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SENATE MEMORIAL 90

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

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A MEMORIAL

REQUESTING THAT THE LEGISLATIVE EDUCATION STUDY COMMITTEE,
TOGETHER WITH THE LEGISLATIVE FINANCE COMMITTEE, ESTABLISH A
STUDY GROUP TO EXAMINE COSTS ASSOCIATED WITH THE OPERATION OF
"VIRTUAL SCHOOLS" IN NEW MEXICO AND MAKE RECOMMENDATIONS TO THE
LEGISLATURE AND THE EXECUTIVE REGARDING FUNDING FORMULA
ADJUSTMENTS TO ACCOUNT MORE CLOSELY FOR VIRTUAL SCHOOLS'
OPERATING COSTS.

WHEREAS, when the Charter Schools Act was enacted in 1999,
the legislature could not have foreseen the extent to which
technology would advance and charter schools would evolve into
fully online, or "virtual", schools as well as multi-district,
online virtual schools; and

WHEREAS, virtual education takes many forms and serves
many purposes; and

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1 WHEREAS, virtual education formats, for example, can
2 include full-time, online kindergarten through twelfth grade
3 schools as well as single courses that allow students to
4 explore a subject not available in the student's brick-and-
5 mortar school; and

6 WHEREAS, some students use virtual education to make up
7 credits for a required course they failed; and

8 WHEREAS, some virtual education programs require students
9 and teachers to be online at the same time, others allow
10 students and teachers to visit online courses at their own
11 convenience and others combine online work with traditional,
12 in-person classroom instruction; and

13 WHEREAS, virtual education providers include public
14 entities, nonprofit organizations and for-profit organizations;
15 and

16 WHEREAS, in fiscal year 2014, online virtual schools
17 operated in thirty states, serving more than three hundred
18 fifteen thousand students, according to the Evergreen
19 educational group; and

20 WHEREAS, academic performance on state writing and
21 mathematics assessments in virtual schools is lower than state
22 averages in traditional, brick-and-mortar schools; and

23 WHEREAS, because online virtual schools do not require
24 overhead expenses, a number of states fund online schools at
25 thirty percent to fifty percent less than brick-and-mortar

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1 schools; and

2 WHEREAS, currently, New Mexico has two online virtual
3 schools operating: the New Mexico connections academy, a
4 state-chartered charter school in Santa Fe that is owned by a
5 for-profit organization; and a locally chartered charter school
6 in the Farmington municipal school district that uses a
7 curriculum from a for-profit organization; and

8 WHEREAS, currently, both of these online, virtual schools
9 are being funded through the same formula that students in
10 brick-and-mortar schools are funded; and

11 WHEREAS, by utilizing the growth factor, one of the online
12 virtual charter schools was able to increase its per student
13 funding from five thousand six hundred ninety-two dollars
14 (\$5,692) in fiscal year 2014 to eleven thousand thirty-nine
15 dollars (\$11,039) in fiscal year 2015; and

16 WHEREAS, a 2016 report conducted by the legislative
17 finance committee recommended that the legislature authorize a
18 review of online education issues and recommend requirements
19 for funding levels and student achievement levels;

20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
21 OF NEW MEXICO that the legislative education study committee,
22 together with the legislative finance committee, be requested
23 to establish a work group with membership from both the
24 legislative and executive branches, together with school
25 district representatives and representatives of stakeholder

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1 groups, to study funding and quality control issues with
2 virtual online schools and make recommendations to the
3 legislature and the governor before the 2017 legislative
4 session; and

5 BE IT FURTHER RESOLVED that copies of this memorial be
6 transmitted to the respective directors of the legislative
7 education study committee and the legislative finance
8 committee, the secretary of public education and leadership of
9 the New Mexico education partners group.