

LFC Requester:

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**PUBLIC EDUCATION DEPARTMENT  
BILL ANALYSIS  
2023 REGULAR SESSION**

**SECTION I: GENERAL INFORMATION***Check all that apply:*Original  Amendment Correction  Substitute 

Date Prepared: 02/21/23

Bill No: [SB120/aSEC](#)

Sponsor: Pope Agency Name and Code Number: PED-924

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**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	None	N/A	NFA

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		
None	None	None	N/A	NFA

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	None	None	None	N/A	N/A	NFA

(Parenthesis ( ) Indicate Expenditure Decreases)

**SECTION III: NARRATIVE****BILL SUMMARY**

**Synopsis of SEC Amendment:** The Senate Education Committee Amendment to SB120 (SB120/aSEC) clarifies that the second priority for enrollment of students includes the children of a military family living in temporary housing and are assigned, awaiting placement, or pending a

move to permanent housing in a different attendance area where a students' family seeks enrollment of the children in either their current school attendance area or the school attendance area of the permanent housing. The SEC amendment also provides military parents with a choice of where to enroll their children.

SB120/aSEC removes proposed language that would have required charter schools to give enrollment preference to children of active military service members.

**Synopsis:** Senate Bill 120 (SB120) would allow school districts and charter schools to have open enrollment flexibility for children of military families.

### **FISCAL IMPLICATIONS**

The bill does not contain an appropriation.

### **SIGNIFICANT ISSUES**

This option allows students continuity in their education and alleviates the stress of having to make new friends and challenges relating to adjusting to new and unfamiliar environment. All of these have been identified as issues military attached students struggle with throughout their time in school because parents are transferred throughout their career.

SB120/aSEC removes a technical issue regarding federal requirements on charter school enrollment that existed in SB120.

### **PERFORMANCE IMPLICATIONS**

Student success is supported by allowing students to enroll in familiar schools and schools that best meet their individual needs.

### **ADMINISTRATIVE IMPLICATIONS**

None.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None.

### **TECHNICAL ISSUES**

None.

### **OTHER SUBSTANTIVE ISSUES**

Student movement, often referred to as mobility, has been identified as a significant issue affecting student success and educational continuity and is a significant component of the at-risk calculation contained in the New Mexico funding formula.

Dependent children of military personnel face challenges associated with frequent moves in and among states, installations, and school districts. These moves may cause issues relating to a student's ability to adjust to new communities and impede students' ability to connect with another learning environment. This lack of connectivity can be harmful to military students' educational outcomes when it undermines the degree to which they feel connected to school and to students and staff in their school.

Per [6.12.2 NMAC, Health Services](#), children of military families enrolled in kindergarten through 12<sup>th</sup> grade in the household of an active duty member, are required to be enrolled and conditionally placed in any public, nonpublic or home school to which they are eligible for 30 days while the student obtains the required immunizations. For a series of required immunizations, students of active military families must obtain at least the first in the series of required immunizations within 30 days of the date of enrollment.

**ALTERNATIVES**

None.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

None.

**AMENDMENTS**

None.