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HOUSE BILL 387

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

JUDY VANDERSTAR RUSSELL

AN ACT

RELATING TO PUBLIC SCHOOLS; CREATING THE CHARTER SCHOOL
DISTRICT ACT.

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

Section 1. SHORT TITLE. -- Sections 1 through 7 of this
act may be cited as the "Charter School District Act".

Section 2. PURPOSE. -- The purpose of the Charter School
District Act is to enable individual local school districts to
modify the organization and operation of their schools to meet
the unique needs of their student population and to adapt to
the challenges and opportunities presented by the communities
they serve.

Section 3. CHARTER SCHOOL DISTRICTS AUTHORIZED. -- Any
local school district shall become a charter school district
upon certification by the state board of education.

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1 Section 4. CHARTER SCHOOL DISTRICTS CREATED. --

2 A. The local school board of a school district
3 wishing to become a charter school district shall apply to the
4 state board of education for certification as a charter school
5 district.

6 B. The state board of education shall certify the
7 existence of a charter school district upon application from
8 the local school board, and a finding that:

9 (1) not less than sixty-five percent of the
10 principals of the schools in the local school district have
11 signed a petition in support of that district becoming a
12 charter school district;

13 (2) representatives of the community and of
14 parents of students in the local school district have had
15 substantial involvement in the development of the charter
16 school district proposal; and

17 (3) the local school district proposing to
18 become a charter school district has submitted to the state
19 board a plan of operation as a charter school district,
20 highlighting the proposed changes the district plans to make
21 as a charter school district.

22 Section 5. CHARTER SCHOOL DISTRICTS--COMPLIANCE WITH
23 PUBLIC SCHOOL CODE. --A charter school district shall comply
24 with the provisions of the Public School Code; provided,
25 however, that the state board of education shall grant waivers

. 121673. 2

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1 of provisions of the Public School Code to a charter school
2 district upon submission by the local school board of a waiver
3 request accompanied by a statement of the reasons for the
4 waiver. Waivers may be requested for the purpose of providing
5 flexibility in elements of local school district operation,
6 including but not limited to hiring and staffing, class size,
7 class structure, curriculum and budget.

8 Section 6. STATE BOARD OF EDUCATION RULES. --The state
9 board of education shall adopt and publish rules to provide
10 for the implementation of the Charter School District Act.

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 February 4, 1998
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9 Mr. Speaker:
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11 Your RULES AND ORDER OF BUSINESS COMMITTEE, to
12 whom has been referred
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15 HOUSE BILL 387
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17 has had it under consideration and finds same to be GERMANE
18 in accordance with constitutional provisions.
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21 Respectfully submitted,
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R. David Pederson, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Gubbels, Hobbs, Lujan, Rodella, Ryan, Sanchez

Absent: None

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