

SENATE JOINT RESOLUTION 15

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

William P. Soules and William E. Sharer and Benny Shendo, Jr.

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 12, SECTION 6 OF THE CONSTITUTION OF NEW MEXICO TO PROVIDE FOR AN APPOINTED STATE BOARD OF EDUCATION THAT APPOINTS A SUPERINTENDENT OF PUBLIC INSTRUCTION AS THE HEAD OF THE PUBLIC EDUCATION DEPARTMENT AND SETS POLICY FOR PUBLIC SCHOOLS AS PROVIDED BY LAW AND TO RETAIN THE ELECTED PUBLIC EDUCATION COMMISSION TO SERVE AS THE CHARTERING AUTHORITY FOR STATE-CHARTERED CHARTER SCHOOLS AND HAVE OTHER POWERS AND DUTIES AS PROVIDED BY LAW.

.230923.3AIC March 11, 2025 (4:21pm)

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight↔
delete = →bold, red, highlight, strikethrough↔

underscoring material = new
[bracketed material] = delete
Amendments: new = bold, blue, highlight
delete = bold, red, highlight, strikethrough

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

SECTION 1. It is proposed to amend Article 12, Section 6 of the constitution of New Mexico to read:

"A. ~~[There is hereby created a]~~ The "state board of education", the "public education department" and [a] the "public education commission" [that] are created and shall have such powers and duties as provided by this constitution and by law. ~~[The department shall be a cabinet department headed by a secretary of public education who is a qualified, experienced educator who shall be appointed by the governor and confirmed by the senate.]~~

B. The board shall determine public school policy and shall have control, management and direction, including financial direction, for all public schools pursuant to authority and powers provided by law. The board consists of nine members who are residents of New Mexico, have knowledge and experience with public education in New Mexico and are appointed as provided by law.

C. The board shall appoint a qualified, experienced New Mexico Sfl1→eligible←Sfl1 licensed educational administrator to be known as the "superintendent of public instruction" who, subject to the policies established by the board, shall direct the operations of the public education department. The department shall perform all functions as

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight↔
delete = →bold, red, highlight, strikethrough↔

provided by law and board policy and direction not inconsistent with law.

[B.] D. Ten members of the public education commission shall be elected for staggered terms of four years as provided by law. Commission members shall be residents of the public education commission district from which they are elected. Change of residence of a commission member to a place outside the district from which ~~[he]~~ the member was elected shall automatically terminate the term of that member. [C.] The governor shall fill vacancies on the commission by appointment of a resident from the district in which the vacancy occurs until the next regular election for membership on the commission. The public education commission shall be the chartering authority for state-chartered charter schools and have other powers and duties as provided by law.

[D.] E. Until replaced by the board's appointment of a superintendent of public instruction, the secretary of public education shall ~~[have administrative and regulatory powers and duties, including all functions relating to the distribution of school funds and financial accounting for the public schools to be performed as provided by law]~~ serve as the superintendent of public instruction.

~~[E. The elected members of the 2003 state board of education shall constitute the public education commission, if this amendment is approved, until their terms expire and the~~

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight←
delete = →bold, red, highlight, strikethrough←

~~districts from which the state board of education were elected shall constitute the state public education commission districts until changed by law.]"~~

SECTION 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.

- 4 -