House rejects charter school moratorium in tie vote

By [Steve Terrell, The Santa Fe New Mexican](#) | 9 hours ago

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A statue outside the Roundhouse in Santa Fe.

The House on Thursday rejected a two-and-a-half-year moratorium on licensing new charter schools in New Mexico.

Thirty-four House members voted to pass [House Bill 46](#), which would have prohibited a chartering authority — the state or a local school district — from accepting or approving any new applications until Jan. 1, 2020. But 34

representatives also voted against it. In a tie vote, a bill fails.

All Republicans and three Democrats — Reps. Carl Trujillo of Santa Fe, Debbie Rodella of Española and Patricio Ruiloba of Albuquerque — voted against the bill.

Even if the bill had passed the House and had gone on to pass the Senate, it was almost certainly doomed because it would have required the signature of Republican Gov. Susana Martinez. The governor's Public Education Department has opposed a moratorium on charter schools, which use public funding but maintain more autonomy than traditional public schools and operate under their own governing boards.

The moratorium, a measure sponsored by Rep. Christine Trujillo, D-Albuquerque, was among a number of bills in the current session aimed at addressing increasing concerns about the funding and oversight of charters schools in the state.

An analysis of HB 105 by the Legislative Education Study Committee says authorizing new charter schools would dilute limited funding available for public schools.

Trujillo said the measure would not close any existing schools.

"I support charter schools," Trujillo said. The bill is intended to "take a little break" from approving new schools while the state clears up problems with schools now operating.

A report last year by the Legislative Finance Committee found inconsistent oversight of charter schools and said charters are rarely revoked for poorly performing schools. The report also found that charter schools, when compared to traditional public schools, serve a lower percentage of students

who are Hispanic or economically disadvantaged.

An annual state audit released last year contained 195 findings of deficiencies at 59 state-chartered schools, including many problems that also were cited the previous year but hadn't been addressed. The audit found "problems with cash management, procurement violations, and payroll deficiencies" at charter schools.

But one top official at the Public Education Department last year called the audit "a political document" that didn't accurately depict the work the department was doing to fix some of the problems. State Auditor Tim Keller is a Democrat.

Trujillo said about 102 charter schools are operating in the state, although, according to the Legislative Finance Committee, about five of those are expected to close. Charter school students account for about 7 percent of public school students statewide.

House Republican Leader Nate Gentry of Albuquerque said that as a parent, "I've seen great things in charter schools." He said they provide options for students who otherwise would be stuck in failing schools. "I'm very wary of taking this opportunity away."

Rep. Alonzo Baldonado, R-Los Lunas, said even though some charter schools have not lived up to their promises, most of them "are beneficial to the children of New Mexico."

Some Republicans, including Rep. Monica Youngblood, D-Albuquerque, and Rep. James Townsend, R-Artesia, argued that instead of imposing a moratorium on charter schools, poorly performing charter schools should be closed. A bill that would have done that was tabled in a House committee.

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