



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

**2022 Post-Session Review**

April 2022





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## 2022 Post-Session Review

April 2022

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Committee

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Rarely in history has so much been asked of New Mexico's education system. As the 2022 legislative session began, the Covid-19 pandemic neared its two year mark and students, educators, and families alike continued to grapple with a school and learning environment that has left academic normalcy far out of reach. The education system has been left to repeatedly pivot and adapt to a cycle of school closures, remote learning, school re-openings, student assessment holidays, severe workforce shortages, and the toll these circumstances have taken on the mental health and well-being of both students and the school workforce. Education stakeholders hold deep concerns about how students are doing amidst significant interruptions to instructional time over the past two years. Meanwhile, expectations for the state's education system to serve its students in an equitable and culturally and linguistically relevant way, as well as to truly prepare them for civic life after their schooling, continue to be paramount.

The legislative session reflected this reality as lawmakers—masked, socially distanced, sometimes virtual, and at times debating through the night—made meaningful investments in education during a time of severe uncertainty but stronger-than-expected fiscal health in New Mexico. For FY23, the Legislature allocated significant funds to education, amounting to an overall budget of \$3.87 billion for schools.

To address the educator workforce crisis, the Legislature funded teacher pay raises, protected benefits for educators, bolstered an existing teacher residency program, and allocated additional funds for professional development. Additionally, the Legislature invested resources in expanding academic opportunities in historically underserved communities identified in the *Martinez* and *Yazzie* education sufficiency lawsuit. The Legislature tripled its FY22 appropriation to the Indian education fund, allocating \$15 million to support tribal education departments, school districts, and charter schools. Lawmakers also appropriated \$19.5 million to expand literacy training for educators. Further, the Legislature introduced new measures to address interrupted learning, including \$271.3 million for programs extending time for academics and learning.

While the current understanding of how students are faring can be alarming, society has also witnessed a paradigm shift in its education system, with educators and students acting with incredible flexibility during the past two years. The challenges of this moment are apparent, yet educators and policymakers continue to learn about students' capacity for resilience and how the education system may permanently adapt in favor of responsiveness to student and family needs as a result of the pandemic.

As LESC looks to the future, students remain at the center of the committee's work. Truly preparing New Mexico children for opportunity beyond childhood and into their pursuits of postsecondary schooling, the workforce, and civic life, remains the guiding post. While the work of tending to New Mexico's education system requires an ongoing commitment, this year's legislative session provides hope that the next academic year may offer the chance to move from interruption to recovery. New Mexico's children are counting on it.

***“Students remain at the center of the committee’s work. Truly preparing New Mexico children for opportunity beyond childhood and into their pursuits of postsecondary schooling, the workforce, and civic life, remains the guiding post.”***

Due in part to record oil production, demand for natural gas, and stimulation from federal funds, New Mexico's economy is on an upward path. The state is projected to have \$9.049 billion in general fund revenue in the 2022-2023 fiscal year. The Legislature took advantage of these high estimates, increasing recurring general fund appropriations by \$1.036 billion—an increase of 13.9 percent over last year, and authorizing significant increases for public education.

## General Appropriation Act and Feed Bill\* Recurring General Fund Appropriations from FY23 (in thousands)

Agency Category	FY22 Operating Budget	GAA of 2022	Dollar Change	Percent Change
Legislature	\$21,885.6	\$24,077.4	\$2,191.8	10.0%
Judicial	\$327,788.9	\$348,719.9	\$20,931.0	6.4%
General Control	\$158,839.2	\$166,447.6	\$7,608.4	4.8%
Commerce and Industry	\$65,595.4	\$77,121.2	\$11,525.8	17.6%
Agriculture, Energy and Natural Resources	\$79,049.9	\$90,986.1	\$11,936.2	15.1%
Health, Hospitals, and Human Services	\$1,978,473.4	\$2,301,576.1	\$323,102.7	16.3%
Public Safety	\$476,563.2	\$491,536.8	\$14,973.6	3.1%
Public Schools	\$3,446,297.3	\$3,869,635.6	\$423,338.3	12.3%
Higher Education	\$894,650.4	\$939,050.4	\$44,400.0	5.0%
Compensation**	\$544.0	\$181,943.2	\$181,399.2	
<b>Total</b>	<b>\$7,449,687.3</b>	<b>\$8,491,094.3</b>	<b>\$1,041,407.0</b>	<b>14.0%</b>

Source: LFC Files

\*The "feed bill" pays for the expenses of the Legislature.

\*\*Includes all state employees except public school employees who are included in the "public schools" agency category.

For FY23, the Legislature authorized an overall increase of \$423.3 million for public schools, with new spending focused on the recruitment and retention of educators and continued investments in extended learning opportunities. More than 80 percent of the increase will provide additional compensation for public school employees, including \$341.4 million for increases to educator pay and a \$58.2 million increase for public school employee benefits. This funding will increase per student funding by about \$1,300, based on fall 2021 student enrollment. See [Appendix C: Reading the General Appropriation Act as Related to Education](#).

## General Appropriation Act of 2022

The GAA includes a total of \$3.87 billion in state revenue for public schools, a \$423.3 million, or 12.3 percent, increase from 2021. Public schools account for 45.6 percent of total recurring general fund appropriations, down slightly from 46.3 percent in FY22. While the total increase for public schools amounts to a 12.3 percent year-over-year change, this is less than the overall year-over-year increase in recurring general fund appropriations of 13.9 percent. However, between FY20 and FY22, the Legislature authorized appropriations for public education that far exceeded increases in other areas of the budget. See [Appendix F: Recurring General Fund Appropriations](#).

## State Equalization Guarantee

For FY23, the Legislature appropriated \$3.684 billion to the state equalization guarantee (SEG), including \$3.674 billion from the general fund and \$10.4 million from driver's

license fees. The recurring appropriation to the SEG represents an increase of \$385.3 million, or 11.7 percent in general fund appropriations compared with the FY22 operating budget. Although discretionary, some SEG appropriations are accompanied by language specifying particular programs and initiatives. (SEG appropriations can be found in section 4, subsection K, “Public School Support,” of the GAA.)

***Educator Pay and Benefits.*** For the FY23 budget, the Legislature focused on strategies to recruit and retain qualified educators, reserving most increases for either increased pay or to cover the cost of employee benefits programs. The Legislature included \$76.8 million within the SEG to cover costs of Chapter 28 (Senate Bill 1), LESC-endorsed legislation that increases salaries for teachers, level 3 counselors, principals, and assistant principals. Beginning in FY23, minimum salaries for teachers will increase from \$40 thousand to \$50 thousand for level 1, from \$50 thousand to \$60 thousand for level 2, and from \$60 thousand to \$70 thousand for level 3 teachers.

Additionally, the \$388.6 million increase for the SEG includes sufficient funds, \$176.8 million, for an average 7 percent pay increase in FY23. A portion, \$19.2 million, is in the compensation appropriations section of the GAA to allow school districts and charter schools to award 3 percent of the 7 percent increase after April 1, rather than on July 1, 2022. Funding is also allocated for additional pay increases for school personnel participating in extending learning time programs and for increases in pay for hard-to-staff instructional support providers. See [“Educator Workforce.”](#)

For employee benefits, the Legislature funded a 2 percent increase in employer contributions to the Educational Retirement Board as required by Chapter 29 (Senate Bill 36). This LESC-endorsed bill improves the sustainability of the educational retirement fund by increasing employer contributions from the scheduled 1 percent increase, as mandated in the 2021 legislative session through Chapter 237 (Senate Bill 42), to 2 percentage points in FY23 and 1 percentage point in FY24. The bill does not increase employee contributions, only contributions funded by school districts, charter schools, or other education employers. The Legislature also included \$18 million to fund the employer share of a 6 percent increase in employee health insurance benefits.

***Elementary Physical Education.*** While state statute requires physical education (PE) courses for all students in kindergarten through sixth grade, the PE formula funding factor, created in 2007, has never been fully funded nor fully implemented. Funding was to be phased in over time, and implementation started with funding schools with the highest percentages of students from low-income families, elementary schools serving an entire district, and schools with available space. The schools originally funded, however, remain the only schools receiving PE formula funding. This is due to language typically included in the GAA that directs the secretary of education to limit the number of approved program units for elementary physical education, based on available funds. For FY23, however, the GAA does not include this language, opening up the program to new school districts and charter schools. The GAA includes \$8 million for elementary physical education. Because there is no limiting language, school districts and charter schools can apply for more than the \$8 million available, potentially leading to a small decrease in the unit value.

***Other SEG Appropriations.*** The SEG allocation of the GAA includes \$43 million for instructional materials and educational technology, an increase of \$8 million from FY22. The GAA also includes \$5.6 million for increases to fixed costs—such as maintenance or

Established in 1975, the SEG is a needs-based funding formula designed to equitably distribute state revenue for operations of school districts and charter schools. SEG funding accounts for around 75 percent of a school district or charter school’s operating budget and is discretionary.

Chapter 20 (House Bill 73) creates a new return-to-work program to help school districts and charter schools fill teaching vacancies by allowing educational retirees to return to work after 90 days of retirement; however, the retiree can only provide up to 36 months of service.



## Transportation Funding for Programs Extending Time for Academics and Learning

The 2022 transportation distribution includes \$3.2 million from the general fund for transportation of students to extended learning time programs. If a school district or state-chartered charter school does not transport students to extended learning time programs, the school district's or state-chartered charter school's proportionate share of the transportation distribution for extended learning time programs shall revert to the public education reform fund.

The transportation distribution also includes \$899 thousand from the general fund and \$3 million from the public education reform fund for transportation of students to K-5 Plus programs. If a school district or state-chartered charter school does not transport students to K-5 Plus programs, the school district's or state-chartered charter school's proportionate share of public education reform fund appropriations to the transportation distribution for K-5 Plus programs may be used to transport students to and from extended learning time programs. Any remaining, unused amounts of the appropriations shall revert to the public education reform fund.

During the 2022 legislative session, the Legislature also appropriated \$1.6 million from the public education reform fund to provide transportation funding for K-12 Plus programs.

utility expenses. Additionally, the appropriation to the SEG includes two workload adjustments, a \$15.2 million reduction to the earmark for extended learning time programs and a \$23.9 million credit to account for reduced student enrollment.

### Categorical

The Legislature included \$139.2 million for categorical appropriations from the general fund, an increase of \$17 million, or 13.9 percent from fiscal year 2022. Total state funds for categorical appropriations, which include transportation distributions, federal funds, the Indian education fund, and funding for standards-based assessments, is \$142.2 million, with \$3 million from the public education reform fund to provide transportation for K-5 Plus programs. (Categorical appropriations are found in section 4, subsection K, "Public School Support," of the GAA.)

Much of the increase for categorical programs was directed to the Public Education Department (PED) to implement provisions of the Indian Education Act. Those appropriations will be disbursed through the Indian education fund, which will receive \$15 million in FY23, up from \$5.3 million in FY22.

***Transportation Distribution Calculations.*** The Legislature appropriated \$114.7 million from the general fund for public school transportation, a 7 percent increase from last year.

The transportation distribution includes sufficient funds, \$3.55 million, to provide compensation increases for school transportation personnel, including \$1.65 million for an average 4 percent salary increase. Transportation personnel will also receive a 3 percent salary increase from general fund appropriations allocated in the compensation section of the GAA, allowing staff to receive 3 percent of the overall 7 percent increase after April 1, rather than on July 1, 2022.

To stabilize school district and charter school transportation budgets, the Legislature passed Chapter 9 (House Bill 57), LESC-endorsed legislation that requires PED to provide the same transportation funding to schools in FY23 as it did in FY22 and FY21. This "hold-harmless" measure accounts for Covid-19-induced anomalies in school bus ridership and expenditures and bases FY23 distributions off data collected prior to school closures in FY20 and FY21.

### Public Education Department

The Legislature appropriated \$56.7 million to PED from the general fund: \$19.5 million for department operations, \$1.1 million for regional education cooperatives, and \$36.2 million for special programs, also referred to as "below-the-line" programs because the funding is for education programs but is outside the formula-based SEG. During the interim, PED expressed particular need for staffing, and in response, the Legislature increased operational funds from the general fund by \$4.9 million, or 34 percent from FY22. Resources were provided to the department to improve state oversight to improve compliance with the court's order in the consolidated *Martinez-Yazzie* education sufficiency lawsuit to improve department capacity to support school districts, charter schools, and educators.



General fund appropriations for special programs will increase by \$17.3 million, or 48 percent from FY22. The \$36.2 million allocated from the general fund for special programs includes a new \$10 million appropriation for at-risk interventions for students, with language allowing PED to prioritize awards to schools with large percentages of low-income students. PED will receive an additional \$9 million for special programs from the public education reform fund, including an additional \$5 million for at-risk interventions. The GAA includes \$8 million from the general fund for early literacy and reading support, a \$6.3 million increase from last year's general fund appropriation. This funding is supplemented by \$3.5 million from the public education reform fund. See [“Early Childhood.”](#)

Chapter 53 (Senate Bill 212) appropriates \$5.194 million to the Public Education Department from the public school capital outlay fund to purchase, replace, and equip school buses for school districts statewide. The money can be expended in fiscal years 2022 through 2026.

**Special Appropriations.** Additionally, the Legislature appropriated \$147.3 million in the special appropriations section of the GAA, allowing these funds to be spent in FY22 and FY23. This funding includes \$32.5 million from the general fund: \$500 thousand for legal fees related to the *Martinez-Yazzie* sufficiency lawsuit, \$2 million for tribal li-

**GAA 2022 Special Appropriations to PED**  
(in thousands)

	General Fund	Public Ed Reform Fund	Total
<b>Recurring<sup>1</sup></b>			
Early literacy and reading support	\$8,000.0	\$3,500.0	\$11,500.0
Indigenous, multilingual, multicultural and SPED	\$5,100.0		\$5,100.0
Principals professional development	\$2,500.0		\$2,500.0
Teachers professional development	\$3,000.0		\$3,000.0
Graduation, reality and dual-role skills	\$650.0		\$650.0
National board certification assistance		\$500.0	\$500.0
Advanced placement test assistance	\$1,000.0		\$1,000.0
Student nutrition and wellness	\$2,400.0		\$2,400.0
Science, technology, engineering,	\$3,000.0		\$3,000.0
At-risk interventions for students	\$10,000.0	\$5,000.0	\$15,000.0
Outdoor classroom initiatives	\$500.0		\$500.0
<b>Total</b>			<b>\$45,150.0</b>
<b>Nonrecurring<sup>2</sup></b>			
Salary increase teachers with Native American language and culture certificate		\$1,250.0	\$1,250.0
CTE initiatives and equipment		\$10,000.0	\$10,000.0
Community schools		\$8,000.0	\$8,000.0
Educational technology and IT staff		\$10,000.0	\$10,000.0
Educator evaluation system		\$2,000.0	\$2,000.0
State-support reserve fund (for impact-aid recipients)	\$30,000.0		\$30,000.0
Hispanic Education Act		\$500.0	\$500.0
K-12 Plus and extended learning time planning grants/incentives		\$21,000.0	\$21,000.0
K-12 Plus		\$22,183.8	\$22,183.8
K-12 Plus transportation		\$1,551.0	\$1,551.0
Legal fees related to <i>Martinez/Yazzie</i> lawsuit	\$500.0		\$500.0
Cyber security		\$1,500.0	\$1,500.0
Mobile panic buttons		\$1,000.0	\$1,000.0
Financial reporting system		\$1,000.0	\$1,000.0
Student teacher stipends		\$6,000.0	\$6,000.0
Teacher residency programs and teacher recruitment		\$15,500.0	\$15,500.0
Tribal and rural community-based extended learning programs		\$13,310.3	\$13,310.3
Tribal libraries (through FY24)	\$2,000.0		\$2,000.0
<b>Total</b>			<b>\$147,295.1</b>

Note: Typically appropriations from the public education reform fund are nonrecurring.

<sup>1</sup> These are recurring appropriations from section 4 of the GAA, which includes FY23 appropriations.

<sup>2</sup> These are nonrecurring appropriations from section 5 of the GAA, which includes FY22 and FY23 appropriations.

## Public Education Reform Fund

The public education reform fund was created in 2019 through Chapter 206 (Senate Bill 1) to appropriate funds to PED for the purposes of implementing evidence-based public education initiatives related to high-quality teaching and school leadership, extended learning opportunities for students, educational interventions for at-risk students, effective and efficient school administration, or promoting public education accountability.

The fund is nonreverting (unspent revenue stays in the fund at the end of the fiscal year) and consists of appropriations, unspecified gifts, grants and donations, and income from investment of the fund. In the GAA of 2019, all unexpended appropriations for extended learning programs and associated transportation allocations for fiscal year 2020 reverted to the public education reform fund. The FY20 year-end balance was \$125.5 million.

While PED administers the fund, the department may not allocate money from it without an appropriation by the Legislature. Certain appropriations in the GAA have language specifying that unspent money reverts to the public education reform fund.

libraries, and \$30 million to the state-support reserve fund to make payments to school districts and charter schools that receive impact aid if the U.S. Department of Education concludes New Mexico wrongfully took credit for the aid in its distribution of the SEG. The remaining \$114.8 million in special appropriations is allocated from the public education reform fund for programs, including supplemental educational technology programs with \$10 million ensure students at-risk of low academic performance are provided with educational technology, including internet access and IT staff.

## Other Legislation

Senate Memorial 31 (SM31) requests the Legislative Education Study Committee (LESC) assess the feasibility of establishing a minimum per-diem rate of \$95 for school board members attending authorized board meetings, trainings, and other gatherings.

Senate Memorial 30 (SM30) requests the Legislative Finance Committee (LFC) assess the growth of general and central administrative expenditures in each school district and propose legislative strategies for limiting increases in those expenses.

## Federal Relief Funds

In response to the Covid-19 pandemic, Congress passed three stimulus bills in 2020 and 2021 that provided nearly \$190.5 billion to the newly established elementary and secondary school emergency relief (ESSER) fund.

The Coronavirus, Relief and Economic Security (CARES) Act was passed on March 27, 2020, and provided \$13.5 billion to the ESSER fund.

- New Mexico's CARES allocation was \$108.6 million, of which \$97.7 million went to school districts and charter schools.

The Coronavirus Response and Relief Supplemental Appropriations (CRSSA) Act was passed on December 27, 2020, and provided \$54.3 billion to the ESSER fund.

- New Mexico's CRSSA allocation was \$435.9 million, of which \$392.3 million went to school districts and charter schools.

The American Rescue Plan (ARP) Act was passed on March 11, 2021, and provided \$122.7 billion to the ESSER fund.

- New Mexico's ARP allocation was \$979 million, of which \$881.1 million went to school districts and charter schools.

In total, New Mexico received \$1.5 billion in federal relief funds for schools. Much of this unprecedented relief money could be spent on addressing interrupted learning and student supports. PED created a dashboard at <https://webnew.ped.state.nm.us/bureaus/title-i/esser-funding-report/> to track how districts and state charters are spending their portions of funds.

State funding in the General Appropriation Act of 2022 for the Early Childhood Education and Care Department (ECECD) reflects the department's key initiatives as outlined in its strategic plan: Home Visiting services for new families, prekindergarten, Childcare Assistance subsidies, and pay parity for early childhood professionals. The department, created through the Early Childhood Education and Care Act of 2019, and which provided its first full year of program services in FY21, published its first strategic plan and a four-year finance plan in FY22, outlining its strategy to continually improve quality and expand access to early childhood programs throughout New Mexico.

## Early Childhood Program Funding

During the 2022 legislative session, the Legislature appropriated \$492.1 million to the Early Childhood Education and Care Department through the General Appropriation Act. However, \$5.3 million from the early childhood education and care fund for prekindergarten programs and teacher salaries, contingent on the passage of Senate Bill 118, was not allocated and subsequently vetoed, leaving the department with a final allocation of \$486.8 million.

The final GAA appropriation for early childhood program funding to ECECD, excluding administrative costs, is approximately \$441.1 million, an increase of approximately 18 percent over the previous year's allocation of \$374.6 million. Program funding includes \$43.3 million for Home Visiting, \$110.2 million for prekindergarten, \$214.8 million for Childcare Assistance, and \$10.5 million for professional development and pay parity for early childhood professionals.

Along with increasing ECECD program funding, the Legislature also allocated \$19.5 million for school districts and charter schools to provide structured literacy interventions and develop literacy collaborative models to support students in kindergarten through fifth grade. The Public Education Department (PED) identified the 2021-2022 school year as the "year of literacy" and requested the entirety of this funding be allocated directly to the department to provide educators in grades kindergarten through fifth with Language Essentials for Teachers of Reading and Spelling professional development, which focuses on the science of reading. The GAA allocates \$8 million from the general fund and \$3.5 million from the public education reform fund to PED and allocates the remaining \$8 million from the general fund to districts and charter schools through the SEG funding formula for these purposes.

Since 2020, ECECD has received \$432.3 million in federal relief funding, to be spent by 2024, from the federal Coronavirus Aid, Relief, and Economic Security Act (CARES), Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA), and American Rescue Plan Act (ARP), of which \$197 million is federally earmarked for stabilization grants to childcare providers.

**FY22 and FY23 Early Childhood Program Funding**  
(in millions)

	FY22	FY23	Funding Increase	Percent Change
<b>Early Childhood Education and Care Department</b>				
Child Care Assistance	\$155.1	\$214.8	\$59.7	38.5%
Home Visiting	\$42.9	\$43.3 <sup>2</sup>	\$0.4	0.9%
Early Childhood Professional Development & Pay Parity	\$9.5	\$10.5	\$1.0	10.5%
Family, Infant and Toddlers Program (FIT)	\$60.8	\$60.8	\$0.0	0.0%
Prekindergarten	\$106.3 <sup>1</sup>	\$110.2	\$3.9	4.0%
<b>Public Education Department</b>				
K-5 Plus	\$119.9	\$119.9	\$0.0	0.0%
Early Literacy Initiative	\$9.7	\$19.5	\$9.8	101.0%
<b>Total</b>	<b>\$504.2</b>	<b>\$579.0</b>	<b>\$74.8</b>	<b>14.8%</b>

Source: LFC

Note: Total does not add, due to rounding.

<sup>1</sup> During FY22, \$49.8 million was transferred from ECECD to PED for public prekindergarten programs.

<sup>2</sup> This amount includes \$14.5 million in assumed Medicaid matches.

In addition to appropriations for early childhood programs and early literacy, the Legislature allocated \$271.3 million to fund programs extending time for academics and learning, including K-5 Plus, Extended Learning Time, K-12 Plus, rural and tribal community-based extended learning programs, and planning grants and incentives for K-12 Plus and Extended Learning Time programs. See [“Student Supports.”](#)

### **Other Early Childhood Legislation**

Chapter 30 (Senate Bill 38) attempts to ensure ECECD has full authority to conduct the department’s functions as mandated by the Early Childhood Education and Care Act of 2019 and federal law. Chapter 30 amends statute to reflect ECECD’s inclusion in the Behavioral Health Collaborative and the New Mexico Developmental Disabilities Council, transfers background check and childcare licensing authority to the ECECD, and grants the department authority to convene the Family, Infant, Toddler Interagency Coordinating Council.

Also adopted during the 2022 legislative session, Senate Memorial 1 asks the Department of Workforce Solutions to convene a task force to recommend legislation for paid family and medical leave, Chapter 18 (House Bill 22) requires the Department of Finance and Administration to assess whether departmental language access plans are needed to ensure access to people with limited English skills, and Chapter 51 (House Bill 46) creates the Office of Family Representation and Advocacy (OFRA), an independent office to provide legal representation to children and families in child welfare cases.

### **Supplemental Early Childhood Funding**

***Early Childhood Education and Care Fund.*** In accordance with statute, the early childhood trust fund, created in 2020, received an allocation of \$20 million to support early childhood programs for FY22 and will receive an allocation of \$30 million for FY23.

The early childhood trust fund is expected to have \$4.5 billion by 2026, which would result in an allocation of \$174.9 million to ECECD to provide early childhood programs.

***Permanent Fund Distribution.*** New Mexico voters will be asked during the 2022 general election in November whether to amend Article XII, Section 7, of the New Mexico Constitution to increase annual permanent school fund distributions from the land grant permanent fund by an additional 1.25 percent. Pending congressional approval, the amendment would provide an additional \$126.9 million a year for early childhood education and \$84.6 million a year for public schools to enhance instruction for students at-risk of failure, extend the school year, and compensate public school teachers.

Much of the education legislation considered during the 2022 legislative session centered on addressing the challenges of recruiting and retaining a quality educator workforce, with lawmakers considering, and in some cases adopting, supports for teachers and other school personnel. Research consistently shows teacher quality is the most important in-school factor contributing to a student’s academic performance. Specific to New Mexico, the court in *Martinez* and *Yazzie* lawsuit noted access to a quality teacher directly impacts student achievement and can improve the performance of students from economically disadvantaged backgrounds, Indigenous students, and English learners.

In New Mexico, teacher demand outpaces the number of teacher preparation candidates graduating each year, reflective of a national trend in teacher shortages. In 2021, New Mexico State University reported the state had 1,048 teacher vacancies, but only 979 students completed a teacher preparation program in 2021. New Mexico’s education system is strained due to challenges in recruiting and retaining high-quality teachers, challenges exacerbated by the ongoing Covid-19 pandemic.

Legislation passed during the 2022 legislative session—including compensation increases, expansion of teacher residency programs, increased funding for professional development, and benefit protections—reflects a legislative focus on building the educator workforce.

## Educator Compensation

A substantial body of research demonstrates teachers’ wages affect the quality of those who choose to enter the teaching profession and how long educators stay in the profession. Improving educator salaries and benefits in New Mexico was a primary focus of the 2022 Legislature.

**Minimum Teacher and Principal Salaries**

	Current Law	Chapter 28
<b>Level 1 Teacher</b>	\$40,000	\$50,000
<b>Level 2 Teacher</b>	\$50,000	\$60,000
<b>Level 3 Teacher</b>	\$60,000	\$70,000
<b>Principal</b>		
<b>Elementary Assistant</b>	\$66,000	\$77,000
<b>Middle School Assistant</b>	\$69,000	\$80,500
<b>High School Assistant</b>	\$75,000	\$87,500
<b>Elementary School</b>	\$72,000	\$84,000
<b>Middle School</b>	\$84,000	\$98,000
<b>High School</b>	\$96,000	\$112,000

**Enhanced Minimum Salaries in GAA**

	K-5 Plus	Extended Learning Time
<b>Level 1 Teacher in K-5 Plus</b>	\$56,944	\$52,777
<b>Level 2 Teacher in K-5 Plus</b>	\$68,333	\$63,333
<b>Level 3A Teacher in K-5 Plus</b>	\$79,722	\$73,888

Source: LESC Files

## Educator Pay

[National research](#) finds teachers are more likely to choose to enter the workforce when salaries are competitive. Both starting salaries and the potential for salary growth impact the recruitment and retention of educators.

The Legislature has focused on educator pay since the early 2000s. In the *Martinez* and *Yazzie* lawsuit, the judge found high-quality teachers are critical to student success and that paying teachers a reasonable salary is necessary to attract and retain high-quality teachers.



**Teacher Salary Increases Over Time  
(FY15-FY23)**

	FY15	FY16	FY17	FY19	FY20	Chapter 28
Level 1	\$32,000	\$34,000	\$34,000	\$36,000	\$40,000	\$50,000
Level 2	\$40,000	\$40,000	\$42,000	\$44,000	\$50,000	\$60,000
Level 3-A	\$50,000	\$50,000	\$42,000	\$54,000	\$60,000	\$70,000
Level 3-B	\$50,000	\$50,000	\$42,000	\$54,000	\$60,000	\$70,000

Source: LESC Files

Significant salary increases could result in compaction of school district and charter school salary schedules, with most teachers earning near the minimum salary for their licensure level. To address this potential, the Legislature also appropriated \$10.1 million to provide flexible payroll increases and address any potential compaction issues.

Separate from the minimum salary level increases, the Legislature appropriated \$19.2 million for a 3 percent increase for all public employees and \$101 million for an average 4 percent increase for all school personnel.

**K-5 Plus and Extended Learning Time Programs Participation Salary Increases.** The GAA also includes language to ensure teachers participating in K-5 Plus and Extended Learning Time Programs receive a higher minimum salary. The general fund appropriation to the state equalization guarantee, the pool of money distributed through a funding formula, includes \$64 million to provide an additional average 3 percent salary increase for all public school personnel who work in a K-5 Plus school pursuant to the K-5 Plus Act or an Extended Learning Time Program pursuant to Section 22-8-23.10 NMSA 1978 for the 2022-2023 school year.

If a charter school does not participate or a school district does not have a school that participates in K-5 Plus or Extended Learning Time Program, the school district’s or charter school’s proportionate share of the \$64 million general fund appropriation to the state equalization guarantee for the additional average 3 percent salary increase shall revert to the public education reform fund.

## Educator Recruitment and Retention

Teacher recruitment and retention challenges are a contributing factor to teacher shortages in New Mexico. The Legislature focused on addressing recruitment challenges by expanding the teacher residency program and providing pathways for retired educators to rejoin the teaching profession.

Chapter 40 (House Bill 60) will ensure salary parity for those holding a Native American Language and Culture Certificate and working full time in an instructional capacity. For more information on Chapter 40, see [“Student Supports.”](#)

### Teacher Residency Program Changes

The Legislature appropriated \$15.5 million and adopted statutory changes to expand teacher residency programs in New Mexico. Research from the Learning Policy Institute—a nonprofit research and policy organization—indicates residency models are a promising long-term solution to meeting school district and charter school hiring needs, allowing districts to play a direct role in training their future workforce and filling future vacancies. National research indicates high-quality teacher residencies that offer aspiring teachers financial supports can help address targeted teacher shortage areas, recruit a more diverse pool of teachers, and improve new teacher retention.

Chapter 17 (House Bill 13) makes changes to current statute and is aligned with national research on effective teacher residency programs. Research shows successful teacher residencies are designed to assist in recruiting and retaining high-

quality candidates with diverse backgrounds and experiences. Chapter 17 increases the stipends for residents in the teacher residency program from \$20 thousand per year to no less than \$35 thousand per year; research indicates this will increase the number of candidates interested in pursuing a residency program. Chapter 17 also requires a stipend of no less than \$2,000 per year for mentor teachers and principals of partnering schools. Finally, Chapter 17 requires a minimum stipend of \$50 thousand per year for residency program coordinators at department-approved teacher residency programs.

Under current law, the Teacher Residency Act requires teacher residency program supervisors to visit residency sites three times per month; Chapter 17 amends this requirement to no less than one visit per month. Additionally, under current law, a teacher residency program implements a team mentorship model; Chapter 17 clarifies that teacher residency programs must use a co-teaching approach to expose teaching residents to a variety of teaching methods, philosophies, and classroom environments. Research indicates both teachers and students benefit from co-teaching models.

The Legislature appropriated \$10.2 million to establish a \$15 hourly minimum wage for all public school employees. This represents a 30 percent increase over the current minimum wage.

Under current law, the Teacher Residency Act requires residency candidates to be in an alternative licensure program to complete the program. Chapter 17 allows this criteria to stand while expanding eligibility to include undergraduate students in their final year of a department-approved teacher preparation program. This change is likely to increase program participation and interest in this research-based teacher preparation model. Chapter 17 provides employment for residents after completion of teacher residency program by requiring a three-year minimum commitment in the district or charter school at which they complete their residency.

## Retirees Returning to Work

Chapter 20 (HB73) creates a new return-to-work program under the Educational Retirement Act, supplementing several existing programs that allow retired educational employees to return to an educational employer while still receiving retirement benefits. As designed, public pension funds are intended to replace the income an individual loses when leaving the workforce by providing a steady stream of payments in retirement. As a result, pension plans and regulations from IRS generally prohibit payment from the pension system to an active employee. However, return-to-work programs have

### School Personnel Background Checks

House Bill 193 would have amended the School Personnel Act to clarify the criminal history record check procedure for public school employees. HB193 was heard in committees but was not scheduled for a hearing on the House floor. PED and the Department of Public Safety both noted HB193 proposed statutory changes required to conform to FBI background criminal history check requirements and are needed if PED is to continue using FBI background check processes. PED stated recent correspondence between the department and the FBI indicated current New Mexico statutory provisions do not meet the requirements that authorize the FBI to exchange criminal history records information with officials of state and local government agencies for employment and licensing purposes.

Public school employees, including licensed school personnel, are required to undergo a criminal history background check before they can begin employment. Under current law, any school employee providing instructional support services, teaching, or supervising an instructional program must hold a valid license for their respective functions. The failure to enact HB193 may restrict PED's ability to license candidates for employment in public schools.



been designed to allow retired workers to return to employment to address a shortage of qualified educators without violating IRS prohibitions.

Chapter 20 could lead to an increase in the number of educational retirements by lowering barriers to returning to work, possibly causing educators to retire earlier than they otherwise would, reducing contributions to the fund, increasing payouts from the

fund, and reducing member's pension payments. To address this issue, Chapter 20 includes some protections on extended return-to-work periods by establishing a 36-month limit on the return-to-work program.

Recently, the Legislature has increased employer contributions to the educational retirement fund in an effort to increase revenue and pay down the fund's existing liabilities. For FY23, the Legislature appropriated \$34 million to cover the costs of a 2 percentage point increase in employer contributions to the fund.

Much of the \$423.3 million, or 12.3 percent, overall increase for public schools adopted by the Legislature during the 2022 legislative session is intended for programs and services for students across New Mexico, including community schools, literacy initiatives, career and technical education, at-risk interventions, and informational technology.

Additionally, the Legislature invested resources in expanding academic opportunities in the historically underserved communities identified in the *Martinez-Yazzie* education sufficiency lawsuit. Among the bills considered by the Legislature were those seeking to enhance funding for Native American education, adjust the way in which the Indian education fund distributes money to tribal education departments, expand opportunities for students with at-risk factors, and provide all students with culturally and linguistically appropriate programming and services. Additionally, the Legislature introduced new measures to address interrupted learning due to the Covid-19 pandemic, including \$271.3 million for programs extending time for academics and learning.

In response to the Covid-19 pandemic, New Mexico received \$1.5 billion in federal relief funds for schools.

## GAA Appropriations for Student Supports

The Legislature, through the General Appropriation Act of 2022, approved significant investments in public school supports, including increasing the overall state equalization guarantee distribution (SEG), the funding formula pool of money, by \$388.6 million dollars, or 11.8 percent over the FY22 operating budget. Within the SEG, the Legislature designated \$8 million from the general fund to fully fund elementary physical education as well as \$8 million from the general fund for instructional materials and educational technology.

Recurring PED special appropriations from the general fund include \$8 million for early literacy and reading support, \$5.1 million for indigenous, multilingual, multicultural, and special education initiatives, \$2.5 million for teacher professional development, \$650 thousand for teen parent interventions, \$1 million to help cover the cost of advanced placement tests for high school students, \$2.4 million for student nutrition and wellness, \$3 million for STEAM (science, technology, engineering, arts, and math) initiatives, \$10 million for at-risk interventions, and \$500 thousand for outdoor classroom initiatives.

Nonrecurring PED appropriations from the general fund include \$2 million for tribal libraries; nonrecurring appropriations from the public education reform fund include \$10 million for career and technical education programs and equipment, \$8 million for community school and family engagement initiatives, \$500 thousand for the Hispanic Education Act, \$13.3 million for tribal community-based after-school and summer programs, \$10 million for emergency technology and IT staffing, \$5 million for at-risk interventions, \$3.5 million for early literacy and reading support, and \$4 million to the Higher Education Department for dual-credit programs.

House Memorial 33 requests PED study equity in access and outcomes in gifted programs and assess the feasibility of universal student screenings.

House Memorial 43 requests LESC and PED organize a task force to enhance student learning and welfare using mental wellness spaces in schools.

House Memorial 48 requests PED assess current STEM education-to-career pipelines and propose ways to alleviate the educator shortage in STEM programs.

## Programs and Services for Native American Students

During the 2022 legislative session, several bills sought to enhance programming and services for students identified in the *Martinez-Yazzie* sufficiency lawsuit, primarily those who identify as Native American. Some of these legislative proposals will alleviate inequities in educator compensation while others that did not pass would have required the creation of an online tool that would have centralized access to best practices in bilingual and multicultural education. Other approved proposals were increased investments in the Indian education fund and initiatives in bilingual, multicultural, and special education services.

***Native American Language and Culture Certificate.*** While bilingual and multicultural education programs are essential in providing a culturally and linguistically relevant education for tribes, pueblos, and nations, the shortage of certified teachers has been a primary barrier in sustaining Native American language programs, some of which are now at risk of extinction as the number of speakers continues to decline.

By allowing non-degreed members of tribes, pueblos, and nations to teach language courses in public schools, the Native American Language and Culture Certificate (520 certificate) is intended to preserve tribal languages while alleviating the chronic shortage of certified teachers in those communities.

According to the Public Education Department (PED), 99 educators with a 520 certificate are currently employed in a public school. Historically, these staff members have been paid significantly less than certified teachers, with the average salary for a level 1 and 2 certificate being approximately \$26 thousand and \$38 thousand, respectively.

Chapter 40 (House Bill 60) addresses these inequities in compensation by matching the minimum compensation for those with a certificate working full time as an instructional capacity to that of a level 1 licensed teacher. The approach will be funded through a nonrecurring appropriation of \$1.25 million from the public education reform fund in the GAA.

***Other Investments in Native American Education.*** Despite the enactment of the Indian Education Act in 2003, and the consequent creation of the Indian education fund, academic outcomes among Native American students have continued to trail those of other student groups. These chronic academic challenges resulted in the drafting of the Tribal Remedy Framework, which offers a series of proposals representing tribal priorities on how the state should address the shortcomings identified in the *Martinez-Yazzie* lawsuit.

Some of those proposals include increasing support for tribal departments of education and ensuring their collaboration with school districts, establishing a pipeline for Native American teachers, funding the development of culturally and linguistically relevant early childhood curricula, and supporting tribal libraries' outside-of-school-time community-based programs.

Recognizing the importance of the framework and of improving outcomes for Native American students, the Legislature appropriated approximately \$15 million to the Indian education fund. Almost triple the amount appropriated to the fund in FY22.

Of note, the GAA requires the Public Education Department to devise a formula that distributes Indian education fund appropriations directly to tribal education departments, tribal libraries, Native American language programs, school districts, and charter schools based on operational needs and student enrollment. This provision aligns with the intention of House Bill 87, which did not pass either chamber of the Legislature.

## Programs Extending Time for Academics and Learning

During the 2022 legislative session, the Legislature allocated \$258 million to fund programs extending time for academics and learning, including K-5 Plus, Extended Learning Time, K-12 Plus, funding for planning grants and incentives for K-12 Plus and Extended Learning Time programs, and an additional \$13.3 million appropriation from the public education reform fund for tribal and rural community-based extended learning programs. The Equivalent Instructional Hours Pilot, which provides an additional 140 instructional hours to all elementary students in high-poverty and low-performing schools participating in the program, was allocated \$20 million from the public education reform fund during the 2021 legislative session as a two-year pilot, leaving \$10 million available for FY23.

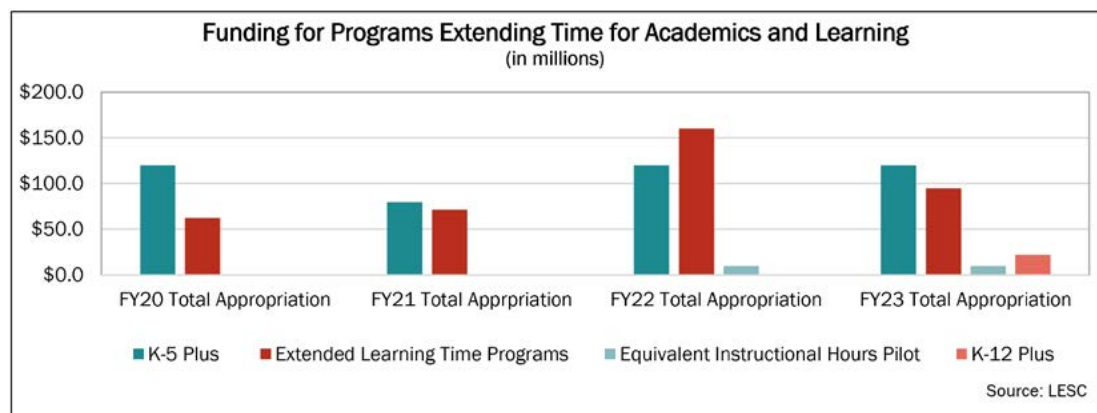
The general fund appropriation to the state equalization guarantee distribution includes \$119 million for K-5 Plus programs pursuant to the K-5 Plus Act. The GAA allows for any unused K-5 Plus funding to be used for Extended Learning Time Programs. Any remaining, unused amounts of the appropriation are to be transferred to the public education reform fund.

Additionally, the state equalization guarantee distribution includes \$95 million from the general fund for in-person Extended Learning Time programs pursuant to Section 22-8-23.10 NMSA 1978. Any amount of the \$95 million general fund appropriation that is not distributed through the Extended Learning Time program factor shall revert to the public education reform fund.

During the 2022 legislative session, the Legislature also appropriated \$22.2 million to pilot K-12 Plus programs, for which the Public Education Department will have to develop programmatic guidance, and an additional \$21 million for K-12 Plus and Extended Learning Time planning grants and incentives. The \$13.3 million allocation for tribal and rural community-based extended learning time programs will be managed by the PED under the K-12 program.

Guiding language in the GAA requires PED to prioritize funding for programs that extend time for academics and learning to districts providing services to Native American students and requires that special appropriation awards be prioritized to school districts or charter schools that implement K-5 Plus or Extended Learning Time programs for all eligible students.

The GAA appropriated \$64 million to provide salary increases to educators participating in K-5 Plus and Extended Learning Time programs. See [“Educator Workforce.”](#) The Legislature also appropriated \$8.7 million to provide transportation funding to districts and charter schools providing K-5 Plus, K-12 Plus, and Extended Learning Time programs. See [“Public School Finance.”](#)



During New Mexico’s 2022 legislative session, the Legislature adopted—and the governor signed—four bills addressing capital outlay issues. The enacted capital outlay bills address topics including charter school facility access, adjustments to capital outlay distributions, and direct legislative capital outlay appropriations and reauthorizations.

## Zuni Lawsuit and History of Capital Outlay

In New Mexico, public school capital outlay funding is both a local and state responsibility. The current standards-based public school capital outlay program was developed and established, in part, as a response to a 1998 lawsuit—the *Zuni* lawsuit—filed in state district court by the *Zuni* public schools and later joined by the Gallup-McKinley County schools (GMCS) and the Grants-Cibola County schools. At the time, a state district court found that through its public school capital outlay funding system, New Mexico was violating the portion of the state constitution that guarantees establishment and maintenance of a “uniform system of free public schools sufficient for the education of, and open to, all children of school age.” The district court ordered the state to establish and implement a uniform funding system for capital improvements and to correct past inequities, setting a deadline of the end of the 2001 legislative session, however the lawsuit remains open to this day.

Although the quality of school facilities has improved significantly since the lawsuit was initially filed, litigant school districts are still concerned the system is inequitable. GMCS alleges ongoing disparities, reopening the *Zuni* lawsuit and seeking judicial intervention to address what the school district characterizes as ongoing disparities in the current public school capital outlay funding system. The *Zuni* lawsuit remains an ongoing consideration in capital outlay issues.

Direct legislative appropriations for capital outlay projects are targeted for specific projects within a school district. Legislators sponsor these projects and, generally, allocations are from the general fund or from the proceeds of the sale of severance tax bonds.

## How is Public School Capital Outlay Funded?

Capital outlay funding is provided through both state and local mechanisms. At the state level, school districts can generate state revenues through two statutory measures: (1) direct legislative appropriations, which provide funding for specific needs; or (2) through the Public School Capital Outlay Act. At the local level, school districts can generate capital outlay revenues from the sale of bonds, direct levies, earnings from investments, rents, sales of real property and equipment, and other miscellaneous sources.

## 2022 Legislative Session Capital Outlay Legislation

### Charter School Facility Access

Chapter 19 (House Bill 43) makes several statutory changes to expand charter schools’ access to facility funding. In previous interims, charter school advocates noted several concerns about facility access, including an overly complicated lease assistance program, lack of access to vacant school district space, and a need for permanent charter school facility funding.



***Creation of Charter School Facility Fund and Access to Facility Funding.*** Chapter 19 creates a charter school facility revolving fund within the New Mexico Finance Authority (NMFA) and authorizes NMFA to make loans to charter schools for the purchase, construction, expansion, or renovation of facilities, or to pay off lease-purchase agreements. The General Appropriation Act (GAA) of 2022 also includes a \$10 million appropriation to fund the charter school facility revolving fund.

In addition to establishing a fund for charter school facilities, Chapter 19 also increases requirements for school districts to meaningfully collaborate with any charter schools—locally or state-chartered—located within the school district to be included in local bond elections pursuant to the Public School Capital Improvements Act, commonly called “SB9” or “the two-mill levy,” and Public School Buildings Act, commonly called “HB33.” By June 1 of any year in which a school board will consider a bonding resolution, the school district must now name a point of contact responsible for charter school requests and collect a list of the capital improvements each charter school wishes to make.

***Charter School Access to Vacant Space.*** Chapter 19 requires school districts to notify all charter schools within their geographic boundaries, regardless of being state- or locally chartered, about school district land available for their use by May 1 of each year, unless the school district has justified future use of the land in its facilities master plan.

***Changes to Lease Assistance Calculations.*** Chapter 19 changes the formula for lease assistance funding to be based on the gross square footage of “facilities” rather than “classroom space,” which is anticipated to simplify the lease assistance calculation for charter schools, allowing better understanding of future lease assistance amounts they may receive. Chapter 19 increases the amount of funding awarded to some charter schools through the charter school lease assistance program. Prior to Chapter 19, lease assistance awards were based on the lesser of two calculations: prior-year student membership (MEM) times a per-MEM rate or actual reimbursement for eligible square footage, calculated as classroom square footage plus administrative square footage plus an additional 20 percent of the square footage. Chapter 19 amends this second calculation to be based on total square footage rather than eligible square footage, simplifying the calculation and making some charter schools eligible for a greater amount of funding. Lease assistance awards are certified by PSCOC and made from the public school capital outlay fund.

## **Adjusting Capital Outlay Distributions**

Chapter 22 (House Bill 119) amends the existing Public School Capital Improvements Act calculation to increase capital outlay funding for all school districts. Chapter 22 maintains the current statutory structure for capital outlay funding in that state funding is based on a program guarantee adjustment depending on the funds school districts generate from a local two-mill levy, but it also adjust the amounts included through the minimum and maximum guarantee adjustment, as well as the types of program units included in the calculation.

Chapter 22 also adds an additional factor to the state funding calculation so all school districts will receive an additional distribution adjusted by their Public School Capital Outlay Act phase two state match percentages. Fiscal estimates from the 2022 legislative session indicate Chapter 22 will increase the state matching fund by up to \$10.9 million annually.

A mill levy allows local jurisdictions to raise money from property taxes. Each “mill” is a tax of one-thousandth of a dollar for each dollar of the taxable value of the property. In New Mexico, a two mill levy would cost a property owner \$2 for each \$1,000 of taxable assessed value.

**Adjusted Calculation.** The calculation in Chapter 22 maintains a program guarantee calculation and a minimum guarantee, similar to the previous formula, but changes the program units and the dollar amounts of each program unit included in the calculation. The new formula will include only final funded units from the prior year from the following factors: early childhood education, basic education, special education, bilingual education, school and district size, enrollment growth, and the at-risk index. The dollar amount for the program guarantee will be increased to \$89.25 per program unit; the dollar amount for the minimum guarantee would be decreased to \$5 per program unit. As with previous law, these dollar amounts will continue to adjust each year per the consumer price index.

Under Chapter 22, school districts will now receive the greater of the following two calculations: (1) the difference between the program guarantee, calculated by multiplying \$89.25 per program unit multiplied by the mill levy rate and the school district’s estimated tax revenue, or (2) the minimum guarantee, which is calculated by multiplying \$5 per program unit multiplied by the mill levy rate. All school districts levying a tax would receive an additional match, calculated by multiplying \$53 per program unit multiplied by the mill levy rate multiplied by the state match percentage calculated pursuant to the phase two formula of the Public School Capital Outlay Act.

## Additional Capital Outlay Funding

### Direct Capital Outlay Appropriations

Chapter 53 (House Bill 212) makes a number of direct appropriations to public schools. See [Appendix M: Public School Capital Outlay Expenditures](#). The bill appropriates a total of \$35.8 million to public school districts, locally chartered charter schools, and state-chartered charter schools for school improvement projects. Of this appropriation, \$22.4 million is to school districts and locally chartered charter schools, \$7.9 million is to state-chartered charter schools, and \$5.5 million is for statewide projects. The statewide projects are appropriated to the Public Education Department (PED) and include \$5.2 million to purchase, replace, and equip school buses, \$200 thousand to provide infrastructure for fueling and charging stations for alternatively fueled buses, and \$132.5 thousand to purchase and install school bus cameras.

**Public School Capital Outlay Offsets for Direct Appropriations.** State statute requires the Public School Capital Outlay Council (PSCOC) to reduce any grant amounts awarded to a school district by a percent of all direct nonoperational legislative appropriations for schools in that district that have been accepted, including educational technology and re-authorizations of previous appropriations, referred to as an offset. The percent reduction is each school district’s local match percent for PSCOC award funding and applies to all allocations after January 2003.

#### Public School Capital Outlay Appropriations to Albuquerque Public Schools (APS)

Project Type	Number of Projects	Amount Funded
APS District School Projects	111	\$8,678,164
APS Locally-Chartered Charter School Projects	19	\$3,895,000
Total to APS Schools <sup>1</sup>	130	\$12,573,164

Source: LESC Analysis of Chapter 53

<sup>1</sup> This total amount includes a \$150,000 appropriation to the Salam Academy, a potential anti-donation clause violation. See [Appendix M](#) for more information.

The Legislature created the offset as part of a number of initiatives taken in 2003 to equalize state funding of public school capital requests. The intent is not to reduce total funds a school district receives but, instead, to recognize the disequalizing impact of direct appropriations.

**Albuquerque Public School Appropriations.** Just over half of the capital outlay appropriations in Chapter 53 are made to schools in Albuquerque Public Schools (APS) and will serve



a number of miscellaneous purposes. Of the \$22.4 million appropriated to public school districts statewide, \$12.5 million, or 55.8 percent, will go to APS schools. The funding for APS schools includes 130 total projects, 19 of which are locally chartered charter school projects. These locally chartered charter school projects account for \$3.9 million of the overall appropriations to APS schools.

## Capital Outlay Reauthorizations

In addition to new appropriations, this year's legislative session also included reauthorizations for capital outlay appropriations from previous legislative sessions. Chapter 52 (House Bill 213) includes capital outlay reauthorizations that change the scope and lengthens the time for expenditure of funds of nine capital outlay appropriations made in previous years. See [Appendix N: Public School Capital Outlay Reauthorizations](#). Of these nine reauthorizations, one project was vetoed by the governor. Among the remaining eight projects, six strictly extend the time for expenditure of previously made appropriations through FY24. Two extend the time for expenditure through FY24 and also expand the purpose of the initial projects: one at El Camino Real Academy at Albuquerque and one at Albuquerque Collegiate Charter School, a state-chartered charter school in Albuquerque.

The governor vetoed a clause in Chapter 52 that would have extended the timeframe to spend a previous appropriation to Gilbert L. Sena Charter School to renovate buildings and grounds and install a science lab.

Chapter 52 also includes four capital outlay reauthorizations that shift former appropriations for the Public Education Department (PED) to different government agencies. These agency-change reauthorizations include three projects in the Las Vegas School District and one project in Rio Rancho Public Schools.



The background is a solid light yellow color. On the left side, there are four vertical teal bars of varying heights. A large, semi-transparent teal circle is positioned in the lower-left quadrant, overlapping the bottom of the vertical bars. On the right side, there are four horizontal teal bars of varying lengths, stacked vertically. In the upper-right area, there is a white rectangular box with a thin teal double-line border. Inside this box, the word 'APPENDIX' is written in a teal, serif, all-caps font.

*APPENDIX*



# Appendix A: Public Education Bills by Bill Number

## Legislation Related to Public Education Introduced in the Second Session of the 55th Legislature of the State of New Mexico

(Organized by Category)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter
<b>School Funding</b>						
<a href="#">HB119</a>	ADJUST CERTAIN SCHOOL DISTRIBUTIONS		(62-0)	(34-0)	Chaptered	Ch. 22
<a href="#">SB1</a>	INCREASING SALARY FOR LICENSED TEACHERS	X	(68-0)	(35-0)	Chaptered	Ch. 28
<a href="#">SB32</a>	OUTDOOR LEARNING PROGRAM FUNDING				SFC	
<a href="#">SB201</a>	SCHOOL REPORTING OF FEDERAL FUNDS				SCC	
<a href="#">SB210</a>	EDUCATION FREEDOM ACCOUNT ACT				SCC	
<a href="#">SB243</a>	FAMILY INCOME INDEX DISTRIBUTIONS USES				House	
<a href="#">HJR11</a>	EXPANDING OPTIONS FOR EDUCATIONAL CHOICE, CA				HEC	
<a href="#">HJR15</a>	EXPANDING OPTIONS FOR EDUCATIONAL CHOICE, CA				HEC	
<a href="#">SJR14</a>	USE OF SCHOOL FUNDS, CA				SRC	
<b>Teaching</b>						
<a href="#">HB13</a>	TEACHER RESIDENCY CHANGES		(64-0)	(36-0)	Chaptered	Ch. 17
<a href="#">HB45</a>	PROGRAM UNITS FOR LICENSED SCHOOL EMPLOYEES	X			HRC	
<a href="#">HB60</a>	NATIVE AMERICAN LANGUAGE CERTIFICATE SALARIES		(63-0)	(34-0)	Chaptered	Ch. 40
<a href="#">HB73</a>	EDUCATIONAL RETIREES RETURNING TO WORK		(62-1)	(41-0)	Chaptered	Ch. 20
<a href="#">HB91</a>	PROHIBIT CRITICAL RACE THEORY TEACHING				HRC	
<a href="#">HB115</a>	SCHOOL STEM PILOT PROGRAM				HEC	
<a href="#">HB130</a>	PERSONAL FINANCE AS A SCHOOL ELECTIVE				HEC	
<a href="#">HB184</a>	SCHOOL MICRO-CREDENTIAL PROJECT				HAFC	
<a href="#">HB185</a>	DEVELOP COMPREHENSIVE EDUCATION PLAN				HEC	
<a href="#">HB206</a>	SECONDARY INSTRUCTORS ACT				HRC	
<a href="#">SB93</a>	COMMUNITY EDUCATORS ACT				SCC	
<a href="#">SB104</a>	TEACHER LICENSURE ALTERNATE PATHWAYS				SCC	
<a href="#">SB165</a>	ENHANCE CERTAIN SUMMER & OUT-OF-SCHOOL PGMS				SFC	
<a href="#">SB172</a>	RETIREEES RETURNING TO WORK				Senate	
<a href="#">SB177</a>	PERSONAL FINANCE CLASS FOR GRADUATION				SCC	
<a href="#">HM25</a>	AGRICULTURE & FOOD IN K-12 CURRICULUM				HEC	
<a href="#">HM48</a>	STEM CAREER PIPELINE STUDY		(65-0)		Passed	
<b>Early Learning</b>						
<a href="#">HB61</a>	TRIBAL AGREEMENTS WITH EARLY CHILD DEPT				HRC	
<a href="#">HB118</a>	EARLY CHILDHOOD DEPT & TRIBAL AGREEMENT				HEC	
<a href="#">SB118</a>	EARLY CHILDHOOD CARE FUND USES				SH PAC	
<b>Equity in Education</b>						
<a href="#">HB87</a>	INDIAN EDUCATION FUND DISTRIBUTIONS				House	
<a href="#">HM32</a>	TEACHING OF MULTICULTURAL HISTORICAL EVENTS				HEC	
<a href="#">SM12</a>	YAZZIE LAWSUIT PLAN & REPORTING				SRC	
<b>Student Supports</b>						
<a href="#">HB165</a>	WEB-BASED NATIVE AMERICAN STUDENT TOOL				House	
<a href="#">HB166</a>	WEB-BASED AT-RISK STUDENT RESOURCE TOOL				House	
<a href="#">HB178</a>	SIGN LANGUAGE AS BILINGUAL LEARNER				HRC	
<a href="#">SB24</a>	RECESS REQUIRED FOR K-3				SCC	
<a href="#">SB58</a>	INCREASE SCHOOL NURSES				SFC	
<a href="#">SB181</a>	PERSONAL FINANCE AS SCHOOL ELECTIVE				SCC	

## Appendix A: Education Bills by Bill Number

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter
44	<a href="#">SB195</a>				SFC	
45	<a href="#">SB209</a>				SFC	
46	<a href="#">SB214</a>				SCC	
47	<a href="#">HM33</a>		(65-0)		Passed	
48	<a href="#">HM43</a>		(65-0)		Passed	
49	<a href="#">SM14</a>				SRC	
50	<b>College and Career Readiness</b>					
51	<a href="#">HB159</a>				HEC	
52	<b>Capital Outlay</b>					
53	<a href="#">HB43</a>		(64-0)	(41-0)	Chaptered	Ch. 19
54	<a href="#">HB57</a>	X	(65-0)	(38-0)	Chaptered	Ch. 9
55	<a href="#">HB122</a>				HAFC	
56	<a href="#">SB67</a>				SFC	
57	<a href="#">SB78</a>				SCC	
58	<b>School Administration and Governance</b>					
59	<a href="#">HB44</a>				HRC	
60	<a href="#">HB59</a>				HAFC	
61	<a href="#">HB74</a>				HRC	
62	<a href="#">HB120</a>				HRC	
63	<a href="#">HB136</a>				HRC	
64	<a href="#">HB154</a>				HRC	
65	<a href="#">HB170</a>				HRC	
66	<a href="#">HB182</a>				HRC	
67	<a href="#">HB193</a>				House	
68	<a href="#">SB7</a>			(26-11)	House	
69	<a href="#">SB36</a>	X	(52-2)	(35-0)	Chaptered	Ch. 29
70	<a href="#">SB38</a>		(69-0)	(29-0)	Chaptered	Ch. 30
71	<a href="#">SB75</a>				SEC	
72	<a href="#">SB105</a>				SCC	
73	<a href="#">SB101</a>	X			SFC	
74	<a href="#">SB110</a>				SFC	
75	<a href="#">SB112</a>				SHPAC	
76	<a href="#">SB125</a>				Senate	
77	<a href="#">SB132</a>				SFC	
78	<a href="#">HJR13</a>				HEC	
79	<a href="#">HJM2</a>				HEC	
80	<a href="#">HM21</a>				House	
81	<a href="#">SM31</a>			(37-0)	Passed	

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

Source: LESG Files

# Appendix B: Public Education Bills by Category

## Legislation Related to Public Education Introduced in the Second Session of the 55th Legislature of the State of New Mexico (Organized by Bill Number)

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter
<b>House Bills</b>						
<a href="#">HB13</a>	TEACHER RESIDENCY CHANGES		(64-0)	(36-0)	Chaptered	Ch. 17
<a href="#">HB43</a>	CHARTER SCHOOL FACILITY IMPROVEMENTS		(64-0)	(41-0)	Chaptered	Ch. 19
<a href="#">HB44</a>	AFFIRMATIVE CONSENT POLICY IN SCHOOLS				HRC	
<a href="#">HB45</a>	PROGRAM UNITS FOR LICENSED SCHOOL EMPLOYEES	X			HRC	
<a href="#">HB57</a>	2023 TRANSPORTATION DISTRIBUTION CALCULATIONS	X	(65-0)	(38-0)	Chaptered	Ch. 9
<a href="#">HB59</a>	SCHOOL GROUP INSURANCE CONTRIBUTIONS				HAFC	
<a href="#">HB60</a>	NATIVE AMERICAN LANGUAGE CERTIFICATE SALARIES		(63-0)	(34-0)	Chaptered	Ch. 40
<a href="#">HB61</a>	TRIBAL AGREEMENTS WITH EARLY CHILD DEPT				HRC	
<a href="#">HB73</a>	EDUCATIONAL RETIREES RETURNING TO WORK		(62-1)	(41-0)	Chaptered	Ch. 20
<a href="#">HB74</a>	RETIREE HEALTH CARE FUND CONTRIBUTIONS				HRC	
<a href="#">HB87</a>	INDIAN EDUCATION FUND DISTRIBUTIONS				House	
<a href="#">HB91</a>	PROHIBIT CRITICAL RACE THEORY TEACHING				HRC	
<a href="#">HB115</a>	SCHOOL STEM PILOT PROGRAM				HEC	
<a href="#">HB118</a>	EARLY CHILDHOOD DEPT & TRIBAL AGREEMENT				HEC	
<a href="#">HB119</a>	ADJUST CERTAIN SCHOOL DISTRIBUTIONS		(62-0)	(34-0)	Chaptered	Ch. 22
<a href="#">HB120</a>	BROADBAND CHANGES & DEFINITIONS				HRC	
<a href="#">HB122</a>	SCHOOL CYBERSECURITY PROGRAM				HAFC	
<a href="#">HB130</a>	PERSONAL FINANCE AS A SCHOOL ELECTIVE				HEC	
<a href="#">HB136</a>	CRIMINAL OFFENDER EMPLOYMENT & SCHOOLS				HRC	
<a href="#">HB154</a>	"QUALIFIED STUDENT" DEFINITION				HRC	
<a href="#">HB159</a>	COLLEGE & CAREER READINESS PROGRAMS				HEC	
<a href="#">HB165</a>	WEB-BASED NATIVE AMERICAN STUDENT TOOL				House	
<a href="#">HB166</a>	WEB-BASED AT-RISK STUDENT RESOURCE TOOL				House	
<a href="#">HB170</a>	PUBLIC EMPLOYEE MINIMUM WAGE				HRC	
<a href="#">HB178</a>	SIGN LANGUAGE AS BILINGUAL LEARNER				HRC	
<a href="#">HB182</a>	SCHOOL DISTRICT REDISTRICTING				HRC	
<a href="#">HB184</a>	SCHOOL MICRO-CREDENTIAL PROJECT				HAFC	
<a href="#">HB185</a>	DEVELOP COMPREHENSIVE EDUCATION PLAN				HEC	
<a href="#">HB193</a>	SCHOOL PERSONNEL BACKGROUND CHECKS				House	
<a href="#">HB206</a>	SECONDARY INSTRUCTORS ACT				HRC	
<b>Senate Bills</b>						
<a href="#">SB1</a>	INCREASING SALARY FOR LICENSED TEACHERS	X	(68-0)	(35-0)	Chaptered	Ch. 28
<a href="#">SB7</a>	STATE EMPLOYEE MINIMUM WAGE			(26-11)	House	
<a href="#">SB24</a>	RECESS REQUIRED FOR K-3				SCC	
<a href="#">SB32</a>	OUTDOOR LEARNING PROGRAM FUNDING				SFC	
<a href="#">SB36</a>	CONTRIBUTIONS TO EDUCATIONAL RETIREMENT FUND	X	(52-2)	(35-0)	Chaptered	Ch. 29
<a href="#">SB38</a>	EARLY CHILDHOOD EDUCATION DEPT AUTHORIZATIONS		(69-0)	(29-0)	Chaptered	Ch. 30
<a href="#">SB58</a>	INCREASE SCHOOL NURSES				SFC	
<a href="#">SB67</a>	EXPAND SCHOOL-BASED HEALTH CLINICS				SFC	



## Appendix B: Public Education Bills by Category

Bill Number	Short Title	LESC Endorsed	House Vote	Senate Vote	Final Location	Chapter	
42	<a href="#">SB75</a>				SEC	42	
43	<a href="#">SB78</a>				SCC	43	
44	<a href="#">SB93</a>				SCC	44	
45	<a href="#">SB101</a>	X			SFC	45	
46	<a href="#">SB104</a>				SCC	46	
47	<a href="#">SB105</a>				SCC	47	
48	<a href="#">SB110</a>				SFC	48	
49	<a href="#">SB112</a>				SHPAC	49	
50	<a href="#">SB118</a>				SHPAC	50	
51	<a href="#">SB125</a>				Senate	51	
52	<a href="#">SB132</a>				SFC	52	
53	<a href="#">SB165</a>				SFC	53	
54	<a href="#">SB172</a>				Senate	54	
55	<a href="#">SB177</a>				SCC	55	
56	<a href="#">SB181</a>				SCC	56	
57	<a href="#">SB195</a>				SFC	57	
58	<a href="#">SB201</a>				SCC	58	
59	<a href="#">SB209</a>				SFC	59	
60	<a href="#">SB210</a>				SCC	60	
61	<a href="#">SB214</a>				SCC	61	
62	<a href="#">SB243</a>				House	62	
63	<b>Joint Resolutions</b>						63
64	<a href="#">HJR11</a>				HEC	64	
65	<a href="#">HJR13</a>				HEC	65	
66	<a href="#">HJR15</a>				HEC	66	
67	<a href="#">SJR14</a>				SRC	67	
68	<b>Memorials and Joint Memorials</b>						68
69	<a href="#">HM21</a>				House	69	
70	<a href="#">HM25</a>				HEC	70	
71	<a href="#">HM32</a>				HEC	71	
72	<a href="#">HM33</a>		(65-0)		Passed	72	
73	<a href="#">HM43</a>		(65-0)		Passed	73	
74	<a href="#">HM48</a>		(65-0)		Passed	74	
75	<a href="#">HJM2</a>				HEC	75	
76	<a href="#">SM12</a>				SRC	76	
77	<a href="#">SM14</a>				SRC	77	
78	<a href="#">SM31</a>			(37-0)	Passed	78	

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

Source: LESG Files

# Appendix C: Reading the General Appropriation Act

## Reading the General Appropriations Act as Related to Education

The final version of the General Appropriations Act (GAA) of 2022 is [here](#).

**General guidelines when reading the GAA** (also noted in Section 3 beginning on [page 2](#)):

- Appropriation amounts are expressed in thousands of dollars, unless otherwise indicated.
- If the appropriation is from the Other State Funds column, continue reading to identify the source.
- Continue reading to identify any reversion provisions.

### Key Sections and Subsections of the GAA

- ◇ **Section 4: FISCAL YEAR 2023 APPROPRIATIONS** (begins on [page 4](#) of the bill)
- ◇ **Section 4, Subsection F**, is titled “Health, Hospitals and Human Services,” and includes appropriations for the Early Childhood Education and Care Department ([page 79](#)).
- ◇ **Section 4, Subsection I**, is titled “Other Education,” (page [127-132](#)) and includes operational appropriations and special appropriations for the Public Education Department (PED), regional education cooperatives, and the Public School Facilities Authority (PSFA).
- ◇ **Section 4, Subsection J**, is titled “Higher Education,” ([page 132-173](#)) and includes the Higher Education Department (HED), as well as each university and community college.
- ◇ **Section 4, Subsection K**, is titled “Public School Support,” ([page 173-183](#)) and includes the state equalization guarantee (SEG) distribution and categorical appropriations. The SEG is a needs-based funding formula designed to equitably distribute state revenue for operations of school districts and charter schools. SEG funding accounts for around 75 percent of a school district or charter school’s operating budget and is discretionary.

**Section 5: SPECIAL APPROPRIATIONS** (begins on [page 183](#) with appropriations to PED on [page 200-203](#))

Amounts in Section 5 are appropriated from the general fund or other funds as indicated for the purposes specified, and unless otherwise indicated, may be expended in fiscal year 2022 and fiscal year 2023.

**Section 6: SUPPLEMENTAL AND DEFICIENCY APPROPRIATIONS** (begins on [page 206](#) of the bill).

Amounts in Section 6 are appropriated from the general fund or other funds as indicated for expenditure in **FY22** for the purposes specified.

**Section 7:** Information Technology Appropriations (begins on [page 209](#)).

**Section 8:** Compensation Appropriations (begins on [page 219](#)).

This includes compensation for public school employees ([page 220](#)).

**Section 10:** Other Special Appropriations (begins on [page 224](#)).

**Section 12:** Additional Fiscal Year 2022 Budget Adjustment Authority (begins on [page 234](#)).

**Section 13:** Certain Fiscal Year 2023 Budget Adjustments Authorized (begins on [page 238](#)).

**Section 14:** Transfer Authority (begins on [page 247](#)).

## Appendix D: Selected Education Related Language

### SELECTED PUBLIC EDUCATION RELATED LANGUAGE FROM THE GENERAL APPROPRIATION ACT OF 2022

~~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 2022-2023 school year and then, on verification of the number of units statewide for fiscal year 2023 but no later than January 31, 2023, the secretary of public education may adjust the program unit value. In setting the preliminary unit value and the final unit value in January, the public education department shall consult with the department of finance and administration, ~~legislative finance committee and legislative education study committee.~~

The general fund appropriation to the state equalization guarantee distribution includes seventy-six million seven hundred sixty-eight thousand two hundred dollars (\$76,768,200) contingent on enactment of Senate Bill 1 or similar legislation in the second session of the fifty-fifth legislature amending the School Personnel Act to increase teacher and administrator minimum salary levels. The secretary of public education shall ensure that during fiscal year 2023 no full-time level one teacher receives a base salary less than fifty thousand dollars (\$50,000), no full-time level two teacher receives a base salary less than sixty thousand dollars (\$60,000), no full-time level three-A teacher receives a base salary less than seventy thousand dollars (\$70,000) and no full-time level three-B school principal or level three-B assistant school principal receives a base salary less than seventy thousand dollars (\$70,000) multiplied by the applicable responsibility factor as defined in Subsection B of Section 22-10A-2 NMSA 1978.

The secretary of public education shall ensure that during fiscal year 2023 no full-time level one teacher in a K-5 plus school receives a salary less than fifty-six thousand nine hundred forty-four dollars (\$56,944), no full-time level two teacher in a K-5 plus school receives a salary less than sixty-eight thousand three hundred thirty-three dollars (\$68,333) and no full-time level three-A teacher in a K-5 plus school receives a salary less than seventy-nine thousand seven hundred twenty-two dollars (\$79,722).

The secretary of public education shall ensure that during fiscal year 2023 no full-time level one teacher in an extended learning time program receives a salary less than fifty-two thousand seven hundred seventy-seven dollars (\$52,777), no full-time level two teacher in an extended learning time program receives a salary less than sixty-three thousand three hundred thirty-three dollars (\$63,333) and no full-time level three-A teacher in an extended learning time program receives a salary less than seventy-three thousand eight hundred eighty-eight dollars (\$73,888).

The general fund appropriation to the state equalization guarantee distribution includes sufficient funding to provide all affected employees an hourly salary of at least fifteen dollars (\$15.00).

The general fund appropriation to the state equalization guarantee distribution includes one hundred one million thirty-six thousand dollars (\$101,036,000) to provide an average four percent salary increase to all public school personnel. The secretary of public education shall not approve the operating budget of a school district or charter school that does not provide an average four percent salary increase for all public school personnel.

The state equalization guarantee distribution includes ten million ninety-two thousand three hundred dollars (\$10,092,300) from the general fund to provide targeted salary increases for hard-to-staff positions that provide instructional support or social services to students.

A school district or charter school shall not pay an increase of more than six percent for group health insurance premium increases that take effect in fiscal year 2023.

## **Appendix D: Selected Education-Related Language from the General Appropriation Act**

The general fund appropriation to the state equalization guarantee distribution includes twenty million seventy-eight thousand five hundred dollars (\$20,078,500) to provide incumbents in positions covered by a pension plan created under the Educational Retirement Act a one percent employer-paid pension contribution increase contingent on enactment of legislation in the second session of the fifty-fifth legislature increasing employer-paid pension contributions.

The state equalization guarantee distribution includes ninety-five million dollars (\$95,000,000) from the general fund for in-person extended learning time programs pursuant to Section 22-8-23.10 NMSA 1978. The secretary of public education shall consider those extended learning time programs eligible for state financial support and the amount of state funding available for extended learning time programs and determine, in consultation with the department of finance and administration, the programs and consequent numbers of students in extended learning time programs that will be used to calculate the number of additional program units for extended learning time programs. Any amount of the ninety-five million dollar (\$95,000,000) general fund appropriation that is not distributed through the extended learning time program factor, calculated by multiplying the final program unit value set for the 2022-2023 school year by the total extended learning time program units and subtracting that product from ninety-five million dollars (\$95,000,000), shall revert to the public education reform fund.

Provided students participate in the academic assessment program pursuant to Section 22-2C-4 NMSA 1978 and with department approval, up to thirty hours of instruction provided to students by a tribal government office that oversees education programs within a federally recognized Indian nation, tribe or pueblo located wholly or partially in New Mexico and has entered into a formal agreement with the school shall be deemed to be time in a school-directed program and is part of the instructional day for those students.

The general fund appropriation to the state equalization guarantee distribution includes sixty-four million twenty-seven thousand five hundred dollars (\$64,027,500) to provide an additional average three percent salary increase for all public school personnel who work in a K-5 plus school pursuant to the K-5 Plus Act or an extended learning time program pursuant to Section 22-8-23.10 NMSA 1978 for the 2022-2023 school year. The secretary of public education shall consider the costs of implementing an average three percent salary increase for all public school personnel who work in a K-5 plus school or extended learning time program and distribute the sixty-four million twenty-seven thousand five hundred dollar (\$64,027,500) appropriation to school districts and charter schools in proportion to each school district's and charter school's share of the total statewide program cost. If a school district or charter school does not have a K-5 plus school or extended learning time program, the school district's or charter school's proportionate share of the sixty-four million twenty-seven thousand five hundred dollar (\$64,027,500) general fund appropriation to the state equalization guarantee distribution for the additional average three percent salary increase shall revert to the public education reform fund.

The general fund appropriation to the state equalization guarantee distribution includes one hundred nineteen million eight hundred ninety-five thousand nine hundred dollars (\$119,895,900) for K-5 plus programs pursuant to the K-5 Plus Act. The secretary of public education shall consider those K-5 plus programs eligible for state financial support and the amount of state funding available for K-5 plus programs and determine, in consultation with the department of finance and administration, the programs and consequent numbers of students in K-5 plus programs that will be used to calculate the number of additional program units for K-5 plus programs. Any amount of the one hundred nineteen million eight hundred ninety-five thousand nine hundred dollar (\$119,895,900) appropriation that is not distributed through the K-5 plus program factor, calculated by multiplying the final program unit value set for the 2022-2023 school year by the total K-5 plus program units and subtracting that product from one hundred nineteen million eight hundred ninety-five thousand nine hundred dollars (\$119,895,900), may be used for extended learning time programs. Any remaining, unused amounts of the appropriation shall be transferred to the public education reform fund.

For fiscal year 2023, 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

## Appendix D: Selected Education-Related Language from the General Appropriation Act

with Disabilities Education Act, the public education department shall reduce the program cost and state equalization guarantee distribution appropriation in an amount sufficient to cover the projected shortfall and distribute that amount to school districts and charter schools in proportion to each school district's and charter school's share of the total statewide program cost to meet the level of support required by Part B of the federal Individuals with Disabilities Education Act for fiscal year 2023. The public education department shall reset the final unit value and recalculate each school district's and charter school's program cost for fiscal year 2023.

The general fund appropriation to the state equalization guarantee distribution includes forty-three million dollars (\$43,000,000) for school districts and charter schools to purchase culturally and linguistically appropriate instructional materials for eligible students, including dual-credit instructional materials and educational technology.

The general fund appropriation to the state equalization guarantee distribution includes twenty-one million dollars (\$21,000,000) for school districts and charter schools to meet requirements of Section 22-10A-9 NMSA 1978, create an educational plan pursuant to Section 22-8-6 NMSA 1978 and provide targeted and ongoing professional development focused on case management, tutoring, data-guided instruction, coaching or other **evidence-based** practices that improve student outcomes.

The general fund appropriation to the state equalization guarantee distribution includes eight million dollars (\$8,000,000) for school districts and charter schools to provide **evidence-based** structured literacy interventions and develop literacy collaborative models that lead to improved reading and writing achievement of students in kindergarten through fifth grade.

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 2022-2023 school year that did not provide a four-day school week during the 2021-2022 school year.

The public education department shall monitor and review the operating budgets of school districts and charter schools to ensure the school district or charter school is prioritizing available funds to those functions most likely to improve student outcomes. If a school district or charter school submits a fiscal year 2023 operating budget that, in the opinion of the secretary of public education, fails to prioritize funds as described in this paragraph, the secretary of public education shall, prior to approving the school district's or charter school's fiscal year 2023 budget, direct the school district or charter school to revise its submitted budget or shall make such revisions as required to meet the requirements of this paragraph.

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 other state funds appropriation to the state equalization guarantee distribution includes balances received by the public education department pursuant to Section 66-5-44 NMSA 1978.

Any unexpended balances in the authorized distributions remaining at the end of fiscal year 2023 from appropriations made from the general fund shall revert to the general fund.

### Transportation Distribution

The transportation distribution includes three million one hundred seventy-five thousand six hundred dollars (\$3,175,600) from the general fund for transportation of students to extended learning time programs. If a school district or state-chartered charter school does not transport students to extended learning time programs, the school district's or state-chartered charter school's proportionate share of the three million one hundred seventy-five thousand six hundred dollar (\$3,175,600) general fund appropriation to the transportation distribution for extended learning time programs shall revert to the public education reform fund.



## **Appendix D: Selected Education-Related Language from the General Appropriation Act**

The transportation distribution includes eight hundred ninety-nine thousand two hundred dollars (\$899,200) from the general fund and three million thirty-four thousand seven hundred dollars (\$3,034,700) from the public education reform fund for transportation of students to K-5 plus programs. If a school district or state-chartered charter school does not transport students to K-5 plus programs, the school district's or state-chartered charter school's proportionate share of the three million nine hundred thirty-three thousand nine hundred dollar (\$3,933,900) general fund and public education reform fund appropriations to the transportation distribution for K-5 plus programs may be used to transport students to and from extended learning time programs. Any remaining, unused amounts of the appropriations shall revert to the public education reform fund.

The general fund appropriation to the transportation distribution includes one million six hundred fifty-two thousand three hundred dollars (\$1,652,300) to provide an average four percent salary increase to all public school transportation personnel. The secretary of public education shall not approve the operating budget of a school district or charter school that does not provide an average four percent salary increase for all public school transportation personnel.

### **Supplemental Distribution**

The secretary of public education shall not distribute any emergency supplemental funds to a school district or charter school that is not in compliance with the Audit Act or that has cash and invested reserves, 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 2023 from appropriations made from the general fund shall revert to the general fund.

### **Standards-Based Assessments**

Any unexpended balances in the standards-based assessments appropriation remaining at the end of fiscal year 2023 from appropriations made from the general fund shall revert to the general fund.

### **Public Education Department Special Appropriations**

The public education department shall prioritize special appropriation awards to school districts or charter schools that implement K-5 plus or extended learning time programs for all eligible students.

The other state funds appropriation to the public education department for early literacy and reading support is from the public education reform fund.

A school district or charter school may submit an application to the public education department for an allocation from the teachers professional development appropriation to support mentorship and professional development for teachers. The public education department shall prioritize awards to school districts or charter schools that budget the portion of the state equalization guarantee distribution attributable to meeting requirements of Section 22-10A-9 NMSA 1978 and providing targeted and ongoing professional development for purposes of new teacher mentorship, case management, tutoring, data-guided instruction, coaching or other **evidence-based** practices that improve student outcomes. The public education department shall not make an award to a school district or charter school that does not submit an approved educational plan pursuant to Section 22-8-6 NMSA 1978 or an approved teacher mentorship program pursuant to Section 22-10A-9 NMSA 1978.

The general fund appropriation to the public education department for student nutrition and wellness shall be used for grants to school districts and charter schools for nutrition and wellness programs, including grants pursuant to Sections 22-13-13.2 and 22-13C-8 NMSA 1978.

The other state funds appropriation to the public education department for national board certification assistance is from the national board certification scholarship fund.

## Appendix D: Selected Education-Related Language from the General Appropriation Act

The general fund appropriation to the public education department for at-risk interventions for students shall be prioritized to schools with the highest family income index pursuant to Section 22-8F-3 NMSA 1978 that provide supplemental, ~~evidence-based~~ services for at-risk students.

The other state funds appropriation to the public education department for at-risk interventions for students is from the public education reform fund.

Any unexpended balances in special appropriations to the public education department remaining at the end of fiscal year 2023 from appropriations made from the general fund shall revert to the general fund.

Any unexpended balances in special appropriations to the public education department remaining at the end of fiscal year 2023 from appropriations made from the public education reform fund shall revert to the public education reform fund.

# Appendix E: Public School Support

## Public School Support and Related Appropriations for FY23

(in thousands of dollars)

School Year 2021-2022 Final Unit Value = \$4,863.00

School Year 2022-2023 Preliminary Unit Value = \$5,450.92.00

	FY22 OpBud	GAA of 2022
<b>SECTION 4, Subsection K: PUBLIC SCHOOL SUPPORT (Recurring, General Fund)</b>		
<b>STATE EQUALIZATION GUARANTEE<sup>1</sup></b>		
Prior Year Program Cost Operational Budget	\$3,069,463.4	\$3,295,448.6
<b>UNIT CHANGES</b>		
Extended Learning Time Program Units (190 Days, After School Programs, and 80 Hours of Professional Development)	\$38,773.9	(\$15,168.0)
K-5 Plus Program Units	\$40,000.0	
Projected Net Program Unit Changes	(\$112,260.3)	(\$23,863.6)
Enrollment Hold Harmless	\$97,396.2	
Elementary P.E. Program Units		\$8,000.0
Enrollment Growth		
<b>UNIT VALUE CHANGES</b>		
Instructional Materials and Educational Technology	\$5,000.0	\$8,000.0
Insurance	\$13,755.4	\$18,000.0
Fixed Costs	\$4,681.5	\$5,638.7
Minimum Wage Increase (January 2021: \$10.50; January 2022: \$11.50; FY23: \$15.00)	\$1,999.6	\$10,164.3
Increase Minimum Teacher Salaries (L1: \$50K; L2: \$60K; L3: \$70K)		\$76,768.2
K-5 Plus and Extended Learning Incentive Pay		\$64,027.5
Flexible Payroll Increases (Targeted Pay Increases for Hard-to-Staff Instructional Support Providers)		\$10,092.3
Compensation Increase for School Personnel (including \$101.04 million for average 4 percent salary increase and \$19.2 million for a 3 percent salary increase from section 8)	\$35,119.0	\$176,813.0
ERB Employer Contribution Increase (FY22: 1%; FY23: 2%)	\$21,858.9	\$40,157.0
Teacher Mentorship Programs		\$10,000.0
Eliminate Funding Formula Credits	(\$16,667.5)	
Offset Loss of Impact Aid Credit	\$35,000.0	
Offset Loss of Forest Reserve and Half Mill Levy Credit	\$16,667.5	
Nonrecurring Education Stimulus Swap	\$44,661.0	
<b>State Equalization Guarantee Subtotal</b>	<b>\$3,295,448.6</b>	<b>\$3,684,078.0</b>
<b>Dollar Change Over Prior Year Appropriation</b>	<b>\$225,842.3</b>	<b>\$388,629.4</b>
<b>Percent Change</b>	<b>7.4%</b>	<b>11.8%</b>
Less Other State Funds (From Driver's License Fees)	(\$7,000.0)	(\$10,366.6)
<b>TOTAL STATE EQUALIZATION GUARANTEE (from General Fund)</b>	<b>\$3,288,448.6</b>	<b>\$3,673,711.4</b>
Dollar Change Over Prior Year Appropriation	\$185,007.3	\$385,262.8
Percent Change	6.1%	11.7%
<b>CATEGORICAL PUBLIC SCHOOL SUPPORT</b>		
<b>Transportation</b>		
Maintenance and Operations	\$83,624.6	\$87,455.9
Fuel	\$11,191.0	\$11,750.6
Rental Fees (Contractor-Owned Buses)	\$8,327.9	\$7,841.6
Transportation for Extended Learning Time Programs	\$2,409.7	\$3,175.6
Transportation for K-5 Plus Programs	\$899.2	\$899.2
Compensation Increase for Transportation	\$603.8	\$3,548.3
<b>Transportation Total</b>	<b>\$107,056.2</b>	<b>\$114,671.2</b>
<b>Supplemental</b>		
Indian Education Fund	\$5,250.0	\$14,988.6
Out-of-State Tuition	\$315.0	\$315.0
Emergency Supplemental	\$3,000.0	\$2,000.0



## Appendix E: Public School Support

### Public School Support and Related Appropriations for FY23

(in thousands of dollars)

School Year 2021-2022 Final Unit Value = \$4,863.00

School Year 2022-2023 Preliminary Unit Value = \$5,450.92.00

	FY22 OpBud	GAA of 2022
Standards-Based Assessments	\$7,236.0	\$7,236.0
<b>TOTAL CATEGORICAL PUBLIC SCHOOL SUPPORT</b>	<b>\$122,857.2</b>	<b>\$139,210.8</b>
<b>TOTAL PUBLIC SCHOOL SUPPORT (SEG &amp; CATEGORICAL)</b>	<b>\$3,411,305.8</b>	<b>\$3,812,922.2</b>
Dollar Change Over Prior Year Appropriation	\$183,084.1	\$401,616.4
Percent Change	5.8%	11.8%
<b>SECTION 4, Subsection I: OTHER EDUCATION (Recurring, General Fund)</b>		
<b>PUBLIC EDUCATION DEPARTMENT</b>	<b>\$14,531.9</b>	<b>\$19,463.4</b>
Dollar Change Over Prior Year Appropriation	\$0.0	\$4,931.5
Percent Change	0.00%	33.9%
<b>REGIONAL EDUCATION COOPERATIVES</b>	<b>\$1,034.0</b>	<b>\$1,100.0</b>
Dollar Change Over Prior Year Appropriation	\$0.00	\$66.0
Percent Change	0.00%	6.4%
<b>PUBLIC EDUCATION DEPARTMENT SPECIAL APPROPRIATIONS</b>		
Early Literacy and Reading Support	\$1,661.0	\$8,000.0
Indigenous, Multilingual, Multicultural and SPED Initiatives	\$5,067.8	\$5,100.0
Principal Professional Development	\$2,491.5	\$2,500.0
Teacher Professional Development Programs	\$2,869.5	\$3,000.0
GRADS – Teen Parent Interventions <sup>2</sup>	\$415.3	\$650.0
National Board Certification Assistance <sup>4</sup>		
Advanced Placement Test Assistance	\$1,000.0	\$1,000.0
Student Nutrition and Wellness	\$2,342.0	\$2,400.0
STEAM Initiative (Science, Technology, Engineering, Arts, and Math)	\$3,025.9	\$3,000.0
At-Risk Interventions		\$10,000.0
Outdoor Classroom Initiative		\$500.0
<b>Total PED Special Appropriations</b>	<b>\$18,873.0</b>	<b>\$36,150.0</b>
Dollar Change Over Prior Year Appropriation	(\$12,327.0)	\$17,277.0
Percent Change	-39.5%	91.5%
<b>Total Public Education, Section 4, Subsection I Other Education</b>	<b>\$34,438.9</b>	<b>\$56,713.4</b>
Dollar Change Over Prior Year Appropriation	\$176,045.0	\$22,274.5
Percent Change	5.5%	64.7%
<b>TOTAL SECTION 4 PUBLIC SCHOOL APPROPRIATIONS</b>	<b>\$3,445,744.7</b>	<b>\$3,869,635.6</b>
Dollar Change Over Prior Year Appropriation	\$233,794.1	\$423,890.9
Percent Change	7.3%	12.3%
<b>SECTION 5 AND 7 APPROPRIATIONS: NONRECURRING</b>		
<b>FROM THE GENERAL FUND</b>		
Sufficiency Lawsuit Fees	\$1,250.0	\$500.0
Tribal Libraries		\$2,000.0
<b>General Fund Subtotal</b>	<b>\$1,250.0</b>	<b>\$2,500.0</b>
<b>FROM THE PUBLIC EDUCATION REFORM FUND</b>		
Career Technical Education Fund (Laws 2019, Ch. 61)	\$3,000.0	
Transfer to Community Schools Fund <sup>3</sup>	(\$10,000.0)	
Family Income Index <sup>4</sup>	\$30,000.0	
Additional Instructional Time Pilot <sup>4</sup>	\$20,000.0	
Black Education Act	\$400.0	
STEAM Initiative (Science, Technology, Engineering, Arts, and Math)	\$500.0	
Commission on Diversity, Equity, and Excellence <sup>5</sup>	(\$500.0)	
Parity for 520 Certificate Holders		\$1,250.0
CTE Programs and Equipment		\$10,000.0
Community School and Family Engagement Initiatives	\$5,000.0	\$8,000.0

## Appendix E: Public School Support

### Public School Support and Related Appropriations for FY23

(in thousands of dollars)

School Year 2021-2022 Final Unit Value = \$4,863.00

School Year 2022-2023 Preliminary Unit Value = \$5,450.92.00

	FY22 OpBud	GAA of 2022
98 Teacher Residency Fund	\$1,000.0	\$15,500.0
99 Stipends for Student Teachers		\$6,000.0
100 Cyber Security and Data Systems Upgrade (HB2: To remediate and respond to cyber threats and ransomware)	\$1,500.0	\$1,500.0
101 Educator Evaluation System	\$1,000.0	\$2,000.0
102 K-12 Plus		\$22,183.8
103 Tribal Community-Based After School and Summer Programs		\$13,310.3
104 K-12 Plus Program Planning Grants and Incentives		\$21,000.0
105 Transportation for K-12 Plus Programs		\$1,551.0
106 Emergency Educational Technology and IT Staffing		\$10,000.0
107 Hispanic Education Act		\$500.0
108 At-Risk Interventions		\$5,000.0
109 School Budget Transparency		\$1,000.0
110 PED IT Systems (Section 5 and Section 7)	\$1,938.4	
111 Early Literacy and Reading Support (Section 4 Other State Funds)		\$3,500.0
112 Transportation for K-5 Plus Programs (Section 4 Other State Funds Appropriation)	\$3,034.7	\$3,034.7
113 Extended Learning Time Program (Section 4 Other State Funds Appropriation)	\$50,052.5	
114 Transportation for Extended Learning Time Programs (Section 4 Other State Funds Appropriation)	\$2,265.9	
115 Dual Credit Programs (To Higher Education Department)		\$4,000.0
116 Endowed Faculty Positions (To Higher Education Department)		\$50,000.0
117 Grow Your Own Teachers Fund (to Higher Education Department)	\$500.0	
118 <b>Public Education Reform Fund Subtotal</b>	<b>\$120,191.5</b>	<b>\$179,329.8</b>
<b>PUBLIC SCHOOL CAPITAL OUTLAY FUND</b>		
120 Charter School Revolving Loan Fund		\$10,000.0
121 School Panic Buttons	\$1,000.0	\$1,000.0
122 <b>Public School Capital Outlay Fund Subtotal</b>	<b>\$1,000.0</b>	<b>\$11,000.0</b>
<b>OTHER APPROPRIATIONS</b>		
124 School Bus Replacement	\$6,894.0	\$5,194.0
125 School Bus Cameras (GF)	\$180.0	\$132.5
<b>TRANSFERS</b>		
127 State-Support Reserve Fund (from GF)	\$15,500.0	\$30,000.0
128 National Board Certification Scholarship Fund <sup>6</sup>	\$5,000.0	
129 Community Schools Fund <sup>3</sup>	<del>\$20,000.0</del>	
130 Teacher Loan Repayment Fund (from PERF)	\$5,000.0	\$5,000.0
131 Teacher Preparation Affordability Scholarship Fund (from PERF)	\$20,000.0	\$20,000.0
132 <b>TOTAL - NONRECURRING APPROPRIATIONS AND TRANSFERS</b>	<b>\$175,015.5</b>	<b>\$253,156.3</b>

Source: LESC Files

<sup>1</sup> Each year, the SEG distribution begins with total SEG operating budget from previous year; this section is additive for the GAA of 2022 (all other sections are total appropriations).

<sup>2</sup> FY22 OpBud includes \$200 thousand in temporary assistance for needy families (TANF) funds.

<sup>3</sup> This item in FY22 OpBud was contingent on legislation vetoed by the governor.

<sup>4</sup> These appropriations includes funds authorized for use in FY23 as well.

<sup>5</sup> This item was contingent on enactment of legislation which did not pass the Legislature.

<sup>6</sup> This item includes \$500 thousand in other state funds from the national board certification scholarship fund.

# Appendix F: Recurring General Fund Appropriations

Recurring General Fund Appropriations<sup>1</sup>  
(in thousands)

Year	PED and Public School Support	Early Childhood Department	Higher Education	Total Education	Total General Fund
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	\$2,735,613.3		\$843,428.2	\$3,579,041.5	\$6,204,334.3
FY17	\$2,682,429.5		\$786,866.8	\$3,469,296.3	\$6,070,229.1
FY18	\$2,695,524.5		\$779,345.1	\$3,474,869.6	\$6,077,955.6
FY19	\$2,801,153.0		\$803,478.4	\$3,604,631.4	\$6,332,267.1
FY20	\$3,252,017.6		\$867,043.6	\$4,119,061.2	\$7,085,292.5
FY21 <sup>2</sup>	\$3,211,908.3	\$193,588.2	\$840,676.4	\$4,246,172.9	\$7,062,924.8
FY22 <sup>3</sup>	\$3,446,297.3	\$191,588.2	\$870,309.6	\$4,508,195.1	\$7,449,687.3
FY23	\$3,869,635.6	\$195,112.6	\$939,050.4	\$5,003,798.6	\$8,486,094.3

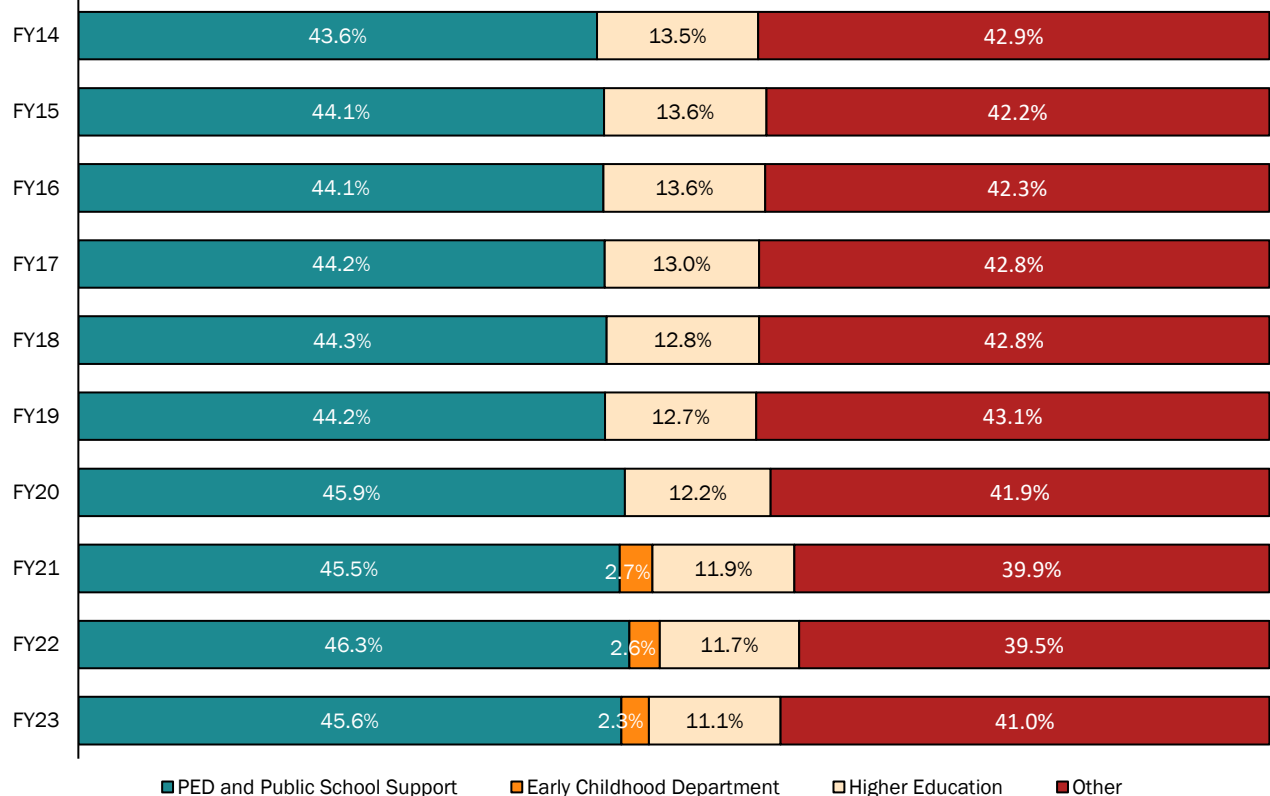
Source: LESC Files

<sup>1</sup>This table includes only recurring general fund appropriations and excludes all other revenue sources, which in some cases supplant recurring general fund appropriations, public school capital outlay fund revenue in FY17 through FY20, or "House Bill 2 Junior" appropriations in FY20.

<sup>2</sup>Beginning in FY21, appropriations for prekindergarten programs in public schools moved from the Public Education Department to the Early Childhood Education and Care Department. As a result, prekindergarten funding is not included in the PED column in FY21 or FY22, but is included in FY20 and earlier years.

<sup>3</sup>For FY22, the PED and Public School Support column includes \$57.4 million from Section 8 of the General Appropriation Act of 2021, which includes an appropriation of \$34 million to the Department of Finance and Administration for an increase to employer contributions to the educational retirement fund. This table assumes public schools' share of the \$34 million appropriation is \$21.7 million.

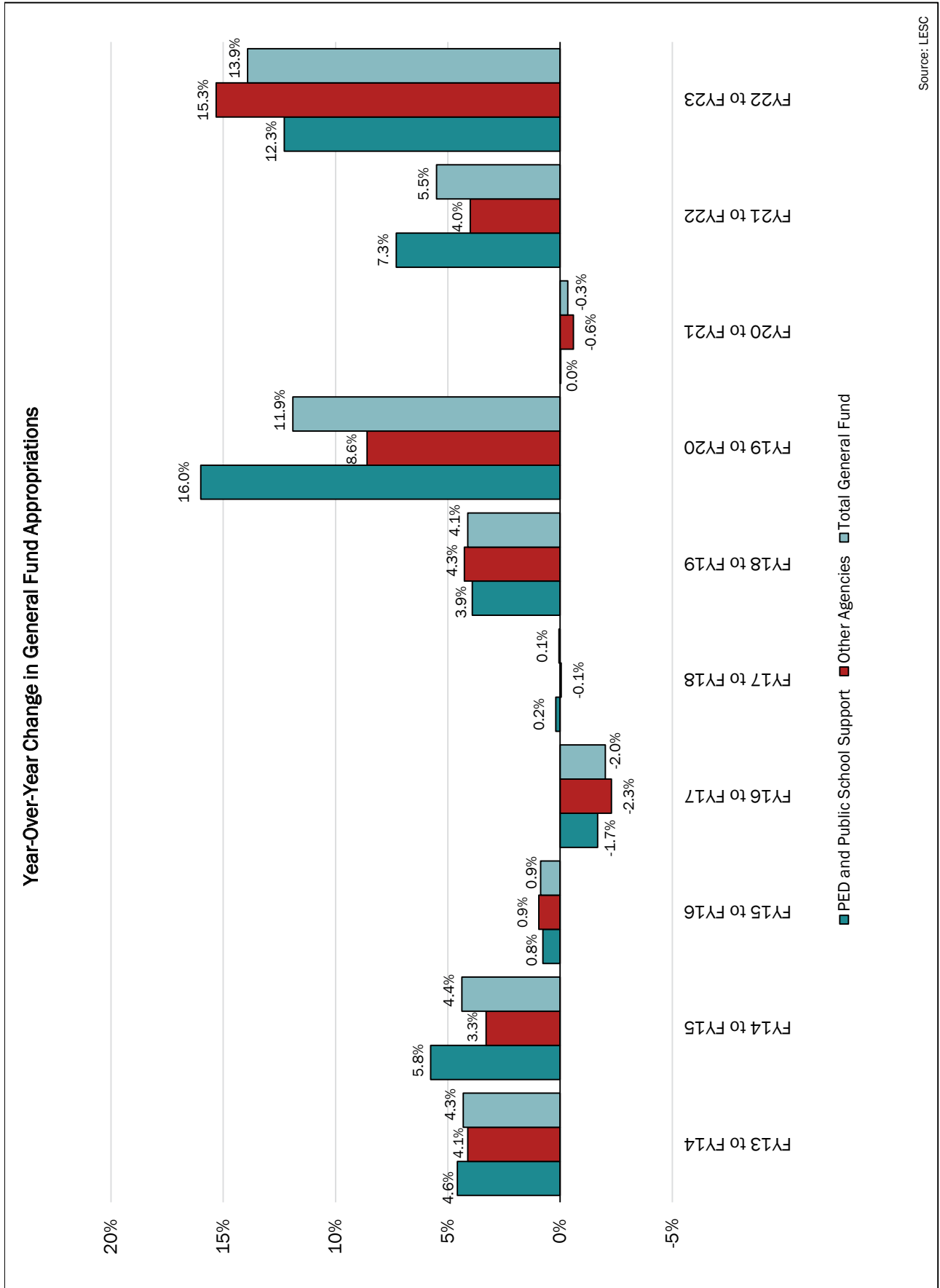
Share of Recurring General Fund Appropriations



Totals may not equal 100 percent due to rounding.

Source: LESC Files

## Appendix F: Recurring General Fund Appropriations



## Appendix F: Recurring General Fund Appropriations

### Recurring General Fund Appropriations for Public Education (in thousands)

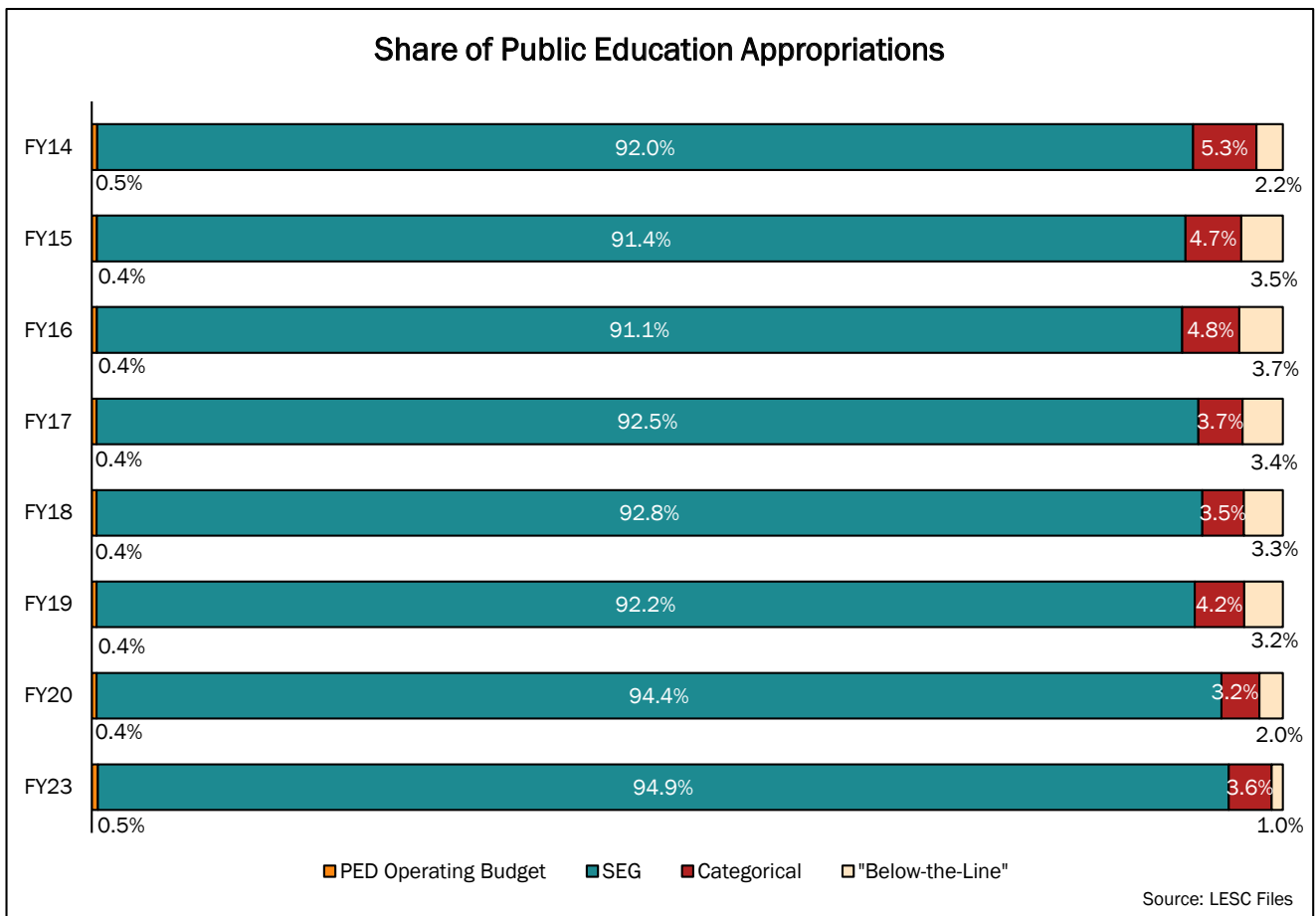
Year	PED Operating Budget	State Equalization Guarantee Distribution <sup>2</sup>	Categorical Appropriations	Special or "Below-the-Line" Programs <sup>2</sup>
FY14	\$11,786.1	\$2,361,895.8	\$136,845.9	\$57,022.3
FY15	\$11,969.2	\$2,481,311.0	\$127,066.6	\$95,122.8
FY16	\$11,879.7	\$2,492,525.8	\$130,790.1	\$100,417.7
FY17 <sup>1</sup>	\$11,065.3	\$2,481,192.4	\$99,040.1	\$91,131.7
FY18 <sup>1</sup>	\$11,065.3	\$2,501,808.7	\$94,465.5	\$88,185.0
FY19 <sup>1</sup>	\$11,246.6	\$2,582,377.6	\$116,628.9	\$90,900.0
FY20 <sup>1</sup>	\$13,246.6	\$3,068,803.4	\$102,928.5	\$64,389.0
FY21 <sup>3</sup>	\$14,322.2	\$3,046,463.4	\$124,176.7	\$26,946.1
FY22	\$14,531.9	\$3,288,448.6	\$122,857.2	\$20,472.6
FY23	\$19,463.4	\$3,673,711.4	\$139,210.8	\$37,250.0

Source: LESC Files

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

<sup>2</sup>The special or "below-the-line" programs column includes K-3 Plus program appropriations in FY12 through FY19. Beginning in FY20, the K-5 Plus program was funded through the state equalization guarantee distribution.

<sup>3</sup>Beginning in FY21, appropriations for prekindergarten are made to the Early Childhood Education and Care Department and are not included in this table.



## Appendix G: Public Education Reform Fund

### Public Education Reform Fund Appropriations

1	<b>Fund Balance June 30, 2020<sup>1</sup></b>	\$125,481,444	1
2	<i>FY21 Expenditures</i>		2
3	<i>Career Technical Education Programs</i>	(\$1,999,999)	3
4	<i>Culturally and Linguistically Appropriate Instructional Materials and Curricula</i>	(\$6,977,264)	4
5	<i>Cybersecurity and Data Systems Upgrades</i>	(\$407,040)	5
6	<i>Early Literacy Summer Professional Development</i>	(\$875,000)	6
7	<i>Educator Evaluation System</i>	(\$843,744)	7
8	<i>National Board Certification Grants</i>	(\$500,000)	8
9	<i>Grow Your Own Teachers Fund</i>	(\$500,000)	9
10	<i>Special Education Convening</i>	(\$416,109)	10
11	<i>Teacher Residencies</i>	(\$673,602)	11
12	<i>Panic Buttons at Public Schools</i>	(\$1,500,000)	12
13	<i>Accountability and Regional Support Systems</i>	(\$913,239)	13
14	<i>PED IT Systems</i>	(\$1,773,822)	14
15	<b>Total FY21 Expenditures</b>	(\$17,379,819)	15
16	Estimated FY21 Year-End Fund Balance Prior to Reversions	\$108,101,625	16
17	Estimated FY21 Year-End Reversion for K-5 Plus <sup>2</sup>	\$64,298,092	17
18	Estimated FY21 Year-End Reversion for Extended Learning <sup>2</sup>	\$4,696,320	18
19	<b>Fund Balance June 30, 2021</b>	\$177,096,037	19
20	<i>FY22 Appropriations</i>		20
21	<i>Career Technical Education Programs</i>	(\$3,000,000)	21
22	<i>Community Schools</i>	(\$5,000,000)	22
23	<i>Family Income Index, FY22</i>	(\$15,000,000)	23
24	<i>Cybersecurity and Data Systems Upgrades</i>	(\$1,500,000)	24
25	<i>Educator Evaluation System</i>	(\$1,000,000)	25
26	<i>Teacher Residencies</i>	(\$1,000,000)	26
27	<i>Extended Learning Time Programs</i>	\$0 <sup>2</sup>	27
28	<i>Additional Instructional Time Pilot, FY22</i>	(\$10,000,000)	28
29	<i>K-5 Plus Transportation</i>	\$0 <sup>2</sup>	29
30	<i>Extended Learning Time Transportation</i>	\$0 <sup>2</sup>	30
31	<i>Black Education Act</i>	(\$400,000)	31
32	<i>PED IT Systems</i>	(\$1,938,400)	32
33	<i>Broadband in Public Schools</i>	(\$25,000,000)	33
34	<i>Tribal Education</i>	(\$9,000,000)	34
35	<i>PED IT Systems (2020 Appopriation, Balance Remaining 6-30-20)</i>	(\$4,203,178)	35
36	<b>Total 2022 Appropriations</b>	(\$77,041,578)	36
37	Estimated FY21 Year-End Fund Balance Prior to Reversions	\$100,054,459	37
38	Estimated FY22 Year-End Reversion for K-5 Plus <sup>3</sup>	\$107,315,936	38
39	Estimated FY22 Year-End Reversion for Extended Learning <sup>2</sup>	\$81,779,292	39
40	<b>Estimated Fund Balance June 30, 2022</b>	\$289,149,687	40
41	<i>FY23 Appropriations and Transfers</i>		41
42	<i>Family Income Index, FY23</i>	(\$15,000,000)	42
43	<i>Additional Instructional Time Pilot, FY23</i>	(\$10,000,000)	43
44	<i>Career Technical Education Programs and Equipment</i>	(\$10,000,000)	44
45	<i>Dual Credit Programs</i>	(\$4,000,000)	45
46	<i>Community Schools and Family Engagement Initiatives</i>	(\$8,000,000)	46
47	<i>Early Literacy and Reading Support</i>	(\$3,500,000)	47



## Appendix G: Public Education Reform Fund

48	<i>Stipends for Student Teachers</i>	<i>(\$6,000,000)</i>	48
49	<i>Cybersecurity and Data Systems Upgrades</i>	<i>(\$15,000,000)</i>	49
50	<i>Educator Evaluation System</i>	<i>(\$2,000,000)</i>	50
51	<i>K-12 Plus</i>	<i>(\$22,183,800)</i>	51
52	<i>K-12 Plus Program Planning Grants and Incentives</i>	<i>(\$21,000,000)</i>	52
53	<i>Transportation for K-12 Plus Programs</i>	<i>(\$1,551,000)</i>	53
54	<i>Teacher Residencies</i>	<i>(\$15,500,000)</i>	54
55	<i>K-5 Plus Transportation</i>	<i>(\$3,034,700)</i>	55
56	<i>Emergency Educational Technology and IT Staffing</i>	<i>(\$10,000,000)</i>	56
57	<i>Hispanic Education Act</i>	<i>(\$500,000)</i>	57
58	<i>At-Risk Interventions</i>	<i>(\$5,000,000)</i>	58
59	<i>School Budget Transparency Website</i>	<i>(\$1,000,000)</i>	59
60	<i>Parity for 520 Certificate Holders</i>	<i>(\$1,250,000)</i>	60
61	<i>Endowed Faculty Positions</i>	<i>(\$50,000,000)</i>	61
62	<i>Teacher Training and Professional Development Program<sup>4</sup></i>	<i>(\$4,000,000)</i>	62
63	<i>Tribal Community-Based After School and Summer Programs</i>	<i>(\$13,310,300)</i>	63
64	<i>Teacher Loan Repayment Fund</i>	<i>(\$5,000,000)</i>	64
65	<i>Teacher Preparation Affordability Scholarship Fund</i>	<i>(\$20,000,000)</i>	65
66	<b>Total 2022 Appropriations</b>	<b>(\$246,829,800)</b>	66
67	<b>Estimated Fund Balance June 30, 2023</b>	<b>\$42,319,887</b>	67

Source: LESC Files

<sup>1</sup>FY20 reversions were \$101.5 million from K-5 Plus and \$24.3 million from Extended Learning Time Programs, including amounts appropriated for transportation for these programs.

<sup>2</sup>Although the Legislature appropriated \$50.1 million for extended learning time programs, \$2.3 million for K-5 Plus transportation, and \$3 million for extended learning time program transportation due to undersubscription of these programs it is unlikely any of this funding will be used in FY22.

<sup>3</sup>Estimated FY21 reversions for K-5 Plus and Extended Learning Time Programs include amounts appropriated for transportation for these programs.

<sup>4</sup>\$1 million appropriations to NMHU, WNMU, ENMU and SJC.

Note: The public education reform fund was created through Chapter 206 (SB1) during the 2019 session to appropriate funds to PED for the purposes of implementing evidence-based public education initiatives related to high-quality teaching and school leadership, extended learning opportunities for students, educational interventions for at-risk students, effective and efficient school administration or promoting public education accountability.

# Appendix H: Programs Extending Time for Academics and Learning

## Programs Extending Time for Academics and Learning FY23 Appropriations (in thousands)

1	Category	Amount	Fund <sup>2</sup>	GAA Page	1
2	<b>Programs</b>				2
3	Extended Learning Time Programs	\$95,000.0	GF	175	3
4	K-5 Plus	\$119,895.9	GF	177	4
5	K-12 Plus	\$22,183.8	PERF	201	5
6	K-12 Plus & ELTP Planning Grants	\$21,000.0	PERF	201	6
7	Tribal and Rural Community-Based Extended Learning Programs	\$13,310.30	PERF	203	7
8	<b>Program Total</b>	<b>\$271,390.0<sup>1</sup></b>			8
9	<b>Transportation</b>				9
10	Transportation for ELTP	\$3,175.6	GF	181	10
11	Transportation for K-5 Plus	\$899.2	GF	181	11
12	Transportation for K-5 Plus	\$3,034.7	PERF	181	12
13	Transportation for K-12 Plus	\$1,551.0	PERF	201	13
14	<b>Transportation Total</b>	<b>\$8,660.5</b>			14
15	<b>Salary Increase</b>				15
16	K-5 Plus & ELTP 3% Average Salary Increase	\$64,027.5	GF	176	16
17	<b>Salary Increase Total</b>	<b>\$64,027.5</b>			17
18	<b>Total Funding</b>	<b>\$344,078.0</b>			18

Source: LESC

<sup>1</sup> Total does not include \$10 million for Equivalent Instructional Hours Pilot from FY22 two-year planning grant.

<sup>2</sup> Funding for programs that extend time for academics and learning is allocated from the general fund (GF) and public education reform fund (PERF).

## Appendix I: Unit Value History

Fiscal Year	Preliminary Unit Value	Final Unit Value	Change From Preliminary Unit Value to Final Unit Value		Change From Prior Year Final Unit Value	
			Dollars	Percent	Dollars	Percent
1975		\$616.50				
1976		\$703.00			\$86.50	14.0%
1977		\$800.00			\$97.00	13.8%
1978		\$905.00			\$105.00	13.1%
1979		\$1,020.00			\$115.00	12.7%
1980		\$1,145.00			\$125.00	12.3%
1981		\$1,250.00			\$105.00	9.2%
1982		\$1,405.00			\$155.00	12.4%
1983 <sup>1</sup>	\$1,540.00	\$1,511.33	(\$28.67)	-1.9%	\$106.33	7.6%
1984		\$1,486.00			(\$25.33)	-1.7%
1985		\$1,583.50			\$97.50	6.6%
1986 <sup>2</sup>	\$1,608.00	\$1,618.87	\$10.87	0.7%	\$35.37	2.2%
1987		\$1,612.51			(\$6.36)	-0.4%
1988		\$1,689.00			\$76.49	4.7%
1989		\$1,737.78			\$48.78	2.9%
1990		\$1,811.51			\$73.73	4.2%
1991		\$1,883.74			\$72.23	4.0%
1992		\$1,866.00			(\$17.74)	-0.9%
1993	\$1,851.73	\$1,867.96	\$16.23	0.9%	\$1.96	0.1%
1994	\$1,927.27	\$1,935.99	\$8.72	0.5%	\$68.03	3.6%
1995	\$2,015.70	\$2,029.00	\$13.30	0.7%	\$93.01	4.8%
1996	\$2,113.00	\$2,113.00	\$0.00	0.0%	\$84.00	4.1%
1997	\$2,125.83	\$2,149.11	\$23.28	1.1%	\$36.11	1.7%
1998	\$2,175.00	\$2,175.00	\$0.00	0.0%	\$25.89	1.2%
1999	\$2,322.00	\$2,344.09	\$22.09	1.0%	\$169.09	7.8%
2000 <sup>3</sup>	\$2,460.00	\$2,460.00	\$0.00	0.0%	\$115.91	4.9%
2001	\$2,632.32	\$2,647.56	\$15.24	0.6%	\$187.56	7.6%
2002	\$2,868.72	\$2,871.01	\$2.29	0.1%	\$223.45	8.4%
2003	\$2,896.01	\$2,889.89	(\$6.12)	-0.2%	\$18.88	0.7%
2004	\$2,977.23	\$2,976.20	(\$1.03)	0.0%	\$86.31	3.0%
2005	\$3,035.15	\$3,068.70	\$33.55	1.1%	\$92.50	3.1%
2006	\$3,165.02	\$3,198.01	\$32.99	1.0%	\$129.31	4.2%
2007 <sup>4</sup>	\$3,444.35	\$3,446.44	\$2.09	0.1%	\$248.43	7.8%
2008	\$3,645.77	\$3,674.26	\$28.49	0.8%	\$227.82	6.6%
2009 <sup>5</sup>	\$3,892.47	\$3,871.79	(\$20.68)	-0.5%	\$197.53	5.4%
2010 <sup>6</sup>	\$3,862.79	\$3,792.65	(\$70.14)	-1.8%	(\$79.14)	-2.0%
2011 <sup>7</sup>	\$3,712.45	\$3,712.17	(\$0.28)	0.0%	(\$80.48)	-2.1%
2012	\$3,585.97	\$3,598.87	\$12.90	0.4%	(\$113.30)	-3.1%
2013	\$3,668.18	\$3,673.54	\$5.36	0.1%	\$74.67	2.1%
2014	\$3,817.55	\$3,817.55	\$0.00	0.0%	\$144.01	3.9%
2015	\$4,005.75	\$4,007.75	\$2.00	0.0%	\$190.20	5.0%

## Appendix I: Unit Value History

Fiscal Year	Preliminary Unit Value	Final Unit Value	Change From Preliminary Unit Value to Final Unit Value		Change From Prior Year Final Unit Value	
			Dollars	Percent	Dollars	Percent
42 2016	\$4,027.75	\$4,037.75	\$10.00	0.2%	\$30.00	0.7%
43 2017 <sup>8</sup>	\$4,040.24	\$3,979.63	(\$60.61)	-1.5%	(\$58.12)	-1.4%
44 2018 <sup>9</sup>	\$4,053.55	\$4,115.60	\$62.05	1.5%	\$135.97	3.4%
45 2019	\$4,159.23	\$4,190.85	\$31.62	0.8%	\$75.25	1.8%
46 2020	\$4,565.41	\$4,602.27	\$36.86	0.8%	\$411.42	9.8%
47 2021	\$4,531.74	\$4,536.75	\$5.01	0.1%	(\$65.52)	-1.4%
48 2022	\$4,770.70	\$4,863.00	\$92.30	1.9%	\$233.95	5.2%
49 2023	\$5,450.92					

Source: LESC Files

Note: This chart begins in 1975, the first year the state equalization guarantee (SEG) went into effect. The unit value is the amount school districts and charter schools receive for each program unit that is allocated by the funding formula based on student enrollment, student need, and other factors. To determine the value of each program unit, the Public Education Department (PED) divides the total SEG appropriation by a forecast of statewide total number of program units. In 1993, PED began utilizing a preliminary unit value to adjust for fluctuations in federal funding and student counts throughout the year: Every April, PED announces a preliminary unit value (typically using conservative estimates so as to minimize risks of budget cuts halfway through the school year) that school districts and charter schools use to determine their budgets for the upcoming fiscal year. In January, the final unit value is set by PED (typically resulting in a budget increase for school districts and charter schools halfway through the school year).

[For more information on New Mexico public school funding, refer to LESC funding primers](#)

<sup>1</sup>Two percent general fund appropriation reduction.

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

<sup>3</sup>Basis for funding changes to use prior-year average membership of the 40th, 80th, and 120th school days.

<sup>4</sup>Basis for funding changes to use prior-year average membership of the 80th and 120th school days.

<sup>5</sup>Decrease in final value due to solvency measures.

<sup>6</sup>Preliminary unit value includes \$256.39 in federal *American Recovery and Reinvestment Act of 2009*(ARRA) funding; final value includes \$334.59 in ARRA funding.

<sup>7</sup>Preliminary unit value includes \$37.70 in ARRA funding; final unit value includes \$37.85 in ARRA funding and \$101.98 in federal education jobs funding.

<sup>8</sup>Final unit value set 1.5 percent lower than preliminary value (Laws 2016, 2nd S.S., Chapter 6).

<sup>9</sup>Final unit value includes June distributions to meet federal special education maintenance of effort requirements and to reduce reversions to the general fund.

# Appendix J: Legislative Changes to the Funding Formula

## Legislative Changes to the Public School Funding Formula, 1974-2022

Enacted by the New Mexico Legislature in 1974, the public school funding formula is designed to distribute operational funds to local school districts in an objective manner based upon the educational needs of individual students and the costs of the programs designed to meet those needs. To determine the amount each school district and charter school needs to operate, the funding formula generates “program units” based on the unique circumstances of the school district or charter school. Although primarily based on student enrollment, these program units are weighted for school size, teacher qualifications, the special needs of students, and other factors. The number of program units for each school district and charter school is then multiplied times a unit value set by the secretary of public education, based on the total statewide appropriation to the state equalization guarantee.

Program cost differentials in the original formula were based upon nationwide data regarding the relative costs of various school programs, as well as experience in New Mexico. The objectives of the formula were (1) to equalize educational opportunity statewide by crediting certain local and federal revenues and then distributing state funds in an objective manner and (2) to retain local autonomy in actual use of funds by making the distribution noncategorical, allowing school districts to address needs specific to the local school population.

The funding formula consists of 17 components:

1. Early Childhood Education Program Units	(22-8-19 NMSA 1978)	10. Fine Arts Education Program Units	(22-8-23.5 NMSA 1978)
2. Basic Program Units	(22-8-20 NMSA 1978)	11. Charter School Activities Program Units	(22-8-23.6 NMSA 1978)
3. Special Education Program Units	(22-8-21 NMSA 1978)	12. Elementary Physical Ed. Program Units	(22-8-23.7 NMSA 1978)
4. Bilingual Multicultural Program Units	(22-8-22 NMSA 1978)	13. Home School Activities Program Units	(22-8-23.8 NMSA 1978)
5. Size Adjustment Program Units	(22-8-23 NMSA 1978)	14. Home School Student Program Units	(22-8-23.9 NMSA 1978)
6. Enrollment Growth Program Units	(22-8-23.1 NMSA 1978)	15. Extended Learning Time Program Units	(22-8-23.10 NMSA 1978)
7. New District Adjustment	(22-8-23.2 NMSA 1978)	16. K-5 Plus Program Units	(22-8-23.11 NMSA 1978)
8. At-Risk Program Units	(22-8-23.3 NMSA 1978)	17. Staffing Cost Multiplier	(22-8-24 NMSA 1978 and 22-8-49 NMSA 1978)
9. National Board Certification Program Units	(22-8-23.4 NMSA 1978)		

Since 1974, the statutory sections setting out the public school funding formula have been amended or added to more than 50 times. These changes for each funding formula component are outlined below.

### 1. Early Childhood Education Program Units (22-8-19 NMSA 1978)

- 1976 The law increased the kindergarten cost differential from 1.1 to 1.3 program units per FTE student and limited each student to 0.5 FTE.
- 1990 The law increased the kindergarten cost differential from 1.3 to 1.44 units per FTE student.
- 1997 The law amended statute to included three- and four-year-old developmentally disabled students in the calculation of early childhood FTE.
- 2000 The law phased in voluntary full-day kindergarten over five years, with students in full-day programs counted as 1 FTE and students in half-day kindergarten or three- and four-year-old developmentally disabled students counted as 0.5 FTE.

### 2. Basic Program Units (22-8-20 NMSA 1978)

- 1976 The law increased the cost differential for seventh through ninth grade students from 1.2 to 1.25, decreased the cost differential for 10th through 12th grade students from 1.4 to 1.25, and eliminated a funding formula factor for vocational education, resulting in a single cost differential of 1.25 for seventh through 12th grade, which includes support for vocational education.
- 1991 The law increased the cost differential for first grade from 1.1 to 1.26 for FY92 to provide funding for the partial implementation of the first grade class size reduction provisions of the Public School Reform Act. The law increased the first grade cost differential to 1.42 for FY93.

## Appendix J: Legislative Changes to Funding Formula

- 1993 The law decreased the cost differential factor for first grade from 1.42 to 1.26, with the change retroactive to FY93. This law was signed in January 1993.
- 1993 Legislation signed in April 1993 (1) decreased the cost differential for first grade from 1.26 to 1.2; (2) increased the cost differential for 2nd and 3rd grade from 1.1 to 1.18; and (3) increased the cost differential for fourth through sixth grade from 1.0 to 1.045. The April 1993 changes were part of legislation enacted to establish average class loads for elementary school teachers at individual schools. Average class loads were not to exceed an average of 22 students in first grade, second grade, and third grade, starting in FY94 and not to exceed 24 students in fourth grade, fifth grade, and sixth grade, starting in FY95. The law also provided for full-time instructional assistants in first grade classes with 21 or more students and required special education students that were integrated into a regular education classroom for part of the day be counted in calculating class average sizes.

### 3. Special Education Program Units (22-8-21 NMSA 1978)

- 1976 The law decreased the cost differential for D-level special education students from 3.8 to 3.5.
- 1976 The law amended statute to provide two support options for A- and B- level special education programs: (a) 0.12 units for each basic program unit generated in first through third grade or (b) 20 program units per program.
- 1977 The law restricted special education support to students ages 5 to 21.
- 1980 The law eliminated the option of funding A- and B-level special education programs based upon first through third grade enrollment.
- 1980 The law implemented an administrative procedure to fund ancillary services at 20 program units per FTE.
- 1984 The law changed the funding basis for special education to the higher of the 40th- or 80th-day enrollment. Other programs were funded based on 40th-day enrollment.
- 1985 The law established programs for three- and four-year-old developmentally disabled children, with a two-year phase-in.
- 1987 The law established formula funding for three- and four-year-old developmentally disabled children at a cost differential of 3.5 units per student, inclusive of all ancillary services.
- 1990 The law changed the calculation of special education membership from the higher of 40th- or 80<sup>th</sup>-day membership to membership on December 1 of the school year.
- 1992 The law removed references to “a special classroom” when defining special education.
- 1994 The law amended sections of the Public School Code to provide for a change in the determination of eligibility for gifted services.
- 1997 The law amended special education factors to count all students at grade level and three- and four-year-old developmentally disabled students at kindergarten membership; to fund D-level and three- and four-year-old developmentally disabled students at two units in addition to the regular grade level weights; to fund C-level students at one unit in addition to the regular grade level weights; and to fund A- and B-level students at 0.7 units, in addition to regular grade level weights.



## Appendix J: Legislative Changes to Funding Formula

1997 The law provided additional program units for special education ancillary services, including diagnosticians, at 25 program units per FTE.

### 4. Bilingual Multicultural Education Program Units (22-8-22 NMSA 1978)

1976 The law changed bilingual multicultural education cost differential from 0.5 to 0.3.

1987 An amendment to the Bilingual Multicultural Education Act (Section 22-23-1 NMSA 1978 *et. seq.*) expanded eligibility for bilingual multicultural education programs to include students in seventh through 12th grade, phased in over three years beginning in FY89.

1990 The law authorized increases in the bilingual multicultural education cost differential from 0.3 units per FTE student to 0.35 units in FY91, 0.4 units in FY92, 0.45 units in FY93, and 0.5 units in FY94.

1992 The law changed the phase-in of the cost differential increase for bilingual multicultural education program units. Under the 1990 law, the cost differential in FY93 was set at 0.45. The 1992 law set the cost differential for FY93 at 0.425.

1993 The law changed the phase-in of the cost differential increase for bilingual multicultural education program units. Under the 1990 law, the cost differential for FY94 and subsequent fiscal years was set at 0.5. The 1993 law set the cost differential for FY94 at 0.45 and the cost differential for FY95 and subsequent fiscal years at 0.5.

### 5. Size Adjustment Program Units (22-8-23 NMSA 1978)

1976 The law added the rural isolation factor, sometimes called “sparsity,” to the funding formula for school districts with more than 10,000 students and with less than 4,000 students for each senior high school that does not generate small school funding. The only school district to qualify based on these criteria was Gallup-McKinley County Schools.

1977 The law prohibited generation of small school units for separate schools for kindergarten, vocational, or alternative education.

1979 The law increased the multiplier used to calculate the rural isolation factor from 0.2 to 0.5.

1981 The law expanded the eligibility for small school funding for senior high schools from those with under 200 students to those with under 400 students. The law set up two formulas for calculating small school program units for senior high schools and provided that the school district would receive the greater of the two calculations.

1989 The law enacted two new urban factors, sometimes called “density,” in the funding formula to provide additional program units to school districts with enrollments (a) in excess of 10,000 students but fewer than 35,000 students; and (b) of 35,000 students or more.

1991 The law added a third urban factor to the formula dealing with school districts with membership of more than 10,000 students and less than 15,000 students and readjusted the formulas for districts with membership of (a) more than 15,000 students but fewer than 35,000 students; and (b) more than 35,000 students.

1993 The law amended statute to allow early childhood centers to generate size adjustment program units for kindergarten students.

1997 The law repealed “density” factor units added in 1989 and 1991 and replaced them with at-risk program units.

## Appendix J: Legislative Changes to Funding Formula

- 2014 The law provided additional program units for school districts with less than 200 students, sometimes called “micro districts.”
- 2019 The law phased-out over five years small school program units for school districts with more than 2,000 students and provided that charter schools in school districts with fewer than 2,000 students could generate small school program units. The law added the rural population factor, phased in over five years, for school district with at least 40 percent of their population located in rural areas, as defined by the U.S. Census Bureau. Charter schools located within a school district with a rural population of at least 40 percent would also generate units for rural population.

### 6. Enrollment Growth Program Units (22-8-23.1 NMSA 1978)

- 1990 The law added the enrollment growth factor to the funding formula, phased in over two years, for school districts where current year funded membership is at least 1 percent higher than the prior year funded membership. For FY91, each new student was funded at 0.25 program units and for FY92 and subsequent fiscal years new students were funded at 0.5 program units.
- 1999 Language included in the General Appropriation Act increased the enrollment growth factor from 0.5 to one for FY00 and provided that new formula-based programs use current year rather than prior year enrollment. This change did not remain in effect beyond FY00.
- 2003 The law changed the way enrollment growth units were calculated. For school districts where the 40th-day membership in the current year is at least 1 percent higher than the 40th-day membership in the prior year, each new student was funded at 0.5 program units and new students above the 1 percent threshold were funded at 1.5 program units. The law excluded full-day kindergarten membership for the first year that full-day kindergarten is implemented in a school.
- 2006 The law allowed charter schools with a growth rate of greater than 1 percent to generate enrollment growth program units, effective in FY08. Prior to FY08, charter school growth was considered within the school district’s enrollment growth calculation.
- 2010 The law replaced the term “40th day” with “first reporting date.” Although the Public School Finance Act has replaced the term “40th day,” it is still used by some to mean the first reporting date.

### 7. New District Adjustment Program Units (22-8-23.2 NMSA 1978)

- 1993 The law amended the Public School Finance Act to provide additional program units to a newly created school district and to provide additional program units to any school district that experiences a decline in membership as a result of the creation of a new school district. The law provides that the newly created school district receive an additional 0.147 program units for each student and that a school district with membership declines based on the newly created school district receive 0.17 program units for each student lost. The law establishing the new district adjustment was enacted before the public school funding formula was amended to base funding on prior year enrollment.

### 8. At-Risk Program Units (22-8-23.3 NMSA 1978)

- 1997 The law amended statute to include an at-risk factor in the funding formula, which is available to all school districts and is determined by a neural network computer analysis computation based upon the school district’s percent of Title I-eligible students, students with limited English proficiency, mobility rates, and dropout rates.

## Appendix J: Legislative Changes to Funding Formula

- 2002 The law amended statute to change the calculation of the at-risk index to eliminate the neural network methodology and to base the calculation of the at-risk index on a three-year average rate of three student variables (Title I eligibility, limited English proficiency, and district mobility rate), to require recalculation of the index each year, and to hold school districts harmless for three years beginning with FY03 at no less than 90 percent of the at-risk funding generated in FY01.
- 2014 The law amended statute to increase the multiplier used to calculate the at-risk index from 0.0915 to 0.106 and required the school district to report of specified services to improve the academic success of at-risk students, including the ways schools use funding generated through the at-risk index and intended outcomes. The law defined of “at-risk student” for the purposes of this section as a student included in the calculation of the at-risk index.
- 2018 The law amended statute to phase-in increases to the multiplier used to calculate the at-risk index from 0.106 to 0.13 in FY19, 0.14 in FY20 and 0.15 in FY21.
- 2019 The law amended statute to increase the multiplier used to calculate the at-risk index to 0.25, effective in FY20, and defines “services” as “research-based or evidence-based social, emotional, or academic interventions.” The law includes examples of such interventions.
- 2020 The law amended statute to increase the multiplier used to calculate the at-risk index to 0.30, effective in FY21.

### 9. National Board for Professional Teaching Standards Units (22-8-23.4 NMSA 1978)

- 2003 The law established a factor to provide a yearly, one-time salary differential for teachers who are certified by the National Board of Professional Teaching Standards (NBPTS). The differential is calculated by multiplying by 1.5 the number of NBPTS-certified teachers employed by a school district on or before the 40th day of the school year by the current year’s unit value.
- 2006 The law expanded eligibility for national board certification program units to charter schools.
- 2010 The law replaced the term “40th day” with the term “first reporting date.” Although the Public School Finance Act has replaced the term “40th day,” it is still used by some to mean the first reporting date.

### 10. Fine Arts Education Program Units (22-8-23.5 NMSA 1978)

- 2003 The law established a factor to provide additional funding to school districts offering PED-approved elementary arts education programs. The program was phased-in over three years, with a cost differential of 0.0166 for FY04, 0.0332 for FY05, and 0.05 for FY06 and subsequent fiscal years.

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

- 2006 The law established additional program units for charter school students that participate in extracurricular activities in a school district. A charter school student is allowed to participate in a school activity in the attendance zone in which the student resides, according to New Mexico Activities Association (NMAA) guidelines, or at another school subject to NMAA transfer guidelines. The cost differential for each charter school student is 0.1.

### 12. Elementary Physical Education Program Units (22-8-23.7 NMSA 1978)

- 2007 The law established a factor of 0.06 to provide additional funding to school districts offering PED-approved elementary physical education programs for students in kindergarten through 6th grade, with priority given to schools that have the highest proportion of students most in need based on the percentage of students eligible for free or reduced-fee lunch or in schools that serve an entire school district. PED is required to determine annually the programs and the number of students that will receive state financial support in accordance with available funding.

### 13. Home School Student Activities Program Units (22-8-23.8 NMSA 1978)

- 2007 The law established additional program units for home school students to participate in one school district athletic activity at the public school in the attendance zone in which the student resides, according to NMAA guidelines. The cost differential for each home school student is 0.1.
- 2009 The law increased the number of school district activities in which a home school student may participate from one athletic activity to three athletic activities.

### 14. Home School Student Program Units (22-8-23.9 NMSA 1978)

- 2013 The law created program units for school districts and charter schools that serve home schooled students. A school district or charter school generates 0.25 program units per class taken by a home schooled student.
- 2014 The law made a technical change to Section 22-8-18 NMSA 1978 to clarify that program units for home school students are not multiplied by the school district's or charter school's training and experience index. Section 22-8-23.9 NMSA 1978 was also amended to remove the term "home schooled" and replace it with "home school."

### 15. Extended Learning Time Program Units (22-8-23.10 NMSA 1978)

- 2019 The law created program units for a school district or charter school that has at least 190 days in a school year, has a minimum of 80 hours per year of professional development for instructional staff, and provides after school programs. A school district or charter school generates 0.11 program units per student for extended learning time programs.
- 2021 The law provided flexibility around instructional days added to the school year. Each extended learning time program at a school operating under a 5-day school week shall provide no fewer than 190 days per school year or 10 additional instructional days per school year to be eligible for extended learning time program units. Each extended learning program at a school with fewer than 1000 mem operating under a 4-day school week shall provide no fewer than 160 days per school year or 8 additional instructional days per school year to be eligible for extended learning time program units.

### 16. K-5 Plus Program Units (22-8-23.11 NMSA 1978)

- 2019 The law created program units for elementary schools with programs authorized pursuant to the K-5 Plus Act. A school district or charter school generates 0.3 program units for each student in a department-approved K-5 Plus program.
- 2021 The law provides that a program that spans two fiscal years is only funded in a single fiscal year.

## Appendix J: Legislative Changes to Funding Formula

### 17. Staffing Cost Multiplier

Prior to FY20, the instructional staff training and experience (T&E) index (Section 22-8-24 NMSA 1978) was used to allocate additional funds to school districts and charter schools with higher staffing costs, based on the academic credentials and years of experience of staff. In 2018, the Legislature amended the Public School Finance Act to align the T&E index with the three-tiered licensure system by creating the teacher cost index (TCI) (Section 22-8-49 NMSA 1978). The T&E index will be phased-out and TCI will be phased-in from FY20 to FY23.

- 1975 The law provided that the T&E index be calculated in accordance with instructions issued by the chief of the public school finance division of the Department of Finance and Administration.
- 1981 The law amended section 22-8-25 NMSA 1978 to provide that the T&E index used to calculate program cost was from October of the prior fiscal year.
- 1993 The law amended statute to provide that no school district could have a T&E index of less than 1. Previously, no school district could have a T&E index of less than 0.95.
- 1993 The law provided that a new school district would have a T&E index of 1.12.
- 2018 The law created the teacher cost index, based on the licensure level and years of experience for each classroom teacher in a school district or charter school, and provided for the replacement of the T&E index over five years. In addition, Section 22-8-18 NMSA 1978 was amended to provide that the staffing cost multiplier would only be multiplied by early childhood education program units and basic program units; previously, special education program units, bilingual multicultural education program units, elementary fine arts program units, and elementary physical education program units were also multiplied by the staffing cost multiplier.

### State Equalization Guarantee – Determination of Amount (22-8-25 NMSA 1978)

The state equalization guarantee distribution is the amount of money distributed by the state to each school district and charter school to ensure that school district's or charter school's respective operating revenues, including certain local federal revenues, are equal to the school district's or charter school's program cost. Currently, the state's allocation to each school district and charter school equals the program cost minus 75 percent of the local half mill levy, noncategorical federal Impact Aid revenues, and federal forest reserve payments.

- 1975 The law required that local and federal revenues used to calculate the state equalization guarantee be based on the amount received by the school district from June 1 of the previous fiscal year through May 31 of the current fiscal year and required a school district that has received more than its entitlement to refund the overpayment to the general fund.
- 1979 The law implemented a 50 percent hold-harmless provision in the event the federal government reduced or eliminated grants authorized under P.L. 874, now called Impact Aid.
- 1981 The law phased in the "Big Mac" tax reduction over three years. For the 1981 tax year, property taxes were reduced from 8.925 mills to 0.5 mills on residential property and 4 mills on nonresidential property and oil and gas severance. For the 1982 tax year, nonresidential property and oil and gas severance taxes were reduced to 2 mill. For 1983 and subsequent tax years, nonresidential property and oil and gas severance taxes were reduced to 0.5 mills and the 95 percent credit for the levy was eliminated.

## Appendix J: Legislative Changes to Funding Formula

- 1986 The law enacted the “P.L. 874 fix,” which (a) reenacted the 95 percent credit for the local half mill levy that was eliminated during the 1981 “Big Mac” tax reduction; (b) excluded federal Impact Aid funding for special education support from the 95 percent credit for federal revenues; (c) eliminated motor vehicle fees as source of local revenue subject to the 95 percent credit; (d) eliminated the save-harmless provision associated with property tax reductions enacted in 1981; and (e) changed methodology for funding special education students in Los Alamos Public Schools.
- 1986 The law created a hold harmless for school districts with less than 200 students that are facing declining enrollment.
- 1988 The law eliminated the 95 percent credit for the additional federal Impact Aid received by a school district under a specific provision of federal law. That provision of federal law provided that federal Impact Aid allocations for students living on Indian lands be multiplied by 125 percent. As a result of the law, New Mexico discontinued the 95 percent credit for the additional 25 percent in federal Impact Aid for Indian education.
- 1993 The law amended the Public School Finance Act to require school districts with more than 30,000 students to develop a school-based budgeting plan for all schools with voluntary participation by individual schools. Only Albuquerque Public Schools fit the criteria.
- 1993 The law amended the Public School Finance Act to provide for parent input in the local school board budget process.
- 1999 The law required the calculation of program units for the state equalization guarantee distribution to be as follows: effective in FY00, the use of prior year 40th-day and 80th-day membership and effective in FY01 and subsequent fiscal years, the use of prior year average of the membership on the 40th, 80th, and 120th days.
- 1999 The law reduced from 95 to 75 the percentage of a school district’s federal revenue (Impact Aid and forest reserve payments) and local revenues (half mill levy) for which the state takes credit in determining the state equalization guarantee and earmarked the 20 percent difference for school district capital outlay needs.
- 2002 The law required program units for a school district with less than 200 students be based on the average enrollment of the 40th, 80th, and 120th days of the prior year or on the 40th day of the current year, whichever is greater.
- 2005 The law removed the requirement that school districts budget for capital outlay an amount of their state aid equal to 20 percent of the federal revenue (Impact Aid and forest reserve payments) and local revenue (half mill levy) for which the state takes credit in calculating the school districts’ state equalization guarantee; require program units be calculated based on the average of the prior year 80th and 120th day enrollment; and allowed PED, in determining a school district’s state equalization guarantee, to deduct from the school district’s total program cost 90 percent of the school district’s certified portion of the debt service payment on bonds authorized pursuant to the Energy Efficiency and Renewable Energy Bonding Act.
- 2005 The law required program units for a school district with less than 200 students be based on the average enrollment of the 80th and 120th days of the prior year or on the 40th day of the fiscal current year, whichever is greater.
- 2006 The law required program units for a charter school with less than 200 students be based on the average enrollment on the 80th and 120th days of the prior year or on the 40th day of the current



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year, whichever is greater.

- 2010 The law replaced most statutory references to the 40th, 80th and 120th day and provided the first reporting date would be on the second Wednesday in October, the second reporting date on the second Wednesday in December, and third reporting date on the second Wednesday in February. The law allows PED to withhold up to 100 percent of allotments of funds to any school district or charter school that fails to comply with reporting requirements.
- 2011 The law changed the second reporting date to December 1 or the first working day in December.
- 2017 The law expanded the 75 percent credit for federal revenue to state-chartered charter schools, which receive federal Impact Aid directly from the federal government. Federal Impact Aid for locally chartered charter schools is received from the school district and the 75 percent credit applied to the school district.
- 2021 The law eliminated the 75 percent credit for federal and local revenue in the calculation of the state equalization guarantee.

# Appendix K: Early Childhood Program Funding

## Early Childhood Program Appropriations

(In millions of dollars)

	FY13 Actual	FY14 Actual	FY15 Actual	FY16 Actual	FY17 Actual	FY18 Actual	FY19 Actual	FY20 OpBud	FY21 OpBud	FY22 OpBud	Laws 2022
<b>Early Childhood Education and Care Department<sup>1</sup></b>											
<b>Childcare Assistance Direct Payments</b>											
General Fund	\$ 29.8	\$ 33.3	\$ 30.3	\$ 30.0	\$ 30.6	\$ 30.6	\$ 52.6	\$ 52.6	\$ 49.5	\$ 49.5	\$ 49.5
Federal Funds	\$ 31.6	\$ 15.1	\$ 23.9	\$ 36.0	\$ 51.4	\$ 54.9	\$ 52.0	\$ 58.3	\$ 66.3	\$ 73.0	\$ 70.7
OSF	\$ 1.4	\$ 0.8	\$ -	\$ -	\$ -	\$ -	\$ 0.9	\$ 1.1	\$ 1.1	\$ 1.1	\$ 1.1
USDA E&T	\$ 0.6	\$ 0.6	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TANF	\$ 23.8	\$ 23.2	\$ 30.5	\$ 30.5	\$ 30.5	\$ 30.5	\$ 33.5	\$ 36.5	\$ 41.5	\$ 31.5	\$ 31.5
ARPA CCDBG	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 62.0
<b>Total Childcare Assistance</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>\$ 139.0</b>	<b>\$ 148.5</b>	<b>\$ 158.4</b>	<b>\$ 155.1</b>	<b>\$ 214.8</b>
<b>Home Visiting</b>											
General Fund	\$ 3.2	\$ 4.5	\$ 6.3	\$ 7.3	\$ 3.2	\$ 8.0	\$ 10.6	\$ 12.4	\$ 15.1	\$ 15.1	\$ 15.1
Federal Funds	\$ 2.7	\$ 2.5	\$ 3.3	\$ 3.7	\$ 5.3	\$ 5.1	\$ 5.1	\$ 5.1	\$ 5.1	\$ 5.1	\$ 3.5
TANF	\$ -	\$ -	\$ 2.0	\$ 4.5	\$ 5.0	\$ 5.0	\$ 5.0	\$ 5.0	\$ 5.0	\$ 5.0	\$ 5.0
Tobacco Settlement Fund	\$ -	\$ 1.1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Medicaid Match-HSD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.8	\$ 9.0	\$ 14.7	\$ 14.7
ECE Trust Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3.0	\$ 5.0
<b>Total Home Visiting</b>	<b>\$ 5.9</b>	<b>\$ 8.1</b>	<b>\$ 11.6</b>	<b>\$ 15.5</b>	<b>\$ 13.5</b>	<b>\$ 18.1</b>	<b>\$ 20.7</b>	<b>\$ 23.2</b>	<b>\$ 34.2</b>	<b>\$ 42.9</b>	<b>\$ 43.3</b>
<b>Early Childhood Professional Development</b>											
General Fund	\$ 0.5	\$ 0.5	\$ 1.0	\$ 1.3	\$ 0.9	\$ 1.3	\$ 1.4	\$ 4.2	\$ 6.7	\$ 6.5	\$ 6.5
ECE Trust Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3.0	\$ 4.0
<b>Total Professional Development</b>	<b>\$ 0.5</b>	<b>\$ 0.5</b>	<b>\$ 1.0</b>	<b>\$ 1.3</b>	<b>\$ 0.9</b>	<b>\$ 1.3</b>	<b>\$ 1.4</b>	<b>\$ 4.2</b>	<b>\$ 6.7</b>	<b>\$ 9.5</b>	<b>\$ 10.5</b>
<b>Community Provider Prekindergarten: Four Year Old Services</b>											
General Fund	\$ 9.2	\$ 8.5	\$ 14.3	\$ 11.0	\$ 8.5	\$ 9.7	\$ 9.7	\$ 19.7	\$ 19.7	\$ 17.3	\$ 17.3
TANF	\$ -	\$ -	\$ 6.1	\$ 11.6	\$ 11.6	\$ 12.1	\$ 12.1	\$ 12.1	\$ 12.1	\$ 12.1	\$ 12.1
Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ 0.5	\$ 0.5	\$ 0.6	\$ 0.6	\$ 0.6	\$ -	\$ -
Tobacco Settlement Fund	\$ -	\$ 3.1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ECE Trust Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3.0	\$ 6.6
<b>Total</b>	<b>\$ 9.2</b>	<b>\$ 11.6</b>	<b>\$ 20.4</b>	<b>\$ 22.6</b>	<b>\$ 20.6</b>	<b>\$ 22.3</b>	<b>\$ 22.4</b>	<b>\$ 32.4</b>	<b>\$ 32.4</b>	<b>\$ 32.4</b>	<b>\$ 36.0</b>
<b>Community Provider Prekindergarten: Three Year Old Services</b>											
General Fund	\$ -	\$ -	\$ -	\$ 2.0	\$ 4.7	\$ 3.5	\$ 5.4	\$ 9.4	\$ 11.9	\$ 11.9	\$ 11.9
TANF	\$ -	\$ -	\$ -	\$ 2.0	\$ 2.0	\$ 2.0	\$ 2.0	\$ 2.0	\$ 2.0	\$ 2.0	\$ 2.0
Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ 0.4	\$ 1.2	\$ 1.1	\$ 1.1	\$ 1.0	\$ 1.7	\$ -
ECE Trust Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4.6	\$ 4.6
<b>Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4.0</b>	<b>\$ 7.1</b>	<b>\$ 6.7</b>	<b>\$ 8.5</b>	<b>\$ 12.5</b>	<b>\$ 14.9</b>	<b>\$ 20.2</b>	<b>\$ 18.5</b>
<b>Community Provider Prekindergarten: Mixed-Age Pilot Services</b>											
General Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.6	\$ 1.1	\$ 3.9	\$ 3.9	\$ 3.9
TANF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 0.6</b>	<b>\$ 1.1</b>	<b>\$ 3.9</b>	<b>\$ 3.9</b>	<b>\$ 3.9</b>
<b>Subtotal Private Provider PreK</b>											
	<b>\$ 9.2</b>	<b>\$ 11.6</b>	<b>\$ 20.4</b>	<b>\$ 26.6</b>	<b>\$ 27.8</b>	<b>\$ 29.0</b>	<b>\$ 31.5</b>	<b>\$ 46.0</b>	<b>\$ 51.2</b>	<b>\$ 56.5</b>	<b>\$ 58.4</b>
<b>Public School Based Prekindergarten: Four Year Old</b>											
General Fund	\$ 10.0	\$ 15.0	\$ 17.7	\$ 21.0	\$ 21.0	\$ 21.0	\$ 29.0	\$ 39.0	\$ 45.3	\$ 43.5	\$ 43.5
TANF	\$ -	\$ -	\$ -	\$ 3.5	\$ 3.5	\$ 3.5	\$ 3.5	\$ 3.5	\$ 3.5	\$ 3.5	\$ 3.5
Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2.6	\$ -	\$ -	\$ -
ECE Trust Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2.8	\$ 4.8
<b>Total</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>\$ 45.1</b>	<b>\$ 48.8</b>	<b>\$ 49.8</b>	<b>\$ 51.8</b>
<b>Total PreK</b>	<b>\$ 19.2</b>	<b>\$ 26.6</b>	<b>\$ 38.1</b>	<b>\$ 51.1</b>	<b>\$ 52.3</b>	<b>\$ 53.5</b>	<b>\$ 64.0</b>	<b>\$ 91.1</b>	<b>\$ 100.0</b>	<b>\$ 106.3</b>	<b>\$ 110.2</b>
<b>Family, Infant and Toddlers Program (Birth to 3)</b>											
General Fund	\$ 14.0	\$ 14.5	\$ 20.1	\$ 19.7	\$ 19.4	\$ 20.2	\$ 21.5	\$ 25.0	\$ 29.2	\$ 29.2	\$ 29.2
All other funds	\$ 19.6	\$ 19.6	\$ 19.6	\$ 23.0	\$ 24.3	\$ 26.3	\$ 26.7	\$ 30.0	\$ 31.0	\$ 31.0	\$ 31.0
ECE Trust Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.6	\$ 0.6
<b>TOTAL</b>	<b>\$ 33.6</b>	<b>\$ 34.1</b>	<b>\$ 39.7</b>	<b>\$ 42.7</b>	<b>\$ 43.7</b>	<b>\$ 46.5</b>	<b>\$ 48.2</b>	<b>\$ 55.0</b>	<b>\$ 60.2</b>	<b>\$ 60.8</b>	<b>\$ 60.8</b>
<b>Planning Grant: High Quality Early Childhood Development Centers</b>											
General Fund	\$ -	\$ -	\$ 0.5	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL ECECD</b>	<b>\$ 146.4</b>	<b>\$ 142.2</b>	<b>\$ 175.6</b>	<b>\$ 207.0</b>	<b>\$ 223.0</b>	<b>\$ 235.4</b>	<b>\$ 273.3</b>	<b>\$ 322.0</b>	<b>\$ 359.5</b>	<b>\$ 374.6</b>	<b>\$ 439.5</b>
<b>Public Education Department - Special Appropriations *</b>											
<b>K-5 Plus</b>											
General Fund	\$ 11.0	\$ 16.0	\$ 21.2	\$ 23.7	\$ 22.6	\$ 23.7	\$ 30.2	\$ 119.9	\$ 79.9	\$ 119.9	\$ 119.9
Other State Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total</b>	<b>\$ 11.0</b>	<b>\$ 16.0</b>	<b>\$ 21.2</b>	<b>\$ 23.7</b>	<b>\$ 22.6</b>	<b>\$ 23.7</b>	<b>\$ 30.2</b>	<b>\$ 119.9</b>	<b>\$ 79.9</b>	<b>\$ 119.9</b>	<b>\$ 119.9</b>
<b>Early Literacy</b>											
General Fund	\$ 8.5	\$ 11.5	\$ 14.5	\$ 15.0	\$ 14.1	\$ 12.5	\$ 8.8	\$ -	\$ 9.7	\$ 9.7	\$ 16.0
Other State Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3.5
<b>TOTAL PED</b>	<b>\$ 19.5</b>	<b>\$ 27.5</b>	<b>\$ 35.7</b>	<b>\$ 38.7</b>	<b>\$ 36.7</b>	<b>\$ 36.2</b>	<b>\$ 39.0</b>	<b>\$ 119.9</b>	<b>\$ 89.6</b>	<b>\$ 129.6</b>	<b>\$ 139.4</b>
<b>TOTAL RECURRING EARLY CHILDHOOD PROGRAMS</b>	<b>\$ 165.9</b>	<b>\$ 169.7</b>	<b>\$ 211.3</b>	<b>\$ 245.7</b>	<b>\$ 259.7</b>	<b>\$ 271.6</b>	<b>\$ 312.3</b>	<b>\$ 441.9</b>	<b>\$ 449.1</b>	<b>\$ 504.2</b>	<b>\$ 578.9</b>
<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>	<b>\$ 165.9</b>	<b>\$ 179.1</b>	<b>\$ 219.1</b>	<b>\$ 259.6</b>	<b>\$ 265.9</b>	<b>\$ 271.6</b>	<b>\$ 312.3</b>	<b>\$ 441.9</b>	<b>\$ 449.1</b>	<b>\$ 504.2</b>	<b>\$ 578.9</b>

<sup>1</sup> Funding for ECECD prior to FY21 was contained in the Children, Youth and Families Department and Department of Health

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

# Appendix L: Early Childhood Trust Fund Forecasts

**Early Childhood Trust Fund Forecast - December 2021 CREG Estimate**  
(in millions)

	FY21	FY22	FY23	FY24	FY25	FY26
Beginning Balance	\$300.00	\$656.40	\$2,171.06	\$3,301.40	\$3,939.89	\$4,332.37
Gains & Losses	\$13.70	\$26.26	\$86.84	\$132.06	\$157.60	\$173.29
Excess Federal Mineral Leasing	\$0.00	\$684.30	\$625.20	\$322.30	\$216.40	\$118.70
Excess OGAS School Tax*	\$342.70	\$824.10	\$448.30	\$253.30	\$148.00	\$61.30
Distribution to ECE Program Fund	\$0.00	(\$20.0)	(\$30.0)	(\$69.2)	(\$129.5)	(\$174.9)
<b>Ending Balance</b>	<b>\$656.4</b>	<b>\$2,171.1</b>	<b>\$3,301.4</b>	<b>\$3,939.9</b>	<b>\$4,332.4</b>	<b>\$4,510.8</b>
*Excess OGAS School Tax distributed to Early Childhood Trust Fund if general fund reserves are at least 25% throughout forecast period						
Note: Investment return assumed at 4%						
	FY21	FY22	FY23	FY24	FY25	FY26
<b>Distribution to ECE Program Fund<sup>1</sup></b>	<b>\$0.00</b>	<b>\$20.00</b>	<b>\$30.00</b>	<b>\$69.17</b>	<b>\$129.51</b>	<b>\$174.88</b>

Source: LFC

<sup>1</sup> Distributed to ECEOD for early childhood education and care services and programs.

# Appendix M: Capital Outlay Expenditures

## Public School Capital Outlay Expenditures in Laws 2022, Chapter 53 (Senate Bill 212)

~~Strikethrough~~ indicates executive veto

Site (School District)	Purpose	Amount	Page No. (Line No.) in Final SB212
<b>STATEWIDE PROJECTS</b>			
<b>Funding Source: Public School Capital Outlay Fund</b>			
	For expenditure in fiscal years 2022 through 2026, unless otherwise provided in Section 3 of this act, contingent upon approval of the public school capital outlay council, to provide infrastructure for fueling and charging stations for alternatively fueled buses statewide.	\$200,000	243 (22)
Public Education Department			
	For expenditure in fiscal years 2022 through 2026, unless otherwise provided in Section 3 of this act, contingent upon approval of the public school capital outlay council, to purchase, install and equip district-owned school buses with cameras statewide.	\$132,500	243 (25)
Public Education Department			
	For expenditure in fiscal years 2022 through 2026, unless otherwise provided in Section 3 of this act, contingent upon approval of the public school capital outlay council, to purchase, replace and equip school buses for school districts statewide.	\$5,194,000	244 (3)
Public Education Department			
<b>SUBTOTAL STATEWIDE PROJECTS</b>		<b>\$5,526,500</b>	
<b>SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PROJECTS</b>			
<b>Funding Source: Severance Tax Bond Revenue</b>			
ACE Leadership High School (Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including the upgrade and renovation of a school parking lot and the installation of related equipment, fencing, information technology and security infrastructure.	\$150,000	23 (16)
Coral Community Charter School (Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including the purchase and renovation of windows and restrooms and the installation of related equipment, fencing, information technology and security infrastructure.	\$110,000	24 (2)
East Mountain High School (Albuquerque)	To purchase and install a heating, ventilation and air conditioning system for a facility.	\$175,000	24 (8)
El Camino Real Academy (Albuquerque)	To plan, design, construct, furnish, equip and renovate buildings and grounds, including a science lab and related equipment, fencing, information technology and security infrastructure.	\$125,000	24 (13)
Gordon Bernell Charter School (Albuquerque)	To renovate and expand the Gordon Bernell building to create learning laboratories and career training facilities, including a commercial kitchen training space and industry-recognized learning facilities.	\$100,000	24 (19)
Los Puentes Charter School (Albuquerque)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase and installation of related equipment, fencing, information technology and security infrastructure.	\$225,000	25 (1)
Mark Armijo Academy (Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including the purchase of outdoor signage and the installation of related equipment, fencing, information technology and security infrastructure.	\$125,000	25 (7)
Robert F. Kennedy Charter School (Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including the final purchase of a building and the installation of related equipment, fencing, education and information technology and security infrastructure.	\$575,000	26 (12)
International School at Mesa del Sol (Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including the installation of a playground, field space and related equipment, fencing, information technology and security infrastructure.	\$100,000	27 (4)
Cottonwood Classical Preparatory (Albuquerque)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including roofing, heating, ventilation and air conditioning systems, information technology and related equipment, fencing and security infrastructure.	\$150,000	28 (16)
Digital Arts and Technology Academy (Albuquerque)	To plan, design, construct, install, purchase, furnish and equip the buildings and grounds, including outdoor learning spaces and related equipment, fencing, information technology and infrastructure.	\$100,000	28 (23)

# Appendix M: Capital Outlay Expenditures

Site (School District)	Purpose	Amount	Page No. (Line No.) in Final SB212
20 Health Leadership High School (Albuquerque)	To plan, design, construct, purchase, furnish, equip, install and renovate buildings and grounds, including land, fencing, information technology and security infrastructure.	\$550,000	29 (4) 20
21 La Academia de Esperanza Charter School (Albuquerque)	To plan, design, construct, furnish, purchase, equip and renovate buildings and grounds, including a garage building for a makerspace program and related equipment, fencing, information technology and security infrastructure.	\$75,000	29 (10) 21
22 Rio Grande High School (Albuquerque)	To plan, design, construct, renovate, purchase and install gymnasium equipment, including furniture, carpeting, fitness equipment, sound and lighting and signage.	\$300,000	29 (17) 22
23 Salam Academy 1 (Albuquerque)	To purchase and install solar panels and to replace heating, ventilation and air conditioning units.	\$150,000	29 (23) 23
24 Technology Leadership High School (Albuquerque)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including educational technology, information technology and related equipment and infrastructure.	\$100,000	30 (18) 24
25 United Community Academy (Albuquerque)	To plan, design, construct, furnish, equip, install and landscape.	\$120,000	31 (2) 25
26 Adobe Aces Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$25,000	31 (6) 26
27 Alameda Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping for an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$25,000	31 (12) 27
28 Alamosa Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$70,000	31 (19) 28
29 Albuquerque High School (Albuquerque)	To plan, design, construct, improve and install a mural.	\$50,000	31 (25) 29
30 Alice King Community School (Albuquerque)	To plan, design, construct, renovate and equip classrooms to improve the acoustics.	\$215,000	32 (4) 30
31 Alvarado Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$75,000	32 (9) 31
32 Apache Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$248,096	32 (16) 32
33 Armijo Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$15,000	32 (23) 33
34 Arroyo del Oso Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$50,000	33 (5) 34
35 Atrisco Elementary School (Albuquerque)	To plan, design, construct, improve, purchase and install security systems, including upgrades to technology, grounds, infrastructure and facilities.	\$15,000	33 (11) 35
36 Atrisco Heritage Academy High School (Albuquerque)	To plan, design, construct, improve, purchase and install security systems, including upgrades to technology, grounds, infrastructure and facilities.	\$50,000	33 (17) 36
37 Bandelier Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$79,000	33 (23) 37
38 Bel-Air Elementary School (Albuquerque)	To plan, design, construct, purchase, equip, furnish and install fixtures, furniture, window coverings and related equipment for classrooms.	\$47,000	34 (4) 38

**Appendix M: Capital Outlay Expenditures**

Site (School District)	Purpose	Amount	Page No. (Line No.) in Final SB212
39 Bellehaven Elementary School (Albuquerque)	To plan, design, construct, purchase, equip, furnish and install fixtures, furniture, window coverings and related equipment for classrooms.	\$4,000	34 (9)
40 Carlos Rey Elementary School (Albuquerque)	To plan, design, construct, purchase, equip, furnish and install fixtures, furniture, window coverings and related equipment for classrooms.	\$119,215	34 (15)
41 Chamiza Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$201,346	34 (21)
42 Chaparral Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,829	35 (4)
43 Chelwood Elementary School (Albuquerque)	To plan, design, construct, improve, purchase and install security systems, including upgrades to technology, grounds, infrastructure and facilities.	\$170,275	35 (10)
44 Cibola High School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$50,000	35 (16)
45 Cien Aguas International School (Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including the installation of a playground and related equipment, information technology and related equipment, fencing and security infrastructure.	\$175,000	35 (22)
46 Cleveland Middle School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$20,000	36 (4)
47 Cochiti Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$15,000	36 (10)
48 Collet Park Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$30,000	36 (16)
49 Comanche Elementary School (Albuquerque)	To plan, design, construct and renovate the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures, turf, bleachers, drainage improvements and landscaping.	\$44,000	36 (23)
50 Coyote Willow Family School (Albuquerque)	To plan, design, construct and renovate the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures, turf, bleachers, drainage improvements and landscaping.	\$88,838	37 (5)
51 Dennis Chavez Elementary School (Albuquerque)	To plan, design, construct, purchase, equip, furnish and install fixtures, furniture, window coverings and related equipment for classrooms.	\$69,601	37 (12)
52 Desert Ridge Middle School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$10,000	37 (18)
53 Desert Willow Family School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$30,000	37 (25)
54 Dolores Gonzales Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$15,000	38 (5)
55 Douglas MacArthur Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$59,000	38 (12)
56 Duranes Elementary School (Albuquerque)	To plan, design, construct, purchase, furnish and install improvements to library equipment, furniture, fixtures, books, shelves, information technology and infrastructure.	\$52,000	38 (18)
57 eCademy High School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$40,000	38 (24)



# Appendix M: Capital Outlay Expenditures

Site (School District)	Purpose	Amount	Page No. (Line No.) in Final SB212
Edward Gonzales Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,242	39 (6) 58
Eisenhower Middle School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$50,000	39 (12) 59
Eldorado High School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,242	39 (19) 60
Emerson Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,000	39 (25) 61
Ernie Pyle Middle School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,000	40 (6) 62
Eugene Field Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$25,000	40 (12) 63
Freedom High School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$40,000	40 (17) 64
Garfield Middle School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$49,000	40 (24) 65
George I. Sanchez Collaborative Community School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$25,000	41 (6) 66
Gilbert L. Sena Charter High School (Albuquerque)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including fencing, security infrastructure and information technology, including related equipment and infrastructure.	\$225,000	41 (11) 67
Grant Middle School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$150,959	41 (18) 68
Griegos Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$28,000	41 (23) 69
Harrison Middle School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$50,000	42 (4) 70
Hawthorne Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$108,000	42 (10) 71
Helen Cordero Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$95,000	42 (17) 72
Highland High School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$119,958	42 (22) 73
Hodgin Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$30,000	43 (3) 74
Hoover Middle School (Albuquerque)	To plan, design, construct, purchase and install resources for career technical education classrooms, including equipment, furniture, electrical upgrades, wiring, appliances and infrastructure.	\$52,461	43 (8) 75
Hubert H. Humphrey Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$40,000	43 (14) 76

**Appendix M: Capital Outlay Expenditures**

Site (School District)	Purpose	Amount	Page No. (Line No.) in Final SB212
77 Inez Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$50,000	43 (20) 77
78 James Monroe Middle School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,242	44 (1) 78
79 Janet Kahn School of Integrated Arts (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$20,000	44 (7) 79
80 Jefferson Middle School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,000	44 (13) 80
81 Jimmy Carter Middle School (Albuquerque)	To plan, design, construct, purchase, equip, furnish and install fixtures, furniture, window coverings and related equipment for classrooms.	\$89,260	44 (19) 81
82 John Adams Middle School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$129,484	44 (25) 82
83 John Baker Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$24,134	45 (8) 83
84 Kennedy Middle School (Albuquerque)	To plan, design, construct and renovate the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures, turf, bleachers, drainage improvements and landscaping.	\$235,000	45 (14) 84
85 Kirtland Elementary School (Albuquerque)	To plan, design, construct and renovate the grounds, playgrounds, fields, drainage improvements, turf and landscaping, including the purchase and installation of related equipment.	\$100,000	45 (21) 85
86 Kit Carson Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$30,000	46 (2) 86
87 La Cueva High School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$25,000	46 (8) 87
88 La Luz Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$90,000	46 (14) 88
89 La Mesa Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$149,800	46 (20) 89
90 Los Padillas Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$50,000	46 (25) 90
91 Los Ranchos Elementary School (Albuquerque)	To plan, design, construct, install, improve and upgrade the grounds, grass, walkways, irrigation systems and landscaping, including the purchase of related equipment.	\$45,000	47 (7) 91
92 Lyndon B. Johnson Middle School (Albuquerque)	To plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including fencing, bleachers, track resurfacing, asphalt paving, drainage improvements, turf and landscaping and the purchase and installation of related equipment.	\$155,082	47 (13) 92
93 Madison Middle School (Albuquerque)	To plan, design, construct, purchase, equip, furnish and install fixtures, furniture, window coverings and related equipment for classrooms.	\$45,000	47 (21) 93
94 Manzano High School (Albuquerque)	To plan, design, construct and renovate the grounds, playgrounds, fields, drainage improvements, turf and landscaping, including the purchase and installation of related equipment.	\$456,000	48 (1) 94
95 Manzano Mesa Elementary School (Albuquerque)	To plan, design, construct, improve, purchase and install security systems, including upgrades to technology, grounds, infrastructure and facilities.	\$51,974	48 (7) 95
96 Marie M. Hughes Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,829	48 (13) 96

# Appendix M: Capital Outlay Expenditures

Site (School District)	Purpose	Amount	Page No. (Line No.) in Final SB212
97 Mark Twain Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$56,600	48 (19) 97
98 Mary Ann Binford Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$50,000	48 (24) 98
99 McKinley Middle School (Albuquerque)	To plan, design, construct, improve, purchase and install security systems, including upgrades to technology, grounds, infrastructure and facilities.	\$25,000	49 (6) 99
100 Mission Avenue Elementary School (Albuquerque)	To acquire, plan, design, build, purchase, equip, furnish and install fixtures, furniture, window coverings and related equipment for classrooms.	\$82,000	49 (11) 100
101 Monte Vista Elementary School (Albuquerque)	To plan, design, purchase, furnish, construct and install improvements to library equipment, furniture, fixtures, books, shelves, information technology and infrastructure.	\$105,000	49 (17) 101
102 Montezuma Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$22,000	49 (23) 102
103 Navajo Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$60,000	50 (4) 103
104 New Futures High School (Albuquerque)	To plan, design, construct and renovate the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures, turf, bleachers, drainage improvements and landscaping.	\$57,000	50 (9) 104
105 Next+Gen Academy (Albuquerque)	To plan, design, construct, purchase, equip, furnish and install fixtures, furniture, window coverings and related equipment for classrooms.	\$30,000	50 (16) 105
106 New Mexico International School (Albuquerque)	To plan, design, construct and install playground and related equipment, including security and safe access features and landscaping.	\$500,000	50 (21) 106
107 Onate Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,829	51 (1) 107
108 Osuna Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,000	51 (7) 108
109 Painted Sky Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,829	51 (13) 109
110 Pajarito Elementary School (Albuquerque)	To plan, design, construct, improve, purchase and install security systems, including upgrades to technology, grounds, infrastructure and facilities.	\$25,000	51 (19) 110
111 Petroglyph Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$150,000	51 (25) 111
112 Polk Middle School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$25,000	52 (7) 112
113 Rio Grande High School (Albuquerque)	To plan, design, construct and renovate the grounds, parking lots and bus lane areas, including fencing, resurfacing, striping, shade structures, drainage improvements, traffic signs, landscaping and the purchase and installation of related equipment.	\$150,000	52 (14) 113
114 Rudolfo Anaya Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$25,000	52 (21) 114
115 Sandia Base Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$50,000	53 (3) 115

**Appendix M: Capital Outlay Expenditures**

Site (School District)	Purpose	Amount	Page No. (Line No.) in Final SB212
116 Sandia Mountain Natural History Center (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$50,000	53 (9) 116
117 School on Wheels High School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$10,000	53 (17) 117
118 Seven Bar Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$50,000	53 (22) 118
119 Sierra Vista Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$99,611	54 (3) 119
120 South Valley Academy Charter School (Albuquerque)	To plan, design, construct, renovate, purchase, furnish and equip buildings and grounds, including outdoor learning spaces, security fencing and information technology, including related equipment and infrastructure.	\$200,000	54 (11) 120
121 Sunset View Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$192,391	54 (18) 121
122 Susie R. Marmon Elementary School (Albuquerque)	To plan, design, construct, improve, purchase and install security systems, including upgrades to technology, grounds, infrastructure and facilities.	\$100,000	55 (1) 122
123 Taft Middle School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$75,000	55 (7) 123
124 Taylor Middle School (Albuquerque)	To plan, design, construct, purchase, equip, furnish and install fixtures, furniture, window coverings and related equipment for classrooms.	\$75,000	55 (13) 124
125 Tierra Antigua Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$72,321	55 (18) 125
126 Tomasita Elementary School (Albuquerque)	To plan, design, construct, purchase, equip, furnish and install fixtures, furniture, window coverings and related equipment for classrooms.	\$100,000	55 (24) 126
127 Tony Hillerman Middle School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$42,542	56 (4) 127
128 Tres Volcanes Community Collaborative K-8 School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$49,523	56 (10) 128
129 Truman Middle School (Albuquerque)	To plan, design, construct, renovate and improve the roof, including related mechanical, electrical and plumbing upgrades.	\$200,000	56 (16) 129
130 Valle Vista Elementary School (Albuquerque)	To plan, design, construct and renovate the grounds and playgrounds, including the purchase and installation of related equipment, fencing, shade structures, turf, bleachers, drainage improvements and landscaping.	\$12,000	56 (21) 130
131 Valley High School (Albuquerque)	To plan, design, construct and renovate the grounds, playgrounds, fields, drainage improvements, turf and landscaping, including the purchase and installation of related equipment.	\$25,000	57 (3) 131
132 Van Buren Middle School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$138,700	57 (9) 132
133 Ventana Ranch Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$78,435	57 (14) 133

# Appendix M: Capital Outlay Expenditures

Site (School District)	Purpose	Amount	Page No. (Line No.) In Final SB212
134. Volcano Vista High School (Albuquerque)	To plan, design, construct, renovate and equip improvements to fine art facilities and classrooms, including acoustic improvements, curtains, seating, carpet, sound and lighting, flooring, kilns, instruments, risers and furniture, and to purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$163,286	57 (21) 134
135. West Mesa High School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$80,830	58 (7) 135
136. Wherry Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$30,000	58 (13) 136
137. Whittier Elementary School (Albuquerque)	To plan, design, construct and renovate the grounds, playgrounds, fields, drainage improvements, turf and landscaping, including the purchase and installation of related equipment.	\$191,900	58 (18) 137
138. Wilson Middle School (Albuquerque)	To plan, design, construct, purchase, equip and furnish outdoor benches, shade structures and playground equipment.	\$113,300	58 (24) 138
139. Zia Elementary School (Albuquerque)	To purchase and install information technology, including related equipment, furniture and infrastructure for digital touch screens and classroom presentation boards.	\$39,200	59 (4) 139
140. Zuni Elementary School (Albuquerque)	To plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping related to an outdoor classroom, including equipment and infrastructure needed for Wi-Fi connectivity for outdoor learning spaces.	\$20,000	59 (10) 140
141. Lake Arthur Elementary School (Lake Arthur)	To purchase, equip and install improvements, including shade structures for pre-kindergarten and elementary playgrounds and umbrellas for outdoor classroom tables.	\$150,000	59 (17) 141
142. Maxwell Municipal School District (Maxwell)	To purchase and equip an activity bus.	\$195,000	59 (23) 142
143. Raton Public School District (Raton)	To purchase and equip a bus.	\$397,150	60 (1) 143
144. Melrose Public School District (Melrose)	To purchase, install and replace wooden bleachers in a gymnasium.	\$100,000	60 (4) 144
145. Texico Municipal School District (Texico)	To plan, design, construct, renovate and equip science and technology laboratories for the high school and middle school.	\$300,000	60 (7) 145
146. Las Cruces Public School District (Las Cruces)	To plan, design, construct, purchase, equip and install infrastructure and equipment to support career readiness.	\$200,000	60 (11) 146
147. Artesia High School (Artesia)	To design and replace the roof at the Artesia high school main building.	\$300,000	60 (22) 147
148. Artesia High School (Artesia)	To replace heating, ventilation and air conditioning systems at Artesia high school.	\$300,000	61 (1) 148
149. Jefferson Montessori Academy (Carlsbad)	To plan, design, construct, renovate and equip heating, ventilation and air conditioning systems for classrooms.	\$63,500	61 (5) 149
150. Jefferson Montessori Academy (Carlsbad)	To plan, design, construct, renovate and equip playground and field improvements, including fencing.	\$25,000	61 (10) 150
151. Jefferson Montessori Academy (Carlsbad)	To plan, design, construct, renovate and equip Jefferson Montessori academy, including related security technology upgrades, exterior doors, keycard entry and automatic locking.	\$55,300	61 (15) 151
152. Jefferson Montessori Academy (Carlsbad)	To purchase and equip light-emitting diode signage.	\$35,000	61 (21) 152
153. Cobre Consolidated School District	To purchase and equip buses.	\$350,000	61 (25) 153
154. Cobre Consolidated School District	To purchase and equip vehicles.	\$100,000	62 (3) 154

Appendix M: Capital Outlay Expenditures

Site (School District)	Purpose	Amount	Page No. (Line No.) in Final SB212
155 Silver Consolidated School District	To purchase, replace, equip and install fire alarms.	\$300,000	62 (10) 155
156 Silver Consolidated School District	To purchase, replace, equip and install surveillance cameras.	\$100,000	62 (13) 156
157 Roy Municipal School District	To purchase and equip an activity bus.	\$70,000	62 (16) 157
158 College Lane Elementary School (Hobbs)	To plan, design and construct pick-up and drop-off lanes.	\$660,000	62 (19) 158
159 Lovington Municipal School District	To plan, design, construct, replace and implement security systems, including the purchase of cameras and monitoring equipment.	\$100,000	62 (23) 159
160 Hondo Valley Public School District	To plan, design and construct access roads and water system improvements, including site preparation, the purchase and installation of a water tank, valves, gauges, connection, plumbing, security fencing and tie-ins, for schools.	\$177,000	63 (3) 160
161 Hondo Valley Public School District	To plan, design, construct, renovate and equip improvements, including installing a silicon roofing system.	\$275,000	63 (10) 161
162 Mora Independent School District	To plan, design, construct, renovate and equip the Mora/Coffax Head Start facility, including infrastructure, a kitchen, accessibility parking, sidewalks and ramps.	\$85,000	63 (15) 162
163 Mora Independent School District	To purchase and equip information technology, including audio, video and surveillance systems.	\$230,000	63 (20) 163
164 Alamogordo Public School District	To plan, design, construct and improve the soccer field, including demolishing the field playing surface, regrading and installing artificial turf, at the Riner Steinhoff soccer complex.	\$1,300,000	63 (24) 164
165 Española Public School District	To purchase and equip an activity bus.	\$85,000	64 (5) 165
166 Carlos F. Vigil Middle School (Española)	To purchase, equip, install and improve security systems, including alarms.	\$14,000	64 (8) 166
167 Española Public School District	To install and replace security infrastructure, including cameras, servers and licenses, at the Española public school district educational services center.	\$5,000	64 (12) 167
168 Hernandez Elementary School (Española)	To purchase, equip, install and improve security systems, including alarms.	\$7,100	64 (16) 168
169 James H. Rodríguez Elementary School (Española)	To purchase, equip, install and improve security systems, including alarms.	\$16,000	64 (20) 169
170 San Juan Elementary School (Española)	To purchase, equip, install and improve security systems, including alarms.	\$7,700	64 (24) 170
171 Tony E. Quintana Elementary School (Española)	To purchase, equip, install and improve security systems, including alarms.	\$12,800	65 (3) 171
172 Velarde Elementary School (Española)	To purchase, equip, install and replace security equipment, including cameras, servers and licenses.	\$15,000	65 (8) 172
173 Abiquiu Elementary School (Española)	To purchase, equip, install and replace security equipment, including cameras, servers and licenses.	\$15,000	65 (13) 173
174 Abiquiu Elementary School (Española)	To plan, design, construct, purchase, equip and repair the well house, including the purchase and installation of a sedimentation tank.	\$80,000	65 (18) 174
175 Alcalde Elementary School (Española)	To purchase, equip, install and replace security equipment, including cameras, servers and licenses.	\$10,000	65 (23) 175
176 Chimayo Elementary School (Española)	To purchase, equip, install and replace security equipment, including cameras, servers and licenses.	\$15,000	66 (2) 176
177 Dixon Elementary School (Española)	To purchase, equip, install and replace security equipment, including cameras, servers and licenses.	\$10,000	66 (7) 177
178 Española Public School District	To purchase, equip, install and improve security systems, including alarms for the Española public school district educational services center.	\$6,000	66 (11) 178



# Appendix M: Capital Outlay Expenditures

Site (School District)	Purpose	Amount	Page No. (Line No.) in Final SB212
179 Española Public School District	To purchase, equip, install and improve security systems, including alarms, for the Española public school district safety office.	\$4,000	66 (15) 179
180 Española Public School District	To purchase, install, replace and upgrade Wi-Fi technology, including equipment, controllers and access points.	\$50,000	66 (19) 180
181 Elida Municipal School District	To plan, design, construct, replace, renovate and improve sidewalks, buildings and grounds.	\$100,000	66 (23) 181
182 Floyd Municipal School District	To purchase and equip an activity bus for the Floyd municipal school district.	\$300,000	67 (2) 182
183 Los Niños and Sierra Vista Elementary Schools (Las Vegas)	To purchase and equip new playground equipment for Los Niños and Sierra Vista elementary schools.	\$100,000	67 (5) 183
184 Valley Elementary School and Valley Middle School (West Las Vegas)	To plan, design, construct and equip a greenhouse.	\$110,000	67 (8) 184
185 West Las Vegas High School (West Las Vegas)	To plan, design, construct and renovate the high school field, including replacing the synthetic turf.	\$100,000	67 (12) 185
186 Rio Rancho Public School District	To purchase information technology and to implement a central cloud management platform for wireless and wired equipment.	\$200,000	67 (17) 186
187 Rio Rancho Public School District	To purchase cybersecurity response services.	\$250,000	67 (21) 187
188 Cuba Independent School District Rio Rancho High School (Rio Rancho)	To plan, design, construct, improve, furnish and equip buildings and grounds, including a health clinic, fencing, security features and information technology and related equipment and infrastructure.	\$75,000	67 (24) 188
189 Cleveland High School (Rio Rancho)	To install, purchase, equip and upgrade security systems, including associated data storage.	\$120,000	68 (12) 189
190 Rio Rancho High School Stadium (Rio Rancho)	To purchase, equip and install security cameras.	\$150,000	68 (17) 190
191 Rio Rancho Public School District	To purchase, install and equip security cameras.	\$110,000	68 (21) 191
192 Rio Rancho Public School District	To purchase and install a cellular tower on the south side of Rio Rancho.	\$450,000	68 (25) 192
193 Rio Rancho Public School District	To evaluate, repair, purchase and install mechanical equipment at elementary schools.	\$150,000	69 (4) 193
194 Rio Rancho Public School District	To evaluate, repair, purchase and install mechanical equipment at secondary schools.	\$120,000	69 (8) 194
195 Santa Fe Public School District	To plan, design, install and upgrade a fire alarm system, including a voice notifier feature, for high schools, and for mainframe distribution rooms at central offices, the educational service center and the B.F. Young building.	\$50,000	69 (12) 195
196 Santa Fe Public School District	To provide connectivity and infrastructure upgrades with district-wide area network fiber-optic lines for preschool and for mainframe distribution rooms at central offices, the educational service center and the B.F. Young building.	\$350,000	69 (16) 196
197 Santa Fe Public School District	To plan, design, construct and upgrade heating, ventilation and air conditioning systems, including increasing capacity, at four elementary schools.	\$50,000	70 (8) 197
198 Santa Fe Public School District	To purchase and install equipment, including mats, e-lockers and equipment lockers, for the junior wrestling program.	\$50,000	70 (13) 198
199 Peñaasco Independent School District Mesa Vista High School (Ojo Caliente)	To replace and upgrade perimeter fencing.	\$100,000	70 (17) 199
200 Taos Municipal School District	To plan, design, construct and equip improvements to a track, including turf and drainage.	\$290,000	70 (20) 200
201 Taos Municipal School District	To plan, design, construct, purchase and install a security system district-wide, including automatic door locks and video and audio alerts.	\$200,000	71 (7) 201
202	<b>SUBTOTAL SCHOOL DISTRICT AND LOCALLY CHARTERED SCHOOL PROJECTS</b>	<b>\$22,368,714</b>	202

**Appendix M: Capital Outlay Expenditures**

203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220		
Site (School District)	Purpose																		
<b>SUBTOTAL VETEOED SCHOOL DISTRICT AND LOCALLY CHARTERED CHARTER SCHOOL PROJECTS</b>																			
<b>STATE-CHARTERED CHARTER SCHOOL PROJECTS</b>																			
<b>Funding Source: Severance Tax Bond Revenue</b>																			
203	ACES Technical Charter School (State Charter - Albuquerque)	To purchase and install classroom furniture, equipment and information technology infrastructure for science-, technology-, engineering- and math-focused learning.														203	Amount	\$4,000	Page No. (Line No.) in Final SB212
204	Mission Achievement and Success Charter School (State Charter - Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including the purchase of outdoor signage and the installation of related equipment, fencing, information technology and security infrastructure.														204	\$325,000	23 (22)	
205	Media Arts Collaborative Charter School (State Charter - Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including the purchase of gymnasium bleachers and equipment and the installation of related equipment, fencing, information technology and security infrastructure.														205	\$325,000	25 (13)	
206	Montessori Elementary and Middle School (State Charter - Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including the purchase of outdoor learning spaces and the installation of related equipment, fencing, information technology and security infrastructure.														206	\$110,000	25 (20)	
207	Rio Grande Academy of Fine Arts (State Charter - Albuquerque)	To plan, design, construct, renovate, equip and furnish improvements to buildings and grounds, including fine arts equipment, educational technology and installation of related equipment and information technology.														207	\$100,000	25 (25)	
208	Southwest Aeronautics, Math, and Science Academy (State Charter - Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including the purchase and installation of security fencing and the installation of related equipment, information technology and infrastructure.														208	\$119,014	26 (6)	
209	Twenty-First Century Public Academy (State Charter - Albuquerque)	To acquire land and to plan, design, construct, renovate, furnish and equip buildings and grounds, including a portable building for expansion, educational technology, fencing and electronic infrastructure.														209	\$150,000	26 (19)	
210	Albuquerque Collegiate Charter School (State Charter - Albuquerque)	To plan, design, construct, renovate, furnish, purchase and equip buildings and grounds, including outdoor learning spaces, playgrounds, technology infrastructure and related equipment.														210	\$235,000	27 (7)	
211	Albuquerque School of Excellence (State Charter - Albuquerque)	To plan, design, construct, renovate, furnish and equip the buildings and grounds, including outdoor learning spaces, playground and related equipment, information technology infrastructure and related equipment and furniture, fencing and the parking lot.														211	\$150,000	27 (13)	
212	Altura Preparatory School (State Charter - Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including outdoor learning spaces; science, technology, engineering, art and mathematics educational technology and related equipment; information technology and related equipment; and fencing and security infrastructure.														212	\$100,000	28 (1)	
213	Cesar Chavez Community School (State Charter - Albuquerque)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase and installation of information and educational technology and related equipment, security infrastructure and fencing.														213	\$191,000	28 (9)	
214	Solare Collegiate Charter School (State Charter - Albuquerque)	To plan, design, construct, furnish and equip buildings and grounds, including security fencing, information technology and infrastructure.														214	\$225,000	30 (2)	
215	South Valley Preparatory School (State Charter - Albuquerque)	To plan, design, construct, improve and equip facilities.														215	\$345,543	30 (8)	
216	Southwest Secondary Learning Center (State Charter - Albuquerque)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase and installation of sound reduction materials and lighting fixtures and the installation of related equipment and information technology.														216	\$70,000	30 (12)	
217	Tierra Adentro (State Charter - Albuquerque)	To purchase a school facility for the Tierra Adentro charter school.														217	\$180,000	30 (24)	

# Appendix M: Capital Outlay Expenditures

Site (School District)	Purpose	Amount	Page No. (Line No.) in Final SB212
221 New America School Las Cruces (State Charter - Las Cruces)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase of educational technology, including Chromebooks, laptops and smartboards, and the installation of related equipment and information technology.	\$200,000	60 (15) 221
222 Aldo Leopold Charter School (State Charter - Silver City)	To plan, design, construct, furnish and equip improvements, including outdoor classrooms, to the buildings and grounds.	\$150,000	62 (6) 222
223 ASK Academy (State Charter - Rio Rancho)	To plan, design, construct, furnish, renovate and equip buildings and grounds, including the purchase and installation of solar panels and related equipment, information technology and related equipment, fencing and security infrastructure.	\$275,000	68 (5) 223
224 Turquoise Trail Charter School (State Charter - Santa Fe)	To plan, design, construct, renovate, furnish and equip buildings and grounds, including security infrastructure, outdoor learning spaces, fencing, information technology and related equipment.	\$50,000	69 (23) 224
225 New Mexico School for the Arts (State Charter - Santa Fe)	To plan, design, construct, equip and furnish a student dormitory.	\$3,760,000	70 (4) 225
226 Red River Valley Charter School (State Charter - Red River)	To plan, design, construct and equip a facility.	\$425,000	70 (25) 226
227 Roots and Wings Community School (State Charter - Questa)	To acquire land and to plan, design, construct, furnish and equip facilities.	\$350,000	71 (3) 227
228	<b>SUBTOTAL STATE-CHARTERED CHARTER SCHOOL PROJECTS</b>	<b>\$7,985,557</b>	228
229	<b>TOTAL FROM ALL PUBLIC EDUCATION PROJECTS</b>	<b>\$35,880,771</b>	229
230	<b>TOTAL VETOED FROM ALL PUBLIC EDUCATION PROJECTS</b>	<b>\$4,000</b>	230

Source: LESC Files

<sup>1</sup> Salam Academy is a private, community owned, non-profit organization with 501(c) status, indicating this appropriation may be an anti-donation violation. LESC staff has reported this information to the New Mexico Department of Finance and Administration and the Public Education Department.

# Appendix N: Capital Outlay Reauthorizations

## Public School Capital Outlay Reauthorizations in Laws 2021, Chapter 52 (Senate Bill 213)

~~Strike through~~ indicates executive veto

Site (School District)	Purpose	Reauthorization Type	Time of Expenditure	Amount
<b>SCHOOL DISTRICT AND LOCALLY-CHARTERED CHARTER SCHOOL PROJECTS</b>				
1 International School at Mesa Del Sol (Albuquerque)	The time of expenditure for the public education department project in Subsection 8 of Section 16 of Chapter 80 of Laws 2018 to plan, design, construct, renovate, furnish and equip buildings, grounds and physical education changing rooms, including the purchase and installation of related equipment, fencing, information technology, wiring, paving and infrastructure, for the international school at Mesa del Sol charter school in Bernalillo county is extended through fiscal year 2024.	Time Extension	Extended through FY24	\$25,000
2 El Camino Real Academy (Albuquerque)	The public education department project in Subsection 15 of Section 63 of Chapter 81 of Laws 2020 to purchase security fencing, including related equipment, for El Camino Real academy charter school in Albuquerque in Bernalillo county may include the purchase and installation of security camera systems. The time of expenditure is extended through fiscal year 2024.	Time Extension Purpose Expansion	Extended through FY24	\$60,000
3 <del>Gilbert L. Sena Charter School (Albuquerque)</del>	<del>The time of expenditure for the public education department project in Subsection 7 of Section 16 of Chapter 80 of Laws 2018 to plan, design, construct, renovate, furnish and equip buildings and grounds, including the installation of a science lab and the installation of related equipment, fencing, information technology, wiring and infrastructure, for the Gilbert L. Sena charter school in Albuquerque in Bernalillo county is extended through fiscal year 2024.</del>	<del>Time Extension</del>	<del>Extended through FY24</del>	<del>\$75,000</del>
4 Health Leadership High School (Albuquerque)	The time of expenditure for the public education department project in Subsection 84 of Section 63 of Chapter 81 of Laws 2020 to acquire, equip and install security equipment, fencing and related infrastructure and equipment for the Health Leadership high school charter school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2024.	Time Extension	Extended through FY24	\$45,000
5 Technology Leadership High School (Albuquerque)	The time of expenditure for the public education department project in Subsection 6 of Section 63 of Chapter 81 of Laws 2020 to purchase security systems, fencing and infrastructure for the Technology Leadership charter high school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2024.	Time Extension	Extended through FY24	\$80,000
6 Rio Gallinas School of Ecology and the Arts (West Las Vegas)	The time of expenditure for the public education department project in Subsection 195 of Section 63 of Chapter 81 of Laws 2020 to purchase and install a security system and technology upgrades, including security cameras, intercom and viewboards, for the Rio Gallinas school of ecology and the arts charter school in Las Vegas in San Miguel county is extended through fiscal year 2024.	Time Extension	Extended through FY24	\$43,000
7 <b>SUBTOTAL SCHOOL DISTRICT AND LOCALLY CHARTERED CHARTER SCHOOL PROJECTS</b>			<b>\$253,000</b>	
8 <b>SUBTOTAL VETOED SCHOOL DISTRICT AND LOCALLY CHARTERED CHARTER SCHOOL PROJECTS</b>			<b>\$75,000</b>	
9				

# Appendix N: Capital Outlay Reauthorizations

Site (School District)	Purpose	Reauthorization Type	Time of Expenditure	Amount
<b>STATE-CHARTERED CHARTER SCHOOL PROJECTS</b>				
10	The time of expenditure for the public education department project in Subsection 3 of Section 16 of Chapter 80 of Laws 2018 to plan, design and construct a facility for the Albuquerque sign language academy in Albuquerque in Bernalillo county is extended through fiscal year 2024.			
11	The time of expenditure for the public education department project originally authorized in Subsection 27 of Section 63 of Chapter 81 of Laws 2020 and reauthorized in Laws 2021, Chapter 139, Section 11 to plan, design, construct, renovate, furnish and equip buildings and grounds and to purchase and install heating, ventilation and air conditioning and air filtration systems and related equipment and to purchase and install information technology, including related equipment, furniture and infrastructure, and for wiring and fencing for the Twenty-First Century public academy charter school in Albuquerque in Bernalillo county is extended through fiscal year 2024.	Time Extension	Through FY24	\$65,000
12	The public education department project in Subsection 9 of Section 63 of Chapter 81 of Laws 2020 to equip and install a security system and related infrastructure and equipment for the Albuquerque Collegiate charter school in Albuquerque in Bernalillo county may include the purchase and installation of security cameras. The time of expenditure is extended through fiscal year 2024.	Time Extension	Through FY24	\$300,000
13		Time Extension	Through FY24	\$38,000
14		Purpose Expansion	Through FY24	\$38,000
15	<b>SUBTOTAL STATE-CHARTERED CHARTER SCHOOL PROJECTS</b>		<b>\$403,000</b>	
16	<b>TOTAL FROM ALL PUBLIC SCHOOL PROJECTS</b>		<b>\$656,000</b>	
17	<b>TOTAL VETOED FROM ALL PUBLIC SCHOOL PROJECTS</b>		<b>\$75,000</b>	
18				
<b>FORMER PUBLIC EDUCATION DEPARTMENT EXPENDITURES REAUTHORIZED TO DIFFERENT AGENCIES/PURPOSES</b>				
19			<b>Agency Change</b>	
20	<b>Purpose</b>			
	Section 28. The public education department project in Subsection 167 of Section 17 of Chapter 138 of Laws 2021 to purchase, improve and install equipment and furnishings, including information technology, for a robotics program to assist youth in science, technology, engineering and mathematics in Rio Rancho in Sandoval county is appropriated to the local government division for that purpose. <del>The time of expenditure is extended through fiscal year 2024.</del>			
21	Rio Rancho Public School District		Reauthorized from PED to the local government division in Sandoval County.	
	Section 63. Up to nine hundred thousand dollars (\$900,000) of the unexpended balance of the appropriation to the public education department in Subsection 26 of Section 22 of Chapter 81 of Laws 2020 to acquire land and to plan, design, construct, renovate and equip a youth center for the Las Vegas city public school district in San Miguel county shall not be expended for the original purpose but is appropriated to the department of environment to plan, design, construct, upgrade and equip a wastewater treatment plant, including an area for land application of effluent water, in Jal in Lea county. The time of expenditure is extended through June 30, 2026.			
22	Las Vegas City Public School District		Reauthorized from PED to the Department of Environment for a wastewater plant in Jal (Lea County).	

School District	Purpose	Agency Change
23   Las Vegas City Public School District	<p>Section 94. Up to three hundred seventy-five thousand dollars (\$375,000) of the unexpended balance of the appropriation to the public education department in Subsection 26 of Section 22 of Chapter 81 of Laws 2020 to acquire land and to plan, design, construct, renovate and equip a youth center for the Las Vegas city public school district in San Miguel county shall not be expended for the original purpose but is appropriated to the local government division to purchase and equip fire trucks for the Arch fire district in Roosevelt county.</p> <p>Up to one hundred twenty-five thousand dollars (\$125,000) of the unexpended balance of the appropriation to the public education department in Subsection 26 of Section 22 of Chapter 81 of Laws 2020 to acquire land and to plan, design, construct, renovate and equip a youth center for the Las Vegas city public school district in San Miguel county shall not be expended for the original purpose but is appropriated to the local government division to plan, design and construct a parking lot and stucco upgrades for a county health clinic in Portales in Roosevelt county. The time of expenditure is extended through fiscal year 2026.</p>	<p>Changed from PED to the local government division in Roosevelt County to purchase and equip fire trucks for the Arch Fire District.</p>
24   Las Vegas City Public School District		<p>Changed from PED to Roosevelt County for a county health clinic in Portales.</p>

Source: LESC Files





