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AN ACT

RELATING TO PUBLIC EDUCATION; PROVIDING CREDIT TO STUDENTS WHO HAVE EXPERIENCED A DISRUPTION IN THE STUDENT'S EDUCATION FOR WORK COMPLETED PRIOR TO TRANSFERRING SCHOOLS; REQUIRING SCHOOL DISTRICTS TO FOLLOW THE PUBLIC EDUCATION DEPARTMENT-ADOPTED RULE ON AWARDING CREDIT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-12A-14 NMSA 1978 (being Laws 2019, Chapter 223, Section 14) is amended to read:

"22-12A-14. 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 a 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 and 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

1 court-ordered services voluntary placement pursuant to the  
2 Family Services Act; or

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

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

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

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

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

25 (2) timely placement in elective classes

1 that are comparable to those in which the student was  
2 enrolled at the student's previous public school or schools  
3 as soon as the public school or school district receives  
4 verification from the student's records.

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

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

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

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

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

21 E. A student who has experienced a disruption in  
22 the student's education and has transferred between public  
23 schools in different school districts or between public  
24 schools within the same school district shall receive credit  
25 for any work completed prior to the transfer, regardless of

1 whether the transfer occurred at the end of a grading period.  
2 The department shall promulgate and adopt a rule to determine  
3 how credit shall be awarded for courses that are partially  
4 completed, and school districts shall follow the department  
5 rule." \_\_\_\_\_

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