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HOUSE BILL 1159

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

RICHARD T. KNOWLES

AN ACT

RELATING TO CHILDREN; CREATING A JUVENILE EDUCATION ASSISTANCE PROGRAM; PROVIDING FINANCIAL ASSISTANCE FOR THE EDUCATION OF CERTAIN CHILDREN; TRANSFERRING FUNDS; ENACTING A NEW SECTION OF THE CHILDREN' S CODE.

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

Section 1. A new section of the Children's Code is enacted to read:

"[NEW MATERIAL] JUVENILE EDUCATION ASSISTANCE PROGRAM CREATED-- ADMINISTERED BY THE DEPARTMENT-- ELIGIBILITY CRITERIA-- TRANSFER OF FUNDS-- REGULATIONS. --

A. There is created a "juvenile education assistance program" within the children, youth and families department.

The purpose of the program is to provide financial assistance for education annually for up to two thousand children who have

1 failed in public school, who are at risk of failing in public  
2 school or who have dropped out of public school.

3 B. A child is eligible to receive financial  
4 assistance for education from the juvenile education assistance  
5 program if he meets the following criteria:

6 (1) he has failed in public school, is at risk  
7 of failing in public school or has dropped out of public school  
8 due to factors including abuse or neglect, delinquency, chronic  
9 truancy, learning disabilities, substance abuse or emotional  
10 disorders;

11 (2) the child's parent or guardian provides a  
12 written letter of commitment to use the financial assistance  
13 provided by the juvenile education assistance program to further  
14 the child's education;

15 (3) the household income for the child's home  
16 does not exceed the median household income in New Mexico; and

17 (4) the child's parent or guardian provides a  
18 written letter of recommendation from a judge who knows the  
19 child, a chief juvenile probation and parole officer who knows  
20 the child or the principal of the child's current or former  
21 public school, which letter of recommendation states that a  
22 different educational environment would improve the child's  
23 prospects for achieving success in school.

24 C. Financial assistance provided by the juvenile  
25 education assistance program shall be provided in the form of

1 certificates. Each certificate shall equal the annual unit  
2 value for a student, as determined by the state department of  
3 public education.

4 D. The child's parent or guardian shall use the  
5 certificate to help pay the cost of enrolling the child in a  
6 primary or secondary public, private or parochial school,  
7 provided that the school is accredited by the state department  
8 of public education.

9 E. A primary or secondary public, private or  
10 parochial school may present a child's certificate to the  
11 children, youth and families department for redemption, provided  
12 that the certificate is accompanied by an affidavit attesting to  
13 the child's enrollment in the school.

14 F. The state department of public education shall  
15 annually transfer funds to the children, youth and families  
16 department in an amount equal to redeemed certificates received  
17 by the children, youth and families department.

18 G. The children, youth and families department shall  
19 bear the cost of administering the juvenile education assistance  
20 program.

21 H. The children, youth and families department shall  
22 adopt regulations to implement and operate the juvenile  
23 education assistance program."

24 Section 2. EFFECTIVE DATE. -- The effective date of the  
25 provisions of this act is July 1, 1997.