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SENATE BILL 33

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Cynthia Nava

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING THE PUBLIC EDUCATION DEPARTMENT TO DEVELOP AN IMPROVED STUDENT ADVISEMENT PLAN THAT INCREASES STUDENT COLLEGE AND WORKPLACE AWARENESS AND READINESS; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2007; MAKING AN APPROPRIATION.

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 2007, Chapter 305, Section 1 and by Laws 2007, Chapter 307, Section 8 and also by Laws 2007, Chapter 308, Section 8) is amended to read:

"22-13-1.1. NEXT-STEP PLANS--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

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

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

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

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

24 (1) curricular and course options, including
25 honors or advanced placement courses, dual-credit courses,

1 distance learning courses, career clusters or remediation
2 programs that the college and workplace readiness assessments
3 indicate to be appropriate;

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

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

8 E. The secretary shall:

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

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

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

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

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

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

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

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

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

13 (5) one unit in physical education;

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

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

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

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

7 H. The department shall establish a procedure for
8 students to be awarded credit through completion of specified
9 career technical education courses for certain graduation
10 requirements.

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

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

20 (2) four units in mathematics, of which one
21 shall be the equivalent to or higher than the level of algebra
22 2, unless the parent submitted written, signed permission for
23 the student to complete a lesser mathematics unit;

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

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

5 (5) one unit in physical education;

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

9 (7) seven and one-half elective units that
10 meet department content and performance standards. Student
11 service learning shall be offered as an elective. Financial
12 literacy shall be offered as an elective.

13 J. Final examinations shall be administered to all
14 students in all classes offered for credit.

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

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1 from the school system the student takes and passes the state
2 graduation examination, the student may receive a high school
3 diploma.

4 L. Beginning with the 2010-2011 school year, a
5 student shall not receive a New Mexico diploma of excellence if
6 the student has not demonstrated competence in the subject
7 areas of mathematics, reading and language arts, writing,
8 social studies and science, including a section on the
9 constitution of the United States and the constitution of New
10 Mexico, based on a standards-based assessment or assessments or
11 a portfolio of standards-based indicators established by the
12 department by rule no later than January 15, 2008. If a
13 student exits from the school system at the end of grade twelve
14 without having satisfied the requirements of this subsection,
15 the student shall receive an appropriate state certificate
16 indicating the number of credits earned and the grade
17 completed. If within five years after a student exits from the
18 school system the student satisfies the requirement of this
19 subsection, the student may receive a New Mexico diploma of
20 excellence.

21 M. As used in this section:

22 (1) "final next-step plan" means a next-step
23 plan that shows that the student has committed or intends to
24 commit in the near future to a four-year college or university,
25 a two-year college, a trade or vocational program, an

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1 internship or apprenticeship, military service or a job;

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

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

12 (a) advanced placement or honors
13 courses;

14 (b) dual-credit courses offered in
15 cooperation with an institution of higher education; and

16 (c) distance learning courses.

17 N. The secretary may establish a policy to provide
18 for administrative interpretations to clarify curricular and
19 testing provisions of the Public School Code.

20 O. The secretary, in collaboration with the
21 secretary of higher education, shall develop a plan to improve
22 student advisement beginning in grade six to increase student
23 college and workplace awareness and readiness. The plan shall
24 be based on the next-step plan process and shall identify ways
25 to ensure that, in developing the interim and final next-step

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1 plans described in this section, each student and that
2 student's family have adequate, useful and accurate information
3 necessary to understand how to prepare for post-secondary
4 education and career training that is consistent with the
5 student's interests, aspirations and aptitudes. The student
6 advisement plan shall identify the types of information that
7 shall be included in the advice a student receives, how it may
8 be delivered and how to involve appropriate post-secondary
9 educational institutions and work force organizations in the
10 advisement process. In developing the plan, the secretaries
11 shall consult with representatives of post-secondary
12 educational institutions, public schools, labor and work force
13 development agencies and the business community."

14 Section 2. APPROPRIATION.--Two hundred fifty thousand
15 dollars (\$250,000) is appropriated from the general fund to the
16 public education department for expenditure in fiscal year 2009
17 to develop a plan to improve student advisement beginning in
18 grade six. Any unexpended or unencumbered balance remaining at
19 the end of fiscal year 2009 shall revert to the general fund.