

Policy and Statute/Administrative Rule Considerations
State-Chartered Charter Schools and Public School Transportation

Policy Consideration <i>(Guiding Questions)</i>	Statute	Administrative Code
Should state-chartered charter schools be eligible for school transportation funding?	If the subcommittee considers eliminating school transportation funding for state-chartered charter schools, multiple sections of the <i>Charter School Act</i> and the <i>Public School Finance Act</i> would need to be amended.	None.
<p>PED staff provided testimony that transportation programs at state-chartered charter schools were receiving revenues in excess of their expenditures.</p> <p>Should transportation funds provided for state-chartered charter schools reflect actual expenditures?</p> <p>Should state-chartered charter school students be limited to transportation through school bus or per capita feeder like locally chartered charter schools? (refer to last column)</p>	<p>22-8B-9. Charter school contract; contents; rules. The subcommittee may wish to amend these provisions to require disclosure of any services for transportation.</p> <p>22-8-26. Transportation distribution. and 22-8-29. Transportation distributions; reports; payments. The subcommittee may wish to amend these provisions to change the distribution for state-charter schools to reflect actual costs.</p>	<p>6.43.4.8 LOCAL SCHOOL DISTRICT AND CHARTER SCHOOL RESPONSIBILITIES: A. Charter schools shall negotiate to-and-from transportation services for eligible students by means of a school bus or a per capita feeder agreement only. The charter school may elect not to provide transportation services.</p>
<p>Should state-chartered charter schools be required to include student transportation services (and not solely in the application)?</p> <p>Should state-chartered charter schools be required to give advance notice to PED of the intent to seek transportation funding for a locally chartered charter school?</p>	<p>The subcommittee may wish to amend the provisions in 22-8B-9. Charter school contract; contents; rules.</p> <p>The subcommittee may wish to amend the provisions in 22-8-29. Transportation distributions; reports; payments.</p>	
What are the requirements for state-chartered charter school to engage in per capita feeder arrangements?	With regard to per capita feeders, the subcommittee may wish to amend 22-16-6. Reimbursement of parents or guardians. to add “governing body of a charter school.”	6.43.2.15 NMAC 1978 creates requirements for local school districts and charter schools for per capita feeder agreements. It does

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		not make a distinction between locally chartered and state-chartered charter schools.
Should there be geographic boundary limits for state-chartered charter school transportation services?	<p>22-1-4.E.2 Free public schools; exceptions; withdrawing and enrolling; open enrollment. The subcommittee may wish to amend this section to require state-chartered charter schools to be subject to the provisions for walk zones.</p> <p>22-16-4. School bus routes; limitations; exceptions; minimum requirements. The subcommittee may wish to amend this section to require bus route limitations.</p> <p>22-8B-4. Charter schools’ rights and responsibilities; operation. The subcommittee may wish to add to require state-chartered charter schools to establish a limit for student transportation to and from the charter school site not to extend beyond the school district boundary. Creates, as part of the negotiation process, a limit of the school district boundary for locally chartered charter schools.</p>	None. Rules governing walk zones and bus route limitations are the purview of local school boards. There is no language for state-chartered charter schools.