

Senate Bill 137: Review and Implementation Update

Campaign Finances, Transparency, and Training

July 24, 2024



MARK A. MONTOYA
SENIOR POLICY ANALYST II
MARK.MONTOYA@NMLEGIS.GOV

Outline

1. Background and Introduction
2. Campaign Finances
3. Transparency
4. Training





Senate Bill 137: Background

SB 137 was drafted to address several issues pertaining to local school boards and governing councils including:

- Improved transparency with campaign financing
- Increased transparency of decision-making processes of school boards and governing councils
- Varying levels of access and participation in training for members
- Required, core competencies needed in school finance and budgeting

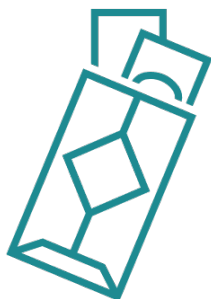


Senate Bill 137 Review

[SB 137](#) was passed during the 2024 Regular session.

This review and implementation update will cover three main components that the bill established.

Campaign Finances



Transparency



Training





Campaign Finances

SB 137 broadened the campaign reporting requirements for school board members.

- Any candidate or committee that received campaign contributions or had expenditures of one thousand dollars or more shall file a report of expenditures and contributions.
- The transactions shall be filed with the New Mexico Secretary of State through the same or similar system used pursuant to the Campaign Reporting Act.



Campaign Finances: Implementation

- The NM Campaign Finance Reporting System will be used.
- The Secretary of State is considering ways to inform new school board candidates of the new requirements.
- The New Mexico School Boards Association (NMSBA) will include new requirements in orientation materials.
- New school board officials may not engage with established associations until after election, potentially causing delays in reporting within the required filing period.

“midnight on the twenty-first day before the election and on the thirtieth day following the election”. (SB 137)



Transparency

SB 137 mandates specific transparency requirements for local school boards and governing councils:

- Meetings must be webcast and accessible through the established website.
- A webcast shall start shortly after the chair calls the meeting to order and shortly after the local entity adjourns.
- Meetings must have an interface for public comments.
- Recordings of webcasts and approved meeting minutes shall be posted on the website within one week of the meeting's conclusion and archived for three years.



Transparency: Implementation

School District Feedback

- *“I believe our SB 137 requirements are going well. At present, we have not seen any issues; everything is running smoothly...”*
- *“We already broadcast every meeting on Zoom and post the URL on the agenda on our website. Participants can give public comments on Zoom...”*
- *“At this point, I believe we have complied with Senate Bill 137.”*
- *“Complete and no issues.”*



Transparency: Implementation

Charter School Feedback

- *Nearly all charter schools in compliance currently.*
- *Training has been offered to governing boards on SB 137 changes.*
- *Some schools still in process of testing and purchasing audio/video equipment.*
- *Many governing boards see new requirements as an opportunity to optimize meeting and participation of public.*



Transparency: Implementation Concerns

- Multiple tools with varying feasibility
- Understanding legislative intent
- Belief that webcasts are not needed due to size of community
- Potential disruption of meeting by allowing virtual public comment
- Confusion over archiving video and audio for three years
 - The bill defers to the state's records retention schedule, which states "once the minutes are approved, audio recordings become non-record material." ([Open Meetings Act, NMSA 1978 Section 10-15-1\(G\)](#))



Training: Mandatory Training

SB 137 mandates that the Public Education Department (PED) develop a mandatory training course for school boards and governing councils that incorporates the following areas of focus:

- Explanation of department rules
- Policies and procedures
- Statutory powers and duties of local school boards
- Legal concepts pertaining to public schools
- Finance, budget, and other subjects deemed appropriate by PED

PED shall notify governing body members of the training dates offered, which shall be within three months of a local school board election.



Training: Minimum Requirements

SB 137 stipulates minimum training requirements for new and incumbent school board and governing council members:

- Members in their first term shall complete a minimum of **10 hours** of mandatory training within their first year of service.
- All other governing body members are required to complete a minimum of **five hours** of mandatory training per year.



Training: Curriculum

1. Laws and department policies and procedures affecting local school boards, including ethics and school personnel;
2. School finance, budgeting and fiduciary responsibilities of school boards;
3. Legal concepts pertaining to local school boards and districts, including the Open Meetings Act and the Inspection of Public Records Act;
4. Effective governance practices and effective methods of supporting and supervising a local superintendent;
5. Student achievement and student support services.



Training: Curriculum Continued

1. Laws and department policies and procedures affecting local school boards, including ethics and school personnel;
2. School finance, budgeting and fiduciary responsibilities of school boards;
3. A local school board's role in evaluating and improving student academic achievement and using data to set individual school goals for student academic achievement in each of the school district's public schools; *
4. A local school board's role in providing a safe learning environment conducive to improving student outcomes;*
5. Legal concepts pertaining to local school boards and school districts, including the Open Meetings Act and the Inspection of Public Records Act;
6. Effective governance practices and effective methods of supporting and supervising the local superintendent; and
7. Other matters deemed relevant by the department.*

* Unique to existing school board and governing body members.



Training: Disclosure

SB 137 requires PED to provide a platform that provides access to school and student information in a transparent manner.

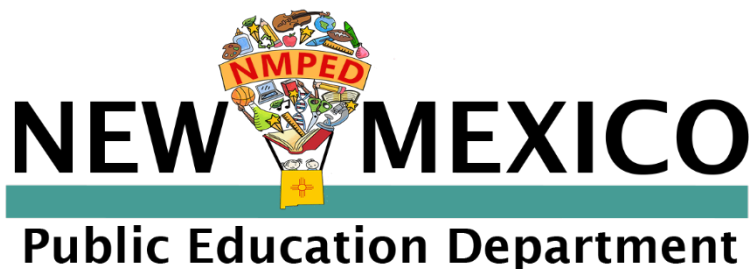
This should be included on New Mexico VISTAS.

- “The number of hours of training attended by each school's local school board members and whether each member met statutory training requirements”



Training: Implementation

PED is tasked with the implementation of SB 137's training requirements. Currently, New Mexico Administrative Code lists the New Mexico School Boards Association (NMSBA) as the entity responsible for providing training and tracking training hours earned by local school board members. ([NMAC 6.29.1.9](#))



Representative from the
New Mexico Public Education Department



Joe Guillen, Executive Director
New Mexico School Boards Association

Thank you!

Q & A

Mark A. Montoya
Senior Policy Analyst II
Legislative Education Study Committee
Mark.Montoya@nmlegis.gov

