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SENATE BILL 50

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY
Mary Jane Garcia

AN ACT

RELATING TO EDUCATION; ENACTING THE INDIVIDUAL SERVICES MODEL
ACT TO AID STUDENTS AT RISK OF DROPPING OUT OF SCHOOL; MAKING
AN APPROPRIATION.

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

Section 1. A new section of the Public School Code is
enacted to read:

"[NEW MATERIAL] SHORT TITLE.--This act may be cited as
the "Individual Services Model Act"."

Section 2. A new section of the Public School Code is
enacted to read:

"[NEW MATERIAL] FINDINGS.--The legislature finds that:

A. young people with poor educational backgrounds
and social difficulties require special support if they are
to acquire recognized vocational qualifications;

B. students at risk of dropping out of school

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1 require remedial education and support for resolving problems
2 and conflicts rooted in the student's social environment and
3 in personality development;

4 C. the dropout rate crosses income lines,
5 transcends language ability and persists across all ethnic
6 groups;

7 D. it is necessary to initiate local demonstration
8 projects that:

9 (1) focus on individual students;

10 (2) counsel at-risk students and their
11 families;

12 (3) provide for language interpretation as
13 necessary;

14 (4) schedule conferences around parents'
15 jobs; and

16 (5) employ professionals who are able to
17 coordinate local resources and provide students with
18 appropriate vocational guidance;

19 E. demonstration projects shall:

20 (1) be student centered and designed so that
21 the unique needs and characteristics of the student are
22 considered; and

23 (2) offer guidance and support services as
24 appropriate to help students access education services as
25 well as health and social services as may be locally
available; and

F. demonstration projects shall include:

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- 1 (1) parents;
- 2 (2) post-secondary schools;
- 3 (3) various social service providers;
- 4 (4) business and industry;
- 5 (5) labor organizations; and
- 6 (6) other entities offering resources and
- 7 techniques not entirely dependent upon the school."

8 Section 3. A new section of the Public School Code is
9 enacted to read:

10 "[NEW MATERIAL] DEFINITIONS.--As used in the Individual
11 Services Model Act:

12 A. "at risk of dropping out of school" means a
13 public school student who:

- 14 (1) is unable to master his current grade
15 level;
- 16 (2) is at least two years below his grade
17 level in reading or math;
- 18 (3) is failing two or more courses;
- 19 (4) is failing one or more sections of the
20 most recent academic skills exam;
- 21 (5) is pregnant or a parent;
- 22 (6) has poor attendance or failing grades;
- 23 (7) has drug or alcohol abuse problems;
- 24 (8) is homeless; or
- 25 (9) is limited in the ability to speak, read
and write in English; and

B. "support service" means:

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- 1 (1) services for abused or neglected
2 students;
3 (2) behavioral therapy;
4 (3) depression or suicide prevention
5 services;
6 (4) educational diagnostic services;
7 (5) family counseling and therapy;
8 (6) prevention, intervention and treatment
9 services for human immunodeficiency virus, acquired immune
10 deficiency syndrome and sexually transmitted diseases;
11 (7) intentional and unintentional injury
12 risk reduction services;
13 (8) job coaching services;
14 (9) language tutoring and interpreter
15 services;
16 (10) mental health assessment;
17 (11) mentoring;
18 (12) nutrition problem services;
19 (13) physical health assessment;
20 (14) pregnancy prevention, intervention and
21 treatment services;
22 (15) psychological evaluation services;
23 (16) psychological counseling;
24 (17) substance abuse prevention,
25 intervention and treatment services;
(18) tutoring; and
(19) vocational evaluation services."

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1 Section 4. A new section of the Public School Code is
2 enacted to read:

3 "[NEW MATERIAL] SUPPORT SERVICES--AT-RISK STUDENTS--
4 DEMONSTRATION PROJECTS.--

5 A. The department of education shall operate
6 demonstration projects in selected areas throughout the state
7 to provide support services to students at risk of dropping
8 out of school.

9 B. Demonstration projects shall run until December
10 31, 2003.

11 C. The department of education shall enter into
12 joint powers agreements with governmental entities as
13 necessary and contract with private nonprofit corporations,
14 school districts or charter schools to provide support
15 services for students at risk of dropping out of school. The
16 governmental entities and contracting entities shall recruit
17 students at risk of dropping out of school and provide them
18 support services.

19 D. The governmental entities may hire employees
20 who are not certified pursuant to the School Personnel Act to
21 work with students at risk of dropping out of school.

22 E. Students at risk of dropping out of school
23 shall be held to the graduation requirements pursuant to
24 Section 22-2-8.4 NMSA 1978.

25 F. Contracting entities shall be evaluated by
criteria that include academic achievement, retention,
student attendance and the number of students who pass the

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1 New Mexico high school competency exam.

2 G. Contracting entities shall maintain data
3 measuring individual behavior, including drug abuse and
4 pregnancy, among students at risk of dropping out of school.

5 H. Contracting entities shall provide or obtain
6 services, including transportation, emergency medical,
7 security and support services, to address specific needs of
8 students at risk of dropping out of school.

9 I. Contracting entities shall establish for each
10 participating student an individual plan for student success,
11 outlining individualized objectives and services needed.

12 J. The department of education shall request
13 funding for the Individual Services Model Act in its agency
14 budget request."

15 Section 5. A new section of the Public School Code is
16 enacted to read:

17 "[NEW MATERIAL] AUTHORIZING WAIVERS.--The state
18 superintendent may waive provisions of the Public School Code
19 based on individual requests submitted for individual
20 students participating in the Individual Services Model Act
21 program. Requests for a waiver must document why it is in
22 the best interest of the student to waive the provisions and
23 shall maintain standards of accountability comparable to
24 those established in the Public School Code."

25 Section 6. APPROPRIATION.--Two million dollars
(\$2,000,000) is appropriated from the general fund to the
state department of public education for expenditure in

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1 fiscal years 2001 through 2003 for the purpose of funding the
2 provisions of the Individual Services Model Act. Any
3 unexpended or unencumbered balance remaining at the end of
4 fiscal year 2003 shall revert to the general fund.

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