

1 SENATE BILL 38

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

3 INTRODUCED BY

4 Mimi Stewart

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8 FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

9
10 AN ACT

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

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

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

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

25 B. The chairs and vice chairs of the legislative

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1 education study committee and the legislative finance committee
2 and one senator and one representative who are members of the
3 minority party that are appointed by their respective
4 leadership shall be appointed to the commission.

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

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

17 (1) the governor shall appoint six members;

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

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

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

25 F. The lieutenant governor shall serve as the chair

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1 of the commission.

2 G. All appointments to the commission shall be made
3 within thirty days of the effective date of this 2020 act, and
4 the commission shall hold its first meeting by September 1,
5 2020.

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

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

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

23 K. The commission is charged with developing a
24 long-term vision and action steps for the legislature,
25 executive, school districts, public schools and colleges of

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1 education to consider to ensure New Mexico's public education
2 students are prepared to meet the challenges of a changing
3 national and global economy, prepared for post-secondary
4 education and the workforce and prepared to be successful,
5 civic-minded citizens in the twenty-first century.

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

15 M. The commission shall make findings and
16 recommendations that:

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

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

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1 and linguistically representative of public school students in
2 the state;

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

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

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

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

24 **SECTION 2. APPROPRIATION.--**Fifty thousand dollars
25 (\$50,000) is appropriated from the public education reform fund

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1 to the legislative council service for expenditure in fiscal
2 years 2021 through 2024 to pay per diem and mileage expenses of
3 the commission on equity and excellence in education and other
4 expenses, including expert witnesses and other necessary
5 expenses approved by the commission. Any unexpended or
6 unencumbered balance remaining at the end of fiscal year 2024
7 shall revert to the public education reform fund.

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