

LFC Requester:	Helms
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**BILL ANALYSIS
2023 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment _____
 Correction _____ Substitute _____

Date Prepared: 02/20/23
 Bill No: [SB465](#)

Sponsor: Maestas
 Short Title: EDUCATIONAL INSTITUTION
 Agency Name and Code: _____
 Number: PED - 924
 Person Writing: Gregory Frostad
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	None	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		
None	None	None	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	N/A	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 465 (SB465) requires educational institutions to collect data on the educational attainment of students' parents, legal guardians, or fictive kin (adults accountable for the guardianship of a student other than parents or legal guardians), report the data to the Public

Education Department (PED) and the Higher Education Department (HED), and make the anonymized data available to the public in accordance with state and federal law.

The effective date of the bill is July 1, 2023.

FISCAL IMPLICATIONS

SB465 does not contain an appropriation.

SIGNIFICANT ISSUES

Public schools collect and report student demographic information to PED through an electronic system called the Student Teacher Accountability Reporting System (STARS). Data in STARS is limited to student-level data and does not include information about parents or guardians.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

SB465 creates a new reporting requirement for New Mexico schools primarily, and to a lesser extent PED, which might conflict with the Governor's [Executive Order 2022-058](#) to reduce burdensome reporting requirements for schools and school districts.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

An [analysis](#) of SB465 by LESC has identified technical issues limiting the number of educational institutions that would be required to comply with provisions of this bill. It defines educational institution as “an institution receiving funding pursuant to the Public School Capital Outlay Act, public post-secondary educational institutions, and secondary institutions as provided pursuant to Article 12, Section 11 of the Constitution of New Mexico.” The small set of schools receiving Public School Capital Outlay Act funding, as determined by the language of this bill, would greatly limit its impact.

OTHER SUBSTANTIVE ISSUES

PED compiles data annually to calculate the [Family Income Index \(FII\)](#), an initiative designed to direct additional funding to schools with measurable concentrated poverty. The FII utilizes income data from the Taxation and Revenue Department (TRD) and the Human Services Department (HSD) to calculate the percent of students from above-average-, moderate-, low-, very-low-, and extremely-low-income households. While the FII does not provide information on the education level of parents, it provides school-level information on families' economic means.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

The sponsor should consider amending the definition of educational institutions to refer instead to the Public School Finance Act, a section of statute that provides annual operational funding for all New Mexico public schools.