AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING THAT STUDENTS WHO COMPLETE COURSE WORK PRIOR TO TRANSFERRING TO ANOTHER PUBLIC SCHOOL RECEIVE CREDIT FOR THAT COURSE WORK EVEN IF A GRADING PERIOD HAS NOT OCCURRED.

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

SECTION 1. Section 22-12-10 NMSA 1978 (being Laws 2017, Chapter 53, Section 1 and Laws 2017, Chapter 85, Section 1) is amended to read:

"22-12-10. TIMELY GRADUATION AND SUPPORT FOR STUDENTS WHO EXPERIENCE DISRUPTION IN THE STUDENT'S EDUCATION--PARTIAL CREDIT FOR COURSES.--

A. For purposes of this section, "a student who has experienced disruption in the student's education" means a student who experiences one or more changes in public school or

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school district enrollment during a single school year as the result of:

(1) homelessness as defined in the federal McKinney-Vento Homeless Assistance Act as determined by the <u>public</u> school or school district;

(2) adjudication:

(a) as an abused or neglected child as determined by the children, youth and families department pursuant to the Abuse and Neglect Act;

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

(c) as a delinquent if the parent wishes to disclose the adjudication of delinquency; or

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

B. When a student who has experienced a disruption in the student's education transfers to a new public school or school district, the receiving <u>public</u> school or school district shall communicate with the sending school district within two days of the student's enrollment. The sending <u>public</u> school or school district shall provide the receiving <u>public</u> school or school district with any requested records within two days of

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1   having received the receiving public school's or school

2   district's communication.

3   C.   A student who has experienced a disruption in

4   the student's education transferring to a new public school as

5   the result of circumstances set forth in this section shall

6   have:

7   (1)   priority placement in classes that meet

8   state graduation requirements; and

9   (2)   timely placement in elective classes that

10   are comparable to those in which the student was enrolled at

11   the student's previous public school or public schools as soon

12   as the public school or school district receives verification

13   from the student's records.

14   D.   For a student who has experienced disruption in

15   the student's education at any time during the student's high

16   school enrollment, a school district and public schools shall

17   ensure:

18   (1)   acceptance of the student's state

19   graduation requirements for a diploma of excellence pursuant to

20   the Public School Code;

21   (2)   equal access to participation in sports

22   and other extracurricular activities, career and technical

23   programs or other special programs for which the student

24   qualifies;

25   (3)   timely assistance and advice from

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counselors to improve the student's college or career

readiness; and

(4) that the student receives all special

education services to which the student is entitled.

E. Students who transfer between public schools

in different school districts or between public schools

within the same school district shall receive credit for any

work completed prior to the transfer, regardless of whether

the transfer occurred at the end of a grading period. School

districts, with guidance from the department, shall create

policies to determine how credit shall be awarded for courses

that are partially completed."

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