

Statement of Assurance

Constitutionally Protected Prayer in Public Elementary and Secondary Schools

Purpose:

This document confirms that Local Educational Agencies (LEAs) comply with Section 8524(a) and (b) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), codified at 20 U.S.C. § 7904(a). This section requires the New Mexico Public Education Department to provide guidance on constitutionally protected prayer in public elementary and secondary schools.

Requirements:

- **Section 8524(a):** Mandates the State educational agencies (SEA) to issue guidance on constitutionally protected prayer in public schools.
- **Section 8524(b):** As a condition for receiving ESEA funds, each school district and charter school must certify in writing to the SEA that they have no policy preventing or denying participation in constitutionally protected prayer in public schools, as detailed in the U.S. Department of Education (USDE) guidance dated August 25, 2024.
- Guidance is available at the following website: [Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools | U.S. Department of Education](#)

Gun-Free Schools

The LEA:

- (a) in a manner consistent with the Individuals with Disabilities Education Act (IDEA) shall expel from school for a period of not less than 1 year a student who is determined to have brought a firearm to a school, or to have possessed a firearm at a school;
- (b) has a policy that requires the referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to school; and
- (c) shall submit to the SEA on an annual basis a description of the circumstances surrounding any expulsions imposed under the State law including –
 - i. the name of the school concerned;
 - ii. the number of students expelled from such school; and
 - iii. the type of firearms concerned.

Assurance:

The LEA, through its duly authorized representative named below, agrees to these assurances, and certifies that the information contained in these assurances is complete and correct to the best of the signatory's knowledge and belief, and such information may be relied upon by New Mexico Public Education Department and the U.S. Department of Education.

Name of School District or State Charter School

Signature of Superintendent or State Charter School Director

Date

Printed Name of superintendent or State Charter School Director