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SENATE BILL 307

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Joseph Cervantes

AN ACT

RELATING TO PUBLIC EDUCATION; PROVIDING SCHOOL DISTRICT-
DETERMINED WAYS FOR STUDENTS TO MEET THE PHYSICAL EDUCATION
UNIT REQUIREMENT FOR GRADUATION; LIMITING CHANGES TO GRADUATION
REQUIREMENTS AFTER STUDENTS ENTER NINTH GRADE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-13-1.1 NMSA 1978 (being Laws 1986,
Chapter 33, Section 5, as amended by Laws 2010, Chapter 25,
Section 1 and by Laws 2010, Chapter 110, Section 1) is amended
to read:

"22-13-1.1. GRADUATION REQUIREMENTS.--

A. At the end of grades eight through eleven, each
student shall prepare an interim next-step plan that sets forth
the coursework for the grades remaining until high school
graduation. Each year's plan shall explain any differences

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1 from previous interim next-step plans, shall be filed with the
2 principal of the student's high school and shall be signed by
3 the student, the student's parent and the student's guidance
4 counselor or other school official charged with coursework
5 planning for the student.

6 B. Each student must complete a final next-step
7 plan during the senior year and prior to graduation. The plan
8 shall be filed with the principal of the student's high school
9 and shall be signed by the student, the student's parent and
10 the student's guidance counselor or other school official
11 charged with coursework planning for the student.

12 C. An individualized education program that meets
13 the requirements of Subsections A and B of this section and
14 that meets all applicable transition and procedural
15 requirements of the federal Individuals with Disabilities
16 Education Act for a student with a disability shall satisfy the
17 next-step plan requirements of this section for that student.

18 D. A local school board shall ensure that each high
19 school student has the opportunity to develop a next-step plan
20 based on reports of college and workplace readiness
21 assessments, as available, and other factors and is reasonably
22 informed about:

23 (1) curricular and course options, including
24 honors or advanced placement courses, dual-credit courses,
25 distance learning courses, career clusters, pre-apprenticeship

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1 programs or remediation programs that the college and workplace
2 readiness assessments indicate to be appropriate;

3 (2) opportunities available that lead to
4 different post-high-school options; and

5 (3) alternative opportunities available if the
6 student does not finish a planned curriculum.

7 E. The secretary shall:

8 (1) establish specific accountability
9 standards for administrators, counselors, teachers and school
10 district staff to ensure that every student has the opportunity
11 to develop a next-step plan;

12 (2) promulgate rules for accredited private
13 schools in order to ensure substantial compliance with the
14 provisions of this section;

15 (3) monitor compliance with the requirements
16 of this section; and

17 (4) compile such information as is necessary
18 to evaluate the success of next-step plans and report annually,
19 by December 15, to the legislative education study committee
20 and the governor.

21 F. Once a student has entered ninth grade, the
22 graduation requirements shall not be changed for that student
23 from the requirements specified in the law at the time the
24 student entered ninth grade.

25 [~~F.~~] G. Successful completion of a minimum of

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1 twenty-three units aligned to the state academic content and
2 performance standards shall be required for graduation. These
3 units shall be as follows:

4 (1) four units in English, with major emphasis
5 on grammar and literature;

6 (2) three units in mathematics, at least one
7 of which is equivalent to the algebra 1 level or higher;

8 (3) two units in science, one of which shall
9 have a laboratory component; provided, however, that with
10 students entering the ninth grade beginning in the 2005-2006
11 school year, three units in science shall be required, one of
12 which shall have a laboratory component;

13 (4) three units in social science, which shall
14 include United States history and geography, world history and
15 geography and government and economics;

16 (5) one unit in physical education;

17 (6) one unit in communication skills or
18 business education, with a major emphasis on writing and
19 speaking and that may include a language other than English;

20 (7) one-half unit in New Mexico history for
21 students entering the ninth grade beginning in the 2005-2006
22 school year; and

23 (8) nine elective units and seven and
24 one-half elective units for students entering the ninth grade
25 in the 2005-2006 school year that meet department content and

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1 performance standards. Student service learning shall be
2 offered as an elective. Financial literacy shall be offered as
3 an elective. Pre-apprenticeship programs may be offered as
4 electives. Media literacy may be offered as an elective.

5 ~~[G.]~~ H. For students entering the ninth grade
6 beginning in the 2009-2010 school year, at least one of the
7 units required for graduation shall be earned as an advanced
8 placement or honors course, a dual-credit course offered in
9 cooperation with an institution of higher education or a
10 distance learning course.

11 ~~[H.]~~ I. The department shall establish a procedure
12 for students to be awarded credit through completion of
13 specified career technical education courses for certain
14 graduation requirements.

15 ~~[I.]~~ J. Successful completion of the requirements
16 of the New Mexico diploma of excellence shall be required for
17 graduation for students entering the ninth grade beginning in
18 the 2009-2010 school year. Successful completion of a minimum
19 of twenty-four units aligned to the state academic content and
20 performance standards shall be required to earn a New Mexico
21 diploma of excellence. These units shall be as follows:

22 (1) four units in English, with major emphasis
23 on grammar, nonfiction writing and literature;

24 (2) four units in mathematics, of which one
25 shall be the equivalent to or higher than the level of algebra

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1 2, unless the parent submitted written, signed permission for
2 the student to complete a lesser mathematics unit; and provided
3 that a financial literacy course that meets state mathematics
4 academic content and performance standards shall qualify as one
5 of the four required mathematics units;

6 (3) three units in science, two of which shall
7 have a laboratory component;

8 (4) three and one-half units in social
9 science, which shall include United States history and
10 geography, world history and geography, government and
11 economics and one-half unit of New Mexico history;

12 (5) one unit in physical education; provided
13 that, with the approval of the local school board,
14 participation in a marching band, an athletic team or in an
15 athletic sport during the school day may count toward
16 fulfillment of the physical education required unit;

17 (6) one unit in one of the following:
18 a career cluster course, workplace readiness or a language
19 other than English; and

20 (7) seven and one-half elective units that
21 meet department content and performance standards. Student
22 service learning shall be offered as an elective. Financial
23 literacy shall be offered as an elective. Pre-apprenticeship
24 programs may be offered as electives. Media literacy may be
25 offered as an elective.

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1 ~~[J-]~~ K. For students entering the eighth grade in
2 the 2012-2013 school year, a course in health education is
3 required prior to graduation. Health education may be required
4 in either middle school or high school, as determined by the
5 school district. Each school district shall submit to the
6 department by the beginning of the 2011-2012 school year a
7 health education implementation plan for the 2012-2013 and
8 subsequent school years, including in which grade health
9 education will be required and how the course aligns with
10 department content and performance standards.

11 ~~[K-]~~ L. Final examinations shall be administered to
12 all students in all classes offered for credit.

13 ~~[L-]~~ M. Until July 1, 2010, a student who has not
14 passed a state graduation examination in the subject areas of
15 reading, English, mathematics, writing, science and social
16 science shall not receive a high school diploma. The state
17 graduation examination on social science shall include a
18 section on the constitution of the United States and the
19 constitution of New Mexico. If a student exits from the school
20 system at the end of grade twelve without having passed a state
21 graduation examination, the student shall receive an
22 appropriate state certificate indicating the number of credits
23 earned and the grade completed. If within five years after a
24 student exits from the school system the student takes and
25 passes the state graduation examination, the student may

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1 receive a high school diploma. Any student passing the state
2 graduation examination and completing all other requirements
3 within five years of entering ninth grade, including a final
4 summer session if completed by August 1, may be counted by the
5 school system in which the student is enrolled as a high school
6 graduate for the year in which completion and examination
7 occur.

8 [M-] N. Beginning with the 2010-2011 school year, a
9 student shall not receive a New Mexico diploma of excellence if
10 the student has not demonstrated competence in the subject
11 areas of mathematics, reading and language arts, writing,
12 social studies and science, including a section on the
13 constitution of the United States and the constitution of New
14 Mexico, based on a standards-based assessment or assessments or
15 a portfolio of standards-based indicators established by the
16 department by rule. The standards-based assessments required
17 in Section 22-2C-4 NMSA 1978 may also serve as the assessment
18 required for high school graduation. If a student exits from
19 the school system at the end of grade twelve without having
20 satisfied the requirements of this subsection, the student
21 shall receive an appropriate state certificate indicating the
22 number of credits earned and the grade completed. If within
23 five years after a student exits from the school system the
24 student satisfies the requirement of this subsection, the
25 student may receive a New Mexico diploma of excellence. Any

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1 student satisfying the requirements of this subsection and
2 completing all other requirements within five years of entering
3 ninth grade, including a final summer session if completed by
4 August 1, may be counted by the school system in which the
5 student is enrolled as a high school graduate for the year in
6 which all requirements are satisfied.

7 ~~[N.]~~ O. As used in this section:

8 (1) "final next-step plan" means a next-step
9 plan that shows that the student has committed or intends to
10 commit in the near future to a four-year college or university,
11 a two-year college, a trade or vocational program, an
12 internship or apprenticeship, military service or a job;

13 (2) "interim next-step plan" means an annual
14 next-step plan in which the student specifies post-high-school
15 goals and sets forth the coursework that will allow the student
16 to achieve those goals; and

17 (3) "next-step plan" means an annual personal
18 written plan of studies developed by a student in a public
19 school or other state-supported school or institution in
20 consultation with the student's parent and school counselor or
21 other school official charged with coursework planning for the
22 student that includes one or more of the following:

23 (a) advanced placement or honors
24 courses;

25 (b) dual-credit courses offered in

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cooperation with an institution of higher education;

(c) distance learning courses;

(d) career-technical courses; and

(e) pre-apprenticeship programs.

~~[P.]~~ P. The secretary may establish a policy to provide for administrative interpretations to clarify curricular and testing provisions of the Public School Code."

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