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SENATE BILL 382

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

INTRODUCED BY

CYNTHIA NAVA

AN ACT

RELATING TO EDUCATION; ELIMINATING THE COMPULSORY SCHOOL
ATTENDANCE EXEMPTION FOR CERTAIN SPECIAL PERSONS.

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

Section 1. Section 22-12-2 NMSA 1978 (being Laws 1967,
Chapter 16, Section 170, as amended) is amended to read:

"22-12-2. COMPULSORY SCHOOL ATTENDANCE--RESPONSIBILITY. --

A. Any qualified student and any person who because
of his age is eligible to become a qualified student as defined
by the Public School Finance Act until attaining the age of
majority shall attend a public school, a private school, a home
school or a state institution. A person shall be excused from
this requirement if:

(1) the person is specifically exempted by law
from the provisions of this section;

1 (2) the person has graduated from a high
2 school;

3 (3) the person is at least sixteen years of age
4 and has been excused by the local school board or its authorized
5 representative upon a finding that the person will be employed
6 in a gainful trade or occupation or engaged in an alternative
7 form of education sufficient for the person's educational needs
8 and the parent, guardian or other person having custody and
9 control consents; or

10 (4) with consent of the parent, guardian or
11 person having custody and control of the person to be excused,
12 the person is excused from the provisions of this section by the
13 superintendent of schools of the school district in which the
14 person is a resident and the person is under eight years of age
15 [~~or~~

16 ~~(5) the person is judged, based on standards~~
17 ~~and procedures adopted by the state board, to be unable to~~
18 ~~benefit from instruction because of learning disabilities or~~
19 ~~mental, physical or emotional conditions].~~

20 B. A person subject to the provisions of the
21 Compulsory School Attendance Law shall attend school for at
22 least the length of time of the school year that is established
23 in the school district in which the person is a resident.

24 C. Any parent, guardian or person having custody and
25 control of a person subject to the provisions of the Compulsory

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1 School Attendance Law is responsible for the school attendance
2 of that person. "

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1 FORTY-THIRD LEGISLATURE

2 FIRST SESSION, 1997

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6 February 25, 1997

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8 Mr. President:

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10 Your EDUCATION COMMITTEE, to whom has been referred

11
12 SENATE BILL 382

13
14 has had it under consideration and reports same with
15 recommendation that it DO PASS.
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18 Respectfully submitted,

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22 _____
23 Cynthia Nava, Chairman
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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

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Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Boitano, Gorham, Pinto

Absent: None

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State of New Mexico
House of Representatives

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 17, 1997

Mr. Speaker:

Your EDUCATION COMMITTEE, to whom has been referred

SENATE BILL 382

**has had it under consideration and reports same with
recommendation that it DO PASS.**

Respectfully submitted,

Samuel F. Vigil, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Beam, Miera, Nicely, Trujillo, S.M Williams

Absent: None

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