



LFC Requester: Liu

**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2026 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: February 2 2026

Bill No: HB219

Committee Referrals: HEC/HJC

Agency Name and Code: PED - 924

Sponsor: Terrazas / Ramos

PED Lead Analyst: Thomas Cloward

Phone: (505) 637-1352 **Email:** thomas.cloward@ped.nm.gov

Short Title: ATTENDANCE FOR SUCCESS ACT CHANGES

PED Policy Senior Manager: denise terrazas

Phone: (505) 470-5303 **Email:** denise.terrazas@ped.nm.gov

SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY27	FY28		
None	None	N/A	NFA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY27	FY28	FY29		
None	None	None	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY27	FY28	FY29	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	N/A	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: House Bill 2 proposes \$11.5 million appropriation to the Public Education Department (PED) to conduct a randomized controlled trial of out-of-school time programs to improve reading and math proficiency and attendance, a \$7.2 million appropriation to PED conduct a randomized controlled trial of innovation zones to improve student attendance, and a \$6.1 million appropriation to conduct a randomized controlled trial of community schools to improve student attendance

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 219 (HB219) would amend the [Attendance for Success Act](#) (AfSA) and the [Delinquency Act](#) to expand the role of juvenile probation services of the Children, Youth and Families Department (CYFD) in attendance enforcement and interventions in cases of students with a delinquency complaint.

The bill would require schools, school districts, and charter schools to:

- Immediately upon request, provide records on student attendance, attendance interventions, and responses to those interventions to juvenile probation services; and
- ensure head administrators and other interested parties attend intervention planning meetings for chronically absent students with a delinquency complaint.

The bill would also require CYFD to:

- initiate enforcement of the AfSA for chronically absent students subject to a delinquency complaint;
- call meetings to review interventions for chronically or excessively absent students subject to a delinquency complaint;
- decide if excessively absent students' families are in need of family services for neglect and pair the family with a caseworker; and
- give notice to the children's court attorney if the child in a delinquency case is excessively absent from school.

This bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the Legislature enacting them, unless a later date is specified. If enacted, this bill would become effective May 20, 2026.

FISCAL IMPLICATIONS

The bill does not contain an appropriation.

SIGNIFICANT ISSUES

In the 2024-2025 school year, New Mexico's schools had a 33 percent chronic absenteeism rate, lower than the 2021 spike in chronic absenteeism of 40.7 percent. In the same school year, about 13 percent of students were absent or missed 20 percent or more of classes, qualifying them as needing intensive support. Per the AfSA:

- "chronically absent" or "chronic absenteeism" means that a student has been absent for 10 percent or more of classes or school days for any reason, whether excused or not, when enrolled for more than 10 days;
- "excessively absent" or "excessive absenteeism" means a student who is identified as needing intensive support and has not responded to intervention efforts implemented by the public school;
- "intensive support" means interventions for students who are missing 20 percent or more of classes or school days for any reason;

By the time a student has missed 20 percent of classes, the AfSA requires schools to have already

intervened at multiple milestones. A student’s parent is contacted at five percent of absences. A note is sent to parents and an attendance team is convened to establish weekly progress interventions at 10 percent. At 20 percent of absences, written notice is sent to the parent, school level consequences are initiated, specialized supports are identified for the student, and the student and parent are made aware of the consequences of further absences. Only after those interventions have been ignored and absences continue is a student considered excessively absent.

PERFORMANCE IMPLICATIONS

Many studies, including [research by Matt Donnelly in 2023](#), have linked truancy with juvenile delinquency and lower student achievement rates. Attendance rates are directly correlated with higher student achievement on standardized tests. A [2007 study](#) of students in Chicago showed that the largest predictor of passing courses and seeing schoolwork as important and relevant to life – more than socio-economic status or cultural background – was student attendance at school. Students who are consistently absent are more likely to drop out of school before graduation and engage in delinquent behaviors, such as violence and the use of controlled substances, than their peers who more regularly attend school.

ADMINISTRATIVE IMPLICATIONS

HB219 would place the initiative to review the attendance of students with a delinquency complaint on juvenile probation services within CYFD. Schools and districts would have a smaller role in implementing interventions for students with delinquency complaints, as they would only be required to provide CYFD with the attendance information of students with a delinquency complaint.

The bill would not impact schools’ and school districts’ other reporting and administrative responsibilities under the AfSA, including maintaining an early-warning system of attendance tracking, notifying parents of students’ status, and reporting cases of excessively absent students without a delinquency complaint to CYFD.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

- Conflicts with [Senate Bill 105](#), Attendance for Success & Excused Absences, which proposes modifying the Attendance for Success Act to allow for students with severe medical problems or disabilities that are absent from school to be exempt from referral to juvenile probation services due to excessive absences.
- Conflicts with [House Bill 218](#), Attendance for Success Act Enforcement, which proposes to amend language in the Attendance for Success Act to impose additional penalties on excessively absent students and their parents.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.