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HOUSE BILL 301

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Doreen Y. Gallegos and Gail Chasey

AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING THE PUBLIC SCHOOL CODE TO REQUIRE THE SENDING SCHOOL DISTRICT AND THE RECEIVING SCHOOL DISTRICT ENROLLING A HIGH SCHOOL STUDENT WHO HAS EXPERIENCED DISRUPTION IN THE EDUCATION PROCESS THROUGH NO FAULT OF THE STUDENT TO PROVIDE THAT STUDENT WITH OPPORTUNITIES TO PARTICIPATE IN COMPARABLE SCHOOL ACADEMIC PROGRAMS AND EXTRACURRICULAR ACTIVITIES FOR WHICH THE STUDENT IS ELIGIBLE AND TO EARN CREDITS AND GRADUATE FROM HIGH SCHOOL.

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] TIMELY GRADUATION AND SUPPORT FOR STUDENTS WHO EXPERIENCE DISRUPTION IN THE STUDENT'S EDUCATION.--

A. For purposes of this section, "a student who has

underscored material = new
[bracketed material] = delete

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~~[bracketed material] = delete~~

1 experienced disruption in the student's education" means a
2 student who experiences one or more changes in school or school
3 district enrollment during a single school year as the result
4 of:

5 (1) homelessness as defined in the federal
6 McKinney-Vento Homeless Assistance Act;

7 (2) adjudication:

8 (a) as an abused or neglected child;

9 (b) as part of a family in need of
10 court-ordered services voluntary placement pursuant to the
11 Family Services Act; or

12 (c) as a delinquent; or

13 (3) placement in a mental health treatment
14 facility or habilitation program for developmental disabilities
15 pursuant to the Children's Mental Health and Developmental
16 Disabilities Act who or placement in treatment foster care.

17 B. When a student who has experienced a disruption
18 in the student's education transfers to a new public school or
19 school district, the receiving school or school district shall
20 communicate with the sending school district within two days of
21 the student's enrollment. The sending school or school
22 district shall provide the receiving school or school district
23 with any requested records within two days of having received
24 the receiving school's or school district's communication.

25 C. A student who has experienced a disruption in

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1 the student's education transferring to a new school as the
2 result of circumstances set forth in this section shall have:

3 (1) priority placement in classes that meet
4 state graduation requirements; and

5 (2) timely placement in elective classes that
6 are comparable to those in which the student was enrolled at
7 the student's previous school or schools as soon as the school
8 or school district receives verification from the student's
9 records.

10 D. For a student who has experienced disruption in
11 the student's education at any time during the student's high
12 school enrollment, a school district and public schools shall
13 ensure:

14 (1) acceptance of the student's state
15 graduation requirements for a diploma of excellence pursuant to
16 the Public School Code;

17 (2) equal access to participation in sports
18 and other extracurricular activities, career and technical
19 programs or other special programs for which the student
20 qualifies;

21 (3) timely assistance and advice from
22 counselors to improve the student's college or career
23 readiness; and

24 (4) that the student receives all special
25 education services to which the student is entitled."