

1 SENATE BILL 341

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Linda A. Lopez

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10 AN ACT

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

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

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

20 "22-12-10. TIMELY GRADUATION AND SUPPORT FOR STUDENTS WHO
21 EXPERIENCE DISRUPTION IN THE STUDENT'S EDUCATION--PARTIAL
22 CREDIT FOR COURSES.--

23 A. For purposes of this section, "a student who has
24 experienced disruption in the student's education" means a
25 student who experiences one or more changes in public school or

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1 school district enrollment during a single school year as the
2 result of:

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

6 (2) adjudication:

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

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

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

15 (3) placement in a mental health treatment
16 facility or habilitation program for developmental disabilities
17 pursuant to the Children's Mental Health and Developmental
18 Disabilities Act or placement in treatment foster care.

19 B. When a student who has experienced a disruption
20 in the student's education transfers to a new public school or
21 school district, the receiving public school or school district
22 shall communicate with the sending school district within two
23 days of the student's enrollment. The sending public school or
24 school district shall provide the receiving public school or
25 school district with any requested records within two days of

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1 having received the receiving public school's or school
2 district's communication.

3 C. A student who has experienced a disruption in
4 the student's education transferring to a new public school as
5 the result of circumstances set forth in this section shall
6 have:

7 (1) priority placement in classes that meet
8 state graduation requirements; and

9 (2) timely placement in elective classes that
10 are comparable to those in which the student was enrolled at
11 the student's previous public school or public schools as soon
12 as the public school or school district receives verification
13 from the student's records.

14 D. For a student who has experienced disruption in
15 the student's education at any time during the student's high
16 school enrollment, a school district and public schools shall
17 ensure:

18 (1) acceptance of the student's state
19 graduation requirements for a diploma of excellence pursuant to
20 the Public School Code;

21 (2) equal access to participation in sports
22 and other extracurricular activities, career and technical
23 programs or other special programs for which the student
24 qualifies;

25 (3) timely assistance and advice from

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1 counselors to improve the student's college or career
2 readiness; and

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

5 E. Students who transfer between public schools
6 in different school districts or between public schools
7 within the same school district shall receive credit for any
8 work completed prior to the transfer, regardless of whether
9 the transfer occurred at the end of a grading period. School
10 districts, with guidance from the department, shall create
11 policies to determine how credit shall be awarded for courses
12 that are partially completed."