

1 SENATE JOINT RESOLUTION 17

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Harold Pope, Jr.

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10 A JOINT RESOLUTION

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

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

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

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

.218690.2

underscored material = new
~~[bracketed material]~~ = delete

underscoring material = new
~~[bracketed material] = delete~~

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

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

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

12 SECTION 2. The amendment proposed by this resolution
13 shall be submitted to the people for their approval or
14 rejection at the next general election or at any special
15 election prior to that date that may be called for that
16 purpose.