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SECRETARY OF EDUCATION

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September 15, 2020

MEMORANDUM

TO: Superintendents and Charter School Leaders

FROM: Deputy Secretary, Timothy Hand, PhD

RE: Enrollment of Students of Military Families Transferring to New Mexico into 100% Remote Options

This memorandum provides guidance to local education agencies (LEAs) on how to address the enrollment of children from military families who have been deployed or transferred to New Mexico, but who have not yet physically relocated to the state. LEAs should allow for these families to enroll students in their 100% remote learning options during the COVID-19 public health emergency.

NMSA 1978, § 22-1-4, provides that a free public school education shall be available to any school-age person who is a resident of this state and has not received a high school diploma or its equivalent. Enrollment into a fully remote learning program satisfies this requirement.

This guidance is also generally consistent with the Interstate Compact on Educational Opportunities for Military Children (NMSA 1978, § 11-8B-1). The stated purpose of the compact is to remove barriers to educational success imposed on children of military families due to frequent moves and deployment of their parents by facilitating qualification and eligibility for enrollment and educational programs, and by promoting flexibility and cooperation between the educational system, parents and students in order to achieve educational success for the student.

While the student is enrolled in the LEA, that student may be counted towards the LEA's MEM, as referenced in the Public School Finance Act (NMSA 1978 § 22-8-1, et. seq.) for purposes of state equalization guarantee (SEG) funding. Under this guidance, LEAs shall not charge tuition for those families as a result of them not being physically present within the State (see NMSA § 22-12A-5).

Military families that wish to enroll their students in a school operated by a school district will complete the LEA's registration application and attach a written statement of intention to relocate to the attendance zone of the school in which the family's new residence or assigned military base is located. For military families wishing to enroll their student in a charter school, the registration application will be accompanied by a written statement of intention to relocate to New Mexico. Enrollment under this guidance should be permitted at any time during the school year, without 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. For questions on this, please contact NMPED Civic Engagement Coordinator Zach Chavez at MartinZ.Chavez@state.nm.us or 505.469.5554.