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HOUSE JOINT MEMORIAL 2

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

James G. Townsend and Rod Montoya

A JOINT MEMORIAL

EXPRESSING THE LEGISLATURE'S SUPPORT FOR LOCAL CONTROL OF
PUBLIC EDUCATION AND REQUESTING THE LEGISLATIVE EDUCATION STUDY
COMMITTEE TO CONVENE A TASK FORCE AND REPORT TO THE FIRST
SESSION OF THE FIFTY-SIXTH LEGISLATURE ON STATUTORY AND RULE
CHANGES NECESSARY TO ENHANCE LOCAL CONTROL.

WHEREAS, local control has been a bedrock principle in
the history of the New Mexico public school system, from its
start in the common school movement of the nineteenth century
to modern day; and

WHEREAS, the Public School Code is predicated on control
of public schools by elected local school boards and is most
obviously seen in the funding formula, which passes legislative
appropriations to school districts for expenditures based on
budgets adopted by each local school board, subject only to

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1 legislatively determined statewide public school policy and
2 Article 12, Section 1 of the constitution of New Mexico that
3 requires a uniform system of public schools for all children of
4 school age in the state; and

5 WHEREAS, it has been nineteen years since the last major
6 public education reform package, which also means nineteen
7 years of piecemeal amendment of the Public School Code and
8 eighteen years of public schools being administered by a
9 gubernatorial appointee rather than by a state board made up of
10 members elected from districts representing regional interests
11 and needs; and

12 WHEREAS, in that time, the legislature and the public
13 education department have sometimes strayed from the principle
14 of local control;

15 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
16 STATE OF NEW MEXICO that the legislature express its support
17 for the principle of local control of school districts; and

18 BE IT FURTHER RESOLVED that the legislative education
19 study committee be requested to convene a task force made up of
20 committee members appointed by the chair of the legislative
21 education study committee and representatives of the public
22 education department, the New Mexico school boards association
23 and the New Mexico school superintendents' association; and

24 BE IT FURTHER RESOLVED that the task force look at
25 statutes and public education department rules and procedures

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1 to determine those that impede on the power of local boards to
2 administer their school districts or stifle their ability to
3 respond to local needs; and

4 BE IT FURTHER RESOLVED that the task force make
5 recommendations to the legislative education study committee,
6 the legislature and the governor by December 1, 2022 on changes
7 to laws, rules and procedures to maintain local control and
8 enhance flexibility of school districts to respond to local
9 needs; and

10 BE IT FURTHER RESOLVED that copies of this memorial be
11 transmitted to the chair of the legislative education study
12 committee, the secretary of public education, the New Mexico
13 school boards association and the New Mexico school
14 superintendents' association.

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