

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill No:** SB 410

**48th Legislature, 2nd Session, 2008**

**Short Title:** Las Cruces Schools Truancy Reduction

**Sponsor(s):** Senators Mary Jane M. García and Cynthia Nava

**Analyst:** Peter van Moorsel

**Date:** January 31, 2008

---

**Bill Summary:**

SB 410 appropriates funds to the Public Education Department (PED) for the Las Cruces Public Schools, working in partnership with the local regional education initiative, to implement an enhanced truancy process, taking a countywide approach to improving attendance.

**Fiscal Impact:**

\$600,000 is appropriated from the General Fund for expenditure in FY 09. The bill contains a reversion clause.

- CS/HB 2 et al., the *General Appropriation Act of 2008*, includes \$1.0 million for truancy and dropout prevention programs statewide.
- Since FY 05, the Legislature has appropriated approximately \$3.0 million, including \$1.0 million for FY 08 to PED for truancy/dropout prevention.

**Issues:**

According to the National Center for School Engagement:

- 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 schools. 80 percent of dropouts were chronically truant before dropping out. 90 percent of youths in detention for delinquent acts were chronically truant.
- If the attendance rate continues to decrease, the graduation rate will be affected.
- Dropout and truancy have been correlated to an increase in juvenile crime.
- The underlying issues for dropout and truancy are often associated with social, family, and health barriers that prevent students from achieving. These barriers negatively impact closing the achievement gap.

During the 2007 interim, the LESC heard a presentation on HJM 40/SJM 36, *Study Truancy and Delinquency Notices*. The report presented to the LESC stated that there are inconsistencies in current law pertaining to truancy reporting and intervention, and that unexcused absences and habitual truancy rates are not reported in a consistent manner statewide. The report recommended strengthening the *Compulsory School Attendance Law*, and thereby reducing both the prevalence of truancy and the risk of students dropping out, by:

- rectifying inconsistencies with other sections of law;
- requiring consistent reporting of unexcused absences and truancy rates statewide; and
- requiring improved oversight of school district attendance policies.

The presentation to the LESC also included data from the PED Habitually Truant Report for school year 2006-2007, which compiled school district attendance and truancy data from school districts. According to this report, 33.2 percent of Las Cruces High School students were habitually truant during school year 2006-2007, slightly higher than that statewide average for high school students (32.4 percent).

SB 477, *Las Cruces Schools Truancy Reduction*, is a similar bill that contains an appropriation for \$600,000 instead of \$120,000.

**Related Bills:**

- SB 477 *Las Cruces Schools Truancy Reduction* (similar)
- HB 301 *Las Cruces High School Drop-out Prevention*
- HB 302 *Las Cruces High School Summer Pilot Project*
- HB 304 *Las Cruces High School At-Risk Project*