

# ***NEW MEXICO SENATE DEMOCRATS***

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## **LEGISLATION WOULD ESTABLISH PUBLIC EDUCATION COMMISSION AS INDEPENDENT AGENCY WITH AUTHORITY OVER CHARTER SCHOOLS**

A bill introduced into the New Mexico State Senate would make the Public Education Commission an independent, state-funded agency with jurisdiction over charter schools and be removed from any administrative attachment to the Public Education Department.

Senate Bill 475, which was introduced Friday by Senator Linda M. Lopez (Bernalillo, District 11), would also give the commission rulemaking authority and funding for an accompanying support staff, all operating under legislative oversight. The commission, which would advise the department on policy matters and other functions related to the Charter Schools Act, would consist of 10 members who are elected from statewide districts and would receive compensation from per diem and mileage to attend meetings.

The new commission would have the power to approve or deny an application to established or renew a charter for a charter school located within the state. Charters that are denied or revoked by local school boards will have the option to file an appeal to the local decision with the new commission, the bill states, and would have the option to take the matter to district court if the appeal is denied at the state level.

Senator Lopez said the bill would give prospective charters another avenue to apply or appeal for a school.

A local school board's decision to grant or renew a charter would also be subject to review by the new Public Education Commission, which would determine whether the decision was arbitrary or capricious and lawful.