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HOUSE BILL 49

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Ray Begaye

FOR THE INDIAN AFFAIRS COMMITTEE

AN ACT

RELATING TO EDUCATION; INCLUDING FEDERAL BUREAU OF INDIAN
EDUCATION HIGH SCHOOLS AND TRIBAL COLLEGES IN THE DUAL CREDIT
PROGRAM.

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

Section 1. Section 21-1-1.2 NMSA 1978 (being Laws 2007,
Chapter 227, Section 1, as amended) is amended to read:

"21-1-1.2. DUAL CREDIT FOR HIGH SCHOOL AND
POST-SECONDARY CLASSES.--

A. As used in this section:

(1) "bureau of Indian education high school"
means a school located in New Mexico that is under the control
of the bureau of Indian education of the United States
department of the interior; and

(2) "dual credit program" means a program that

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1 allows high school students to enroll in college-level courses
2 offered by a public post-secondary educational institution or
3 tribal college that may be academic or career-technical but not
4 remedial or developmental, and simultaneously to earn credit
5 toward high school graduation and a post-secondary degree or
6 certificate.

7 B. To be eligible to participate in a dual credit
8 program, the student shall:

9 (1) except as provided in Subsection C of this
10 section, be enrolled in a regular public school, charter
11 school, ~~[or]~~ state-supported school or bureau of Indian
12 education high school in one-half or more of the minimum course
13 requirements approved by the public education department for
14 public school students; and

15 (2) obtain permission from a school counselor,
16 the school principal or head administrator of a charter school,
17 ~~[or]~~ state-supported school or bureau of Indian education high
18 school prior to enrolling in a dual credit course.

19 C. A student who has met the eligibility criteria
20 provided for in Subsection B of this section in a fall or
21 winter semester and who has not graduated or earned a general
22 educational development certificate may take courses for dual
23 credit during the immediately succeeding summer semester.

24 D. The school district, charter school, ~~[or]~~
25 state-supported school or bureau of Indian education high

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1 school that the student attends shall pay the cost of the
2 required textbooks and other course supplies for the post-
3 secondary course the student is enrolled in through purchase
4 arrangements with the bookstore at the public post-secondary
5 educational institution or tribal college or through other
6 cost-efficient methods. The student shall return the textbooks
7 and unused course supplies to the school district, charter
8 school, state-supported school or bureau of Indian education
9 high school when the student completes the course or withdraws
10 from the course.

11 E. A public post-secondary educational institution
12 or tribal college that participates in a dual credit program
13 shall waive all general fees for dual credit courses.

14 F. The higher education department shall revise
15 procedures in the higher education funding formula to address
16 enrollments in dual credit courses and to encourage
17 institutions to waive tuition for high school students taking
18 those courses.

19 G. The higher education department and the public
20 education department shall adopt and promulgate rules to
21 implement a dual credit program that specify:

22 (1) post-secondary courses that are eligible
23 for dual credit;

24 (2) conditions that apply, including:

25 (a) the required academic standing and

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1 conduct of students enrolled in dual credit courses;

2 (b) the semesters in which dual credit
3 courses may be taken;

4 (c) the nature of high school credit
5 earned;

6 (d) any caps on the number of courses,
7 location of courses and provision of transcripts; and

8 (e) an appeals process for a student who
9 is denied permission to enroll in a dual credit course;

10 (3) accommodations or other arrangements
11 applicable to special education students;

12 (4) the contents of the uniform master
13 agreement, developed in collaboration with school districts,
14 charter schools, state-supported schools, ~~[and the]~~ bureau of
15 Indian education high schools, public post-secondary
16 educational institutions and tribal colleges, that govern the
17 roles, responsibilities and liabilities of the school district,
18 charter school, ~~[or]~~ state-supported school or bureau of Indian
19 education high school; the institution or tribal college; and
20 the student and the student's family;

21 (5) provisions for expanding dual credit
22 opportunities through distance learning and other methods;

23 (6) the means by which public high schools are
24 required to inform students and parents about opportunities to
25 participate in dual credit programs during student advisement,

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1 academic support and formulation of annual next step plans, as
2 well as other methods; and

3 (7) provisions for collecting and
4 disseminating annual data, including:

5 (a) the number of students taking dual
6 credit courses;

7 (b) the participating school districts,
8 charter schools, state-supported schools, ~~and~~ bureau of
9 Indian education high schools, public post-secondary
10 educational institutions and tribal colleges;

11 (c) the courses taken and grades earned;

12 (d) the high school graduation rates for
13 participating school districts, charter schools, ~~and~~ state-
14 supported schools and bureau of Indian education high schools;

15 (e) the public post-secondary
16 educational institutions and tribal colleges that participating
17 students ultimately attend; and

18 (f) the cost of providing dual credit
19 courses.

20 H. The higher education department and the public
21 education department shall evaluate the dual credit program in
22 terms of its accessibility to students statewide and its effect
23 on:

24 (1) student achievement in secondary
25 education;

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1 (2) student enrollment and completion of
2 higher education; and

3 (3) school districts, charter schools, state-
4 supported schools, [~~and~~] bureau of Indian education high
5 schools, public post-secondary educational institutions and
6 tribal colleges.

7 I. The departments shall make an annual report,
8 including recommendations, to the governor and the legislature.

9 J. The provisions of this section do not apply to
10 the New Mexico military institute."

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