

1 A MEMORIAL

2 REQUESTING THE PUBLIC EDUCATION DEPARTMENT TO DEVELOP A
3 COMPREHENSIVE STRATEGY FOR EDUCATING CHILDREN WHO HAVE BEEN
4 SUSPENDED, EXPELLED OR DETAINED IN THE JUVENILE OR CRIMINAL
5 JUSTICE SYSTEMS FOR MISCONDUCT.

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7 WHEREAS, Article 12, Section 1 of the constitution of
8 New Mexico guarantees all students the right to a free public
9 education; and

10 WHEREAS, public education department rules deny
11 education services to students while suspended, expelled or
12 referred to the juvenile or criminal justice systems; and

13 WHEREAS, state statutes give local school districts
14 broad authority to determine how students will be
15 disciplined, including the authority to adopt zero-tolerance
16 discipline policies; and

17 WHEREAS, some school districts have implemented
18 zero-tolerance discipline policies that tend to result in
19 higher rates of suspension, expulsion and referrals to the
20 juvenile and criminal justice systems; and

21 WHEREAS, zero-tolerance policies are often referred to
22 as a "school to prison pipeline" or a "schoolhouse to
23 jailhouse track"; and

24 WHEREAS, a defining feature of zero-tolerance school
25 disciplinary policies is a shift to a "criminal justice"

1 approach with greater interaction between schools and law
2 enforcement agencies; and

3 WHEREAS, research suggests that zero-tolerance policies
4 have not been effective in improving school safety or the
5 quality of the learning environment; and

6 WHEREAS, zero-tolerance policies in New Mexico have a
7 disproportionate impact on students from some racial-ethnic
8 minority groups; and

9 WHEREAS, the rate of suspensions and expulsions in the
10 state is highest for Native American students, with
11 New Mexico ranking fourth nationally in the percentage of
12 Native American students suspended from school; and

13 WHEREAS, zero-tolerance policies disproportionately and
14 adversely affect students living in poverty, thus
15 perpetuating family cycles of impoverishment;

16 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
17 STATE OF NEW MEXICO that the public education department be
18 requested to develop a comprehensive strategy and budget for
19 educating children who have been suspended, expelled or
20 detained in the juvenile or criminal justice systems for
21 misconduct; and

22 BE IT FURTHER RESOLVED that the public education
23 department be requested to pursue a dynamic planning process
24 that builds upon previous reports and recommendations of the
25 interagency behavioral health purchasing collaborative, the

1 children, youth and families department, the public education
2 department and legal experts in the community; and

3 BE IT FURTHER RESOLVED that a working group be convened
4 to develop a recommended comprehensive strategy for educating
5 children who have been suspended, expelled or detained in the
6 juvenile or criminal justice systems for misconduct and that
7 the working group include a state senator from each of the
8 minority and majority parties, a state representative from
9 each of the minority and majority parties, school district
10 administrators, parents of schoolchildren, educators,
11 childhood development experts, interested individuals,
12 families and organizations; and

13 BE IT FURTHER RESOLVED that copies of this memorial be
14 transmitted to each member of the New Mexico legislature, the
15 secretary of public education and the secretary of children,
16 youth and families. _____

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