

LFC Requester:	Sunny Liu
-----------------------	------------------

**AGENCY BILL ANALYSIS
2021 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:
Original **Amendment** _____
Correction _____ **Substitute** _____

Date 1/26/2021
Bill No: SB51

Sponsor: Siah Correa Hemphill
CHARTER SCHOOL
Short Title: ENROLLMENT PREFERENCE

Agency Name and Code PED-924
Number: _____

Person Writing John Sena
Phone: 505-570-7816 **Email** John.Sena@state.nm.us

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY21	FY22		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY21	FY22	FY23		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY21	FY22	FY23	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Senate Bill 51 (SB51) would allow a charter school to give enrollment preference to children of employees employed by the charter school, beginning in the 2021-2022 school year.

FISCAL IMPLICATIONS

SB51 does not contain an appropriation.

SIGNIFICANT ISSUES

Charter school enrollment procedures allow charter schools to give enrollment preference to students who have been admitted to the charter school through an appropriate admission process and remain in attendance through subsequent grades and to siblings of students already admitted to or attending the same charter school.

SB51 would add another category of students receiving preference. It is unclear how many charter school employees have children who are unable to attend because of current requirements. It is also unclear how many schools have waiting lists that could be impacted by a change. While giving preference to charter school employees would benefit those families, it is possible other students would be negatively impacted by the proposal.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

Charter governing boards would have to adopt new enrollment policies and make adjustments to current wait lists.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

Per Section 22-8B-4.1 NMSA 1978, new charter schools – referred to in statute as “start-up schools” – may enroll students on a first-come, first-served basis or through a lottery selection process if the total number of applicants exceeds the number of spaces available at the start-up school. Conversion schools – or public schools that became charter schools prior to July 2007 – are required to give enrollment preference to students enrolled in the public school at the time it is converted into a charter school and to siblings of students admitting to or attending the charter school. Conversion schools may enroll all other students on a first-come, first-served basis or through a lottery selection process if the total number of applicants exceeds the number of spaces available at the conversion school. In subsequent years of its operation, a charter school is required to give enrollment preference to students who have been admitted to the charter school through an appropriate admission process and remain in attendance through subsequent grades and to siblings of students already admitted to or attending the same charter school.

There are 52 state-authorized charter schools in the state. According 2020-2021 40-day data, the total student enrollment for state-authorized charter schools was 16,324. There are 44 locally-authorized charter schools in the state – 30 of which are in Albuquerque. According to 2020-2021 data, the total student enrollment for locally-authorized charter schools was approximately 11,000.

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

N/A

AMENDMENTS

N/A