

A MEMORIAL

REQUESTING THE LEGISLATIVE EDUCATION STUDY COMMITTEE TO STUDY THE PROVISIONS IN HOUSE BILLS 914 AND 937 OF THE FIRST SESSION OF THE FORTY-SEVENTH LEGISLATURE AND MAKE RECOMMENDATIONS REGARDING THE SCHOOL PERSONNEL ACT AND SCHOOL DISTRICT GOVERNANCE TO THE SECOND SESSION OF THE FORTY-SEVENTH LEGISLATURE.

WHEREAS, the New Mexico legislative council appointed the education initiatives and accountability task force in 1999 to study the public school system in New Mexico and make recommendations for educational reform; and

WHEREAS, the task force consisted of past and present legislators; educators, including teachers and administrators; school employee union representatives; local and state school board members; parents; business people; and other professionals and representatives of educational organizations; and

WHEREAS, the task force worked diligently over two interims to design a public education system that would ensure student success, and a major component of that system involved much higher expectations for teachers and administrators and the concomitant greater rewards for professional teachers and administrators through increased salaries; and

WHEREAS, the task force believed that while students

were the primary focus of the education system, the system itself must be efficient, effective and accountable and that student success is largely dependent upon a governance structure constructed in such a manner that it can be held accountable for how well it accomplishes the job of delivering educational services; and

WHEREAS, the task force's education reform initiatives, as first introduced in 2001 and finally signed in 2003, require that professional school administrators take on the job of hiring, terminating, discharging and disciplining school personnel and require that local school boards focus their attention on developing essential educational policies, including performance measures and other components of the school district's accountability and assessment system, that will ensure the provision of the best educational services that will lead to student success; and

WHEREAS, the assumption of the current governance structure is that each local school board will employ the best superintendent it can and then hold that person directly responsible for the operation of the district, including management of district personnel and the district's performance and achievement of adequate yearly progress, and, if the board finds him wanting, terminate him; and

WHEREAS, there are disagreements between state and local policymakers as to whether the local governance structure

contemplated by the task force is the best alternative, as evidenced by the conflicting testimony before the house education committee; and

WHEREAS, several members of local school boards presented testimony that appeals of personnel decisions by the local superintendent should be heard by the locally elected school boards, as was done prior to the 2003 education reform measure; and

WHEREAS, both the proponents and the opponents of House Bills 914 and 937 presented cogent arguments in defense of their positions, and the house education committee was not able to craft a compromise that satisfied both sides of the issue; and

WHEREAS, the governance structure of school districts is a bedrock issue in the public school system and requires more consideration than can be provided in the latter days of this, the busiest session on record;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the legislative education study committee be requested to study the issues raised in this year's House Bills 914 and 937 and their proposed substitutes; and

BE IT FURTHER RESOLVED that the committee report to the legislature by January 1, 2006 on its findings and recommendations on the School Personnel Act, local governance

and the respective roles of local superintendents and local school boards; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the members of the legislative education study committee.