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SENATE BILL 112

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

ROD ADAIR

AN ACT

RELATING TO CHILDREN; CREATING A JUVENILE EDUCATION ASSISTANCE PROGRAM; PROVIDING FINANCIAL ASSISTANCE FOR THE EDUCATION OF CERTAIN CHILDREN; TRANSFERRING FUNDS; MAKING AN APPROPRIATION.

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 - SCHOLARSHIP NOTES - - ELIGIBILITY CRITERIA. - -

A. The "juvenile education assistance program" is created in the department. The program shall provide alternative education and financial assistance for up to two thousand children a year who:

- (1) have failed in public school;

- 1 (2) are at risk of failing in public school;  
2 (3) have dropped out of public school; or  
3 (4) are at risk of dropping out of public  
4 school.

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

8 (1) the child qualifies by reason of one or  
9 more provisions of Paragraphs (1) through (4) of Subsection A  
10 of this section due to factors including abuse or neglect,  
11 delinquency, chronic truancy, learning disabilities, substance  
12 abuse or emotional disorders;

13 (2) the child's parent or guardian applies  
14 for program assistance;

15 (3) the child's parent or guardian provides a  
16 written letter of commitment to use the financial assistance  
17 to further the child's education in an accredited setting; and

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

24 C. Financial assistance shall be provided in the  
25 form of "scholarship notes". Each scholarship note is equal

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1 to the amount of money that would be paid to the public school  
2 the student would have attended. The scholarship note shall  
3 be calculated in accordance with Sections 22-8-1 through  
4 22-8-25 NMSA 1978 and prorated for the number of months  
5 remaining in the school year.

6 D. The child's parent or guardian is required to  
7 use the scholarship note to help pay the cost of enrolling the  
8 child in another public school or in a state-accredited  
9 private school accredited by an accrediting body approved by  
10 the state department of public education.

11 E. The school that has received a scholarship note  
12 may present it for redemption to the department. The  
13 scholarship note shall be accompanied by an affidavit  
14 attesting to the child's enrollment in the school and  
15 certification of the tuition and fees charged for attending  
16 the school if it is a private school. In no case shall the  
17 amount paid a private school exceed the normal tuition and  
18 fees charged for a nonscholarship student at the school.

19 F. The state department of public education shall  
20 transfer money annually to the department in an amount equal  
21 to redeemed scholarship notes received by the department.

22 G. The department shall adopt and promulgate rules  
23 to carry out the provisions of this section.

24 H. The department shall bear the cost of  
25 administering the juvenile education assistance program "

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Section 2. EFFECTIVE DATE. --The effective date of the provisions of this act is July 1, 1998.

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

3  
4  
5  
6 January 28, 1998

7  
8 Mr. President:

9  
10 Your COMMITTEES' COMMITTEE, to whom has been referred

11  
12 SENATE BILL 112

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14 has had it under consideration and finds same to be GERMANE, in  
15 accordance with constitutional provisions, and thence referred to the  
16 EDUCATION COMMITTEE.  
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19 Respectfully submitted,

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25 Manny M. Aragon, Chairman

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

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(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

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1 FORTY-THIRD LEGISLATURE

SB 112/a

2 SECOND SESSION, 1998

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6  
7  
8 February 7, 1998

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11 Mr. President:

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13 Your EDUCATION COMMITTEE, to whom has been referred

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15 SENATE BILL 112

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17 has had it under consideration and reports same with recommendation  
18 that it DO PASS, amended as follows:

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- 21 1. On page 2, line 17, strike "and".
  - 22  
23 2. On page 2, line 23, strike the period and insert in lieu  
24 thereof "; and".
- 25

. 120646. 1ms

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

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3. On page 2, between lines 23 and 24, insert the following new paragraph to read:

"(5) the child's family income does not exceed one hundred fifty percent of the federal poverty guidelines.".,

and thence referred to the FINANCE COMMITTEE.

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

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Respectfully submitted,

\_\_\_\_\_  
Cynthia Nava, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 4 For 3 Against

Yes: 4

No: Rodriguez, Lopez, Nava

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

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Excused: Garcia, Maloof, Pinto

Absent: None

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