

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill No:** SB 265

**48th Legislature, 2nd Session, 2008**

**Short Title:** Valencia School Suspension Alternatives

**Sponsor(s):** Senator Michael S. Sanchez

**Analyst:** Eilani Gerstner

**Date:** January 24, 2008

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**Bill Summary:**

SB 265 appropriates funds to the Public Education Department (PED) to implement a pilot program in Valencia County that will provide an alternative to out-of-school suspensions.

**Fiscal Impact:**

\$100,000 is appropriated from the General Fund for expenditure in FY 09. SB 265 contains a reversion clause.

**Issues:**

According to PED's analysis of SB 265, the two school districts in Valencia County—Belen Consolidated Schools and Los Lunas Public Schools—together have a habitual truancy rate of 26.38 percent. PED also cites a 2003 report which notes that more schools are using in-school suspension in order to keep students in school, but that “poorly conceived and inadequately staffed programs...may be little more than holding tanks.”

During the 2007 interim, the Legislative Education Study Committee (LESC) heard a presentation on truancy and delinquency, including the *Compulsory School Attendance Law*, which prohibits districts from using out-of-school suspension or expulsion as punishment for truancy, and requires that districts:

- report truancy and delinquency rates to PED;
- document efforts made to keep students in an educational setting; and
- exhaust efforts to keep students in educational settings before considering them as having withdrawn from school.

**Related Bills:**

SB 410 *Las Cruces Schools Truancy Reduction*

HB 301 *Las Cruces High School Drop-Out Prevention*