

The New Mexico Constitution places the responsibility of establishing and maintaining public schools on the New Mexico Legislature and directs the establishment of a Public Education Department and Public Education Commission with powers and duties as provided by law. The Department shall be a cabinet department headed by the Secretary of Public Education who shall have administrative and regulatory powers and duties, including all functions relating to the distribution of school funds and financial accounting for the public schools to be performed as provided by law. It is further provided that school districts under the general supervision of the Secretary of Public Education shall be maintained, developed, and operated by locally elected boards. A school district is a political subdivision of the State for the administration of public schools and derives authority from the New Mexico Constitution, New Mexico statutes, and the rules of the Secretary of Public Education.

LEGAL REF.: New Mexico Constitution Article XII
22-1-2 NMSA
22-5-4 NMSA