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FISCAL IMPACT REPORT

SPONSOR: Townsend DATE TYPED: 02/09/01 HB 16/aHEC

SHORT TITLE: Student Enrollment or Re-enrollment Denial SB _____

ANALYST: Gilbert

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
		Indeterminate -See Narrative			

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files
New Mexico State Department of Education (SDE)

SUMMARY

Synopsis of HEC Amendment

House Bill 16 requires local school boards to adopt and promulgate rules governing enrollment and re-enrollment at public schools other than charter schools within the school district. Such rules must include a definition of areas designated as walk zones. The House Education Committee amendment to HB16 modifies this definition as follows:

(2) for each public school, definition of the boundaries of areas outside the school district **or private school** boundary or within the school district **or private school** but outside the public school's attendance area and within a distance of the public school that would not be served by a school bus route as determined pursuant to Section 22-16-4 NMSA 1978 if enrolled, which areas shall be designated as "walk zones";

No other changes were made to HB16.

Synopsis of Original Bill

House Bill 16 pertains to public schools and defines conditions under which local school boards may deny enrollment or re-enrollment of students.

Significant Issues

The bill amends Section 22-1-4, NMSA 1978, to make the following changes:

- Local school boards must adopt rules pertaining to grounds for denial of enrollment or re-enrollment at schools within their school district
- A formal hearing and appeals process must be implemented by local school boards to address enrollment or re-enrollment denials. The bill does not mandate that enrollment or re-enrollment be denied.
- HB16 bill limits the grounds for denial of enrollment or re-enrollment to: (a) a student's expulsion from any school district in this state or any other state during the preceding twelve months; or (b) a student's behavior in another school district in this state or any other state during the preceding twelve months that is detrimental to the welfare or safety of other students or school personnel.

FISCAL IMPLICATIONS

Since this bill requires local school boards to draft and adopt new rules, along with establishing a formal appeal process regarding denial of enrollments and re-enrollments, an indeterminate fiscal impact on local school districts may result in the form of administrative costs associated with conducting and documenting appeals.

OTHER SUBSTANTIVE ISSUES

According to the SDE, State Board of Education Regulation 6.11.2 NMAC, currently provides extensive procedural due process requirements that must be followed by local school boards prior to students being suspended or expelled.

LG/prr