

Bond Case Briefs

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SCHOOLS - NEW MEXICO

Moses v. Skandera

Court of Appeals of New Mexico - October 27, 2014 - P.3d - 2014 WL 5454834

Action was brought against State of New Mexico Public Education Department, challenging constitutionality of provisions of Instructional Material law (IML), providing for the purchase and distribution of instructional material to private schools. The District Court entered summary judgment in favor of State. Plaintiffs appealed.

The Court of Appeals held that:

- IML did not violate state constitutional provision prohibiting the use of state funds for the support of sectarian, denominational, and private schools;
- IML did not violate state constitutional Anti-Donation Clause;
- IML did not violate state constitutional provision prohibiting appropriations for educational purposes to any institution not under the absolute control of the state; and
- IML did not violate federal or state constitutional provisions prohibiting the support of any religious sect or denomination.