



2024 LEGISLATIVE SESSION

POST-SESSION REPORT

POLICY AND LEGISLATIVE AFFAIRS DIVISION

Introduction

New Mexico lawmakers introduced a total of 658 bills during the 2024 legislative session. Of those bills, 72 passed both chambers and 69 were signed into law, including House Bill 2, General Appropriation Act of 2024 (GAA), which includes a historic \$10.2 billion state budget.

The purpose of this post-session report is to provide an overview of the appropriations, bills, and memorials that will impact the state’s K-12 public education in the 2024-2025 fiscal year (FY25) and for years to come.

House Bill 2, General Appropriation Act of 2024

Public School Support

The Legislature appropriated \$4.17 billion to the state equalization guarantee (SEG) distribution, a five- percent increase over FY24 funding. The SEG distribution provides operating funds to school districts and charter schools based on the public school funding formula.

The Legislature appropriated \$4.43 billion for Public School Support, which includes the appropriation to the SEG and special appropriations, a six percent increase over FY24.

Strikethroughs indicate the Governor’s line-item vetoes upon signing the bill.

Descriptions of specific appropriations are shown below.

PED Budget, RECs, and PED Special Appropriations

See “Other Education,” starting on page 127 of the GAA.

PED Budget Appropriation

The Legislature appropriated \$33.4 million from the General Fund and other state funds for the New Mexico Public Education Department’s (PED)’s agency budget for FY25, up from \$28.9 million in FY24. No new full-time employees were allocated to the agency for FY25. The Legislature included language restricting the PED from using funds appropriated from the department to enforce any administrative rule establishing a minimum requirement of 180 days per school year; however, the Governor vetoed the language.

Page in GAA	Dollars in thousands	Language
131	\$33,394.3	Personal services and employee benefits
132	\$25,550.0	Contractual services
132	\$3,572.1	Other
132		Money appropriated to the public education department shall not be used to implement or enforce any rule establishing a minimum requirement of one hundred eighty instructional days per school year.

Regional Education Cooperatives (RECs)

The Legislature also appropriated a total of \$221.1 million for RECs for FY25, up from \$68.9 million in FY24.

Page in GAA	Dollars in thousands	Regional Education Cooperatives Appropriations
132	\$111,011.3	Northwest
132	\$1,208.3	Northeast
132	\$10,250.0	Lea County
132	\$3,110.0	Pecos Valley
132	\$26,523.0	Southwest
132	\$12,433.9	Central
132	\$10,443.2	High Plains
132	\$3,635.0	Clovis
132	\$40,444.2	Ruidoso
132	\$2,060.0	Four Corners

PED Special Appropriations:

Page in GAA	Dollars in thousands	Public Education Department Special Appropriations
133	\$14,000.0	Early literacy and reading support
133	\$5,000.0	School leader professional development
133	\$5,000.0	Teacher professional development
133	\$1,250.0	Graduation, reality and dual-role skills program
133	\$500.0	National board certification assistance
133	\$1,250.0	Advanced placement and international baccalaureate test assistance
133	\$41,000.0	Student nutrition and wellness
133	<i>Descriptive language</i>	The public education department shall prioritize special appropriation awards to school districts or charter schools that enroll all eligible students in k-12 plus schools.
133	<i>Descriptive language</i>	The public education department shall not make an award to a school district or charter school that does not submit an approved educational plan pursuant to Section 22-8-6 NMSA 1978 or an approved teacher mentorship program pursuant to Section 22-10A-9 NMSA 1978.
133	<i>Descriptive language</i>	The teacher professional development appropriation includes one million dollars (\$1,000,000) for an educator evaluation system pursuant to Section 22-10A-19 NMSA 1978 and a learning management system. The other state funds appropriation to the public education department for teacher professional development is from the educator licensure fund.
134	<i>Descriptive language</i>	The internal service funds/interagency transfers appropriation to the graduation, reality and dual role skills program of the public education department is from the federal temporary assistance for needy families block grant to New Mexico.
134	<i>Descriptive language</i>	The other state funds appropriation to the public education department for national board certification assistance is from the national board certification scholarship fund.
134	<i>Descriptive language</i>	The public education department may distribute awards from the advanced placement and international baccalaureate test assistance appropriation to public schools and secondary schools funded by the bureau of Indian education of the United States department of the interior that offer international baccalaureate programs to provide the international baccalaureate program tests free of charge to New Mexico students.
134	<i>Descriptive language</i>	Any unexpended balances in special appropriations to the public education department remaining at the end of fiscal year 2025 from appropriations made from the general fund shall revert to the general fund.
136	<i>Descriptive language</i>	Except as otherwise provided, unexpended balances of appropriations made in this subsection shall not revert at the end of fiscal year 2025.

Public School Support Appropriations

See “K. Public School Support,” in Section 4 of the GAA (page 175).

State Equalization Guarantee (SEG) Distribution

The Legislature appropriated \$4.17 billion to the SEG distribution, a five-percent increase over FY24 funding. The SEG distribution provides operating funds to school districts and charter schools, and the funding is distributed to school districts and charter schools based on program units generated by the public school funding formula.

The Legislature includes select language regarding the funding included in the SEG distribution. Highlights are included below. Note that although the language may emphasize that funding is “included” in the SEG, the funding is not necessarily new or additional funding. Rather, the emphasis is that the Legislature considers the funding in the SEG to be sufficient for school districts and charter schools to fund these initiatives through their operating budgets.

Page in GAA	Dollars in thousands	Public Education Department Special Appropriations
175	\$4,171,971.2	The rate of distribution of the state equalization guarantee distribution shall be based on a program unit value determined by the secretary of public education. The secretary of public education shall establish a preliminary unit value to establish budgets for the 2024-2025 school year and then, on verification of the number of units statewide for fiscal year 2025 but no later than January 31, 2025, the secretary of public education may adjust the program unit value. In setting the preliminary unit value and the final unit value in January, the public education department shall consult with the department of finance and administration, legislative finance committee and legislative education study committee.
175	<i>Descriptive language</i>	The general fund appropriation to the state equalization guarantee distribution includes sufficient funding to provide all affected employees an hourly salary of at least fifteen dollars (\$15.00).
176	\$94,154.4	The general fund appropriation to the state equalization guarantee distribution includes ninety-four million one hundred fifty-four thousand four hundred dollars (\$94,154,400) to provide a three percent salary increase to all public school personnel. The secretary of public education shall not approve the operating budget of a school district or charter school that does not provide a three percent salary increase for all public school personnel.
176	<i>Descriptive language</i>	For fiscal year 2025, if the program cost made available is insufficient to meet the level of state support required by the special education maintenance of effort requirements of Part B of the federal Individuals with Disabilities Education Act, the public education department shall reduce the program cost and state equalization guarantee distribution appropriation in an amount sufficient to cover the projected shortfall and distribute that amount to school districts and charter schools in proportion to each school district's and charter school's share of the total statewide program cost to meet the level of support required by Part B of the federal Individuals with Disabilities Education Act for fiscal year 2025. The public education department shall reset the final unit value and recalculate each school district's and charter school's program cost for fiscal year 2025.
176	\$55,000.0	The general fund appropriation to the state equalization guarantee distribution includes fifty-five million dollars (\$55,000,000) for school districts and charter schools to purchase culturally and linguistically appropriate instructional materials for eligible students, including dual-credit instructional materials and educational technology.
176	\$59,000.0	The general fund appropriation to the state equalization guarantee distribution includes fifty-nine million dollars (\$59,000,000) for school districts and charter

Page in GAA	Dollars in thousands	Public Education Department Special Appropriations
		schools to meet teacher mentorship requirements pursuant to Section 22-10A-9 NMSA 1978, create an educational plan pursuant to Section 22-8-6 NMSA 1978, provide scientifically based literacy programs pursuant to Section 22-13-29 NMSA 1978 and Section 22-13-32 NMSA 1978, provide career technical education programs pursuant to Section 22-1-12 NMSA 1978 and implement the community school framework pursuant to Section 22-32-6 NMSA 1978.
176	<i>Descriptive language</i>	The public education department shall not approve the operating budget of any school district or charter school that provides fewer instructional hours to students in the 2024-2025 school year than instructional hours provided to students in the 2022-2023 school year.
177	<i>Descriptive language</i>	The public education department shall not approve the operating budget of any school district or charter school to operate a four-day school week during the 2024-2025 school year that did not provide a four-day school week during the 2021-2022 school year.
177	<i>Descriptive language</i>	The public education department shall monitor and review the operating budgets of school districts and charter schools to ensure the school district or charter school is prioritizing available funds to those functions most likely to improve student outcomes. If a school district or charter school submits a fiscal year 2025 operating budget that, in the opinion of the secretary of public education, fails to prioritize funds as described in this paragraph, the secretary of public education shall, prior to approving the school district's or charter school's fiscal year 2025 budget, direct the school district or charter school to revise its submitted budget or shall make such revisions as required to meet the requirements of this paragraph.
177	<i>Descriptive language</i>	The general fund appropriation to the public school fund shall be reduced by the amounts transferred to the public school fund from the current school fund and from federal Mineral Leasing Act receipts otherwise unappropriated.
177	<i>Descriptive language</i>	The other state funds appropriation to the state equalization guarantee distribution includes balances received by the public education department pursuant to Section 66-5-44 NMSA 1978.
177	<i>Descriptive language</i>	Any unexpended balances in the authorized distributions remaining at the end of fiscal year 2025 from appropriations made from the general fund shall revert to the general fund.
175	<i>Descriptive language</i>	Except as otherwise provided, unexpended balances of appropriations made in this subsection shall not revert at the end of fiscal year 2025.
175	<i>Descriptive language</i>	The purpose of public school support is to carry out the mandate to establish and maintain a uniform system of free public schools sufficient for the education of, and open to, all the children of school age in the state.

Transportation Distribution

The Legislature appropriated nearly \$133.8 million for transportation in FY25. The following language was included in the GAA regarding the transportation distribution that affects public education.

Page in GAA	Dollars in thousands	Item/Language
179	\$133,793.3	The general fund appropriation to the transportation distribution includes one million four hundred eighty-eight thousand six hundred dollars (\$1,488,600) to provide a three percent salary increase to all public school transportation personnel. The secretary of public education shall not approve the operating budget of a school district or charter school that does not provide a three percent salary increase for all public school transportation personnel.
179	\$3,929.5	The general fund appropriation to the transportation distribution includes three million nine hundred twenty-nine thousand five hundred dollars (\$3,929,500) contingent on the replacement of any variables within the calculation of the transportation distribution that reduce the allocation to each school district and state-chartered charter school based

Page in GAA	Dollars in thousands	Item/Language
		on district population densities with new variables that adjust allocations based on geographic rurality.

Supplemental Distribution

Supplemental distributions ([Section 22-8-30 NMSA 1978](#)) go to school districts primarily (1) to pay the out-of-state tuition of students subject to the [Compulsory School Attendance Law](#) who are attending school out-of-state because school facilities are not reasonably available in the school district of their residence and (2) to make emergency distributions to school districts or state-chartered charter schools in financial need.

Page in GAA	Dollars in thousands	Item/Language
180	\$393.0	Out-of-state tuition.
180	\$1,000.0	Emergency supplemental: The secretary of public education shall not distribute any emergency supplemental funds to a school district or charter school that is not in compliance with the Audit Act or that has cash and invested reserves, other resources or any combination thereof equaling five percent or more of their operating budget.
180	<i>Descriptive language</i>	Any unexpended balances in the supplemental distribution of the public education department remaining at the end of fiscal year 2025 from appropriations made from the general fund shall revert to the general fund.

Other sections of the Public School Support

Page in GAA	Dollars in thousands	Item/Language
180	\$579,500.0	Federal flow through
180	\$20,000.0	Indian education fund: The public education department shall begin distribution of awards from the Indian education fund no later than September 1, 2024.
180	\$10,000.0	Standards-based assessments: Any unexpended balances in the standards-based assessments appropriation remaining at the end of fiscal year 2025 from appropriations made from the general fund shall revert to the general fund.

Special Appropriations

See “K. Public School Support,” in Section 5 of the General Appropriations Act of 2024 (page 206)

The appropriations in this section may be expended in FY24 and FY25.

Page in GAA	Dollars in thousands	Language
210	\$5,000.0	For attendance improvement interventions, including evidence-based programs to train educators on social emotional skills and self-regulation and improve school safety.
210	\$500.0	To implement provisions of the Black Education Act.
211	\$2,305.0	For the learning management system that delivers learning resources to students, educators and administrators outside of the classroom setting.
211	\$40,000.0	For pilot programs including career technical education, career technical student organizations, innovation zones, work-based learning initiatives and equipment, including five million dollars (\$5,000,000) for summer internships. The other state funds appropriation is from the public education reform fund.

Page in GAA	Dollars in thousands	Language
211	\$8,000.0	For community school and family engagement initiatives. Up to four hundred thousand dollars (\$400,000) may be used by the public education department to evaluate student outcomes and implementation and accredit community schools. The other state funds appropriation includes two million dollars (\$2,000,000) from the public education reform fund and six million dollars (\$6,000,000) from the community schools fund.
211	\$30,000.0	For a summer reading intervention program for students based in the science of reading.
211	\$20,000.0	For the recruitment and retention of educator fellow positions.
211	<i>Descriptive language</i>	The period of time for expending the thirteen million three hundred ten thousand three hundred dollars (\$13,310,300) from the public education reform fund in Subsection 123 of Section 5 of Chapter 54 of Laws 2022 as extended in Subsection 205 of Section 5 of Chapter 54 of Laws 2023 for tribal and rural community-based extended learning programs is extended through fiscal year 2025.
211	\$10,000.0	To support schools with the highest ranked family income index pursuant to Section 22-8F-3 NMSA 1978 in providing supplemental services to at-risk students. The other state funds appropriation is from the public education reform fund.
212	\$500.0	To implement provisions of the Hispanic Education Act.
212	\$500.0	To implement provisions of the Indian Education Act.
212	\$5,000.0	For Indian education initiatives including four million dollars (\$4,000,000) for the Navajo nation and one million dollars (\$1,000,000) for Zuni pueblo. Any unexpended balances from this appropriation remaining at the end of fiscal year 2025 shall not revert.
212	\$20,000.0	For K-12 plus program units pursuant to Section 22-8-23.14 NMSA 1978.
212	<i>Descriptive language</i>	The period of time for expending the seven hundred and fifty thousand dollars (\$750,000) appropriated from the public education reform fund in Subsection 185 of Section 5 of Laws 2023 Chapter 210 to update the Prueba de Espanol para la Certificacion Bilingue Spanish language proficiency exams and other language proficiency exams for licensure endorsement is extended through fiscal year 2025.
212	\$1,500.0	To renovate Memorial middle school in the Las Vegas city school district. The other state funds appropriation is from the public school capital outlay fund.
212	\$1,100.0	For an educator evaluation system and educator licensure advancement process, including advancement through micro-credentials.
212	\$1,000.0	For safety and statewide deployment of mobile panic buttons at public schools.
213	\$500.0	For outdoor classrooms.
213	\$15,000.0	For out-of-school time learning opportunities, summer enrichment and high-dosage tutoring. The general fund appropriation includes eight million five hundred thousand dollars (\$8,500,000) for high-dosage tutoring.
213	\$2,300.0	For dormitory operational funding at the Santa Fe school for the arts through fiscal year 2026.
213	\$200.0	For regional and statewide school safety summits. The other state funds appropriation is from the public school capital outlay fund.
213	\$5,000.0	To train secondary educators in evidence-based reading instruction. The other state funds appropriation is from the public education reform fund.
213	<i>Descriptive language</i>	To maintain the fiscal year 2024 preliminary unit value of six thousand two hundred forty-one dollars and sixty-seven cents (\$6,241.67), the public education department may expend up to ten million dollars (\$10,000,000) from balances in the state support reserve fund pursuant to Section 22-8-31 NMSA 1978.
213	\$200.0	For security and surveillance equipment at the school of dreams academy in Los Lunas.

Page in GAA	Dollars in thousands	Language
213	\$6,000.0	For the implementation of special education initiatives by the public education department, including providing technical assistance and implementing a statewide individualized educational program process.
213	\$5,000.0	For summer internship opportunities for working-age high school students.
213	<i>Descriptive language</i>	The period of time for expending the two million dollars (\$2,000,000) appropriated from the general fund in Subsection 124 of Section 5 of Chapter 54 of Laws 2022 for planning, design and construction of tribal libraries is extended through fiscal year 2025.

Supplemental and Deficiency Appropriations

This amount is appropriated for expenditure in the current fiscal year when no other funds are available for the specified purposes.

Page in GAA	Dollars in thousands	Language
223	\$19,904.8	For a budgetary shortfall in providing universal free school meals pursuant to the Healthy Hunger-Free Students' Bill of Rights Act.

Government Results and Opportunity Trust

From this trust, funds are distributed over a period of three years for the purposes specified, with unexpended balances after each fiscal year reverting back to the trust for future GROET projects.

Page in GAA	Dollars in thousands	Language
240	\$20,000.0	For educator clinical practice programs. FY25
240	\$5,000.0	For stipends and pay differentials to fill hard to staff special education positions. FY25
244	\$20,000.0	For educator clinical practice programs. FY26
244	\$5,000.0	For stipends and pay differentials to fill hard to staff special education positions. FY26
248	\$20,000.0	For educator clinical practice programs. FY27
248	\$5,000.0	For stipends and pay differentials to fill hard to staff special education positions. FY27

Certain Fiscal Year 2025 Budget Adjustments Authorized

Agencies may be authorized to request additional funds for their agency budget from other state funds under specified conditions.

Page in GAA	Dollars in thousands	Language
298	<i>Descriptive language</i>	(44) the department of military affairs may request budget increases up to seven hundred thousand dollars (\$700,000) from other state funds from the sale of land, additional revenue received from leases, land royalties, miscellaneous revenue, gifts and public education department passthrough revenue to support the national guard facility operations, the New Mexico youth challenge academy operations and the New Mexico national guard members family assistance fund.
299	\$20.0	(47) the public education department may request budget increases up to twenty thousand dollars (\$20,000) from the school transportation training fund for public school transportation workshops and training, including supplies and professional development for public education department staff.

Legislation

The 2024 session was a 30-day, fiscally focused legislative session. During 30-day sessions, legislation must be rendered “germane” by the House Rules and Order of Business Committee, the Senate Committees’ Committee, or by declaration of the Governor to be considered.

During the 2024 session, approximately 94 education-related bills were introduced. Of those bills, 58 were considered germane, and even fewer gained traction and passed both houses.

Below are summaries of legislation enacted in 2024 that affects PED and public schools, including possible administrative implications.

HB171, School Graduation Requirements

The bill strikes current graduation requirements for demonstration of competency in the subjects of mathematics, reading and language arts, writing, social studies, and science. It also amends graduation requirements for students, beginning with those entering ninth grade in the 2025-2026 school year.

[Bill Analysis](#)

Description

House Bill 171 (HB171) maintains the minimum graduation requirements of 24 units. Units earned in Health, Algebra I, and Geometry prior to enrolling in high school may satisfy unit requirements to earn a New Mexico diploma of excellence.

The bill does not require students to take Algebra II, but it does require the course to be offered at applicable schools. This ensures schools provide Algebra II for students who choose it as preparation for additional advanced mathematics courses. Other states, such as Oregon and Washington, have also made Algebra II an optional course. HB171 does require students to complete a two-unit sequence in Algebra I and Geometry or another equivalent integrated pathway of mathematics.

HB171 increases social science unit requirements from three-and-a-half to four. Beginning with students entering ninth grade in the 2025-2026 school year, graduates shall complete coursework in:

- United States History and Geography, which shall contain New Mexico history content;
- Government, Economics, and Personal Finance, which shall contain civics content; and
- World History and Geography.

HB171 decreases elective unit requirements from seven to five-and-a-half. Beginning in the 2025-2026 school year, students shall complete a two-unit pathway in a language other than English; the fine arts; health; military career preparation; a career technical education program; or community or service learning, a capstone course or work-based learning.

HB171 requires two units to be determined by each local school board or governing body of a charter school that meet department academic content and performance standards.

Effective Date: May 15, 2024

HB207, Public School Capital Outlay Grants

House Bill 207 (HB207) requires that the Public School Capital Outlay Council (PSCOC) make an annual distribution for the lease assistance program. Previously, disbursements for the lease assistance program were optional and were made at PSCOC's discretion.

Description

HB207 creates additional stability for charter schools and reduces the financial risk schools must consider when pursuing capital to improve or expand facilities. Grants for lease payments increase the cash available to make payments under lease purchase agreements, improving schools' ability to secure financing from NMFA for such arrangements.

Effective Date: May 15, 2024

SB76, School Local Share Adjustment Waiver

[PED Bill Analysis](#)

Description

Senate Bill 76 (SB76) adjusts the waiver criteria in the Public School Capital Outlay Act, correcting a technical issue introduced by Senate Bill 131 from the 2023 legislative session (SB131 (2023)).

Effective Date: May 15, 2024

SB137, School Board Training

[PED Bill Analysis](#)

Description

[Senate Bill 137 \(SB137\)](#) focuses on several key aspects of public school governance. Firstly, it aims to enhance mandatory training for both local school boards and governing bodies of charter schools, with training hours becoming part of the School Support and Accountability System for better oversight. Secondly, it imposes limitations on local school boards regarding the extension or termination of a superintendent's contract immediately after a school board election. Thirdly, it proposes amendments to the Campaign Reporting Act to increase transparency in election financing for local school board candidates. Lastly, it mandates that all local school board or governing body meetings be webcasted and archived, promoting transparency and accessibility in decision-making processes.

Effective Date: The effective date is July 1, 2024.