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FISCAL IMPACT REPORT

ORIGINAL DATE 02/14/13

SPONSOR Lundstrom LAST UPDATED _____ HM 43

SHORT TITLE Navajo Nation Bistate Charter School Study SB _____

ANALYST Leger

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		\$0-1.0	\$0-0.1	\$1.1	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Indian Affairs Department (IAD)

Public Education Department (PED)

SUMMARY

Synopsis of Bill

House Memorial 43 requests the Indian Education Division of the Public Education Department (IED-PED) and the Indian Affairs Department to study the feasibility of a bistate charter school in the Red Lake Chapter of the Navajo Nation.

FISCAL IMPLICATIONS

There is a small fiscal impact that may be absorbed by the state agencies overseeing the feasibility study; this could include per diem if travel is required or supplies and materials needed to produce a final reports.

SIGNIFICANT ISSUES

Alfred Barney, president of Red Lake chapter of the Navajo Nation, presented a letter of intent to the interim Legislative Indian affairs committee to establish a charter school within the chapter. The school would be a joint project between New Mexico and Arizona because the chapter lies on the border of both states and its community members.

IAD reports, the proposed charter school would be one of the first charter school established on the Navajo Nation. The proposed school would:

- Provide educational services to the local community;
- Increase the number of children who stay within the community because many of the communities students drop out of high school;
- Provide vocational programs, with emphasis on animal sciences and agriculture as it related to the community; and
- Provide educational opportunities that relate to real-life skills with input from Navajo community members which is critical to the success and meeting the needs of Navajo students living in both New Mexico and Arizona.

IAD notes there has been a moratorium on new charter schools but once the moratorium ends, the establishment of a charter school in the Red Lake chapter deserves support.

A report of findings and recommendations should be presented to the governor, the Legislative education study committee and other appropriate interim Legislative committees by December 2013.

ADMINISTRATIVE IMPLICATIONS

According to PED, the charter school bureau maintains and monitors policy and procedures in establishing charter schools and will need to be included as part of any conversations between PED-IED and IAD.

OTHER SUBSTANTIVE ISSUES

IAD provided the following:

It is imperative to also partner with the Charter School Division within the Public Education Department. The Charter Schools Division supports and advances vibrant and innovative public schools of choice which are models of educational excellence and which cultivate a passion for learning and respect for the teaching profession. They envision their work as cultivating communities of passionate learners and teachers who inspire educational excellence for all. This Division has the expertise and knowledge to provide guidance regarding how to structure the feasibility study and the questions to ask.

It is important to note that sometimes students that live in Utah cross over into Arizona to go to school. Since the proposed charter school would border both the New Mexico and Arizona state lines clarification of charter schools laws is needed as to how servicing students from both states might be affected. It is also important to clarify the funding especially Impact Aid funding and how paying for servicing students from Arizona and possibly Utah would affect the schools overall funding.

The memorial does not identify the structure of the work group. It is important to include parents, community members, students, and educators from the Red Lake Chapter area along with staff from the Indian Education Division – PED and staff from the Indian Affairs Department.

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Currently in New Mexico there are two district-authorized Native American charter schools and one state-authorized Native American charter school.

PED provided the following:

The bill also supports PED's implementation of the Indian Education Act. A) to ensure equitable and culturally relevant environments, educational opportunities and culturally relevant instruction materials for American Indian Students enrolled in public schools; C) provide for the study, development and implementation of education systems that positively affect the educational success of American Indian students; D) ensure that the department of education partners with tribes to increase tribal involvement and control over school and the education of students located in tribal communities; and E) encourage cooperation among the educational leadership of Arizona, Utah, New Mexico and the Navajo Nation to address the unique issues of educating students in Navajo communities that arise due to the location of the Navajo Nation in those states.

JLL/blm