

1 SENATE BILL 130

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

3 INTRODUCED BY

4 Linda M. Lopez

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10 AN ACT

11 RELATING TO PUBLIC EDUCATION; PROVIDING CREDIT TO STUDENTS WHO
12 HAVE EXPERIENCED A DISRUPTION IN THE STUDENT'S EDUCATION FOR
13 WORK COMPLETED PRIOR TO TRANSFERRING SCHOOLS; REQUIRING SCHOOL
14 DISTRICTS TO CREATE POLICIES ON AWARDING CREDIT.

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

17 SECTION 1. Section 22-12A-14 NMSA 1978 (being Laws 2019,
18 Chapter 223, Section 14) is amended to read:

19 "22-12A-14. TIMELY GRADUATION AND SUPPORT FOR STUDENTS
20 WHO EXPERIENCE DISRUPTION IN THE STUDENT'S EDUCATION.--

21 A. For purposes of this section, "a student who has
22 experienced a disruption in the student's education" means a
23 student who experiences one or more changes in public school or
24 school district enrollment during a single school year as the
25 result of:

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1 (1) homelessness as defined in the federal
2 McKinney-Vento Homeless Assistance Act and as determined by the
3 public school or school district;

4 (2) adjudication:

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

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

11 (c) as a delinquent if the parent wishes
12 to disclose the adjudication of delinquency; 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 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 public school or school district
20 shall communicate with the sending public school or school
21 district within two days of the student's enrollment. The
22 sending public school or school district shall provide the
23 receiving public school or school district with any requested
24 records within two days of having received the receiving public
25 school's or school district's communication.

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1 C. A student who has experienced a disruption in
2 the student's education because of transferring to a new public
3 school as the result of circumstances set forth in this section
4 shall have:

5 (1) priority placement in classes that meet
6 state graduation requirements; and

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

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

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

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

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

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

E. A student who has experienced a disruption in the student's education and has transferred 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."