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HOUSE JOINT MEMORIAL 5

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

INTRODUCED BY

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and G. Andrés Romero and Rebecca Dow

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

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1 funding formula, including some proposed changes that have a
2 profound impact on the formula; and

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

7 WHEREAS, that formula was not adopted, and shortly after,
8 the great recession changed the public school finance landscape
9 for years; and

10 WHEREAS, the legislature and the public schools find
11 themselves once again in a fiscal crisis due to the effects of
12 the coronavirus disease 2019 pandemic, perhaps the worst public
13 health crisis since the influenza pandemic of 1917 through
14 1920; and

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

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

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

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

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

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

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