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

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

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

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

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

(1) priority placement in classes that meet
state graduation requirements; and
(2) timely placement in elective classes that are comparable to those in which the student was enrolled at the student's previous public school or public schools as soon as the public school or school district receives verification from the student's records.

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

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

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

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

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

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

SB 341
Page 3
transfer occurred at the end of a grading period. School
districts, with guidance from the department, shall create
policies to determine how credit shall be awarded for courses
that are partially completed."