



LFC Requester: Liu

**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2026 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: February 2 2026

Bill No: HB263

Committee Referrals: Not Printed

Agency Name and Code: PED - 924

Sponsor: Cullen/Baca

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SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY27	FY28		
None	None	N/A	NFA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY27	FY28	FY29		
None	None	None	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY27	FY28	FY29	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: The [House Appropriations and Finance Committee Substitute for House Bill 2](#) includes the following appropriations to the Public Education Department (PED): \$29 million from the General Fund for student reading and math intervention programs; \$3 million from the General Fund for science, technology, engineering, arts, and mathematics initiatives; and \$3 million from the General Fund for a science, technology, engineering, and mathematics network. The bill also includes \$5.1 million from the

government results and opportunity (GRO) Program Fund to conduct a randomized controlled trial of high impact tutoring during the school day to improve student reading proficiency and math proficiency in FY27-29, with up to \$100,000 for evaluation and monitoring and \$11.5 million from the GRO Program Fund to conduct a randomized controlled trial of out-of-school time programs to improve student reading proficiency, math proficiency and attendance in FY27-29, with up to \$200,000 for evaluation and monitoring.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 263 (HB263) would amend the [Mathematics and Science Education Act](#) to require public schools that offer advanced mathematics courses in grades six through eight to automatically enroll certain students who demonstrate the highest levels of mathematics achievement. The bill establishes criteria for automatic enrollment, allows parents to opt out, permits enrollment upon parent or student request, and requires annual reporting by school districts and charter schools to the Mathematics and Science Bureau (MSB) of the PED. This bill also assigns duties to the MSB and requires PED to promulgate rules to implement the new requirements.

The bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the Legislature enacting them, unless a later date is specified. If enacted, this bill would become effective May 20, 2026.

FISCAL IMPLICATIONS

HB263 does not contain an appropriation.

School districts and charter schools may incur costs to identify eligible students, adjust schedules, hire appropriately licensed teachers and track and report required data elements.

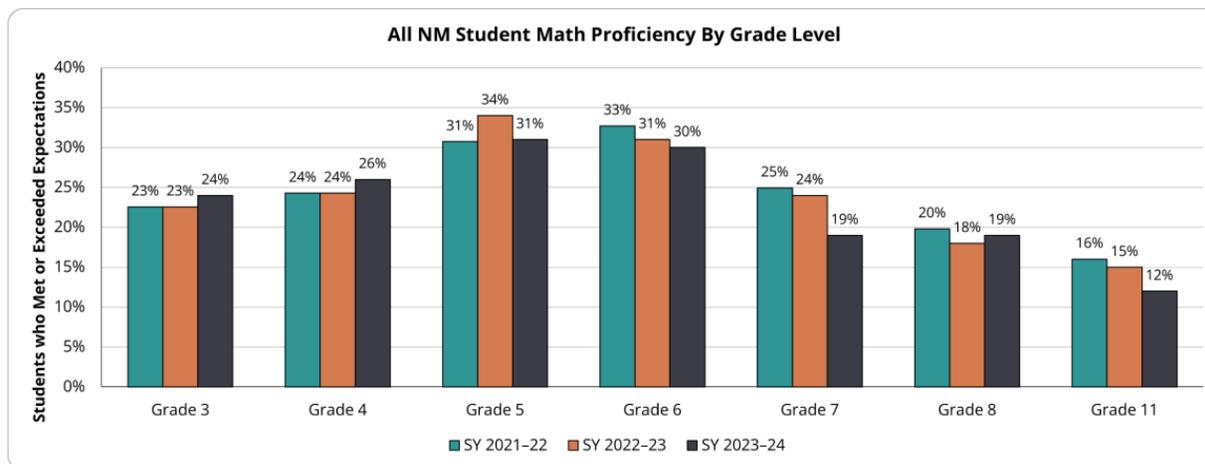
SIGNIFICANT ISSUES

New Mexico's mathematics instruction is guided by statewide academic content and performance standards aligned to the [Common Core State Standards for Mathematics](#), which are designed to provide a focused and coherent progression of concepts across grade levels and build toward algebraic reasoning in the middle grades. The standards define what students should learn at each grade level but do not prescribe course sequencing, acceleration, or placement practices, which are determined locally.

Middle school mathematics serves as a key transition between foundational numeracy in elementary grades and high school credit-bearing coursework such as Algebra I and Geometry. Pursuant to [Section 22-13-1 NMSA 1978](#), school districts and charter schools are required to offer Algebra I in eighth grade, either in regular classroom settings, through online courses, or through agreements with high schools and Algebra I or Geometry may be taken in middle school for high school math credit. Access to coursework beyond Algebra I or to multiple accelerated pathways varies by district and charter school and is determined locally based on staffing and scheduling capacity.

Within this context, HB263 could standardize placement practices for students demonstrating high performance and require school districts and charter schools to report detailed information on course availability and enrollment. Automatic enrollment policies may increase participation in advanced coursework among students who might not otherwise be identified through discretionary placement processes. The [E3 Alliance](#) found that before the state adopted its “Guaranteed Access to Advanced Math Policy,” Black students in Central Texas who scored in the top 20% of their fifth-grade class in math were *less likely* to be placed in Algebra I by eighth grade than their Black peers who ranked in the 21st through 40th percentile. However, increased enrollment could create scheduling or capacity constraints in schools with limited staffing or course sections. The reporting requirements may improve transparency regarding which students are served, gaps in access, and the resources or interventions provided to support student success in mathematics. The bill does not define what constitutes an “advanced mathematics course,” which may result in the variation across school districts and charter schools in how advanced coursework is identified for purposes of automatic enrollment and reporting. Lacking statutory direction in this connection, the department might define “advanced mathematics course” in the course of the rulemaking required by the bill.

PERFORMANCE IMPLICATIONS



Statewide assessment results indicate that mathematics proficiency declines as students progress into middle school grades. As shown in the chart above, approximately a quarter to a third of students in grades three through six meet or exceed expectations, with rates decreasing in grades seven and eight and falling further by high school. For example, proficiency in grade six is roughly 30 percent or higher across recent years, compared with about 19-20 percent in grade eight and near the mid-teens by grade 11. These trends suggest many students enter high school without strong readiness for advanced mathematics coursework.

HB263 may improve alignment between student readiness and course placement by automatically enrolling students who demonstrate high performance into available advanced mathematics courses during middle school, when foundational skills and trajectories toward Algebra I and higher-level coursework are established. Earlier access to advanced coursework could strengthen preparation for high school mathematics sequences and expand participation in accelerated pathways.

ADMINISTRATIVE IMPLICATIONS

HB263 would require the PED to promulgate rules to implement the provisions of the act and directs the MSB to receive, compile, and publish annual reports submitted by districts and charter schools, which may require development of standardized reporting templates, guidance, and ongoing technical assistance.

School districts and charter schools would be responsible for identifying students who can meet eligibility criteria for automatic enrollment based on statewide assessment results, local assessments, or course grades; notifying families and managing parent opt-outs and enrollment requests; placing students in available advanced mathematics courses; ensuring teachers have the correct licensure endorsements; tracking required disaggregated data elements; and submitting annual reports to the PED.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to the [Senate Education Committee amendment to Senate Bill 29](#), which would increase mathematics preparation requirements for teacher licensure and establish a statewide framework for mathematics instructional leadership, professional learning, K-3 screening assessments, targeted interventions, and annual reporting.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

The sponsors may wish to define the term, “advanced mathematics course” within the context of the bill.