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FISCAL IMPACT REPORT

ORIGINAL DATE 2/25/15

SPONSOR Candelaria LAST UPDATED _____ HB _____

SHORT TITLE Charter School Enrollment Policies SB 518

ANALYST Chavez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Bill 518 amends the Charter School Code (Section 22-8B NMSA 1978) by adding a provision which states no charter school can discriminate in its enrollment policies “on any basis that would be illegal if practiced by a public school or school district.” This includes restrictions on policies that would require the administration of tests to potential applicants, requiring attendance at informational meetings, or participation of parents as conditions of acceptance for enrollment.

The bill also states that any lottery process for enrollment at a charter school should be administered by the Public Education Commission (PEC).

FISCAL IMPLICATIONS

This bill does not contain an appropriation and has no fiscal impact.

PED analysis notes that PEC may not have the administrative resources to oversee lottery selection of charter schools as required in the bill. As PEC is administratively attached to PED and provides the commission with technical and staff support, PED would have to take on this responsibility. PED notes that this may take significant staff time.

SIGNIFICANT ISSUES

PED analysis notes SB 518 amends statute to include that no charter school shall discriminate in its enrollment policies on any basis that would be illegal if practices by a public school or district school. This change is immaterial because charter schools are public schools.

PED notes pursuant to Section 22-15F-6 NMSA 1978, New Mexico School for the Arts (NMSA) has established that their admissions criteria shall be designed to admit students who show exceptional promise or aptitude in the arts and a strong desire to pursue a career in the arts. New Mexico School for the Arts admits students annually through an application/audition process that begins in August and closes the following January. PED notes that is unclear whether SB518 would take priority over NMSA 22-15F-6. However, Section 22-15F-4(B) NMSA 1978 exempts NMSA from the section of law amended by this bill (Section 22-8B-4.1 NMSA 1978).

PED analysis appears to disagree with the requirement in the bill that a school not discriminate in its enrollment policies on any basis including parent involvement by stating school choice provides an alternative to a neighborhood school and that encouraging parental involvement is a proven benefit for success.

ADMINISTRATIVE IMPLICATIONS

PED, rather than PEC, would have to administer lottery selection for acceptance for charter schools. PED notes this would take significant staff time.

TECHNICAL ISSUES

PEC is charged with administering all lotteries for charter schools; however, The PEC does not have any other authority over locally-authorized charter schools. It may be more appropriate for school districts to administer lotteries for locally-chartered charter schools.

KC/je