

LESC bill analyses are available on the New Mexico Legislature website (www.nmlegis.gov). Bill analyses are prepared by LESC staff for standing education committees of the New Mexico Legislature. LESC does not assume any responsibility for the accuracy of these reports if they are used for other purposes.

LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
54th Legislature, 1st Session, 2019

Bill Number	<u>HB181</u>	Sponsor	<u>Trujillo, L.</u>
Tracking Number	<u>.211994.2</u>	Committee Referrals	<u>HLLC/HEC</u>
Short Title	<u>Conversion Charter School Student Preference</u>		
Analyst	<u>Stiles</u>	Original Date	<u>1/25/19</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of Bill

House Bill 181 (HB181) changes the Charter School Act. Conversion charter schools must show preference to students who reside within the boundaries of the attendance area for a public school that is converted to a charter school, in addition to the admission preferences already in the charter school code.

FISCAL IMPACT

HB181 does not contain an appropriation.

SUBSTANTIVE ISSUES

HB181 would amend Section 22-8B-2 NMSA 1978 to remove a definition of “enrollment preference” in the Charter School Act. HB181 would amend Section 22-8B-4.1 NMSA 1978 to differentiate enrollment preferences between start-up charter schools and conversion charter schools. Both start-up and conversion charter schools would show preference to existing students so they may stay in attendance in subsequent years and to siblings of existing students, but conversion charter schools would also be required to show preference to students who reside within the boundaries of the attendance area for the public school that existed at the time of conversion.

Currently, conversion schools are required to give enrollment preference to students who are enrolled in the public school at the time it is converted into a charter school and to the siblings of students who attend a charter school. HB181 would ensure students who are within the boundaries of a once existing public school that is converted to a charter school have preference to attend a school that is close to their home. The New Mexico Attorney General (AG) notes that the admission preferences are not weighted, so it is unclear how a conversion school would handle admissions if the number of new applicants residing in the attendance boundaries exceed the spaces available for existing students or siblings of existing students.

ADMINISTRATIVE IMPLICATIONS

If HB181 is enacted, conversion charter school administrators may need to alter their admission process.

ALTERNATIVES

The AG analysis notes that rather than making amendments to two sections of the Charter School Act, it would be possible to insert “or by virtue of their current residence would have been” in the first line of Section 22-8B4.1(A)(2) so that it reads “a conversion school shall give enrollment preference to students who are, *or by virtue of their current residence would have been*, enrolled in the public school at the time it is converted into a charter school and to the siblings of students admitted to or attending the charter school.”

SOURCES OF INFORMATION

- LESC Files
- New Mexico Attorney General (AG)

AMS/mc