Report

A Distance Learning Framework for New Mexico Schools

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Executive Summary

Full-time distance learning schools and programs meet the diverse and unique needs of some of New Mexico's public school students, but as currently practiced, some full-time distance learning schools and programs appear to lack alignment with state statutes, administrative rules, and federal regulations. Many of these programmatic and fiscal misalignments are not substantively different from those cited in prior legislative briefs and reports. However, as the number and needs of students in these schools and programs has grown, so too has the disruption to state and local budgets and local governance frameworks.

In the 2025-2026 school year (SY26), 9,700 students in New Mexico attended a full-time distance learning program or school, often citing high rates of mobility, mental health challenges, and parental concerns with school safety. Despite this significant number of students participating in full-time distance learning schools and programs, the state's regulatory framework has failed to keep pace with the rapidly evolving programmatic landscape of distance learning. As a result, some full-time distance learning schools and programs exceed statutory limits on class sizes, cite substantially different methodologies of demonstrating how students receive the instructional hours statute requires, generate proportional operational revenue despite not meeting statutory staffing requirements, and lack the fiscal and programmatic oversight that statute requires of school districts and charter schools.

In addition to a lack of compliance with statute, assessment results and attendance rates among full-time distance learning students trail those of in-person students. While some of these differences in outcomes may be attributable to the large number of secondary students participating in full-time distance learning for credit recovery or as part of a reengagement program, those differences in assessments and attendance are often evident in elementary grades as well. Some elementary-level full-time distance learning programs are reporting proficiency rates in math as low as 3 percent, suggesting these programs are not meeting the specific academic needs of early grade-level students.

This report complies with Laws 2026, Chapter 8 (House Bill 253), which requested a comprehensive study of full-time distance learning schools and programs in New Mexico. As part of this comprehensive study, LESC and Legislative Finance Committee (LFC) staff conducted site visits and classroom observations at 11 distance learning programs; interviewed school leaders; reviewed relevant statutory requirements in other states; and analyzed enrollment, assessment, and fiscal data provided by the Public Education Department (PED).

Based on the result of this comprehensive study, LESC staff recommend the Legislature create a comprehensive framework for full-time distance learning schools and programs by:

- Creating and modifying definitions related to full-time distance learning schools and programs;
- Requiring school and program approvals for all full-time distance learning schools and programs;
- Modifying statutory requirements related to student enrollment, staffing and licensure, instructional time, educator professional learning, and student attendance;
- Revising the state's public school funding formula and other funding sources to more appropriately align with the fiscal needs of full-time distance learning schools and programs; and
- Continuing to monitor full-time distance learning programs for consideration of further legislative action.

Each of these components is intended to create a responsive and flexible framework for full-time distance

learning schools and programs that meets the unique academic and social-emotional needs of students, clarifies the oversight role of PED over distance learning programs, aligns programming with statutory requirements, prevents disruptions to local and state funding, and requires all school districts and charter schools to maintain control and oversight of their public schools.

Background

New Mexico has offered full-time distance learning programs for decades, but the state has not provided sufficient oversight or adopted a comprehensive set of programmatic and fiscal guardrails to ensure these programs meet state and federal requirements and provide an adequate education to students. This section defines distance learning; summarizes prior research and the Distance Learning Act; and describes program funding, student demographics, and student outcomes.

Definition of Distance Learning

New Mexico law does not currently define distance learning. Distance learning is commonly understood as an instructional model in which students and teachers are physically separate. Students complete coursework online or through take-home assignments and, depending on the specific program, participating in synchronous, live instruction, and asynchronous, self-paced learning. This model can provide a level of flexibility for students and their families a traditional, regimented school day may not.

Legislation enacted in 2026 defines a full-time distance learning student as "a qualified student who receives full-time virtual instruction and is not required to attend school at a school building." The word "required" distinguishes full-time programs from hybrid programs, in which students attend in-person part time.

Key Education Terms in Statute

Per Section 22-2-8.1 NMSA 1978, school districts and charter schools must provide 1,140 instructional hours each school year. The same statute defines an instructional hour as "a period at school during which students receive instruction aligned to academic content and performance standards and includes:

- A school program set forth in Sections 22-13-1 NMSA 1978 and Section 22-13-1.1 NMSA 1978;
- Enrichment programs that focus on problem solving and cognitive skills development;
- Content that provides technical knowledge, skills and competency-based applied learning;
- Research- or evidence-based social, emotional or academic interventions; and
- Instruction that occurs at the same time breakfast is served or consumed in accordance with the breakfast after the bell program or federal requirements."

Per Section 22-13-1.1 NMSA 1978, all "kindergarten through third grade classes shall provide ***daily instruction*** in reading and language arts skills…"

Distance Learning Schools Versus Distance Learning Programs

Distance learning programs take two forms, and the form determines how the state reports outcomes and distributes funding. For instance, a full-time distance learning school refers to distance learning instruction housed in a self-contained school with its own school code for reporting purposes. In a school district, this means the full-time distance learning school is separate from other campuses, and student data is reported to PED separately from their peers in brick-and-mortar school buildings. Examples of full-time distance learning schools include Pecos Cyber Academy (PCA), a state-authorized charter school, and Ute Lake Online Learning Center in Logan Municipal Schools.

In contrast, a full-time distance learning program is not a separate entity. Its students enroll in one of the district's brick-and-mortar schools. For example, a high school student who receives their instruction through Las Cruces Public Schools' Virtual Learning Academy is considered a student at one of the school district's brick-and-mortar high schools for enrollment purposes. As a result, full-time distance learning program students' academic

outcomes are included in the overall results rather than reported separately to the state, and the district can count these students toward enrollment for capital outlay, school construction, and funding.

Example of a Distance Learning Student's Daily Schedule

PCA's daily schedule illustrated a typical day for full-time distance learning students. Elementary students receive four-and-a-half to five hours of daily synchronous instruction, which is conducted in larger virtual classes, small groups, or in one-on-one academic support. This synchronous instruction is often followed by a period of asynchronous work throughout much of the afternoon. **Table 1: PCA Sample Daily Schedule, Kindergarten to Seventh Grade** illustrates an instructional day for a student in kindergarten through seventh grade.

Table 1: PCA Sample Daily Schedule, Kindergarten to Seventh Grade

Time	Activity
8:00 a.m. to 8:15 a.m.	Amira and SuccessMaker Program
8:15 a.m. to 9:00 a.m.	Live instruction: English Language Arts or Mathematics (Group Rotations)
9:00 a.m. to 9:45 a.m.	Live instruction: English Language Arts or Mathematics (Group Rotations)
9:45 a.m. to 10:00 a.m.	Break
10:00 a.m. to 11:45 a.m.	Live Instruction: English Language Development (ELD), Bilingual Education Program (BEP), and Academic Interventions
11:45 a.m. to 12:30 p.m.	Lunch
12:00 p.m. to 12:30 p.m.	Home Room
12:30 p.m. to 1:15 p.m.	Live Instruction: Electives (Music, Drama, Physical Education, Health and Computers Rotation)
1:15 p.m. to 2:15 p.m.	Live Instruction: Academic Support, Interventions, and Specialized Learning Assistance (SLA)
2:15 p.m. to 3:30 p.m.	Asynchronous Work or Scheduled Weekly Homeroom Check-Ins (Live Lesson with Camera On)

Source: Pecos Cyber Academy

Students in grades eight through 12 (8-12) receive between five and six hours of daily synchronous instruction, with fewer hours dedicated to asynchronous work. Special education is embedded into the designated math and English language arts blocks. **Table 2: PCA Sample Daily Schedule, Eighth Grade to 12th Grade** lays out the daily schedule in detail. PCA expects students to attend daily live instruction; however, not all distance learning programs in New Mexico have this level of mandatory live interaction between students and teachers. Some, in contrast, operate almost entirely asynchronously.

Table 2: PCA Sample Daily Schedule, Eighth Grade to 12th Grade

Time	Activity
8:00 a.m. to 9:00 a.m.	Asynchronous Student Work or Individual Intervention for Students in Need
9:00 a.m. to 9:45 a.m.	Live Instruction: History
9:45 a.m. to 10:30 a.m.	Live Instruction: Science
10:30 a.m. to 11:15 a.m.	Live instruction: English Language Arts
11:15 a.m. to 12:00 p.m.	Live Instruction: Math
12:00 p.m. to 12:30 p.m.	Math Intervention
12:30 p.m. to 1:00 p.m.	Homeroom Meeting
1:00 p.m. to 1:30 p.m.	Lunch
1:30 p.m. to 2:15 p.m.	Live Instruction: Electives
2:15 p.m. to 3:00 p.m.	Live Instruction: Electives
3:00 p.m. to 4:30 p.m.	Elective: Driver's Education

Source: Pecos Cyber Academy

Previous LESC Research on Distance Learning

A 2017 LESC-LFC program evaluation found full-time distance learning charter schools experienced lower outcomes than in-person schools, despite serving fewer at-risk students. These charter schools also had higher student-to-teacher ratios, with reported ratios as high as 44 students per teacher. Full-time distance learning charter schools also had high student withdrawals, with some schools reporting a third of students disenrolling during FY17. Compared to the statewide high school retention rate of 54 percent in FY17, full-time distance learning charter schools that same year reported fewer than 15 percent of the same students four years after enrollment.

The evaluation also found, compared with in-person schools, full-time distance learning charter schools spent 67 percent less on instructional staff per student, and 75 percent less per student spent on maintenance and operations. The evaluation noted the state equalization guarantee (SEG), the public school funding formula, treated full-time distance learning charter schools similarly to traditional in-person schools, thereby incentivizing school districts to authorize full-time distance learning charter schools and pursue enrollment growth. The evaluation also found full-time distance learning charter schools at the time contracted with a for-profit virtual education curriculum provider, costing about half of the school's total expenditures.

Table 3: Recommendations from 2017 LESC/LFC Evaluation on Virtual Charter Schools

Type	Description
Foundation	• Define "virtual charter school" in statute.
Funding	• Develop a scale adjustment factor that reduces formula funding for virtual charter schools due to lower staffing and plant operations and maintenance costs compared with brick-and-mortar schools, or an alternative funding mechanism for virtual charter schools; • Prohibit virtual charter schools from generating enrollment growth program unit; and • Prohibit virtual charter schools from applying for capital outlay and transportation funding.
Governance	• Limit either the initial term for or place enrollment caps on virtual charter schools; • Create either an expedited performance-based closure process for virtual charter schools or prohibiting virtual charter schools from operating as full-time open enrollment schools; • Only allow the PEC to authorize virtual charter schools that enroll students outside of the school district where the school is located; • Design a performance standard framework for virtual charter schools and revoke the charter of any virtual charter school that does not meet standards; • Enforce state law prohibiting charter school management by for-profit companies; and • Require virtual charter schools to provide details for any contract that goes over a certain percentage of a school's budget.

Note: Throughout this report, "virtual charter schools" are referred to as "distance learning charter schools."

Source: LESC Files

Many of the recommendations in the 2017 LESC/LFC joint evaluation (see **Table 3: Recommendations from 2017 LESC/LFC Joint Report on Virtual Charter Schools**) were considered by the Legislature during the 2019 legislative session but ultimately did not pass. As a result, statutory language related to distance learning has historically been limited to the Statewide Cyber Academy Act. The act enabled only PED to provide distance learning courses in collaboration with higher education institutions.

Otherwise, New Mexico has not had any other statutory language, including definitions, reporting requirements, staffing requirements, or funding mechanisms for any programmatic model of distance learning. This absence of regulations has resulted in a lack of differentiation in operational funding for distance learning students, significant differences in local expenditure models, and considerable risks in how SEG, federal, capital, and below-the-line funding is generated and ultimately used.

Distance Learning Act

In 2026, the Legislature responded to a lack of statutory guidance on distance learning and to a $35 million SEG shortfall tied to third-party managed programs by enacting Laws 2026, Chapter 8 (*HB253). The bill created guardrails for full-time distance learning programs, including definitions and a requirement that all full-time distance learning programs comply with (see **Table 4: Provisions of Laws 2026, Chapter 8 (*HB253)**).

Table 4: Provisions of Laws 2026, Chapter 8 (*HB253)

Type	Description
Foundation	• Definition of "distance learning students"; and • Annual reporting requirements.
Funding	• PED can withhold up to 100% of operational funding for non-compliance with Public School Code; • Prohibition on FY26 and FY27 enrollment growth units for some distance learning students; • Prohibition on rural population units for all distance learning students; • Certain school districts must calculate FY26 program units by averaging FY25 and FY26 MEM from first reporting dates; and • A one-year ban on new distance learning programs.
Governance	• Distance learning programs must comply with Public School Code; • Distance learning programs must comply with state and federal laws on student privacy, confidentiality, and secure record storage; • PED must evaluate all distance learning programs by end of SY29 and then at least every 5 years after; and • Students cannot be required to enroll in a distance learning program.

Source: LESC Files

Before the enactment of Laws 2026, Chapter 8, school districts and charter schools said it was unclear whether class size and instructional time laws applied to full-time distance learning programs. The new law in Section 22-30-5 NMSA 1978 resolves this by stating, "A school district or charter school that offers a full-time distance learning program shall administer the program in compliance with the Public School Code, including Section 22-2-8.1 NMSA 1978 regarding required instructional hours and Section 22-10A-20 NMSA 1978 regarding class load and teaching load limits." Statute also limits the courses these programs can provide to those "that meet [PED]'s academic content and performance standards" and requires courses to be taught by "licensed teachers or faculty members of accredited post-secondary educational institutions."

The law did not create new waivers. Class size waivers remain restricted to the temporary waivers provided by Section 22-10A-20 and the non-discretionary waivers for charter schools provided by Section 22-8B-5 NMSA 1978. Instructional time requirements also remain in effect as provided in Section 22-2-8.1 NMSA 1978. The law includes two temporary provisions. It prohibits school districts from generating enrollment growth program units for distance learning students in FY26 and FY27 and created a moratorium on new distance learning programs and schools in FY27. Both temporary provisions will be lifted at the end of FY27, unless the Legislature enacts further changes.

PED Evaluation of Full-Time Distance Learning Programs

Section 22-30-9 NMSA 1978 directs PED to evaluate all full-time distance learning programs by the end of SY29, and every five years thereafter. In FY27, PED developed a framework for these evaluations, which will include interviews with local staff, assessments of budgeting and reporting practices, and verification of compliance with statute, among other elements. At the time of publication, PED indicated it would first evaluate full-time distance learning programs in Chama Valley Independent Schools, Gallup-McKinley County Schools, Pecos Cyber Academy, and Mosquero Municipal Schools.

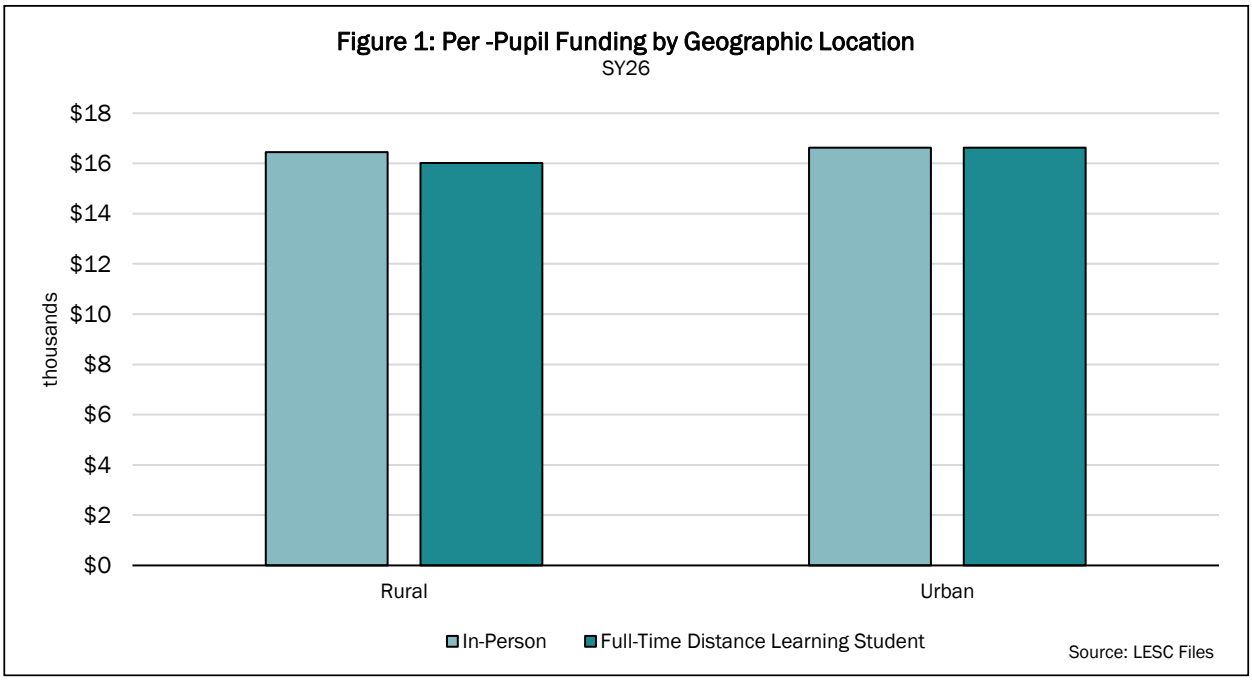
While this statutory evaluation requirement was created prior to the completion of this report and its associated policy and budget recommendations, LESC staff recommend the Legislature retain this evaluation requirement in statute. Following the completion of the first full-time distance learning program evaluations in FY27, PED should report its preliminary findings to the Legislature and subsequently revise its evaluation processes to align with any programmatic or fiscal provisions enacted by the Legislature during the 2027 legislative session.

Fiscal Trends for Distance Learning Programs

The state funds distance learning much like in-person students, but school districts and charter schools spend that money quite differently. However, full-time distance learning programs or schools that meet statutory staffing requirements should not cost significantly less than in-person students, largely because the large majority of operational costs in school districts and charter schools are driven by public school personnel salaries, including those for teachers, educational assistants, administrators, and support staff. Current statute mostly does not provide for permanent waivers or exemptions to these core staffing costs that drive a large majority of public school expenditures.

Full-time distance learning students are funded similarly to in-person students. School districts and charter schools receive operational funding for all students through the SEG, the state's primary school funding formula. The SEG does not distinguish between distance learning and in-person students. Both receive the same weight for grade level, at-risk status, special education, and other factors, and the same unit value as in-person student. As a result, per-student SEG funding is similar in both rural and urban schools.

Figure 1: Per-Pupil Funding by Geographic Location shows a small difference in per-student SEG funding in rural schools, due to the rural population adjustment, the only SEG factor that excludes distance learning students. Laws 2026, Chapter 8 revised this factor after PCA generated $1.7 million in rural population funding in FY26. PCA serves many urban students and generated rural population funding only because of its small administrative facility in Edgewood, a highly rural community. Using statewide averages, full-time distance learning students generated about $172.6 million in operational funding in FY26. New reporting requirements could yield more precise figures in future years.



Full-time distance learning students also generate funding through other sources, such as below-the-line programs and federal funding sources. Some federal requirements, which states cannot change, affect these amounts. For example, federal law prohibits counting out-of-district students in Title I, Part A calculations, which supports schools serving low-income students.

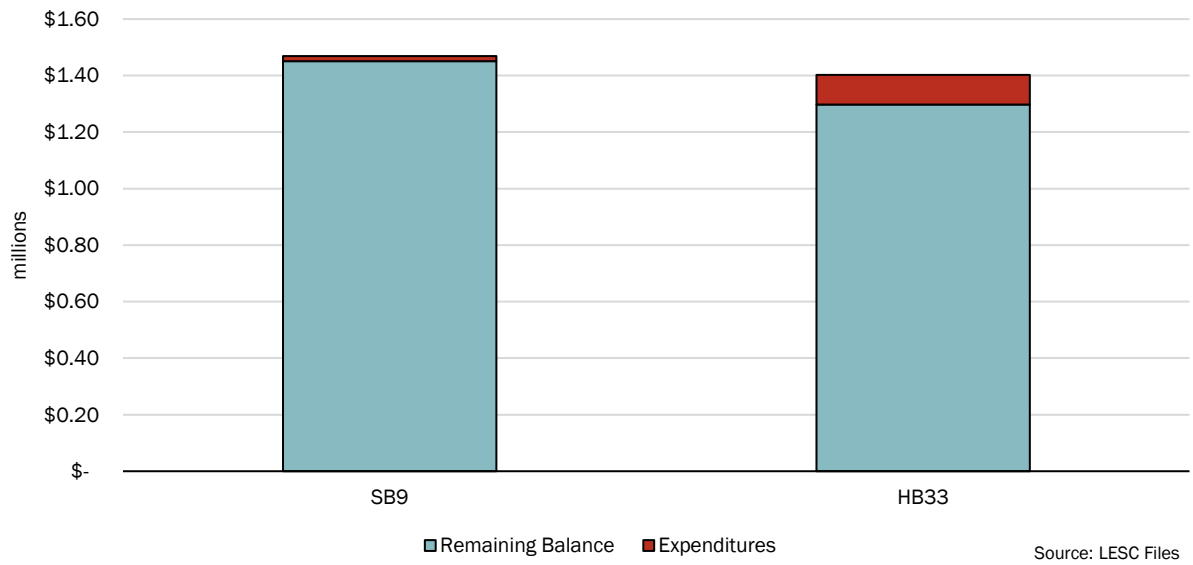
During the 2026 interim, LESC staff identified several vulnerabilities in the SEG that full-time distance learning schools and programs have exposed, largely through indirect effects from local programmatic decisions. The most immediate of these vulnerabilities is the SEG's enrollment growth factor, which Section 22-8-23.1 NMSA 1978 allows for year-over-year growth of at least 1 percent. The highly mobile nature of full-time distance learning students has made the enrollment growth factor the SEG's most destabilizing component. Shifts in full-time distance learning enrollment created a $35 million SEG shortfall in FY26. The Legislature responded with a two-year prohibition of enrollment growth for full-time distance learning students. That ban expires at the end of FY27 and requires a long-term solution if the Legislature intends to prevent similar statewide disruptions in funding.

Distance learning has also disrupted K-12 Plus, the SEG factor that pays schools for additional instructional days. Historically, Chama Valley Independent Schools (CVIS) has operated a four-day week for its in-person students, but its partnership with K-12 Stride, Inc., a publicly traded education company that provides online and blended K-12 instructional programs, is currently designed around a five-day calendar. Because CVIS enrolled its full-time distance learning students at its physical school site, the school district claimed all its students were on a four-day week, resulting in an overpayment to the school district for K-12 Plus. More broadly, programs calculate instructional time differently. The state may be potentially allocating K-12 Plus funding for instructional days that do not include synchronous programming the Legislature would define as qualifying instructional time.

The Legislature should address these two gaps, enrollment growth and K-12 Plus, to prevent manipulation of SEG funding. While there are broader considerations around whether full-time distance learning programs should be funded the same as in-person students, this report recommends only narrow changes to the SEG that account for specific structural concerns. Other than these proposed revisions, the report recommends full-time distance learning students remain funded largely proportional to in-person students, to support the programmatic and staffing recommendations in the report.

Capital funding is available for full-time distance learning charter schools. Both Section 22-26 NMSA 1978, the Public School Buildings Act—also known as House Bill 33—and Section 22-25 NMSA 1978, the Public School Capital Improvements Act—also known as Senate Bill 9—allow public schools to access allocations of these voter-approved mill levies. These funds may be used on facilities, maintenance, furnishings, and technological devices, and have historically not been distributed to full-time distance learning charter schools.

Figure 2: NMCA's SB9 and HB33 Expenditures
FY26



Source: LESC Files

In FY26, New Mexico Connections Academy (NMCA) received $2.9 million in HB33 and SB9 revenue, despite only operating an administrative facility in Santa Fe. NMCA has used little of this funding, with recent expenditures focused on Chromebooks, janitorial services, parking lot repairs, and maintenance (see **Figure 2: NMCA's HB33 and SB9 Revenues and Expenditures**). NMCA also noted to LESC staff it would like to use future

HB33 and SB9 funding on a roof replacement, updates to exterior doors, and replacing an elevator.

In FY27, PCA purchased a facility in Albuquerque to provide professional learning, student assessments, and supplemental in-person academic support to students, budgeting $6 million from their operational fund for the purchase and renovation. PCA administration also noted their intention to purchase a facility in Las Cruces. If PCA changed its address to its Albuquerque facility, it could qualify for about $3.7 million in HB33 and SB9 revenue that would otherwise go to Albuquerque Public Schools (APS) and existing charter schools in the area, based on FY27 MEM and distribution estimates. PCA told LESC staff that it does not have immediate plans to relocate its physical address, but its governing body discussed selling its Edgewood administrative office in August 2026.

PCA's facility expenditures conflicts with the role of full-time distance learning charter schools, which exist to service students statewide online. Purchasing facilities to provide in-person instruction contradicts their unique role and creates potential inefficiencies in how operational and local capital funding is allocated and spent. The 2017 LESC/LFC joint report anticipated this risk and recommended the Legislature prohibit distance learning programs from generating HB33 and SB9 funding, as well as lease assistance funds. Without these limits, some school districts and charter schools may see fluctuations in their local capital funding if a distance learning charter school is created or relocated to their community. The size of this risk cannot be determined because there are no statutory limits on how large a charter school may grow, when it can change its location, how many facilities it can purchase, or where those facilities can be.

While funding is similar for full-time distance learning students, expenditures for these students vary significantly by program. For New Mexico's distance learning charter schools, much of their costs are concentrated in contracted services, including curriculum, student information systems, and technological devices. NMCA, for example, spends about 24 percent of its operational funding on contracted services through its contract with Connections Academy (see **Table 5: Examples of Costs Associated with Distance Learning Programs**). On a per-student basis, NMCA spends about $5,223 on its contracts with Connections Academy, a significant amount of operational funding regardless of the quality of services it purchases. NMCA notes its contracts for enrollment services, professional development, and student records should not be construed as Connections Academy, or its parent company, Pearson, a multinational education and assessment company, managing the day-to-day operations or programmatic and budgetary decisions of NMCA.

Table 5: Examples of Costs Associated with Distance Learning Programs

School District/Charter School	FY26 Distance Learning MEM	FY27 Reported Costs	Description of Services
New Mexico Connections Academy	1,508	$5,223 per student	Curriculum, secure live lesson platform, email platform, student and school data and records maintenance and storage, learning management software, student information system, professional development, enrollment services, laptops and headsets, software, and technology support.
Deming Public Schools	67	$0	Use of Edgenuity and Subject.com to provide asynchronous instruction to distance learning students. The cost of the programming is covered in full by the Southwest Regional Education Cooperative.
Santa Rosa Consolidated Schools	1,589	$10,489 per student	Curriculum, learning management system, instructional materials, computers, testing support, student recruitment, administrative services, business admninstration, reporting, and professional development.

Source: LESC Files

While NMCA budgeted about 24 percent of its operational funding on contractual services, PCA has significantly decreased its spending on contractual services in recent years, as part of its goal of bringing those functions within the purview of charter school staff. Rather than allocate that funding to contractual services, PCA has significantly increased its investment in personnel, which will be discussed on page 24 of this report. Statewide distance learning programs also carry unique costs. In FY26, PCA spent about $300 thousand on venues and teacher travel for in-person state assessments and $250 thousand on in-person professional development. Having a large concentration of secondary students needing credit recovery also adds to these costs, as well as

supplemental support, and intervention programs.

Like full-time distance learning charter schools, locally managed and operated full-time distance learning programs purchase curriculum, learning management systems, and data storage—but how they pay for those services differ. Deming Public Schools reports it receives its curriculum for free from the Southwest Regional Education Cooperative, while New America–Las Cruces reports it funds its full-time distance learning program curriculum through a PED grant for schools in designation.

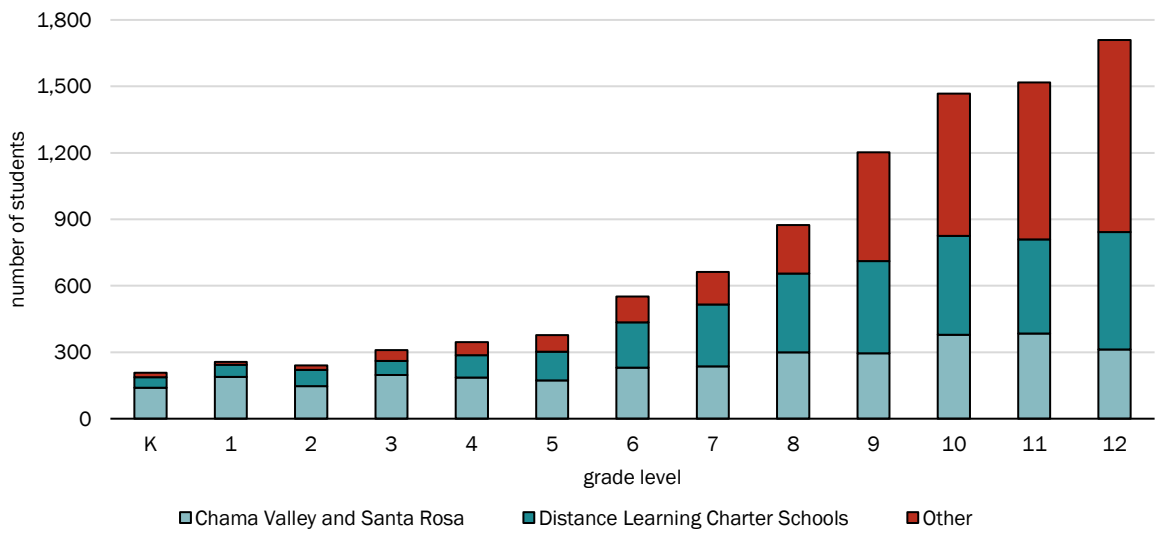
Third-party managed programs cost far more than any other model. In FY26, CVIS and Santa Rosa Consolidated Schools (SRCS) entered into an agreement with Stride K-12, Inc. to operate a full-time distance learning program, Destinations Career Academy (DCA), which enrolls about 3,300 students statewide. Although the two school districts operate the program separately, it is organized as one school, with a principal employed by Stride K-12, Inc. The agreement runs through SY31 and requires the school districts to pay Stride K-12, Inc. 95 percent of program revenues for students and staff. As a result, DCA's operational costs per student far exceed any other full-time distance learning program in the state, at about $10.5 thousand per student.

Full-Time Distance Learning Students in New Mexico

LESC staff's May 2026 brief on full-time distance learning cited research from the National Education Policy Center, a nonprofit research center at the University of Colorado Boulder, highlighting full-time distance learning programs serve fewer minority students, low-income students, and male students than traditional in-person public school settings. New Mexico's full-time distance learning population matches some of these trends, but differs in others, as described below.

Grade Level by Type of Program. In SY26, there were 9,700 students in a full-time distance learning school or program, most of whom were secondary students (see **Figure 3: Distance Learning Enrollment by Location**). Of the 65 school districts and charter schools providing full-time distance learning, only 12 allow kindergarten through grade five (K-5) students. Most of these programs are small, with 86 percent of K-5 distance learning students being enrolled in PCA, NMCA, or the externally managed program in CVIS and SRCS. Of note, CVIS and SCRS enroll 74 percent of all first-grade full-time distance learning students statewide.

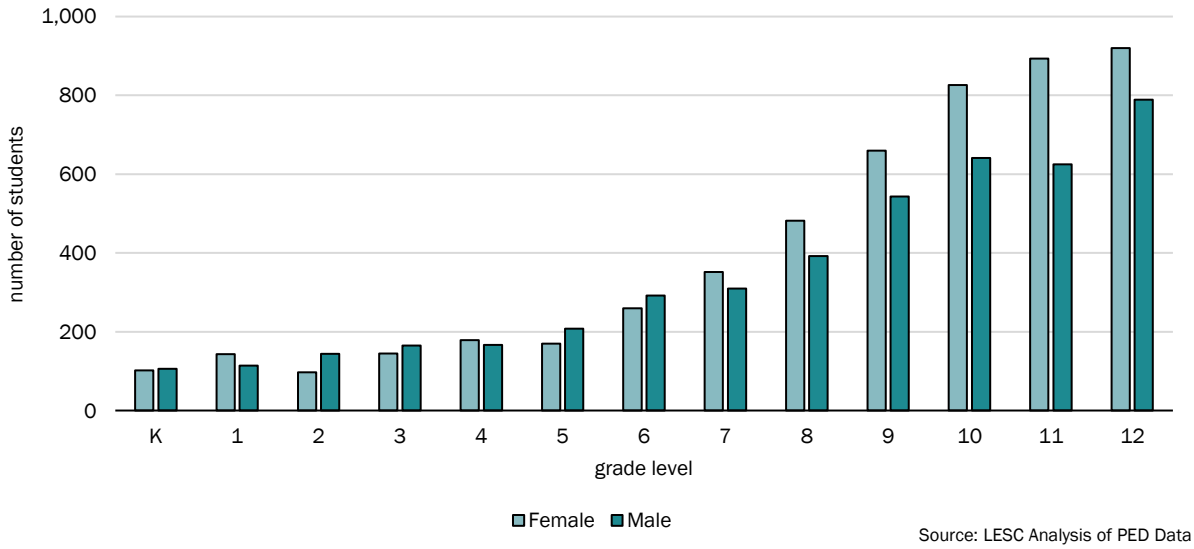
Figure 3: Distance Learning Enrollment by Location
SY26



Source: LESC Analysis of PED Data

Student Characteristics. In SY26, female students represented 54 percent of full-time distance learning students. This overrepresentation varies by grade level, with the disparity beginning to materialize in seventh grade (see **Figure 4: Distance Learning Enrollment by Grade Level and Gender**). After seventh grade, the gender

Figure 4: Distance Learning Enrollment by Grade Level and Gender
SY26



Source: LESC Analysis of PED Data

disparity grows significantly through 11th grade and narrows in 12th grade as male enrollment rises sharply.

Student gender in full-time distance learning also varies by school district and charter school. Large statewide programs like PCA and NMCA have an overrepresentation of female students of around 54 percent. Some rural distance learning programs have a much larger overrepresentation of female students, with some programs reporting up to 89 percent of their full-time distance learning students are female. Of all distance learning schools and programs throughout the state, only 26 percent have a male representation of more than 50 percent.

Hispanic students are overrepresented in distance learning programs, accounting for about 64 percent of full-time distance learning students compared with 57 percent of students statewide. Black students are also overrepresented, at 6.5 percent compared with 1.7 percent statewide, meaning 12 percent of Black students are enrolled in a full-time distance learning program.

English learners (ELs) are underrepresented among full-time distance learning students, with only 10 percent of full-time distance learning students identified as EL, compared with a statewide rate of 19 percent. This proportion varies by school district and charter school, as large statewide full-time distance learning programs have an underrepresentation of ELs, and smaller and more regional programs have a higher proportion of ELs.

Student Locations. In SY26, 70 percent of full-time distance learning students were enrolled outside of their school district's geographic area. These students had residencies in 75 school districts and were hosted by 41 districts' full-time distance learning program. About 81 percent are concentrated in the five largest full-time distance learning programs: CVIS, SRCS, PCA, NMCA, and APS.

Full-time distance learning as a proportion of enrollment also varies, with large concentrations in small and rural school districts. Some of these programs report that distance learning students represent two-and-a-half times the number of in-person students, with many of these distance learning students living outside school district boundaries. This concentration of full-time distance learning enrollment is contributing to both enrollment and revenue loss in the students' home districts (see **Table 6: Estimated Lost SEG Revenue as a Result of Distance Learning**). For some of these school districts, like APS, the scale of this enrollment loss to full-time distance learning programs is large enough to contribute to school closures, consolidations, and attendance boundary changes. As full-time distance learning charter schools offset this facility closure trend by buying facilities of their own throughout the state, the Legislature may want to consider the growing fiscal inefficiencies full-time distance learning programs are creating.

Table 6: Estimated Lost SEG Revenue as a Result of Distance Learning
FY26

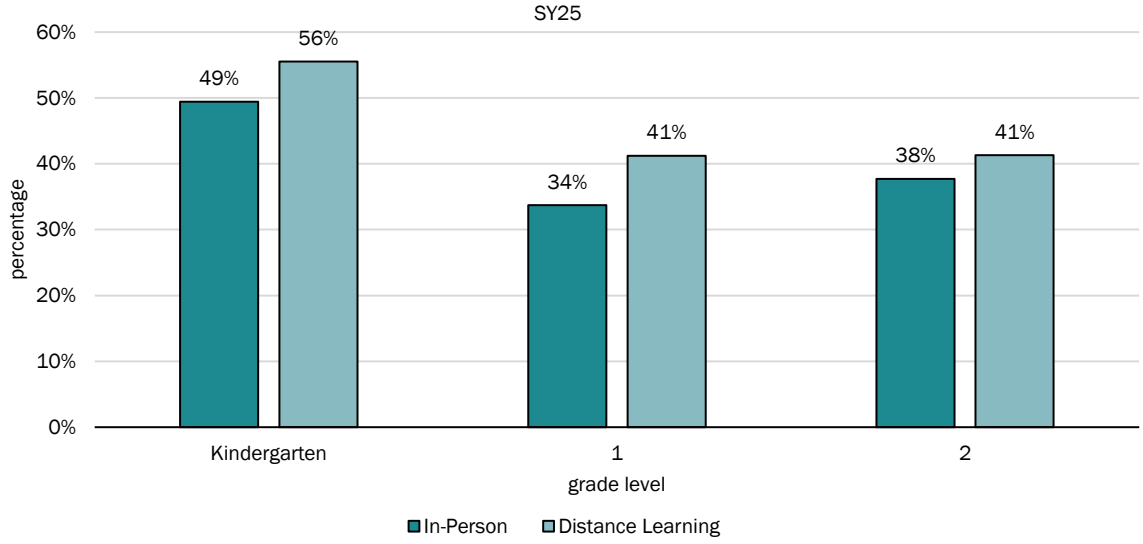
School District/ Charter School	FY26 Distance Learning MEM Enrolled Outside of School District	FY26 Estimated Lost SEG Revenue
Albuquerque Public Schools	1,320	$9,077,772
Carlsbad Municipal Schools	177	$1,217,247
Hobbs Municipal Schools	346	$2,379,477
Las Cruces Public Schools	428	$2,943,399
Rio Rancho Public Schools	509	$3,500,444
TOTAL	**2,780**	**$19,118,338**

Source: LESC Files

In some cases, the number of students in a community who choose to enroll in a full-time distance learning program outside of their school district or a neighboring charter school may signal concern with the quality of local public schools, or a broader community disaffection with their school district. Some qualitive evidence of this trend emerged during LESC's site visits, when community members cited families enrolling in full-time distance learning programs in response to local school safety concerns, local conversions to four-day weeks, instructional-quality concerns, and the lack of local availability of specific courses, like career and technical education (CTE) courses, dual-credit programs, or advanced placement courses. These trends highlight a theme of LESC's findings. Full-time distance learning is not usually the first option for students. Rather, some students may be choosing full-time distance learning as a reaction to reported concerns about school safety, institutional quality, and access to programming.

Enrollment in full-time distance learning often exacerbates existing differences in outcomes. While disaggregated assessment results for distance learning students are not yet publicly available for SY26, prior-year data indicates full-time distance learning students have considerable academic needs that often exceed those of in-person students. In SY25, assessment results for full-time distance learning students showed mixed results, with full-time distance learning students out-performing in-person in early grades but falling below in-person students in later grade levels. In kindergarten through grade two (K-2), full-time distance learning students out-performed their in-person peers in reading and math, as measured through the Istation assessment

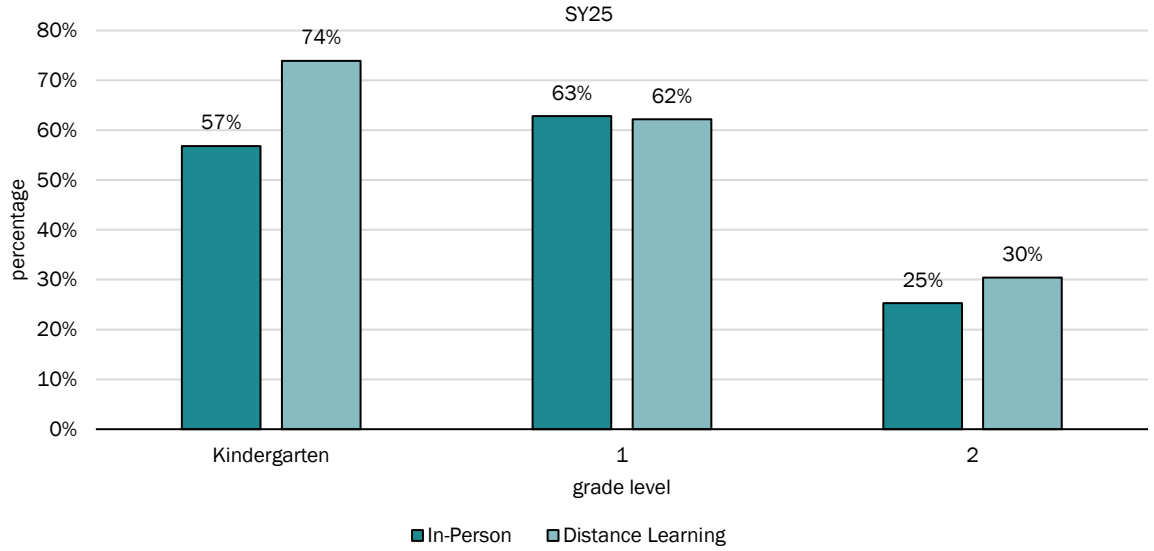
Figure 5: Percent of Kindergarten through Second Grade Students Proficient on Istation English Language Arts



Source: LESC Analysis of PED Data

(see **Figure 5: Percent of K-2 Students Proficient in Istation English Language Arts** and **Figure 6: Percent of K-2 Students Proficient in Istation Math**). However, these results should be interpreted with caution, as full-time distance learning students may complete their Istation assessments at home and under parent supervision while most in-person students complete the assessment at school.

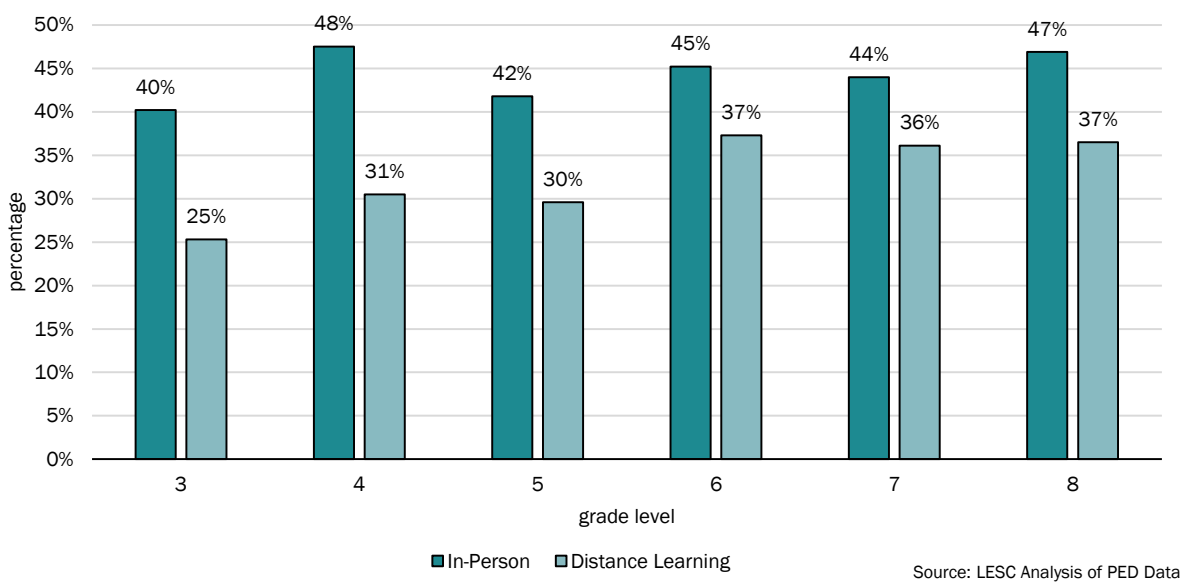
Figure 6: Percent of Kindergarten through Second Grade Students Proficient on Istation Math



Source: LESC Analysis of PED Data

In SY25, full-time distance learning students in grades three through eight (3-8) trailed in-person students in English language arts (ELA) on the New Mexico Measures of Student Success and Achievement (NM-MSSA) assessment (see **Figure 7: Percent of Grades 3-8 Students Proficient in ELA**). The gap was widest in the fourth grade, with distance learning students performing 17 percentage points below their in-person peers. It narrowed through the remaining elementary grades and widened again in grade eight. The gap appeared across all student demographics, including race, gender, and special education and EL designations.

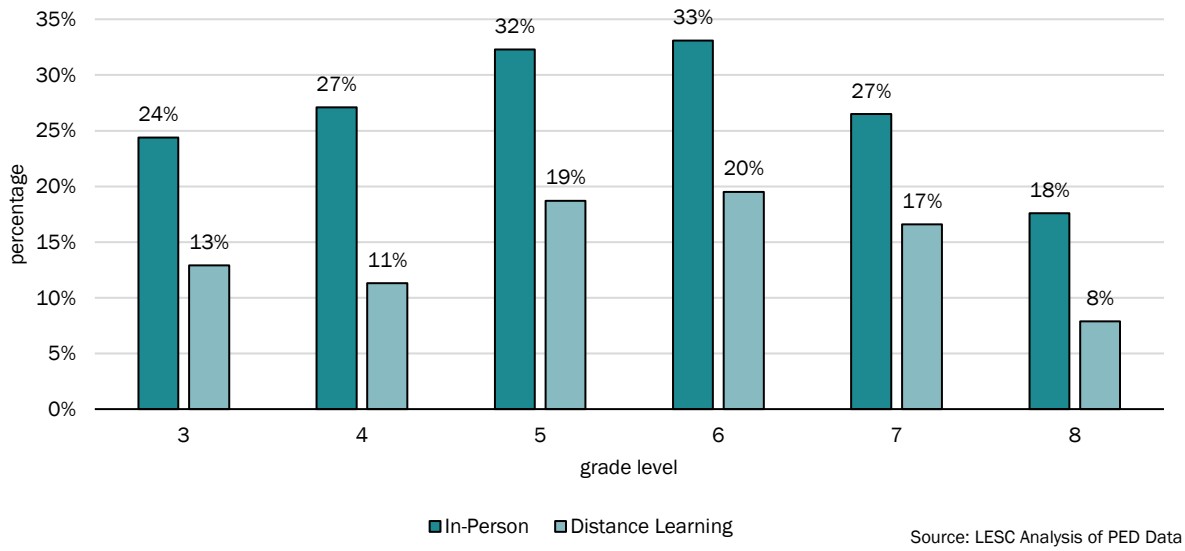
Figure 7: Percent of Third through Eighth Grade Students Proficient in ELA



Source: LESC Analysis of PED Data

NM-MSSA math assessment results showed a similar pattern, with full-time distance learning students trailing in-person students by up to 16 percentage points (see **Figure 8: Percent of Third through Eighth Students Proficient in Math**). The gap was widest in fourth grade, at 16 percentage points, and was 13 percentage points in fifth and sixth grades. Proficiency rates for both groups peaked in sixth grade and fell in seventh and eighth, with full-time distance learning reaching a low of 8 percent in eighth grade, compared with 18 percent for in-person students.

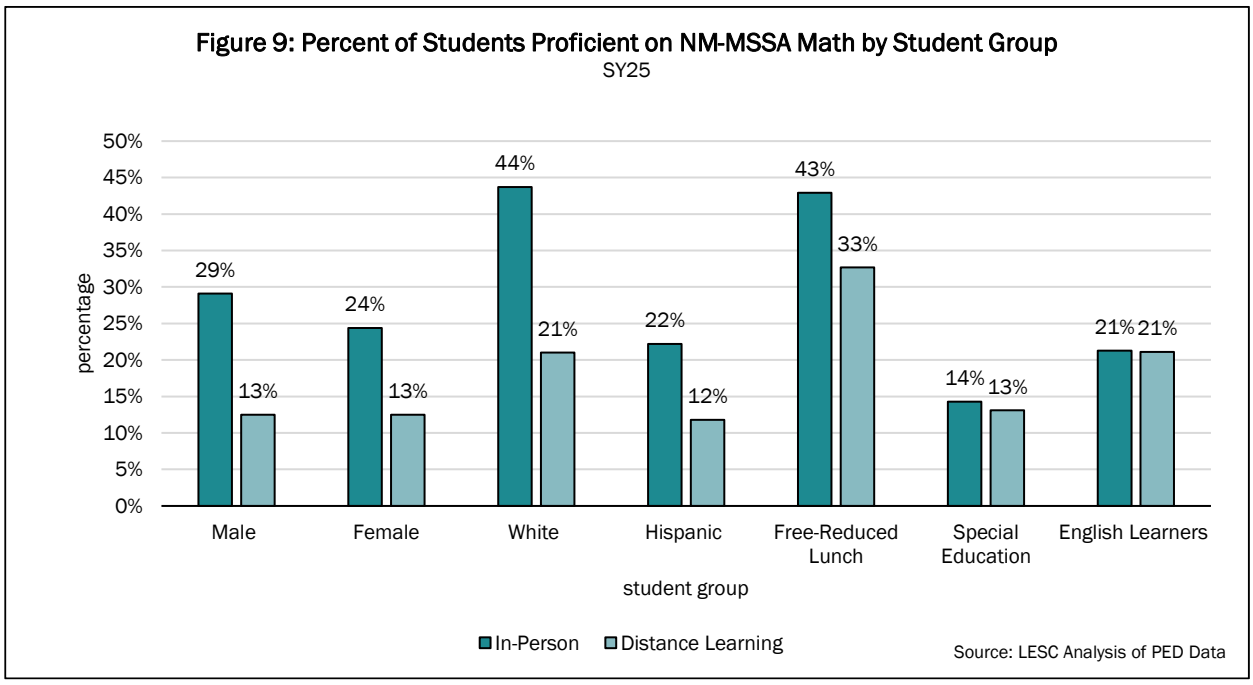
Figure 8: Percent of Third through Eighth Grade Students Proficient in Math
SY25



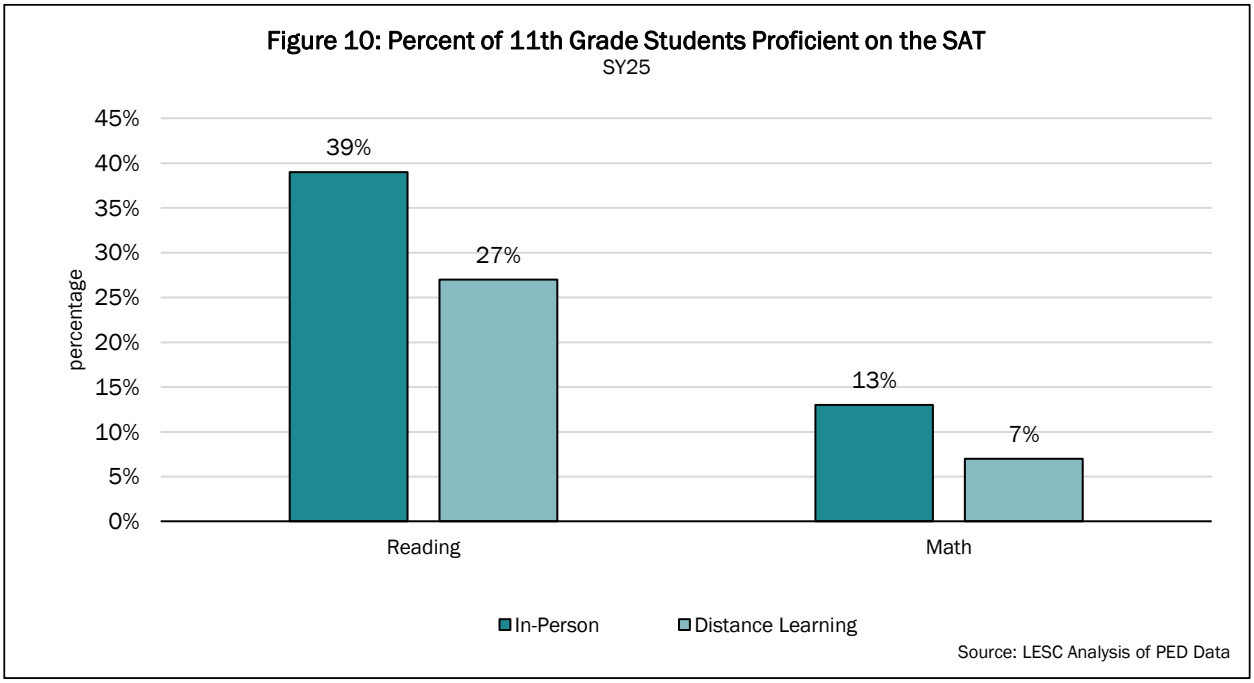
Source: LESC Analysis of PED Data

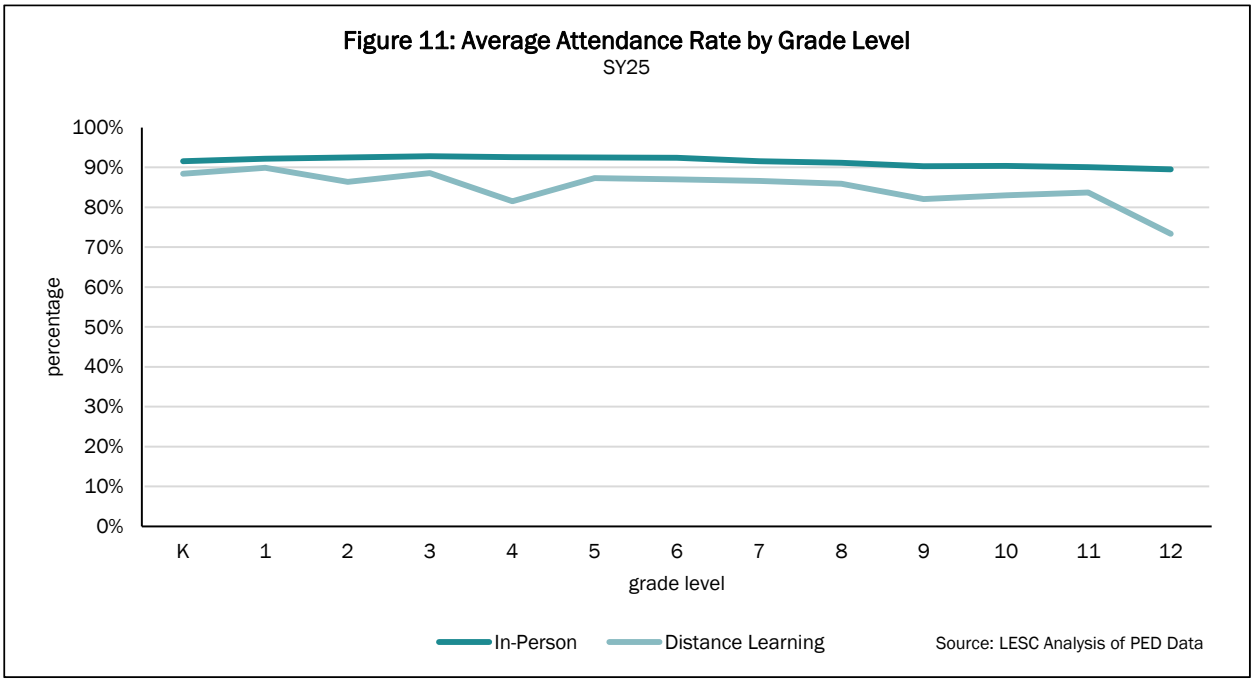
Similar to the assessment results for Istation, NM-MSSA results should also be interpreted with caution as they only serve as aggregates of statewide data. Some school districts and charter schools are reporting significantly lower outcomes among their full-time distance learning students than is evident by the statewide data that is visually depicted in this report. One school district with a large concentration of out-of-district full-time distance learning students reported to LESC staff that its SY26 math proficiency rates were 7 percent for third grade, 6 percent for fourth grade four, and 3 percent for fifth grade. These stark gaps in student outcomes continue in secondary grade levels, with only 4 percent of eighth grade students reaching proficiency in math. Even though full-time distance learning students often trail their in-person counterparts in statewide assessments, a large full-time distance learning school or program that demonstrates a proficiency rate of 3 percent in math suggests there may be more systemic challenges with that specific school or program.

While SY25 assessment results were generally lower for full-time distance learning students across most student groups, the size of the gap in outcome varies (see **Figure 9: Percent of Students Proficient on NM-MSSA Math by Student Group**). As some notable examples of this gap, math proficiency among full-time distance learning students was 23 percentage points lower for white students than for their in-person counterparts and 16 points lower for male students. The gap was 11 points for female students and about 10 points for both Hispanic and low-income students. In contrast, special education students and EL students showed almost no gap, with proficiency rates similar for these subgroups.



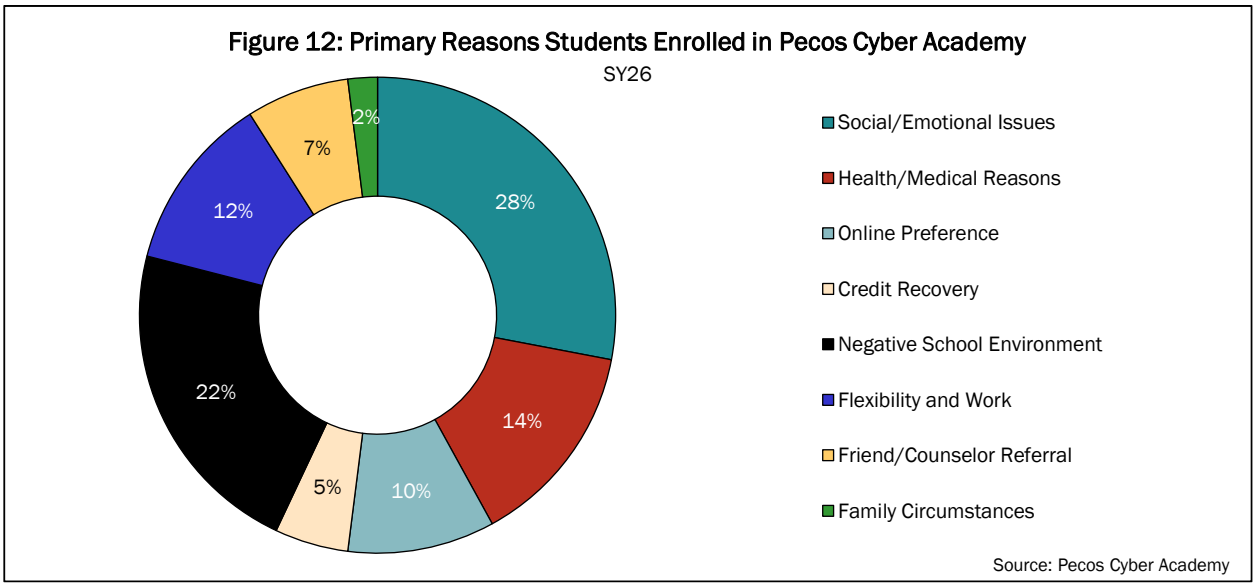
New Mexico requires students in 11th grade to be assessed using the SAT. In SY25, 11th grade full-time distance learning students trailed their in-person peers in both ELA and math (see **Figure 10: Percent of 11th Grade Students Proficiency on the SAT**), with a gap of 12 percentage points in ELA and 6 percentage points in math. Of note, in SY25, only 7 percent of full-time distance learning students were proficient in math on the SAT. In one school district, less than 1 percent of 11th grade full-time distance learning students reached proficiency in math on the SAT.





Average attendance rates among full-time distance learning students also trailed in-person students across grade levels (see **Figure 11: Average Attendance Rate by Grade Level**). This is notable as full-time distance learning attendance policies vary widely but are relatively permissible in what qualifies as attendance. One noticeable trend in this data is the sharp decrease in full-time distance learning student average attendance in fourth grade and 12th grade. During LESC's site visits, public school staff noted parental engagement often decreases as students get older, thereby contributing to the drop-off in average attendance in later elementary grades. The high concentration of secondary students in need of credit recovery, or those balancing work and school, or who have other obligations during the school day, also contributes to the sharp decrease in average attendance in 12th grade.

Systemic challenges drive enrollment in full-time distance learning programs. Statute does not require a student to disclose why they are enrolling in a full-time distance learning program. However, in SY26, PCA conducted a student survey to assess the reasons students chose a full-time distance learning program (see **Figure 12: Survey Results for Student Enrollment**). The most common reasons these full-time distance learning students cited were



social emotional factors, negative school environments, health reasons, flexibility and work commitments, credit recovery, and family circumstances.

One item of note in this survey is the high proportion of full-time distance learning students citing specific factors in their prior school or their personal circumstances as reasons for choosing full-time distance learning. For these students, mental and behavioral health challenges are a common driving factor to full-time distance learning, including anxiety and depression. Some students are also citing negative experiences in their prior in-person environment, with bullying being a common trend among these students.

Table 7: Primary Reasons for Distance Learning Student Disenrollment
SY26

Reason for Withdrawal	Percentage of Student Responses
Social Reasons	26%
Overwhelming Workload	22%
Difficulty Transitioning to Online	17%
Administrative Withdrawals (No Shows)	17%
Too Much Screen Time	15%

Source: Pecos Cyber Academy

Because of the complex factors influencing students to enroll in full-time distance learning, these programs often have high levels of churn, where students continuously enroll and disenroll from the programs. According to PCA, students disenroll because of a lack of social engagement, a heavy workload, the transition being too difficult, and too much screen time (see **Table 7: Primary Reasons for Distance Learning Student Disenrollment**). In SY26, PCA reported half of its students were enrolled for a full year, with NMCA noting a churn rate of 11 percent in SY26.

Distance Learning 2026 Interim Study

This report follows a May 2026 policy brief where LESC staff reviewed full-time distance learning programs' demographics, structures, and funding. To build on this brief, the LESC 2026 workplan included an item focused on assessing student outcomes, programmatic structures, and funding mechanisms for full-time distance learning programs. As part of this work, LESC staff completed a study of full-time distance learning, with a focus on how programs track student engagement and attendance, conduct teacher professional learning, and use operational funding to support programming. LESC staff conducted virtual and in-person site visits, classroom observations, and interviewed staff and leadership at various schools.

Defining the programs. LESC staff defined three models of full-time distance learning. On a programmatic level, these programs are similar in prioritizing flexibility as a core tenet of their instructional models. However, full-time distance learning programs differ significantly in the roles of local personnel and contractors to provide core instruction and administrative and student support services (see **Table 8: Primary Models of Distance Learning Programs in New Mexico**).

Table 8: Primary Models of Distance Learning Programs in New Mexico

Type of Model	Description
Locally Managed and Operated	Instruction is typically provided through an online learning platform, with certified personnel employed directly by the school district or charter school also being responsible for tracking student progress or providing one-to-one support.
Distance Learning Charter Schools	Instruction is provided by charter schools that are authorized to exclusively provide distance learning instruction using certified personnel employed by the charter school.
Third-Party Management	Instruction is exclusively provided by a third-party provider and supported by certified personnel who are not employed directly by the school district or charter school. In these programs, the school district or charter school has typically relinquished authority and responsibility for selecting, evaluating, supervising, and compensating the certified personnel providing the instruction. These programs also commonly increase their size through statewide expansion.

Source: LESC Files

At each of the 11 site visits to distance learning programs and schools, LESC staff observed classrooms in both elementary and secondary grade levels. During classroom observations, LESC staff observed synchronous instruction in each classroom, including whole-group instruction, small-group breakout sessions, and one-on-one interventions. To complement these classroom observations, school and district administrators answered LESC staff questions to provide additional context on the program's purpose and framework, in alignment with questions developed by LESC staff. The list of questions for each school district and charter school differed based on the programmatic model they use. The full list of questions for each program model can be found in **Appendix A: 2026 LESC Distance Learning Research Framework.**

Key Takeaways from Site Visits

Laws 2026, Chapter 8 (*HB253) requested LESC, in collaboration with LFC and PED, to conduct a comprehensive study of full-time distance learning instruction. In particular, the law requested the study evaluate the status of full-time distance learning programs; program outcomes, with a focus on K-5 students; the program's costs; and recommendations for potential legislative action on full-time distance learning programs. (see **Table 9: LESC Staff Distance Learning 2026 Site Visits**)

LESC staff's site visits provided valuable insight into the internal operations of distance learning models, and program operators discussed their efforts to provide students with an engaging, well-rounded education in a full-time distance learning setting.

Table 9: LESC Staff 2026 Distance Learning Site Visits

Program Model	Name of Operator
Locally Managed and Operated	Albuquerque Public Schools
	Las Cruces Public Schools
	New America School (Las Cruces)
	Gilbert L. Sena Charter High School
	House Municipal Schools
	Mosquero Municipal Schools
Distance Learning Charter Schools	Pecos Cyber Academy
	New Mexico Connections Academy
Third-Party Managed	Deming Public Schools
	Chama Valley Independent Schools
	Santa Rosa Consolidated Schools

Source: LESC Files

Common Trends

The following section explores key takeaways from LESC staff interviews with public schools within all three full-time distance learning program models. While schools' approaches to serving students took different forms depending on their context, common trends emerged that can inform a statewide policy framework, including: high concentrations of student needs, a heavy reliance on learning management systems, excessive class sizes, variations in local approaches to instructional time, inefficiencies in how public funding is allocated and used by distance learning programs, and broad considerations around local and statewide governance of public schools.

Beyond those broad trends, LESC staff also noted variations in how public schools perceive the statutory definitions of full-time distance learning students and programs. It may be possible this variation in local understanding of the newly created statutory definitions may have led to unreliable estimates of the number of

full-time distance learning students throughout the state during SY26 and SY27 reporting. The Legislature may need to revise these definitions, so schools identify distance learning students consistently. **Table 10: Common Trends Across LESC Staff's Distance Learning Site Visits** provides a summary of the common trends that will be further explored throughout the remainder of this report.

Table 10: Common Trends Across LESC Staff's Distance Learning Site Visits

Topic	Findings
Staffing	• Some programs exceed class size requirements without a PED waiver; and • Special education staffing is strained or handled through workarounds.
Programming	• Instructional time is self-reported, proxied, or untracked; • Significant variation in camera policies; • Significant variation in live instruction (synchronous/asynchronous), especially in secondary grades; and • Significant variation in attendance tracking with live attendance often optional.
Funding	• Inconsistent tracking or itemizing of oversight fees; • Distance learning students are counted towards capital outlay; and • Third-party management shifted control of budgets and staffing away from local leaders.

Source: LESC Files

PED Guidance on NOVA ID Placeholders. School districts and charter schools have historically used a placeholder licensure code provided by PED, 888888888, in place of a specific teacher licensure number to report instructor information for distance learning courses. This placeholder allows the school district or charter school to report information on a distance learning course without triggering a licensure check in the department's tracking system. However, the use of this placeholder also prevents PED from ensuring the course is taught by a qualified instructor. PED issued a memo on July 27, 2026, prohibiting all school districts and charter schools from using placeholder NOVA—the next generation of the Student Teacher Accountability Reporting System--IDs for their full-time distance learning programs to ensure distance learning courses are employing licensed teachers. In the memo, PED reiterated that all school districts and charter schools are required to use each licensed teacher's ID number, as Laws 2026, Chapter 8, requires all full-time distance learning programs to comply with statutory class size requirements. This guidance is meant to help PED verify all full-time distance learning programs and computer-based courses are taught by individuals with appropriate licensure and other certifications.

Locally Managed and Operated Distance Learning Programs

Locally managed and operated distance learning programs range from larger, urban school districts and charter schools to micro-districts. Some distance learning programs serve students in grades K-12, while others focus on secondary students. Some schools emphasize daily synchronous instruction; others adopted a fully asynchronous model for day-to-day schoolwork and still offer small group or one-on-one interventions. These differences have large impacts on how full-time distance learning students experience school.

Many locally managed and operated full-time distance learning programs are primarily designed to provide credit recovery coursework and support broader student reengagement initiatives. Some students disengage from school, particularly in middle school, and others fall behind in their credit hours. In many public schools, helping these students reengage or catch up is often done through hybrid distance learning programs, where students may take after-hours courses, complete only a portion of each school-day in person, or have alternating schedules each week that balance distance learning and in-person instructional time.

Statute does not govern credit recovery, and there are varying administrative rules that provide guidance for how school districts and charter schools may provide for alternative credits, usually through hybrid distance learning programs and standalone courses. During site visits, LESC staff noted significant differences in how credit-recovery courses and programs are provided, such as costs levied on students, the number of courses students are allowed to complete each academic year, the speed at which students may complete courses, and the ability of students to engage with a licensed teacher while completing courses.

Given the fractured regulatory landscape of credit recovery and its interaction with distance learning, LESC staff recommends the Legislature focus its current regulatory approach on full-time distance learning programs and initiate a comprehensive analysis of hybrid programs that often support credit recovery courses and programs in the 2027 legislative interim.

Some locally managed and operated full-time distance learning programs are primarily designed to generate additional operational revenue. This was particularly notable in small and rural school districts, where local leaders noted small student populations do not generate sufficient revenue through the SEG to support operations. As a result, those school districts turn to full-time distance learning programs as a way of enrolling students throughout the state, leading to substantial enrollment increases and an influx of additional operational revenue.

Despite the intent of increasing operational revenue, some locally managed and operated full-time distance learning programs may be creating excessive variablity in local expenditures. One school district that serves full-time distance learning students from outside of its boundaries noted it occasionally receives full-time distance learning students with an Individualized Education Program (IEP), and it does not have the support services or operational revenue to adequately meet the student's needs. While the school district cited the SEG's methodology around prior-year funding as the primary challenge, it is important to note the school district made an intentional choice to expand its enrollment by attracting students from across the state, and as a result it must take on all statutorily required expenditures that come with that local decision.

Some full-time distance learning programs exceed allowable class size. In multiple classroom observations, LESC staff observed class sizes that seemingly exceeded statutory restrictions. One school district reported several of their secondary full-time distance learning teachers exceeded statutes' maximum class size of 160 students and provided additional compensation to those teachers as a result. The district reported not having a class size waiver, which PED confirmed, and staff said they were unaware of the waiver requirement. Another full-time distance learning program without a class size waiver allows high school teachers to have up to 177 students because its curriculum is primarily delivered asynchronously.

Delivery of instruction varied considerably between programs. While elementary instruction in LESC site visits more consistently involved synchronous learning, secondary programs had a greater level of flexibility. In one instance, the high school program was conducted entirely asynchronously, with optional opportunities for students to attend office hours and one-on-one tutoring.

Full-time distance learning students are typically tied to a specific brick-and-mortar school. While full-time distance learning students received instruction in a distance learning format, some were still formally enrolled in their local brick-and-mortar school. Local personnel noted this was done to ensure full-time distance learning students receive intentional support from the campus in their attendance zone to ensure a smoother transition if that student decides to return to in-person instruction. Other school districts noted they have specific campuses host the full-time distance learning program, but open enrollment to all students. While LESC staff did not visit Logan Municipal Schools, that school district is an example of how a separate school can also be created (Ute Lake Online Learning Center) to provide greater structure for student supports.

Program staff often defer to student preferences when setting camera policies. Some full-time distance learning programs sought to balance students' unique needs with creating and enforcing accountability and student safety measures. Most locally managed and operated programs visited by LESC staff allowed students to keep cameras off during synchronous instruction. School officials stressed that flexibility is needed due to some students' struggles with anxiety, medical issues, and other factors. In instances where cameras were required, full-time distance learning programs found alternative ways to alleviate students' concerns. For example, some programs used a platform with a built-in privacy mode that ensured only the teacher could see students' cameras. One full-time distance learning program required cameras on in grades K-8 but allowed students to angle the camera up toward the ceiling or their forehead. Some students had Section 504 accommodations, civil rights protections providing for changes to the delivery of educational instruction and assessments, in place to allow them to keep their camera off during classroom instruction.

Some school districts and charter schools limit enrollment in full-time distance learning programs based on local perceptions of suitability and the availably of support services. In one full-time distance learning program visited by LESC staff, local staff noted students with an IEP are not eligible for enrollment in full-time distance learning, as the program staff do not believe they have the necessary resources to provide adequate services to those

students. It is important to note that all school districts and charter schools are required to comply with the provisions of a student's IEP, including if the IEP requires access to a distance learning program. Restricting enrollment in a distance learning program for students with an IEP raises questions around compliance with state and federal statutes and regulations around special education and suggests a formal statewide framework for full-time distance learning programming design, approval, and evaluation may be needed. Staff in other programs noted they restrict enrollment for elementary students, as they do not believe a full-time distance learning program is developmentally appropriate for students in early grade levels, nor does it offer the physical safety mechanisms needed for young students.

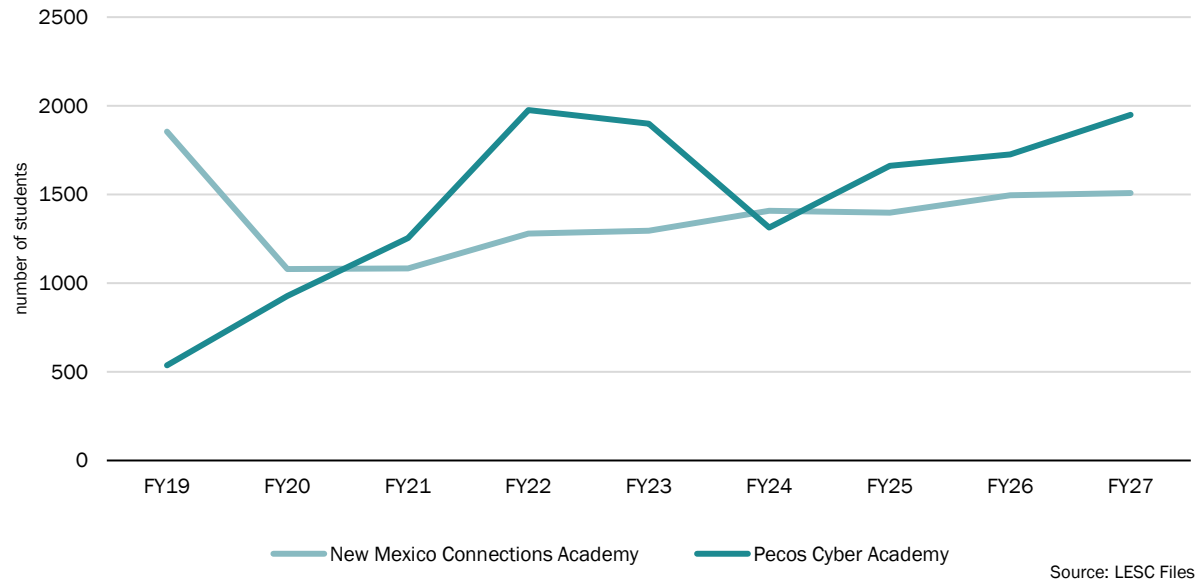
Distance Learning Charter Schools

New Mexico has two distance learning charter schools: PCA and NMCA, both authorized by the Public Education Commission (PEC). In FY27, PCA has a student MEM—in other words, enrollment—of 1,950, and NMCA has a student MEM of 1,508, together accounting for 3,458 students. PCA serves K-12 students under a 2,500-student enrollment cap, while NMCA serves grades four through 12 under a 2,000-student enrollment cap. Most students at both schools are in secondary grades, but approaches to scheduling and attendance differ significantly.

Enrollment has risen and fallen at both schools. PCA has experienced variable enrollment since FY19, growing from 535 in FY19 to a peak of 1,975 in FY22. Like many full-time distance learning schools and programs throughout the country, PCA's enrollment fell sharply after the Covid-19 pandemic, dropping to 1,310 in FY25, but beginning a steep increase in FY25, with its student MEM reaching 1,950 in FY27. While PCA is now pursuing an increase in its enrollment cap to 3,000 students, NMCA noted to LESC staff that it is focusing on refining its ability to meet its students' needs by intentionally holding its total enrollment around 1,500.

A clear theme from the data and LESC staff's site visits is that enrollment at both distance learning charter schools is partly driven by outside events, such as the Covid-19 pandemic or local events in school districts that prompt families to change schools. In recent years, these two distance learning charter schools have responded differently to these trends. PCA has pursued rapid growth in enrollment, despite significant class sizes and caseloads, while NMCA has focused on program refinement and student retention (see **Figure 13: Student MEM at Distance Learning Charter Schools**.)

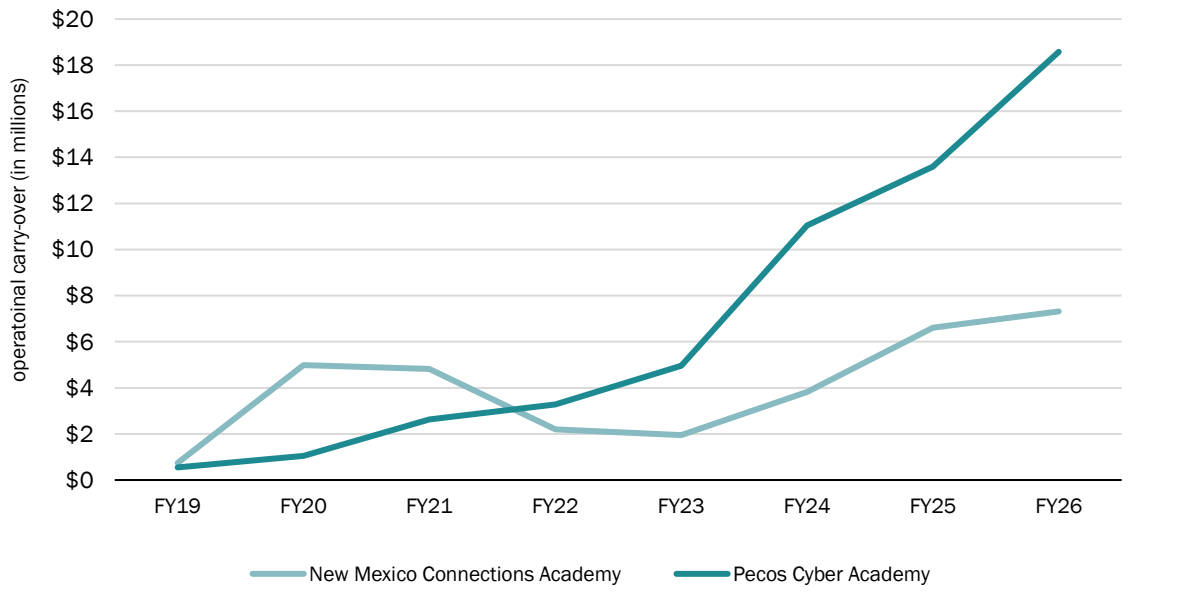
Figure 13: Student MEM at Distance Learning Charter Schools
FY19-FY27



Source: LESC Files

As enrollment has grown, so has operational cash carryover. All school districts and charter schools generally require some form of operational carryover to float state and federal grants, comply with authorizer policies, meet risk premium expenses at the beginning of the fiscal year, and cover other potential expenses. In most cases, school districts and charter schools hold reasonable reserves to meet these expenses, with school boards and governing councils prioritizing using their financial resources on immediate investments in serving students and improving outcomes. In the last several years, however, both of the state's full-time distance learning charter schools have grown their operational carryover, with PCA reporting significant increases between FY23 and FY26 (see **Figure 14: Operational Carryover for Full-Time Distance Learning Charter Schools**). While operational carryover usually rises in conjunction with enrollment, PCA reported an operational carryover of 51 percent of their FY27 program cost, one of the highest percentages in the state. This rapid accumulation of operational funding coincides with large class sizes and caseloads at PCA and a focus on asynchronous instruction to alleviate workloads on teachers. In FY27, the PCA governing board has budgeted $6 million of its operational funding to purchase and renovate a facility in Albuquerque to provide in-person support to students.

Figure 14: Operational Carryover for Full-Time Distance Learning Charter Schools
FY19-FY26



Source: LESC Analysis of PED Data

Both full-time distance learning charter schools report a focus on ensuring students remain continuously enrolled throughout the academic year. One of the core challenges with full-time distance learning programs is the churn in enrollment, where some students continuously enroll and disenroll throughout the academic year, while others transition to a full-time distance learning program for the first time several months into the academic year. Given that both full-time distance learning charter schools have found student outcomes improve when students are enrolled for the entire academic year, NMCA and PCA are making intentional investments in reducing their churn rates, while also providing additional support to students who may transition to full-time distance learning during the academic year.

Charter schools are entitled to statutory nondiscretionary waivers for class sizes. PED data indicates PCA has a nondiscretionary waiver in place for class sizes. Although PCA reported keeping homerooms at 20 students or fewer and hiring 45 teachers in SY26 to reduce rosters. However, LESC staff observed a third-grade ELA session with 82 students and four teachers, and a high school biology session with 66 students. PCA staff noted these teachers work in teams and use breakout rooms with inclusion and EL teachers to form smaller groups. NMCA reported average high school loads of 165 to 175 students (slightly higher for electives) and caps of 30 in grades four and five, 120 in grade six, and 150 in grades seven and eight.

PCA reports considerable administrative burden on educators because of large caseloads. While students work independently, teachers grade student work within a 48-hour window for caseloads ranging from 65 students in

kindergarten to 110 in 5th grade, 162 in 6th grade, and 160 per core content teacher in high school. Distance learning teachers also prepare lessons, log outreach calls, document intervention contacts, and attend IEP or student assistance team (SAT) meetings that can displace the 55 minutes of daily prep time in their schedule. PCA noted asynchronous time is essential for student learning, but it was also when demands on teacher capacity are the greatest, given the high caseloads.

PCA reported its large class sizes were partly driven by its prior management by a third party. Section 22-8B-4(Q) NMSA 1978 prohibits a charter school's governing body from contracting with a for-profit entity for the management of the charter school. Section 22-8B-2(I) NMSA 1978 defines "management" as "authority over the hiring, termination, and day-to-day direction of a school's employees or contractors, whether they are licensed or not." Despite this statutory prohibition, PCA reported to LESC staff the school had historically been operating under the management of its contractor, Pearson, which had managed the charter school's budget and hiring and thus produced large caseloads and class sizes as a byproduct. Beginning in 2020, PCA moved human resources, curriculum, learning platforms and enrollment from Pearson to in-house staff. PCA reports SY27 is its first year operating independently of Pearson.

PCA Balances Plans to Reduce Class Sizes with Increasing Enrollment

During LESC's site visits, PCA recognized its elevated caseloads and class sizes, and indicated it plans to make significant investments in personnel to increase support for students. As part of this plan, PCA hired 45 new teachers to reduce teacher rosters in FY26, and plans to hire an additional 15 teachers in FY27. PCA's goal is to maintain manageable class sizes, responsible caseloads in special education, small homeroom classrooms for students, and additional support for outreach and intervention.

However, despite its inadequate staffing, PCA is currently requesting a substantial increase in its enrollment cap, from 2,500 to 3,000, largely in response to a PCA administrator's concern about the programmatic viability of the full-time distance learning programs in Chama Valley Independent Schools and Santa Rosa Consolidated Schools.

This significant programmatic and financial request is partly rooted in speculation about legislative action and follows PCA's purchases of facilities using operational funds and deliberations on whether to convert to a four-day week. Each of these factors fail to align with a cohesive long-term programmatic and financial plan for reducing class sizes and adequately meeting the needs of the school's current students.

Both schools emphasized synchronous instruction at both the elementary and secondary grade levels, though PCA placed a greater focus on synchronous instruction for secondary students than NMCA. PCA places a significant emphasis on synchronous learning at both the elementary and secondary levels, with the majority of the day being live instruction. NMCA offers four days of live lessons but does not require attendance. NMCA staff acknowledged a student at any grade level could be fully asynchronous. Live attendance is required only for students whose IEPs or academic support plans require it. LESC staff observed a wide range of attendance in live NMCA classes, from 68 students in a seventh grade math class to four students present (and 119 absent) in an 11th grade ELA class and one student present (and 90 absent) in a consumer math class.

NMCA and PCA's camera policies largely deferred to student preference. PCA generally expects students to be on camera, but students in eighth through 12th grades may use a privacy mode visible only to the teacher, and cameras are largely optional for students with limited internet connectivity in rural areas. PCA's secondary principal stated that about 100 of last year's 179 graduates would not have earned a diploma without this flexibility. NMCA does not require cameras to be used during synchronous instruction.

Attendance tracking policies differ between PCA and NMCA. PCA homeroom teachers contact students not seen online each morning and monitor logins and engagement. NMCA focuses less on live attendance and more on whether students are on track to meet course completion milestones. In practice, NMCA determines the estimated progress a student is expected to make by various points during the term and compares that to actual student completion levels to assess students' attendance and engagement. NMCA's student and family outreach escalates from teachers to social workers and counselors to school leadership and has at times involved law enforcement. Both full-time distance learning charter schools require a learning coach at home, though PCA staff noted many students in grades eight through 12 have less parent support than they need.

Tracking instructional time is difficult in a full-time distance learning model. Section 22-2-8.1(A) NMSA 1978 requires schools to provide students with 1,140 instructional hours each year. Statute defines an "instructional hour" as "a period at school during which students receive instruction aligned to academic content and performance standards." Both full-time distance learning charter schools indicated students can access coursework at any time of the school day or week and approach tracking instructional time differently. NMCA reported using PED's calendar tool to calculate instructional time using the sum of teacher availability between 8:00 a.m. to 4:00 p.m. throughout the school year and the times teachers provide live instruction, which total 1,170 hours. This proxy, however, reflects the time teachers are available, not time students are actively engaged in instruction, which is optional in NMCA's policies. It is unclear whether this approach to quantifying instructional time aligns with the intent of the Legislature.

PCA Purchases Building to Provide In-Person Support

In FY27, PCA purchased a facility in Albuquerque, budgeting $6 million in operational funds to purchase and renovate the facility, with the goal of providing professional development, on-site testing, family engagement, and in-person student support. PCA is also planning to purchase a facility in Las Cruces.

The purchases of this facility present a concerning development for several reasons:

1. It implies a full-time distance learning program does not meet student needs;
2. It dis-equalizes students' access to supplemental academic support, as only students in Albuquerque or surrounding areas, or those with access to transportation, could access supplemental in-person support;
3. It is misaligned with the programmatic framework of full-time distance learning charter schools;
4. It requires the expenditure of operational funds that should be invested in reducing class sizes and caseloads, and reduces future capacity to invest in student supports;
5. It risks creating a large and unmanageable real estate portfolio; and
6. It creates uncertainty in the SEG, as multiple facilities may create future incentives to relocate PCA's address, depending on how the physical location would impact operational funding.

LESC staff recommends the Legislature require the PEC to approve the acquisition of supplemental facilities, that a full-time distance learning charter school certify the adequacy of its educational program when using operational funds to purchase facilities, and that those full-time distance learning charter schools certify annually to the PEC why the facility is needed and how it was used in the prior fiscal year. LESC staff also recommends the Legislature continue to monitor this area and pursue additional statutory restrictions on facility purchases and holdings if the prior-mentioned concerns begin to have measurable impacts on these specific school's operations, staffing, budgets, and student outcomes.

Third-Party Managed Programs

LESC staff met with three programs primarily managed by third-party providers: Deming Municipal Schools (DMS) (DMS), CVIS, and Santa Rosa Consolidated Schools (SRCS). The program in DMS differs significantly from CVIS and SRCS. Serving only secondary students, DMS uses the Subject.com and Edgenuity platforms, operates in a primarily asynchronous format, and allows only students located within their school district's boundaries to enroll in the full-time distance learning program. DMS teachers are also available to provide academic support for students enrolled in the program. Given the outsized impact of the full-time distance learning programs in CVIS and SRCS on the state, the discussion below focuses on these specific third-party managed full-time distance learning programs. Many of the findings below apply specifically to these two school districts and should not be interpreted as representative of DMS' program.

CVIS and SRCS host the state's primary third-party managed full-time distance learning program in partnership with Stride K-12, Inc., a private corporation that provides distance learning programs to public and private school students across the United States. In FY27, the full-time distance learning program enrolls about 3,300 K-12 students statewide. In contracts with Stride K-12, Inc., the primary responsibility of the school districts is to provide oversight of the program, rather than participate in the day-to-day operations of the program. The two school districts have interpreted this oversight role in significantly different ways.

In some respects, Destinations Career Academy offers insight into what responsive distance learning should look like. One of the most responsive features of Destinations Career Academy (DCA) is its policy on requiring students to have their cameras on during synchronous instruction, even if they are visible only to the instructor. Other notable features of the program are its stated preference placed on hiring experienced licensed teachers, its focus on synchronous instruction, and its approach to ensuring equitable student access to technological devices.

DCA was created with limited programmatic, staffing, and oversight planning. On March 26, 2026, the New Mexico State Auditor notified PED of its findings related to whether the school districts violated the procurement code in the establishment of DCA. In the letter, the state auditor found the school districts collaborated in designing nearly identical requests for proposals (RFPs). The RFPs were published in July 2025, only several weeks before the start of school in August 2025. During conversations with LESC staff, CVIS staff described the creation of the full-time distance learning program as "chaotic" and noted the transition resulted in overlapping administrative and teaching staff, and strains on local capacity to adequately oversee the program.

Third-party managed full-time distance learning programs operate with varying levels of autonomy. While CVIS and SRCS are independent school districts, they collaborated in creating and hosting one third-party managed full-time distance learning program known as Destinations Career Academy (DCA). All teachers and administrators in the program are employed directly by Stride K-12, Inc., and they do not contribute to the Educational Retirement Board, the New Mexico Public Schools Insurance Authority, or Retiree Health Care. Local school district staff confirmed the programs comply with statutory minimum salaries for educators, even though many of the staff do not live in New Mexico, nor are they directly employed by either school district. In SY27, DCA also shares an administrative team consisting of an executive director, principals, and assistant principals, with no separation of duties between school districts, meaning those administrators oversee the program in both school districts, simultaneously.

In the contract with Stride K-12, Inc., both of the school districts relinquished "the sole authority and responsibility to select, supervise, direct, compensate and determine compensation, evaluate, transfer, promote, discipline and dismiss its staff members." Traditionally, the local school superintendent controls employment and teacher evaluations, and local governing bodies rarely contractually relinquish those powers and duties to a third-party provider. The contract also makes Stride K-12, Inc., responsible for evaluating teachers and other staff employed in the program.

While SRCS noted local staff participate in some DCA employee interviews, CVIS noted it is not provided with the same opportunity, nor could it produce data on how many teachers were employed in their program, the breakdown of licensure among those teachers, or where those teachers live.

Neither school district provides adequate oversight of its full-time distance learning program. For FY27, CVIS and SRCS are each guaranteed to keep $1 million of increased operational revenue, along with $100 thousand in oversight fees. SRCS has been intentional about tracking how those funds are used. SRCS noted it used the funds to hire one individual to provide oversight of the program, pay for PowerSchool license fees, and for information system services (see **Table 11: Local Uses of FY27 Oversight Fees**). In contrast, CVIS noted it does not track these funds separately from their other operational funds, and school district staff could not provide specific and itemized examples of how the funding has been used.

Table 11: Local Uses of FY27 Oversight Fees

Type of Expense	Santa Rosa	Chama Valley
Compensation for Oversight Personnel	$174,671	$0
PowerSchool License Fees	$28,005	$0
NOVA and Student Information System Services	$36,400	$0
Other	$0	$0
TOTAL	**$239,076**	**$0**

Source: Santa Rosa Consolidated Schools, Chama Valley Independent Schools

Of the two school districts, SRCS provides more oversight of DCA. SRCS noted an employee meets with Stride K-12, Inc. leadership weekly, maintains daily contact with Stride K-12, Inc., reviews enrollment, student performance data, attendance, and visits classrooms regularly. SRCS also noted an employee monitors compliance with special education and EL requirements. SRCS noted some IEP meetings for full-time distance learning students occur without a school district employee present.

In contrast, CVIS noted it does not have the funding, staffing, or expertise to offer adequate oversight of its full-time distance learning program, and will not be able to do so moving forward, due to their contractual obligations to remit 95 percent of their increased operational funding to K-12 Stride, Inc. As previously noted, CVIS also indicated it does not have readily available data on the number of teachers employed in their program, breakdown of teacher licensure among those teachers, or the teachers' residences. It also has not requested available quantitative data from K-12 Stride, Inc., including how many students are completing the 1,140 instructional hour requirement, nor has it been able to verify instructional hour compliance beyond reviewing the program's submitted calendar and relying on the vendor's analytics. Further contributing to CVIS' oversight challenges is the recent turnover in school district leadership. Since February 2026, CVIS has had an interim superintendent while its former superintendent was placed on paid administrative leave. In September 2026, the CVIS school board voted to issue a notice of contract termination to the former superintendent.

SRCS schools entered designation because of their full-time distance learning program. For FY27, two SRCS' schools entered Comprehensive Support Intervention (CSI) designation, after having been Spotlight schools in FY26. Both schools host the school district's full-time distance learning program, and their school principals will be required to complete a DASH plan. However, SRCS notes that because the full-time distance learning program operates independently of the school sites the program's students are enrolled in, the school principal will have little to no role in implementing the provisions of the DASH plan they submit to PED. This conflicts with Section 22-10A-18 NMSA 1978, which states a school principal must "assume administrative responsibility and overall instructional leadership for the public school to which he is assigned, including the discipline of students and the planning, operation, supervision and evaluation of the educational program of the school." Regardless of SRCS' design of its full-time distance learning program, DCA students and the program remain under the purview and responsibility of the local school principals.

PED has largely prohibited both school districts from enrolling new students. For FY27, CVIS and SRCS may enroll new full-time distance learning students only if they (1) already attend school or live in the district; (2) previously attended DCA; (3) are children of district or DCA employees; or (4) are siblings of DCA students. The prohibition responded to the school districts' reorganization requests to create separate schools for full-time distance learning students. In August 2026, PED denied those requests, determining the program began operating before the request was submitted. PED also cited concerns about enrollment, instructional time, class size, and budgeting practices, some of which are summarized in **Table 12: PED Rationale for Prohibiting Further Enrollment in CVIS and SRCS**. At time of publication, PED has not indicated when its partial moratorium will be lifted.

Table 12: PED Rationale for Prohibiting Further Enrollment in CVIS and SRCS

Category	Stated Rationales
Enrollment and Attendance	• Student enrollment activities are primarily processed by the contractor; • School district staff provide limited engagement with new students during enrollment; • School calendars are misaligned; and • Students are divided between the school districts with no regard to student preference.
Teaching and Learning	• Students from both school districts were placed in one classroom; • Teachers had a full-time in-person job in their home states while teaching in New Mexico; • Inequities in student access to technological devices; • High levels of asynchronous instruction with minimal teacher interaction; and • Potential violations of federal protections for students with disabilities.
School Budget and Data Reporting	• The contract to remit 95 percent of operational and federal funding is unreasonable; • Neither school district is clearly indicating how funding is used within the distance learning program; and • Data collection was unrealiable due to duplicate enrollment with other school districts and charter schools.

Source: PED

Neither school district knows the full extent of what it owes Stride K-12, Inc. School district staff described the methodology of how they calculated their obligation of operational funding to Stride K-12, Inc., but they differed on whether additional federal, below-the-line, categorical, or capital funding may also be owed. Without clarity on what is due and when, CVIS and SRCS have created indeterminable fiscal liabilities for their communities and for the state.

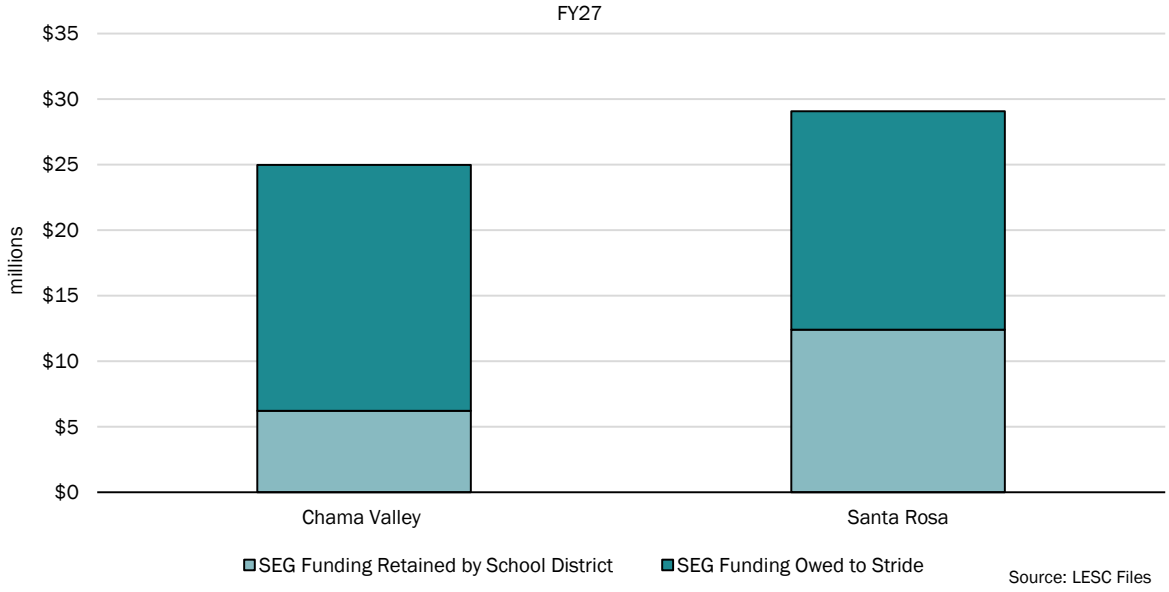
Both school districts are subject to a broad definition of "program revenue." The agreement requires both school districts to remit 95 percent of all "program revenue" generated by the students or educators in the full-time distance learning program. In the contract, program revenue is defined as:

> *"State and local per-pupil or staff basic education funds and public school state funding (including: state equalization guarantee (SEG), special education, TCI, fine arts, bilingual, growth, PE, district size/rural, at risk, Tier 2); federal funds for the Program and/or its Students or Staff (including Title I funding; special education funding including IDEA, English Learners ("EL"), Dyslexia, Impact Aid, and any other applicable Federal funding applicable to the Students enrolled in the Program (including Perkins); funding derived from staff training and experience; all funding provided to the District for the Students in the Program, including state and federal funds; State provided facility funding and other revenue sources provided by law and obtained by or on behalf of the Program and the Board (which are not specifically excluded herein) and all contributions and grants received by or on behalf of the Program or the Board."*

For FY27, Stride K-12, Inc. claimed $35.4 million in operational revenue generated by CVIS and SRCS. Both school districts noted they received additional federal Individuals with Disabilities Education Act (IDEA), Part B funding that may also be owed to Stride K-12, Inc., and neither school district could determine the full extent of how much they owe in other areas, including for state-provided capital outlay funding.

Both school districts have signed away control of state and federal funding, potentially violating state statutes and federal regulations. As previously noted, the full-time distance learning programs have substantially increased both school districts' SEG distributions. Between FY26 and FY27, SEG distributions grew from about $6.2 million to $25 million for CVIS and from about $11.1 million to $29.1 million for SRCS. For FY27, SRCS and CVIS are obligated to remit $35.4 million to Stride K-12, Inc. (see **Figure 15: SEG Owed to Stride K-12, Inc., by School District**). This funding is thereby committed before the local school board has an opportunity to determine how the operational funding can be used. Because of this obligation, neither school district can exercise adequate oversight of how that funding is used, including for special education, at-risk, and EL services. While SEG funding is largely discretionary, there are federal requirements (such as through IDEA) and state accreditation requirements (NMAC 9.42.2) that place guardrails on how other sources of funding can be used.

Figure 15: SEG Funding Owed to Stride K-12, Inc., by School District



Chama Valley noted it does not have the staffing, funding, or expertise to adequately oversee the full-time distance learning program, as required by statute and PED rule. CVIS indicated it did not have available data on how many teachers are employed in its distance learning program, their licensure levels, and where those teachers live. CVIS also indicated it has not requested available quantitative data from Stride K-12, Inc. of how many students are completing the 1,140 instructional hour requirement, nor has the school district been able to verify how the program aligns with statutory requirements around instructional time.

Local staff also reported overwhelming workloads in overseeing the distance learning program, given the school district had gone from being a micro-district in FY25 to one of the largest school districts in northern New Mexico in FY26. The school district also noted it does not have the financial capacity to resolve these challenges, given they are required to pay 95 percent of their operational revenue to Stride K-12, Inc.

The contractual agreements between CVIS, SRCS, and K-12, Stride, Inc, presents potential conflicts with federal flow-through grant requirements. The contract between Stride K-12, Inc. and CVIS and SRCS require both school districts to remit 95 percent of all federal funding generated by students enrolled in Stride K-12, Inc.'s full-time distance learning program. An example of this impacted funding is funding generated by IDEA, Part B, which provides federal funding for special education programs and services.

Typically, when a school district receives IDEA, Part B funding, federal regulations require that funding be used for allowable expenses associated with special education services, such as counseling, physical therapy, speech therapy, assistive technology services, and professional development. When these allowable expenses are incurred, the school district files a request for reimbursement to PED, which will assess the expenses for compliance with rules around allowable expenses, excess cost requirements, supplanting restrictions, and documentation requirements.

Both CVIS and SRCS may have relinquished their control of IDEA, Part B funding by agreeing to remit 95 percent of that funding, without specific guardrails or requirements the contractor demonstrate that specific funding was used in alignment with federal regulations. As of the writing of this report, neither school district has received a formal invoice for IDEA, Part B funding from Stride K-12, Inc., but both school districts notified LESC staff they are in the process of determining how they could remit that funding to Stride K-12, Inc.

Chama Valley Pays a Fraudulent Invoice for its Distance Learning Program

CVIS notified PED, the state auditor, federal authorities, and legislative staff that it paid $1.6 million for a fraudulent invoice sent to the school district by a spoofed email address purporting to be a representative of Stride K-12, Inc. When the school district realized the email account was fraudulent, it attempted to recall the payment, but the school district was unsuccessful.

The New Mexico Public Schools Insurance Authority (NMPSIA) reports it received a claim from CVIS for the loss, and reports the incident occurred because internal controls were not followed, including vendor phone verification and dual authentication protocols. It is unclear at the time of the writing of this report whether CVIS will be reimbursed for the $1.6 million.

This incident suggests CVIS does not have the capacity or internal controls needed to adequately provide oversight of the $18.8 million in operational funding it will flow to Stride K-12, Inc. in FY27.

National Landscape on Regulating Distance Learning

To inform New Mexico's full-time distance learning framework, LESC staff reviewed distance learning statutes and regulations in Arizona, California, Colorado, Florida, and Indiana. Staff identified statutes or administrative rules in seven areas from the site visit questions: definitions of live instruction, instructional time tracking, attendance tracking, program operating requirements, program approval, and per-pupil funding. LESC staff identified the following key takeaways:

Few states define live instruction, and those that do take different approaches. California is the exception, explicitly defining synchronous instruction in administrative code as "classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of internet or telephonic communications, and involving live two-way communication between the teacher and the pupil." States also use

numeric thresholds to distinguish full-time virtual instruction from hybrid or in-person instruction, such as California administrative code using 80 percent of instructional time and Indiana administrative code using 50 percent of instructional time.

Notably, California statute places requirements on the frequency of synchronous instruction for distance learning students—requiring daily synchronous instruction for K-3 students, daily live interaction and weekly synchronous instruction for fourth to eighth grade students, and weekly synchronous instruction for high school students.

States track instructional time differently. California statute requires distance learning providers to track instructional time by either the time value of student work products, as judged by a credentialed teacher, or that value combined with synchronous participation. Arizona statute converts hours recorded in a daily log into membership and sets minimum annual hours for full-time status by grade level.

Four states require distance learning providers to receive approval before operating. Florida statute has the most detailed provider requirements for approval, requiring documentation for compliance on academic and anti-discrimination, background checks, and quality and accountability plans. They must also:

- Keep an administrative office in the state;
- Use Florida-certified instructors;
- Show prior successful experience;
- Hold accreditation, publish completion rates and student-teacher ratios; and
- Submit an annual financial audit.

Colorado statute requires providers wishing to enroll students from more than one school district to be certified by the state Department of Education's online learning division. Distance learning charter schools that intend to contract with an education management provider must:

- Disclose school performance data;
- Show evidence of its capacity to expand while maintaining quality;
- Disclose any conflicts of interest; and
- Submit a contract specifying oversight methods, compensation and fees, and renewal and termination conditions.

Table 13: Mechanisms for Virtual Education Compliance by State provides a summary of the methods that states use to exercise oversight and compliance for distance learning programs, and what the states can do in the event of noncompliance or low performance.

Table 13: Mechanisms for Virtual Education Compliance by State

State	Description
Arizona	New virtual schools start on probation. Mandatory closure within 3 years if fail to improve student academic performance.
California	Authorizers can revoke charters for acute and persistent underperformance under state metrics.
Colorado	Department of Education's online division monitors compliance and can require a formal corrective action plan.
Florida	Mandatory improvement plans upon earning a "D" or "F" grade. Automatic contract termination and at least 1-year-ban upon earning a "D" or "F" grade two years in a row.

Note: Indiana's state board of education is in the process of adopting rules to establish financial reporting and other oversight requirements for school districts and charter schools who contract with a third-party to operate a full-time distance learning school.

Source: LESC Files

Attendance is the most common guardrail, but methods vary. Arizona statute allows students to accrue attendance at any hour using daily logs. California statute requires daily documentation of live interaction and synchronous instruction. Colorado statute requires online programs and schools to document a student's compliance with compulsory attendance requirements by documenting the student's attendance and participation in educational activities that their authorizer deems appropriate to support student learning, which can include "assessment, orientation, and induction activities; in-person educational instruction; and synchronous and asynchronous internet-based educational activities." Florida statute requires school districts to verify student attendance enrolled in a virtual instruction program. Indiana virtual charter schools must submit attendance records and methodology to their authorizer.

Some states also require action when students fall behind for reengagement and assessing the student's fit for virtual instruction. Arizona statute requires an intervention conference among parents, teachers, and the principal to evaluate whether the pupil should be allowed to continue to participate in Arizona online instruction. California requires procedures in place for tiered reengagement strategies, which must include "a plan for outreach from the school to determine pupil needs, including connection with health and social services as necessary… [and] requiring a pupil-parent-educator conference to review a pupil's learning agreement and reconsider the independent study course's impact on the pupil's achievement and well-being.

States vary on per-pupil funding for virtual students. Arizona statute funds full-time online students at 95 percent of base support level, the core per-pupil funding amount, and part-time students at 85 percent, while Indiana funds virtual charter schools at 85 percent and bars them from receiving revenue generated from local property tax levies. California's virtual charter schools start at 70 percent of the base funding, with schools able to receive full funding upon meeting certain criteria, such as class sizes. Although Florida virtual students receive the same basic allotment, their funding excludes specific categorical funding sources, such as instructional materials, exceptional student allocations, or specific district-level components that do not apply to a distance learning setting. In addition, a school district or charter school's funding for full-time virtual students is performance- and completion-based, requiring students to successfully complete designated courses before they can be counted for funding purposes.

Components for Building a Responsive Distance Learning Framework for New Mexico

New Mexico needs a robust distance learning policy framework that can respond to current and anticipated challenges to support student success and protect fiscal integrity. The following recommendations clarify existing law, strengthen oversight, and promote best practice so distance learning components complements—rather than destabilizes—the broader public school ecosystem.

Applicability of Regulatory Framework

Most of these recommendations apply only to full-time distance learning programs. They are not intended to limit or disrupt student access to hybrid programs or courses, dual-credit programs or schools, hybrid credit recovery programs, or broader student reengagement initiatives. LESC staff recommend these programs and services, which are often delivered through standalone courses or hybrid models, should be studied in the 2027 interim.

Definitions

Establishing and clarifying statutory definitions governing distance learning programs ensures all stakeholders—from the Legislature to executive agencies to local education agencies (LEAs) and charter school operators—are aligned on shared expectations, regulatory oversight, and understand the clear distinction between distance learning models from traditional brick-and-mortar instruction or other hybrid or blended instruction models.

Key terms that may require a new or revised statutory definition include but are not limited to:

- Distance learning;
- Synchronous and asynchronous instruction;
- Full-time distance learning charter schools, and
- Full-time distance learning schools and programs.

Existing statutory definitions such as instructional hour, attendance, and the management of a public school may need clarification so the state's oversight keeps paces with distance learning.

Governance

The Legislature has an interest in ensuring all school districts and charter schools maintain adequate control and oversight of funding and meaningful oversight of staffing and programming, even in instances beyond full-time distance learning schools and programs. Preserving this foundational expectation around public bodies maintaining control of their public schools and related programs will require statutory changes to ensure the core functions of public schools remain with local communities instead of third-party operators.

The Legislature should prohibit the third-party management of a public school and associated programs in school districts in all instances, even those beyond a full-time distance learning school or program. The purpose of a school district is to provide an adequate public education to the students it serves, in ways that are responsive to local conditions and preserves the school board's control and oversight of public funds. Relinquishing this statutory role to an external entity undermines the core foundational tenants of the Public School Code and exposes public schools to in-direct privatization. While full-time distance learning schools and programs are the current primary concerns in this space, the Legislature may consider taking broader statutory action that addresses this external management concern more comprehensively and holistically.

Section 22-8B-2 NMSA 1978 defines the management of a charter school as, "authority over the hiring, termination and day-to-day direction of a school's employees or contractors, whether they are licensed or not."

LESC staff recommends the prohibition on third-party management of a public school and its related programs in school districts should define management more expansively than the definition related to charter schools. Specifically, LESC staff recommends the Legislature define management as:

- Assuming administrative, operational, supervisory, and evaluative responsibility and overall instructional leadership for a public school, including disciplining students, and the planning, operation, supervision, and evaluation of the public school, including its educational programs, education-related activities, and the policies and procedures of the public school and its associated programs;
- Employing, evaluating, promoting, disciplining, discharging, or terminating school employees and developing professional development plans for school employees;
- Directing the day-to-day activities of a public school and its school employees, whether licensed or unlicensed, as well as the day-to-day activities of its contractors and subcontractors;
- Maintaining the privacy of student records and data;
- Maintaining control and oversight in how public funds are budgeted, expended, and reported to PED and other sources; or
- Implementing the policies of the school board of a school district.

As part of the "day-to-day activities" cited in this definition, all full-time distance learning programs would be required to comply with the statutory authority of the local school principal, where that individual must statutorily "assume administrative responsibility and overall instructional leadership for the public school to which he is assigned, including the discipline of students and the planning, operation, supervision and evaluation of the educational program of the school." As part of this statutory authority, all school principals should maintain real-time knowledge and contact information of all personnel involved in serving students, including the ability to remove any individual personnel from the instructional setting if student safety concerns have emerged.

This definition would prohibit the current programmatic, financial, and governance framework that is currently being used by DCA, the full-time distance learning program hosted by CVIS and SRCS, both of which have relinquished their control of public funds, administrative responsibilities, and the day-to-day activities of the full-time distance learning program.

PED should be required to approve full-time distance learning schools and programs in school districts, and full-time distance learning programs in charter schools. LESC staff site visits indicate that full-time distance learning programs across the state are misaligned with statute, including instructional hour requirements, staffing provisions, class size, and case load requirements. By authorizing PED to exercise oversight over the approval and renewal process of full-time distance learning programs, the state would be able to monitor and ensure the continuing compliance necessary for full-time distance learning schools and programs. PED's approval would also be required before the school district can enroll a student from outside of the school district's boundaries, based on whether the school district has the capacity to conduct meaningful oversight of the program and comply with statutory staffing requirements.

It is important to note PED can implement this recommendation through its existing "request for reorganization" process, which has historically been used to approve the creation or closure of public schools or other modifications to a public school's organizational pattern. LESC staff recommends this existing process be used for approval of full-time distance learning schools and programs as well, where all requests for approval would be due by November 30 for school districts and the first working day of October for charter schools.

One exemption to this program approval process could be full-time distance learning charter schools, which only include PCA and NMCA. PEC authorizes these charter schools to exclusively provide full-time distance learning throughout the state, and they do not necessarily operate a standalone full-time distance learning program in their charter school. However, while the Legislature may consider exempting these two charter schools from the program approval process, LESC staff recommends the Legislature should not exempt these them from the programmatic, staffing, fiscal, and evaluation recommendations presented later in this report.

Proposed Statutory Criteria for PED's Program Approval

PED should approve distance learning schools and programs using the following criteria:

- Compliance with state and federal requirements, such as those for students with an IEP and English learners;
- Alignment with instructional time requirements;
- Ability of the school district or charter school to retain and preserve student data;
- Availability of technology support during instructional hours; and
- Policies for measuring attendance, camera use during synchronous instruction, computer access, in-person assessments, and student intervention plans.

PED should be prohibited from approving a full-time distance learning program under the following criteria:

- The school district or charter school would not "manage" the program or school;
- Related financial provisions would violate the governing bodies' fiduciary responsibility to properly manage public funds, accreditation requirements, or federal compliance requirements;
- The school district or charter school would be unable to adequately disclose their program's expenditures in alignment with PED requirements; or
- The school district or charter school is proposing to collaboratively operate a full-time distance learning program with another school district or charter school.

Program approval would be valid for three years for school districts and the length of a charter school's contract.

For FY28, LESC staff recommends the Legislature minimize disruption to existing full-time distance learning schools and programs by providing a one-year planning period, where school districts and charter schools could submit their formal program approval applications and align their programming with the policy and budget recommendations in this report. While this one-year planning period would generally apply to most school districts and charter schools, LESC staff recommend that this planning period should not extend to school districts operating third-party managed programs. For these school districts, their contractually required programmatic, fiscal, and governance structures violate the fundamental requirements of the Public School Code, in ways that would ultimately result in program disapproval from PED in FY29.

PED should be allowed to limit or revoke school and program approvals. Grounds for school and program approval revocation could include significant program modifications without authorization and newly created financial arrangements that violate fiduciary responsibility, accreditation requirements, or federal grant compliance. In place of approval revocation, PED may also place a moratorium on new enrollment or limitations on school and program sizes if the secretary determines the program is in violation of statute, PED administrative rule, or federal requirements.

Impact of Program Approval Process to Third-Party Managed Programs

Beginning in FY29, PED could be required to approve all full-time distance learning schools and programs, excluding full-time distance learning charter schools, based on their alignment with the proposed criteria listed earlier on this page. As noted, before, LESC staff recommends most programs and schools be granted a one-year planning period in FY28 that would allow them an opportunity to align their programs with the recommendations of this report, with an exclusion for third-party managed programs.

In FY27, there are two third-party managed programs that collectively enroll around 3,300 students from throughout the state that may not receive a one-year planning period in FY28. In FY28 and subsequent fiscal years, students in these programs would remain eligible for enrollment in other full-time distance learning schools or programs, such as PCA, NMCA, and local full-time distance learning programs in school districts and charter schools. Some students may also choose to participate in local in-person instruction or a local hybrid model, depending on their unique circumstances and needs.

Several school districts and charter schools have also noted interest in assisting local impacted students who express an interest in returning to local in-person, hybrid, or full-time distance learning models.

Both impacted school districts will be eligible to apply to operate a full-time distance learning school or program and could be assessed along the same criteria that would be applicable to all other school districts and charter schools.

Programming

Beyond local oversight of full-time distance learning programs, the Legislature also has a vested interest in the success and well-being of every distance learning student. The following recommendations begin with the instructional foundations of full-time distance learning programs and then extend to the supports that may be needed to sustain it.

Full-time distance learning should include required or optional synchronous instruction, depending on the grade level of a student. Many of the full-time distance learning programs across the state emphasized the importance of synchronous instruction, particularly for elementary students, and some also count weekly check-ins as synchronous instructional time. To support the developmental needs of younger students, as well as the unique academic and social-emotional needs of secondary students, LESC staff recommend the Legislature require daily synchronous instruction for all K-5 students. LESC staff also recommend requiring school districts and charter schools to complete weekly synchronous check-ins with all secondary full-time distance learning students, while also affording each of these secondary students the option to participate in daily synchronous instruction or interaction with certified personnel.

Full-time distance learning programs that enroll out-of-district students should comply with class size and caseload statutory requirements and should be prohibited from accessing class size waivers. This recommendation would also apply to full-time distance learning charter schools that receive nondiscretionary class size waivers. Typically, class size waivers can be granted for a variety of reasons, such as addressing physical infrastructure limitations—constraints that are absent for full-time distance learning programs. Given the stated extensive academic and social-emotional needs of full-time distance learning students, however, these full-time distance learning schools and programs have an obligation to adequately serve those needs.

Full-time distance learning schools and programs should track attendance and instructional time consistently. LESC staff site visits showed attendance definitions and calculations vary widely throughout full-time distance learning schools and programs, making it difficult to verify attendance rates and student engagement. To address this, all full-time distance learning schools and programs should adopt written attendance policies. In addition, full-time distance learning programs' calendars should also align with their respective school sites, to ensure all full-time distance learning students have access to school district or charter school staff.

Examples of Attendance Policies

The Legislature could identify the following indicators as metrics for measuring attendance:

- Participation in synchronous instruction;
- Completion of weekly check-ins with a teacher of record or other certified personnel;
- Participation in reading and math interventions; and
- Measurable and meaningful engagement with a student learning management system (LMS).

Some examples of what should not constitute attendance include:

- A login to a student LMS that is not paired with visible or measurable progress in coursework or access to instructional materials;
- Parental logins to an LMS or communication with public school personnel; and
- An email or text sent from a student to their teacher of record.

All school districts and charter schools should be required to maintain logs of all student communication and course progress, disclose the methodology of how attendance is calculated for their full-time distance learning students, and design tiered reengagement strategies for students with prolonged absences or sustained periods of inactivity.

Full-time distance learning teachers or staff should conduct weekly synchronous check-ins with students. With student engagement and student safety as core concerns in distance learning programs, weekly live check-ins give programs a way to confirm a student is participating, identify disengagement early and implement interventions, and enable students to build relationships with a trusted adult.

Prior to enrollment, parents or guardians and students should complete an onboarding process designed and provided by school district or charter school staff. This onboarding process should be conducted live, either in-person or through a face-to-face teleconference, where the parents or guardians and students sign a written agreement with the school district or charter school confirming their understanding of the policies on attendance, in-person assessments, and other relevant information. As part of this initial conference, all school districts and charter schools should also disclose programmatic and staffing features of the school or program, including the physical location of the school or program's administrative office, the time availability of teachers and administrators, contact methods for staff, current student-teacher ratios, and student course completion and promotion rates.

All full-time distance learning schools and programs should provide students with access to technological devices. While students would not be required to use a device offered by a school district or charter school, a student or their family should not incur a cost when accessing full-time distance learning. This requirement would not extend to internet connectivity, however, but school districts and charter schools may choose to support students in accessing internet connectivity.

Full-time distance learnings schools and programs should complete "support plans" for students who transfer in during the school year. This recommendation stems from documented trends of student "churn" in and out of full-time distance learning and further reinforced by findings from LESC staff's site visits. These site visits also reveal that mid-year transfers often come into the program with experiences of sudden trauma, bullying, or acute academic challenges. Given the vulnerability of these students, mandating structured support plans can establish proactive, regular touchpoints for these students and ensure they are maintaining academic progress.

Components of a Student Support Plan

All students who enroll in a full-time distance learning program during the school year could be required to have a student support plan that includes:

- Parent and guardian outreach plan;
- Supplemental academic support;
- Behavioral health, mental health, and other academic supports; and
- A plan for assessing the continued suitability of full-time distance learning.

As part of these statutorily required support plans, all school districts and charter schools should be required to monitor the suitability of full-time distance learning for students who transition into the school or program during the school year.

If a student is experiencing prolonged absences, falling behind in courses, or experiencing other challenges in a dull-time distance learning instructional setting, the Legislature should require school districts and charter schools to evaluate the suitability of full-time distance learning for that student and make a written recommendation to the student's guardians on whether that student would be more appropriately served in a hybrid or in-person instructional setting.

Teachers in a full-time distance learning program should have at least a level 2 license and complete training tailored for full-time distance learning instruction. Full-time distance learning program staff broadly acknowledged to LESC staff the difficulty of translating in-person instruction to distance learning formats, prompting them to implement their own instructor training. Many of these programs also noted this type of programming is not suitable to level 1 teachers, many of whom are simply not prepared or equipped to engage in the rigorous nature of full-time distance learning. Based on these observations and community feedback, LESC staff recommend the Legislature require all teachers in a full-time distance learning program must have at least a level 2 license, to ensure each teacher in these programs possesses foundational classroom management and curriculum design skills. In addition to this restriction on licensure, LESC staff also recommends PED design and mandate specialized distance learning professional learning for all level 2 and level 3 teachers who participate in full-time distance learning programs.

Use of cameras during synchronous programming should be required, with limited exemptions for rurality, medical needs, and other specific needs. Ensuring student safety in full-time distance learning schools and programs should be a primary concern for the Legislature and cameras provide a pathway to ensuring teachers and other staff have a mechanism for verifying student well-being. School districts and charter schools should have the option to implement local policies allowing students to only be visible to the teacher if that approach is found to be the most responsive to student needs and privacy concerns. Other exemptions could include rurality, if a student does not have adequate access to internet connectivity that could support a live feed.

Funding

The Legislature should ensure the state's approach to funding full-time distance learning schools and programs accurately reflect the operational realities and costs of full-time distance learning programs. Because the SEG was designed for brick-and-mortar models, legislators should consider proactive statutory updates to clarify how distance learning students generate certain SEG units and establish guardrails that prevent future manipulations of the formula or broader destabilizations in statewide funding.

School districts and charter schools with a full-time distance learning program should be exempt from both enrollment growth units and K-12 Plus Program units for those full-time distance learning students. Enrollment growth units provide additional funding to school districts and charter schools experiencing large increases in enrollment to build instructional capacity, hire additional staff, and purchase supplies and materials. Full-time distance learning schools and programs, however, can rapidly scale statewide without comparable cost or facility

constraints. In some cases, the SEG's enrollment growth factor acts as an incentive for these types of rapid growth, as was seen in the $35 million SEG shortfall in FY26.

To remove these incentives from the SEG and prevent future shortfalls in the SEG, the Legislature should consider prohibiting full-time distance learning students in both school districts and charter schools from generating enrollment growth units.

The K-12 Plus program was created to incentivize school districts and charter schools to add instructional time to their local calendars. However, the reliance on asynchronous instruction in many full-time distance learning programs and schools may be misaligned with this legislative intent. As a result of this misalignment, the Legislature should consider statutorily exempting full-time distance learning students from generating K-12 Plus funding, as provided in Section 22-8-23.14 NMSA 1978.

Table 14: Estimated Fiscal Impact of Proposed SEG Revisions shows the estimated fiscal impact in FY28 if both recommendations are enacted.

Table 14: Estimated Fiscal Impact of Proposed SEG Revisions
FY28

Proposed Revision	Estimated Reduction in SEG Funding
Exempt enrollment growth units for full-time distance learning students	$3,601,000
Exempt K-12 plus funding for full-time distance learning students	$8,507,500
TOTAL	**$12,108,500**

Source: LESC files

For capital outlay, school districts should exclude full-time distance learning students who live out-of-district from MEM calculations. New Mexico ranks the physical condition of every school building in the state using the weighted New Mexico Condition Index (wNMCI) to determine the priority of school districts in receiving state capital grants from the PSCOC. To prevent distortions in facility sizes, particularly in those that have large concentrations in out-of-district full-time distance learning students, the Legislature should require those out-of-district full-time distance learning students be exempted from square footage and award calculations.

Full-Time Distance Learning Charter Schools

Full-time distance learning charter schools occupy a unique space in New Mexico's public education system, offering statewide reach and operational flexibility, and thus require specialized oversight and fiscal guardrails to ensure accountability and proper oversight.

Approval of full-time distance learning charter schools should be reserved for the PEC. Full-time distance learning charter schools require considerable oversight from their authorizers that is likely beyond the capacity of any one school district to provide, especially given their statewide reach. The PEC already has statutory authority and experience in approving and providing oversight for full-time distance learning charter schools, and the PEC should be designated as the only body that may do so moving forward.

Enrollment at each full-time distance learning charter school should be limited to 2,500 students. Given the extensive academic, social-emotional, and other needs of their full-time distance learning students, the state's two full-time distance learning charter schools should focus on enhancing their capacity to meet the needs of their existing students by aligning with policy recommendations in this report.

Full-time distance learning charter schools should be prohibited from adopting a four-day week calendar. Full-time distance learning programs already provide considerable flexibility to full-time distance learning students, many of whom have extensive academic and social-emotional needs. Public school employees in the state's two full-time distance learning charter schools should remain available throughout the school week to support those needs.

Full-time distance learning charter schools should be exempted from SB9 and HB33 revenue. Restricting full-time distance learning charter schools' access to these specific funding streams enables more local capital funding to be distributed to school districts and other charter schools that bear the actual costs of building, operating, and maintaining school facilities.

Full-time distance learning charter schools should be required to receive PEC approval before purchasing facilities. The purpose of a full-time distance learning charter school is to provide distance learning programming to students that have chosen to enroll in a full-time distance learning program. Purchasing facilities reduces fiscal capacity to invest in lowering class sizes and providing wraparound supports, aside from the dis-equalizing effects it may have on student access to supplemental in-person programming.

When full-time distance learning charter schools use operational funds for facilities, certification of educational adequacy should be required. Full-time distance learning charter schools should certify the adequacy of their educational program before using operational funding for capital outlay and thereafter annually certify to the PEC that any supplemental facilities are necessary, as well as how those facilities were used in the prior fiscal year. The former requirement already applies to school districts that use operational funding for facilities and extending it to full-time distance learning charter school would serve as a restraint on future facility purchases that conflict with these school's purpose in providing full-time distance learning.

Overarching Goal of this Framework

Together, these recommendations give lawmakers a clear roadmap for establishing strong statutory and regulatory guardrails on full-time distance learning, all while preserving this learning model for the students that need it most. Under this framework, full-time distance learning will remain an available instructional option for students throughout the state. However, programs operating in New Mexico must do so in service of student success. They must maintain staffing levels adequate to meet the size of their student population, and potential enrollment increases should be met with proportional growth in staff capacity. Above all, LEAs must understand that the academic success and general well-being of every student enrolled in their district, whether in person or virtually, are the responsibility of that school district. By implementing the policy recommendations below, lawmakers can put in place a regulatory framework that prioritizes student needs, maintains a high standard for instruction, and safeguards the stability of New Mexico's public school funding formula.

Policy Considerations and Recommendations

Creating a comprehensive and responsive regulatory framework for distance learning in New Mexico will require a sustained, multi-year commitment from both the Legislature, PED, and school districts and charter schools. To build an enduring infrastructure, policymakers should adopt a phased approach that balances immediate statutory and regulatory fixes with long-term oversight capacity.

The Legislature could consider…

- Codifying and modifying definitions for full-time distance learning, synchronous and asynchronous instruction, and full-time distance learning schools and programs.
- Clarifying how instructional time may be claimed by full-time distance learning schools and programs.
- Authorizing PED to approve, renew, revoke, or place enrollment moratoriums on full-time distance learning schools and programs, including approval for enrolling out-of-district students, following a one-year planning period for most programs and schools in FY28.
- Requiring daily synchronous instruction in grades K-5, weekly check-ins for all full-time distance learning students, written attendance policies, student onboarding processes, and school calendar alignment.
- Prohibiting class size waivers for full-time distance learning programs and charter schools.
- Prohibiting Level 1 teachers from participating in full-time distance learning schools and programs and requiring tailored professional learning for Level 2 and 3 teachers.
- Prohibiting full-time distance learning schools and programs from generating enrollment growth and K-12 Plus program units.

- Excluding out-of-district full-time distance learning students from MEM for capital outlay purposes.
- Prohibiting a school district from chartering a full-time distance learning charter school or exceeding certain enrollment thresholds.
- Prohibiting a full-time distance learning charter school from adopting a four-day week.
- Prohibiting a full-time distance learning charter school from receiving SB9 and HB33 revenue or acquiring facilities without prior approval from the PEC.
- Directing LESC staff to study credit recovery and reengagement programs.

The Public Education Department could consider…

- Promulgating rules and guidance on implementing statutory revisions to instructional hour requirements, staffing, class sizes, synchronous and asynchronous instruction, facility acquisitions, and school and program approvals.
- Designing or acquiring a professional learning module for distance learning teachers.
- Completing its implementation of statutorily required full-time distance learning program evaluations and reporting preliminary findings and recommendations to the Legislature.

School Districts and Charter Schools could consider…

- Establishing local procedures for onboarding processes, student support plans, synchronous and asynchronous instruction and check-in requirements, attendance verifications, and synchronous onboarding procedures.

Appendix A: 2026 LESC Distance Learning Research Framework

Program Model	Programming	Governance	Funding
Locally Managed and Operated	• How do you define synchronous and asynchronous time? • How is staff prepared to provide distance learning instruction? • How do you measure attendance? • How do you ensure student safety and engagement? • Do you provide hybrid programs and what do those programs typically look like?	• Do you contract with external providers and what role do they play in supporting instruction and student support? • Are staff employed by the school district or charter school? • Are all distance learning students housed under one school code? • Who in in your school or district is responsible for overseeing the operation of your distance learning program? • How do you ensure your program meets statutory requirements such as special education provision, staff loads, and instructional time?	• How do you budget your distance learning expenditures in OBMS? • Do you include distance learning students in your total enrollment for capital outlay purposes?
Third-Party Management	• How do you define synchronous and asynchronous time? • How do you measure attendance? • How do you ensure student safety and engagement? • Do all staff live in New Mexico, and do they contribute to ERB, retiree health care, and NMPSIA? • How does the program support students who enroll during the school year? • How does the program adjust its staffing models in response to fluctuating enrollment during the school year? • How is staff prepared to provide distance learning instruction?	• How does the district oversee the management of the program? • Does the provider have input into the development and implementation of district policies? • Does the district have input into how large the programs are and how students are allocated between schools? • Who in your district is responsible for verifying student enrollment? • How do you ensure your program meets statutory requirements such as special education provision, staff loads, and instructional time?	• How does the district determine the operational, federal, and other funding owed to the provider? • How do you budget expenditures and revenue from the provider? • How are you using operational funding to support your oversight of the program? • How does the district ensure funding is used in compliance with statutory requirements? • How does the district project its distance learning MEM for the following fiscal year?
Distance Learning Charter Schools	• How do you define synchronous and asynchronous time? • How do you measure attendance? • How does the program support students who transition in during the school year? • How is staff prepared to provide distance learning instruction? • How do you ensure student safety and engagement?	• Does the school contract with providers, and does the provider have input into the development and implementation of charter school budgeting and policies? • How do you ensure your program meets statutory requirements such as special education provision, staff loads, and instructional time?	• What is the charter school's plan for acquiring and using facilities? • What is the charter school's long-term strategic plan, as it relates to enrollment and staffing patterns?

Source: LESC Files

Appendix B: Distance Learning Enrollment by School District and Charter School

SY26

	School District or Charter School	Number of Students Enrolled in a Distance Learning Program	
1	ACE Leadership High School	26	1
2	Alamogordo Public Schools	22	2
3	Albuquerque Public Schools	1,264	3
4	Albuqurque Charter Academy	61	4
5	Animas Public Schools	1	5
6	Archer Academy of Accelerated Learning	31	6
7	Bloomfield Schools	34	7
8	Carlsbad Municipal Schools	120	8
9	Central Consolidated Schools	8	9
10	Cesar Chavez Community School	69	10
11	Chama Valley Independent Schools	1,585	11
12	Clovis Municipal Schools	66	12
13	Cobre Consolidated Schools	11	13
14	Deming Cesar Chavez Charter High School	2	14
15	Deming Public Schools	67	15
16	Digital Arts and Technology Academy	4	16
17	Dora Consolidated Schools	10	17
18	Dulce Independent Schools	9	18
19	Dzit Dit Lool School of Empowerment, Action and Perseverance	5	19
20	El Camino Real Academy	10	20
21	Estancia Municipal Schools	7	21
22	Gadsden Independent Schools	7	22
23	Gallup-McKinley County Schools	468	23
24	Gilbert L. Sena Charter High School	67	24
25	Gordon Bernell Charter School	5	25
26	Grady Municipal Schools	4	26
27	Grants County Schools	45	27
28	Hatch Valley Public Schools	15	28
29	Hobbs Municipal Schools	28	29
30	House Municipal Schools	11	30
31	Jemez Valley Public Schools	11	31
32	La Academia de Esperanza Charter School	41	32
33	La Academia Dolores Huerta	2	33
34	Lake Arthur Municipal Schools	77	34
35	Las Cruces Public Schools	306	35
36	Las Vegas City Public Schools	1	36
37	Logan Municipal Schools	44	37
38	Lordsburg Municipal Schools	2	38

	School District or Charter School	Number of Students Enrolled in a Distance Learning Program	
39	Los Alamos Public Schools	8	39
40	Lovington Municipal Schools	39	40
41	Magdalena Municipal Schools	2	41
42	Mark Armijo Academy	34	42
43	Mesa Vista Consolidated Schools	16	43
44	Moriarty-Edgewood Municipal Schools	57	44
45	Mosquero Schools	46	45
46	New America School-Las Cruces	41	46
47	New Mexico Connections Academy	1,508	47
48	Northpoint Charter School	3	48
49	Pecos Cyber Academy	1,616	49
50	Portales Municipal Schools	25	50
51	Quemado Independent Schools	1	51
52	Santa Fe Public Schools	19	52
53	Santa Rosa Consolidated Schools	1,589	53
54	School of Dreams Academy	12	54
55	Sendero School of Academics and Career Preparation	12	55
56	Siembra Leadership High School	41	56
57	Silver Consolidated School District	16	57
58	Socorro Consolidated Schools	2	58
59	Taos Academy	21	59
60	Tatum Municipal Schools	14	60
61	Technology Leadership High School	15	61
62	Tierra Adentro	12	62
63	Truth or Consequences Municipal Schools	24	63
64	Tucumcari Public Schools	7	64
65	Vista Grande Charter High School	1	65

Source: LESC Files

Appendix C: Number of Students Enrolled in a Distance Learning Program by the Student's Geographic Location

SY26

	School District	Number of Distance Learning Students Living in the School District	
1	Alamogordo Public Schools	232	1
2	Albuquerque Public Schools	2,790	2
3	Artesia Public Schools	127	3
4	Aztec Municipal Schools	87	4
5	Belen Consolidated Schools	160	5
6	Bernalillo Public Schools	43	6
7	Bloomfield Schools	120	7
8	Capitan Municipal Schools	18	8
9	Carlsbad Municipal Schools	296	9
10	Carrizozo Municipal Schools	2	10
11	Chama Valley Independent Schools	41	11
12	Cimarron Municipal Schools	11	12
13	Clayton Municipal Schools	5	13
14	Cloudcroft Municipal Schools	10	14
15	Clovis Municipal Schools	246	15
16	Corona Public Schools	3	16
17	Cuba Independent Schools	10	17
18	Deming Public Schools	120	18
19	Des Moines Municipal Schools	1	19
20	Dexter Consolidated Schools	22	20
21	Dulce Independent Schools	20	21
22	Elida Municipal Schools	1	22
23	Española Public Schools	143	23
24	Estancia Municipal Schools	18	24
25	Eunice Municipal Schools	11	25
26	Farmington Municipal Schools	287	26
27	Floyd Municipal Schools	2	27
28	Fort Sumner Municipal Schools	8	28
29	Gadsden Independent Schools	204	29
30	Gallup-McKinley County Schools	319	30
31	Grady Municipal Schools	1	31
32	Grants-Cibola County Schools	188	32
33	Hagerman Municipal Schools	8	33
34	Hatch Valley Public Schools	38	34
35	Hobbs Municipal Schools	374	35
36	Hondo Valley Public Schools	8	36

	School District	Number of Distance Learning Students Living in the School District	
37	House Municipal Schools	1	37
38	Jemez Mountain Public Schools	20	38
39	Las Cruces Public Schools	733	39
40	Las Vegas City Schools	111	40
41	Logan Municipal Schools	6	41
42	Lordsburg Municipal Schools	27	42
43	Los Alamos Public Schools	13	43
44	Los Lunas Schools	253	44
45	Lovington Municipal Schools	121	45
46	Magdalena Municipal Schools	6	46
47	Melrose Municipal Schools	3	47
48	Mescalero Apache Schools	10	48
49	Mora Independent Schools	39	49
50	Moriarty-Edgewood School District	147	50
51	Mosquero Municipal Schools	2	51
52	Mountainair Public Schools	5	52
53	Pecos Independent Schools	16	53
54	Penasco Independent Schools	33	54
55	Portales Municipal Schools	105	55
56	Quemado Independent Schools	8	56
57	Questa Independent Schools	9	57
58	Raton Public Schools	48	58
59	Reserve Independent Schools	14	59
60	Rio Rancho Public Schools	509	60
61	Roswell Independent Schools	279	61
62	Roy Municipal Schools	10	62
63	Ruidoso Municipal Schools	59	63
64	Santa Fe Public Schools	198	64
65	Santa Rosa Consolidated Schools	29	65
66	Silver Consolidated Schools	120	66
67	Socorro Consolidated Schools	127	67
68	Taos Municipal Schools	42	68
69	Tatum Municipal Schools	7	69
70	Truth or Consequences Municipal Schools	86	70
71	Tucumcari Public Schools	59	71
72	Tularosa Municipal Schools	21	72
73	Vaughn Municipal Schools	3	73
74	Wagon Mound Public Schools	14	74
75	Zuni Public Schools	49	75

Source: LESC Files

Appendix D: Percentage of Students Enrolled in a Distance Learning Program

SY26

