

1 SENATE BILL 518

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Jacob R. Candelaria

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10 AN ACT

11 RELATING TO EDUCATION; AMENDING THE PUBLIC SCHOOL CODE TO
12 AFFIRM NONDISCRIMINATORY ENROLLMENT POLICIES FOR CHARTER
13 SCHOOLS; DECLARING AN EMERGENCY.

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

16 SECTION 1. Section 22-8B-4.1 NMSA 1978 (being Laws 2000,
17 Chapter 82, Section 3) is amended to read:

18 "22-8B-4.1. CHARTER SCHOOLS' ENROLLMENT PROCEDURES.--

19 A. Start-up schools and conversion schools are
20 subject to the following enrollment procedures:

21 (1) a start-up school may either enroll
22 students on a first-come, first-served basis or through a
23 lottery selection process if the total number of applicants
24 exceeds the number of spaces available at the start-up school;
25 and

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1 (2) a conversion school shall give enrollment
2 preference to students who are enrolled in the public school at
3 the time it is converted into a charter school and to siblings
4 of students admitted to or attending the charter school. The
5 conversion school may either enroll all other students on a
6 first-come, first-served basis or through a lottery selection
7 process if the total number of applicants exceeds the number of
8 spaces available at the conversion school.

9 B. In subsequent years of its operation, a charter
10 school shall give enrollment preference to:

11 (1) students who have been admitted to the
12 charter school through an appropriate admission process and
13 remain in attendance through subsequent grades; and

14 (2) siblings of students already admitted to
15 or attending the same charter school.

16 C. No charter school shall discriminate in its
17 enrollment policies on any basis that would be illegal if
18 practiced by a public school or school district, including the
19 administration of tests to potential applicants, the results of
20 which determine acceptance for enrollment; requiring attendance
21 at informational meetings or interviews by applicants or their
22 parents as a condition of acceptance for enrollment; and
23 participation by parents as volunteers in the school as a
24 condition of acceptance for enrollment.

25 D. Any lottery selection process used for admission

1 shall be administered by the commission. Any waiting list for
2 admission to a charter school shall be centrally administered
3 by the commission."

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

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