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SENATE BILL 1126

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Phil A. Griego

AN ACT

RELATING TO PUBLIC EDUCATION; ENACTING A NEW SECTION OF THE
PUBLIC SCHOOL CODE TO PROVIDE FOR CONDITIONS OF PUBLIC SCHOOL
CLOSURE.

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 PUBLIC SCHOOL CLOSURE-- CONDITIONS. --

A. A public school, excluding charter schools,
recommended or under consideration for closure shall be
evaluated by a school district's local school board and school
administration for both quantitative strengths and weaknesses
and qualitative characteristics prior to closure. A local
school board may close a school within a two-year period if
six of the following criteria are met:

underscored material = new
[bracketed material] = delete

1 (1) the school has an enrollment, on the
2 eightieth enrollment day of the most recent school year, of
3 less than seventy-five percent of the school's maximum student
4 capacity published by the school district's administration,
5 excluding portable classrooms;

6 (2) the percentage of students living within
7 a school's attendance area who are enrolled in that school on
8 the eightieth day, determined by dividing the number of
9 students living within a school area attending their assigned
10 school divided by the total number of students living within
11 the school zone, is less than seventy percent;

12 (3) the school has been identified as
13 restructuring 2 under the department's school improvement
14 system;

15 (4) the school facility is considered
16 functionally obsolete;

17 (5) more than ten years have elapsed since
18 the last facility upgrade or remodel in excess of five hundred
19 thousand dollars (\$500,000);

20 (6) the current facility is out of conformity
21 to building or safety codes;

22 (7) the current facility needs upgrades or
23 remodeling that exceeds five hundred thousand dollars
24 (\$500,000) in cost; and

25 (8) there has been a cumulative drop of

1 twenty-five percent or more in the enrollment of pre-school
2 and school-age children during the prior three-year period.

3 B. If a public school meets six of the
4 criteria for closure pursuant to this section, the school's
5 principal, teachers, students, parents and neighborhood shall
6 be formally notified of the school's eligibility for closure,
7 the school shall be placed on probation and shall have the
8 following two academic school years to improve its standing in
9 any of the criteria identifying the school for possible
10 closure. If after two academic years, the school no longer
11 meets six of the eight criteria, it shall not be considered
12 for closure."