

1 HOUSE MEMORIAL 58

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

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10 A MEMORIAL

11 REQUESTING THE PUBLIC EDUCATION DEPARTMENT AND THE HIGHER
12 EDUCATION DEPARTMENT TO STUDY THE NUMBER OF ADULTS IN PUBLIC
13 SCHOOLS BECAUSE THERE IS NO UPPER AGE LIMIT FOR THE DEFINITION
14 OF "SCHOOL-AGE PERSON" AND WHETHER THOSE ADULTS WOULD BE BETTER
15 SERVED IN ADULT BASIC EDUCATION OR OTHER EQUIVALENCY PROGRAMS.

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17 WHEREAS, the constitution of New Mexico provides for free
18 public schools open to all children of school age, which means
19 the requirement ends at the age of majority. Statutory
20 provisions go further in two ways: Section 22-1-2 NMSA 1978
21 has no upper limit in the definition of "school-age person",
22 and Section 22-1-4 NMSA 1978 allows anyone of any age who has
23 not received a diploma or its equivalent to attend and also
24 allows adults who have received a diploma or its equivalent to
25 attend public schools if there is room in the classrooms; and

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1 WHEREAS, there are approximately seven hundred adults
2 attending public schools in this state, and they range in age
3 from twenty-one to seventy; and

4 WHEREAS, the purpose of adult basic education, overseen by
5 the higher education department and offered throughout the
6 state, is to educate educationally disadvantaged adults; and

7 WHEREAS, there are also high school equivalency credential
8 courses and tests for adults who want the equivalent of a high
9 school diploma, and there is a bill in the legislature this
10 session to have the public education department look at
11 selecting one or more external diploma programs that will
12 result in a department-issued state diploma; and

13 WHEREAS, attending adult basic education or other
14 equivalency programs may be considered more appropriate for
15 adults than going to school with children; and

16 WHEREAS, adults attending public school affect the funding
17 formula, and money flows to adults rather than the children
18 public schools are required to serve;

19 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
20 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the public
21 education department and the higher education department study
22 the issues pertaining to adults attending public school and the
23 availability and competence of adult basic education and other
24 equivalency programs; and

25 BE IT FURTHER RESOLVED that the departments report their

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1 findings and recommendations to the governor and the
2 legislative education study committee by December 1, 2019; and

3 BE IT FURTHER RESOLVED that copies of this memorial be
4 transmitted to the governor and the secretaries of public
5 education and higher education.

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