

1 A JOINT MEMORIAL

2 REQUESTING THE LEGISLATIVE EDUCATION STUDY COMMITTEE AND THE
3 LEGISLATIVE FINANCE COMMITTEE TO APPOINT A JOINT SUBCOMMITTEE
4 TO STUDY THE EFFECTS OF CHANGES TO THE PUBLIC SCHOOL CODE ON
5 THE FUNDING FORMULA AND TO PROVIDE RECOMMENDATIONS TO THE
6 FIFTY-FIFTH LEGISLATURE, SECOND SESSION.

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8 WHEREAS, in the last few years, there have been major
9 changes to public school law, some in recognition of the need
10 to start children's education earlier than kindergarten or
11 pre-kindergarten and the need for longer time in school by
12 the enactment of K-5 plus and extended learning time and some
13 in response to the *Yazzie/Martinez v. State of New Mexico*
14 lawsuit; and

15 WHEREAS, almost every year, the legislature considers
16 legislation that will have an effect on the public school
17 funding formula, including some proposed changes that have a
18 profound impact on the formula; and

19 WHEREAS, the last comprehensive study of the funding
20 formula was in 2006 and 2007 when the legislature created the
21 funding formula study task force, which contracted with the
22 American institutes for research for a new formula; and

23 WHEREAS, that formula was not adopted, and shortly
24 after, the great recession changed the public school finance
25 landscape for years; and

1 WHEREAS, the legislature and the public schools find
2 themselves once again in a fiscal crisis due to the effects
3 of the coronavirus disease 2019 pandemic, perhaps the worst
4 public health crisis since the influenza pandemic of 1917
5 through 1920; and

6 WHEREAS, public health orders closing schools and
7 nonessential businesses in an attempt to slow the spread of
8 the disease, while effective, had ruinous consequences on
9 students, staff and the public education system; and

10 WHEREAS, in 2021, the legislature is considering major
11 changes to the formula, including federal impact aid,
12 pandemic hold harmless and enrollment growth changes, as well
13 as other measures that will affect the formula, including
14 telecommunications and broadband connectivity, pandemic-
15 related reopening proposals for continued virtual education
16 or in-person learning or a hybrid of those two proposals;

17 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
18 STATE OF NEW MEXICO that the legislative education study
19 committee and the legislative finance committee be requested
20 to study all of the current issues affecting the funding
21 formula, including legislation passed by the fifty-fifth
22 legislature, first session; and

23 BE IT FURTHER RESOLVED that each committee appoint
24 members to a joint subcommittee to undertake the study; and

25 BE IT FURTHER RESOLVED that the public education

1 department, school districts, charter schools and other
2 public school finance experts be requested to provide
3 assistance to the subcommittee as requested; and

4 BE IT FURTHER RESOLVED that the subcommittee report its
5 findings and recommendations to the full legislative
6 education study committee and the legislative finance
7 committee by November 30, 2021; and

8 BE IT FURTHER RESOLVED that the legislative education
9 study committee and the legislative finance committee report
10 to the legislature by December 15, 2021.

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