,027.75	\$4,037.75	\$30.00	0.7%	42

**Appendix 4: Unit Value History**  
1974-1975 School Year through 2017-2018 School Year

School Year	Preliminary Unit Value	Final Unit Value	Increase/ Decrease from Previous Year	Percent Difference	
43 2016-2017	\$4,040.24	\$3,979.63 <sup>12</sup>	(\$58.12)	-1.5%	43
44 2017-2018	\$4,053.55	\$4,084.26	\$104.63	2.6%	44
45 2018-2019	\$4,159.23		\$74.97	1.8%	45

<sup>1</sup>The 1982-1983 general fund appropriation was reduced by 2 percent.

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

<sup>3</sup>The "floating" unit value went into effect.

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

<sup>5</sup>For FY06, appropriated program cost contains an additional \$51.8 million to implement the third year of the five-year phase-in of the three-tiered licensure system. Although this funding was distributed based on need in FY 06, the \$51.8 million was included in the calculation of the unit value in FY07.

<sup>6</sup>The basis for funding changed to the prior-year average membership of the 80<sup>th</sup> and 120<sup>th</sup> school days.

<sup>7</sup>The 2009 solvency measures resulted in a \$20.68 decrease in the FY09 unit value.

<sup>8</sup>The FY10 initial unit value included \$256.39 in *American Recovery and Reinvestment Act of 2009* (ARRA) funding.

<sup>9</sup>The final FY10 final unit value included \$334.59 in federal ARRA funding.

<sup>10</sup>The FY11 initial unit value included \$37.70 in federal ARRA funding.

<sup>11</sup>The FY11 final unit value included \$37.85 federal ARRA funding and \$101.98 in education jobs funding.

<sup>12</sup>Laws 2016 (2nd S.S.), Chapter 6 directed the secretary of public education to set the final unit value 1.5 percent lower than the initial FY17 unit value.

Source: LESC Files

# Early Childhood Education Funding History

## APPENDIX 5

(in millions of dollars)

	FY12 Actuals	FY13 Actuals	FY14 Actuals	FY15 Actuals	FY16 Actuals	FY17 Actuals	FY18 OpBud	Chapter 73, Laws 2018
<b>Children, Youth and Families Department - Early Childhood Services Programs</b>								
<b>Childcare Assistance</b>								
General Fund	\$ 26.8	\$ 29.8	\$ 33.3	\$ 30.3	\$ 30.0	\$ 30.6	\$ 30.6	\$ 52.6
Federal Funds	\$ 30.4	\$ 31.6	\$ 15.1	\$ 23.9	\$ 36.0	\$ 51.4	\$ 54.9	\$ 47.2
OSF	\$ 0.8	\$ 1.4	\$ 0.8	\$ -	\$ -	\$ -	\$ -	\$ 0.9
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
<b>Total Childcare Assistance</b>	<b>\$ 82.9</b>	<b>\$ 87.2</b>	<b>\$ 73.0</b>	<b>\$ 84.7</b>	<b>\$ 96.5</b>	<b>\$ 112.5</b>	<b>\$ 116.0</b>	<b>\$ 134.2</b>
<b>Home Visiting</b>								
General Fund	\$ 2.3	\$ 3.2	\$ 4.5	\$ 6.3	\$ 7.3	\$ 3.2	\$ 8.6	\$ 10.1
Federal Funds	\$ -	\$ 2.7	\$ 2.5	\$ 3.3	\$ 3.7	\$ 5.3	\$ 5.1	\$ 5.1
TANF	\$ -	\$ -	\$ -	\$ 2.0	\$ 4.5	\$ 5.0	\$ 5.0	\$ 5.0
Tobacco Settlement Fund	\$ -	\$ -	\$ 1.1	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Home Visiting</b>	<b>\$ 2.3</b>	<b>\$ 5.9</b>	<b>\$ 8.1</b>	<b>\$ 11.6</b>	<b>\$ 15.5</b>	<b>\$ 13.5</b>	<b>\$ 18.7</b>	<b>\$ 20.2</b>
<b>Early Childhood Professional Development</b>								
General Fund	\$ 0.5	\$ 0.5	\$ 0.5	\$ 1.0	\$ 1.3	\$ 0.9	\$ 1.3	\$ 1.4
<b>Prekindergarten: Four Year Old Basic Services</b>								
General Fund	\$ 8.2	\$ 9.2	\$ 8.5	\$ 6.4	\$ 4.2	\$ 1.8	\$ 2.1	\$ 2.1
TANF	\$ -	\$ -	\$ -	\$ 6.1	\$ 6.1	\$ 0.1	\$ 0.1	\$ 0.1
Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.1	\$ 0.1	\$ 0.1
Tobacco Settlement Fund	\$ -	\$ -	\$ 3.1	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total</b>	<b>\$ 8.2</b>	<b>\$ 9.2</b>	<b>\$ 11.6</b>	<b>\$ 12.5</b>	<b>\$ 10.3</b>	<b>\$ 2.0</b>	<b>\$ 2.3</b>	<b>\$ 2.3</b>
<b>Prekindergarten: Four Year Old Extended Day Services</b>								
General Fund	\$ -	\$ -	\$ -	\$ 7.8	\$ 6.8	\$ 6.7	\$ 7.8	\$ 7.8
TANF	\$ -	\$ -	\$ -	\$ -	\$ 5.5	\$ 11.5	\$ 11.5	\$ 11.5
Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.4	\$ 0.4	\$ 0.4
<b>Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7.8</b>	<b>\$ 12.3</b>	<b>\$ 18.6</b>	<b>\$ 19.7</b>	<b>\$ 19.7</b>
<b>Prekindergarten: Three Year Old Services</b>								
General Fund	\$ -	\$ -	\$ -	\$ -	\$ 2.0	\$ 4.7	\$ 3.3	\$ 5.8
TANF	\$ -	\$ -	\$ -	\$ -	\$ 2.0	\$ 2.0	\$ 2.5	\$ 2.5
Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.4	\$ 1.2	\$ 1.2
<b>Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4.0</b>	<b>\$ 7.1</b>	<b>\$ 7.0</b>	<b>\$ 9.5</b>
<b>Subtotal CYFD PreK</b>								
	\$ 8.2	\$ 9.2	\$ 11.6	\$ 20.4	\$ 26.6	\$ 27.8	\$ 29.0	\$ 31.5
<b>Planning Grant: High Quality Early Childhood Development Centers</b>								
General Fund	\$ -	\$ -	\$ -	\$ 0.5	\$ -	\$ -	\$ -	\$ -
<b>TOTAL CYFD</b>	<b>\$ 93.9</b>	<b>\$ 102.8</b>	<b>\$ 93.1</b>	<b>\$ 118.2</b>	<b>\$ 139.8</b>	<b>\$ 154.8</b>	<b>\$ 164.9</b>	<b>\$ 187.3</b>
<b>Public Education Department - Special Appropriations *</b>								
<b>Prekindergarten: Four Year Old Basic Services</b>								
General Fund	\$ 6.3	\$ 10.0	\$ 15.0	\$ 17.7	\$ 21.0	\$ 21.0	\$ 21.0	\$ 29.0
TANF	\$ -	\$ -	\$ -	\$ -	\$ 3.5	\$ 3.5	\$ 3.5	\$ 3.5
<b>Total</b>	<b>\$ 6.3</b>	<b>\$ 10.0</b>	<b>\$ 15.0</b>	<b>\$ 17.7</b>	<b>\$ 24.5</b>	<b>\$ 24.5</b>	<b>\$ 24.5</b>	<b>\$ 32.5</b>
<b>Prekindergarten: Four Year Old Extended Day Services</b>								
General Fund	\$ -	\$ -	\$ -	\$ 1.5	\$ -	\$ -	\$ -	\$ -
<b>Subtotal PED PreK</b>	<b>\$ 6.3</b>	<b>\$ 10.0</b>	<b>\$ 15.0</b>	<b>\$ 19.2</b>	<b>\$ 24.5</b>	<b>\$ 24.5</b>	<b>\$ 24.5</b>	<b>\$ 32.5</b>
<b>K-3 Plus</b>								
General Fund	\$ 5.3	\$ 11.0	\$ 16.0	\$ 21.2	\$ 23.7	\$ 22.6	\$ 23.7	\$ 30.2
<b>Early Literacy</b>								
General Fund	\$ -	\$ 8.5	\$ 11.5	\$ 14.5	\$ 15.0	\$ 14.1	\$ 12.5	\$ 8.8
<b>TOTAL PED</b>	<b>\$ 11.6</b>	<b>\$ 29.5</b>	<b>\$ 42.5</b>	<b>\$ 54.9</b>	<b>\$ 63.2</b>	<b>\$ 61.2</b>	<b>\$ 60.7</b>	<b>\$ 71.5</b>
<b>Department of Health</b>								
<b>Family, Infant and Toddlers Program (Birth to 3)<sup>2</sup></b>								
General Fund	\$ 14.5	\$ 14.0	\$ 14.5	\$ 20.1	\$ 19.7	\$ 19.4	\$ 19.4	\$ 20.7
All other funds	\$ 16.5	\$ 19.6	\$ 19.6	\$ 19.6	\$ 23.0	\$ 24.3	\$ 24.3	\$ 24.0
<b>TOTAL DOH</b>	<b>\$ 31.0</b>	<b>\$ 33.6</b>	<b>\$ 34.1</b>	<b>\$ 39.7</b>	<b>\$ 42.7</b>	<b>\$ 43.7</b>	<b>\$ 43.7</b>	<b>\$ 44.7</b>
<b>Human Services Department</b>								
<b>Home Visiting</b>								
General Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.8
All other funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1.8
<b>TOTAL HSD</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2.6</b>
<b>TOTAL RECURRING EARLY CHILDHOOD PROGRAMS</b>								
	\$ 136.5	\$ 165.9	\$ 169.7	\$ 212.8	\$ 245.7	\$ 259.7	\$ 269.3	\$ 306.1
<b>Race to the Top- Early Learning Challenge</b>								
Federal Funds	\$ -	\$ -	\$ 9.4	\$ 7.8	\$ 14.0	\$ 6.2	\$ -	\$ -
<b>GRAND TOTAL EARLY CHILDHOOD PROGRAMS</b>								
	\$ 136.5	\$ 165.9	\$ 179.1	\$ 220.6	\$ 259.6	\$ 265.9	\$ 269.3	\$ 306.1

Source: LFC



Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

strikethrough indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Site (School District)	Purpose	Amount
<b>STATEWIDE PROJECTS FUNDED WITH PUBLIC SCHOOL CAPITAL OUTLAY FUND REVENUE (SUPPLEMENTAL SEVERANCE TAX BONDS)</b>		
Statewide	To plan, design, and install school security systems and repairs, renovations or replacement of school security systems statewide, contingent on approval of the Public School Capital Outlay Council. The appropriation is from the public school capital outlay fund to the Public School Facilities Authority for expenditure in fiscal years 2018 through 2022.	\$6,000,000
Statewide	If, pursuant to the environmental mitigation trust agreement for state beneficiaries entered into pursuant to the partial consent decrees entered in In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, MDL No. 2672 CRB (JSC) (Dkt. No. 2103-1), the trustee approves the expenditure of funds to allow the Public Education Department (PED) to replace school-district-owned buses statewide, PED is authorized to request budget increases for that purpose totaling eight million dollars in fiscal years 2019 through 2022, if that amount is approved by the trustee, or any other amount that is authorized by the trustee for the same purpose.	\$8,000,000
Total enacted for statewide projects		\$14,000,000
Executive vetoes for statewide projects		\$0
<b>DIRECT APPROPRIATIONS TO SCHOOL DISTRICTS FUNDED WITH SEVERANCE TAX BONDS</b>		
Twenty-First Century Public Academy (APS)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including purchase and installation of a security system, an intercom system, a handicapped-accessible elevator, science equipment, fencing, information technology, wiring, infrastructure and related equipment.	\$55,950
A. Montoya Elementary School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$105,000
Adobe Acres Elementary School (APS)	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.	\$18,000
Alameda Elementary School (APS)	To plan, design, construct, improve, renovate, furnish and equip buildings, facilities and grounds, including the purchase and installation of related equipment, infrastructure, benches, tables, fixtures and furniture.	\$10,000

Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

~~strike through~~ indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Alamosa Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$72,000
Atrisco Heritage Academy High School, West Mesa High School and Rio Grande High School (APS)	To purchase and install information technology, including related equipment, furniture and infrastructure.	\$204,000
District Police Department (APS)	To purchase and equip vehicles for the district police department.	\$106,300
Albuquerque High School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$72,300
Alvarado Elementary School (APS)	To plan, design, construct, improve, renovate, furnish and equip buildings and facilities, including the purchase and installation of related equipment, infrastructure, fixtures and furniture.	\$20,000
Apache Elementary School (APS)	To plan, design, construct, improve and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$24,000
Armijo Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$83,000
Arroyo Del Oso Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures and drainage improvements,	\$30,000
Atrisco Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$122,000
Atrisco Heritage Academy High School (APS)	To plan, design, construct and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$15,000
Bandelier Elementary School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$27,300
Barcelona Elementary School (APS)	To plan, design, construct and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$30,000

**Appendix 6  
PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS**

*strikethrough* indicates executive veto

**Laws 2018, Chapter 80 (House Bill 306, with emergency clause)**

Bel-Air Elementary School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$15,000
Career Enrichment Center (APS)	To plan, design, construct, improve, renovate, furnish and equip buildings, facilities and grounds, including the purchase and installation of related equipment, infrastructure, benches, tables, fixtures and furniture.	\$26,425
Carlos Rey Elementary School (APS)	To plan, design, construct, renovate, improve and landscape the grounds, drainage and parking lots, including the purchase and installation of related equipment, fencing, lights <del>and signage</del> .	\$27,000
Carlos Rey Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$15,000
Chaparral Elementary School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$30,000
Cochiti Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$20,000
Coronado Elementary School (APS)	To plan, design, construct, renovate, improve and landscape the grounds, drainage and parking lot areas, including purchase and installation of related equipment, shade structures, furniture and fencing.	\$40,000
Corrales Elementary School (APS)	To plan, design, construct, renovate and landscape the grounds, drainage and parking lot areas, including purchase and installation of related equipment, shade structures, furniture and fencing	\$21,500
Del Norte High School (APS)	To plan, design, construct, renovate, equip and improve the fine arts building, facilities and performing arts centers, including the purchase and installation of <del>stage-curtains</del> , seating, carpet, sound and lighting systems, refinishing of stages, information technology and related equipment, furniture and infrastructure.	\$10,000
Desert Ridge Middle School (APS)	To plan, design, construct, improve, furnish and landscape the grounds, fields and basketball and tennis court areas, including the purchase and installation of related equipment, fencing, court resurfacing, base pavement and striping.	\$90,000

Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

~~strikethrough~~ indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Digital Arts and Technology Academy Charter School (APS)	To plan, design, construct, improve, renovate, furnish, landscape and equip facilities, grounds and fields, including the purchase and installation of information technology and related equipment, furniture and infrastructure.	\$20,000
Dolores Gonzales Elementary School (APS)	To plan, design, construct, improve and landscape the grounds, fields <del>and playgrounds, including the purchase and installation of artificial turf,</del> drainage, related equipment, furniture, shade structures and fencing.	\$134,000
Double Eagle Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and playgrounds,</del> including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$20,000
Douglas MacArthur Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$15,000
Duranes Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and playgrounds,</del> including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$20,000
Early College Academy (APS)	To plan, design, construct and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$15,000
East Mountain High School (APS)	To purchase and install a cooling system in the classrooms.	\$60,000
East Mountain High School (APS)	To purchase and install doors that comply with the Americans with Disabilities Act of 1990.	\$40,000
East Mountain High School (APS)	To purchase and install information technology, including related equipment, furniture and infrastructure.	\$30,000
<del>Edward Gonzales Elementary School (APS)</del>	<del>To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.</del>	<del>\$5,000</del>
Eisenhower Middle School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$55,000
El Camino Real Academy Charter School (APS)	To plan, design, purchase, construct, renovate, furnish, equip and install improvements to the buildings and grounds, including a heating, ventilation and air conditioning system, fencing, information technology, wiring and infrastructure.	\$55,000



Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

strikethrough indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Eldorado High School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$70,000
Eldorado High School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures, <del>scoreboards</del> and furniture.	\$25,000
Emerson Elementary School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$85,000
Ernie Pyle Middle School (APS)	To plan, design, construct and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$55,000
Eugene Field Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$84,000
Freedom High School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$20,000
Garfield Middle School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$20,000
George I. Sanchez Collaborative Community School (APS)	To plan, design, construct and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$10,000
Georgia O'Keefe Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$17,000
Grant Middle School (APS)	To plan, design, construct, improve, furnish and landscape the grounds, fields and basketball and tennis court areas, including the purchase and installation of related equipment, fencing, court resurfacing, base pavement and striping.	\$90,000

Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

~~strikethrough~~ indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Griegos Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and- playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$60,000
Harrison Middle School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$10,000
Hawthorne Elementary School (APS)	To plan, design, construct, improve, renovate, furnish and equip buildings and facilities, including the purchase and installation of related equipment, infrastructure, fixtures and furniture.	\$22,000
Hayes Middle School (APS)	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.	\$16,425
Highland High School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$96,425
Hodgin Elementary School (APS)	To plan, design, construct and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$15,000
Hoover Middle School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyard and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$44,000
Hubert H. Humphrey Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and- playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$70,000
Inez Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and- playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$15,000
Jackson Middle School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$22,000
Janet Kahn School of Integrated Arts (APS)	To plan, design, construct, renovate, equip and improve the buildings and facilities, including the purchase and installation of fixtures, staging, choir risers, storage, shelving, lighting and sound systems, information technology and related equipment, furniture and infrastructure.	\$15,000

Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

strikethrough indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Jefferson Middle School (APS)	To plan, design, construct, renovate, equip and improve the facilities, including purchase and installation of a sound system, lighting, related equipment, furniture, information technology and infrastructure.	\$53,425
Jimmy Carter Middle School (APS)	To plan, design, construct, renovate and landscape the grounds, drainage and parking lot areas, including purchase and installation of related equipment, shade structures, furniture and fencing.	\$30,000
John Adams Middle School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$130,500
John Baker Elementary School (APS)	To plan, design, construct and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$75,000
Kennedy Middle School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$99,000
Kirtland Elementary School (APS)	To plan, design, construct, improve, renovate, furnish and equip buildings and facilities, including the purchase and installation of related equipment, infrastructure, fixtures and furniture.	\$49,425
la academia de Esperanza (APS)	To plan, design, construct, renovate, furnish, equip and improve the collaborative workshop, outdoor classroom, buildings and grounds, including the purchase and installation of fencing, related equipment, information technology, wiring and infrastructure.	\$30,000
La Cueva High School (APS)	To plan, design, construct, renovate, equip and improve the performing arts centers and facilities, including purchase and installation of <del>stage curtains</del> , seating, carpet, sound and lighting systems, refinishing of stages, information technology and related equipment, furniture and infrastructure.	\$50,000
La Luz Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds and <del>playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$18,000
La Mesa Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$50,000
Lavaland Elementary School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$70,000

Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

~~strikethrough~~ indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Los Padillas Elementary School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyard and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$43,000
Los Ranchos Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$25,000
Madison Middle School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$40,000
Manzano High School (APS)	To plan, design, construct, renovate, equip and improve the fine arts buildings, facilities and performing arts centers, including purchase and installation of <del>stage- curtains</del> , seating, carpet, sound and lighting systems, refinishing of stages, information technology and related equipment, furniture and infrastructure.	\$118,300
Manzano High School (APS)	To plan, design, construct, improve, landscape, equip and furnish the area associated with the baseball field, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures, <del>scoreboards</del> and furniture.	\$100,000
Manzano Mesa Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$63,200
Mark Twain Elementary School (APS)	To plan, design, construct, renovate, improve and landscape the grounds, drainage and parking lot areas, including purchase and installation of related equipment, shade structures, furniture and fencing.	\$51,425
Matheson Park Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$40,000
McCollum Elementary School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$42,000
McKinley Middle School (APS)	To plan, design, construct, improve and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$100,000



Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

~~strickethrough~~ indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

McKinley Middle School (APS)	To purchase and install fixtures, furniture and equipment.	\$18,000
Mission Avenue Elementary School (APS)	To plan, design, construct, improve and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$45,000
Monte Vista Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$23,425
Montezuma Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$35,300
Mountain View Elementary School (APS)	To plan, design, construct, improve and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$10,000
Navajo Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$20,000
New Futures High School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$36,425
Nex+Gen Academy (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$20,000
North Star Elementary School (APS)	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.	\$20,000
Nuestros Valores Charter High School (APS)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including purchase and installation of fencing and related equipment, and to purchase and install information technology, including related furniture, equipment and infrastructure.	\$35,000
Osuna Elementary School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$40,000

Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

~~strikethrough~~ indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Painted Sky Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$30,000
Pajarito Elementary School (APS)	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.	\$10,000
Petroglyph Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$70,000
Polk Middle School (APS)	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.	\$10,000
Reginald Chavez Elementary School (APS)	To plan, design, construct, improve and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$20,000
Rio Grande High School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$30,000
Rio Grande High School (APS)	To design and construct a track and field shed, including shelving, and to purchase track and field equipment and carts.	\$25,000
Robert F. Kennedy Charter High School (APS)	To plan, design, construct, renovate, furnish and equip improvements to the facilities and grounds, including the photovoltaic, lighting and security systems.	\$55,000
Robert F. Kennedy Charter High School (APS)	To purchase and install information technology, including related equipment, furniture and infrastructure.	\$20,000
Robert F. Kennedy Charter High School (APS)	To purchase and install equipment for a virtual learning laboratory.	\$16,579
Roosevelt Middle School (APS)	To plan, design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$50,000
Rudolfo Anaya Elementary School (APS)	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.	\$25,000

Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

strikethrough indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Sandia Base Elementary School (APS)	To plan, design, construct, improve and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$16,425
Sandia High School (APS)	To plan, design, construct, renovate, equip and improve the performing arts centers and facilities, including purchase and installation of <del>stage curtains</del> , seating, carpet, sound and lighting systems, refinishing of stages, information technology and related equipment, furniture and infrastructure.	\$232,000
Sandia High School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$10,000
Sierra Vista Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$108,000
South Valley Academy Charter School (APS)	To plan, design, construct, improve, renovate, furnish and equip buildings, facilities and grounds, including the purchase and installation of related equipment, infrastructure, a sound system, benches, tables, fixtures and furniture.	\$60,950
Susie R. Marmon Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$30,000
Taft Middle School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$15,000
Taylor Middle School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$80,000
Tierra Antigua Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$92,000
Tomasita Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$95,000

Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

~~strickethrough~~ indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Tony Hillerman Middle School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$90,000
<del>Truman Middle School (APS)</del>	<del>To plan, design, construct, renovate, improve and landscape the grounds, drainage and parking lot areas, including purchase and installation of related equipment, shade structures, furniture and fencing.</del>	<del>\$5,000</del>
Valle Vista Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$145,000
Valley High School (APS)	To plan, design, construct, improve and landscape the grounds, courtyards, buildings and facilities, including the purchase and installation of related equipment, fencing, shade structures, benches, tables and furniture.	\$55,000
Valley High School (APS)	To plan, design, construct, renovate, equip and improve the fine arts buildings, facilities and performing arts centers, including purchase and installation of <del>stage curtains</del> , seating, carpet, sound and lighting systems, refinishing of stages, information technology and related equipment, furniture and infrastructure.	\$55,000
Van Buren Middle School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$90,000
Ventana Ranch Elementary School (APS)	To purchase and install fixtures, furniture and equipment.	\$50,000
Vision Quest Alternative Middle School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$20,000
Volcano Vista High School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$40,000
Washington Middle School (APS)	To design, construct, improve, renovate, furnish and equip the library, including the purchase of equipment, furniture, fixtures, bookshelves and information technology.	\$40,000



**Appendix 6  
PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS**

*strikethrough* indicates executive veto  
Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

West Mesa High School (APS)	To plan, design, construct, improve, landscape, equip and furnish the grounds, courtyards and fields, including the purchase and installation of related equipment, drainage, bleachers, fencing, shade structures and furniture.	\$82,500
Wherry Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$46,425
Whittier Elementary School (APS)	To purchase and install security cameras, including related equipment, information technology, an access card security system, furniture, infrastructure and improvements.	\$41,425
Wilson Middle School (APS)	To plan, design, construct, renovate, improve and landscape the grounds, drainage and parking lot areas, including the purchase and installation of related equipment, shade structures, furniture, fencing and <del>signage</del> .	\$76,425
Zia Elementary School (APS)	To plan, design, construct, renovate, improve and landscape the grounds, drainage and parking lot areas, including the purchase and installation of related equipment, shade structures, furniture, fencing and <del>signage</del> .	\$36,425
Zuni Elementary School (APS)	To plan, design, construct, improve, landscape and equip the grounds <del>and playgrounds</del> , including the purchase and installation of related equipment, fencing, shade structures and drainage improvements.	\$36,425
Melrose Public School District	To purchase and equip an activity bus.	\$40,000
J. Paul Taylor Academy (Las Cruces Public School District)	To plan, design, construct and equip playgrounds and site improvements.	\$65,000
Roselawn Elementary School (Artesia Public School District)	To plan, design, construct, purchase and install heating, ventilation and air conditioning systems, including site preparation.	\$25,000
Cobre Consolidated School District	To purchase and equip vehicles.	\$80,000
Silver Consolidated School District	To plan, design, construct, install and equip a fiber ring and data center.	\$40,000
Lovington Municipal School District	To plan, design, purchase and install a sound system.	\$48,000
Lovington Municipal School District	To plan, purchase, and install security fencing at Jefferson Elementary School, Sixth Grade Academy, Yarbo Elementary School, Gann Cafeteria and Lovington High School.	\$45,000
Tatum Municipal School District	To design, purchsae, and install a security system.	\$138,000
Corona High School (Cornona Public School District)	To plan, design, purchase, replace, construct, and install flooring, including subflooring, graphics, thresholds, coving, volleyball covers, electrical plates and removal and reinstallation of bleachers.	\$125,000
Mora Independent School District	To plan, design and construct improvements to a track.	\$50,000
Floyd Municipal School District	To purchase an activity bus.	\$50,000

Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

~~strikethrough~~ indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Pecos Independent School District	To purchase, equip, replace and install windows at Pecos Middle School and Pecos High School.	\$26,000
West Las Vegas Public School District	To purchase and install a generator and fire pump controls, including construction and installation of related infrastructure, fixtures and connections, at the Valley Elementary and Middle School campus.	\$100,000
West Las Vegas Public School District	To purchase and equip activity buses.	\$20,000
<del>Rio Rancho Cyber Academy</del>	<del>To plan, design, purchase and install a facility management system.</del>	<del>\$100,000</del>
<del>Rio Rancho Public School District</del>	<del>To plan, design, purchase and install sensor LED retrofit kits for parking lot lights at the district office building.</del>	<del>\$22,000</del>
Rio Rancho Public School District	To plan, design, purchase and install security bollards at elementary schools.	\$278,000
Rio Rancho Public School District	To plan, design, purchase and install security bollards at middle schools.	\$100,000
Turquoise Trail Elementary School (Santa Fe Public School District)	To plan, design, construct, renovate, furnish and equip the buildings and grounds, including the purchase and installation of a security system, information technology and related equipment, fencing, wiring and infrastructure.	\$75,000
<del>Santa Fe Public School District</del>	<del>To plan, design, construct and equip an addition to the dance barns facility.</del>	<del>\$162,300</del>
<del>Santa Fe Public School District</del>	<del>To plan, design, purchase and install an emergency power backup system.</del>	<del>\$25,000</del>
Enos Garcia Elementary School (Taos Municipal School District)	To plan, design, construct and install plumbing repairs and improvements.	\$50,000
<del>Mountainair High School (Mountainair Public School District)</del>	<del>To purchase and equip a truck for the agriculture program.</del>	<del>\$68,000</del>
Jemez Valley Public School District	To design and construct water infrastructure improvements.	\$70,000
Total enacted for school district projects		\$7,627,629
<del>Executive vetoes for school district projects</del>		<del>\$387,300</del>
<b>STATE-CHARTERED CHARTER SCHOOLS FUNDED WITH SEVERANCE TAX BONDS</b>		
ACE Leadership High School (APS)	To plan, design, construct, renovate, equip and furnish buildings and grounds, including purchase and installation of <del>playground and other</del> equipment, information technology, infrastructure and fixtures.	\$65,000
Albuquerque School of Excellence (APS)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase and installation of science and robotics equipment, <del>playground equipment</del> , information technology, infrastructure, fixtures and furniture.	\$115,950

Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

~~strikethrough~~ indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Albuquerque Sign Language Academy (APS)	To plan, design and construct a facility.	\$65,000
Altura Preparatory School (APS)	To design, construct, renovate, furnish and equip buildings and grounds, including purchase and installation of equipment, fencing, information technology and related infrastructure.	\$45,000
Cesar Chavez Community School (APS)	To plan, design, construct, renovate, furnish and equip buildings and grounds and to purchase and install related equipment, fencing, information technology, wiring and infrastructure.	\$60,000
Cien Aguas International School (APS)	To plan, design, construct, renovate, furnish and equip the buildings and grounds, including the <del>playground</del> , fencing, information technology, wiring and infrastructure.	\$25,000
Gilbert L. Sena Charter School (APS)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including installation of a science lab and installation of related equipment, fencing, information technology, wiring and infrastructure.	\$75,000
International School at Mesa del Sol Charter School (APS)	To plan, design, construct, renovate, furnish and equip buildings, grounds and physical education changing rooms, including purchase and installation of related equipment, fencing, information technology, wiring, paving and infrastructure.	\$25,000
Media Arts Collaborative Charter School (APS)	To plan, design, purchase, construct, renovate and equip a film and television studio space, including classrooms and office space.	\$30,000
Mission Achievement and Success Charter School (APS)	To purchase and install information technology, including related equipment, furniture and infrastructure.	\$50,000
Montessori Elementary and Middle School (APS)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including fencing, information technology, wiring, infrastructure and related equipment.	\$70,000
Southwest Aeronautics, Mathematics and Science Academy Charter School (APS)	To plan, design, construct, renovate, furnish and equip the buildings, grounds and a track, including purchase and installation of benches, fencing, information technology and related equipment, wiring and infrastructure.	\$51,000
South Valley Preparatory School (APS)	To acquire land and to plan, design, construct, purchase, equip and install portable classrooms.	\$33,600
Southwest Secondary Learning Center (APS)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including purchase and installation of fencing, information technology and related equipment, furniture, infrastructure and wiring.	\$113,000
Tierra Adentro Charter School (APS)	To purchase and install equipment, including information technology and related furniture, equipment and infrastructure, for arts programs and security.	\$34,000

Appendix 6

PUBLIC SCHOOL CAPITAL OUTLAY APPROPRIATIONS

~~strikethrough~~ indicates executive veto

Laws 2018, Chapter 80 (House Bill 306, with emergency clause)

Total enacted for state-chartered charter school projects		\$857,550
<del>Executive vetoes for state-chartered charter school projects</del>		<del>\$0</del>
<b>OTHER SCHOOLS</b>		
Mescalero Apache Schools (Mescalero Apache Tribe)	To purchase and equip activity buses.	\$175,000
Santa Fe Indian School (Santa Fe Public Schools)	To plan, design and construct an access lane and other road improvements, including ingress and egress, curbs and gutters and storm drainage.	\$36,843
<del>Eastern New Mexico University Programs Serving Multiple Districts</del>	<del>To purchase educational robotics equipment for elementary through high school students and teachers for use in robotic design and related coding curricula for math and science classes, including a Native America voice controlled autonomous robot and an innovation kit, for Eastern New Mexico University programs serving school districts in Bernalillo, Cibola, Lincoln, McKinley, Rio Arriba, San Juan, Sandoval, Santa Fe, Socorro and Taos counties.</del>	<del>\$5,000</del>
Total enacted for other schools		\$211,843
<del>Executive vetoes for other schools</del>		<del>\$5,000</del>
<b>OVERALL TOTAL FOR ALL PROJECTS (163 AUTHORIZED)</b>		<b>\$22,697,022</b>
<del>EXECUTIVE VETOS FOR ALL PROJECTS (8 VETOED)</del>		<del>\$392,300</del>

Source: LESC



**Appendix 7**  
**Public School Capital Outlay Reauthorizations**  
Laws 2018, Chapter 68 (Senate Bill 245, with emergency clause)

Site (School District)	Purpose	Purpose Change	Agency Change	Time of Expenditure	Amount
<b>SCHOOL DISTRICTS FUNDED WITH SEVERANCE TAX BONDS</b>					
1 Robert F. Kennedy Charter School (Albuquerque Public Schools)	Reauthorizes \$49,5 thousand of the unexpended balance of the appropriation in Laws 2014, Chapter 66 to purchase and install equipment for a virtual learning laboratory at Robert F. Kennedy charter school in the Albuquerque Public School District.	x	x	Extended through FY20	\$49,500
2 Mora Independent School District	Reauthorizes \$30 thousand of the unexpended balance of the appropriation in Laws 2015 (1st S.S.), Chapter 3 to purchase and install information technology, included related equipment, furniture and infrastructure, in the district.	x		FY19	\$30,000
<b>STATE-CHARTERED CHARTER SCHOOLS FUNDED WITH SEVERANCE TAX BONDS</b>					
3 McCurdy Charter School (Española Public Schools)	Reauthorizes \$100 thousand of the appropriation in Laws 2016, Chapter 81 to equip two school libraries, including the purchase of information technology and related equipment, furniture, and infrastructure, at McCurdy Charter School.			Extended through FY20	\$100,000
4 New Mexico School for the Arts (Santa Fe Public Schools)	Reauthorizes \$210 thousand of the unexpended balance of the appropriation in Laws 2014, Chapter 66 and reauthorized in Laws 2015, Chapter 147 to plan, design, construct, and equip facilities for the New Mexico School of the Arts.	x		Extended through FY20	\$210,000
<b>CONSTITUTIONAL SPECIAL SCHOOLS FUNDED WITH SUPPLEMENTAL SEVERANCE TAX BONDS</b>					
5 New Mexico School for the Blind and Visually Impaired (Alamogordo)	Reauthorizes over \$4.1 million of the appropriation in Laws 2014, Chapter 66 to plan, design, construct, renovate, equip, and furnish the Ditzler auditorium and recreation center and the library building, including demolition of the Bert Reeves learning center, to make other improvements campuswide at the New Mexico School for the Blind and Visually Impaired, as amended in Laws 2016, Chapter 83 to clarify the funding source as the public school capital outlay fund.			Extended through FY20	\$4,116,993
6 New Mexico School for the Blind and Visually Impaired (Alamogordo)	Reauthorizes over \$1.8 million of the appropriation in Laws 2014, Chapter 66 to plan, design, construct, renovate, equip, and furnish the Quimby gymnasium and natatorium and to make other infrastructure improvements campuswide at the New Mexico School for the Blind and Visually Impaired, as amended in Laws 2016, Chapter 83 to clarify the funding source as the public school capital outlay fund.			Extended through FY20	\$1,844,015
7 New Mexico School for the Blind and Visually Impaired (Alamogordo)	Reauthorizes almost \$2.3 million of the appropriation in Laws 2014, Chapter 66 to plan, design, construct, renovate, equip, and furnish residential cottages, including the demolition of Sacramento dormitory, and to make other infrastructure improvements campuswide at the New Mexico School for the Blind and Visually Impaired, as amended in Laws 2016, Chapter 83 to clarify the funding source as the public school capital outlay fund.			Extended through FY20	\$2,294,411
8 New Mexico School for the Blind and Visually Impaired (Alamogordo)	Reauthorizes \$5.5 million of the appropriation in Laws 2013, Chapter 226 to plan, design, renovate, and equip the Watkins educational center and to demolish the San Andres building at the New Mexico School for the Blind and Visually Impaired, as amended in Laws 2017, Chapter 133 to extend the time of expenditure through FY18.			Extended through FY20	\$5,500,000
9 New Mexico School for the Deaf (Santa Fe)	Reauthorizes over \$7 million of the appropriation in Laws 2014, Chapter 66 to plan, design, construct, renovate, equip, and furnish Cartwright hall at the New Mexico School for the Deaf, as amended in Laws 2016, Chapter 83 to clarify the funding source as the public school capital outlay fund.			Extended through FY20	\$7,038,365

**Appendix 7**  
**Public School Capital Outlay Reauthorizations**  
 Laws 2018, Chapter 68 (Senate Bill 245, with emergency clause)

Site (School District)	Purpose	Purpose Change	Agency Change	Time of Expenditure	Amount
<b>PRE-KINDERGARTEN CLASSROOMS FUNDED WITH SEVERANCE TAX BONDS</b>					
Pre-kindergarten classrooms statewide	Reauthorizes \$5 million of the unexpended balance of the appropriation in Laws 2016, Chapter 81 to the public school facilities authority plan, design, renovate, and construct public school pre-kindergarten classrooms statewide, contingent upon approval by the public school capital outlay council (PSCOC). Notwithstanding the provisions of Section 22-24-5 NMSA 1978, PSCOC will grant awards for pre-kindergarten projects based on criteria and an application process established by the council.			Extended through FY21	\$5,000,000

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Source: LESC

Appendix 8

EDUCATION RELATED GENERAL OBLIGATION BOND PROJECTS

~~strikethrough~~ indicates executive veto

Laws 2018, Chapter 67 (Senate Bill 94, with emergency clause)

	Site	Agency	Project	Amount	
1	<b>STATEWIDE PROJECTS FUNDED WITH GENERAL OBLIGATION BONDS</b>				1
2	Statewide	Public Education Department	For equipment and supplemental library resource acquisitions, including print, non-print and electronic resources at public school libraries statewide.	\$4,000,000	2
3	Statewide	Public Education Department	To purchase and equip school buses statewide, including air conditioning, for buses owned by a school district or buses provided by a school district service contractor if the school district determines that air conditioning as standard equipment is necessary.	\$6,000,000	2
4	<b>Total authorized for statewide projects</b>			\$10,000,000	3
5	Executive vetos for statewide projects			\$0	4
6	<b>DIRECT APPROPRIATIONS TO CONSTITUTIONAL SPECIAL SCHOOLS FUNDED WITH GENERAL OBLIGATION BONDS</b>				5
7	New Mexico School for the Deaf	The Board of Regents of the New Mexico School of the Deaf	To plan, design, renovate, purchase, install, furnish and equip the Lars M. Larson Roadrunner activity center and residential complex, including site and code compliance improvements.	\$1,800,000	6
8	<b>Total authorized for constitutional special school projects</b>			\$1,800,000	7
9	Executive vetos for constitutional special school projects			\$0	8
10	<b>DIRECT APPROPRIATIONS TO OTHER SCHOOLS FUNDED WITH GENERAL OBLIGATION BONDS</b>				9
11	Santa Fe Indian School	Indian Affairs Department	To plan, design and construct an access lane and other road improvements, including ingress and egress, curbs and gutters and storm drainage.	\$900,000	10
12	<b>Total authorized for other school projects</b>			\$900,000	11
13	Executive vetos for other school projects			\$0	12
14	<b>Total Education-Related Statewide Prjoects after Executive Action (4 AUTHORIZED)</b>			\$12,700,000	13
15	<b>Total Education-Related Executive Veots (0 VETOED)</b>			\$0	14

Appendix 9  
Public Education-Related Legislation Introduced in the  
Second Session of the 53rd Legislature of the State of New Mexico  
(Organized by Category)

Bill No.	Short Title	LESC Endorsed	Germane	House Vote	Senate Vote	Final Location	Chapter
<b>1 Capital Outlay</b>							
2	HB39	SCHOOL DISTRICT TAX REVENUE DISTRIBUTION				HLELC	2
3	HB41	CHARTER SCHOOL FACILITY OWNERSHIP	YES	(67-0)		Senate Fl.	3
4	HB48	PRIOR YEAR DATA FOR SCHOOL DISTRIBUTIONS		(67-0)	(40-0)	Signed	Ch. 38
5	HB130	PUBLIC SCHOOL CAPITAL OUTLAY FOR SECURITY		(66-0)		SFC	5
6	SB30	CHANGE CAPITAL OUTLAY FUNDING FORMULA	YES	(63-0)	(29-13)	Signed	Ch. 66
7	SB124	PUBLIC SCHOOL SECURITY MEASURES				SEC	7
8	SB229	CHARTER SCHOOL FACILITIES				SCC	8
9	SB239	SCHOOL CAPITAL OUTLAY FOR SECURITY		(65-0)	(40-0)	Signed	Ch. 71
<b>10 Curricula, Programs, and Accountability</b>							
11	HB23	ADDITIONAL GRADUATION REQUIREMENTS				HEC	11
12	HB24	PROHIBITIONS IN PHYSICAL EDUCATION GRADING		NO		HRC	12
13	HB30	SOFT SKILLS EDUCATION PROGRAMS				HAFC	13
14	HB51	CHARTER SCHOOL ACTIVITY PARTICIPATION ZONING		(65-0)		Senate Fl.	14
15	HB57	LIMIT SCHOOL ASSESSMENT TIMES		NO		HRC	15
16	HB78	CAREER & TECHNICAL STUDENT ORGANIZATIONS				HAFC	16
17	HB133	CAREER-TECHNICAL TEACHER DEVELOPMENT		NO		HRC	17
18	HB237	STATEWIDE ROBOT PLAYSHOPS & COMPETITION				HEC	18
19	HB264	SUPPORT SCHOOLS FOR NATIONAL HISTORY DAY				HAFC	19
20	HM46	DUAL CREDIT PROGRAM TASK FORCE		(66-0)		Passed	20
21	SB53	CAREER & TECHNICAL STUDENT ORGANIZATIONS				SFC	21
22	SB108	ADULT EDUCATIONAL OPPORTUNITIES				SFC	22
23	SB146	STATEWIDE ROBOT PLAYSHOPS & COMPETITION				SFC	23
24	SB156	SUPPORT SCHOOLS FOR NATIONAL HISTORY DAY				Senate Fl.	24
25	SB266	ELEMENTARY SCHOOL PHYSICAL EDUCATION				SFC	25
26	SJM20	VOLUNTEER SCHOOL DISTRICT ETHNIC STUDIES			(27-7)	HEC	26
27	SM39	STUDY NEEDS FOR SCHOOL LIBRARIES				SRC	27
28	SM82	STUDY MINIMUM RECESS REQUIREMENTS				SRC	28
<b>29 Early Childhood Education</b>							
30	HB97	EARLY LEARNING ADVISORY COUNCIL CHANGES		(60-0)		Senate Fl.	30
31	HB175	SCHOOL ACCELERATION OPPORTUNITIES		NO		HRC	31
32	HJR1	LAND GRANT FUND DISTRIBUTIONS, CA		(36-33)		SFC	32
33	SB74	CREATE EARLY CHILDHOOD SERVICES DEPT				SCC	33
34	SB100	EARLY CHILDHOOD EDUCATOR DEVELOPMENT PROG.				SFC	34
35	SB171	INCREASE K-6 INSTRUCTIONAL HOURS & DAYS				SCC	35
36	SJR2	LAND GRANT FUNDS FOR EDUCATION, CA				SFC	36
37	SJR3	EARLY CHILDHOOD EDUCATION DEPT., CA				SRC	37



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38	SJR7 SEVERANCE TAX FUND FOR EARLY CHILDHOOD, CA					SFC	38
39	SJR11 PERMANENT FUNDS FOR LONGER SCHOOL YEAR, CA					SRC	39
40	SM69 STUDY EARLY CHILDHOOD EDUCATOR INCENTIVES					SRC	40
41	SM95 RECONVENE J. PAUL TAYLOR CHILD TASK FORCE				(25-0)	Passed	41
<b>Public School Finance</b>							
42	HB62 NM-GROWN PRODUCE IN SCHOOL MEALS					HAFG	42
43	HB63 SCHOOL DISTRICT CASH BALANCES					HEC	43
44	HB82 REDUCE QUARTERLY WORKERS' COMP FEE		NO			HRC	44
45	HB86 SCHOOL BUS REPLACEMENT & CONTRACTS	YES		(34-29)		Senate Fl.	45
46	HB141 SCHOOL DISTRICT CASH BALANCES					HAFG	46
47	HB174 "SCHOOL-AGE PERSON" DEFINITION		NO			HRC	47
48	HB180 SCHOOL DATA COLLECTION & CLASS GOALS					HEC	48
49	HB188 PHASED-IN TEACHER COST INDEX			(66-0)	(38-0)	Signed	49
50	HB195 ALTERNATIVE RETIREMENT INVESTMENT REPORTING					HRC	50
51	HB232 CIGARETTE TAX RAISE & DISTRIBUTION		NO			HRC	51
52	HB240 CONFORM INCOME TAX ACT TO FEDERAL CHANGE					HEC	52
53	HB241 CONFORM EDUC. TRUST ACT TO FEDERAL CHANGE					HEC	53
54	HB289 SCHOOL FINANCE "QUALIFIED STUDENT" DEFINITION		NO			HRC	54
55	HJM6 VW SETTLEMENT FUNDS FOR ELECTRIC BUSES					HENRC	55
56	HJR10 PERMANENT EDUCATION EMERGENCY FUND, CA					HEC	56
57	SB25 INCREASE CIGARETTE & E-CIGARETTE TAXES					SCORC	57
58	SB36 PUBLIC SCHOOL FUNDING SUFFICIENCY					SFC	58
59	SB106 NM-GROWN PRODUCE IN SCHOOL MEALS					SFC	59
60	SB138 SCHOOL BUS SEAT BELTS					SCC	60
61	SB147 SCHOOL SIZE ADJUSTMENT PROGRAM UNITS	YES				SFC	61
62	SB157 PHASED-IN TEACHER COST INDEX	YES		(64-0)	(38-0)	Packet Veto	62
63	SB163 PERA STAFF PERFORMANCE-BASED COMPENSATION					SCC	63
64	SB196 SCHOOL CODE DEFINITION CHANGES	YES				SCC	64
65	SB209 CONFORM 529 PROGRAMS TO IRS CODE					SEC	65
66	SB210 CONFORM EDUC. TRUST ACT TO FEDERAL CHANGE					SEC	66
67	SJR6 STATEWIDE MILLAGE FOR PUBLIC SCHOOLS, CA		NO			SJC	67
68	SJR15 STATE TRUST BENEFICIARY RESERVE FUND, CA					SRC	68
69	SM112 VW SETTLEMENT FUNDS FOR ELECTRIC BUSES					Senate Fl.	69
70	<b>School Governance and Organization</b>						
71	HB84 EDUCATIONAL USE OF SOCIAL SECURITY NUMBERS					HCPAC	71
72	HM42 WELLNESS EDUCATION TASK FORCE					HEC	72
73	HMS5 REDUCE SCHOOL FOOD WASTE			(57-9)		Passed	73
74							74

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Bill No.	Short Title	LESC Endorsed	Germane	House Vote	Senate Vote	Final Location	Chapter
75 SB33	CHARTER SCHOOL ADMIN SUPPORT FUNDING					SFC	
76 SB214	APPEAL OF CHARTER SCHOOL DENIAL					SCC	
77 SJM16	PED TO STUDY SCHOOL MEAL FUNDING			(62-0)	(31-4)	Passed	
78 SJM21	STUDY REDISTRICTING OF LARGE SCHOOL DISTRICTS					SRC	
79 SJR10	STATE BOARD OF EDUCATION, CA					SRC	
80 SM26	VIRTUAL CHARTER SCHOOL WORK GROUP	YES				Senate Fl.	
81 SM60	REDUCE SCHOOL FOOD WASTE				(35-0)	Passed	
82	<b>Supports for At-Risk and Low-Performing Students</b>						
83 HB22	PARENTAL NOTIFICATIONS FROM SCHOOL VIA TEXT					HEC	
84 HB136	CHILDHOOD POVERTY AWARENESS TRAINING ACT			(64-0)		SFC	
85 HB151	INDIAN STUDENTS NEEDS ASSESSMENTS			(44-21)	(34-5)	Passed	
86 HB210	ACADEMIC & READING IMPROVEMENT PLANS					HEC	
87 HB297	SCHOOL ATTENDANCE INTERVENTIONS					HSIVC	
88 HB332	SCHOOL ABSENSE NOTICES BY TEXT			(64-3)		SEC	
89 HB341	MICHAEL'S LAW & SCHOOL CARE & RESTRAINTS					HJC	
90 HJR2	LAND GRANT FUND FOR PUBLIC SAFETY, CA					HLEIC	
91 HMT5	NM TRIBAL COMMUNITY NEEDS			(66-0)		Passed	
92 HML107	MALTREATED CHILDREN SAFETY NET STUDY			(65-0)		Passed	
93 SB87	CHILD ABUSE DEFINITION & INVESTIGATION		NO			SJC	
94 SB117	CHILD ABUSE REPORTING LIABILITY LIMITS					SCC	
95 SB233	MICHAEL'S LAW & SCHOOL CARE & RESTRAINTS					SCC	
96	<b>Teachers and Other School Personnel</b>						
97 HB60	INCREASE MINIMUM WAGE		NO			HRC	
98 HB85	SICK LEAVE FOR EDUCATIONAL RETIREMENT CREDIT			(66-0)	(40-0)	Vetoed	
99 HB102	TEACHER LOAN REPAYMENT		NO			HRC	
100 HB105	TEACHER INCENTIVE PAY ACT		NO			HRC	
101 HB106	NATIVE NEW MEXICAN TEACHER INCENTIVE PAY ACT		NO			HRC	
102 HB169	EMPLOYEE PREFERENCE ACT					HLEDG	
103 HB177	LEVEL 3 TEACHER LICENSE & SALARY					HQPAC	
104 HB179	CAREER-TECHNICAL TEACHER DEVELOPMENT		NO			HRC	
105 HB219	GRADE 7-12 ADJUNCT INSTRUCTORS					HSIVC	
106 HB229	CHARTER SCHOOL TEACHER HIRING FLEXIBILITY		NO			HRC	
107 HB250	TEACHING ALIGNMENT STUDY TASK FORCE		NO			HRC	
108 HB265	ALTERNATIVE TEACHER LICENSE REQUIREMENTS		NO			HRC	
109 HB310	INCREASE CERTAIN TEACHER SALARIES					HEC	
110 HJM34	EDUCATION EMPLOYEE PAPERWORK REDUCTION			(66-0)		Passed	
111 SB31	SCHOOL SEXUAL ASSAULT REPORTING TRAINING					SFC	

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Bill No.	Short Title	LESC Endorsed	Germane	House Vote	Senate Vote	Final Location	Chapter
112	SB87 SCHOOL DISTRICT PERSONNEL MINIMUM SALARIES					SFC	
113	SB97 MILITARY SPOUSE TEACHER LICENSURE	YES		(63-0)	(38-0)	Signed	Ch. 8
114	SB116 CREATE LEVEL 4 TEACHING LICENSE					SEC	
115	SB119 INCREASE TEACHER MINIMUM SALARIES	YES		(64-0)	(42-0)	Signed	Ch. 72
116	SB172 SCHOOL SUICIDE AWARENESS & PREVENTION					Senate Fl.	
117	SB179 EMPLOYEE PREFERENCE ACT					SPAC	
118	SB206 RAISE MINIMUM WAGE					Senate Fl.	
119	SB234 SCHOOL PERSONNEL BACKGROUND CHECKS					Senate Fl.	
120	SB317 PUBLIC EMPLOYEE SALARY INCREASES					SFC	
121	SM111 EDUCATION EMPLOYEE PAPERWORK REDUCTION					SEC	
122	<b>Miscellaneous</b>						
123	<b>Higher Education</b>						
124	HB55 FIRE FIGHTER SURVIVOR SCHOLARSHIP BENEFITS			(64-0)	(38-0)	Signed	Ch. 76
125	HB68 NMMI OPPORTUNITY SCHOLARSHIP CHANGES			(66-0)	(40-0)	Signed	Ch. 20
126	HB114 COLLEGE TRANSFORMATIONAL INITIATIVE PATHWAY		NO			HRC	
127	HB150 COLLEGE AFFORDABILITY ENDOWMENT FUND					HAFG	
128	HB186 NM TECH SUPERCOMPUTING CHALLENGE					HAFG	
129	HB204 ADVANCED PLACEMENT POLICIES & REPORTING		NO			HRC	
130	HB259 UNM CHICANO & CHICANA STUDIES DEPT. PROG.S					HAFG	
131	SB84 NM RECONNECT SCHOLARSHIP ACT					SCC	
132	SB143 PUBLIC SERVICE LAW LOAN REPAYMENT CAP			(66-0)	(38-0)	Signed	Ch. 32
133	SB174 LAS CRUCES ENLACE PARTNERSHIP PROGRAM					SFC	
134	<b>Legislative Lottery Scholarship</b>						
135	HB147 TRANSMITTING OF LOTTERY FUNDS			(37-30)		SFC	
136	HB178 LOTTERY SCHOLARSHIP CHANGES					HEC	
137	HB270 LOTTERY SCHOLARSHIP AWARDS & TUITION COSTS			(67-0)		SEC	
138	SB140 LOTTERY SCHOLARSHIP AWARDS & TUITION COSTS			(65-0)	(34-1)	Signed	Ch. 70
139	<b>Student Health and Safety</b>						
140	SM4 OVERWEIGHT BACKPACK HEALTH RISKS					Senate Fl.	
141	SM101 OVERWEIGHT BACKPACK HEALTH RISKS					SEC	
142	SM2 STUDY GUN-RELATED INJURIES & DEATHS					Senate Fl.	
143	SM8 STUDY SCHOOL SUICIDES & GUN VIOLENCE				(25-11)	Passed	
144	<b>Other</b>						
145	HB218 ADDITIONAL & WITHHELD SUNSHINE PORTAL INFO					HSVC	

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Bill Number	LESC Endorsed	Sponsor(s)	Description	Final Location	Chapter/ Exec. Msg.
HB22/aHLELC		Gentry, Ivey-Soto	Requires schools to notify student's parents by text when a student is absent from school and before several school events, including a test within two days that will affect the student's grade point average (GPA), the student's GPA falling below 2.0 on a 4.0 scale, or 70 percent on a 100 percent scale, and failure of the student to submit homework.	HEC	
HB23/aHLELC		Gentry, Ivey-Soto	Amends the final next step plan, starting with graduating cohort 2020, to require students to apply to a postsecondary educational institution, an internship or apprenticeship, or military service prior to graduation. The bill also adds an option for high school students to apply for employment to fulfill the final next step plan requirement. Students must apply, but not commit, to a postsecondary educational institution, internship or apprenticeship, military service, or employment and indicate this on their final next step plan prior to high school graduation.	HEC	
HB30		Rehm	Appropriates \$250 thousand to the Public Education Department (PED) for the development and implementation of soft skills education programs for high school students.	HAFC	
HB39		Youngblood	Amends the Public School Capital Improvements Act (also known as SB9) and the Public School Buildings Act (also known as HB33) to require school districts to distribute a charter school's share of local tax revenue in the event the charter school's share is distributed to a school district.	HLELC	
HB41	YES	Smith, Ivey-Soto	Amends the Charter Schools Act and the Public School Capital Outlay Act to require nonprofit organizations that are organized specifically to purchase facilities for a charter school to enter into a legally binding agreement with the charter school to transfer the facility's title to the charter school immediately upon the nonprofit's acquisition of the title.	Senate Fl.	
HB48		Roch	Amends the Public School Capital Improvements Act, commonly referred to as SB9, to require the PED to determine capital outlay distribution amounts to school districts and charter schools using prior year tax valuations at the rate certified by the DFA. The bill changes the calculation of total program units from the first 40 days to the average of the school district's or charter school's prior year second and third reporting dates' total program units.	Signed	Chapter 38
HB51/aHEC		Roch	Amends a section of the Public School Finance Act, eliminating language that allows charter school students to participate in activities at public schools in school districts other than the school district in which the student resides. The bill will apply only to students entering ninth grade in the 2018-2019 school year and subsequent years.	Senate Fl.	
HB55		Lewis, Ruiloba, O'Neill	Expands the benefits and school options for recipients of the Fire Fighter and Peace Officer Survivors Scholarship by allowing eligible scholarship recipients to receive the scholarship for no more than six years and attend a public higher education institution anywhere in the United States.	Signed	Chapter 76
HB62		Hall	Appropriates \$400 thousand to PED for the purchase and distribution of fresh fruits and vegetables grown in New Mexico to school districts, charter schools, and juvenile detention centers.	HAFC	
HB68/HECS		HEC	Creates the "Luciano 'Lucky' Varela Opportunity Scholarship Fund" to implement the "Luciano 'Lucky' Varela Opportunity Scholarship" at the New Mexico Military Institute (NMMI) to increase the number of low-income New Mexico high school students attending NMMI.	Signed	Chapter 20
HB78		Brown, Dow, Roch	Appropriates \$400 thousand to Eastern New Mexico University (ENMU) to fund six state-chartered career and technical student organizations (CTSOs) statewide.	HAFC	
HB84		Roch	Amends the Public School Code section creating the Educational Data System to bar the inclusion of social security numbers (SSNs) in the data system and adds new sections to the Assessment and Accountability Act and school personnel act barring the use of SSNs for certain purposes. Information about individual educators and students may be gathered in consultation with school districts, charter schools, and public postsecondary educational institutions so long as the data reveal no personally identifiable information.	HCPAC	

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Bill Number	LESC Endorsed	Sponsor(s)	Description	Final Location	Chapter/ Exec. Msg.
HB85		Roch	Allows educational employees covered under the Educational Retirement Act to convert unused sick leave to New Mexico Educational Retirement Board (ERB) service credit. Effective July 1, 2018, Eligible employees are required to pay ERB the actuarial value of the additional service credit.	Vetoed	Exec. Msg. 147
HB86/HAFCS	YES	HAFCS	Requires PED to grant a school district's request to use a school district-owned bus and a school district or charter school's request to use contractor-owned buses for longer than the 12-year replacement cycle. Continued use of older buses is contingent on satisfactory annual safety inspections.	Senate Fl.	
HB97/aHHSC		Dow	Changes the terms for the members of the State Early Learning Advisory Council (ELAC), requires term limits for council members, expands requirements for recommendations by the council to the Children, Youth and Families Department (CYFD) and the Legislature; and extends the sunset date for the council.	Senate Fl.	
HB114		Roybal Caballero, Morales	Requires the Chicana and Chicano Studies Department at the University of New Mexico (UNM) to establish the "Pathway to College Transformational Initiative" pilot project to begin on July 1, 2018 and continue until July 1, 2023 to increase student success in high school and college.	HRC	
HB130/aHEC/aHAFC		Bandy	Adds a new section to the Public School Capital Outlay Act to create a program for public school security system projects. The Public School Facilities Authority (PSFA) would develop the program guidelines, verify the school district assessments and applications, and rank all applications it receives according to the methodology adopted by the Public School Capital Outlay Council (PSCOC). PSCOC would make school security system awards based on the applicants' ranking and their ability to meet the local match requirement. HB130 reserves \$5 million of the public school capital outlay fund annually for awards for school security system projects in FY19 through FY23.	SFC	
HB136/HECS/aHFI#1		HEC	Establishes the Childhood Poverty Awareness Training Act, which makes state-chartered charter schools eligible to receive at-risk program units when their PED-approved educational plans include services to help students reach their full potential. Charter schools and school districts must submit an action plan to PED with their annual budget, outlining services to improve the academic success of at-risk students. The plan must report services implemented in the prior year and their impact upon at-risk students. Beginning with the 2020-2021 school year, local school districts or charter schools with at least 200 students, where the school district (or the district in which a charter school is located) has a three-year average total rate of at-risk components (Title I eligibility, English learners, and student mobility) of 0.7 or higher, must ensure that all school employees attend annual training on childhood poverty awareness.	SFC	
HB141		Townsend, Hall, Crowder, Gallegos, Da., Adkins	Appropriates \$40.1 million to the PED to restore \$40.1 million in school district and charter school cash balances, for which the state took credit pursuant to Laws 2017, Chapter 3 (SB 114).	HAFCS	
HB147/aHEC/aHAFC/aHFI#3		Smith	Amends the New Mexico Lottery Act to eliminate the requirement for the Lottery Authority to transfer at least 30 percent of the gross revenue from the sale of lottery tickets to the lottery tuition fund each month. The bill requires the New Mexico Lottery Authority to transmit all net revenues to the lottery tuition fund on a monthly basis via the state treasurer. If the total amount transmitted for any fiscal year is less than \$40 million, the New Mexico Lottery Authority will be required to transmit at least 30 percent of each month's gross revenue to the lottery tuition fund. HB147 also requires unclaimed lottery prizes to be paid into the lottery tuition fund, and not be included in the calculation of the gross revenues required for transfer into the lottery tuition fund. In addition, HB147 also limits the operating expenses for the New Mexico Lottery Authority to 15 percent of the lottery's tuition fund.	SFC	
HB150		Romero	Appropriates \$2 million to carry out the purposes of the College Affordability Endowment Fund.	HAFCS	



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Bill Number	LESC Endorsed	Sponsor(s)	Description	Final Location	Chapter/ Exec. Msg.
HB151/aHEC		Lente	Creates new sections of the Indian Education Act that require historically defined Indian impacted school districts, including charter schools, to determine what services are needed to assist Indian students in graduating and becoming college or career ready. After the needs assessment, the historically defined Indian impacted school districts and charter schools are required to develop and publish a systematic framework and use student-centered data to inform "culturally and linguistically responsive policies" for improving educational outcomes for Indian students.	Vetoed	Exec. Msg. 144
HB169		Scott, Townsend, Nibert, Wooley	Introduces the Employee Preference Act, which allows New Mexico public employees to form, join, or assist labor organizations or to refrain from those activities. The bill prohibits mandatory membership or fees from labor organizations as a condition for hiring, promotion, or continued employment and amends the Public Employee Bargaining Act, striking the definition of "fair share."	HLEDC	
HB177		Little, Adkins	Provides an alternative pathway to obtain a level 3-A teaching license by advancing from level 2 if specific requirements and specific teacher ratings on the NMTEACH teacher evaluation system (NMTEACH) are met. Additionally, the bill proposes to create a level 4 teaching license for master teachers who are primarily responsible for working with classroom teachers and educational assistants to improve their teaching skills through professional development activities.	HCPAC	
HB178		Larrañaga	Amends the Legislative Lottery Tuition Scholarship Act to provide flat lottery scholarship awards, decoupling scholarship amounts from tuition costs. The bill sets scholarship amounts based on the type of postsecondary educational institution on a per-semester basis: \$1,500 for a student enrolled at a research institution, \$1,000 for a student enrolled at a comprehensive institution, and \$750 for a student enrolled at a community college. If there is not enough money in the lottery scholarship tuition fund to pay for the fixed scholarship amounts, HED will reduce the awards proportionally. The bill removes the requirement to maintain a \$2 million annual fund balance. If the annual balance in the fund exceeds \$5 million for two years, HED will increase the awards proportionally until the ending balance is \$5 million.	HEC	
HB180		Larrañaga, Gonzales, Youngblood	Requires PED to design and implement an advanced data collection system and to be responsible for analyzing school data in generating state and federally required reports. The bill also sets a threshold for minimum spending on instruction, student support services, instructional support services, and compensation and benefits for school principals.	HEC	
HB186		Fajardo	Appropriates \$100 thousand from the general fund to the New Mexico Institute of Mining and Technology (NMT) for the annual Supercomputing Challenge, a yearlong competition in which teams of students in sixth through 12th grade complete science projects using high-performance computers designed to get local students interested in science, technology, engineering, and mathematics (STEM).	HAFC	
HB188/aHAFC		Dodge	Amends the Public School Finance Act to replace the current instructional staff training and experience (T&E) index with a teacher cost index (TCI) that aligns with the three-tiered licensure system and to increase the at-risk index multiplier. Changes to the T&E index are phased in over four years beginning in FY20 and changes to the at-risk index are phased in over three years beginning in FY19. The General Appropriations Act for FY19 includes \$22.5 million for the state equalization guarantee distribution (SEG) to cover the estimated cost of an additional 5,560 at-risk program units.	Signed	Chapter 55
HB210		Youngblood	Repeals and replaces current remediation and promotion provisions in the Assessment and Accountability Act in the Public School Code. The bill requires school districts and charter schools to administer a diagnostic assessment to students in kindergarten through third grade, and requires an academic plan to be developed for students who are not proficient and retention of students who are not academically proficient at the end of each grade in kindergarten through eighth grade. Parents have the option to waive retention of their child.	HEC	

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Bill Number	LESC Endorsed	Sponsor(s)	Description	Final Location	Chapter/ Exec. Msg.
HB219		Dow Youngblood	Proposes to create a five-year pilot project to use contract adjunct instructors, or "a person over the age of eighteen who has at least a bachelor's degree from an accredited institution of higher education and has at least five years' experience in the subject matter in which the adjunct instructor is contracted to teach," to supplement teaching staff in seventh through 12th grades.	HSIVC	
HB237		Smith	Appropriates \$50 thousand from the general fund to ENMU to support statewide robotics playshops for students and teachers in third through 12th grade, culminating in an international robot competition.	HEC	
HB240		Roch Dow	Amends the Income Tax Act to expand the income tax deduction for contributions to qualified tuition plans authorized by Section 529 of the federal Internal Revenue Code. The bill conforms to amendments to the Internal Revenue Code made as part of Public Law 115-97, also known as the Tax Cuts and Job Act, which expanded the definition of "qualified higher education expense" to include expenses for tuition at public or private elementary or secondary schools. The bill makes additional change involving Achieving a Better Life Experience accounts for individuals with disabilities and their families.	HEC	
HB241		Trujillo, Ca., Roch, Dow,	Amends the Education Trust Act to expand institutions eligible to receive payments from education trust funds. The bill conforms to amendments to the Internal Revenue Code made as part of Public Law 115-97, also known as the Tax Cuts and Job Act, which expanded the definition of "qualified higher education expense" to include expenses for tuition at public or private elementary or secondary schools.	HEC	
HB259		Roybal Caballero	Appropriates \$250 thousand from the general fund to the UNM board of regents to expand the Early College High School Initiative within the Chicana and Chicano Studies Department.	HAFC	
HB264		Romero	Appropriates \$100 thousand dollars to the Library Services program of the Department of Cultural Affairs to support schools participating in the National History Day program.	HAFC	
HB270		Smith, Montoya	Removes language in the Legislative Lottery Tuition Scholarship Act directing scholarships to be calculated based on sector average tuition rates, effectively decoupling award amounts from tuition. The tuition-decoupled awards of \$1,500 research, \$1,020 comprehensive, and \$380 community college scholarships are granted to qualified students on a per semester basis. HED will raise or lower scholarships based on enrollment and available funding while holding the sector awards proportional to the amounts outlined in the legislation.	SEC	
HB297/HECS		HEC	Repeals the Compulsory School Attendance Law and replaces it with the Attendance for Success Act. The bill provides for early interventions for absent, chronically absent, and excessively absent students. The bill includes defines terms like "absent," "attendance officer," "chronically absent," "excessively absent," "excused absence," and "medical absence." The bill requires private schools to have an attendance policy that mirrors the law for public schools as closely as practicable. Interventions for absent students focus on partnerships between schools and local service providers, businesses, healthcare providers, counselors, and civic groups to involve the entire community in supporting students' attendance. The bill includes progressive interventions for excessively absent students, including meetings with parents, suspension of the student's driver's license, and referral to CYFD.	HSIVC	
HB310		Baldonado, Smith, Ja., Clahchischillige	Amends the School Personnel Act to increase the statutory minimum teacher salaries and provide for minimum teacher salaries of \$38 thousand for level 1 teachers, \$44 thousand for level 2 teachers, and \$54 thousand for level 3-A teachers. The bill also appropriates \$71.6 million to fund the increased minimum salaries, provide a 2.5 percent average salary increase for all teachers, provide a 2 percent average salary increase for other school personnel, and provide grants for school districts and charter schools to design and implement teacher recruitment initiatives.	HEC	
CS/CS/HB332/HRCS/HAFCS		HAFC	Creates a new section of the Public School Code to provide for text notifications to parents of high school students in two instances: when their student is scheduled to take a state, school district-, or charter school-required assessment within two days; or when the students' grade point average (GPA) falls below 2.0 on a 4.0 scale, or 70 percent on a 100 percent scale. Parents may choose to affirmatively opt out of the program on their children's enrollment form.	SEC	

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Bill Number	LESC Endorsed	Sponsor(s)	Description	Final Location	Chapter/ Exec. Msg.
HB341		HRC	Provides for the protection of students in need of accommodation, limits school use of restraint and seclusion, and requires notice to parents and guardians of students subjected to restraint and seclusion. All school districts and charter schools must develop first-response policies and procedures for students who commit first offenses as defined by their school code of conduct. The bill forbids restraint except when the student presents a threat of serious physical harm and less restrictive measures seem insufficient to mitigate danger.	HJC	
HJM6		Roybal Caballero, Lopez	Requests the governor to direct the use of the Volkswagen trust settlement fund for the purchase of electric school buses.	HENRC	
HJR1/aHEC/aSEC		Maestas, A., Martínez, J., Garcia Richard	Proposes to amend Article XII, Section 7 of the Constitution of the State of New Mexico to increase annual distributions from the Land Grant Permanent Fund (LGPF) by 1 percent of the average of the year-end market values of the fund for the preceding five years. In FY20 and FY21, the increase will be allocated for educational programs and early childhood educational services. In FY22 and subsequent years, the increase will only be used for early childhood educational services. The constitutional amendment requires approval of voters in either a general or special 2018 statewide election. To become effective, the amendment would require the consent of Congress.	SFC	
HJR2		Ely	Proposes to amend Article XII, Section 7 of the Constitution of the State of New Mexico to increase annual distributions from the LGPF by 0.5 percent of the average of the year-end market values of the fund for the preceding five years to increase funding for criminal justice and public safety purposes, including education programs, law enforcement, district attorneys, public defenders, courts, correctional facilities and programs, pre-trial and post-trial services, and behavioral health and substance abuse programs.	HLELC	
HJR10		Gallegos, Do., Garcia Richard	Proposes to amend the Constitution of the State of New Mexico to transfer an estimated \$36.7 million from the permanent school fund to the newly created "permanent education emergency reserve fund" (PEERF). PEERF would provide additional funds for appropriation to public schools in years where general fund revenue collections fall by at least 5 percent.	HEC	
HM34/aHEC		Garcia Richard	Requests PED to convene a task force to study the feasibility of a reduction in paperwork required of education employees and a moratorium of unfunded mandates in schools.	Passed	
HM46		Small	Requests HED and PED to convene a task force to study the cost of dual credit delivery and the current funding structure, and to propose solutions to compensate postsecondary educational institutions adequately for course instruction. The task force would recommend a strategy to promote the growth and expansion of the dual credit program to the Legislative Finance Committee (LFC) and LESC by October 1, 2018.	Passed	
HM55		Armstrong	Requests LESC and the Legislative Health and Human Services Committee to review existing programs to reduce school food waste, and to study ways to create and expand policies allowing unused food to go to the benefit of hungry children.	Passed	
HM75		Louis, Johnson, Lente	Requests state agencies in collaboration with tribal advisory groups develop findings and recommendations for policy and legislative considerations in education, health, social welfare, behavioral health, and other essential services to better meet the needs of New Mexico's tribal communities.	Passed	
HM107/aHEC		Caballero, Ferrary, C. Trujillo, L. Trujillo	Requests LESC to create a task force to study the measures necessary to create an interagency safety net for maltreated children in New Mexico.	Passed	
SB25		Morales	Creates distributions from cigarette tax revenue and tobacco products tax revenue to the public school fund for the state equalization guarantee. The bill increases the cigarette tax and tobacco products tax to account for the new distribution and expands the tobacco products tax to cover e-cigarettes.	SCORC	

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SB30	YES	Stewart	Replaces the current state and local match formula in the Public School Capital Outlay Act for capital outlay awards over five years. The new formula adjusts the state and local match to more accurately reflect each school district's ability to pay for public school capital outlay projects. Unlike the current calculation, which is based on the net taxable value for a school district and the number of students enrolled during the immediately preceding year, the new calculation is based on the net taxable value for a school district for the prior five years, the maximum allowable gross square foot per student, the replacement cost per square foot, and the school district population density.	Signed	Chapter 66
SB31		Stewart	Appropriates \$100 thousand to PED to train public school teachers and administrators on reporting allegations of sexual assault.	SFC	
SB33		Soules	Requires PED to transfer one-quarter of the 2 percent of state-chartered charter school-generated program costs withheld by PED for their administrative support to the Public Education Commission (PEC). PED would retain 1.5 percent of the school-generated program costs withheld for charter school support, with PEC receiving 0.5 percent. The bill also requires the Charter Schools Division of PED to provide PEC with all relevant information to the administration of charter schools and strikes the requirement that CSD make recommendations regarding approval, denial, suspension, and revocation of a state-chartered charter school.	SFC	
SB36		Soules	Appropriates \$374.9 million to PED for distribution through the state equalization guarantee (SEG) in FY19.	SFC	
SB53		Padilla	Appropriates \$400 thousand to ENMU to fund six state-chartered career and technical student organizations statewide.	SFC	
SB57		Ivey-Soto	Amends the public school code to establish a minimum salary of \$16 per hour for all school-district employed and contracted school district cafeteria staff, school bus drivers, non-certified personnel, and licensed educational assistants beginning in FY20. In subsequent fiscal years, the amount shall be adjusted based on the percentage change in the consumer price index (CPI).	SFC	
SB84		Tallman	Appropriates \$5.8 million to the New Mexico Reconnect Scholarship Fund and enacts the New Mexico Reconnect Scholarship Act to provide low-income, non-traditional students with tuition scholarships to attend community college, helping to fill a gap in the financial assistance available to adult learners.	SCC	
SB87		Morales	Expands existing requirements to report child abuse to conform with current law, requiring reporting of abuse when perpetrated by anyone, unrestricted to those who have a custodial relationship with the child. The bill adds a definition for "abused child" that closely mirrors the general definition of "abused child" for the entire Abuse and Neglect Act, but in most cases, changes the perpetrator from one in a custodial relationship with the child to any person committing the abuse.	SJC	
SB97	YES	Burt	Creates a new section of the School Personnel Act to require PED to provide for expedited teacher licensure for military service members, spouses of military service members, and veterans with a valid and current or an expired teaching license from another jurisdiction.	Signed	Chapter 8
SB100		Tallman	Appropriates \$100 thousand to CYFD to fund a workforce and professional development program to increase the quality of early childhood education for children from birth to kindergarten.	SFC	
SB106		Woods	Appropriates \$400 thousand to PED for the purchase and distribution of fresh fruits and vegetables grown in New Mexico to school districts, charter schools, and juvenile detention centers.	SFC	
SB108		Stefanics	Appropriates \$500 thousand from the general fund to HED for expenditure in FY19 to fund adult educational opportunities.	SFC	
SB116		Soules	Creates a level 4 teaching license for master teachers who are primarily responsible for working with classroom teachers and educational assistants to improve their teaching skills through professional development activities.	SEC	

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SB119/aSFC	YES	Stewart	Amends the School Personnel Act to increase the statutory minimum teacher salaries and provide for minimum teacher salaries of \$36 thousand for level 1 teachers, \$44 thousand for level 2 teachers, and \$54 thousand for level 3-A teachers, consistent with the FY19 LFC recommendation. The General Appropriations Act for FY19 includes an estimated \$17.6 million to increase teacher minimum salaries.	Signed	Chapter 72
SB124		Munoz	Appropriates \$60 million to PED to fund security measures in public schools. Of the \$60 million total, \$15 million is for training school personnel how to respond to an armed threat or attack; \$15 million is for security personnel; \$15 million is to purchase, install, and maintain security cameras; and \$15 million is to purchase, install, and maintain metal detectors on school premises.	SEC	
SB140/SFCS		SFC	Removes language in the Legislative Lottery Tuition Scholarship Act directing scholarships to be calculated based on sector average tuition rates, decoupling award amounts from tuition. The tuition-decoupled awards of \$1,500 research, \$1,020 comprehensive, and \$380 community college scholarships are granted to qualified students on a per semester basis. The bill directs HED to raise or lower scholarships based on enrollment and available funding while holding the sector awards proportional to the amounts outlined in the legislation.	Signed	Chapter 70
SB143		Ortiz y Pino	Amends the Student Loan Act by removing the earnings cap for eligibility for the Public Service Law Loan Repayment Program that provides loan repayment assistance to certain attorneys in public service employment. The purpose of the program is to improve access to the justice system in New Mexico by increasing the number of attorneys in public service.	Signed	Chapter 32
SB146		Kernan	Appropriates \$50 thousand from the general fund to ENMU to support statewide robotics playshops for students and teachers in third through 12th grade, culminating in an international robot competition.	SFC	
SB147/aSEC	YES	Kernan	Amends the Public School Finance Act to prohibit size adjustment program units from being allocated to any school in a school district with more than 500 students that serves fewer than three grade levels. The bill requires the student membership of any elementary schools, junior high schools, or senior high schools that are located within one-half mile of another school at the same level be aggregated in school districts with more than 500 students for the purpose of calculating size adjustment program units.	SFC	
SB156		Morales	Appropriates \$100 thousand dollars to the Library Services program of the Department of Cultural Affairs to support schools participating in the National History Day program.	Senate Fl.	
SB157/aSFC	YES	Morales, Roch	Amends the Public School Finance Act to replace the current instructional staff training and experience (T&E) index with a teacher cost index (TCI) that aligns with the three-tiered licensure system and to increase the at-risk index multiplier. Changes to the T&E index are phased in over four years beginning in FY20 and changes to the at-risk index are phased in over three years beginning in FY19. The General Appropriations Act for FY19 includes \$22.5 million for the state equalization guarantee distribution (SEG) to cover the estimated cost of an additional 5,560 at-risk program units.	Pocket Veto	No Exec. Msg.
SB172		Ortiz y Pino	Directs PED to promulgate rules by January 2019 requiring public and private school personnel to undergo suicide awareness and prevention training. Elementary school personnel would be required to undergo one hour of such training annually, while middle and high school personnel require two hours each year. The bill also directs PED to consult with the Department of Health (DOH), a statewide suicide prevention coalition, and other suicide stakeholders and experts, to develop a list of approved training courses and materials.	Senate Fl.	
SB174		Soules	Appropriates \$110 thousand to the Public Education Department (PED) for Las Cruces Public Schools (LCPS) to support the Engaging Latino Communities for Education (ENLACE) partnership program, a national initiative dedicated to increasing the number of Latino high school and college graduates.	SFC	
SB179		Ingle	Introduces the Employee Preference Act, which allows New Mexico public employees to form, join, or assist labor organizations or to refrain from those activities. The bill prohibits mandatory membership or fees from labor organizations as a condition for hiring, promotion, or continued employment and amends the Public Employee Bargaining Act, striking the definition of "fair share."	SPAC	



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SB206		Munoz	Increases the statewide minimum wage from \$7.50 to \$9 per hour, and to \$8 per hour for trainee employees during a 60-day training period. The bill also increases the minimum wage for tipped employees from \$2.13 to \$2.63.	Senate Fl.	
SB209		Kernan	Amends the Income Tax Act to expand the income tax deduction for contributions to qualified tuition plans authorized by Section 529 of the federal Internal Revenue Code. The bill conforms to amendments to the Internal Revenue Code made as part of Public Law 115-97, also known as the Tax Cuts and Job Act, which expanded the definition of "qualified higher education expense" to include expenses for tuition at public or private elementary or secondary schools. The bill makes additional change involving Achieving a Better Life Experience accounts for individuals with disabilities and their families.	SEC	
SB210		Kernan	Amends the Education Trust Act to expand institutions eligible to receive payments from education trust funds. The bill conforms to amendments to the Internal Revenue Code made as part of Public Law 115-97, also known as the Tax Cuts and Job Act, which expanded the definition of "qualified higher education expense" to include expenses for tuition at public or private elementary or secondary schools.	SEC	
SB234		Ivey-Soto, Adkins	Requires all school district and charter school employees, regardless of their date of hire, to undergo a fingerprint-based background check, and requires any licensed employee who has been convicted of anything involving moral turpitude to report the conviction to a designated administrator. The bill amends the School Personnel Act to require all charter school governing bodies to develop policies and procedures to require background checks of their employees and other persons allowed unsupervised access to students of public schools, as is already required of local school boards and regional education cooperatives (RECs).	Senate Fl.	
SB239/aSEC		Munoz	Adds a new section to the Public School Capital Outlay Act to develop guidelines for public school projects. PSFA would develop program guidelines, verify the school district assessments and applications, and rank all applications it receives according to the methodology adopted by the PSCOC. All projects would be subject to the act's state and local match formula. PSCOC would make school security system awards based on the applicants' ranking and their ability to meet the local match requirement. The bill allows up to \$10 million of the public school capital outlay fund annually for awards for school security projects in FY19 through FY22.	Signed	Chapter 71
SB266/aSEC		Stewart	Phases-in universal physical education funding and programming for schools serving students in kindergarten through sixth grade classified by PED as elementary schools. The phase-in would begin with kindergarten in the 2019-2020 school year, adding one grade per year after that.	SFC	
SB317		Morales	Appropriates a total of \$88.8 million to DFA, HED, and the public school state equalization guarantee (SEG) for an average salary increase of 2.5 percent for all personnel.	SFC	
SJM4		Stewart	Encourages school administrators, teachers, parents, and students to learn about the potential health risks of carrying heavy backpacks and take steps to avoid injury. The memorial also asks schools to consider using more e-textbooks and utilizing other methods to reduce the weight of backpacks.	Senate Fl.	
SJM16		Padilla, Romero	Requests the Public Education Department (PED) to identify the availability of federal programs to improve New Mexico student meals and student health. PED is also requested to analyze the impact of increased applications for funding from federal school meals programs would have on school lunch debt, and present its findings to LESC by October 18, 2018.	Passed	
SJM20		Lopez	Requests LESC, PED, and the UNM College of Education to convene a task force of community, academic, and professional partners to identify the next steps required to develop ethnic studies curricula in volunteer school districts, including the development of PED approved academic standards.	HEC	
SJM21		Sapien	Requests LESC and LFC to conduct a study of the costs and benefits of breaking up large public school districts. PED and the Center for Education Policy Research are also requested to assist LESC and LFC.	SRC	

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SJR2		Padilla	Proposes to amend Article XII, Section 7 of the Constitution of the State of New Mexico to increase annual distributions from the LGPF by 1.5 percent of the average of the year-end market values of the fund for the preceding five years for early childhood education services.	SFC	
SJR3		Padilla	Proposes to amend Article XII of the Constitution of the State of New Mexico by adding a new section to create an Early Childhood Education Department (ECED) to provide or contract for voluntary, nonreligious, nonsectarian, and nondenominational early childhood services for children up to age 5, including prenatal education, and referral services for pregnant women. The joint resolution also proposes to amend Article XII, Section 3 of the New Mexico constitution to provide that funds appropriated, levied, or collected for educational purposes may be used by ECED to contract for the provision of nonsectarian, nondenominational early childhood education services, except for proceeds arising from the sale or disposal of any lands granted by Congress.	SRC	
SJR6		Stewart	Proposes an amendment to the Constitution of the State of New Mexico that would authorize an additional 2 mill (\$2 per \$1,000 in net taxable value) property tax for public schools, raising the aggregate property tax limit from 20 mills to 22 mills. The proposed amendment imposes the property tax statewide and requires the funds be distributed through the SEG.	SJC	
SJR7		Sapien	Proposes to amend Article VIII, Section 10 of the Constitution of the State of New Mexico to increase distributions from the Severance Tax Permanent Fund (STPF) by 0.8 percent of the average of the year-end market values of the fund for the immediately five calendar years. The increase will be made to the general fund dedicated to early childhood education and care programs as provided by law.	SFC	
SJR10		Soules	Proposes to amend Article XII, Section 6 of the Constitution of the State of New Mexico, to create an elected and appointed State Board of Education (SBE) that must appoint a Superintendent of Public Instruction, determine public school policy, distribute public school funds, and manage PED and the administration, operation, and finances of public schools. Members of SBE can only be removed from office for reasons of incompetence, neglect of duty, or malfeasance in office. The New Mexico Supreme Court has exclusive and original jurisdiction of all proceedings for removal of SBE members, under rules it may promulgate for that purpose, and its decision in these matters shall be final. The joint resolution strikes all references to the PEC and the Secretary of Public Education.	SRC	
SJR11		Cervantes	Proposes an amendment to Article XII, Section 7 of the Constitution of the State of New Mexico to increase annual distributions from the LGPF by 1 percent of the average of the year-end market values of the fund for the immediately preceding five years. The distribution is intended to increase the minimum instructional hours and days in a school year as provided by law. The joint resolution is a companion to Senate Bill 171, Increase K-6 Instructional Hours & Days, which amends the Public School Code to increase minimum instructional hours and adjusts the student cost differentials in the public school funding formula to compensate for the cost of the additional instructional time.	SRC	
SJR15		Munoz	Proposes an amendment to the Constitution of the State of New Mexico to transfer LGPF balances in excess of \$15 billion to a newly created "state trust beneficiary reserve fund," for appropriation in FY20 through FY29. Any unexpended balance would revert to the LGPF at the end of FY29.	SRC	
SM2/aSPAC		Soules	Requests that state executive agencies collect data on gun-related injuries and deaths and that the appropriate interim legislative committees recommend potential changes to statutes to reduce the impact of gun violence on school-age children and young adults.	Senate Fl.	
SM8		Steinborn	Requests LESC and PED to study potential solutions to decrease the rates of suicide by firearms and gun violence in schools and report their findings to the LESC by October 1, 2018.	Passed	
SM26	YES	Stewart, Soules, Kernan	Requests LESC and PED to convene a virtual charter school work group to study virtual charter schools in the state and nationwide in order to make recommendations regarding governance, funding, and accountability best practices.	Senate Fl.	

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SM39		Soules	Requests PED to assist the New Mexico Libraries Association and the Libraries Transform New Mexico steering committee to conduct an assessment of school libraries and school librarians in New Mexico public schools.	SRC	
SM60		Kernan	Requests LESC and the Legislative Health and Human Services Committee to review existing programs to reduce school food waste, and to study ways to create and expand policies allowing unused food to go to the benefit of hungry children.	Passed	
SM69		Stewart	Requests LESC to study funding sources to finance coursework and a bachelor's or associate's degree specializing in early childhood education as an incentive to expand New Mexico's highly qualified early learning workforce.	SRC	
SM82		Lopez	Requests the LESC and PED to study minimum recess time requirements in public school districts for elementary school-aged children.	SRC	
SM95		Ortiz y Pino	Requests the UNM Health Sciences Center reconvene the J. Paul Taylor Early Childhood Task Force for an additional year to continue work in investigating the effects of parental mental illness, substance use disorders, and family violence on young children, and making recommendations towards a behavioral health system.	Passed	
SM101		Stewart	Encourages school administrators, teachers, parents, and students to learn about the potential health risks of carrying heavy backpacks and take steps to avoid injury. The memorial also asks schools to consider using more e-textbooks and utilizing other methods to reduce the weight of backpacks.	SEC	
SM111		Campos	Requests PED to convene a task force to study the feasibility of reducing paperwork required of education employees and a moratorium of unfunded mandates in schools.	SEC	
SM112		Lopez	Requests the governor to direct a portion of the Volkswagen trust settlement fund to purchase electric school buses.	Senate Fl.	