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## FISCAL IMPACT REPORT

SPONSOR: Miera DATE TYPED: 02/11/01 HB 36/aHEC  
 SHORT TITLE: Compulsory School Attendance Intervention SB \_\_\_\_\_  
 ANALYST: Gilbert

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
		NFI			

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files  
 State Department of Education (SDE)

### SUMMARY

#### Synopsis of HEC Amendment

House Education Committee amendment to House Bill 36 strikes the language in subsection E on page 4 as outlined below:

~~E. If the school district or private school intervened as provided in Subsection C of this section and the student accumulates a total of ten unauthorized absences during the semester, the authorized representative shall submit a request for family services to the children, youth and families department as provided in the Family in Need of Services Act.~~

The succeeding subsection is re-lettered accordingly and the remainder of the bill remains unchanged.

#### Synopsis of Original Bill

House Bill 36 relates to compulsory school attendance; conforms the Compulsory School Attendance Law with provisions of the Children’s Code; and provides for student intervention to address student absenteeism.

#### Significant Issues

The Children's Code currently conflicts with provisions of the Compulsory School Attendance Law. This bill amends Section 22-12-7, NMSA 1978 to conform with the requirements of the Children's Code, Section 32A-3A-3, NMSA 1978, applicable to families in need of services.

### **FISCAL IMPLICATIONS**

No apparent impact to the general fund. Schools are currently required to comply with relevant provisions of the Children's Code.

### **TECHNICAL ISSUES**

Subsection E. of HB36 provides that a request for family services shall be submitted by the school district or private school if a student accumulates "a total of ten unauthorized absences" during the semester. According to the SDE, the Children's Code, Section 32A-3A-3, supra, provides for the referral only if the child is absent from school without an authorized excuse "**for more than ten days**" during a school semester.

The SDE also recommends that Section 22-12-8, NMSA 1978 should be repealed in view of this bill's amendment to Section 22-12-7B. supra, which provides a similar requirement for parental notification of a student's three unauthorized absences during the semester.

LG/ar