

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 2/18/17

SPONSOR SFC LAST UPDATED _____ HB _____

SHORT TITLE School District Flexibility SB 140/SFCS

ANALYST Romero

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		
Unknown/Indeterminate	Unknown/Indeterminate		Qualifying Districts
Unknown/Indeterminate	Unknown/Indeterminate		Qualifying Schools

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Committee Substitute

SFC Substitute for Senate Bill 140 provides flexibility to schools that have received a school district grade of A or B for two consecutive years. This bill requires the Public Education Department (PED) waive the following, currently allowed for charter schools:

1. the length of the school day requirement as provided in Section 22-2-8.1 NMSA 1978;
2. the individual class load, teaching load and staffing pattern requirements as provided in Section 22-10A-20 NMSA 1978; and
3. the subject area requirement as provided in Section 22-13-1 NMSA 1978.

Additionally, the bill adds to the list of waived requirements in the Public School code:

4. [driver education, as provided in Section 66-10-5 NMSA 1978].

This bill also requires, for school districts that receive a grade of A or B for its school district report card for two consecutive years, PED waive the requirement that the school district purchase instructional material from the department-approved multiple list requirement as provided in Section 22-15-8 NMSA 1978.

The bill authorizes PED to waive, upon receiving a request, the graduation requirement as provided in Section 22-13-1.1, evaluation standards for school personnel, and other requirements of the Public School Code that impede innovation, extending this waiver to school districts as

well as individual schools.

These requirements are waived until a school district or school that is not a charter school receives a grade of C, D, or F for two consecutive years.

Additionally, reference to the “No Child Left Behind” Act is struck and replaced with “Every Student Succeeds” Act.

FISCAL IMPLICATIONS

The bill does not have a direct fiscal impact, however, it is possible school districts qualifying for the waiver will see savings provided by budget flexibility under the provision.

SIGNIFICANT ISSUES

Based on the immediate past two school year district grade reports, 13 school districts would qualify for the waiver provision. Those school districts include:

1. Reserve Public Schools
2. Texico Municipal Schools
3. Grady Municipal Schools
4. Fort Sumner Municipal Schools
5. Roy Municipal Schools
6. Animas Public Schools
7. Corona Municipal Schools
8. Los Alamos Public Schools
9. Cloudcroft Municipal Schools
10. Dora Municipal Schools
11. Farmington Municipal Schools
12. Rio Rancho Public Schools
13. Des Moines Municipal Schools

TECHNICAL ISSUES

A potential ambiguity exists by the use of “school” on page 1 line 24. According to the Public School Code “school” means, “a supervised program of instruction designed to educate a student in a particular place, manner and subject area.” Amending the bill on page 1, line 24, to after “that” insert “is not a charter school and that”. This change allows for consistent language.

IR/sb

District Grades
School Grading 2016

School Grading

		Letter Grade		
School District	2014	2015	2016	
1	Albuquerque Public Schools	C	D	D
2	Reserve Public Schools	C	A	B
3	Quemado Independent Schools	C	C	B
4	Roswell Independent Schools	C	D	C
5	Hagerman Municipal Schools	C	C	C
6	Dexter Consolidated Schools	C	C	D
7	Lake Arthur Municipal Schools	D	D	C
8	Cimarron Municipal Schools	B	C	C
9	Raton Public Schools	C	C	C
10	Springer Municipal Schools	C	D	C
11	Maxwell Municipal Schools	D	D	C
12	Clovis Municipal Schools	C	B	C
13	Texico Municipal Schools	B	A	A
14	Melrose Public Schools	A	D	B
15	Grady Municipal Schools	A	A	A
16	Fort Sumner Municipal Schools	B	A	B
17	Las Cruces Public Schools	C	D	C
18	Hatch Valley Public Schools	D	C	C
19	Gadsden Independent Schools	B	D	C
20	Carlsbad Municipal Schools	C	C	C
21	Loving Municipal Schools	C	C	C
22	Artesia Public Schools	B	C	B
23	Silver Consolidated Schools	B	D	C
24	Cobre Consolidated Schools	C	C	D
25	Santa Rosa Consolidated Schools	C	D	C
26	Vaughn Municipal Schools	D	D	C
27	Roy Municipal Schools	B	B	B
28	Mosquero Municipal Schools	C	B	C
29	Lordsburg Municipal Schools	C	C	C
30	Animas Public Schools	B	A	A
31	Lovington Municipal Schools	C	D	C
32	Eunice Municipal Schools	D	D	C
33	Hobbs Municipal Schools	C	D	C
34	Jal Public Schools	D	B	D
35	Tatum Municipal Schools	B	C	C
36	Ruidoso Municipal Schools	C	C	B
37	Carrizozo Municipal Schools	D	C	C
38	Corona Municipal Schools	B	A	A
39	Hondo Valley Public Schools	C	C	C

40	Capitan Municipal Schools	B	D	B
41	Los Alamos Public Schools	A	A	B
42	Deming Public Schools	C	D	D
43	Gallup McKinley County Schools	D	C	C
44	Mora Independent Schools	C	C	D
45	Wagon Mound Public Schools	C	B	C
46	Alamogordo Public Schools	B	C	C
47	Tularosa Municipal Schools	D	D	C
48	Cloudcroft Municipal Schools	B	B	A
49	Tucumcari Public Schools	C	D	C
50	House Municipal Schools	C	D	C
51	Logan Municipal Schools	B	C	C
52	San Jon Municipal Schools	D	C	B
53	Chama Valley Independent Schools	C	C	C
54	Dulce Independent Schools	D	C	F
55	Espanola Public Schools	C	D	D
56	Jemez Mountain Public Schools	D	C	C
57	Portales Municipal Schools	C	C	B
58	Elida Municipal Schools	A	C	B
59	Floyd Municipal Schools	C	C	B
60	Dora Municipal Schools	B	A	A
61	Bernalillo Public Schools	C	D	D
62	Cuba Independent Schools	C	D	C
63	Jemez Valley Public Schools	D	C	D
64	Aztec Municipal Schools	C	B	C
65	Farmington Municipal Schools	C	B	B
66	Bloomfield Schools	D	D	D
67	Central Consolidated Schools	C	D	C
68	West Las Vegas Public Schools	C	D	D
69	Las Vegas City Public Schools	C	D	C
70	Pecos Independent Schools	C	D	C
71	Santa Fe Public Schools	C	C	D
72	Pojoaque Valley Public Schools	C	D	C
73	T or C Municipal Schools	C	C	C
74	Socorro Consolidated Schools	D	D	D
75	Magdalena Municipal Schools	D	D	D
76	Taos Municipal Schools	C	B	D
77	Penasco Independent Schools	C	D	D
78	Mesa Vista Consolidated Schools	C	C	D
79	Questa Independent Schools	C	C	C
80	Estancia Municipal Schools	D	B	C
81	Moriarty Municipal Schools	C	C	C
82	Mountainair Public Schools	D	C	C
83	Rio Rancho Public Schools	B	B	B

84	Clayton Municipal Schools	B	C	B
85	Des Moines Municipal Schools	A	A	B
86	Los Lunas Public Schools	C	D	B
87	Belen Consolidated Schools	D	C	C
88	Grants Cibola County Schools	C	C	C
89	Zuni Public Schools	D	B	D