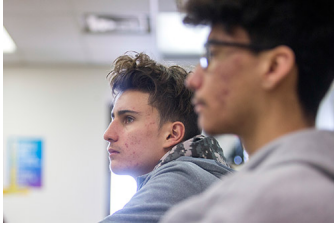


## Charter schools face uncertain future under Senate Bill 1

Written by By Cody Begaye Sun Correspondent  
Friday, 15 February 2019 10:20

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### Gallup Middle College weighs in on proposed legislation

The fate of future enrollment in charter schools across New Mexico looks bleak if Senate Bill 1 passes and becomes law.

But for now, the bill is in its infancy and can die before it even reaches the governor's desk.

SB 1 was introduced during the first session of the 54th New Mexico Legislature Jan. 16 by Senators Mimi Stewart, Gay G. Kernan, and William P. Soules.

The Education Committee recommended that the bill pass Jan. 28, albeit with some amendments. As of Feb. 7, the revised bill is pending approval from the Senate Finance Committee.

The bill's intention is to make changes to the public school funding formula; change the

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definition of school-age persons; and require performance-based budgeting, among other aspects.

However, the most prominent feature of SB 1 is that it would limit adjustments to school sizes and the funding that goes with it, and place a statewide limit or cap on enrollment in charter schools if the bill passes as it stands.

Sen. George Munoz, D-Gallup, who is on the Senate Finance Committee, said that he will wait for the final version of SB 1 before deciding whether he will vote on it.

Dr. Robert Hunter, CEO of Middle College High School, spoke with the *Sun* Feb. 5 about the updates to SB 1.

Hunter said SB 1 was amended after Jan. 25 to take out the language that would have put a cap on charter school enrollment. At the time of the discussion, there were around 26,500 students enrolled in charter schools across New Mexico. The bill would have limited total statewide enrollment to 27,000 students.

“[The charter cap] got removed because of very strong opposition across the board,” Hunter said in a phone call. “Families felt they should have a choice where their students go to school.”

According to Hunter, there were people at the legislative session who spoke out passionately against SB 1 saying that charter schools are providing a better service than traditional schools, and they have a better track record of success with at-risk students.

“Given the results that charter schools give, they should not be limited,” he said.

Hunter said Feb. 7 that the Public Education Commission voted unanimously to put the Middle College under the state charter next school year, after years of affiliation with Gallup-McKinley County Schools.

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Meanwhile, the second aspect of SB 1 that generated intense discussion involves funding. Hunter said that this language is still present in the bill, but constituents are vocal about wanting it removed.

To understand the impact that this language could have, Hunter said that it is important to know how state schools receive their funding.

Each student generates a certain dollar amount value. School districts such as GMCS can increase student enrollment to receive more money because they do not have an enrollment cap.

Charter schools have their own enrollment caps in place, however. And they do not have access to the same funding streams that larger districts have, such as federal grants. This is what defines a charter school, according to Hunter.

School districts can hire employees for services such as food and transportation, whereas charter schools are required to contract for these services.

To offset this difference, charter schools receive more state funding than school districts do. But there is still a sizable difference in school funding, Hunter said.

“Charter schools were receiving half of all money going into education,” he said. “What really mattered to us in charter schools was to do a comparison [of statewide funding].”

The question that Hunter said he and others wanted to know was, on average, how much money does a charter school student receive in comparison to a non-charter school student.

According to Hunter, charter school students get an average of \$2,600 less per student than a

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traditional school student receives across the state.

According to previous interview with the *Sun*, GMCS Superintendent Mike Hyatt, said that MCHS receives around \$12,500 per student while other GMCS schools receive \$7,500 per student.

Because of this difference, charter schools are designed to have smaller enrollment numbers.

And it's something that Munoz doesn't necessarily support.

"The [enrollment] cap will come off the schools this year and the small school subsidies are going to be dropped," Munoz said in a Feb. 6 phone call. "They need to be dropped because I don't think any kid is worth more than another."

But it would not just be individual schools affected by SB 1 in its original state, Hunter said. School districts with enrollment fewer than 400 students would have been affected, as well, which GMCS falls under.

"It cuts their budgets, and some schools wouldn't be able to operate," Hunter said. "You can't take a hit that big and continue functioning."

Hyatt said Jan. 31 that he hopes the bill would control some of the issues that charter schools have experienced over the past several years. He added that the district will wait and see what happens with the legislation before taking any action.

While charter schools do receive more state funding per student, there have been a variety of problems that cause them to stumble, Hyatt said, referring to Uplift Community School that shuttered in 2017, due to having no student wellness program, not complying with legal provisions where the school was not exempt, and no required teacher evaluations were done.

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“Many [charter schools] fail due to lack of experience to leadership and oversight,” he said in a written statement. “We have seen many charter schools locally and across the state in the news for years because of mismanagement of funds, breaking of state and public education rules and regulations, and some for taking advantage of the NM education system.”

***By Cody Begaye***  
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