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AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING THAT STUDENTS WHO COMPLETE COURSE WORK PRIOR TO TRANSFERRING TO ANOTHER PUBLIC SCHOOL RECEIVE CREDIT FOR THAT COURSE WORK EVEN IF A GRADING PERIOD HAS NOT OCCURRED.

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

SECTION 1. Section 22-12-10 NMSA 1978 (being Laws 2017, Chapter 53, Section 1 and Laws 2017, Chapter 85, Section 1) is amended to read:

"22-12-10. TIMELY GRADUATION AND SUPPORT FOR STUDENTS WHO EXPERIENCE DISRUPTION IN THE STUDENT'S EDUCATION--PARTIAL CREDIT FOR COURSES.--

A. For purposes of this section, "a student who has experienced disruption in the student's education" means a student who experiences one or more changes in public school or school district enrollment during a single school year as the result of:

(1) homelessness as defined in the federal McKinney-Vento Homeless Assistance Act as determined by the public school or school district;

(2) adjudication:

(a) as an abused or neglected child as determined by the children, youth and families department pursuant to the Abuse and Neglect Act;

1 (b) as part of a family in need of
2 court-ordered services voluntary placement pursuant to the
3 Family Services Act; or

4 (c) as a delinquent if the parent
5 wishes to disclose the adjudication of delinquency; or

6 (3) placement in a mental health treatment
7 facility or habilitation program for developmental
8 disabilities pursuant to the Children's Mental Health and
9 Developmental Disabilities Act or placement in treatment
10 foster care.

11 B. When a student who has experienced a disruption
12 in the student's education transfers to a new public school
13 or school district, the receiving public school or school
14 district shall communicate with the sending school district
15 within two days of the student's enrollment. The sending
16 public school or school district shall provide the receiving
17 public school or school district with any requested records
18 within two days of having received the receiving public
19 school's or school district's communication.

20 C. A student who has experienced a disruption in
21 the student's education transferring to a new public school
22 as the result of circumstances set forth in this section
23 shall have:

24 (1) priority placement in classes that meet
25 state graduation requirements; and

1 (2) timely placement in elective classes
2 that are comparable to those in which the student was
3 enrolled at the student's previous public school or public
4 schools as soon as the public school or school district
5 receives verification from the student's records.

6 D. For a student who has experienced disruption
7 in the student's education at any time during the student's
8 high school enrollment, a school district and public schools
9 shall ensure:

10 (1) acceptance of the student's state
11 graduation requirements for a diploma of excellence pursuant
12 to the Public School Code;

13 (2) equal access to participation in sports
14 and other extracurricular activities, career and technical
15 programs or other special programs for which the student
16 qualifies;

17 (3) timely assistance and advice from
18 counselors to improve the student's college or career
19 readiness; and

20 (4) that the student receives all special
21 education services to which the student is entitled.

22 E. Students who transfer between public schools
23 in different school districts or between public schools within
24 the same school district shall receive credit for any work
25 completed prior to the transfer, regardless of whether the

1 transfer occurred at the end of a grading period. School
2 districts, with guidance from the department, shall create
3 policies to determine how credit shall be awarded for courses
4 that are partially completed." _____

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