

1 HOUSE BILL 183

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Linda M. Trujillo

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10 AN ACT

11 RELATING TO APPRENTICESHIPS; ALLOWING PARTICIPATION IN A  
12 REGISTERED APPRENTICESHIP PROGRAM TO COUNT TOWARD HIGH SCHOOL  
13 ATTENDANCE AND GRADUATION REQUIREMENTS.

14  
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 22-13-1.1 NMSA 1978 (being Laws 1986,  
17 Chapter 33, Section 5, as amended) is amended to read:

18 "22-13-1.1. GRADUATION REQUIREMENTS.--

19 A. At the end of grades eight through eleven, each  
20 student shall prepare an interim next-step plan that sets forth  
21 the coursework for the grades remaining until high school  
22 graduation. Each year's plan shall explain any differences  
23 from previous interim next-step plans, shall be filed with the  
24 principal of the student's high school and shall be signed by  
25 the student, the student's parent and the student's guidance

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1 counselor or other school official charged with coursework  
2 planning for the student.

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

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

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

20 (1) curricular and course options, including  
21 honors or advanced placement courses, dual-credit courses,  
22 distance learning courses, career clusters and career pathways,  
23 pre-apprenticeship programs or remediation programs that the  
24 college and workplace readiness assessments indicate to be  
25 appropriate;

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

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

5 E. The secretary shall:

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

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

13 (3) monitor compliance with the requirements  
14 of this section; and

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

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

23 G. Successful completion of a minimum of twenty-  
24 three units aligned to the state academic content and  
25 performance standards shall be required for graduation. These

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1 units shall be as follows:

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

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

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

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

14 (5) one unit in physical education;

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

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

21 (8) nine elective units and seven and one-half  
22 elective units for students entering the ninth grade in the  
23 2005-2006 school year that meet department content and  
24 performance standards. Student service learning shall be  
25 offered as an elective. Financial literacy shall be offered as

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1 an elective. Pre-apprenticeship programs may be offered as  
2 electives. Media literacy may be offered as an elective.

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

9 I. The department shall establish a procedure for  
10 students to be awarded credit for certain graduation  
11 requirements through completion of specified career technical  
12 education courses [~~for certain graduation requirements~~] or  
13 work-based training and apprenticeship-related instruction  
14 under a registered apprenticeship program, and districts may  
15 choose to allow students who successfully complete an industry-  
16 recognized credential, certificate or degree to receive  
17 additional weight in the calculation of the student's grade  
18 point average.

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

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

3 (2) four units in mathematics, of which one  
4 shall be the equivalent to or higher than the level of algebra  
5 2, unless the parent submitted written, signed permission for  
6 the student to complete a lesser mathematics unit; and provided  
7 that a financial literacy course that meets state mathematics  
8 academic content and performance standards shall qualify as one  
9 of the four required mathematics units;

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

12 (4) three and one-half units in social  
13 science, which shall include United States history and  
14 geography, world history and geography, government and  
15 economics and one-half unit of New Mexico history;

16 (5) one unit in physical education, as  
17 determined by each school district, which may include a  
18 physical education program that meets state content and  
19 performance standards or participation in marching band, junior  
20 reserve officers' training corps or interscholastic sports  
21 sanctioned by the New Mexico activities association or any  
22 other co-curricular physical activity;

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

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1                   (7) seven and one-half elective units that  
2 meet department content and performance standards. Career and  
3 technical education courses shall be offered as an elective.  
4 Student service learning shall be offered as an elective.  
5 Financial literacy shall be offered as an elective. Pre-  
6 apprenticeship programs may be offered as electives. Media  
7 literacy may be offered as an elective.

8                   K. For students entering the eighth grade in the  
9 2012-2013 school year, a course in health education is required  
10 prior to graduation. Health education may be required in  
11 either middle school or high school, as determined by the  
12 school district. Each school district shall submit to the  
13 department by the beginning of the 2011-2012 school year a  
14 health education implementation plan for the 2012-2013 and  
15 subsequent school years, including in which grade health  
16 education will be required and how the course aligns with  
17 department content and performance standards. Health education  
18 courses shall include:

19                   (1) age-appropriate sexual abuse and assault  
20 awareness and prevention training that meets department  
21 standards developed in consultation with the federal centers  
22 for disease control and prevention that are based on evidence-  
23 based methods that have proven to be effective; and

24                   (2) lifesaving skills training that follows  
25 nationally recognized guidelines for hands-on psychomotor

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1 skills cardiopulmonary resuscitation training. Students shall  
2 be trained to recognize the signs of a heart attack, use an  
3 automated external defibrillator and perform the Heimlich  
4 maneuver for choking victims. The secretary shall promulgate  
5 rules to provide for the:

6 (a) use of the following instructors for  
7 the training provided pursuant to this paragraph: 1) school  
8 nurses, health teachers and athletic department personnel as  
9 instructors; and 2) any qualified persons volunteering to  
10 provide training at no cost to the school district that the  
11 school district determines to be eligible to offer instruction  
12 pursuant to this paragraph; and

13 (b) approval of training and  
14 instructional materials related to the training established  
15 pursuant to this paragraph in both English and Spanish.

16 L. For students entering the ninth grade in the  
17 2017-2018 school year and subsequent school years:

18 (1) one of the units in mathematics required  
19 by Paragraph (2) of Subsection J of this section may comprise a  
20 computer science course if taken after the student demonstrates  
21 competence in mathematics and if the course is not used to  
22 satisfy any part of the requirement set forth in Paragraph (3)  
23 of that subsection; and

24 (2) one of the units in science required by  
25 Paragraph (3) of Subsection J of this section may comprise a



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1 computer science course if taken after the student demonstrates  
2 competence in science and if the course is not used to satisfy  
3 any part of the requirement set forth in Paragraph (2) of that  
4 subsection.

5 M. Final examinations shall be administered to all  
6 students in all classes offered for credit.

7 N. Until July 1, 2010, a student who has not passed  
8 a state graduation examination in the subject areas of reading,  
9 English, mathematics, writing, science and social science shall  
10 not receive a high school diploma. The state graduation  
11 examination on social science shall include a section on the  
12 constitution of the United States and the constitution of New  
13 Mexico. If a student exits from the school system at the end  
14 of grade twelve without having passed a state graduation  
15 examination, the student shall receive an appropriate state  
16 certificate indicating the number of credits earned and the  
17 grade completed. If within five years after a student exits  
18 from the school system the student takes and passes the state  
19 graduation examination, the student may receive a high school  
20 diploma. Any student passing the state graduation examination  
21 and completing all other requirements within five years of  
22 entering ninth grade, including a final summer session if  
23 completed by August 1, may be counted by the school system in  
24 which the student is enrolled as a high school graduate for the  
25 year in which completion and examination occur.

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1           O. Beginning with the 2010-2011 school year, a  
2 student shall not receive a New Mexico diploma of excellence if  
3 the student has not demonstrated competence in the subject  
4 areas of mathematics, reading and language arts, writing,  
5 social studies and science, including a section on the  
6 constitution of the United States and the constitution of  
7 New Mexico, based on a standards-based assessment or  
8 assessments or a portfolio of standards-based indicators  
9 established by the department by rule. The standards-based  
10 assessments required in Section 22-2C-4 NMSA 1978 may also  
11 serve as the assessment required for high school graduation.  
12 If a student exits from the school system at the end of grade  
13 twelve without having satisfied the requirements of this  
14 subsection, the student shall receive an appropriate state  
15 certificate indicating the number of credits earned and the  
16 grade completed. If within five years after a student exits  
17 from the school system the student satisfies the requirements  
18 of this subsection, the student may receive a New Mexico  
19 diploma of excellence. Any student satisfying the requirements  
20 of this subsection and completing all other requirements within  
21 five years of entering ninth grade, including a final summer  
22 session if completed by August 1, may be counted by the school  
23 system in which the student is enrolled as a high school  
24 graduate for the year in which all requirements are satisfied.

25           P. As used in this section:

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1 (1) "career and technical education",  
2 sometimes referred to as "vocational education", means  
3 organized programs offering a sequence of courses, including  
4 technical education and applied technology education, that are  
5 directly related to the preparation of individuals for paid or  
6 unpaid employment in current or emerging occupations requiring  
7 an industry-recognized credential, certificate or degree;

8 (2) "career and technical education course"  
9 means a course with content that provides technical knowledge,  
10 skills and competency-based applied learning and that aligns  
11 with educational standards and expectations as defined in rule;

12 (3) "career cluster" means a grouping of  
13 occupations in industry sectors based on recognized  
14 commonalities that provide an organizing tool for developing  
15 instruction within the educational system;

16 (4) "career pathways" means a sub-grouping  
17 used as an organizing tool for curriculum design and  
18 instruction of occupations and career specialities that share a  
19 set of common knowledge and skills for career success;

20 (5) "final next-step plan" means a next-step  
21 plan that shows that the student has committed or intends to  
22 commit in the near future to a four-year college or university,  
23 a two-year college, a trade or vocational program, an  
24 internship or apprenticeship, military service or a job;

25 (6) "interim next-step plan" means an annual

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1 next-step plan in which the student specifies post-high-school  
2 goals and sets forth the coursework that will allow the student  
3 to achieve those goals; ~~and~~

4 (7) "next-step plan" means an annual personal  
5 written plan of studies developed by a student in a public  
6 school or other state-supported school or institution in  
7 consultation with the student's parent and school counselor or  
8 other school official charged with coursework planning for the  
9 student that includes one or more of the following:

10 (a) advanced placement or honors  
11 courses;

12 (b) dual-credit courses offered in  
13 cooperation with an institution of higher education;

14 (c) distance learning courses;

15 (d) career-technical courses; and

16 (e) pre-apprenticeship programs; and

17 (8) "registered apprenticeship program" means  
18 an apprenticeship program approved by the secretary of  
19 workforce solutions with the advice of the state apprenticeship  
20 council or registered with the office of apprenticeship of the  
21 employment and training administration of the United States  
22 department of labor.

23 Q. The secretary may establish a policy to provide  
24 for administrative interpretations to clarify curricular and  
25 testing provisions of the Public School Code."

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SECTION 2. A new section of the Compulsory School

Attendance Law is enacted to read:

"[NEW MATERIAL] ATTENDANCE--PARTICIPATION IN REGISTERED APPRENTICESHIP PROGRAM.--A local school board or governing body of a charter school, private school or state agency shall count toward high school attendance the time a student spends in work-based training and apprenticeship-related instruction under an apprenticeship program approved by the secretary of workforce solutions with the advice of the state apprenticeship council or registered with the office of apprenticeship of the employment and training administration of the United States department of labor."