



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 3 2026

Bill No: HB282

Committee Referrals: Not Printed

Agency Name and Code: PED - 924

Sponsor: Terrazas / Ramos / Baca

PED Lead Analyst: Thomas Cloward

SCHOOL & JUVENILE

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

Short Title: PROBATION

PED Policy Senior Manager: denise terrazas

Title: COOPERATION

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 282 (HB282) would amend sections from the [Attendance for Success Act](#) (AfSA) and the [Delinquency Act](#) to apply penalties to students who are excessively absent, as well as the parents of those students. It would also 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.

Expanded penalties would include:

- allowing the children’s court to suspend an excessively absent student’s driving privilege.
- making parents who allow their student to continue to be absent after they are reported to juvenile probation services guilty of a misdemeanor and subject to a \$50-\$100 fine for the first conviction and a fine of up to \$500, imprisonment for up to six months, or both for every subsequent conviction.

Changes from the bill would require **schools, districts, and charters** to:

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

Under changes from the bill, **CYFD** would:

- 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.
- 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

This bill does not include an appropriation.

SIGNIFICANT ISSUES

HB282 seeks to introduce expanded enforcement measures into the AfSA. One piece of expanded enforcement included in the bill is giving the children’s court the ability to suspend an excessively absent student’s driving privilege. The bill would not require the court to revoke driving privileges for every excessively absent student but instead would allow them to make the decision on a case-by-case basis.

HB282 would make it a violation of the AfSA for parents to cause or allow their student to continue to be absent after the student has already been referred to juvenile probation services for being excessively absent. The local school board or charter school governing body would be responsible for referring a parent in this scenario to the local district attorney. A parent found in violation of the AfSA in this way would be guilty of a petty misdemeanor. On the first conviction, the parent would be subject to a fine of \$50-100. On subsequent convictions, the parent would be subject to a fine of up to \$500, imprisonment for up to six months, or both.

The AfSA defines “excessively absent” as a student who is identified as needing intensive support and has not responded to intervention efforts implemented by the public school. “Intensive support” is defined as interventions for students who have missed twenty percent or more of classes or school days for any reason. Under the AfSA, students who are identified as needing intensive support shall have their parents contacted in writing by the attendance team to meet with the team and school principal, establish nonpunitive consequences at the school level, identify appropriate specialized support mechanisms, and inform the student and parent of further consequences of absenteeism. If absences continue after this written notice is given, then students may be referred to juvenile probation services for investigation.

The AfSA defines chronically absent as a student that has been absent for ten percent or more of their classes or school days, excused or not. It defines excessively absent as a student that is identified as needing intensive support and has not responded to intervention efforts implemented by the school. Moreover, it defines intensive support as a student missing 20 percent or more of classes. In the 2024-2025 school year, New Mexico’s schools had a 33 percent chronic absenteeism rate, which is down from the 2021 spike in chronic absenteeism of 40.7 percent. About 13 percent of the total student population in New Mexico in 2024-2025 were absent or missing 20 percent or more of classes, qualifying them as needing intensive support.

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 ten percent. At 20 percent absences, written notice is sent to the parent, school level consequences are enacted, 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.

Current statute requires school boards to refer excessively absent students who continue to have unexcused absences to the juvenile probation office. HB282 would have excessively absent students referred to the juvenile probation office for both excused and unexcused absences. This would likely result in a larger number of referrals to the juvenile probation office.

PERFORMANCE IMPLICATIONS

Many studies, including [research by Matt Donnelly in 2023](#), have linked truancy with juvenile delinquency and lower student achievement rates. High 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 a student’s view of 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.

ADMINISTRATIVE IMPLICATIONS

HB 282 would alter collaboration requirements between organizations when a student is chronically or excessively absent. The juvenile probation services office may require the family to meet with a caseworker from the CYFD at the student's school to prescribe other interventions if they determine that the student is a neglected child or in need of family services. School boards and local charter school governing bodies are required to refer a parent to the local district attorney if the parent allows or causes the student to be absent after being reported to the juvenile probation services office. The Children's Court would be able to suspend an excessively absent student's driving privilege, and prosecution by the local district attorney would result in fines or imprisonment for the parent. Upon receiving information about a chronically or excessively absent child, a children's court attorney would be required to determine if the child's family is in need of court-ordered services.

HB282 would place the initiative to review the attendance of students with a delinquency complaint on juvenile probation services within CYFD. In the case that an excessively absent student is determined to be subject to a delinquency complaint or alleged to be a serious youthful offender, the meeting to determine interventions would be held within five business days. Similarly, the CYFD would be required to hold an intervention meeting with a chronically absent student subject to a delinquency complaint, the student's parents, and the other school officials within ten business days of determining the student is chronically absent. 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 those students.

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 AfSA 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.
- Combines major changes from [HB218, Attendance for Success Act Enforcement](#) and [HB219, Attendance for Success Act Changes](#), which propose to amend language in the Attendance for Success Act to impose additional penalties on excessively absent students and their parent and propose to amending the AfSA to require juvenile probation services to initiate inquiries and interventions for chronically or excessively absent students with a delinquency complaint, respectively.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.