

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: SB522 creates a new section of the Public School Code that establishes a commission on equity and excellence in education. As an executive-legislative taskforce, the commission is directed to address issues of educational equity in New Mexico public schools. The lieutenant governor is to chair the commission which is comprised of the LESC and LFC chairs and vice chairs, a senator and representative from the minority party, as well as a designated number of members appointed by the governor, president pro tempore of the senate, and speaker of the house. The composition of the members as well as the purpose, outputs, and timeline are detailed in the bill.

FISCAL IMPLICATIONS

SB522 does not contain an appropriation.

SIGNIFICANT ISSUES

New Mexico has wide and persistent gaps in academic outcomes across a variety of variables including race/ethnicity, income, special needs, and home language.

Per the recent Yazzie/Martinez ruling, the court clarified the connection between inputs and outputs and determined that inadequate inputs (level of resources, quality and quantity of services, etc.) caused the inadequate outputs (low achievement levels, low graduation rates, etc.) (page 12, Yazzie/Martinez decision).

PERFORMANCE IMPLICATIONS

The goals and outputs of the commission are specific and include the development of a long-term vision and action steps. Preliminary findings and recommendations are to be presented to the governor, Legislative Education Study Committee (LESC), and Legislative Finance Committee (LFC) on or before September 1, 2020 and each succeeding year through 2022. On or before June 30, 2023, which is the date the commission will dissolve, the commission is to submit a final report with its findings and recommendations to the LESC and LFC.

ADMINISTRATIVE IMPLICATIONS

The Public Education Department (PED) Secretary or a designee will serve on the taskforce and the PED, LESC, and LFC will staff the commission.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB5 and SB1 outline specific reporting requirements that must be included in every school district and locally and state-chartered charter school educational plan that will allow for improved monitoring of the distribution and impact of resources.

TECHNICAL ISSUES

None noted.

OTHER SUBSTANTIVE ISSUES

There are multiple efforts already underway in NM focused on supporting systemic transformation of public education. One such effort is being led by the New Mexico School Superintendent Association (NMSSA) and is summarized in their recent policy platform

(<http://www.nmcel.org/uploads/PDFs/Policy%20Recommendations/NMSSA%202019%20Policy%20Platform%20Detailed%20Proposal%20FINAL%2011062018.pdf>). In the report, the NMSSA recommends the creation of a state level Education Vision Taskforce as the starting point in developing an aligned and transformed education system. The proposed Education Vision Taskforce includes similar membership and goals as outlined in SB522. The NMSSA also recommends the creation of an ongoing Education Practitioner Advisory Council that would collect information, provide feedback, and ultimately ensure decisions are made to equitably distribute human and financial resources. While somewhat overlapping with SB522, this Advisory Council would serve in a permanent role and would help to ensure compliance beyond the identification of needs and remedies.

A second effort underway emerged as part of the Yazzie/Martinez lawsuit and is designed specifically to address issues of equity in public education in NM. As noted on the website (<https://transformeducationnm.org/>), the Transform Education NM coalition is advocating for the creation of a public education system that is called for by the research and evidence that resulted in the court's decision. This system:

- Embraces, reflects, and incorporates the cultural and linguistic heritage of our diverse communities as a foundation for all learning
- Provides extended learning opportunities like summer school and more time in the classroom
- Values our teachers and educators and puts them in a position to succeed in New Mexico
- Allows all children to access early learning and Pre-Kindergarten programs
- Offers services such as counseling and health clinics that promote learning
- Ensures our schools receive financial resources required to meet the needs of all children

The third effort relevant to SB522 is the NM SUN Project. It was initiated in 2014 under the auspices of the Borderlands Center for Educational Studies at New Mexico State University. With the overarching goal being similar to SB522, to create a stakeholder driven long range comprehensive plan for education in NM, a wide variety of individuals (students, educators spanning pre-K through post-secondary, parents, non-profit representatives, elected officials, etc.) have contributed to the Project since 2014. Proposed next steps and draft visioning documents were developed based on research conducted in NM as well as international and national best practices (www.nmsunproject.org).

ALTERNATIVES

The sponsor may want to consider building on and/or facilitating the integration of the efforts described above. Shortening the timeline and recognizing the significant amount of groundwork that has been laid in NM by the groups above and others might better align with the Yazzie/Martinez court order. Additionally, the sponsor may want to include students as members of the commission.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The commission on equity and excellence in education as described in the bill will not be created.

AMENDMENTS

None noted.

Referred: SEC