

New Mexico

State Roles and Responsibilities for PK-12 Public School Facilities



2025 State Profile



**National Center on
School Infrastructure**



Authors & Acknowledgements

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Disclaimers

This state profile represents our best understanding of state policies, standards, and laws governing public PK-12 educational facilities. Any errors or omissions are the responsibility of the authors. This document should not be considered an officially approved statement of state policy.

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**National Center on
School Infrastructure**

The National Center on School Infrastructure is a national resource hub that supports states and school districts in the stewardship of America's elementary and secondary public school facilities.



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NEW MEXICO EXECUTIVE SUMMARY

This document provides an overview of the state of New Mexico's roles and responsibilities regarding public elementary and secondary (PK12) school facilities. It is part of a National Center on School Infrastructure technical assistance project to document public school facility policy and practice across all U.S. states and territories to help build state capacity for aiding districts in their efforts to provide students and staff with healthy, safe, resilient, and educationally adequate public school buildings and grounds.

The governance and management of PK-12 public school facilities are primarily managed at the local level.¹ Local Education Agencies, LEAs, (called districts from henceforth) have the authority and responsibility for the day-to-day operations and maintenance of public school facilities, as well as for long-term planning, design, financing, and construction.

States, however, also assume a range of roles and responsibilities regarding the governance and management of school facilities. These include establishing and implementing state policies and practices to support local PK-12 public school facilities planning, facility data collection, capital and maintenance funding for buildings and grounds, facilities management, and facility standards and implementing systems for accountability.



State agencies may additionally offer technical assistance and training to help districts meet modern facility standards, mitigate risks, and enhance the overall quality of local stewardship for public school buildings and grounds. The extent of state involvement in public school facilities varies widely across states.

¹ This is true in all states, except Hawaii, which is a unitary state and local education agency.



Governance

[Article XII, Section 1](#) of the New Mexico Constitution establishes the state's responsibility to provide a uniform and sufficient system of public education, which has been interpreted to include school facilities. The Legislature enacts statutes and appropriates funds for school capital outlay, with key oversight provided by the Legislative Education Study Committee (LESC), Legislative Finance Committee (LFC), and the statutorily established Public School Capital Outlay Oversight Task Force (PSCOOTF). The Public Education Department (PED) serves as the state education agency, with the Secretary of Public Education exercising executive authority and participating in capital planning and emergency response. Facility funding and oversight responsibilities are shared between the Public School Capital Outlay Council (PSCOC), which allocates state funding, and the [Public School Facilities Authority](#) (PSFA), which administers facility assessments, project implementation, and statewide technical support.

Management

School districts in New Mexico are responsible for the day-to-day operations and maintenance of school facilities, as well as for initiating and managing capital projects. The PSFA supports districts through the administration of planning tools, technical assistance, and oversight of state-funded projects. The [Capital Outlay Bureau](#) within PED reviews legislative appropriation requests and assists with property transactions and statutory compliance. PSFA manages multiple capital programs and maintains implementation responsibilities for state-funded initiatives such as facility master planning, preventive maintenance, and systems-based capital improvements.

Data

New Mexico maintains a centralized system for school facility data through the [Facilities Assessment Database](#) (FAD), overseen by the PSFA. The database contains inventory, condition, and educational adequacy data for all public school buildings. PSFA assessors update this information through on-site inspections, and the data are used to calculate the New Mexico Condition Index (NMCI) and the Weighted NMCI (wNMCI), which support capital funding prioritization. The PSFA also manages the Facility Maintenance Assessment Report (FMAR) system and the Facility Information Management System (FIMS), which help districts monitor preventive maintenance activities and evaluate operational performance.



Planning

All school districts and state-chartered charter schools seeking capital outlay funding are required to submit five-year Facilities Master Plans (FMPs) that include facility assessments, enrollment projections, maintenance strategies, and capital priorities aligned with statewide adequacy standards. These plans must be updated every five years and approved by PSFA. Planning practices are data-driven and incorporate analysis of building condition, space utilization, and programmatic needs. Projects prioritized in local FMPs are evaluated by PSFA and PSCOC using the wNMCI to determine eligibility for state capital funding.

Funding

New Mexico funds school facilities through a combination of local and state sources. Local districts may raise funds through property tax levies authorized under the [Public School Buildings Act](#) and the [Public School Capital Improvements Act](#), issue general obligation bonds, or enter into lease-purchase agreements. State funding is provided through the Public School Capital Outlay Fund (PSCOF), primarily supported by severance tax bond revenues. The PSCOC administers capital funding programs, including Standards-Based Funding, Systems-Based Funding, Pre-Kindergarten Facilities, Lease Assistance, and demolition grants. The state uses a cost-sharing formula to determine local match requirements, with adjustments made based on property wealth and other fiscal capacity indicators.

Accountability

Districts are required to implement preventive maintenance plans, track performance through FIMS, and maintain FMAR compliance. Capital-funded projects are subject to inspections and oversight by PSFA. Building codes and adequacy standards govern new construction and renovations, while noncompliance can affect eligibility for future funding. Health and safety standards are codified in administrative code and include requirements for indoor air quality, chemical hazard mitigation, thermal comfort, water access, and adherence to environmental and energy efficiency codes. The PSCOOTF provides ongoing legislative oversight of the capital program, with authority to recommend policy and funding changes.



NEW MEXICO ELEMENTARY AND SECONDARY EDUCATION

CONSTITUTIONAL BASIS

Public education is a state responsibility established in the New Mexico State Constitution.

[NM Const art XII § 1](#)

A uniform system of free public schools sufficient for the education of, and open to, all the children of school age in the state shall be established and maintained.

This provision establishes the basis for statewide systems related to public education, including those governing school facilities. Although Article XII, § 1 does not specifically reference school buildings, state law includes statutes and regulations that govern the planning, funding, and condition of public school facilities. These include the Statewide Adequacy Standards codified under [6.27.30 NMAC](#), which define minimum facility criteria for state capital outlay funding. Judicial interpretations of this constitutional provision have also addressed issues related to school facility conditions and funding distribution.

SCALE OF PUBLIC SCHOOL HOUSING

New Mexico's 150 districts reported to the U.S. Census of Governments that they operated 893 PK through 12th grade (and adult education) schools in fiscal year 2022. These districts enroll about 316,785 students and are the workplace for about 37,346 staff. These schools encompass about 66,045,817 gross square feet of building space statewide.



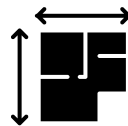
893

Schools



150

Districts/Charters



66,045,817

Sq. Ft.

Reported



37,346

Staff



316,785

Students

The following sections describe New Mexico's state-level roles and responsibilities for public school facilities.



NEW MEXICO’S PK-12 PUBLIC EDUCATIONAL FACILITIES

GOVERNANCE

State-level engagement in PK-12 public school facilities is firmly embedded in state systems. State boards of education, state education agencies, state legislatures, governors, and in some cases, independent commissions and facilities authorities make decisions about state roles and responsibilities associated with the quality and delivery of public school facilities. These bodies govern through state codes, regulations, standards, and budgets, which direct and influence local policies and practices regarding public school buildings and grounds. In some states, education finance equity and adequacy court cases have also played a role in defining state responsibilities for public school facilities.

LEGISLATIVE COMMITTEES AFFECTING FACILITIES

The New Mexico legislature enacts policies and allocates funding for school facilities. Two key legislative committees oversee facility funding and planning:

- [Legislative Education Study Committee](#) (LESC): Established in 1965, the LESC is a permanent, bipartisan, and bicameral interim committee tasked with conducting ongoing studies of public education in New Mexico. Its responsibilities include analyzing education policies, laws governing public education, and the preparation of educators in postsecondary institutions. The LESC provides analyses of public school-related legislation and supplies technical support in the development of public school support appropriations during legislative sessions.
- [Legislative Finance Committee](#) (LFC): The LFC is responsible for making budgetary recommendations to the legislature for funding state government, higher education, and public schools. The committee also prepares legislation addressing financial and management issues of state government. Its Program Evaluation Unit reviews the costs, efficiency, and effectiveness of activities of state agencies and political subdivisions, recommending changes to the legislature.



STATE BOARD OF EDUCATION

In 2003, following voter approval of a constitutional amendment ([Article XII, Section 6](#)), New Mexico's governance of public education was significantly restructured. The amendment abolished the previously elected State Board of Education and established the [Public Education Department](#) (PED) as a cabinet-level executive agency. This restructuring centralized policy-making and regulatory authority for K-12 education under the Secretary of Public Education, appointed by the Governor and confirmed by the State Senate. Additionally, the amendment created the [Public Education Commission](#) (PEC), an elected body serving solely in an advisory capacity without administrative or regulatory powers.

Although this 2003 restructuring was concurrent with legislative responses to judicial mandates for reform in school capital funding, it did not directly address the specific concerns raised by the [Zuni lawsuit](#). Governance and oversight responsibilities specific to school facility funding and management remained with the Public School Capital Outlay Council (PSCOC) and the Public School Facilities Authority (PSFA).

Within the PED, the [Capital Outlay Bureau](#) (COB) provides oversight, administrative support, and technical assistance related to school facility funding. While the COB supports districts through regulatory guidance, capital planning, calculation of state funding matches, and compliance assistance, the PSCOC and PSFA retain authority over major capital projects, infrastructure improvements, and grant-based funding under the [Public School Capital Outlay Act](#).

NEW MEXICO SECRETARY OF PUBLIC EDUCATION

The [Secretary of Public Education](#) in New Mexico, established by the Public Education Act following the 2003 constitutional amendment ([NM Const. art. XII, § 6](#)), is appointed by the Governor and confirmed by the State Senate. As the executive head of the Public Education Department (PED), the Secretary has administrative and regulatory responsibilities specifically related to school facilities.



Under [NMSA 1978, § 9-24-5](#), the Secretary administers and enforces laws pertaining to public schools, distributes funds appropriated by the legislature, and ensures compliance with state and federal education requirements. As a statutory member of the Public School Capital Outlay Council (PSCOC) ([NMSA 1978, § 22-24-6\(A\)\(2\)](#)), the Secretary participates directly in reviewing and approving school capital outlay projects. Additionally, the Secretary collaborates with state agencies and legislative committees in response to facility-related emergencies and supports long-term planning efforts for school infrastructure improvements.

GUBERNATORIAL ROLE IN SCHOOL FACILITIES

The [Governor of New Mexico](#) influences school facility governance primarily through budget authority, executive appointments, and statutory emergency powers. Under [Article IV, Section 22](#) of the New Mexico Constitution, the governor proposes the state budget, including appropriations for the Public School Capital Outlay Fund (PSCOF), and possesses line-item veto authority over capital funding. The Governor appoints the Secretary of Public Education ([NMSA 1978, § 9-24-5](#)), who serves as a statutory member of the Public School Capital Outlay Council (PSCOC) and oversees facility-related functions within the Public Education Department (PED). Additionally, under the [All Hazard Emergency Management Act](#) (NMSA 1978, §§ 12-10-1 to 12-10-10), the governor may declare emergencies ([§ 12-10-4\(A\)](#)), direct state resources to address infrastructure damages ([§ 12-10-4\(B\)](#)), and allocate emergency funds specifically for repairs to public school facilities impacted by disasters or other emergencies.

PUBLIC SCHOOL CAPITAL OUTLAY COUNCIL

The Public School Capital Outlay Council (PSCOC) is a state executive body responsible for administering state capital outlay funding for public school facilities in New Mexico, as established under the Public School Capital Outlay Act ([NMSA 1978, Chapter 22, Article 24](#)). Originally created by Laws 1975, Chapter 235, the PSCOC was formed to allocate grants from the [Public School Capital Outlay Fund](#) (PSCOF) to school districts for critical capital outlay needs, prioritizing projects for districts with limited local resources. Its role expanded significantly following the 1998 Zuni lawsuit, which led to a court ruling that



New Mexico's school capital funding system was unconstitutional. In response, the 2001 amendments to the Public School Capital Outlay Act restructured school facility funding into a standards-based system, requiring projects to meet [statewide adequacy standards](#) rather than relying solely on emergency-based corrections.

The PSCOC allocates capital outlay funds for school construction, renovations, and facility system improvements based on facility assessments and financial need. The council determines state and local cost-sharing requirements ([§ 22-24-5](#)) and administers specific funding programs, including the Lease Assistance Program ([§ 22-24-4\(I\)](#)) for school districts and charter schools leasing educational facilities and the Systems-Based Funding Program ([§ 22-24-4.6](#)) for infrastructure repairs and building system replacements. The council may also approve funding for portable classroom purchases ([§ 22-24-4\(C\)](#)) and authorize the demolition of abandoned school buildings upon district request ([§ 22-24-4\(L\)](#)).

Beyond funding allocations, the PSCOC has regulatory and oversight responsibilities related to school facility investments and compliance with capital outlay regulations. It works in coordination with the Public School Facilities Authority (PSFA) ([§ 22-24-9](#)), which functions as its staff arm, overseeing project implementation and technical assistance for school districts. The PSCOC establishes funding priorities, approves grant allocations, and provides policy direction, while the PSFA manages construction oversight, regulatory compliance, and facility condition assessments. The PSCOC reports annually on school facilities progress statewide.

PUBLIC SCHOOL CAPITAL OUTLAY OVERSIGHT TASKFORCE (2005-PRESENT)

The [Public School Capital Outlay Oversight Task Force](#) (PSCOOTF) was established by statute in 2005 (NMSA 1978, §§ [22-24-7](#) and [22-24-8](#)) to provide ongoing legislative oversight of New Mexico's public school capital outlay programs. The task force monitors the activities and effectiveness of the Public School Capital Outlay Council (PSCOC) and the Public School Facilities Authority (PSFA), ensuring their compliance with the Public School Capital



Outlay Act and evaluating the adequacy of state funding mechanisms for school infrastructure ([NMSA 1978, § 22-24-8](#)).

Statutorily, the PSCOOTF is composed of 25 members, including legislative leaders from both chambers, executive officials such as the Secretaries of Public Education and Finance and Administration, public members with expertise in education and finance, and three public school superintendents—two of whom represent federally impacted school districts receiving Impact Aid (Public Law 874) ([NMSA 1978, § 22-24-7](#)). Membership appointments are made by the Governor and legislative leadership, with operational support provided by the Legislative Council Service, Legislative Education Study Committee (LESC), Legislative Finance Committee (LFC), and PSFA (NMSA 1978, § 22-24-7(E)).

The PSCOOTF's responsibilities, as outlined in statute, include monitoring progress toward meeting statewide adequacy standards, evaluating the effectiveness of capital outlay and improvement programs, ensuring the stability and sufficiency of revenue streams for school capital projects, and overseeing the grant award process managed by the PSCOC and PSFA (NMSA 1978, § 22-24-8). The task force also periodically appoints advisory committees to address specific issues, such as enhancing collaboration between charter schools and traditional school districts regarding facility needs (NMSA 1978, § 22-24-8(E)).

Historically, the PSCOOTF played a role in addressing concerns raised by the [Zuni lawsuit](#) plaintiffs, recommending the creation of funding mechanisms to assist property-poor districts. Legislative actions influenced by the task force have included amendments to state-local match formulas, expansions of eligibility for state lease-payment support for charter schools, and adjustments in funding formulas to assist districts struggling with local funding requirements (NMSA 1978, § 22-24-8). Additionally, the PSCOOTF has studied and promoted reforms in procurement practices, efficiency in project management, and strategies to address rising construction and maintenance costs (NMSA 1978, § 22-24-8).



Ad Hoc COMMITTEES, BOARDS, AND COMMISSIONS

2015 PUBLIC SCHOOL CAPITAL OUTLAY FUNDING FORMULA WORKING GROUP

In 2015, the New Mexico Legislature convened a temporary, multi-agency working group in response to Senate Memorial 135. The memorial directed the Legislative Finance Committee (LFC), Legislative Education Study Committee (LESC), Public Education Department (PED), Department of Finance and Administration (DFA), PSCOC, and PSFA to jointly examine the state's capital outlay funding formula. The group was tasked with assessing the treatment of federal Impact Aid, the role of Payment in Lieu of Taxes (PILT), and the sparsity factor in capital funding. A key outcome was the commissioning of a detailed evaluation of the state-local match formula, which informed statutory amendments enacted in 2018 to revise the Public School Capital Outlay Act. The working group completed its [report](#) by the end of the 2015 interim.

2017 CAPITAL OUTLAY TASK FORCE (SENATE JOINT MEMORIAL 27)

In 2017, the Legislature adopted [Senate Joint Memorial 27](#), which requested a joint study of the school capital outlay system by the LFC, LESC, PED, and PSCOC. The memorial cited ongoing concerns related to school facility funding disparities and the reopened Zuni lawsuit. The temporary task force was asked to evaluate whether the state's adequacy standards and funding formula complied with Article XII, Section 1 of the New Mexico Constitution. The study focused on facility costs not covered under adequacy standards, including off-site infrastructure, security upgrades, and teacher housing in isolated districts. The group submitted its [findings](#) to the Legislature by the start of the 2018 session. Legislative adjustments to capital outlay programs, including expanded funding for Pre-K classroom facilities and adjustments to local match requirements, followed in subsequent years.

NEW MEXICO PK-12 PUBLIC EDUCATIONAL FACILITIES MANAGEMENT

Local Education Agencies (LEAs) have authority and responsibility for the day-to-day operations and maintenance of public school facilities, as well as for long-term facilities planning, design, financing, and construction. Although PK-12 public school facilities are managed locally, there are state facilities



management roles and responsibilities that may involve strategic planning, data collection, state funding programs, standards and systems for accountability. State agencies may also include programs for technical assistance and training that help districts meet standards, mitigate risk, and increase the quality of local district stewardship of public school buildings and grounds. State roles and responsibilities related to elementary and secondary public school facilities vary widely across the U.S. states, with unitary districts in Hawaii and U.S. Territories, where the state agency and the local agency are combined.

NEW MEXICO EDUCATION DEPARTMENT CAPITAL OUTLAY BUREAU

The [Capital Outlay Bureau](#) (COB) within the New Mexico Public Education Department (PED) provides technical assistance and administrative oversight related to school facility capital funding and statutory compliance. Under [NMSA 1978, § 9-24-5](#), the PED holds general authority over public education funding and regulations, under which COB operates.

The COB reviews and approves district-level construction and non-construction projects funded through direct legislative appropriations up to \$200,000. The bureau calculates state matching funds and local district participation percentages for capital projects awarded by the Public School Capital Outlay Council (PSCOC). It also tracks school district bonding indebtedness and monitors local elections associated with capital improvement funding.

Under [NMSA 1978, § 13-6-2](#), COB oversees statutory compliance in the disposition of school district-owned real and personal property. Additionally, COB assists school districts in complying with the [Public School Lease Purchase Act](#). The bureau also administers specific funding programs, including the Public Energy Efficiency Act and Qualified Zone Academy Bonds (QZABs), in coordination with PSCOC and the Public School Facilities Authority (PSFA).

NEW MEXICO PUBLIC SCHOOL FACILITIES AUTHORITY

The [Public School Facilities Authority](#) (PSFA) was established in 2002 pursuant to the [Public School Capital Outlay Act](#) to serve as the administrative and operational staff agency of the Public School Capital Outlay Council (PSCOC) and primary school facility state agency. Under statute, the PSFA is directed by an executive director appointed by the PSCOC, who is required to possess



expertise in construction, architecture, or project management. The director is authorized to hire deputies and technical staff within approved budget parameters to effectively carry out the agency's statutory responsibilities.

The PSFA's statutory roles include assisting New Mexico school districts in the preparation and implementation of comprehensive five-year facility master plans and preventive maintenance strategies, managing the procurement of architectural and engineering services, and overseeing PSCOC-funded capital outlay projects ([NM Stat § 22-24-9](#)). Additionally, the agency is tasked with ensuring regulatory compliance by conducting on-site inspections to verify adherence to approved construction specifications and applicable building codes. Under the Public School Capital Outlay Act, the PSFA is responsible for recommending building standards to the PSCOC in consultation with the Public Education Department, maintaining a statewide database documenting the condition and maintenance needs of public school facilities, and preparing annual reports detailing grant distributions and project statuses for the governor, legislature, Legislative Education Study Committee (LESC), and Legislative Finance Committee (LFC).

Historically, the PSFA managed the Deficiencies Correction Program from 2001 through 2007, addressing critical life, health, and safety deficiencies in school facilities statewide. Following the transition to Standards-Based Funding in 2004, the PSFA assumed responsibility for the assessment and prioritization of school facilities through the New Mexico Condition Index (NMCI), facilitating targeted capital investment strategies. Currently, the agency administers multiple capital funding programs, including Standards-Based Funding, Systems-Based Funding, Pre-Kindergarten Facilities, Teacher Housing Pilot, Facility Master Plans (FMP), Lease Assistance, and Broadband Infrastructure.

Organizationally, the PSFA is structured into administrative divisions—Contracts and Legal, Finance, Information Technology, and Human Resources—and operational units comprising Facilities, Programs, Field Operations, Maintenance, Broadband Initiatives, and the Construction Information Management System. Collectively, these divisions and units support district-level planning, conduct comprehensive facility assessments, manage state-funded capital projects, oversee procurement and contractual processes, and



monitor compliance with all statutory and regulatory requirements governing public school facility funding and operations in New Mexico.

The PSFA offers technical support to districts and charter schools, including assistance with the preparation and implementation of five-year facility master plans, preventive maintenance strategies, and procurement of architectural and engineering services ([NMSA 1978, § 22-24-9](#)). PSFA also provides guidance on regulatory compliance, conducts facility condition assessments, and offers training programs to district personnel involved in facilities management.



NEW MEXICO PK — 12 SCHOOL FACILITIES DATA MANAGEMENT

Extensive data and information are needed for educational facility planning, decision making, and oversight. Relevant data helps stakeholders understand the broad impacts of their PK -12 infrastructure spending and investments on health, education, community and beyond. Facilities data falls into five major categories: ([NCES Forum Guide to Facilities Information Management](#)).

Inventory: Data include addresses, geo-codes, building areas, site acreage, and year of construction.

Design: Data include space descriptions, number of stories, designed-for purposes (i.e., elementary school, performance center).

Utilization: Data includes school capacity for enrollment based on the educational programs provided, spaces that are shared, and the gross square footage per enrolled student.

Condition: Data includes facility condition assessment data on the age and condition of major components, systems, and finishes.

Budget and Finance: Data elements include the district expenditures for maintenance, operations, and capital improvements.

Beyond these standard data sets, an increasing amount of data is also being collected and analyzed on building performance. This includes data on building performance metrics for energy efficiency, indoor air quality, lead levels in water, and the presence of hazardous materials like asbestos, mold, or PCBs.

ENROLLMENT DATA

The New Mexico Public Education Department (PED) requires each school district and state-chartered charter school to submit student-level enrollment records through the statewide accountability data system. PED assigns a unique statewide student identifier to every student and prescribes the reporting format for enrollment and withdrawal information. Districts must provide school-level data on membership, attendance, and related fields, which are verified by PED for accountability and funding determinations.

Authority for these requirements is established in [N.M. Stat. Ann. § 22-2C-11\(A\)\(1\)](#), (G)–(H), which directs PED to implement a uniform statewide system



for data collection and reporting, including assignment of student identifiers and publication of required reports. In addition, [6.19.4.8 NMAC](#) specifies that New Mexico school districts must submit enrollment and other required data through the statewide reporting system.

Enrollment data also serves as an input for facilities-related datasets managed by the Public School Facilities Authority (PSFA). For example, the 40th-day membership count is incorporated into statewide databases used to calculate facility capacity and utilization benchmarks under the Statewide Adequacy Standards. While PSFA does not collect enrollment independently, it integrates PED-reported student counts into its [Facilities Assessment Database](#) and Weighted New Mexico Condition Index (wNMCI) rankings to align building capacity and space data with actual student membership.

INVENTORY DATA

The Public School Facilities Authority (PSFA) is statutorily required to maintain a statewide database of public school facilities. Under [NMSA 1978, § 22-24-9\(B\)\(12\)](#), PSFA must document the condition of each facility and maintain records of maintenance schedules. Administrative rule further directs PSFA to “maintain the statewide database that reflects the condition of each public school facility” and to “develop, implement and maintain a uniform web-based facility information management system.” See [6.27.2.9\(B\)\(2\) NMAC](#).

In practice, PSFA operates the [Facilities Assessment Database](#) (FAD), which inventories all school facilities statewide. The database includes information at the site, building, and system level, such as facility identification, building areas, installation dates, system type, and system status. The FAD is updated through periodic on-site assessments conducted by PSFA staff and contractors. Data from the FAD are used to calculate indices such as the Facility Condition Index (FCI), the New Mexico Condition Index (NMCI), and the Weighted NMCI (wNMCI).

PSFA also maintains the [Facility Information Management System](#) (FIMS), a statewide web-based system that supports districts in tracking preventive and reactive maintenance activities. FIMS is used to collect and manage maintenance data, including schedules, work orders, and utility information, providing an additional layer of facility inventory and operational records.



DESIGN DATA

New Mexico maintains design-related data for public school facilities through the Statewide Adequacy Standards. The Public School Capital Outlay Council (PSCOC) is required to establish and update adequacy standards for school facilities under [NMSA 1978, § 22-24-5\(C\)](#). These standards, implemented in regulation, define minimum requirements for instructional and support spaces, such as classrooms, libraries, cafeterias, and specialized program areas. See [6.27.30 NMAC](#).

To apply these standards, the Public School Facilities Authority (PSFA) collects and maintains data on the size, type, and function of educational spaces within each school facility. This information is recorded in the [Facilities Assessment Database](#) (FAD) during periodic facility assessments. Data elements include room counts, square footage by space type, and comparisons to adequacy benchmarks. Space data are also used to identify deficiencies where facilities fall below the minimum standards.

These design datasets are integrated into the Weighted New Mexico Condition Index (wNMCI), which incorporates both condition and adequacy data into the statewide facility ranking used for prioritizing capital needs.

UTILIZATION DATA

New Mexico collects facility utilization data through the application of the Statewide Adequacy Standards. The Public School Facilities Authority (PSFA) incorporates enrollment counts into its facility database to measure capacity against actual use. The standards, codified in [6.27.30 NMAC](#), establish benchmarks for maximum student loads in instructional spaces and define how facility capacity is to be calculated.

To support this process, PSFA integrates the 40th-day membership count reported by the Public Education Department (PED) into the [Facilities Assessment Database](#) (FAD). These data are used to generate capacity and utilization ratios, comparing available square footage and space type to the number of enrolled students. Utilization measures are maintained alongside condition and design data and feed into the Weighted New Mexico Condition Index (wNMCI) to evaluate statewide facility needs.

CONDITION DATA



The Public School Facilities Authority (PSFA) is required to maintain a statewide database documenting the condition of public school facilities. Under [NMSA 1978, § 22-24-9\(B\)\(12\)](#), PSFA must collect data on facility conditions and maintenance schedules. Administrative rule further directs PSFA to “maintain the statewide database that reflects the condition of each public school facility” ([6.27.2.9\(B\)\(2\) NMAC](#)).

PSFA fulfills this requirement through the [Facilities Assessment Database](#) (FAD). Facility condition data are gathered during periodic on-site assessments by PSFA staff and contractors. These assessments record the age, installation date, and current status of major building systems, identify deficiencies, and estimate repair and replacement costs. Data from the FAD is used to calculate the Facility Condition Index (FCI), which measures the ratio of renewal and repair costs to replacement value.

The FAD also generates the New Mexico Condition Index (NMCI) and the Weighted NMCI (wNMCI). The NMCI ranks facilities based on relative physical condition, while the wNMCI integrates both condition and adequacy data into a single statewide ranking. These indices are updated annually and form the basis for statewide reporting on facility conditions.

In addition, PSFA uses the [Facility Maintenance Assessment Report](#) (FMAR) to evaluate the quality of district preventive maintenance practices. FMAR results are compiled in a statewide database and include data on 22 building systems, preventive maintenance planning, and district use of the [Facility Information Management System](#) (FIMS).

BUDGET AND FINANCE DATA

New Mexico law requires the Public School Capital Outlay Council (PSCOC) and the Public School Facilities Authority (PSFA) to maintain financial records related to school facility funding. Under [NMSA 1978, § 22-24-5\(B\)\(11\)](#), the PSCOC must keep accurate records and detailed accounts of all grant assistance awarded to school districts. Similarly, [NMSA 1978, § 22-24-9\(B\)\(11\)](#) directs PSFA to account for all distributions from the Public School Capital Outlay Fund and to prepare annual reports on fund administration.

Administrative rules reinforce these requirements. [6.27.2.9\(B\)\(5\) NMAC](#) specifies that PSFA must account for fund distributions and report annually to



the Public Education Department (PED), the Governor, the Legislative Education Study Committee, the Legislative Finance Committee, and the Legislature.

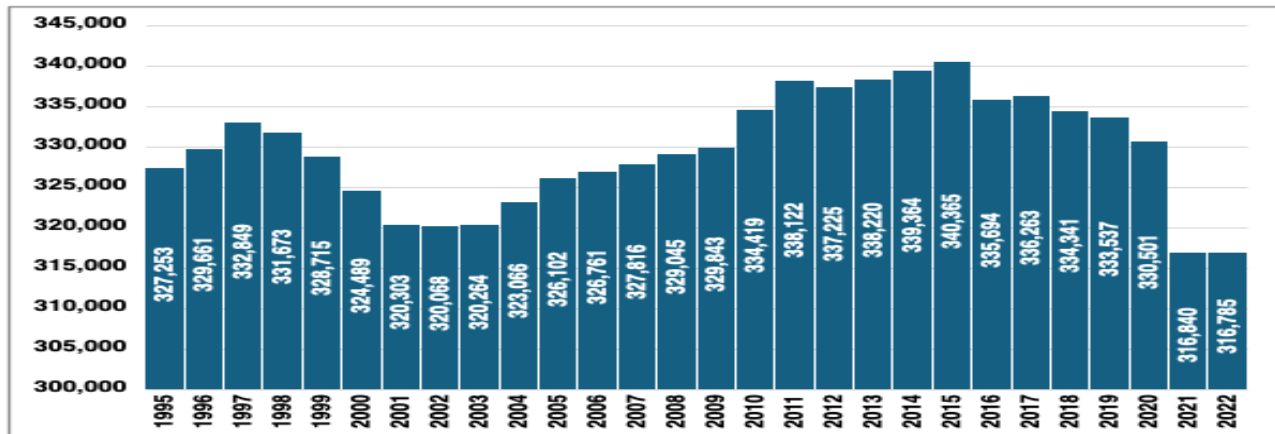
These reports provide project-level and statewide summaries of capital outlay expenditures, distributions, and balances. Budget and finance data are maintained centrally by PSFA and form part of the official record of state investment in school facilities.

FACILITY PERFORMANCE DATA

The Public School Facilities Authority (PSFA) compiles facility performance information through the [Facility Maintenance Assessment Report](#) (FMAR) and the [Facility Information Management System](#) (FIMS). FMAR evaluates preventive maintenance effectiveness by assessing district practices and conditions across 22 building systems, and results are stored in a statewide database. FIMS is used by districts to record maintenance activities and utility billing data, which PSFA can access for oversight and analysis.

NEW MEXICO PK — 12 SCHOOL FACILITIES PLANNING

School facilities require planning at many different levels to meet educational and community purposes. Educational facilities planning is needed for facilities operations, maintenance, and capital projects. Planning PK- 12 public school facilities enables states, districts, and communities to align their resources to their needs, ensure that priorities are met fairly, and that facilities are operated, managed, and built to modern health, safety, educational, and environmental standards.


CHART 1: STUDENT ENROLLMENT SCHOOL YEARS 1994-1995 THRU 2021-2022


Source: Data from the U.S. Census of Governments Fiscal Survey; www.school-infrastructure.org Data Dashboard, of the National Center on School Infrastructure (NCSI).

MAINTENANCE PLANNING

New Mexico law establishes specific planning requirements for preventive maintenance of school facilities. Under [N.M. Stat. Ann. § 22-24-5.5\(A\)–\(B\)](#), every school district is required to develop and implement a preventive maintenance plan in accordance with guidelines adopted by the Public School Capital Outlay Council (PSCOC) and to participate in the statewide [Facility Information Management System](#) (FIMS) on the schedule set by the council. The PSCOC is directed under [N.M. Stat. Ann. § 22-24-5.3\(A\)–\(B\)](#) to adopt these guidelines and to maintain a uniform, web-based FIMS for district use.

Administrative code further defines the contents of these preventive maintenance plans. According to [6.27.3.11 NMAC](#), each district plan must be current (updated within the last twelve months) and must include, at a minimum: the district’s maintenance mission and goals; organization and staffing responsibilities; priorities and procedures for maintenance activities; equipment inspection and task schedules; established custodial duties; and identification of major maintenance, repair, and replacement projects to be executed under the district’s capital renewal program. Districts are not eligible to receive capital outlay funding without an approved and up-to-date plan that is actively implemented and supported through FIMS.

State law links capital funding determinations to the quality of district maintenance planning. Under [N.M. Stat. Ann. § 22-24-5\(B\)\(8\)](#), the PSCOC may adjust the state-local match by up to five percent if a district is found to be



exemplary in implementing its preventive maintenance program. Parallel provisions in 6.27.3.11(G) NMAC authorize a reduction in the local match under the same conditions.

The Public School Facilities Authority (PSFA), which serves as staff to the PSCOC, is assigned responsibility under [N.M. Stat. Ann. § 22-24-9\(B\)](#) to assist districts in the development and implementation of preventive maintenance plans and to provide related technical support. PSFA also conducts ongoing reviews of these plans and district performance in carrying them out. This framework places preventive maintenance planning as a statutory and regulatory requirement tied both to basic district facility management and to eligibility for state capital outlay participation.

CAPITAL PLANNING

New Mexico requires school districts to maintain and submit a five-year facilities plan as a condition of eligibility for capital outlay assistance. Under [N.M. Stat. Ann. § 22-24-5\(B\)\(11\)](#), the Public School Capital Outlay Council (PSCOC) shall not approve an application for funding unless the proposed project is included among the district's top priorities in its current five-year plan. Districts must also submit the plan to the council as part of the application process.

The statute specifies the contents of the five-year facilities plan. At a minimum, the plan must include enrollment projections; an approved preventive maintenance plan; a listing of the district's top capital priorities; facility needs of charter schools; and projections of facilities required for state-mandated programs such as full-day kindergarten.

The Public School Facilities Authority (PSFA) is directed under [N.M. Stat. Ann. § 22-24-9\(B\)\(3\)\(a\), \(4\)](#) to assist districts with the development and implementation of five-year facilities plans and to conduct ongoing reviews of these plans. PSFA's responsibilities include providing planning support and technical guidance to ensure that district capital planning aligns with statutory requirements.

Administrative code reinforces this linkage between capital planning and funding eligibility. Under [6.27.3.13 NMAC](#), the PSCOC considers whether proposed projects are supported by an approved five-year facilities plan and



whether the district is complying with the preventive maintenance planning requirements set forth in [6.27.3.11 NMAC](#).

EDUCATIONAL FACILITIES MASTER PLANNING

New Mexico law requires districts to maintain a five-year facilities master plan that meets statutory and regulatory requirements. Under [N.M. Stat. Ann. § 22-24-5\(B\)\(11\)\(d\)](#), the plan must include enrollment projections, an approved preventive maintenance plan, identification of the district's top capital priorities, the capital needs of charter schools within the district, and projections of facilities needed to deliver state-mandated programs such as full-day kindergarten. The PSCOC may not approve applications for capital outlay funding unless the proposed project is identified among the top priorities in the district's master plan.

The Public School Facilities Authority (PSFA) is responsible under [N.M. Stat. Ann. § 22-24-9\(B\)\(3\)\(a\), \(4\)](#) for assisting districts with the development and implementation of five-year facilities master plans and for conducting ongoing reviews of those plans. This statutory role includes providing technical support to districts in preparing, updating, and aligning plans with state requirements.

Administrative code provides additional detail. [6.27.3.17 NMAC](#) authorizes the PSCOC to provide funding to districts for the development or update of facilities master plans, subject to local match requirements. Exceptions to the match may apply for districts with fewer than 1,000 students or limited fiscal capacity.

NEW MEXICO PK-12 EDUCATIONAL FACILITIES FUNDING

School facilities are funded with annually budgeted operating funds for utilities, cleaning, groundskeeping, maintenance and repairs; and periodically budgeted, and usually bond financed, capital funds, for school design, construction, renovation and major repair projects. State laws define how districts get access to local financing for school construction capital projects and whether or how states distribute state school construction funding. Federal funding for school construction is minimal—before pandemic funding—it was less than 2% of what districts paid for school construction capital outlay, with a major share of federal funding for rebuilding schools post weather related disasters.

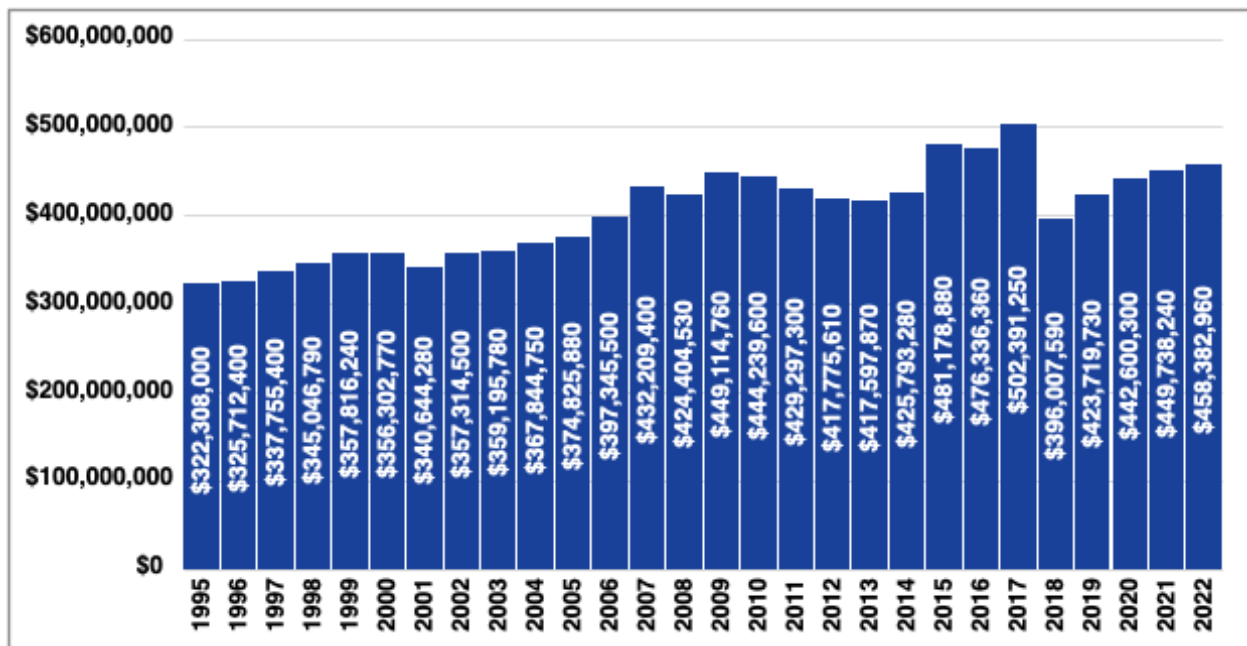


MAINTENANCE AND OPERATIONS FUNDING

Maintenance and Operations expenditures include payment for utilities, custodial staff and services, groundskeeping, related custodial and repair materials, equipment, and maintenance contracts, as well as spending for security personnel, materials, and services.

New Mexico school districts reported nearly \$458 million of M&O annual operating-budget expenditures to the U.S. Census of Governments for FY2022. Adjusting district annual expenditures with the Consumer Price Index for inflation for years 1995-2022—shown in Chart 2, this was an average of \$1,449 per FY2022 student for the last three years.

CHART 2: M&O SPENDING, FY1995-FY2022 (INFLATION-ADJUSTED 2024\$)



Source: Data from the U.S. Census of Governments Fiscal Survey; actual M&O spending data available at www.school-infrastructure.org Data Dashboard, of the National Center on School Infrastructure (NCSI).

In New Mexico, funding for the maintenance and operations of public school facilities is primarily the responsibility of local school districts, which allocate resources from their operational budgets and generate additional revenue through voter-approved property tax levies specifically authorized for facility maintenance and repairs. Although state-level financial support for routine maintenance is limited, New Mexico has invested significantly in maintenance



planning and data systems to assist districts in efficiently managing their facilities.

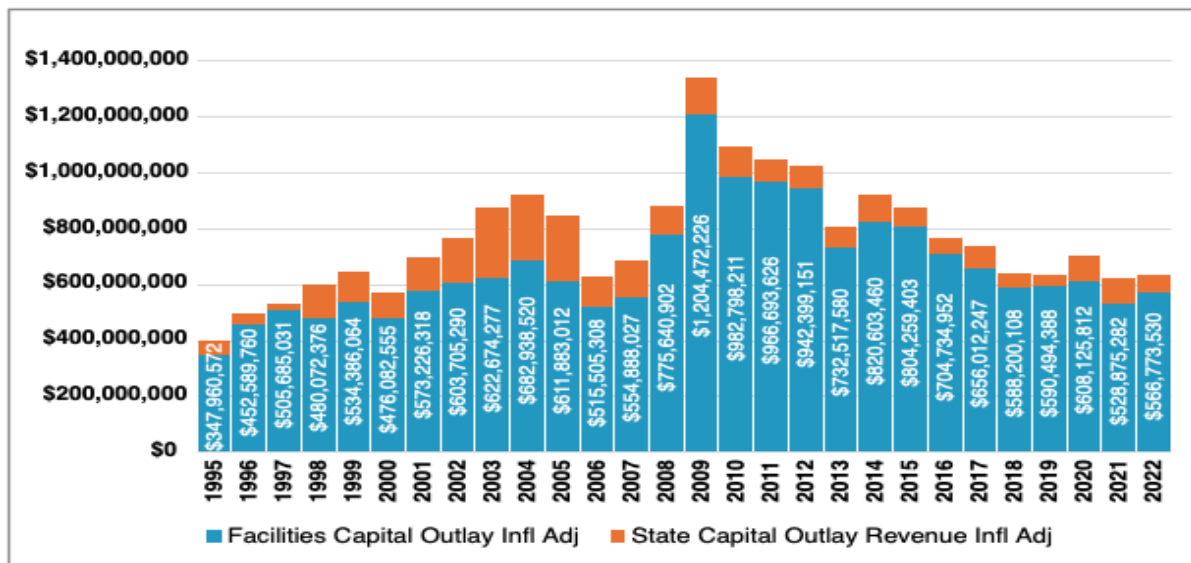
Occasionally, specific state appropriations supplement local funding efforts. For example, Senate Bill 212 (2022) authorized a one-time transfer of \$75 million from the Public School Capital Outlay Fund (PSCOF) to the Public School Facilities Authority (PSFA) for distribution directly to school districts in fiscal year 2023 ([PSFA, 2022](#)). These funds were dedicated exclusively to school building maintenance and repair and exempt from the typical local match or offset requirements outlined in the Public School Capital Outlay Act. Distributions were structured so that each district received either \$100,000 or an amount proportional to their allocation under the Public School Improvement Act in FY 2023, whichever was greater.

FACILITIES CAPITAL FUNDING

In addition to annual operating funds for facilities, school districts are responsible for the long-range planning, design, financing, construction, and major renovation and systems renewals of public school buildings and grounds. These capital outlay expenditures are used for new school construction, as well as for such items as roof replacements and upgrades to mechanical systems. In 2022, the facilities capital outlay for school construction and other equipment expended by New Mexico local school districts, including state revenue for school construction was nearly \$650 million (inflation-adjusted dollars). This excludes the cost of land, existing structures, and instructional equipment reported as part of the total capital outlay by school districts to the U.S. Census of Governments. Chart 3 shows inflation-adjusted school construction and other equipment capital expenditures from 1995 through fiscal year 2022 and the revenue that the districts reported from the state for capital outlay and debt service to support their school construction and renovation projects.



CHART 3: CAPITAL OUTLAY FOR SCHOOL CONSTRUCTION AND OTHER EQUIPMENT FY 1995 – FY 2002 (IN 2024\$)



Source: Data from the U.S. Census of Governments Fiscal Survey; actual Capital Outlay spending data available at www.school-infrastructure.org Data Dashboard, of the National Center on School Infrastructure (NCIS).

In New Mexico, public school facilities receive state funding primarily through capital outlay programs authorized by the [Public School Capital Outlay Act](#). These programs are administered by the Public School Capital Outlay Council (PSCOC) and the Public School Facilities Authority (PSFA). The two main approaches to funding are standards-based funding, which addresses comprehensive facility needs, and systems-based funding, which targets specific building systems such as roofs, mechanical equipment, plumbing, and electrical components.

The primary capital outlay funding mechanism is the Standards-Based Funding Program, established following the Zuni lawsuit and subsequent legislative amendments to the Public School Capital Outlay Act ([NMSA 1978, §§ 22-24-4 and 22-24-5](#)). This program awards grants for new school construction, replacements, renovations, or additions based on prioritization determined by the Weighted New Mexico Condition Index (wNMCI), as defined by adequacy standards outlined in Section 22-24-5. Schools ranked within the top 100 of the annual wNMCI statewide ranking are eligible for these grants, which aim to ensure equitable facility conditions across New Mexico.



In 2005, the legislature introduced specific funding for school roofing projects through the Roof Repair and Replacement Initiative ([NMSA 1978, § 22-24-4.3](#)), implemented as a subset of the Standards-Based Funding Program to address critical roofing deficiencies at public schools. This roofing-specific initiative ended in 2015 following the legislature's passage of the Building System Repair, Renovation, or Replacement Initiative (Systems-Based Funding Program) in 2014 ([NMSA 1978, § 22-24-4.6](#)). Implemented in 2016, with first awards distributed in 2017, this program provides targeted capital investments for individual building systems, including roofing, mechanical, electrical, plumbing, exterior envelopes, special systems such as fire detection and suppression, and site drainage and utilities. Eligibility typically includes facilities ranked within the top 300 on the wNMCI, although eligibility was expanded to the top 350 facilities for FY 2023. As of FY 2024, PSCOC has awarded approximately \$201 million across 295 projects through these roofing, demolition, and systems-based programs, resulting in improved building system performance and extended facility lifespans.

Since 2007, the PSCOC has funded the demolition of abandoned school facilities to reduce districts' maintenance liabilities. In 2021, the legislature incentivized this initiative by allowing full state funding (100%) for eligible demolition projects ([NMSA 1978, § 22-24-4\(L\)](#)).

The legislature established specific initiatives to fund Pre-Kindergarten classroom facilities beginning in 2016, initially appropriating \$5 million. Additional appropriations in 2019, 2021, and 2022 increased total allocations to \$14 million. The PSCOC manages the Pre-Kindergarten Classroom Facilities Initiative ([NMSA 1978, § 22-24-12](#)), applying tailored standards and a funding formula adjusted in 2023 to significantly reduce local match requirements until 2026.

The [Lease Assistance Program](#), created in 2005 under [NMSA 1978, § 22-24-4\(I\)](#), supports charter schools and school districts leasing educational facilities. Initially discretionary, legislative amendments in 2024 ([House Bill 207](#)) made this a mandatory funding allocation. Awards, based on either per-student membership or actual lease costs, totaled approximately \$21.9 million in FY 2024, reimbursing an average of 67% of lease costs.



FACILITIES FINANCING

New Mexico finances school construction through a combination of local property tax levies, voter-approved bonds, lease-purchase agreements, and state-issued severance tax bonds, all governed by state statutes and overseen by specific regulatory bodies.

Local funding for school facility improvements is primarily governed by two legislative acts. The Public School Buildings Act ([Chapter 22, Article 25 NMSA 1978](#)) allows school districts, with voter approval, to levy a property tax for up to six years to fund capital improvements such as renovations, new construction, technology infrastructure, and equipment purchases ([NM Stat § 22-25-3](#)). The Public School Capital Improvements Act ([Chapter 22, Article 26 NMSA 1978](#)), similarly authorizes districts to impose an additional voter-approved property tax of up to two mills (\$2 per \$1,000 of taxable property value) for a maximum of six years. This levy specifically funds non-operational capital improvements, including facility repairs, renovations, and infrastructure upgrades. Both acts outline permissible project types, election procedures, and compliance measures to ensure the appropriate use of these locally generated funds.

School districts in New Mexico may issue general obligation bonds for school facility construction and renovations under the authority granted by the Public School Buildings Act ([NMSA 1978, §§ 22-18-1 through 22-18-13](#)). Bond issuance requires approval by a simple majority of district voters, and debt repayment is limited to a maximum term of 20 years ([NMSA 1978, § 22-18-2](#)). School districts are required to notify the Public Education Department regarding bond issuances to ensure compliance with state oversight and reporting regulations ([NMSA 1978, § 22-18-9](#)).

Additionally, the Public School Lease Purchase Act ([NMSA 1978, §§ 22-26A-1 through 22-26A-6](#)) authorizes school districts to enter into lease-purchase agreements to finance the acquisition, construction, or renovation of school facilities. Under these agreements, districts make installment payments over the lease term, after which ownership transfers to the district. If payments under a lease-purchase agreement are funded through property tax levies, voter approval is required ([NMSA 1978, § 22-26A-4](#)).



The Public School Insurance Authority (PSIA), established under Article 29, Chapter 22 of the 2024 New Mexico Statutes ([NMSA 1978, §§ 22-29-1 through 22-29-12](#)), provides insurance coverage and risk management services to New Mexico school districts, charter schools, and other educational entities.

State-level financing for school construction in New Mexico is primarily supported through revenues generated by severance taxes on natural resources such as oil, gas, and minerals, as outlined in the Severance Tax Bonding Act ([NMSA 1978, §§ 7-27-1 through 7-27-27](#)). Revenues from these taxes are deposited into the Severance Tax Bonding Fund. The state issues severance tax bonds secured by these revenues to finance infrastructure projects, including school facilities ([LFC, 2023](#)). Unlike local general obligation bonds, severance tax bonds do not require voter approval. Specifically, proceeds from supplemental severance tax bonds designated for school construction are allocated directly to the Public School Capital Outlay Fund (PSCOF) under [NMSA 1978, § 7-27-12.3](#).

The Public School Capital Outlay Council (PSCOC) manages oversight and administration of state-level funding under [N.M. Stat. Ann. § 22-24-5](#). Districts apply to the PSCOC for capital outlay grants, which are awarded based on statewide adequacy standards and a formula considering district property wealth, unrestricted capital revenue, facility square footage per student, and replacement costs per square foot (N.M. Stat. Ann. [§§ 22-24-4, 22-24-5, and 22-24-4.6](#)). The state contribution must cover at least 6% of project costs.

Recent legislative changes, including [Senate Bill 131](#) (2023), adjusted local match requirements and eliminated certain funding offsets to enhance equity. [House Bill 207](#) (2024) mandated lease assistance grants through the PSCOF, while [Senate Bill 275](#) (2024) authorized additional severance tax bond issuances and general fund appropriations to further support school facility projects statewide, demonstrating New Mexico's ongoing commitment to equitable school facility financing.

JUDICIAL DECISIONS AFFECTING FACILITIES

The [Zuni Public School District v. State of New Mexico](#) case began in 1998 when the Zuni Public School District initiated a lawsuit against the State of New Mexico, contending that the state's capital outlay funding system violated



[Article XII, Section 1](#) of the New Mexico Constitution, which mandates a "uniform system of free public schools sufficient for the education of all the children of school age in the state." In 1999, the district court ruled the existing capital outlay funding system unconstitutional, prompting legislative reforms in 2002 and 2003. These reforms included the enactment of the Public School Capital Outlay Act ([NMSA 1978, Chapter 22, Article 24](#)) and the establishment of the Statewide Adequacy Standards ([6.27.30 NMAC](#)) to ensure an equitable, needs-based allocation of capital outlay funds.

Despite these reforms, the Zuni and Gallup-McKinley School Boards argued that disparities persisted, leading to the reinstatement of the lawsuit in 2013. In 2020, the district court ruled that the Public School Capital Outlay Act and the Public School Capital Improvements Act remained unconstitutional due to ongoing funding disparities. The state appealed this decision.

While the appeal was pending, the New Mexico Legislature enacted additional reforms, including [House Bill 6](#) (2021), which eliminated the Impact Aid credit, altering the calculations of state funding for school districts receiving federal Impact Aid, and [Senate Bill 131](#) (2023), which reduced local match requirements and removed certain offsets for charter schools and small districts.

In 2024, the New Mexico Supreme Court declared the case moot ([Bd. of Educ. of the Zuni Pub. Sch. Dist. v. State; Unpublished Opinion](#)), determining that the legislative changes had addressed the issues raised, and there was no longer an active dispute requiring judicial intervention.

NEW MEXICO PK 12 SCHOOL FACILITIES STANDARDS & ACCOUNTABILITY

Accountability systems for facilities involve facility standards, assessments, and reporting on the health, safety, education, and other factors associated with PK – 12 public school buildings and grounds. It involves systems for measuring and communicating conditions, and the authority to encourage or enforce changes in school design, construction, operations and maintenance.



In New Mexico, the Public School Facilities Authority (PSFA) is responsible for overseeing and that public school capital outlay projects comply with applicable building codes and conducts on-site inspections to verify adherence to construction specifications ([NM Stat § 22-24-9\(B\)](#)). Additionally, the PSFA maintains a database of the condition of school facilities and maintenance schedules, providing annual reports to the Department of Education, the governor, and legislative committees, as outlined in [NMSA 1978, Section 22-24-9\(B\)\(11\)](#).

MAINTENANCE AND OPERATIONS STANDARDS

Local school districts and charter schools in New Mexico are responsible for maintaining and operating public school facilities in compliance with state requirements. Under [NMSA 1978, § 22-24-5.3](#), districts must develop and implement comprehensive preventive maintenance plans for all buildings, which include regular inspection, maintenance, and repair of building systems such as roofing, plumbing, electrical, HVAC, and structural components. These maintenance plans must adhere to statewide adequacy standards as established by the Public School Capital Outlay Council (PSCOC) and are regularly evaluated through the Facility Maintenance Assessment Report (FMAR).

Districts and charter schools are required by statute ([NMSA 1978, § 22-24-9](#)) to submit their maintenance plans to the Public School Facilities Authority (PSFA) for review and approval. Additionally, school districts must utilize the state-provided Facility Information Management System (FIMS) to track preventive maintenance activities, manage work orders, and maintain accurate records of facility conditions, as stipulated in [NMSA 1978, § 22-24-5.5](#).

Failure to comply with these maintenance standards can result in consequences, including denial or reduction of eligibility for state capital outlay funding ([NMSA 1978, § 22-24-5](#)). Districts that do not maintain facilities to adequate standards or fail to adhere to approved preventive maintenance plans may also be required to prioritize corrective actions and address maintenance deficiencies before receiving further capital outlay grants. In extreme cases, under [NMSA 1978, § 22-24-5.4](#), the state can pursue judicial action to enforce compliance with constitutional and statutory obligations regarding facility



adequacy, including the imposition of property taxes to fund necessary repairs and improvements.

BUILDING STANDARDS

New Mexico's building standards for public school facilities are primarily governed by the Statewide Adequacy Standards established under [6.27.30 NMAC](#) and the New Mexico Commercial Building Code ([14.7.2 NMAC](#)). The Statewide Adequacy Standards set minimum criteria for the structural integrity, capacity, and functionality of school buildings. Under 6.27.30.10 NMAC, facilities must be structurally sound, without major visible deterioration, and free from conditions posing immediate threats to life or safety. Building systems, including electrical, plumbing, mechanical, and HVAC, must comply with the International Building Code (IBC), International Mechanical Code (IMC), International Plumbing Code (IPC), and the National Electrical Code (NEC), as adopted and amended in [14.7.2 NMAC](#).

Additionally, all school buildings must comply with state-adopted fire and life safety codes ([NMSA 1978, § 59A-52-15](#) and [10.25.5 NMAC](#)) and accessibility requirements mandated by the Americans with Disabilities Act (ADA). Local districts are responsible for ensuring school construction and renovations adhere to these standards, with oversight provided by state entities such as the Public School Facilities Authority (PSFA) and the Construction Industries Division (CID) of the Regulation and Licensing Department. Non-compliance with these codes and standards can result in withheld approvals or delays in state capital funding allocations and occupancy certification for public school facilities ([NMSA 1978, § 22-24-5](#)).

EDUCATIONAL ADEQUACY STANDARDS

Educational Adequacy Standards in New Mexico establish the minimum requirements for spaces and facilities necessary to support educational programs, as outlined by the Public School Capital Outlay Council (PSCOC) in [6.27.30 NMAC](#) (Statewide Adequacy Standards). These standards specify minimum space allocations for classrooms, administrative areas, and specialized educational facilities. For example, general classrooms must provide at least 32 net square feet per student (6.27.30.14 NMAC). Administrative spaces require a minimum of 150 net square feet, plus an additional 1.5 net



square feet per student based on the school's planned program capacity or current enrollment (6.27.30.20 NMAC). Specialized facilities, such as science laboratories, libraries, art rooms, and physical education spaces, must also adhere to specific minimum area requirements detailed in 6.27.30.15 - 6.27.30.18 NMAC. Facilities not meeting these educational adequacy standards receive higher deficiency scores in the Weighted New Mexico Condition Index (wNMCI), a tool the state utilizes to prioritize capital improvement funding based on both physical condition and educational suitability deficiencies. Compliance with these standards ensures that school facilities consistently support educational objectives and student needs across New Mexico.

HEALTH AND SAFETY STANDARDS

AIR QUALITY STANDARDS

The Statewide Adequacy Standards require that all occupiable spaces have an HVAC system capable of maintaining a carbon dioxide level of not more than 1,000 parts per million, as specified in [6.27.30 NMAC](#). This standard ensures adequate ventilation and air quality within school buildings.

CHEMICAL HAZARDS STANDARDS

New Mexico's Statewide Adequacy Standards explicitly address chemical hazards in school facilities through specific requirements outlined in [6.27.30 NMAC](#) and [6.27.31.8 NMAC](#). Under 6.27.30.10 NMAC, schools must be free from hazardous materials, including asbestos and lead-based paint, ensuring interior finishes do not pose health risks to occupants. Further, 6.27.30.10(F) NMAC requires compliance with all applicable federal and state environmental regulations governing hazardous materials, mandating that schools proactively manage and mitigate chemical hazards such as asbestos-containing materials and lead contamination to maintain safe and healthy school environments.

EXTREME HEAT STANDARDS

New Mexico's Statewide Adequacy Standards, established under [6.27.30 NMAC](#), require that all occupiable spaces in public school facilities be equipped with heating and cooling systems capable of maintaining indoor temperatures between 68 and 75 degrees Fahrenheit under full occupancy conditions. This requirement applies to all new and renovated school buildings and is used to assess whether a facility meets minimum standards for educational adequacy.



If a school facility cannot consistently maintain temperatures within this range, it may be identified for improvement through the state's capital outlay programs administered by the Public School Capital Outlay Council (PSCOC) and the Public School Facilities Authority (PSFA).

WATER QUALITY STANDARDS

School facilities must be equipped with sanitary facilities in accordance with the New Mexico building code. Fixtures include water closets, urinals, lavatories, and drinking fountains, as outlined in [6.27.30 NMAC](#). These standards ensure that students and staff have access to clean and safe water sources.

ENVIRONMENTAL AND ENERGY STANDARDS

New Mexico's environmental standards for school facilities require adherence to specific sustainability and energy efficiency criteria. The [Adequacy Planning Guide](#) outlines sustainable design, construction, and operational practices for K–12 facilities, including requirements for energy-efficient systems, durable construction materials, and maintenance-conscious design. Additionally, school buildings must comply with the New Mexico Energy Conservation Code ([14.7.6 NMAC](#)), which specifies standards for energy use in building systems, insulation, lighting, heating, cooling, and ventilation equipment. These standards are designed to reduce energy consumption and lower operational costs for school districts.