

American Legion Auxiliary  
New Mexico Girls State  
2016 Bill/Resolution



Committee: EDUCATION 1

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Bill No.: S62

Delegation: ALA NM Girls State 2016

Status: Passed by committee; not considered by the Senate (lack of time)

Title of Bill: Compulsory School Attendance Act

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2 **Be It Enacted By The American Legion Auxiliary New Mexico Girls State 2016**

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4 **Section I. Body:** Relating to school attendance in which the compulsory school  
5 attendance law implements an attendance policy where habitual truancy be  
6 referred to a special truancy court. Whereas the attendance law will increase  
7 graduation rates in the state of New Mexico, which currently has a 69.3%  
8 graduation rate as of 2014; whereas implementing this law will improve the  
9 quality of a student's education.

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7 **Section II. Definitions:**  
8 As used in the "School Attendance Act"  
9 A. "habitual truant" refers to a student enrolled in a public school that has  
10 10 or more unexcused absences within a school year.  
11 B. "truant" refers to a student enrolled in a public school that has five  
12 unexcused absences within a 20 day time period.  
13 C. "unexcused absence" is referred as an absence from school or a class which  
14 is unexcused.  
15 D. "excused absence" refers to absences due to personal illness, death of an  
16 immediate family member, medical treatment, observation of a religious holy  
17 day, court appearance, healthcare appointment, and visit college campuses.

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16 **Section III. Penalty:** Under the Compulsory School Attendance Law parents may  
17 be criminally charged or fined if their child has another unexcused absence  
18 after their limit of ten unexcused absences. New Mexico currently has an  
19 attendance law that a student shall be reported to probation services office  
20 of the Judicial District, where an investigation begins on the reason for  
21 truancy. If parent or student are found to be in denial of educational  
22 services, they are sent to the district attorney's office. They usually go  
23 through a judicial probation service, but those offices do not have the  
proper personnel to deal with the attendance issues that occur in every  
public school. Therefore, students and their parents do not get any  
consequences and the attendance issue continues throughout the student's  
educational career. In addition to the Compulsory Attendance Law, the parent  
should be fined if the student continuously has attendance issues. These  
fines will assist in the hiring of personnel to assure that all students

follow the Compulsory Attendance Law with a 90 percent attendance requirement.

**Section IV. Repeal:** All laws, acts, provisions, or parts of laws contained in the Constitution of the State of New Mexico in conflict with any provision of this act are hereby repealed.

**Section V. Effective Date:** The provisions of this act shall be effective on and after the first school day of the 2016-2017 academic school year.