

FACT SHEET: SB 213/HB 301

Ensuring a Smooth Transition Between Schools

BACKGROUND

More than 30,000 students in New Mexico frequently change schools for reasons beyond their control. Homeless students, students in foster care, students who experience mental health needs, and students who are involved in the juvenile justice system often face traumatic changes in their home

lives. On top of this

they are repeatedly

asked to adapt to new teachers, new classrooms, and new peers. This disruption often results in a loss of school credits, a delay

in earning a high school diploma, and for many students a failure to graduate.

Studies show high school students who change schools even once are less than 50 percent as likely to graduate as those who don't change schools. Other studies also suggest that every school move will account for 6 months of delayed academic achievement and growth. Homeless students, students in foster care, and other students under state supervision need stability and normalcy.

OVERVIEW

Senate Bill 213/House Bill 301¹ addresses the disruptions in these students' lives by ensuring a smooth transition when these students change schools, providing timely and equal access to programs and services in their new schools and removing unnecessary barriers to graduation.

Education Disruption

Senate Bill 213/House Bill 301 applies to students who have experienced a disruption in their education. Under this new law, a disruption takes place when a student changes schools or school districts one or more times in a school year and the student is:

- homeless as defined in the Federal McKinney-Vento Homeless Assistance Act
- placed in foster care
- determined by a court to have committed a delinquent act; or in mental health treatment placement



School Transfers and Enrollment

Senate Bill 213/House Bill 301 requires a student's new or receiving school/district to request the student's records from the old school within two days. The old or sending school/district then has two days to provide any records requested.

The new school must give students who experienced disruption of their education, priority placement in classes that meet state graduation requirements. In addition, these students must receive timely placement in elective classes comparable to those the student was enrolled in their previous school.





Graduation Requirements

In recognition of differing graduation requirements among districts, the law requires districts to grant diplomas to eligible students as long as they meet or exceed the state requirements for graduation. This protects students who would otherwise have to meet a set of additional local graduation requirements further delaying graduation in some cases by years.

Programs, Activities and Support

To ensure that these students are not penalized for the disruption to their education, the receiving school is also obligated to provide these students with equal access to:

- sports and other extra-curricular activities
- career and technical education
- other special programs that the student is eligible for

In addition, these students are to receive timely advice from counselors to improve the student’s college or career readiness as well as all special education services to which the student is entitled.

- Students in foster care: CYFD must notify schools when a student is in foster care.³
- Students who are in the juvenile justice system or in mental health treatment placements: these students or their educational decision makers can request support under this law if the student desires it.⁴ This is to ensure student privacy.

How Do Schools Identify Students Who Qualify for Support

- Students who are homeless: schools should identify these students in accordance with the federal McKinney-Vento Homeless Assistance Act.²

¹ See N.M.S.A. § 22-12-10
² See, 42 U.S.C. § 11431 et. seq.
³ See, NMAC 8.10.8.18 (B)
⁴ NMSA § 22-12-10

