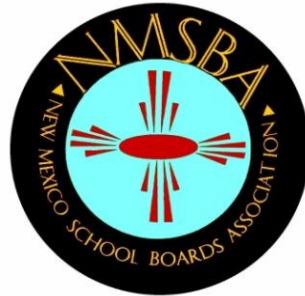


# **NEW MEXICO SCHOOL BOARDS ASSOCIATION 2019 LEGISLATIVE RESOLUTIONS WITH RECOMMENDATIONS**



- **ADEQUATE FUNDING (10).....PAGE 1**
- **LOCAL CONTROL (2)..... PAGE 13**
- **SCHOOL SAFETY (5).....PAGE 15**
- **OTHER RESOLUTIONS (8).....PAGE 23**
  - CAREER TECHNICAL EDUCATION
  - ATTENDANCE AWARENESS MONTH
  - ETHNIC STUDIES
  - ERB/PERA CONTRIBUTIONS
  - WELL-BEING TASK FORCE
  - PAPERWORK REDUCTION TASK FORCE
  - SHORT CYCLE ASSESSMENTS
  - ANTI-UNDERAGE STUDENT VAPING

**300 GALISTEO STREET, SUITE 204  
SANTA FE, NEW MEXICO 87501**

**ADEQUATE FUNDING**

**PROPOSED RESOLUTION # 1**

Submitted By: Albuquerque Public Schools

Title: **Extended Learning Programs – Provide funding flexibility in the implementation of K5 Plus to include flexibility with the teacher rule.**

- *Whereas*, extended learning time provide opportunities to authentically engage students, raise achievement and bring innovation to school instruction, and
- *Whereas*, extended learning time opportunities should be created by local school communities based on local community strengths and needs; and
- *Whereas*, extended learning time opportunities support students socially, emotionally and academically by supporting more time for them to be supported through public education entities; and
- *Whereas*, this is an opportunity to implement expanded educational opportunities to students within supportive communities, and
- *Whereas*, the New Mexico legislature passed House Bill 5/Senate Bill 1 to provide significant funding increases for extended learning, and
- *Whereas*, much of the funding from HB5/SB1 was left unspent, partly due to implementation restrictions;

**THEREFORE, BE IT RESOLVED**, Albuquerque Public Schools Board of Education and the New Mexico School Boards Association call upon the New Mexico legislature to allow flexibility with extended learning to include flexibility for funding to be defined as extended hours as well as extended days-; and

**FURTHER, BE IT RESOLVED that** the Albuquerque Public Schools Board of Education and New Mexico School Boards Association call upon the New Mexico legislature and NM PED to provide flexibility in the implementation of K5 Plus to include flexibility with the teacher rule.

**NMSBA Recommendation:**

***Already in Legislative Platform (page 2, column 2) Early Childhood/Pre-School Programs (2018 Priority). We recommend adding language to allow flexibility in the implementation of the K5 Plus program.***

## 2019 LEGISLATIVE RESOLUTIONS

---

### **PROPOSED RESOLUTION # 2**

Submitted By: Albuquerque Public Schools

**Title:** Education Salaries - Increase funding at minimum tier levels for teacher salaries, include funding for all school personnel, and also consider retention of experienced teachers.

- *Whereas*, the recent raises were welcome and needed to begin improving the teacher pipeline and recruitment of new teachers into the profession and the recent raises made beginning teacher salaries competitive with states in our region; and
- *Whereas*, school personnel salaries communicates to our communities and state that we hold education of children in the highest regard; and
- *Whereas*, in addition to the teacher pipeline crisis, our state faces problems retaining experienced teachers as well as the recruitment and retention of other licensed providers and other non-licensed staff, all of which are critical to holistic support and programs for students;
- *Whereas*, the teacher minimum salary increases impacted district salary matrix schedules, so that future attention to salary increases must consider the impact to salary increases for experienced teachers as well as other licensed and non-licensed professionals who support students;

**THEREFORE, BE IT RESOLVED**, that the Albuquerque Public Schools and the New Mexico School Boards Association acknowledge that funding for salaries for all those that work in our schools is critical to improving education, but that future legislation not just consider minimum tier level increases for teacher salaries but also consider retention of experienced teachers and include funding for all school personnel.

**FURTHER, BE IT RESOLVED**, that the APS Board of Education and New Mexico School Boards Association calls upon the New Mexico Legislature to continue to support legislation to apply teacher salary increases beyond minimum tier levels and include other licensed educational professionals, and all school personnel who serve New Mexico students.

### **NMSBA Recommendation:**

***Already in Legislative Platform (page 1, column 3) Adequate Funding, (page 3, column 3) Teacher/Principal Salaries (2018 Priority), and (page 3, column 3) Three-Tiered System-Professionals. No action necessary.***

**PROPOSED RESOLUTION # 3**

Submitted By: Farmington Public Schools

Title: Career and Technical Education – Provide funding to supplement federal allocations for career and technical education.

- *Whereas*, the Farmington Municipal Schools Board of Education identifies career and technical education as a critical strategy for preparing New Mexico’s youth for future education and workforce; and
- *Whereas*, New Mexico public schools are unable to meet existing local needs with the antiquated and outdated system of career and technical education; and
- *Whereas*, New Mexico public schools must have the flexibility to include a strong workforce based component through career and technical education courses; and
- *Whereas*, S, New Mexico public schools are called upon to award high school diplomas to students who are both college and career ready; and
- *Whereas*, career and technical education is another approach to education, skills development, and good jobs; and
- *Whereas*, New Mexico public schools, if provided sufficient funding, would have the financial capacity to build a strong future ready workforce; and
- *Whereas*, career and technical education allows students to combine learning with real-world experience; and
- *Whereas*, career and technical education helps to address the skills gap between what job-seekers possess and the skills employers seek; and

**NOW, THEREFORE BE IT RESOLVED**, that the Farmington Municipal Schools Board of Education requests the New Mexico School Boards Association support legislation to supplement federal funding for career and technical education.

**THEREFORE, BE IT RESOLVED**, that Farmington Municipal Schools Board of Education calls upon Governor Michelle Lujan Grisham and the New Mexico State Legislature to pass and sign legislation that supplements federal Carl D. Perkins and Technical Education Act with an additional fifty million dollars in HB2 state funds to be annually distributed to schools in FY20-21, FY21-22 and FY22-23 in an allocation model based on grades Prek-12 full time equivalent as determined by the previous school year 80/120 average of student count.

## 2019 LEGISLATIVE RESOLUTIONS

---

**FURTHER, BE IT RESOLVED**, supplementing Carl D. Perkins and Technical Education act funding with state provides the opportunity to help school districts offer future career ready courses and practical training through apprenticeship, internships, and real-world, job-related experiences for students in middle and high school by connecting students to the business community and institutions of higher learning.

**NMSBA Recommendation:**

***Already in Legislative Platform (page 2, column 3) High School Career Pathway (2018 Priority). No action necessary.***

**PROPOSED RESOLUTION # 4**

Submitted By: Farmington Public Schools

**Title:** Provide funding to implement the “First Four Corners State” to Pay Fifty Thousand Dollars for beginning teachers as the starting pay with benefits, and increase salaries for principals and support staff.

- *Whereas*, the Farmington Municipal Schools Board of Education recognizes the importance of recruiting and retaining high quality staff; and
- *Whereas*, the New Mexico State School Board Association is committed to improving the quality of education for all New Mexico’s public school students; and
- *Whereas*, the New Mexico State School Board Association understands the importance that public education of students serves as an investment in the future of its youth; and
- *Whereas*, the New Mexico State School Board Association recognizes and highly values the importance that public school teachers and other school employees contribute to the education of children; and
- *Whereas*, the New Mexico State School Board Association honors teachers and school staff as professionals deserving of salary and benefits commensurate with the importance of the role they play in the education of children; and
- *Whereas*, the State of New Mexico continues to experience a persistent shortage of highly qualified teachers and leaders; and
- *Whereas*, the State of New Mexico has failed to attract high quality post-secondary students as our state’s future teachers and leaders; and
- *Whereas*, the New Mexico State School Board Association understands that in order to attract high quality teachers and leaders to public school employment, New Mexico must

## 2019 LEGISLATIVE RESOLUTIONS

---

honor public school teachers, administration and staff as professionals by significantly raising salaries and benefits;

**NOW, THEREFORE BE IT RESOLVED**, that the Farmington Municipal Schools requests that the New Mexico School Boards Association support legislation that funds educators as professionals; and

**THEREFORE, BE IT RESOLVED**, the New Mexico State School Boards Association calls upon the New Mexico State Legislature to implement a First Four Corners State to Pay Fifty Thousand Dollars as the starting pay with benefits for beginning teachers with commensurate starting salary of Sixty Thousand for Level II and Seventy Thousand starting salary for Level III; and

**FURTHER, BE IT RESOLVED**, the New Mexico State School Boards Association calls upon the New Mexico State Legislature to implement a First Four Corners State to Pay starting pay with benefits of Eighty Thousand dollars for Elementary Principals, Ninety Thousand for Middle School, and One Hundred Thousand for High School Principals.

**FURTHER, BE IT RESOLVED**, the New Mexico State School Boards Association calls upon the New Mexico State Legislature to implement percentage salary and benefit increases for school support staff that are commensurate with Teacher and Administration salary increases.

**NMSBA Recommendation:**

*Already in Legislative Platform (page 3, column 3) Teacher/Principal Salaries (2018 Priority). No action necessary. (Similar to Los Alamos Resolution #10)*

**PROPOSED RESOLUTION # 5**

Submitted By: Farmington Public Schools

Title: Provide funding to create an annual allocation of \$250,000 as a cost reimbursement account for teachers' fees and materials to promote National Board Teacher and Administrator Certification for teachers.

- *Whereas*, the Farmington Municipal Schools Board of Education believes in professional development and continuous improvement; and
- *Whereas*, National Boards Certification has always been centered in statistically valid research; and
- *Whereas*, National Board Certification is the most respected professional certification available in K-12 education,

## 2019 LEGISLATIVE RESOLUTIONS

---

- *Whereas*, National Board Certified teachers must exhibit a deep understanding of their students, content knowledge, use of data and assessments and teaching practice; and
- *Whereas*, National Board Certification professional development provided generates ongoing improvement in New Mexico schools and nationwide; and
- *Whereas*, National Board Certification was designed to develop, retain and recognize accomplished teachers and principals; and
- *Whereas*, National Board Certification is a public assurance that teachers have met the profession's highest standard for accomplished practice; and
- *Whereas*, every student deserves to be taught by an accomplished teacher; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Farmington Municipal Schools Board of Education requests that the New Mexico School Boards Association support legislation to promote National Board Teacher and Administrator Certification; and

**BE IT FURTHER RESOLVED**, that the Farmington Municipal Schools Board of Education calls upon the State Legislature to develop and deploy a strategy to create an annual allocation budget fund of \$250,000 beginning Fiscal Year 2020 as a fiscal set aside as a cost reimbursement account for teachers' fees and materials incurred in the pursuit of National Board Certification that would be distributed by the local education agency through an application model created by, submitted to and reimbursed through the New Mexico Public Education Department.

**NMSBA Recommendation:**

***Already in Legislative Platform (page 2, column 3) National Board Certification. No action necessary.***

**PROPOSED RESOLUTION # 6**

Submitted By: Farmington Public Schools

Title: School Security Officers - Provide funding for up to one School Resource Officer and/or School Security Team member for every five hundred students based on the following school district numbers: for every 500 students, a district receives state funding for 1.0 FTE School Resource Officer and/or School Security Team member

- *Whereas*, the Farmington Municipal Schools Board of Education believes that a reasonable commitment of resources to ensure student and staff safety is an appropriate use of state funding; and

## 2019 LEGISLATIVE RESOLUTIONS

---

- *Whereas*, New Mexico schools, including public, private and charters, are responsible for developing and deploying safety plans for students and staff; and
- *Whereas*, student and staff safety are conducive to the learning environment; and
- *Whereas*, incidents of violence in schools nationally appears to dominate news cycles; and
- *Whereas*, increasing availability and visibility of School Resource Officers and/or school security would help to ensure the safety of students and staff; and

**NOW, THEREFORE BE IT RESOLVED**, that the Farmington Municipal Schools Board of Education requests the New Mexico School Boards Association support legislation that calls for the inclusion of state funding to enhance school security to ensure the safety of students and staff; and

**THEREFORE, BE IT RESOLVED**, that Farmington Municipal Schools Board of Education calls upon Governor Michelle Lujan Grisham and the New Mexico State Legislature to pass and sign legislation that provides funding for salary and benefits for a School District Safety Specialist, whose role and responsibility is to develop and deploy school safety plans, conduct safety drills, track and report incidents of violence on campus, oversee the School Resource Officer and/or School Security Team and coordinate school safety drills with community and state first responders; and

**THEREFORE, BE IT RESOLVED**, that Farmington Municipal Schools Board of Education calls upon Governor Michelle Lujan Grisham and the New Mexico State Legislature to pass and sign legislation that provides funding for up to one School Resource Officer and/or School Security Team member for every five hundred students based on the following school district numbers: for every 500 students, a district receives state funding for 1.0 FTE School Resource Officer and/or School Security Team member.

**NMSBA Recommendation:**

***Already in Legislative Platform (page 3, column 2) School Safety and Security (2018 Priority). No action necessary.***

**PROPOSED RESOLUTION # 7**

Submitted By: Farmington Public Schools

Title: **Fast Track Student Teacher Internship Program – Provide funding that pays full time teacher Level I salary and benefits to student teacher interns while they complete their forty-five school days of student teacher internship experience.**



## 2019 LEGISLATIVE RESOLUTIONS

---

- *Whereas*, the Farmington Municipal Schools Board of Education believes a critical shortage of accomplished teachers exists; and
- *Whereas*, school districts throughout New Mexico share the concern that a critical shortage of accomplished teachers exist throughout New Mexico; and
- *Whereas*, credentialed teachers traditionally come from university-based programs; and
- *Whereas*, Farmington Municipal Schools Board of Education believes that a fast track forty-five school day student teacher internship experience would be effective in developing accomplished teaching skill sets through direct classroom teaching experience overseen by school district affiliated instructional coaches working collaboratively with the student teacher intern's college or university coach; and
- *Whereas*, Farmington Municipal Schools Board of Education believes that as an effective way to fast track student teacher interns into the work world as accomplished teachers, it should be possible to create a fast track forty-five school day student teacher internship experience rather than a full semester; and
- *Whereas*, the forty-five school day fast track experience could include student teacher internship experience gained through extended year programs, including K-5 Plus; and
- *Whereas*, only some teacher colleges arrange for student teacher interns to receive "residency" pay for the time served as student teacher interns; and
- *Whereas*, some school districts are willing to hire student teacher interns into paid positions on a temporary or emergency licensure process for the entirety of the school year, including days invested as a student teacher intern; and

**NOW, THEREFORE, BE IT RESOLVED**, the Farmington Municipal Schools Board of Education requests that the New Mexico School Boards Association support legislation that allows for accredited teacher preparation colleges or universities to fast track the student teacher internship to forty-five school days; and

**NOW, THEREFORE, BE IT RESOLVED**, the Farmington Municipal Schools Board of Education requests that the New Mexico School Boards Association support legislation that pays full time teacher Level I salary and benefits to student teacher interns while they complete their forty-five school days of student teacher internship experience.

**NMSBA Recommendation:**

***New Initiative not in platform. Relates to portion of (page 3, column 3) Teacher/Principal Salaries (2018 Priority) which places Level 1 teacher at \$50,000. Interesting concept which has merit. Recommend discussing the \$50,000 level 1 salary requirement.***

## 2019 LEGISLATIVE RESOLUTIONS

---

### **PROPOSED RESOLUTION # 8**

Submitted By: Gadsden Public Schools

**Title:** Fund stipends for certified special education teachers in New Mexico that will not only compensate them for the extra duties they must perform but will also attract and maintain highly qualified individuals to this field.

- *Whereas*, the State of New Mexico is currently experiencing a shortage of certified special education teachers at the elementary, middle, and high school levels; and
- *Whereas*, districts in the State of New Mexico currently have special education teacher vacancies; and
- *Whereas*, the Gadsden Independent School District presently has three (3) special education teacher vacancies that have not been filled since the beginning of the 2019-20 academic year; and
- *Whereas*, this shortage impedes students who receive special education services from attaining their full academic potential and hinders the ability of school districts to comply with the federal mandate in the Individuals with Disabilities Education Act (IDEA) to provide each student with a disability a free appropriate public education (FAPE); and
- *Whereas*, special education teachers in the State of New Mexico must perform the same duties as a general education teachers but *also* must create and schedule Individual Education Programs (IEPs) for each assigned student, provide special education services in accordance with each IEP, provide accommodations/modifications to general education staff who work with students receiving special education services in the general education classrooms and coordinate services for students with outside agencies.

**THEREFORE, BE IT RESOLVED**, that the Gadsden Independent School District Board of Education calls upon the New Mexico Public Education Department to develop and implement a plan for providing a stipend to special education teachers in New Mexico that adequately compensates for the extra duties and responsibilities that they must perform and that will attract and maintain highly qualified individuals to this field; and

**FURTHER, BE IT RESOLVED**, that the Gadsden Independent School District Board of Education calls upon the New Mexico State Legislature to fund a stipend for certified special education teachers in New Mexico that will not only compensate them for the extra duties they must perform but will also attract and maintain highly qualified individuals to this field.

### **NMSBA Recommendation:**

***Already in Legislative Platform (page 3, column 2) Special Education Programs. May consider adding language to fund stipends.***

## 2019 LEGISLATIVE RESOLUTIONS

---

### **PROPOSED RESOLUTION # 9**

Submitted By: Las Cruces Public Schools

**Title:** Prioritizes increased and sufficient funding for Public Education as called for in the State Constitution and calls for other related actions by the Legislature. Specifically; fund all mandates, protect public education dollars, fund Federal programs, continue Medicaid for students, fund Technology for Education Act, and fund bus air conditioning and electric powered school buses.

PROVIDING THAT THE LAS CRUCES PUBLIC SCHOOLS BOARD OF EDUCATION SUPPORTS SUFFICIENT FUNDING FOR NEW MEXICO'S PUBLIC SCHOOLS

- *Whereas*, Article XII of the New Mexico Constitution requires "A uniform system of free public schools sufficient for the education of, and open to, all the children of school age in New Mexico shall be established and maintained"; and
- *Whereas*, the Las Cruces Public Schools Board of Education cites the recent court ruling in Yazzie v. State of New Mexico and Martinez v. State of New Mexico in which the plaintiffs sued the State of New Mexico for violating the rights of at-risk students by failing to provide adequate support for public schools; and
- *Whereas*, in her ruling, First Judicial District Court Judge Sarah Singleton affirmed the plaintiffs' claims, stating:

"Therefore, the Defendants will be given until April 15, 2019 to take immediate steps to ensure that New Mexico schools have the resources necessary to give at-risk students the opportunity to obtain a uniform and sufficient education that prepares them for college and career. Reforms to the current system of financing public education and managing schools should address the shortcoming of the current system by ensuring, as part of that process, that every public school in New Mexico would have the resources necessary for providing the opportunity for a sufficient education for all at-risk students."
- *Whereas*, public school districts are having to use large amounts of funding to create safer learning environments for students and staff.

**NOW THEREFORE BE IT RESOLVED**, that the Las Cruces Public Schools Board of Education requests that the New Mexico School Boards Association supports legislation that prioritizes ***increased and sufficient funding for public education*** as required by Article XII of the New Mexico Constitution and as mandated by the recent court ruling; and

**BE IT FURTHER RESOLVED**, that the Las Cruces Public Schools Board of Education supports increased funding for and ***legislation that calls for a state-funded organizational framework designed to create a network of community-based services*** to address the mental health needs and school safety of our children; and

## 2019 LEGISLATIVE RESOLUTIONS

---

**BE IT FURTHER RESOLVED**, that the Las Cruces Public Schools Board of Education supports *legislation that funds the expansion of high-quality Pre-K programs* statewide; and

**BE IT FURTHER RESOLVED**, that the Las Cruces Public Schools Board of Education supports *legislation that retains the FY 18 participation percentages for PSCOC funding* of all new and proposed building projects; and

**BE IT FURTHER RESOLVED**, that the Las Cruces Public Schools Board of Education *opposes any legislation that diverts public dollars to fund non-public education* in any manner; and

**BE IT FURTHER RESOLVED**, that the Las Cruces Public Schools Board of Education supports *legislation which specifies that when state mandates place additional burdens on school boards and districts, funds should be allocated to compensate for expenses incurred*. Therefore, it should be the policy of the Public Education Department to adopt fiscal notes and request funding from the legislature, prior to the passage of all new and existing mandates placed on local school districts; and

**BE IT FURTHER RESOLVED**, that the Las Cruces Public Schools Board of Education calls on the New Mexico School Boards Association to *adopt a platform that calls on Congress to fund federal programs (IDEA, Bilingual, and other ESEA requirements) at sufficient levels* to prevent local districts from having to shift local resources to meet the demands of federal education policies; and

**BE IT FURTHER RESOLVED**, that the Las Cruces Public Schools Board of Education encourages the New Mexico School Boards Association to support *legislation that ensures the continuation of federal Medicaid Service* to provide and expand health services to Medicaid-eligible students; and

**BE IT FURTHER RESOLVED**, that the Las Cruces Public Schools Board of Education calls on the New Mexico School Boards Association to support *legislation that provides funding for the Technology for Education Act 22-15A-8 NMSA 1978* and restore funding to the Educational Technology Fund to allow districts to upgrade technology resources that benefit students; and

**BE IT FURTHER RESOLVED**, that the Las Cruces Public Schools Board of Education supports the New Mexico Environment Department's funding priorities from the 2017 Volkswagen (VW) Settlement to replace eligible diesel-fueled vehicles with alternate-fueled or all-electric vehicles and *requests the Department of Environment to expand funding for statewide projects to include electric powered school busses*; and

**BE IT FURTHER RESOLVED**, that the Las Cruces Public Schools Board of Education requests the New Mexico School Boards Association support *legislation that provides sufficient funding to allow districts and bus contractors to purchase air-conditioned buses in high heat index areas to allow for the safe transportation of students enrolled in the K-5+ extended school year*.

## 2019 LEGISLATIVE RESOLUTIONS

---

**BE IT FURTHER RESOLVED**, that a copy of this resolution be transmitted to the New Mexico School Boards Association; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be sent to the Chair of the Senate Education Committee and the Chair of the House Education Committee in the New Mexico Legislature, and the Director of the New Mexico Legislative Education Study Committee.

**NMSBA Recommendation:**

*Committee adopted a similar resolution in 2018.*

*Several positions are already in Legislative Platform:*

- *Protect public education dollars – Vouchers & Tax Credits (page 3, column 3),*
- *Fund all mandates – Unfunded Mandates (page 1, column 1) & Sufficiency Funding (page 2, column 3), Increase Funding Above the Line (page 2, column 1),*
- *Fund Federal programs – Adequate Funding (page 1, column 3), and*
- *Fund Technology for Education Act – Technology Plan/Training (page 3, column 3), (2018 Priority).*

*Funding to address continuing Medicaid for Students; for electric powered school buses; and, school bus air conditioning are not included in the current program and are recommended for approval.*

### **PROPOSED RESOLUTION # 10**

Submitted By: Los Alamos Public Schools

Title: Prioritize SEG Funding and increase the unit value and ensure school staff compensation is regionally competitive when compared to Texas, Oklahoma, Arizona, Colorado, and Utah.

- *Whereas*, students and educators are New Mexico's most valuable resource and, thus, funding for education is our State's best investment; and
- *Whereas*, New Mexico and the nation have a serious teacher shortage;\* and
- *Whereas*, teachers and all school staff are professionals and have demonstrated that they deserve a raise for the 2019-20 school year; and

## 2019 LEGISLATIVE RESOLUTIONS

---

- *Whereas*, adequate funding provides opportunities for students to become resilient and resourceful adults who are able to achieve their personal goals in an ever-changing world; and

- *Whereas*, education that prepares all students for college and careers is essential for economic growth in New Mexico.

**NOW, THEREFORE, BE IT RESOLVED** that the New Mexico School Boards Association requests that the Governor, New Mexico Legislature, and Public Education Department prioritize funding through the State Equalization Guarantee to significantly increase the unit value for the 2019-20 school year; and

**BE IT FURTHER RESOLVED** that the New Mexico Legislature sufficiently fund school district budgets so that salaries are regionally competitive; and

**BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the Governor of New Mexico, the Secretary of Public Education, the Legislative Education Study Committee, and the Legislative Finance Committee.

\* According to the U.S. Department of Education, teacher shortages are affecting every state in the country.

**NMSBA Recommendation:**

***Committee adopted a similar resolution in 2018.***

***Already in Legislative Platform (page 3, column 3) Teacher/Principal Salaries (2018 Priority). No action necessary. (Similar to Farmington Resolution #4)***

## LOCAL CONTROL

### **PROPOSED RESOLUTION # 11**

Submitted By: Los Alamos Public Schools

Title: Increase flexibility for extended learning - Support greater local school board decision making and flexibility for student-centered implementation of extended learning and K-5+ and a new K-12+ program.

- *Whereas*, the concept of local control to benefit student well-being and achievement is grounded on the belief that individuals closest to students and most knowledgeable about schools – and most invested in the welfare and success of its educators, students, and communities – are best suited to make important decisions about implementation of Extended Learning, K-5+ and K-12+ programs and overall improvement and accountability; and

## 2019 LEGISLATIVE RESOLUTIONS

---

- *Whereas*, school boards are elected by their community to provide citizen governance and represent the community's beliefs and values and the public's voice in education; and
- *Whereas*, local boards of education respect the authority of the legislature and executive to establish a framework in which local schools are required to operate; but, believe specific decisions about Extended Learning, K-5+ and K-12+ are best delegated to local school boards; and
- *Whereas*, school boards should be in a position to set the standard for achievement in districts and work with the Superintendent to establish a valid process for measuring student learning, social emotional development and staff well-being and excellence, and when necessary, shift resources to ensure that the district's goals are achieved; and
- *Whereas*; the Los Alamos Public Schools is a continuous improvement school district; and
- *Whereas*, the Los Alamos School Board believes achievement of our Strategic Plan can best be met through increased local control over school improvement initiatives and Extended Learning, K-5+ and K-12+; and

**NOW, THEREFORE, BE IT RESOLVED** that the New Mexico School Boards Association requests that the Governor, New Mexico Legislature, and Public Education Department support legislation that increases School Board flexibility to implement Extended Learning, K-5+ and K-12+ programs; and

**BE IT FURTHER RESOLVED** that the New Mexico Legislature allow summer school programs with different teachers as part of K-5+, allow year-long before school programs as part of Extended Learning, and sufficiently fund Extended Learning and K-5+ so that student needs are met; and

**BE IT FURTHER RESOLVED** that the New Mexico Legislature establish and fund a new K-12+ program so that school districts can submit a 205-day calendar; and

**BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the Governor of New Mexico, the Secretary of Public Education, the Legislative Education Study Committee, and the Legislative Finance Committee.

**NMSBA Recommendation:**

***Portion already in Legislative Platform on (page 2, column 2) Early Childhood/Pre-School Programs (2018 priority). Committee should adopt specific language that allows flexibility for different teachers as part of the K-5 program.***

## 2019 LEGISLATIVE RESOLUTIONS

---

### **PROPOSED RESOLUTION # 12**

Submitted By: Los Alamos Public Schools

Title: Allocate funding “Above the Line” to increase local decision making and support student success across New Mexico.

- *Whereas*, “above the line” funding assures local decision making that is customized to unique community needs and most beneficial to students, parents, and teachers; and
- *Whereas*, local control and School Board decision-making is an essential component of public education and “below the line” allocations erode the integrity of the State Equalization Guarantee; and
- *Whereas*, school district cash balances are essential for prudent school budgeting and operations.

**NOW, THEREFORE, BE IT RESOLVED** that the New Mexico School Boards Association requests that funding in the General Appropriations Act includes “above the line” increases for Public Education; and

**BE IT FURTHER RESOLVED** that local school boards are more knowledgeable about educational goals and budget priorities for their students and staff; and

**BE IT FURTHER RESOLVED** that the funding formula be modified to better meet the needs of all schools; and

**BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the Governor of New Mexico, the Secretary of Public Education, the Legislative Education Study Committee, and the Legislative Finance Committee.

### **NMSBA Recommendation:**

***Already in Legislative Platform (page 2, column 1) Increase Funding Above the Line (2018 Priority). No action necessary.***

## **SCHOOL SAFETY**

### **PROPOSED RESOLUTION # 13**

Submitted By: Albuquerque Public Schools

Title: Establish safe and supportive schools through restorative justice practices - Develop and adopt a three-year local control and accountability plan for each



## 2019 LEGISLATIVE RESOLUTIONS

---

district to develop baseline data on current suspension and expulsion rates by student subgroups, create annual goals to reduce such rates, and create specific actions, with funding targeted to improve services and supports to meet goals designated by local districts implementing interventions such as restorative justice and restorative practices.

- *Whereas*, Albuquerque Public School supports the belief in district-wide, positive, relationship-based culture that is supportive of all members of the community and policies to support restorative practices, social emotional learning and literacy, positive behavior interventions and supports, and trauma sensitive practices, and

- *Whereas*, creation of culturally responsive restorative practices led by school climate teams and school police, in collaboration and conversation with students, families, teachers, administrators and all stakeholders in our educational community, will result in students who accept responsibility, repair the harm that their actions caused, recognize their role in maintaining a safe school environment, build upon their personal relationships in the school and contribute as a positive member of the school community; and

- *Whereas*, restorative practices will lead to an improved sense of a safe community and significantly decrease the need for suspensions, expulsions, and time that students are excluded from instruction due to behavior infractions and create schools committed to

addressing disproportionality and disparities in the issuance of office referrals, suspensions, expulsion referrals, and expulsions; and

- *Whereas*, the Every Student Succeeds Act provides guidance to create 90-day plans by reviewing data to inform school communities that may consider the options of using restorative practices and social emotional learning curriculum to achieve needed outcomes;

**THEREFORE, BE IT RESOLVED**, that the Albuquerque Public Schools Board of Education and the New Mexico School Boards Association calls upon the New Mexico Legislature to create policy that enables school climate leaders and school police departments to identify evidence-based implementation processes for schools to include training on restorative practices and plan for additional trainings to include topics such as connection circles, restorative conversations, restorative mediations, restorative agreement meetings, problem solving circles, community group conferences and restorative re-integration practices.

**FURTHER, BE IT RESOLVED**, that the Albuquerque Public Schools Board of Education and the New Mexico School Boards Association call upon the New Mexico Legislature to develop and adopt a three-year local control and accountability plan for each district to develop baseline data on current suspension and expulsion rates by student subgroups, create annual goals to reduce such rates, and create specific actions, with funding targeted to improve services and supports to meet goals designated by local districts implementing interventions such as restorative justice and restorative practices.

**NMSBA Recommendation:**

***Already in Legislative Platform (page 3, column 2) School Safety and Security (2018 Priority). No action necessary.***

**PROPOSED RESOLUTION # 14**

Submitted By: Albuquerque Public Schools

**Title:** School Security Funding - Create a temporary allowance for life-threatening school security upgrades be removed from matching fund programs defined as capital outlay.

- *Whereas*, school security upgrades are urgently needed in schools across our state; and
- *Whereas*, according to Education Week, in 2018 there were 24 school shootings with 28 students killed, and 79 people injured and the problem continues to intensify throughout 2019; and
- *Whereas*, recent events have placed school safety in the national and state spotlight, underscoring the importance of schools and communities engaged in addressing the safety of children. In an era of limited resources, collaboration with local law enforcement and other government agencies will be required to maintain safe schools, and
- *Whereas*, even though the loss of life is unacceptable and school shootings are a tragedy that affect the whole society, they remain a very small percent of the overall homicide rate of school-aged children. Student injury and death are statistically much greater from drug abuse, child abuse, suicide, bullying, and auto accidents; and
- *Whereas*, the most effective approach to creating safe school environments requires a comprehensive, coordinated effort including school wide, districtwide and communitywide strategies where all institutions, organizations and individuals must accept responsibility for their critical roles and collaborate to establish a positive environment for teaching and learning; and
- *Whereas*, students attend school daily and the parent and community expectation is that the facility will be safe and efficient so that learning can occur;

**THEREFORE, BE IT RESOLVED**, that the Albuquerque Public Schools Board of Education and the New Mexico School Boards Association call upon the New Mexico State Legislature to create a temporary allowance for life-threatening school security upgrades be removed from matching fund programs defined as capital outlay, and

## 2019 LEGISLATIVE RESOLUTIONS

---

**FURTHER, BE IT RESOLVED**, that the Albuquerque Public Schools Board of Education and the New Mexico School Boards Association call upon the New Mexico State Legislature, Public School Capital Outlay Council and New Mexico Public Education Department to create state level security standards and funding to address and upgrade all schools in our state outside of normal capital outlay funding mechanism until all schools are up to security standards.

**NMSBA Recommendation:**

***Already in Legislative Platform (page 4, column 3) Capital Outlay. Recommend including in platform specific language to request “temporary allowance” and/or removal from match requirements.***

**PROPOSED RESOLUTION # 15**

Submitted By: Bernalillo Public Schools

**Title: Ensuring Immigrant student access to the full benefits of an education with emphasis on home state guarantee of stability of parent/guardian.**

• *Whereas*, The United States Supreme Court held in Plyer v. Doe (1982) that no public school district has a basis to deny children access to education based on their immigration status, citing the harm it would inflict on the child and society itself, and the equal protection rights of the Fourteenth Amendment; and The State of New Mexico Public Education Department under parent and Child Rights in Special Education Procedural Safeguards Notice: Within, state the procedures are designed to protect legal rights for the child and parent. You as a parent or guardian play a vital role in your child’s education, under the Federal law called; IDEA, which ensures that all children with qualifying disabilities have the opportunity to receive publicly funded special education services. The law also requires districts to inform and include parents in the educational decisions made regarding their child’s education. Under the IDEA parent’s rights are given and protected. This includes, any acting parent, grandparent, step parent, legal guardian, foster parent or surrogate parent. Family Educational Rights and Privacy Act, 20 U.S. Code S 1232g, is also, a safe guard to protecting the students need to family (parents are given the access to students files/reports and privacy via this statute it is practiced within Federal and State statutes.

• *Whereas*, U. S. Immigration and Customs Enforcement’s (ICE) longstanding policy state that it will not conduct immigration enforcement activity at any sensitive location, including on school property, at education-related activities or events, and at marked or known bus stops, during periods when school children are present at the stop, unless exigent circumstances exist or without special permission from specific federal law enforcement officials; and to any child’s parents/guardians/ at home, work as these individuals are of protection under statues and federal laws to be the sole responsible party to their child, and

## 2019 LEGISLATIVE RESOLUTIONS

---

- *Whereas*, no state or federal law mandates that local school districts assist ICE in the enforcement of immigration laws; and
- *Whereas*, Bernalillo Public Schools (BPS) welcomes all students and their parents/guardians and has a responsibility to ensure that all students and parents/guardians who reside within its boundaries, regardless of immigration status, can safely access a free public education; and
- *Whereas*, educational personnel are often the primary sources of support, resources, and information to assist and support students and their families, which includes their emotional health; disability (language and physical) and
- *Whereas*, licensed support personnel such as counselors, social workers, and family school liaisons, as part of their support to students and families, have a professional and ethical responsibility within the scope of their license to provide information regarding District and community resources; and
- *Whereas*, through its policies and practices, BPS has made a commitment to a quality education for all students, which includes a safe and stable learning environment. BPS practices involvement and reporting to students parents/guardians.

**NOW, THEREFORE, BE IT RESOLVED** that the BPS Board encourages the Superintendent to increase and enhance partnerships with non-profit community-based organizations who provide resources to families faced with fear and anxiety about immigration enforcement efforts; and

**BE IT FURTHER RESOLVED**, that all students, regardless of immigration status, who register for or seek to participate in any and all benefits of a BPS public education, receive all such school benefits and services to which they are otherwise entitled, including free or reduced-cost meals, transportation, health educational services, and that no school district staff shall take any steps that would deny students access to education based on their immigration status or that would inhibit the rights of any student to the benefits of a BPS public education;

**BE IT FURTHER RESOLVED**, that in its continued commitment to the protection of student privacy, the Board directs the Superintendent to review the District's record-keeping policies and practices to ensure that no data is required, or is being collected, with respect to students' immigration status or place of birth; and to cease any such collection as it is irrelevant to the educational enterprise; and

**BE IT FURTHER RESOLVED**, that the Board directs the Superintendent to communicate to District personnel the expectation that District personnel not report undocumented students and parents/guardians to ICE, including B-2 Visa bearers who attempt to attend school, they should not allege student attendance, and should ICE or other immigration law enforcement agents request any student information, the request shall be referred to the Superintendent's Office to ensure standards for a judicial warrant and get agent's

## 2019 LEGISLATIVE RESOLUTIONS

---

contact and badge information, and any other limitation on disclosure; this review will be conducted expeditiously, but before any production of information is made, upon retrieval of warrant a staff member should find and bring student to agent without embarrassment to the student and to parent/guardian and interruption of class-time; and

**BE IT FURTHER RESOLVED**, that the BPS Board directs the Superintendent to create a rapid response plan to be implemented in the event a minor child attending school in the District is not to be deprived of adult care, supervision, or guardianship outside of school due to a federal law enforcement action, such as detention by ICE or a cooperating law enforcement agency; parents/guardians will be protected due to Federal and State laws that incorporate a family (parent/guardian as the basis of the students educational reporting and involvement and

**BE IT FURTHER RESOLVED**, that the Superintendent shall post this Resolution on the BPS website and distribute it using usual means of communication; and

**BE IT FURTHER RESOLVED**, that the Board affirms that certified employees have the academic freedom to discuss this Resolution during class time, provided the discussion is age-appropriate and does not promote political candidates or partisan activities; and

**BE IT FURTHER RESOLVED**, that any third party providing services on behalf of the District through contractual or other arrangements, including nonacademic and extracurricular services and activities, shall be notified of this Resolution and required to abide by it.

**NMSBA Recommendation:**

***Already in Legislative Platform (page 3, column 2) School Safety and Security (2018 Priority). Asking Bernalillo Public Schools to consider redrafting the resolution to clarify specific request of the legislature.***

**PROPOSED RESOLUTION # 16**

Submitted By: Farmington Public Schools

Title: Retired Police Officers Return to Work - Change the retirement rule for retired police officers to return to work as School Resource Officers.

- *Whereas*, the Farmington Municipal Schools Board of Education recognizes the importance of student and staff safety; and
- *Whereas*, the New Mexico State School Boards Association stands committed to improving the school safety for all New Mexico's public school students and staff; and

## 2019 LEGISLATIVE RESOLUTIONS

---

- *Whereas*, the New Mexico State School Boards Association expressed a concern that a current shortage of police officers in New Mexico prevents School Resource Officer positions to be fully staffed; and
- *Whereas*, current New Mexico police retirement rules prevent retired police officers from returning to work without placing her/his retirement at risk; and
- *Whereas*, retired police officers, returning to work as School Resource Officers, would be employed by the local community's police department and designated as School Resource Officers to the local community's school system; and
- *Whereas*, it is the belief of the New Mexico State School Boards Association that a sufficient workforce of retired police officers would return to work as School Resource Officers if rules were changed to the Public Employees Retirement Association system to allow employment of retired police officers;

**NOW, THEREFORE, BE IT RESOLVED**, the Farmington Municipal Schools Board of Education requests that the New Mexico School Boards Association support legislation to change the retirement rule for retired police officers to return to work as School Resource Officers.

**THEREFORE, BE IT RESOLVED**, the New Mexico State School Boards Association calls upon the New Mexico State Legislature to pass legislation that allows retired police officers to return to work as School Resource Officers without penalty or negative impact to retirement pension or benefits.

**NMSBA Recommendation:**

***Already in Legislative Platform (page 3, column 2) School Police Departments. Further discussion needed regarding specific request of PERA to change the retirement rule for retired police officers to return to work without penalty.***

**PROPOSED RESOLUTION # 17**

Submitted By: Los Alamos Public Schools

**Title: Student and Safety - Allocate funding to implement school safety plans across New Mexico.**

- *Whereas*, the most effective prevention strategy for creating safe school environments requires a comprehensive, coordinated plan that includes schoolwide, districtwide and communitywide strategies and training where all institutions, organizations and individuals accept responsibility for their critical roles and collaborate to establish a positive environment for teaching and learning;

## 2019 LEGISLATIVE RESOLUTIONS

---

- *Whereas*, providing a safe school environment ensures both the physical and emotional safety of students and staff and creates the conditions necessary to foster student and staff well-being and academic achievement;
- *Whereas*, a vibrant, enriching and respectful school culture where all students feel a sense of belonging and connection is essential to school safety;

**NOW, THEREFORE, BE IT RESOLVED** that the New Mexico School Boards Association requests that funding be prioritized for collaborative threat assessment, crisis planning, scenario training and implementation of school safety plans; and

**BE IT FURTHER RESOLVED** that the New Mexico Legislature prioritize the protection of students and school employees by passing legislation that:

- a. Provides extra support for youth and school staff experiencing mental health issues;
- b. Provides funds, above those needed for basic building maintenance and improvement, for capital improvements shown to improve access control and overall safety and security;
- c. Funds public health research on issues related to school safety;
- d. Provides funds to support evidence-based strategies and anti-bias and bystander intervention training to reduce social isolation;
- e. Modifies requirements for drills to align with today's needs for emergency preparation in schools;
- f. Incentivizes students and staff to follow "if you see something, say something;" and
- g. Creates safe, inclusive environments.

**BE IT FURTHER RESOLVED** that the Public Education Department provide assistance for school safety training; and

**BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the Governor of New Mexico, the Secretary of Public Education, the Legislative Education Study Committee, and the Legislative Finance Committee. LAPS School Board:

**NMSBA Recommendation:**

***Already in Legislative Platform (page 3, column 2) School Safety and Security (2018 Priority). No action necessary.***

**OTHER RESOLUTIONS**

**PROPOSED RESOLUTION # 18**

Submitted By: Albuquerque Public Schools

**Title:** Create career and college ready courses and internship programs and pathways for which local districts can customize programs within these structures.

- *Whereas*, far too many New Mexico high school students are graduating without clear paths for their future and all students deserve college readiness and career exploration, and
- *Whereas*, research studies suggest that Career Technical Education (CTE) coursework in high school is associated with earning higher early-career wages; and
- *Whereas*, school districts are uniquely suited to provide internship experiences for future educators and should develop experiences specifically designed to inspire students to pursue careers as teachers in bilingual, multilingual, and multicultural education and special education, and
- *Whereas*, there are gaps in our workforce skills training and education policies that mean our schools may not be preparing our New Mexico students for future high wage jobs and workforce opportunities;
- *Whereas*, the addition of internship experiences for college and career experiences could be an integral part of the high school curriculum, particularly the senior year experience, and would be enhanced by the collaboration of several departments, businesses, and districts;

**THEREFORE, BE IT RESOLVED**, that the Albuquerque Public Schools Board of Education, along with the New Mexico School Boards Association calls upon the New Mexico Legislature to create a coalition of legislators, business people, and educators with a framework for collaboration to seek funding to create career and college ready courses and internship programs and pathways for which local districts can customize programs within these structures; and

**FURTHER, BE IT RESOLVED**, that the coalition and framework will foster a transformational role for relationships between business and school districts to create career and college ready courses and internships aligned to unique New Mexico skills and experiences needed to provide authentic education and internship experiences for New Mexico students that reflect and drive economic development in our state.



**NMSBA Recommendation:**

***Already in Legislative Platform (page 2, column 3) High School Career Pathways (2018 Priority). Recommend adding specific language to platform to support creation of “Internship Programs”.***

**PROPOSED RESOLUTION # 19**

Submitted By: Deming Public Schools

**Title:** Recognition of September as “Attendance Awareness Month” - Reduce chronic absenteeism and ensure an equitable opportunity for children to learn, grow, and thrive.

**RESOLUTION IN RECOGNITION OF SEPTEMBER 2019 AS ATTENDANCE AWARENESS MONTH**

- *Whereas*, good attendance matters for school success and developing the habit of attendance prepares students for success in college and career and in life; and
- *Whereas*, chronic absence, defined as missing 10 percent or more of school for any reason, is a proven predictor of lower reading proficiency and course failure and is also a leading indicator of students dropping out of school; and
- *Whereas*, students who face systemic barriers in getting to school such as unreliable transportation, chronic health issues, poor nutrition, mental health and social emotional problems, and other health issues negatively impacting school attendance are more likely to be chronically absent; and
- *Whereas*, effective strategies for improving attendance include monitoring attendance data, providing positive messaging, and conducting outreach with students, parents, grandparents, guardians, and other family members, and deploying resources that address health and nutrition, safety, transportation, and other issues that may cause a student to repeatedly miss school; and
- *Whereas*, good attendance is essential to student achievement and graduation, and greater attention to mentoring is needed to improve student attendance and reduce chronic absenteeism in New Mexico School Boards Association; and
- *Whereas*, support for coordinated community action will affect thousands of children in New Mexico each year by addressing the underlying causes of local chronic absenteeism:

**NOW, THEREFORE, BE IT RESOLVED**, That the New Mexico School Boards Association encourages school and communities to join together in reducing chronic absenteeism and ensuring an equitable opportunity for children to learn, grow, and thrive,

## 2019 LEGISLATIVE RESOLUTIONS

---

and by doing such does hereby proclaim that September is “Attendance Awareness Month.”

### **NMSBA Recommendation:**

***Not requesting legislative action. No action necessary.***

### **PROPOSED RESOLUTION # 20**

Submitted By: Las Cruces Public Schools

**Title:** Ethnic Studies - Support legislation that would define “ethnic studies” and allow volunteer districts to develop an ethnic studies curriculum and offer the course as an elective and allow the Ethnic Studies class to be used as one of the required social studies credits.

PROVIDING THAT THE LAS CRUCES PUBLIC SCHOOLS BOARD OF EDUCATION SUPPORTS A STATEWIDE EFFORT TO ESTABLISH ETHNIC STUDIES CURRICULA IN VOLUNTEER SCHOOL DISTRICTS.

- *Whereas*, on May 16, 2017, the Las Cruces Public Schools Board of Education adopted a resolution supporting ethnic studies in the Las Cruces Public Schools; and
- *Whereas*, at the request of the Las Cruces Public Schools Board of Education the Superintendent created and convened an Ethnic, Gender, and Women’s Studies Task Force during the 2017-2018 academic year and whose members were representative of the community; and
- *Whereas*, Stanford University researchers found positive effects on attendance rates, graduation rates, and overall increases in grade-point for students enrolled in an ethnic studies curriculum for struggling, at-risk students in San Francisco high schools from 2010 to 2014; and
- *Whereas*, the Las Cruces Public Schools Board of Education requested that the Ethnic, Gender, and Women’s Studies curriculum be designed to engage students and add relevancy for underserved and at-risk students; and
- *Whereas*, Senate Bill 219 was introduced during the First Session of the 2017 Legislative Session that defined ethnic studies and, had it been passed by both Houses, would have required ethnic studies to be taught as an elective in grades nine through twelve; and
- *Whereas*, Senate Joint Memorial 20, introduced during the Second Session of the 2018 Legislature passed the Senate but died in the House of Representatives, requested the establishment of a task force of community, academic, and professional partners to

## 2019 LEGISLATIVE RESOLUTIONS

---

identify the next steps required to develop ethnic studies curricula in volunteer school districts, and

**NOW THEREFORE BE IT RESOLVED** that the Las Cruces Public Schools Board of Education requests that the New Mexico School Boards Association supports ***legislation that would define “ethnic studies” and allow volunteer districts to develop an ethnic studies curriculum and offer the course as an elective and allow the Ethnic Studies class to be used as one of the required social studies credits.***

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the New Mexico School Boards Association; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Chair of the Senate Education Committee and the Chair of the House Education Committee in the New Mexico Legislature, and the Director of the New Mexico Legislative Education Study Committee.

**NMSBA Recommendation:**

***Committee adopted a similar resolution in 2018.***

***Already in Legislative Platform (page 2, column 3) Ethnic Studies (2018 Priority). No action necessary.***

**PROPOSED RESOLUTION # 21**

Submitted By: Las Cruces Public Schools

Title: Eliminate ERB Contributions for retired and return to work substitute teachers, security officers and 1.25 FTE employees - Requests the New Mexico Legislature to reconsider changes required by HB 360 (signed into law in April 2019) regarding required payments to the Educational Retirement Board Fund for short- and long-term substitute teachers, return to work employees who are hired as 0.25 employees, and retired PERA security personnel.

- *Whereas*, according to the 2018 New Mexico Educator Vacancy Report there were 740 unfilled teaching positions in grade levels K-12 across the state late last year. There were also more than 400 vacancies for other educators such as counselors, librarians and educational assistants. Compared to the 2017 school-year, the number of teacher vacancies increased by 55 percent; and
- *Whereas*, According to the New Mexico Accountability Reporting System (EARS) Report, in 2009-2010 there were 1318 total Educator Preparation Programs (EPPs) Completers and in 2017-2018 there were only 843, a 36 percent decrease; and

## 2019 LEGISLATIVE RESOLUTIONS

---

- *Whereas*, the Las Cruces Public Schools Board of Education acknowledges that the New Mexico Legislature established the Return to Work (RTW) in 2001 and amended the act in 2003 and further amended the act in 2019; and
- *Whereas*, the Las Cruces Public Schools Board of Education recognizes that HB 360 (signed into law on April 4, 2019) includes several provisions meant to close loopholes and increase revenue to the Educational Retirement fund. The changes include requiring employee and employer contributions to be made to the fund for retired individuals who return to work under the return to work rule exception, requiring employee contributions from PERA retirees working at an ERB-affiliated employer and requiring contributions from short-term substitute teachers working more than 0.25 FT; and
- *Whereas*, the Las Cruces Public Schools Board of Education cites the 2019 Legislative Education Study Committee bill analysis that notes, “HB360/HAFCS/aSFC would also require substitute teachers who work at least one quarter time (0.25 FTE) become members of ERB and make contributions to the fund beginning in FY21. Current ERB rules require any substitute teacher “engaged to fill a vacant position” join ERB and make contributions to the fund, but substitute teachers engaged on a “day-to-day basis” are not eligible to join ERB. Typically, public schools pay substitutes a daily rate, ranging from \$60 per day to \$115 per day in FY17. Assuming a 180-day school year, a substitute teacher could reach 0.25 FTE by serving 45 days per year”; and
- *Whereas*, the Las Cruces Public Schools Board of Education cites the 2019 Legislative Education Study Committee Bill Analysis which cites, “HB360/HAFCS/aSFC could also make it more difficult for school districts and charter schools to hire retired law enforcement officers, who are typically retired PERA members, for school security positions”; and
- *Whereas*, the Las Cruces Public Schools Board of Education values the service of retired individuals who have worked in various security positions and contributed to the PERA system and have come out of retirement to support our students in the schools as security officers; and
- *Whereas*, the Las Cruces Public Schools Board of Education endorses the power of the RTW program that allows educators who have chosen to retire the option of continuing to offer their skills and experience to New Mexico’s schools, colleges and universities without having to suspend their retirement; and
- *Whereas*, the Las Cruces Public Schools Board of Education recognizes that New Mexico’s teacher shortage will limit districts’ ability to provide a quality education to students if they must hire unqualified individuals to staff classrooms as long-term substitutes.

**NOW, THEREFORE, BE IT RESOLVED** that the Las Cruces Public Schools Board of Education requests that the New Mexico School Boards Association support a legislative platform that requests the New Mexico Legislature to reconsider changes required by HB 360 (signed into law in April 2019) regarding required payments to the Educational

## 2019 LEGISLATIVE RESOLUTIONS

---

Retirement Board Fund for short- and long-term substitute teachers, return to work employees who are hired as 0.25 employees, and retired PERA security personnel.

### **NMSBA Recommendation:**

***Already in Legislative Platform (page 3, column 2) Teacher/Police Officers (2018 Priority). NMSBA supported law changes last year. This resolution asks for additional statute changes to eliminate mandatory contributions required of return to work substitute teachers and security personnel. Recommend approval.***

### **PROPOSED RESOLUTION # 22**

Submitted By: Los Alamos Public Schools

**Title:** Student and Staff Well-being Task Force - Increase understanding about the importance of student and staff well-being.

- *Whereas*, physical and emotional wellness is important to a student's ability to focus on learning and developing healthy relationships for self, others, and the larger community; and
- *Whereas*, staff well-being is essential to providing safe and nurturing learning environments and in developing and retaining quality teachers, leaders, and staff; and
- *Whereas*, a quality education is well-rounded, developmentally appropriate, and includes a variety of opportunities for demonstrating accomplishment.

**NOW, THEREFORE, BE IT RESOLVED** that the New Mexico School Boards Association requests that the Governor and New Mexico Legislature recognize the importance of student and staff well-being by establishing a Well-Being Education Task Force charged with developing a statewide plan, specific recommendations for legislation and school districts, and presentations to the Legislative Education Study Committee and Legislative Finance Committee; and

**BE IT FURTHER RESOLVED** that the Public Education Department modify rules and regulations to facilitate a continuing well-rounded education for students; and

**BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the Governor of New Mexico, the Secretary of Public Education, the Legislative Education Study Committee, and the Legislative Finance Committee.

### **NMSBA Recommendation:**

***Committee adopted a similar resolution in 2018.***

## 2019 LEGISLATIVE RESOLUTIONS

---

*Already in Legislative Platform (page 3, column 2) School Safety and Security (2018 Priority). Recommend adding specific language to the platform that requests creation of a Well-Being Task Force.*

### **PROPOSED RESOLUTION # 23**

Submitted By: Los Alamos Public Schools

Title: Paperwork reduction task force and moratorium on “unfunded mandates”.

- *Whereas*, House Memorial 34 “Education Employee Paperwork Reduction” was passed by the New Mexico House in 2018 requesting the “Public Education Department convene a task force to study the feasibility of a reduction in paperwork required of education employees, modification to New Mexico Administrative Code to reduce the paperwork required of education employees, and a moratorium on unfunded mandated in schools.”
- *Whereas*, increased paperwork continues to result in less time with students and parents; and
- *Whereas*, “unfunded mandates” cause school districts to stretch limited staff resources and cut budgets in other important learning programs; and
- *Whereas*, a quality education includes a variety of opportunities for demonstrating accomplishment for students and education employees.

**NOW, THEREFORE, BE IT RESOLVED** that the New Mexico School Boards Association requests that the Governor and New Mexico Legislature establish a paperwork reduction task force that reports to local School Boards and Legislature in August 2020; and

**BE IT FURTHER RESOLVED** that the Public Education Department modify rules and regulations to reduce paperwork during the 2019-20 school year; and

**BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the Governor of New Mexico, the Secretary of Public Education, the Legislative Education Study Committee, and the Legislative Finance Committee.

### **NMSBA Recommendation:**

***Committee adopted a similar resolution in 2018.  
Already in Legislative Platform (page 3, column 1) Paperwork Reduction.  
No action necessary.***

## 2019 LEGISLATIVE RESOLUTIONS

---

### **PROPOSED RESOLUTION # 24**

Submitted By: Los Alamos Public Schools

Title: Requests PED to expand and make better use of Statewide Short-Cycle Assessments for school report cards, district report card, and teacher evaluations.

- *Whereas*, valid short-cycle assessments provide highly useful information for students, teachers, and parents; and
- *Whereas*, reports from short-cycle assessments provide immediate, clustered by subgroup, detailed information on student strengths and weaknesses, thus allowing teachers to immediately adapt classroom instruction to best meet student goals and help students show growth throughout the year; and
- *Whereas*, the PARCC test results are delayed by many months and do not provide statistically valid information for demonstrating student achievement growth; and
- *Whereas*, information for parents and the public would be improved if data from short-cycle assessments were used for school report cards, the district report card, and teacher evaluations.

**NOW, THEREFORE, BE IT RESOLVED** that the New Mexico School Boards Association requests that the Public Education Department develop a method for counting short-cycle assessment data in school report cards, district report cards, and teacher evaluations; and

**BE IT FURTHER RESOLVED** that the Public Education Department modify rules and regulations to make better use of short-cycle assessments; and

**BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the Governor of New Mexico, the Secretary of Public Education, the Legislative Education Study Committee, and the Legislative Finance Committee.

### **NMSBA Recommendation:**

***Committee adopted a similar resolution in 2018.  
Already in Legislative Platform (page 3, column 2) Short Cycle Assessments.  
No action necessary.***

### **PROPOSED RESOLUTION # 25**

Submitted By: Santa Fe Public Schools

Title: Anti-Underage Student Vaping - Requests legislation to allocate funds for school and community education to address the vaping epidemic; ban the sale of tobacco

## 2019 LEGISLATIVE RESOLUTIONS

---

products, e-cigarettes or nicotine liquid containers to persons under age 21; limit vaping stores to be no closer than 300 feet from schools; and ban advertising and promotion of e-cigarettes that are accessible to youths.

- *Whereas*, in 2017, it was reported that exposure to marketing of tobacco products increases the likelihood of youth use; and
- *Whereas*, beyond avoiding misleading claims there currently are no marketing restrictions on e-cigarettes; and
- *Whereas*, previous studies have found an increase in e-cigarette ads that youths are exposed to, with appeals hyping e-cigarettes’ “coolness, modernity, association with social status, romance, and celebrities”; and
- *Whereas*, according to the American Cancer Society retail stores are the biggest source of e-cigarette advertising to youths; and
- *Whereas*, in 2018, the FDA issued warnings to 22 New Mexico businesses and fined one business for selling e-cigarettes to minors; and
- *Whereas*, in New Mexico 24.7 percent of high school students used e-cigarettes on at least one day in the past 30 days, as compared to 13.2 percent nationally; and
- *Whereas*, according to U.S. Senator Tom Udall 51.5 percent of teens in New Mexico have used e-cigarettes, as compared to a national average of 42.2 percent; and
- *Whereas*, efforts to curb e-cigarette use among teens have not succeeded given that the Center for Disease Control and Prevention survey data showed an astounding 78 percent increase in e-cigarette use among high school students in 2018; and
- *Whereas*, e-cigarette sales topped \$2.5 billion nation-wide in 2014, providing an incentive to reach new markets; and
- *Whereas*, efforts to curb e-cigarette use among teens include the following:
  - Since May 2016, U.S. Food and Drug Administration (FDA) regulations have prevented minors from buying e-cigarettes in stores or online; and
  - The minimum age of sale for tobacco products in New Mexico is 18 and tobacco establishments are required to post signs stating that sales to minors are prohibited; and
  - In New Mexico, any retail seller of tobacco products, e-cigarettes or nicotine liquid containers must prominently display a warning sign that reads, “A person less than 18 years of age who purchases a tobacco product, an e-cigarette or a nicotine liquid container is subject to a fine of up to \$100. A person who sells a tobacco product, an e-cigarette or a nicotine liquid container to a person less than 18 years of age is subject to a fine of up to \$1,000”; and



## 2019 LEGISLATIVE RESOLUTIONS

---

- In New Mexico, self-service displays of e-cigarettes and nicotine liquid are prohibited and vending machine sales of e-cigarettes and nicotine liquid containers are restricted to locations inaccessible to minors; and
  - In March 2019, the FDA released new guidelines for public comment that would ban the sale of flavored e-cigarettes, excluding menthol and mint flavors, in stores that do not have areas prohibiting teens under the age of 18, like convenience stores and gas stations, and new age-verification standards for online stores selling e-cigarettes; and
  - In November 2018, Juul, described as the most popular e-cigarette brand sold to teens, suspended the sale of most of its flavored pods in brick-and-mortar stores, but continued selling these products online. In April 2019, Matthew Myers, the president of the Campaign for Tobacco-Free Kids, said that “Juul is building an army of lawyers and influencers to prevent meaningful regulation across the country”; and
- *Whereas*, according to the American Academy of Pediatrics (AAP), “the dramatic rise of teens who use electronic cigarettes threatens to unravel five decades of public health gains regarding tobacco use, as evidence shows these teens are significantly more likely to move on to traditional cigarettes”; and
- *Whereas*, e-cigarette advertising is not included in Federal Trade Commission regulations and provisions in the Master Settlement Agreement prohibiting most tobacco advertising in television, radio, billboard and transit ads; and
- *Whereas*, in January 2019, the AAP renewed its call for immediate federal intervention to restrict the marketing and sales of e-cigarettes to youths, saying that nicotine is highly addictive and that the earlier that someone uses nicotine products in childhood, the more difficult it is to quit later; and
- *Whereas*, the AAP stated that nicotine can have lasting damaging effects on adolescent brain development and is linked to other adverse health outcomes, especially for a developing fetus; and
- *Whereas*, a 2016 report from the National Institute on Drug Abuse for Teens found that “more than half of teens think e-cigs are flavoring alone. More than 13 percent of teens said they didn’t know what the ingredients were. And only 13.2 percent knew there was nicotine in e-cigs”; and
- *Whereas*, the 2009 Family Smoking Prevention and Tobacco Control Act expands the ability of state and local government to regulate tobacco product advertising (without violating the First Amendment of the U.S. Constitution, state law and the Federal Cigarette Labeling and Advertising Act\*(see footnote 19)); and
- *Whereas*, New Mexico’s 89 public school districts represent more than 321,000 students; and
- *Whereas*, in 2019, the state, under the leadership of Governor Michelle Lujan Grisham, is committed to “level the playing field”; and

## 2019 LEGISLATIVE RESOLUTIONS

---

- *Whereas*, public school teachers and principals across the state and nation have reported interruptions to student learning due to e-cigarette use, and worse; and
- *Whereas*, six high school students in New Mexico were hospitalized on one day in January 2019 after vaping “marijuana wax”; and
- *Whereas*, as an example of the scope of this problem, administrators in Connecticut reported 2,160 incidents in which students were caught vaping or with vaping paraphernalia in violation of school policies in the 2017-18 school year, up from 349; and
- *Whereas*, some schools across the nation have addressed vaping by taking extreme measures such as removing bathroom stall doors, placing monitors outside of restrooms to check students in and out or installing humidity detectors that sound alarms when detecting vapor clouds; and
- *Whereas*, the solution to vaping rests with legislative action in addition to responses like restorative justice and teen court; and
- *Whereas*, in California, a pilot program seeks to teach teens about vaping dangers and how to resist peer pressure that experts say contributes to students’ vaping; and
- *Whereas*, Bonnie Halpern-Felsher, founder and executive director of the Stanford Tobacco Prevention Toolkit, said that a focus on marketing is also needed, “so that the young people are aware of the ads that are being used to target them”; and
- *Whereas*, tobacco companies focus marketing on “point-of-sale” promotions, including price promotions and discounts; and
- *Whereas*, New Mexico school boards are strong advocates for children; and
- *Whereas*, through the collective voice and actions of New Mexico School Boards they can vigorously stem and reverse the escalating epidemic of e-cigarette use by students;

**NOW THEREFORE, BE IT RESOLVED** that the Santa Fe Public Schools Board of Education requests that the New Mexico School Boards Association and other school districts join in urging the 2020 legislature to:

- A. Pass legislation, like HB 259 of 2019, banning the sale of tobacco products, e-cigarettes or nicotine liquid containers to persons under age 21, which is consistent with the Liquor Control Act that defines “minor” as a person under 21 years of age; and
- B. Pass legislation that equates vaping with alcohol in terms of law enforcement, including limiting vaping stores to be no closer than 300 feet from schools and prohibiting a parent, legal guardian or adult spouse of a minor from providing e-cigarettes to a minor; and
- C. Ban advertising and promotion of e-cigarettes that are accessible to youths; and

## 2019 LEGISLATIVE RESOLUTIONS

---

- D. Allocate funds for school and community education to address the vaping epidemic;
- E. Incorporate e-cigarettes into current tobacco-free laws and ordinances where children and adolescents live, learn, play, work and visit.

**NMSBA Recommendation:**

***Addresses a very serious problem affecting all school districts.***

***Recommend including in platform.***