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SENATE BILL 163

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

INTRODUCED BY

RICHARD M. ROMERO

AN ACT

RELATING TO EDUCATION; CHANGING THE REQUIREMENTS OF A CHARTER SCHOOL.

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

Section 1. A new section of the Charter Schools Act is enacted to read:

"[NEW MATERIAL] CHARTER SCHOOLS. -- Local school boards shall not be liable for the actions of a charter school. A charter school shall not be required to follow the written policy of the school district in which it is located."

Section 2. A new Section 2-5-3.1 NMSA 1978 is enacted to read:

"2-5-3.1 [NEW MATERIAL] ADDITIONAL DUTIES. -- The legislative finance committee shall receive applications from charter school applicants and make recommendations to the

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1 state department of public education on the application. "

2 Section 3. A new Section 2-10-3.1 NMSA 1978 is enacted
3 to read:

4 "2-10-3.1 [NEW MATERIAL] ADDITIONAL DUTIES. -- The
5 legislative education study committee shall receive
6 applications from charter school applicants and make
7 recommendations to the state department of public education on
8 the application. "

9 Section 4. Section 22-8-15 NMSA 1978 (being Laws 1967,
10 Chapter 16, Section 70, as amended by Laws 1993, Chapter 224,
11 Section 3 and also by Laws 1993, Chapter 227, Section 10) is
12 amended to read:

13 "22-8-15. ALLOCATION LIMITATION. --

14 A. The department shall determine the allocations
15 to each school district from each of the distributions of the
16 public school fund, subject to the limits established by law.

17 B. The local school board in each [~~local~~] school
18 district with authorized charter schools shall allocate the
19 appropriate distributions of the public school fund to
20 individual charter schools pursuant to each charter school's
21 school-based budget approved by the local school board and the
22 department. The local school board may retain an amount not
23 to exceed the school district's [~~administrative cost relevant~~
24 ~~to that~~] actual cost incurred by the charter school.

25 C. The local school board in each [~~local~~] school

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1 district with authorized charter schools shall establish an
2 individual charter school account to receive public school
3 fund disbursements for each charter school."

4 Section 5. Section 22-8A-5 NMSA 1978 (being Laws 1993,
5 Chapter 227, Section 5) is amended to read:

6 "22-8A-5. CHARTER SCHOOLS CREATED. --

7 A. Individual schools wishing to become charter
8 schools shall apply through [~~their local school board~~] the
9 legislative education study committee and the legislative
10 finance committee to the state board for authorization to
11 become charter schools. In transmitting the application to
12 the state board, the [~~local school board~~] legislative
13 education study committee and the legislative finance
14 committee may include a recommendation regarding the
15 establishment of that charter school.

16 B. The state board may authorize the existence of
17 a charter school upon a finding that:

18 (1) not less than sixty-five percent of the
19 teachers in the school have signed a petition in support of
20 that school becoming a charter school;

21 (2) parents of children in the proposed
22 charter school have had substantial involvement in the
23 development of the charter school proposal and support the
24 establishment of the charter school;

25 (3) the school proposing to become a charter

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1 school has submitted to the state board a comprehensive plan
2 for implementing alternative education curricula at the
3 school; and

4 (4) the school proposing to become a charter
5 school shall provide a detailed proposed budget to meet
6 anticipated educational and administrative costs of the
7 charter school. "

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 February 7, 1998
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8 Mr. President:
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10 Your COMMITTEES' COMMITTEE, to whom has been referred
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12 SENATE BILL 163
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14 has had it under consideration and finds same to be GERMANE,
15 pursuant to Senate Executive Message No. 1, and thence referred to
16 the EDUCATION COMMITTEE.
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19 Respectfully submitted,
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Manny M. Aragon, Chairman

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

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1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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6 February 11, 1998

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8 Mr. President:

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10 Your EDUCATION COMMITTEE, to whom has been referred

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12 SENATE BILL 163

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14 has had it under consideration and reports same with recommendation
15 that it DO PASS, and further recommends that it now be referred to
16 the JUDICIARY COMMITTEE, thence to the FINANCE COMMITTEE.

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19 Respectfully submitted,

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24 Cynthia Nava, Chairman
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1 Adopted _____ Not Adopted _____

2 (Chief Clerk) (Chief Clerk)

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6 Date _____

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9 The roll call vote was 6 For 1 Against

10 Yes: 6

11 No: Rawson

12 Excused: Duran, Garcia, Gorham

13 Absent: None

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