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**Lawsuit Filed Challenging Sufficiency of State Public Education**

**The New Mexico Center on Law and Poverty (NMCLP), a non-profit law firm, and the Rosebrough Law Firm, in Gallup, are representing New Mexican parents and students in a legal challenge to the sufficiency and equity of our state public education system. Filing suit in state district court, the families assert that state government has failed to provide a uniform system of schools sufficient for the education of all the children of school age in the state, as required by the state constitution. This failure is evident, the suit claims, in the poor academic performance of New Mexican students and the disparity in their performance across racial, class and ethnic demographics.**

**Pointing to the fact that New Mexico students rank at the very bottom of the country in educational achievement and have the lowest likelihood of success of all children in the country, Bob Rosebrough of the Rosebrough Law Firm stated, “As a state, we must dramatically increase the resources we devote to educating at risk students. There is nothing more important. Our actions on this one issue will ultimately define our future.”**

**Gail Evans, Legal Director at the Law Center, stated “New Mexican children are not less capable of learning than children in other states, but students graduate from New Mexico’s high schools unable to compete effectively in the workforce. This directly threatens their future economic security and creates significant costs for the state as a whole.” She added, “Continued failure of the state to meet its constitutional obligation to our children is no longer an option.”**

**The complaint asserts that the poor and disparate performance of New Mexico’s children is connected to a lack of opportunities at schools. Schools are not given the resources they need to help children succeed, as they are in many other states. Numerous studies, legislative task forces and committees, and educational experts have pointed to the insufficiency of funding for public education in New Mexico. A 2008 report of the American Institute for Research revealed that operational expenses were underfunded statewide by approximately \$350 million, or 15%. Since then, the budget for public education has actually decreased to lower levels. Additionally, a recent state legislative report concluded that New Mexico and Mississippi direct less incremental funding to serving at-risk students than all other states, despite the large percentages of at-risk students in our states. Both New Mexico and Mississippi consistently rank in the bottom in comparative studies of student outcomes.**

**The plaintiffs are demanding that the State provide more funding for public school operations, and that changes be made to the public school funding formula to provide greater equity in per-pupil spending for at risk students.**

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