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FISCAL IMPACT REPORT

SPONSOR Stewart DATE TYPED 3-10-05 HM 52

SHORT TITLE Study Certain 2005 Session Education Bills SB _____

ANALYST Segura

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY05	FY06			

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

SUMMARY

Synopsis of Bill

House Memorial 52 requests the Legislative Education Study Committee (LESC) to study the issues related to House Bill 914 and House Bill 937, including their substitutes, and report their findings and recommendations to the Legislature by January 1, 2006.

Significant Issues

According to PED, the study is proposed to address the perceived conflict of views as to whether the local superintendent or local school board is ultimately responsible for making all final district decisions as to hiring, terminating, discharging and disciplining school employees.

PERFORMANCE IMPLICATIONS

PED indicates that House Bill 914 will support the departments' performance with regard to the implementation of education reform initiatives.

FISCAL IMPLICATIONS

House Memorial 52 does not contain an appropriation.

ADMINISTRATIVE IMPLICATIONS

PED would participate in the study if requested by the LESC.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to House Bill 914 and House Bill 937.

TECHNICAL ISSUES

According to PED, there is confusion within charter schools as to who terminates/discharges a teacher: Is it the governing council or is it the head master? Must the charter school comply with all of the administrative procedures in the School Personnel Act or can they just adopt their own procedures in a teachers-administrators manual? The Charter School Act states in Section 22-8B-10(A), "The provisions of the School Personnel Act [Chapter 22, Article 10A NMSA 1978] shall otherwise apply to such employees."

RS/lg