

**FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007**

March 5, 2007

Mr. Speaker:

Your **EDUCATION COMMITTEE**, to whom has been referred
**SENATE EDUCATION COMMITTEE SUBSTITUTE FOR
SENATE BILL 68**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 11, after the semicolon strike the remainder of the line and strike lines 12 through 14 in their entirety and insert in lieu thereof "REQUIRING THE PUBLIC EDUCATION DEPARTMENT AND THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT TO PROMULGATE RULES FOR THE DEVELOPMENT OF EDUCATION AND MANAGEMENT PLANS FOR AT-RISK CHILDREN."

2. On pages 1 through 4, strike Section 1 in its entirety and insert in lieu thereof the following new section:

"Section 1. A new section of the Delinquency Act is enacted to read:

"[NEW MATERIAL] EDUCATION AND MANAGEMENT PLANS FOR CHILDREN POSING A DANGER TO SELF OR OTHERS.--

A. The public education department and the children, youth and families department shall jointly promulgate rules for the development and implementation of an education and management plan for a child who poses a danger to self or to the community and who is adjudicated as a delinquent or arrested for a crime that, upon adjudication, may render the child a youthful offender or a serious youthful offender.

B. The rules shall require meetings among appropriate school officials, the juvenile probation and parole officer supervising the child, the child's parent or guardian and any caseworkers, counseling and treatment providers assigned to the child to discuss and develop an education and management plan that meets the child's educational needs, addresses any management concerns regarding the child and promotes a safe and secure educational environment for the child, other students and staff.

C. The rules shall mandate compliance with the highest standards of confidentiality in accordance with the Children's Code,

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the Children's Court Rules, the federal Family Educational Rights and Privacy Act and other applicable state and federal laws. All records and information obtained in the development of an education and management plan are subject to the confidentiality and penalty provisions of Section 32A-2-32 NMSA 1978."",

and thence referred to the **JUDICIARY COMMITTEE**.

Respectfully submitted,

Rick Miera, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 11 For 0 Against

Yes: 11

No: 0

Excused: Hall

Absent: None

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