A MEMORIAL

REQUESTING THE PUBLIC EDUCATION DEPARTMENT TO DEVELOP A COMPREHENSIVE STRATEGY FOR EDUCATING CHILDREN WHO HAVE BEEN SUSPENDED, EXPELLED OR DETAINED IN THE JUVENILE OR CRIMINAL JUSTICE SYSTEMS FOR MISCONDUCT.

WHEREAS, Article 12, Section 1 of the constitution of New Mexico guarantees all students the right to a free public education; and

WHEREAS, public education department rules deny education services to students while suspended, expelled or referred to the juvenile or criminal justice systems; and

WHEREAS, state statutes give local school districts broad authority to determine how students will be disciplined, including the authority to adopt zero-tolerance discipline policies; and

WHEREAS, some school districts have implemented zero-tolerance discipline policies that tend to result in higher rates of suspension, expulsion and referrals to the juvenile and criminal justice systems; and

WHEREAS, zero-tolerance policies are often referred to as a "school to prison pipeline" or a "schoolhouse to jailhouse track"; and

WHEREAS, a defining feature of zero-tolerance school disciplinary policies is a shift to a "criminal justice"

approach with greater interaction between schools and law enforcement agencies; and

WHEREAS, research suggests that zero-tolerance policies have not been effective in improving school safety or the quality of the learning environment; and

WHEREAS, zero-tolerance policies in New Mexico have a disproportionate impact on students from some racial-ethnic minority groups; and

WHEREAS, the rate of suspensions and expulsions in the state is highest for Native American students, with New Mexico ranking fourth nationally in the percentage of Native American students suspended from school; and

WHEREAS, zero-tolerance policies disproportionately and adversely affect students living in poverty, thus perpetuating family cycles of impoverishment;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the public education department be requested to develop a comprehensive strategy and budget for educating children who have been suspended, expelled or detained in the juvenile or criminal justice systems for misconduct; and

BE IT FURTHER RESOLVED that the public education department be requested to pursue a dynamic planning process that builds upon previous reports and recommendations of the interagency behavioral health purchasing collaborative, the

children, youth and families department, the public education department and legal experts in the community; and

BE IT FURTHER RESOLVED that a working group be convened to develop a recommended comprehensive strategy for educating children who have been suspended, expelled or detained in the juvenile or criminal justice systems for misconduct and that the working group include a state senator from each of the minority and majority parties, a state representative from each of the minority and majority parties, school district administrators, parents of schoolchildren, educators, childhood development experts, interested individuals, families and organizations; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to each member of the New Mexico legislature, the secretary of public education and the secretary of children, youth and families.