

LFC Requester:	Sunny Liu
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**AGENCY BILL ANALYSIS
2018 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply: Date 2/6/2018
Original **Amendment** **Bill No:** SB196
Correction **Substitute**

Sponsor: Sen. Mimi Stewart **Agency Code:** 924
Rep. George Dodge, Jr.
Short Title: SCHOOL CODE DEFINITION **Person Writing** Matthew Montano
CHANGES **Phone:** 505-827-6045 **Email** Matthew.montano@state.nm.us

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY18	FY19		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY18	FY19	FY20		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: SB196 changes the definition of a “School-Age Person”, in addition to making technical changes.

FISCAL IMPLICATIONS

After the 18-19 school year the public education system would not enroll any students that had reached their twenty-second birthday by the first day of the school year. This would disproportionately impact funding for the following seven schools, which together serve over 90% of New Mexico’s students who are 22 and over: Gordon Bernell Charter, New America School – Las Cruces, ABQ Charter Academy, New America School, Logan High, ACE Leadership High School, and Robert F. Kennedy Charter. These seven schools combined serve 610 adult students.

SIGNIFICANT ISSUES

SB196 proposes changes the definition of a “School-Age Person”. Under SB196 the PED would no longer offer free public education to persons who have reached their twenty-second birthday on the first day of the school year (section 1.Q page 4).

New Mexico Public Education Department serves a small number of adult students (students who reached their twenty-second birthday by the first day of the school year). In SY 2017-2018 678 adult students were enrolled, which is consistent with recent years (in SY 2015-2016, 673 adult persons were enrolled and in SY2016-2017, 654 adult persons were enrolled). In SY 2017-2018, 38 schools had at least one student who was 22 or older.

SB196 applies this same age limit across all categories of students, regardless of special education classification.

PERFORMANCE IMPLICATIONS

The PED currently serves over 600 adult students, who may have different performance patterns, outcomes, and support needs than younger students.

ADMINISTRATIVE IMPLICATIONS

None Noted

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None Noted

TECHNICAL ISSUES

None Noted

OTHER SUBSTANTIVE ISSUES

The grandfathering clause in Section 4.D (page 14) seems appropriate to ensure continued support for adult students currently enrolled.

ALTERNATIVES

None Noted

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Students over the age of 21 will continue to be able to enroll in schools within the public education system.

AMENDMENTS

None Noted