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SENATE BILL 204

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Richard M. Romero

AN ACT

RELATING TO PUBLIC EDUCATION; AMENDING THE 1999 CHARTER  
SCHOOLS ACT TO PROVIDE FOR A RENEWAL TERM OF FIFTEEN YEARS.

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

Section 1. Section 22-8B-12 NMSA 1978 (being Laws 1999,  
Chapter 281, Section 12) is amended to read:

"22-8B-12. CHARTER SCHOOLS--TERM-RENEWAL OF CHARTER--  
GROUNDS FOR NONRENEWAL OR REVOCATION.--

A. A charter school may be approved for an initial  
term of five years. A charter may be renewed for successive  
periods of [~~five~~] fifteen years each. Approvals of less than  
[~~five~~] fifteen years can be agreed to between the charter  
school and the local school board.

B. No later than January 1 of the year prior to  
the year in which the charter expires, the governing body of a

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1 charter school may submit a renewal application to the local  
2 school board. The local school board shall rule in a public  
3 hearing on the renewal application no later than March 1 of  
4 the year in which the charter expires, or on a mutually agreed  
5 date.

6 C. A charter school renewal application submitted  
7 to the local school board shall contain:

8 (1) a report on the progress of the charter  
9 school in achieving the goals, objectives, student performance  
10 standards, state board minimum educational standards and other  
11 terms of the initial approved charter application, including  
12 the accountability requirements set forth in Section 22-1-6  
13 NMSA 1978;

14 (2) a financial statement that discloses the  
15 costs of administration, instruction and other spending  
16 categories for the charter school that is understandable to  
17 the general public, that will allow comparison of costs to  
18 other schools or comparable organizations and that is in a  
19 format required by the state board;

20 (3) contents of the charter application set  
21 forth in Section [~~8 of the 1999 Charter Schools Act~~] 22-8B-8  
22 NMSA 1978;

23 (4) a petition in support of the charter  
24 school renewing its charter status signed by not less than  
25 sixty-five percent of the employees in the charter school; and

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1 (5) a petition in support of the charter  
2 school renewing its charter status signed by a majority of the  
3 households whose children are enrolled in the charter school.

4 D. A charter may be revoked or not renewed by the  
5 local school board if the board determines that the charter  
6 school did any of the following:

7 (1) committed a material violation of any of  
8 the conditions, standards or procedures set forth in the  
9 charter;

10 (2) failed to meet or make substantial  
11 progress toward achievement of the state board minimum  
12 educational standards or student performance standards  
13 identified in the charter application;

14 (3) failed to meet generally accepted  
15 standards of fiscal management; or

16 (4) violated any provision of law from which  
17 the charter school was not specifically exempted.

18 E. If a local school board revokes or does not  
19 renew a charter, the local school board shall state in writing  
20 its reasons for the revocation or nonrenewal.

21 F. A decision to revoke or not to renew a charter  
22 may be appealed by the governing body of the charter school  
23 pursuant to Section [7 of the 1999 Charter Schools Act]  
24 22-8B-7 NMSA 1978. "