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FISCAL IMPACT REPORT

ORIGINAL DATE 3/3/07

SPONSOR Kernan LAST UPDATED _____ HB _____

SHORT TITLE Study Truancy and Delinquency Notices SB SJM 36

ANALYST Lucero

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY07	FY08	FY09	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$6.5		\$6.5	Non- Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates HJM 40

Relates to Appropriation in the General Appropriation Act: The Executive recommendation includes \$1,000.0 for Truancy Prevention/Dropout Prevention

SOURCES OF INFORMATION

LFC Files

Responses Received From

Children, Youth and Families Department (CYFD)

Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Joint Memorial 36, if enacted, requests that the Children, Youth and Families Department (CYFD) and the Public Education Department (PED) study the subject of truancy and delinquency notices.

It requests that the CYFD and the PED, in consultation with the Office of the Attorney General and with representatives of public school districts, private schools, district attorneys, law enforcement agencies and other appropriate entities, study truancy and the issues surrounding the timely notification of public and private schools when a student is the subject of a delinquency petition.

It further requests that the study include a review of actions that school personnel may take upon receipt of a delinquency petition to assist the student and to discourage truancy.

Senate Joint Memorial requests that the study include a comprehensive review of the intervention and enforcement provisions in both the Compulsory School Attendance Law and the Children's Code.

It requests that CYFD and PED report their findings and recommendations for legislation to reconcile the inconsistencies in provisions in law dealing with truancy to the Legislative Education Study Committee no later than November 1, 2007.

FISCAL IMPLICATIONS

This bill does not make an appropriation

SIGNIFICANT ISSUES

The goals of the dropout and truancy prevention programs are to decrease truancy and dropout and increase student attendance. In order for students to achieve they must first be present. In addition, the underlying issues for dropout and truancy are oftentimes associated with social, family and health barriers that prevent students from achieving and that contribute to the achievement gap. Dropout and truancy prevention programs help to provide supports to students, schools and families to increase academic success and close the achievement gap for all students.

Program outcomes established for the Governor's Truancy Prevention and Dropout Programs are: (1) decreased truancy rates, (2) decreased dropout rates and (3) increased attendance rates. Truancy has been identified as one of the early warning signs of students headed for potential delinquent activity, social isolation or educational failure via suspension, expulsion or dropping out. Truancy is considered to be one of the top 10 problems facing school. Eighty percent of dropouts were chronically truant before dropping out. Ninety percent of youths in detention for delinquent acts were chronically truant.

New Mexico has a daily attendance rate of 95%, which translates to 5% or 16,300 students absent from school each day. It is estimated that a single day's absence by one student costs the school district \$17.30 per day or the state \$281,990 per day based on a unit value of \$3,165 per student (PED Accountability and Fiscal).

PERFORMANCE IMPLICATIONS

Early truancy intervention strategies will improve attendance, consequently positively impacting public school performance measures and benchmarks regarding reading, language arts, math and graduation rates.

SJM 36 may positively impact the academic achievement of a number of youth who are participating in the alternative suspension program by leading to increased attendance rates, improved reading and math scores, improved statistics regarding bullying, alcohol use and abuse and increased graduation rates.

ADMINISTRATIVE IMPLICATIONS

This memorial can be accomplished by existing PED staff working in conjunction with CYFD. The PED estimates that implementing this memorial will require approximately 200 hours of staff time. Estimated staff time is as follows: 200 hrs x \$22.74/hr x 30% salary & benefits= \$5,912.40/year, plus copying and travel costs of approximately \$500.00. There could be an additional impact depending on what resources PED would be requested to contribute as part of this study.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Duplicates HJM 40. This subject relates to the executive recommendation of \$1,000.0 for Truancy Prevention/Dropout Prevention. Relates to SB68, HB32, SJM32

TECHNICAL ISSUES

None identified

OTHER SUBSTANTIVE ISSUES

A potential conflict exists between the need for truancy and delinquency notices and existing confidentiality statutes.

According to the Public Education Department, the State has identified 10% of all school age children as habitual truants during the past two years amounting to about 60,000 youth.

CYFD Juvenile Justice Services received 29,000 referrals last year. Each juvenile probation and parole officers (JPPO) dealt with about 200 delinquent referrals during this period of time, not including either truancy referrals or the youth on supervision at the same time, which averaged about 55 youth per JPPO.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

DL/nt