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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**55th Legislature, 1st Session, 2021**

<b>Bill Number</b>	<u>SB272/aSEC</u>	<b>Sponsor</b>	<u>Pope</u>
<b>Tracking Number</b>	<u>.218980.1</u>	<b>Committee Referrals</b>	<u>SEC/SHPAC</u>
<b>Short Title</b>	<u>Military Family Early School Enrollment</u>		
<b>Analyst</b>	<u>Hathaway</u>	<b>Original Date</b>	<u>2/13/2021</u>
		<b>Last Updated</b>	<u>2/18/2021</u>

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**BILL SUMMARY**

Synopsis of SEC Amendment

The Senate Education Committee (SEC) amendment strikes language that parents must provide proof of residence within 10 days of the family's published arrival date and inserts that parents must provide proof of residence within 45 days instead.

Parents would be required to provide proof of residence within 45 days of the family's published arrival date on official military documentation and would be allowed to use any address related to the family's military move including (1) a temporary on-base billeting facility, (2) off-base military housing, or (3) a purchased or leased residence.

Synopsis of Bill

Senate Bill 272 (SB272) would amend Section 22-1-4 NMSA 1978 to require school districts and charter schools to allow military families to enroll school-age children prior to their physical presence in the state. SB272 would be effective beginning in the 2021-2022 school year and subsequent years.

The provisions of SB272 include any lottery-selected charter school, magnet, or other public school program for which a student would qualify. School districts and charter schools would be required to accept electronic applications for enrollment and to provide the student with materials regarding academic courses, electives, sports, and other relevant information. Parents would be required to provide proof of residence within 10 days of the family's published arrival date on official military documentation and would be allowed to use any address related to the family's military move including: (1) a temporary on-base billeting facility, (2) off-base military housing, or (3) a purchased or leased residence.

**FISCAL IMPACT**

SB272 does not contain an appropriation.

The Public Education Department (PED) and school districts may have to develop an electronic application system if they do not already have such a system in place.

## SUBSTANTIVE ISSUES

**Military-Connected Students in New Mexico.** Data from PED for the first reporting period of student enrollment in fall 2020 shows 3,360 military-connected students attend New Mexico schools, with approximately 76 percent of military-connected children attending public schools. This includes students from active military (2,600 students), military National Guard (425 students), and military reserve (335 students) families. Military-connected students attend schools across the state but the highest proportion of these students are from school districts in Alamogordo (1,004 students), Clovis (865 students), Rio Rancho (334 students), Gadsden (132 students), and Las Cruces (93 students).

**The Interstate Compact on Educational Opportunity for Military Children.** The Interstate Compact on Educational Opportunity for Military Children, a nationwide compact developed by the U.S. Department of Defense and The Council of State Governments' National Center for Interstate Compacts, is a compact designed to ease interstate education transition challenges experienced by military-connected children. Each state has a [state council](#) to serve as an advisory body for the state. Members of the state council include military leaders, state agency representatives from PED and the New Mexico Department of Veterans Services (NMDVS), local school superintendents, military school liaisons, and legislators.

New Mexico adopted legislation to join the compact in 2010 (see [Section 11-8B-1 NMSA 1978](#)). Dues to the compact are paid by PED pursuant to statute. The Interstate Compact on Educational Opportunity for Military Children reports New Mexico is the 26<sup>th</sup> state with the highest number of military-connected children and the majority of military-connected students in New Mexico are due to the Air Force.

The provisions of SB272 would go further than those of the Interstate Compact by giving military-connected students the ability to enroll prior to the student's physical presence in the state. PED, in its analysis of SB272, notes this may give military-connected children enrollment preference.

**Research on Military-Connected Students.** [Research](#) from the Child and Family Research Partnership at the University of Texas at Austin notes more than four in every ten active duty and selected reserve members have children under the age of 18. Military-connected children are likely to experience multiple moves as they grow up, with some relocating as often as every two or three years. The Department of Defense [reports](#) military families are three times more mobile than non-military families, leaving military-connected children more susceptible to academic, social, and emotional challenges related to their mobility.

Given the higher rates of mobility, school enrollment is likely a common administrative activity that military families must contend with. The provisions of SB272 may ease the administrative burden on families wishing to enroll their children in anticipation of military moves. In addition, SB272 may also allow school districts and schools to adequately plan for the enrollment of military-connected children who may attend their schools.

**PED Guidance on Early Enrollment.** In a memo dated September 15, 2020, PED [issued guidance](#) to local education agencies (LEAs) on how to enroll military-connected children into

remote learning options who have been deployed or transferred to New Mexico but have not yet relocated. This guidance appears to be part of PED’s response to Covid-19 and it is not certain if it extends beyond the public health emergency. PED guidance directed LEAs to enroll children by having families complete the LEA’s registration application and attach a written statement of intention to relocate to the school in which the family’s new residence or assigned military base is located. PED also noted enrollment under this guidance should be permitted at any time during the school year, without the need to be physically present in the state and should be done “while ensuring removal of barriers to students’ educational success as a result of the move.”

It is not clear if PED issued guidance on the enrollment of military-connected children prior to the public health emergency or if this guidance extends beyond remote learning options.

### **ADMINISTRATIVE IMPLICATIONS**

SB272 would require the submission of electronic applications for the enrollment of military-connected children. Electronic applications would need to be developed if they are not already in place. PED would also need to revise any administrative rules or guidance to meet the provisions of SB272.

PED, in its analysis of SB272, notes it may be worth considering adding language that allows a student to attend courses remotely once they are enrolled and that the ten-day proof of residency may not be long enough to allow families quartered in a temporary lodging facility to transition into a permanent residence within the family’s desired school district. PED’s analysis suggests extending this period to 45 days.

### **RELATED BILLS**

Relates to SB271, Purple Star Public School Program, which would add a new section to the Public School Code to develop a purple star public school program to ease the transition of students of active duty military families into new schools.

Relates to SB51, which establishes an enrollment preference for children of employees that work at charter schools.

### **SOURCES OF INFORMATION**

- LESC Files
- Public Education Department (PED)

**JKH/kh**