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FISCAL IMPACT REPORT

ORIGINAL DATE 2/6/06

SPONSOR Lopez LAST UPDATED _____ HB _____

SHORT TITLE Educational Tech Funds to Private Schools SB 743

ANALYST Aguilar

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	None		

(Parenthesis () Indicate Expenditure Decreases) See Fiscal Implications

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY06	FY07	FY08	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		Minimal				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Bill 743 provides for accredited private schools to receive distributions from the state educational technology fund, and changes enabling legislation creating the Council on Technology in Education to add membership representing private schools.

FISCAL IMPLICATIONS

Provisions contained in the bill require the Public Education Department, among other responsibilities, to assess and determine the educational technology needs of a district or private school and to develop a statewide plan for the integration of technology in schools, both public and pri-

vate.

The Public Education Department notes that assuring equitable access to educational technology for all students is a primary goal of the Technology in Education Act. Funding is provided by formula to districts on a per-pupil basis, and these calculations are prepared in the year prior to award. Consequently funds that will be distributed in FY 2007 were based on a school population count that did not include membership in accredited private schools. Additional funds would be needed to provide the approximately \$16/per student that the Education Technology Fund provides. Not doing so would reduce the funding for all districts, until and unless the additional membership created by implementing this bill is accounted for when the amounts of appropriation are decided.

SIGNIFICANT ISSUES

The bill requires the Public Education Department to annually fix a means of distributing state Educational Technology Fund monies to private schools. Such a distribution of funds to a private school may be inconsistent with Article IV, Section 31 of the New Mexico Constitution, which prohibits a direct educational appropriation to any person, corporation, association, institution or community not under the direct control of the state and further may be in conflict with anti-donation provisions in the constitution. Additionally, Article XII, Section 3 of the New Mexico Constitution would be implicated because it prohibits the use of public money for the support “of any sectarian, denominational or private school...”

TECHNICAL ISSUES

With full-day kindergarten now in effect in most districts, the Legislature may wish to consider the following:

On Page 8 Strike Lines 3 and 4 and insert thereof,

“kindergarten membership shall be calculated on a one-half fulltime-equivalent basis for half-day Kindergarten and fulltime-equivalent basis for full-day kindergarten programs.”

PA/mt