

HOUSE BILL 449

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

W. Ken Martinez

AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING CHARTER SCHOOLS TO SUBMIT ANNUAL FISCAL PERFORMANCE REPORTS TO THE PUBLIC EDUCATION DEPARTMENT AND THE CHARTERING AUTHORITY; DECLARING AN EMERGENCY.

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

SECTION 1. A new section of the Charter Schools Act is enacted to read:

"[NEW MATERIAL] CHARTER SCHOOLS' ANNUAL FISCAL PERFORMANCE REPORTS--UNIFORM STATEMENT OF REVENUE AND EXPENSES.--

A. No later than August 1 of each year, each charter school shall submit to the department and to the charter school's chartering authority an annual fiscal performance report for the preceding school year. The annual fiscal performance report shall contain, at a minimum, the

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1 following disaggregated information:

- 2 (1) revenues from state sources;
- 3 (2) revenues from federal sources;
- 4 (3) revenues received from school districts as
5 state aid attributable to students with disabilities;
- 6 (4) revenues received from school districts as
7 federal aid attributable to students with disabilities;
- 8 (5) revenues from contributions from
9 individuals or corporations;
- 10 (6) all other revenues;
- 11 (7) salaries, exclusive of benefits, reported
12 by specific activity;
- 13 (8) employee benefits;
- 14 (9) other expenses for specific activities,
15 exclusive of salaries, employee benefits, debt service,
16 operation and maintenance, capital expenditures or expenditures
17 for school lunch, reported by specific activity;
- 18 (10) debt service, meaning any expenditure for
19 principal and interest on long-term and short-term obligations
20 issued by or on behalf of the charter school;
- 21 (11) school lunch money;
- 22 (12) capital outlay expenditures related to
23 construction projects associated with the charter school;
- 24 (13) a statement of any and all tax credits of
25 which the charter availed itself;

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1 (14) a statement of the value of any in-kind
2 services and supports from a school district or other public
3 agency to the charter school, including coverage of charter
4 school employees by a state retirement system; and

5 (15) salaries and other expenses for specific
6 activities, reported by:

7 (a) general administration, including
8 administrative and management services provided by other
9 persons on behalf of the charter school for which the charter
10 school pays a fee or other compensation;

11 (b) instructional supervision;

12 (c) all other instruction, including
13 teaching of regular students, school library and audiovisual
14 services, educational television, computer-assisted instruction
15 and other modes of instruction;

16 (d) student services, including the
17 functions of an attendance office, a guidance office, student
18 health services, student psychological services, social work
19 services, co-curricular activities and interscholastic
20 athletics;

21 (e) services for students with
22 disabilities;

23 (f) marketing and recruiting activities;

24 (g) student transportation services;

25 (h) community services; and

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(i) operation and maintenance.

B. The annual fiscal performance report shall include a copy of the charter school's lease, rental agreement or deed.

C. The department shall develop a template for the annual fiscal performance report.

D. The annual fiscal performance report shall be made publicly available."

SECTION 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.