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AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING THE PUBLIC SCHOOL CODE TO REQUIRE THE SENDING SCHOOL DISTRICT AND THE RECEIVING SCHOOL DISTRICT ENROLLING A HIGH SCHOOL STUDENT WHO HAS EXPERIENCED DISRUPTION IN THE EDUCATION PROCESS THROUGH NO FAULT OF THE STUDENT TO PROVIDE THAT STUDENT WITH OPPORTUNITIES TO PARTICIPATE IN COMPARABLE SCHOOL ACADEMIC PROGRAMS AND EXTRACURRICULAR ACTIVITIES FOR WHICH THE STUDENT IS ELIGIBLE AND TO EARN CREDITS AND GRADUATE FROM HIGH SCHOOL.

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:

"TIMELY GRADUATION AND SUPPORT FOR STUDENTS WHO EXPERIENCE DISRUPTION IN THE STUDENT'S EDUCATION.--

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 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 school or school district;

(2) adjudication:

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

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

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

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

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

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

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

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

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

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

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

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

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

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