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HOUSE BILL 129

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY

Stephanie Garcia Richard

AN ACT

RELATING TO PUBLIC EDUCATION; CLARIFYING INDIVIDUAL CHOICE  
REGARDING ASSESSMENTS THAT ARE NOT FACTORED INTO A STUDENT'S  
GRADE POINT AVERAGE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Public School Code is  
enacted to read:

"~~[NEW MATERIAL]~~ WAIVER FROM DEPARTMENT-APPROVED COLLEGE  
AND CAREER READINESS ASSESSMENT AND OTHER ASSESSMENTS.--

Notwithstanding any other provisions of the Public School Code:

A. during a school year in which a student's parent  
has submitted to the principal of a public school or a school  
leader of a charter school a request for a waiver from taking  
the department-approved college and career readiness assessment  
or any other assessment that is not factored into the student's

.198936.1

underscored material = new  
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1 grade point average, the student shall receive a waiver  
2 effective for the school year;

3 B. the absence of assessment results pursuant to  
4 this section shall not affect:

5 (1) promotion and retention decisions  
6 regarding a student;

7 (2) a student's eligibility to participate in  
8 any activity sanctioned by the school or the New Mexico  
9 activities association;

10 (3) a student's eligibility to graduate from  
11 high school;

12 (4) a student's eligibility to receive a New  
13 Mexico legislative lottery tuition scholarship;

14 (5) school personnel decisions or consequences  
15 pursuant to the School Personnel Act or department rule; or

16 (6) school ratings pursuant to the A-B-C-D-F  
17 Schools Rating Act or department rule; and

18 C. the absence of a student on days when an  
19 assessment that is not factored into the student's grade point  
20 average is administered shall not affect the student's  
21 attendance record."