HOUSE JOINT MEMORIAL 21

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO CREATE AN
INDIAN EDUCATION SUBCOMMITTEE DURING THE 2014 INTERIM COMPOSED
OF MEMBERS OF THE LEGISLATIVE EDUCATION STUDY COMMITTEE AND THE
APPROPRIATE LEGISLATIVE COMMITTEE THAT STUDIES INDIAN AFFAIRS.

WHEREAS, the current public education funding formula was
created in 1974 and at the time was considered one of the most
innovative, equitable school finance plans in the country; and

WHEREAS, the formula is based on the premise that all
students should have equal access to programs and services to
meet their educational needs, regardless of geographic location
or local economic conditions, and the purpose of the formula is
to provide equalized funding for all school districts; and

WHEREAS, the state equalization guarantee distribution,
which is the distribution of state money for education, is

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1   computed by determining each school district's or charter

2   school's total program units, based on certain factors,

3   including membership and specific needs of students such as

4   bilingual or special education; and

5   WHEREAS, the program units are then multiplied by a value

6   assigned to reflect the training and experience of teachers and

7   other professional staff, which product is then multiplied by

8   the unit value to derive the program cost; and

9   WHEREAS, essentially, the state equalization guarantee

10   distribution is a school district's program cost minus revenue

11   credits; and

12   WHEREAS, the federal government gives money to school

13   districts in which lie federal land or federal reservations,

14   including military bases and tribal lands, commonly known as

15   "impact aid" or "P.L. 874" funds, and the state takes credit

16   for seventy-five percent of these receipts in the same way that

17   it takes credit for money raised by school districts in the

18   imposition of the one-half mill levy property tax; and

19   WHEREAS, in the past, when local property tax accounted

20   for a larger share of the public education revenue stream, the

21   credit taken from impact aid was a more equitable proposition;

22   and

23   WHEREAS, now, however, the poorest and most economically

24   disadvantaged school districts are contributing the largest

25   percentage of local revenue to the statewide school budget; and

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WHEREAS, this inequity is demonstrated in the following table, which shows the statistics of three of the wealthier school districts, Albuquerque public school district, Rio Rancho public school district and Santa Fe public school district, and three impact aid school districts, central consolidated school district, Gallup-McKinley county school district and Zuni public school district, using the number of students, the percentage of total state membership that those students represent, the percentage of budget contributed by each school district and the credit per student:

District	Students	% of Total	% of Contribution	Credit per Student
APS	92,456.75	28.77%	4.542%	$40.39
Rio Rancho	16,346.75	5.09%	0.578%	$29.07
Santa Fe	13,862.50	4.31%	1.154%	$68.44
Central	6,225.50	1.94%	17.871%	$2,359.85
Gallup	11,824.75	3.68%	28.901%	$2,009.22
Zuni	1,388.50	0.43%	5.574%	$3,299.84;

and

WHEREAS, Native American students suffer disproportionately from the inequity, which is apparent in the way impact aid is currently administered in the state; and

WHEREAS, the legislature funded a multi-year task force to study the current funding formula, and, after its study, the task force proposed a new, simpler funding formula that

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1   promised both horizontal and vertical equity; however, the new

2   formula's implementation would have required additional

3   funding, and, unfortunately, the proposal came before the

4   legislature at about the same time as the economic crisis; and

5   WHEREAS, there have been attempts during this and several

6   immediately preceding legislative sessions to make significant

7   changes to the funding formula, without the issues and

8   potential consequences of the changes having been studied; and

9   WHEREAS, higher education institutions in the state have a

10   long and proud history of providing quality and culturally

11   relevant education to Native American students; and

12   WHEREAS, there is current advocacy for Native American

13   higher education initiatives at the university of New Mexico

14   and for higher education department initiatives for a state-

15   tribal higher education blueprint, inclusive of tribal

16   colleges, but a statewide comprehensive education plan for

17   Native American students has yet to be developed;

18   NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE

19   STATE OF NEW MEXICO that the New Mexico legislative council be

20   requested to create an Indian education subcommittee during the

21   2014 interim composed of members of the legislative education

22   study committee and the appropriate legislative interim

23   committee that studies Indian affairs; and

24   BE IT FURTHER RESOLVED that the Indian education

25   subcommittee be asked to consider alternatives to the way

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impact aid is implemented in order to provide education in the
state in a more equitable way and be asked to develop a
statewide comprehensive education plan for Native American
students; and

BE IT FURTHER RESOLVED that copies of this memorial be
transmitted to the chair of the legislative education study
committee, the director of the legislative council service, the
secretary of public education and the secretary of higher
education.

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