



# What Are Charter Schools?

A LOOK AT NEW MEXICO'S CHARTER  
SCHOOL LANDSCAPE



# What Are Charter Schools? A Look at New Mexico's Charter School Landscape

## *Overview*

A charter school is a **tuition-free** and independently-operated **public school** that is **open to all students**. Charter schools operate under an independent contract known as a “charter” with an authorizing agency. Charter schools provide schools with the autonomy to set goals and make decisions regarding curriculum, staff and budget that are otherwise traditionally determined at the district level.<sup>1</sup>

## *In New Mexico*

New Mexico’s public charter school law was enacted in 1993. Only 15 new charter schools are permitted to open each year and unused spots roll over to the next year, with a maximum five-year cap of 75 schools. Charter schools may not enroll more than 10 percent of the students in the district in which they are located. Two entities in New Mexico have the capability to authorize charter schools: (1) the local school board in the district in which the proposed charter school is located or (2) the statewide elected Public Education Commission (PEC), which oversees state-authorized charter schools. Roughly 60 percent of New Mexico’s charter schools are authorized by the state, while about 40 percent are authorized by school districts, also known as local education agencies (LEAs).<sup>2</sup> Authorizing agencies assess each school’s progress and performance on an annual basis to determine whether that school’s charter will be renewed for the following school year.

New Mexico has seen measured growth in both the number of charter schools and total enrollment in charter schools over the past several years. In the 2013–14 school year, just over 21,000 students were enrolled in 84 public charter schools across the state. Today, there are 26,340 students attending 97 different charter schools.<sup>3</sup> In total, charter schools accounted for roughly 7.5 percent of the state’s total student enrollment in the 2017–18 school year.

New Mexico law requires that authorizers of charter schools report annually on that school’s performance (e.g., a list of that school’s challenges, successes and areas of improvement along with an assessment of funding). Additionally, the New Mexico Public Education Department (NMPED) is required to include breakouts of student performance by ethnicity, socioeconomic status and other student subgroups relative to their non-charter peers.<sup>4</sup>

## *How We Compare*

National student enrollment in charter schools has increased at a rate much greater than that of New Mexico. In the 2009–10 school year, there were roughly 1.6 million students (about 3 percent of the public school population) attending one of 5,000 charter schools across the United States.<sup>5</sup> A decade later, in the 2017–18 school year, student enrollment is estimated to have doubled to 3.2 million students (about 6 percent of the public school population) attending 7,000 schools.<sup>6,7</sup> While New Mexico’s charter school enrollment has also increased over the past several years, the state’s limits on charter school expansion have slowed the rate of growth over time.

The National Alliance of Public Charter Schools (NAPCS) issues an annual ranking of each state in terms of charter school laws, with higher scores denoting states that are more conducive to charter school rights and freedoms. In the 2018 rankings, New Mexico earned 148 out of 240 possible points, placing it in 25th place out of 45 states.<sup>8</sup> Relative to our neighbors, we were ranked lower than Colorado, Nevada, Arizona, Oklahoma and Utah, suggesting that New Mexico's charter school laws have more room for growth than those of our peers.<sup>9</sup>

### ***Additional Resources***

- *National Alliance for Public Charter Schools (NAPCS)*,  
New Mexico Charter Law Database  
<https://www.publiccharters.org/our-work/charter-law-database/states/new-mexico>
- *National Association of Charter School Authorizers (NACSA)*,  
New Mexico Authorizer Data and Policy Information  
<http://www.qualitycharters.org/policy-research/state-map/new-mexico/>
- *National Charter School Resource Center (NCSRC)*,  
State Resources—New Mexico  
<https://charterschoolcenter.ed.gov/category/states/new-mexico>
- *New Mexico Coalition for Charter Schools (NMCCS)*  
<http://nmccs.org/>
- *New Mexico Public Education Department (NMPED)*, Charter Schools  
<https://webnew.ped.state.nm.us/bureaus/charter-schools/>

**1** *National Alliance for Public Charter Schools (NAPCS)*, "What Is A Charter School?". Accessed April 26, 2018. <https://www.publiccharters.org/about-charter-schools/what-charter-school>  
**2** *New Mexico Public Education Department (NMPED)*, "2017-2018 New Mexico Charter School Directory". February 12, 2018. Accessed May 2, 2018. <https://webnew.ped.state.nm.us/wp-content/uploads/2018/02/CHARTER-SCHOOL-LIST-21318.pdf>  
**3** *New Mexico Public Education Department (NMPED)*, STARS Enrollment Data <https://webnew.ped.state.nm.us/bureaus/information-technology/stars/>

**4** *National Alliance for Public Charter Schools (NAPCS)*, "New Mexico". Accessed April 26, 2018. <https://www.publiccharters.org/our-work/charter-law-database/states/new-mexico>  
**5** *National Center for Education Statistics (NCES)*, "Number and enrollment of public elementary and secondary schools, by school level, type, and charter and magnet status: Selected years, 1990-91 through 2015-16". Accessed April 25, 2018. [https://nces.ed.gov/programs/digest/d17/tables/dt17\\_216.20.asp](https://nces.ed.gov/programs/digest/d17/tables/dt17_216.20.asp)

**6** *National Alliance for Public Charter Schools (NAPCS)*, "Estimated Charter Public School Enrollment, 2017-18". Accessed on April 25, 2018. <https://www.publiccharters.org/our-work/publications/estimated-public-charter-school-enrollment-2017-18>  
**7** *National Center for Education Statistics (NCES)*, "Fast Facts". Accessed May 8, 2018. <https://nces.ed.gov/fastfacts/display.asp?id=372>  
**8** *National Alliance for Public Charter Schools (NAPCS)*, "Measuring Up to the Model: A Ranking of Public Charter

School Laws: New Mexico". Accessed May 1, 2018. [https://www.publiccharters.org/sites/default/files/documents/2018-01/NM\\_ML2018.pdf](https://www.publiccharters.org/sites/default/files/documents/2018-01/NM_ML2018.pdf)  
**9** *National Alliance for Public Charter Schools (NAPCS)*, "Measuring Up to the Model: A Ranking of Public Charter School Laws, Ninth Annual Edition". January 2018. Accessed May 1, 2018. [https://www.publiccharters.org/sites/default/files/documents/2018-02/07c\\_rd2\\_model\\_law\\_ranking\\_report\\_0.pdf](https://www.publiccharters.org/sites/default/files/documents/2018-02/07c_rd2_model_law_ranking_report_0.pdf)