

1 A MEMORIAL

2 REQUESTING THE PUBLIC EDUCATION DEPARTMENT AND THE HIGHER  
3 EDUCATION DEPARTMENT TO STUDY THE NUMBER OF ADULTS IN PUBLIC  
4 SCHOOLS BECAUSE THERE IS NO UPPER AGE LIMIT FOR THE  
5 DEFINITION OF "SCHOOL-AGE PERSON" AND WHETHER THOSE ADULTS  
6 WOULD BE BETTER SERVED IN ADULT BASIC EDUCATION OR OTHER  
7 EQUIVALENCY PROGRAMS.

8  
9 WHEREAS, the constitution of New Mexico provides for  
10 free public schools open to all children of school age, which  
11 means the requirement ends at the age of majority. Statutory  
12 provisions go further in two ways: Section 22-1-2 NMSA 1978  
13 has no upper limit in the definition of "school-age person",  
14 and Section 22-1-4 NMSA 1978 allows anyone of any age who has  
15 not received a diploma or its equivalent to attend and also  
16 allows adults who have received a diploma or its equivalent  
17 to attend public schools if there is room in the classrooms;  
18 and

19 WHEREAS, there are approximately seven hundred adults  
20 attending public schools in this state, and they range in age  
21 from twenty-one to seventy; and

22 WHEREAS, the purpose of adult basic education, overseen  
23 by the higher education department and offered throughout the  
24 state, is to educate educationally disadvantaged adults; and

25 WHEREAS, there are also high school equivalency

1 credential courses and tests for adults who want the  
2 equivalent of a high school diploma, and there is a bill in  
3 the legislature this session to have the public education  
4 department look at selecting one or more external diploma  
5 programs that will result in a department-issued state  
6 diploma; and

7 WHEREAS, attending adult basic education or other  
8 equivalency programs may be considered more appropriate for  
9 adults than going to school with children; and

10 WHEREAS, adults attending public school affect the  
11 funding formula, and money flows to adults rather than the  
12 children public schools are required to serve;

13 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
14 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the public  
15 education department and the higher education department  
16 study the issues pertaining to adults attending public school  
17 and the availability and competence of adult basic education  
18 and other equivalency programs; and

19 BE IT FURTHER RESOLVED that the departments report their  
20 findings and recommendations to the governor and the  
21 legislative education study committee by December 1, 2019;  
22 and

23 BE IT FURTHER RESOLVED that copies of this memorial be  
24 transmitted to the governor and the secretaries of public  
25 education and higher education. \_\_\_\_\_