SENATE JOINT RESOLUTION 17

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Harold Pope, Jr.

A JOINT RESOLUTION

PROPOSING TO AMEND ARTICLE 12 OF THE CONSTITUTION OF NEW MEXICO TO CREATE A RIGHT FOR PUBLIC SCHOOL STUDENTS TO A HIGH-QUALITY PUBLIC EDUCATION, WHICH NEITHER THE STATE NOR A PUBLIC SCHOOL DISTRICT MAY VIOLATE BY A LAW, RULE OR PRACTICE OF THE STATE AND PUBLIC SCHOOL DISTRICTS THAT PRODUCES DISPARITIES IN STUDENT ACADEMIC OUTCOMES OR SUBORDINATES EDUCATIONAL INTERESTS OF STUDENTS.

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

SECTION 1. It is proposed to amend Article 12 of the constitution of New Mexico by adding a new section to read:

"A. Public school students have a right to a high-quality public education, which neither the state nor a public school district shall violate by a law, rule or practice that:

.218690.2
(1) produces disparities in student academic outcomes as measured against uniform achievement standards set by the state between classes of students that the state or public school district does not take responsible and effective steps to eliminate; or

(2) subordinates the educational interests of all students or of a class of students to other interests.

B. A law, rule or practice of the state or of a public school district that violates Subsection A of this section is invalid unless it is narrowly tailored to achieve a compelling government interest."

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.

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