

HOUSE JOINT MEMORIAL 4

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Ray Begaye

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

A JOINT MEMORIAL

REQUESTING THE PUBLIC EDUCATION DEPARTMENT TO DEVELOP  
DEFINITIONS OF "RURAL SCHOOL" AND "RURAL SCHOOL DISTRICT".

WHEREAS, the major source of federal funding specifically targeted to rural school districts is the rural education achievement program, which is part of the federal No Child Left Behind Act of 2001; and

WHEREAS, the definition of "rural school district" for purposes of federal funding under the small, rural school achievement program component of the rural education achievement program is that a district must have a total average daily attendance of less than six hundred students or serve only schools that are located in counties that have a population density of fewer than ten persons per square mile; and

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1           WHEREAS, to qualify for federal funding under the small,  
2 rural school achievement program, a school district must also  
3 serve only schools that are designated as rural by the national  
4 center for education statistics or are located in an area of  
5 the state defined as rural by a governmental agency of the  
6 state; and

7           WHEREAS, although the federal department of education  
8 defines both "rural school" and "rural school district", the  
9 New Mexico public education department defines only "rural  
10 school district"; and

11           WHEREAS, the public education department defines "rural  
12 school district" as a school district that has one thousand or  
13 fewer students; and

14           WHEREAS, the public education department definition of  
15 "rural school district" is different from the federal  
16 definition of "rural school district"; and

17           WHEREAS, some New Mexico rural schools and rural school  
18 districts, especially those that serve Native American  
19 students, may be unable to qualify as rural schools or rural  
20 school districts for purposes of receiving public education  
21 department assistance in seeking federal funds; and

22           WHEREAS, the rural education division of the public  
23 education department should assist rural schools and rural  
24 school districts to maximize the amount of federal funds they  
25 can receive and to participate in any programs sponsored by the

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1 state or the public education department specifically for rural  
2 schools or rural school districts;

3 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
4 STATE OF NEW MEXICO that the rural education division and the  
5 Indian education division of the public education department be  
6 requested to develop New Mexico-specific definitions of "rural  
7 school" and "rural school district" in order to clarify which  
8 schools and school districts are eligible for assistance from  
9 the rural education division of the public education department  
10 in order to secure all federal funding for which New Mexico's  
11 rural school districts are eligible and to participate in any  
12 programs sponsored by the state or the department specifically  
13 for rural schools or rural school districts; and

14 BE IT FURTHER RESOLVED that in developing the definitions  
15 of "rural school" and "rural school district", the divisions  
16 consider not only the number of students required for  
17 eligibility for federal rural schools funding and the number of  
18 students required for eligibility assistance from the public  
19 education department but also a school district's capacity for  
20 providing educational services to its students; and

21 BE IT FURTHER RESOLVED that the definitions take into  
22 account schools and school districts on New Mexico's sparsely  
23 populated tribal lands and consider whether such school  
24 districts that have more than one thousand students but whose  
25 responsibilities extend to a wide-reaching geographic area

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1       deserve the assistance of the rural education division; and  
2               BE IT FURTHER RESOLVED that the divisions consult with the  
3       federal department of education in the development of the New  
4       Mexico-specific definitions of "rural school" and "rural school  
5       district" to ensure that these definitions are approved for  
6       federal funding purposes; and  
7               BE IT FURTHER RESOLVED that the divisions be requested to  
8       report to the legislative education study committee on the  
9       progress of development of the New Mexico-specific definitions  
10      of "rural school" and "rural school district" and on its  
11      consultations with the federal department of education; and  
12               BE IT FURTHER RESOLVED that a copy of this memorial be  
13      transmitted to the secretary of public education for  
14      appropriate distribution.