HOUSE JOINT MEMORIAL 33

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Jim Trujillo

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

A JOINT MEMORIAL

REQUESTING THE LEGISLATIVE EDUCATION STUDY COMMITTEE TO CONDUCT A STUDY OF CHARTER SCHOOLS.

WHEREAS, the 1999 Charter Schools Act was enacted by the legislature five years ago; and

WHEREAS, charter schools are public schools that are required to meet the same academic and fiscal accountability standards required of all other public schools; and

WHEREAS, the 1999 Charter Schools Act requires that no more than fifteen start-up charter schools and five conversion charter schools be approved in any one year for five consecutive years, making possible a total of one hundred approved charter schools in any five-year period; and

WHEREAS, the limit on the number of charter schools is not based on any data regarding the fiscal or programmatic . 150046.1

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impact of charter schools on the viability of local school districts individually or the state as a whole; and

WHEREAS, thirty-four charter schools are in operation now, eight more are scheduled to open in summer or fall 2004 and three more are scheduled to open in summer or fall 2005; and

WHEREAS, the thirty-four operating charter schools have a combined enrollment of approximately six thousand one hundred students, and the eleven schools scheduled to open anticipate a combined enrollment of three thousand students; and

WHEREAS. the enrollment in individual charter schools ranges from twenty-one students to five hundred eighteen students; and

WHEREAS, charter schools are funded operationally under the same funding formula as public schools; and

WHEREAS, the New Mexico public school funding formula is one of the most equitable in the United States; and

WHEREAS, notwithstanding the equity of the formula, funding for New Mexico public schools has been limited and under great stress in the past several years; and

WHEREAS, host school districts are not required to provide capital outlay funding for charter schools with proceeds from the sale of general obligation bonds; and

WHEREAS, charter school operators that lease facilities have reported difficulties paying for leases out of their operational funding sources; and

WHEREAS, questions and concerns have arisen about the size and limit of the number of schools established within a school district and the fiscal and programmatic viability of both charter schools and their host school districts, as well as school districts throughout the state;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the legislative education study committee be requested to study the fiscal and programmatic impact of the establishment of charter schools on the state as a whole, as well as the number and enrollment size of charter schools that should be established in individual school districts so that districts may continue to serve students in a fiscally and programmatically prudent manner; and

BE IT FURTHER RESOLVED that the legislative education study committee report its findings and recommendations to the first session of the forty-seventh legislature; and

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the legislative education study committee.

- 3 -