



**Minutes of the Meeting of the  
Juvenile Committee  
10:00 a.m.  
June 28, 2022**

via Zoom

Committee Members Present	Committee Members Absent	Others Attending	NMSC Staff
Bob Cleavall (NMSC), Chair	Diana Garcia (NMDAA)	Hon. John Romero (retd.)	Douglas Carver
Marit Andrews (PED)	April Land (UNMSOL)	Deborah Chavez (PED)	Jamey Cook
Cindy Aragon (State Bar)	Angela “Spence” Pacheco (Speaker)	Anne Marlow-Geter (PED)	Keri Thiel
Sheriff Glenn Hamilton (NM Counties)	David Schmidt (Pro Tem)	Hon. William Parnall	
Alisa Lauer (CYFD)	Hon. Fred Van Soelen (DMCJA)	Lindsey Jones (2 <sup>nd</sup> District Court)	
Hon. Alma C. Roberson			
Dennica Torres (LOPD)			

**I. Welcome and Introductions.** Bob Cleavall, Chair, called the meeting to order at 10:06 a.m.

**II. Approval of Minutes for the April 26, 2022 meeting.** The minutes for the previous Committee meeting were approved by consensus.

**III. Staff Report.**

Douglas Carver, Deputy Director, New Mexico Sentencing Commission (NMSC), reminded members of the Committee that if they were interested in participating in the working group to revise the NMSC Strategic Plan, they should contact Linda. He also informed the Committee that the grants process had gone well. There were 21 individual grants awarded. There were remaining funds, so a second grant cycle has been announced, with applications due October 28, 2022, for half-year grants. He also informed the Committee that the working groups of the Criminal Code Update Committee had begun meeting.

**IV. Attendance for Success Act.**

Marit Andrews, Humanities Specialist, Public Education Department (PED), member of the Commission, introduced the presenters for this topic. Deborah Chavez, Academic Enrichment Coordinator, PED, and

Anne Marlow-Geter, Deputy Director, PED, explained and discussed the Attendance for Success Act (AfSA).

Ms. Chavez walked the Committee through a Power Point presentation about the Act. She began with an overview of AfSA, explaining that it repeals the compulsory school attendance law, provides early identification and intervention for chronically absent students, provides guidance in determining the chronic absenteeism rate (CAR) for students, provides guidance for reporting to the Children, Youth, and Families Department (CYFD) for excessive absenteeism, and creates a four-tier intervention process. She explained critical definitions in the Act, including for “absence”, “excused absence”, “medical absence”, “unexcused absence”, “chronically absent/chronic absenteeism”, “chronic absence rate”, and “excessively absent/excessive absenteeism”.

She then discussed the four tiers of intervention under the Act.

- Tier 1, Whole School Prevention, is for students who have missed fewer than five percent of classes or school days for any reason. Its focus is to improve attendance for all students and reducing chronic absenteeism.
- Tier 2, Individualized Prevention, is for students who are missing five percent or more but fewer than ten percent of classes or school days for any reason.
  - \* For an elementary student, there would be a conversation with the parent, discussing the student’s attendance history; the impact of student absences on student academic outcomes; interventions or services available to the student or family; and the consequences of further absences, which may include referral to CYFD for excessive absenteeism.
  - \* For a middle school or high school student, there would be a conversation with the parent and the student, discussing same items as covered with an elementary student.
- Tier 3, Early Intervention, is for students who are considered chronically absent and missing ten percent or more but fewer than 20 percent of classes or school days for any reason. At Tier 3, the attendance team notifies the parent in writing by mail or personal service of the student’s absenteeism. The notice will include a date, time, and place for the parent to meet with the public school to develop attendance intervention strategies. Additionally, the attendance team will establish an intervention plan for the student that includes weekly progress monitoring and an attendance contract.
- Tier 4, Intensive Support, is for students who are considered excessively absent and missing 20 percent or more of classes or school days for any reason. At Tier 4, the attendance team gives written notice to the parent to meet with the school principal and the attendance team; establishes non-punitive consequences; identifies supports that may be needed to help the student address the underlying causes of excessive absenteeism; and apprises the student and parent of the consequences of further absences.
  - \* For enforcement, the school will provide a record of the of the school’s interventions and the parent’s responses to Juvenile Probation Services (JPS). JPS will investigate whether the student should be considered neglected or a child in a family in need of family services. If this is the case, a caseworker will meet with the family, the school principal, and others. CYFD will determine whether other interventions might improve attendance.

Ms. Chavez gave the Committee some examples of interventions for a student attendance plan. These can include a needs assessment to determine appropriate support, transportation services, clothing, access to a washer and dryer or a school or facility shower, access to feminine hygiene products, mentoring services, home visits, nominal cost or educational rewards for student attendance, school counselor or social worker check-ins, connection to community medical and behavioral health providers, or collaboration with income support and other support entities.

Ms. Chavez then discussed PED's focus on improving attendance rates in schools. She went through the Attendance Report Dashboard, which gives annual state, district, and school attendance reports. It tracks chronic absenteeism, excessive absenteeism, unexcused absences, and more. The dashboard offers legislators and the public the opportunity to view and compare attendance data. It can be found on PED's Safe and Healthy Schools Attendance for Success website.

She then discussed the Individualized Student Attendance Plan. Schools are required to develop these plans for students who are chronically or excessively absent. Ms. Chavez informed the Committee that PED is working to create an Individualized Student Attendance Plan template to allow for efficient plan development, and to capture information needed to improve student attendance. Schools will be free to modify the template as needed to fit specific needs, and may use their own forms.

Ms. Chavez then discussed the district and school Attendance Improvement Plans (AIP). Each school district is required to submit an AIP by the beginning of October, and are required to report progress on the AIP to its school board and the public at the end of the school year. Public and charter schools with chronic absenteeism of five percent or more for all students, or for one or more subpopulations of students, must also create an AIP. PED has created an online application for the submission of district and school AIPs. She also informed the Committee that PED is working with schools to support class period attendance data for the 2021-2022 school year. AfSA requires submission of class period data – these data have not previously been reported to PED.

Ms. Chavez informed the Committee about PED's collaboration with non-profits to address absenteeism. PED collaborates with the United Way of Central New Mexico, Rise Together, which offers statewide support in addressing chronic absenteeism, offers monthly presentations on attendance issues, leads a monthly statewide discussion group that focuses on AfSA, and is working on a statewide Attendance Awareness Campaign. PED also collaborates with Graduation Alliance for Engage New Mexico, which offers statewide services for students who have disengaged from their education or are chronically absent, and makes academic success coaches available to provide individual support to students and their families.

Ms. Chavez concluded with a discussion of PED's social emotional learning and trauma-responsive practices. PED's many social emotional learning initiatives are geared towards improving school environments and attracting students to attend school. PED has also hired a Prevention Response and Resiliency Coordinator, who will be developing guidance, providing professional development, and providing technical assistance on restorative justice. The idea is to reduce exclusionary practices that push students away from school. Other key staff include Ms. Chavez herself, the Safe and Healthy Schools Bureau's Academic Enrichment Coordinator, who offers individual outreach and collaboration with law enforcement agencies to address chronic absenteeism within schools and districts. Additionally, PED is creating an attendance coordinator position; this person will provide professional development, technical assistance, and data analysis, and will work to ensure compliance with AfSA requirements.

Members of the Committee asked questions about and discussed what the subgroups were that PED tracks; the tracking of enrollment rates; whether schools were free to modify the PED templates; comparisons between rural and metropolitan districts; how notifications work with children in foster care or some kind of out-of-home placements; how PED takes in parent convenience when scheduling required meetings and the like; what CYFD and JPS interventions in this process entail; whether statutory changes were required to limit the involvement of Juvenile Probation Officers; how credit recovery worked statewide; how AfSA identifies barriers to students for successful completion of their schooling; how mid-year entry works; and whether charter school requirements could incorporate facilitating mid-year entries.

## **V. Youth Development, Inc. (YDI).**

Judy Pacheco, Associate Director, YDI, and Maria Pacheco, YDI, who oversees YDI programs in schools, discussed YDI's programs with the Committee. Judy Pacheco informed the Committee that YDI was in its fiftieth year of offering programs. YDI offers Early Head Start services, an Education Employment and Training program, and mentoring programs. Maria Pacheco discussed YDI mentoring programs. Mentors meet weekly with their mentees, engaging in activities with them, but with a focus on homework. One program works with kids from ages 16 to 18 who have a job; the goal is to have their work supervisor be the mentor, in order to provide role modelling, help the child get into secondary school, and prepare for a career.

Members of the Committee asked questions about and discussed YDI's budget and where they get their funding; whether YDI was still involved in housing; who refers juveniles to YDI for their programs; where they find mentors; and how mentoring operated during Covid shutdowns.

**VI. Next Meeting.** The Committee scheduled its next meeting for either September 13 or 20, 2022, depending on the preference of members of the Committee.

**VIII. Adjourn.** The meeting adjourned at 11:35 a.m.