



LFC Requester: Liu

**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2025 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 01/30 /25

Bill No: HB194

Sponsor: Johnson/Anyanonu/Little/Hernande
z

Agency Name and Code: PED - 924

PED Lead Analyst: Evan Chavez

Phone: (505) 538-0536 **Email:** evan.chavez@ped.nm.gov

Short Title: CULTURAL EXPRESSION AT GRADUTATION CEREMONIES

PED Policy Director: Denise Terrazas

Phone: (505) 470-5303 **Email:** denise.terrazas@ped.nm.gov

SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	N/A	NFA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
None	None	None	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 194 (HB194) proposes a new section the Public School Code to enact cultural protections for students at graduation and promotion ceremonies.

The bill would bar a public school, private school, or charter school from prohibiting a student wearing an object of cultural significance at a graduation or promotion ceremony. The bill defines objects of “cultural significance” as items that hold special meaning for federally recognized Indian nation, tribes, or pueblos, and follows with an exemplary, though not exclusive, list of such items, including moccasins, beaded graduation caps, and feathers.

FISCAL IMPLICATIONS

This bill has no appropriation.

SIGNIFICANT ISSUES

As reported by several news outlets, in May 2024 at a graduation ceremony for Farmington High School, a Lakota student was ordered to remove a beaded and eagle-plumed cap at her graduation ceremony (see, e.g., [KRQE, May 2024](#)). Existing New Mexico statute bans discrimination based on ethnicity related to hair texture, hairstyles, or hair coverings. The New Mexico law also includes explicit reference to religious and cultural headdresses.

There are [14 states](#) that have laws specifically protecting the right to wear tribal regalia: Alaska, Arizona, California, Kansas, Mississippi, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Oregon, South Dakota, Utah, and Washington.

Existing language in both Section 22-4-4.3 NMSA 1978 and Section 22-8B-4 NMSA 1978 already prohibits discrimination by school boards and governing bodies and bars them from imposing “discipline, discrimination or disparate treatment against a student based on the student's race, religion or culture or because of the student's use of protective hairstyles or cultural or religious headdresses.” HB194 would explicitly clarify any potentially lingering ambiguity regarding the imposition of discipline or disparate treatment against tribally eligible or enrolled Native American students.

Additionally, New Mexico law offers legal protections for religious exercise as stated in [28-22-3 NMSA 1978](#). Tribal regalia are culturally and religiously significant items of dress that are worn by some Indigenous people during traditional ceremonies, activities, and other life events, including graduation, as identified in the bill. Furthermore, Title VI of the [Civil Rights Act of 1964](#) prohibits federally funded schools from discriminating based on race, ethnicity, or national origin.

PERFORMANCE IMPLICATIONS

The provisions of SB194 protect the rights of student to express their culture as a means of preserving tribal traditions and spiritual beliefs. When Native American students experience a

positive attitude toward diversity and equity there is a positive correlation with increased attendance and performance in school.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to: [SB163](#), Tribal Regalia at School Events, which permits public school students in federally Indian Nations, Tribes, and Pueblos to wear tribal regalia at graduation ceremonies or public school events, although it does not include private schools in its provisions.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.