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FISCAL IMPACT REPORT

ORIGINAL DATE 2/8/2007

SPONSOR Boitano LAST UPDATED _____ HB _____

SHORT TITLE School Class Size Waivers SB 558

ANALYST Schuss

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with HB 500

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)
 Department of Finance and Administration (DFA)
 Attorney General's Office (AGO)

SUMMARY

Synopsis of Bill

Senate Bill 558 would amend NMSA 22-10A-20 to provide an additional procedure for waiving class size limitations in a school district enrolling over 35,000 students. The bill provides that the school district may waive its class size requirements by no more than 15 percent, if approved by the principal, the affected teacher, and at least 75 percent of the parents of students in the class. The bill provides that reorganizing to accommodate extra students cannot be educationally detrimental to the students.

FISCAL IMPLICATIONS

PED notes that there would be no apparent fiscal impact from class size waivers.

DFA states that granting a waiver could assist with lower building costs and according to the PED Capital Outlay Department the cost of adding a portable classroom to a school campus is approximately \$180,000.

SIGNIFICANT ISSUES

Waivers are applied for annually and a waiver shall not be granted for more than two consecutive years.

Currently, the only school district in New Mexico with more than 35,000 students is Albuquerque Public School District (APS).

DFA states that the data collection department of PED reported that for school year 2005/2006 the statewide average class size for elementary schools was 14.5, middle school was 14.9, and high school was 16.2.

PED notes that the bill allows additional students in a class if the additional students are not educationally detrimental to the students. The phrase “educationally detrimental to the students” is not defined and may create a conflict between the department and districts.

According to AGO, current law limits class sizes in public schools. NMSA Section 22-10A-20. That section also provides for a waiver of those restrictions by the Secretary of Public Education. This bill would provide an additional waiver procedure in the Albuquerque Public School system.

CONFLICT

SB 558 conflicts with HB 500 which also amends NMSA Section 22-10A-20.

OTHER SUBSTANTIVE ISSUES

DFA has included the following in their analysis:

Organizations such as the National Assessment on Education Progress, the Economic Policy Institute, the Educational Testing Service and the American Institute of Research indicate that included among the benefits derived from lower class size are: higher teacher morale, improved academic achievement, fewer retentions, improved student behavior, early identification of learning disabilities, improved classroom atmosphere, more individualized attention, flexibility of the teacher to use differentiated instruction, and closing the achievement gap between ethnic groups.

BS/nt