

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
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*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** \_\_\_\_\_ *Check all that apply:*  
**Bill Number:** HB253cs Original  Correction   
 Amendment  Substitute

**Sponsor:** HEC **Agency Name and Code** CYFD - 690  
**Short Title:** PUBLIC EDUCATION CHANGES, committee substitute **Number:** \_\_\_\_\_  
**Person Writing** Lisa Hamilton  
**Phone:** 505-309-8309 **Email** Lisa.hamilton@cyfd.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

#### **Synopsis:**

**Committee Substitute:** The bill amends the Public School Finance Act that pertains to the Statewide Distance Learning Academy and Distance Learning Programs in several ways;

1. Removes existing definitions and defines new terms such as the definition of a distance learning student
2. Renames the Act “the Distance Learning Act”
3. Requires school districts and charter schools to report membership estimates of students enrolled as distance learning students
4. Excludes from the class size adjustment calculation the membership of distance learning program students
5. Requires school districts and charter schools to maintain certain records for distance learning program students
6. Places enrollment restrictions and exceptions for distance learning program students
7. Removes the requirement that the Statewide Cyber Academy Program be a collaborative program
8. Requires the Public Education Department to approve distance learning programs
9. Provides a process for school districts and charter schools to apply for approval of a distance learning program.
10. Clarifies requirements for students with disabilities
11. Repeals Section 22-30-8 requiring the department to evaluate regional education cooperatives’ distance learning networks.
12. Removes the section that provided participation for students detained or committed in a juvenile detention facility of a Juvenile Justice Facility in the Statewide Cyber Academy.
13. The amendment repeals section 22-30-8 NMSA 1978 of the State Cyber Academy Act that pertained to the evaluation of distance learning networks provided by regional educational cooperatives.
14. The amendment requires the Public Education Department to evaluate distance learning programs by School Year 2027-2028 and at least every five years subsequently adding provisions to withhold funds for non-compliance.

During the 2007 regular session, Legislative Education Study Committee (LESC)-endorsed legislation was enacted to create the Statewide Cyber Academy Act (the Act). The Act created the statewide cyber academy (academy) in the Public Education Department (PED) as a collaborative program among PED, the higher education department (HED), telecommunications networks, and representatives of other state agencies engaged in providing distance education. Among its provisions, the Act requires the academy to provide distance-learning courses for grades 6 through 12 and professional development for teachers, instructional support providers, and school administrators. The academy was incorporated into the state’s IDEAL-NM initiative in the summer of 2008. The academy used the Blackboard Learning Management System. As the distance learning systems advanced, school districts and charter schools created their own programs and opted out of the Statewide Cyber Academy.

Since the creation of the Statewide Cyber Academy, in 2007 until now, Juvenile Justice Schools have not participated in their distance learning programs, preferring in person learning and CNM programs for the now defunct distance learning graduation requirement. Therefore, the removal of the juvenile students from participation in the academy is not a significant issue for the agency. Students in local juvenile detention centers, not run by CYFD, are provided educational opportunities by local school districts or charter schools.

Original Bill: The bill amends the Public School Finance Act that pertains to the Statewide Distance Learning Academy and Distance Learning Programs in several ways;

15. Removes existing definitions and defines new terms such as the definition of a distance learning student
16. Renames the Act “the Distance Learning Act”
17. Requires school districts and charter schools to report membership estimates of students enrolled as distance learning students
18. Excludes from the class size adjustment calculation the membership of distance learning program students
19. Requires school districts and charter schools to maintain certain records for distance learning program students
20. Places enrollment restrictions and exceptions for distance learning program students
21. Removes the requirement that the Statewide Cyber Academy Program be a collaborative program
22. Requires the Public Education Department to approve distance learning programs
23. Provides a process for school districts and charter schools to apply for approval of a distance learning program.
24. Clarifies requirements for students with disabilities
25. Repeals Section 22-30-8 requiring the department to evaluate regional education cooperatives’ distance learning networks.
26. Removes the section that provided participation for students detained or committed in a juvenile detention facility of a Juvenile Justice Facility in the Statewide Cyber Academy.

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Students in local juvenile detention centers are provided educational opportunities by local school districts or charter schools.

### **FISCAL IMPLICATIONS**

**Committee substitute:** There are no fiscal implications to CYFD Juvenile Justice Services' Schools as the Public School Finance Act applies to School Districts and Charter Schools. We are not defined as School District but rather a "state agency" or state institution'. We do not report membership to the Public Education Department for the purpose of receiving funding through the State Equalization Guarantee (SEG) formula.

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### **SIGNIFICANT ISSUES**

**Committee substitute:** None

**Original bill:** None

### **PERFORMANCE IMPLICATIONS**

**Committee substitute:** None.

**Original bill:** None

### **ADMINISTRATIVE IMPLICATIONS**

**Committee substitute:** None

**Original bill:** None

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**Committee substitute:** None

**Original bill:** None

### **TECHNICAL ISSUES**

**Committee substitute:** None

**Original bill:** None

### **OTHER SUBSTANTIVE ISSUES**

**Committee substitute:** None

**Original bill:** None

**ALTERNATIVES**

**Committee substitute:** None

**Original bill:** None

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

**Committee substitute:** Status quo

**Original bill:** Status quo

**AMENDMENTS**

**Committee substitute:** None

**Original bill:** None