

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 351

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

INTRODUCED BY

Antonio "Moe" Maestas

AN ACT

RELATING TO CHARTER SCHOOLS; CREATING THE BILINGUAL CHARTER SCHOOL ACT; PROVIDING FOR BILINGUAL CHARTER SCHOOLS THAT SPECIALIZE IN BILINGUAL EDUCATION; PROVIDING ENROLLMENT PROCEDURES THAT SUPPORT THE ESTABLISHMENT OF A BILINGUAL STUDENT BODY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] SHORT TITLE.--This act may be cited as the "Bilingual Charter School Act"."

SECTION 2. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] PURPOSE.--The purpose of the Bilingual Charter School Act is to encourage the use of innovative

underscored material = new  
~~[bracketed material] = delete~~

underscoring material = new  
~~[bracketed material] = delete~~

1 teaching methods inherent in charter schools in bilingual  
2 education by providing for bilingual charter schools and  
3 allowing enrollment procedures that ensure to the greatest  
4 extent possible a bilingual student body."

5 SECTION 3. A new section of the Public School Code is  
6 enacted to read:

7 "[NEW MATERIAL] DEFINITIONS.--As used in the Bilingual  
8 Charter School Act:

9 A. "bilingual charter school" means a public school  
10 specializing in bilingual education developed by one or more  
11 parents, teachers or community members authorized by the  
12 commission to become a charter school pursuant to the Charter  
13 Schools Act;

14 B. "governing body" means the governing structure  
15 of a bilingual charter school as set forth in the school's  
16 charter; and

17 C. "language" includes American sign language."

18 SECTION 4. A new section of the Public School Code is  
19 enacted to read:

20 "[NEW MATERIAL] BILINGUAL CHARTER SCHOOL.--

21 A. The commission may charter a school as a  
22 state-chartered charter school that has as its mission and  
23 specializes in the education of an integrated student body that  
24 contains as closely as possible one-half students whose first  
25 or primary language is English and one-half students whose

.196345.3

underscored material = new  
[bracketed material] = delete

1 first or primary language is a language other than English.

2 B. The bilingual charter school and the governing  
3 body are subject to all provisions of the Charter School Act  
4 except Section 22-8B-4.1 NMSA 1978. The school shall be  
5 supported by state funds in the same manner as other charter  
6 schools authorized by the commission."

7 SECTION 5. A new section of the Public School Code is  
8 enacted to read:

9 "[NEW MATERIAL] BILINGUAL CHARTER SCHOOL ENROLLMENT  
10 PROCEDURES.--

11 A. A bilingual charter school shall divide the  
12 number of spaces available at the school as evenly as possible  
13 into two groups, one group whose first or primary language is  
14 English and another group whose first or primary language, as  
15 provided in the charter, is a language other than English. For  
16 each group separately, the school may either enroll students on  
17 a first-come, first-served basis or through a lottery selection  
18 process if the total number of applicants for each group  
19 exceeds the number of spaces available in that group at the  
20 school.

21 B. In subsequent years of its operation, a  
22 bilingual charter school shall give enrollment preference to:

23 (1) students who have been admitted to the  
24 school and remain in attendance through subsequent grades; and

25 (2) siblings of students already admitted to

.196345.3

1 or attending the school."

2 SECTION 6. A new section of the Public School Code is  
3 enacted to read:

4 "[NEW MATERIAL] APPLICABILITY.--The provisions of  
5 Section 5 of the Bilingual Charter School Act apply to a  
6 charter school that has been created prior to the effective  
7 date of that act and that has as the primary purpose of its  
8 charter bilingual education of its student body."

9 - 4 -

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

underscoring material = new  
~~[bracketed material]~~ = delete