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FISCAL IMPACT REPORT

ORIGINAL DATE 2/26/07

SPONSOR Papen LAST UPDATED _____ HB _____

SHORT TITLE Ninety Percent Attendance for Graduation SB 481

ANALYST White

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY07	FY08	FY09	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total	\$.01	\$.01	\$.01	\$.01	Recurring	General

(Parenthesis () Indicate Expenditure Decreases)

Duplicates, Relates to, Conflicts with, Companion to

Relates to HB 449

SOURCES OF INFORMATION

LFC Files

Responses Received From

Office of the Attorney General (AGO)

Public Education Department (PED)

Department of Finance Administration (DFA)

SUMMARY

Synopsis of Bill

Senate Bill 481 would amend the Compulsory School Attendance Law, NMSA Section 22-12-2, to prohibit advancement to the next grade beginning in the ninth grade year, or receipt of a certificate of graduation, without ninety percent attendance throughout the school year as measured by daily attendance. Exceptions to this requirement include absences excused for religious instruction, if a student is age 17 and employed, the student is under age 8 and is excused by the superintendent, or the student is 14 and is excused from full time attendance because of employment.

The bill also states that a “habitual truant” shall not advance to the next grade or receive a certificate of graduation if the truant has not been present for a minimum of ninety percent of the school year, unless exempted as discussed above. The bill then requires the school district or charter school when contacting the parent/guardian of the truant student in order to discuss possible interventions to also inform them of the penalties associated with the ninety percent requirement.

FISCAL IMPLICATIONS

If this legislation is passed it is expected that the amount of students in need of course recovery and other remediation programs will increase significantly. Thus increased costs will be incurred by school districts in order to provide these additional programs. The Public Education Department states that this cost while significant is inestimable at this time.

Additional administrative resources may also be needed by the Public Education Department in order to amend the NMAC truancy rule to align to the new requirements in Senate Bill 841. Costs associated with these additional resources are considered to be minimal.

SIGNIFICANT ISSUES

Studies suggest that higher attendance rates for all students should lead to increased learning and more student success in the classroom. However according to the Public Education Department, holding back or prohibiting graduation based upon poor attendance instead of academic performance could negatively impact high school dropout rates.

Furthermore New Mexico has taken great steps in recent years to eliminate truancy throughout its high schools. Students who are truant are more likely to participate in problematic behaviors that can put themselves and those around them at high risk. The proposed changes to the Compulsory School Attendance Act in Senate Bill 481 place a high degree of accountability on the individual student and their parents/guardians through early intervention and notification.

Additionally Senate Bill 481 does not provide any exceptions for illness, death in the family, or for “making up” days missed in the event of unforeseen circumstances that may prohibit attendance.

ADMINISTRATIVE IMPLICATIONS

Additional administrative resources may be needed to amend the NMAC truancy rule to align to the new requirements in Senate Bill 841.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to HB 449.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The Compulsory School Attendance Act will remain unchanged.

DAW/mt