

1 HOUSE JOINT RESOLUTION 6

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

3 INTRODUCED BY

4 John Block

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10 A JOINT RESOLUTION

11 PROPOSING TO AMEND ARTICLE 12 OF THE CONSTITUTION OF NEW MEXICO
12 BY REPEALING SECTION 6 AND ADDING A NEW SECTION 6 THAT REPLACES
13 THE PUBLIC EDUCATION COMMISSION WITH THE STATE BOARD OF
14 EDUCATION THAT DETERMINES PUBLIC SCHOOL POLICY AND HAS CONTROL,
15 MANAGEMENT AND DIRECTION, INCLUDING FINANCIAL DIRECTION OF
16 DISTRIBUTION OF SCHOOL FUNDS AND FINANCIAL ACCOUNTING, FOR ALL
17 PUBLIC SCHOOLS PURSUANT TO AUTHORITY AND POWERS PROVIDED BY
18 LAW.

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

21 SECTION 1. It is proposed to amend Article 12 of the
22 constitution of New Mexico by repealing Section 6 and adding a
23 new Section 6 to read:

24 "A. The "state board of education" and the "public
25 education department" are created. The state board of

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1 education shall determine public school policy and shall have
2 control, management and direction, including financial
3 direction of distribution of school funds and financial
4 accounting, for all public schools pursuant to authority and
5 powers provided by law. The board shall appoint a qualified,
6 experienced educator to be known as the "superintendent of
7 public instruction" who, subject to the policies established by
8 the board, shall direct the operations of the public education
9 department.

10 B. The state board of education shall be composed
11 of ten members who shall be elected for staggered terms of four
12 years as provided by law. Board members shall be residents of
13 the state board of education district from which they are
14 elected. Change of residence of a board member to a place
15 outside the district from which the member was elected shall
16 automatically terminate the term of that member.

17 C. The governor shall fill vacancies on the state
18 board of education by appointment of a resident from the
19 district in which the vacancy occurs and with the consent of
20 the senate until the next regular election for membership on
21 the board.

22 D. After the adoption of this amendment, all
23 members of the state board of education shall be elected at the
24 2025 regular local election for staggered terms beginning
25 January 1, 2026 as provided by law. The staggered terms shall

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1 be determined by lot as provided by law.

2 E. The public education commission districts shall
3 be the state board of education districts until redistricted
4 after the 2030 federal decennial census. The public education
5 commission shall continue its powers and duties until replaced
6 by members of the state board of education on January 1, 2026.

7 F. The secretary of public education shall serve as
8 the superintendent of public instruction until replaced by the
9 state board of education."

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