SENATE BILL 38

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Mimi Stewart

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC EDUCATION; CREATING THE COMMISSION ON EQUITY AND EXCELLENCE IN EDUCATION; REQUIRING THE COMMISSION TO DEVELOP A LONG-TERM PLAN TO TRANSFORM PUBLIC EDUCATION IN NEW MEXICO; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] COMMISSION ON EQUITY AND EXCELLENCE IN EDUCATION--MEMBERS--DUTIES--INTERIM AND FINAL REPORTS.--

A. The "commission on equity and excellence in education" is created as an executive-legislative task force to address issues of educational equity in New Mexico public schools.

B. The chairs and vice chairs of the legislative
education study committee and the legislative finance committee
and one senator and one representative who are members of the
minority party that are appointed by their respective
leadership shall be appointed to the commission.

C. The lieutenant governor and the secretaries of
public education, higher education, children, youth and
families, early childhood education and care and workforce
solutions or their designees shall serve on the commission.

D. In addition to the members listed in Subsections
B and C of this section, an additional fourteen members who are
culturally and geographically diverse and who represent
teachers and school principals, school board members, local
superintendents, charter schools, school business officials,
the business community, post-secondary educational institutions
and teacher preparation programs, tribal leaders and parents of
public school students shall be appointed as follows:

(1) the governor shall appoint six members;

(2) the president pro tempore of the senate
shall appoint four members; and

(3) the speaker of the house of
representatives shall appoint four members.

E. To the extent practicable, appointments shall be
made to ensure regional representation and ethnic, economic and
gender diversity on the commission.

F. The lieutenant governor shall serve as the chair
of the commission.

G. All appointments to the commission shall be made within thirty days of the effective date of this 2020 act, and the commission shall hold its first meeting by September 1, 2020.

H. To carry out the duties of the commission, and after consultation with other commission members, the chair may appoint subcommittees and may appoint topical experts who are not members of the commission to serve on those subcommittees. Noncommission members may vote on motions in the subcommittees but have no voting privileges on the commission.

I. The legislative education study committee, the legislative finance committee and the department shall provide staff for the commission.

J. If funds are appropriated for the commission, public members of the commission and noncommission public members of a subcommittee are entitled to per diem and mileage at the same rate as public employees pursuant to the Per Diem and Mileage Act and shall receive no other compensation, perquisite or allowance. The commission may also pay for expert witnesses and other necessary expenses approved by the commission.

K. The commission is charged with developing a long-term vision and action steps for the legislature, executive, school districts, public schools and colleges of
education to consider to ensure New Mexico's public education
students are prepared to meet the challenges of a changing
national and global economy, prepared for post-secondary
education and the workforce and prepared to be successful,
civic-minded citizens in the twenty-first century.

   L. The commission shall review the decision and
   order, the findings of fact and conclusions of law and the
   final judgment issued by the first judicial district court in
   the Martinez and Yazzie v. State of New Mexico lawsuit; study
   high-performing education systems nationally and
   internationally to learn best practices; and study how the
   department and the public school system are using annual
   appropriations to close the achievement gap and improve student
   learning for all students.

   M. The commission shall make findings and
   recommendations that:

   (1) ensure equitable access to high-quality
   curriculum, instruction and instructional resources to prepare
   all students for college, career and civic engagement,
   including ensuring students have access to curriculum,
   instruction and instructional resources that are relevant to
   the cultures, languages, history and experiences of multi-
   ethnic students;

   (2) ensure a diverse, culturally competent
   educator workforce that is well prepared, stable and culturally

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   - 4 -
and linguistically representative of public school students in the state;

(3) provide for whole child supports, including access to high-quality early childhood programs, wraparound services and supportive community partnerships, integrated social and emotional learning and improved parent and family engagement, for all children; and

(4) ensure a coordinated and effective governance structure across the multiple state agencies that impact students and their families, local school boards and charter school governing bodies, public schools, the public education commission, the business sector and post-secondary educational institutions.

N. On or before September 1, 2021 and September 1 of each succeeding year, the commission shall provide a preliminary report of its findings and recommendations to the governor, the legislative education study committee and the legislative finance committee.

O. On or before June 30, 2024, the commission shall provide its final report to the governor and the legislature and shall present its findings and recommendations to the legislative education study committee and the legislative finance committee."

SECTION 2. APPROPRIATION.--Fifty thousand dollars ($50,000) is appropriated from the public education reform fund.
to the legislative council service for expenditure in fiscal years 2021 through 2024 to pay per diem and mileage expenses of the commission on equity and excellence in education and other expenses, including expert witnesses and other necessary expenses approved by the commission. Any unexpended or unencumbered balance remaining at the end of fiscal year 2024 shall revert to the public education reform fund.

SECTION 3. DELAYED REPEAL.--Section 1 of this act is repealed effective July 1, 2024.