

1 SENATE BILL 34

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

3 INTRODUCED BY

4 Timothy M. Keller and Mimi Stewart

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10 AN ACT

11 RELATING TO PUBLIC EDUCATION; CLARIFYING INDIVIDUAL CHOICE
12 REGARDING STANDARDS-BASED ASSESSMENTS THAT ARE NOT FACTORED
13 INTO THE STUDENT'S GRADE POINT AVERAGE.

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

16 SECTION 1. [NEW MATERIAL] WAIVER FROM STANDARDS-BASED
17 ASSESSMENTS, ACADEMIC ASSESSMENTS AND STUDENT ACHIEVEMENT
18 TESTS.--Notwithstanding the provisions of Chapter 22 NMSA 1978:

19 A. during a school year in which a student's parent
20 has submitted, electronically or in writing to the principal of
21 a public school or a school leader of a charter school attended
22 by the student, a request for a waiver from taking any
23 standards-based assessment that is not factored into the
24 student's grade point average, the student shall receive a
25 waiver effective for the school year;

.194924.3

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1 B. the absence of assessment results pursuant to
2 this section shall not affect:

3 (1) the student's eligibility to participate
4 in any activity sanctioned by the school or the New Mexico
5 activities association;

6 (2) the student's eligibility to graduate from
7 high school;

8 (3) promotion and retention decisions
9 regarding the student;

10 (4) school personnel decisions or consequences
11 pursuant to the School Personnel Act or department rule; or

12 (5) school ratings pursuant to the A-B-C-D-F
13 School Ratings Act or department rule; and

14 C. the absence of the student on days when a
15 standards-based assessment that is not factored into the
16 student's grade point average is administered shall not affect
17 the student's attendance record.