A JOINT MEMORIAL

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

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

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

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

WHEREAS, that formula was not adopted, and shortly
after, the great recession changed the public school finance
WHEREAS, the legislature and the public schools find themselves once again in a fiscal crisis due to the effects of the coronavirus disease 2019 pandemic, perhaps the worst public health crisis since the influenza pandemic of 1917 through 1920; and

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

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

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

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

BE IT FURTHER RESOLVED that the public education
department, school districts, charter schools and other
public school finance experts be requested to provide
assistance to the subcommittee as requested; and

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

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