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HOUSE BILL 342

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

INTRODUCED BY

Antonio "Moe" Maestas

AN ACT

RELATING TO EDUCATION; REQUIRING THAT MEDIA LITERACY BE OFFERED AS AN ELECTIVE FOR PUBLIC SCHOOL STUDENTS IN GRADES SIX THROUGH TWELVE.

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

Section 1. Section 22-13-1 NMSA 1978 (being Laws 2003, Chapter 153, Section 57, as amended by Laws 2007, Chapter 307, Section 7 and by Laws 2007, Chapter 308, Section 7) is amended to read:

"22-13-1. SUBJECT AREAS--MINIMUM INSTRUCTIONAL AREAS REQUIRED--ACCREDITATION.--

A. The department shall require public schools to address department-approved academic content and performance standards when instructing in specific department-required subject areas as provided in this section. A public school or

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1 school district failing to meet these minimum requirements
2 shall not be accredited by the department.

3 B. All kindergarten through third grade classes
4 shall provide daily instruction in reading and language arts
5 skills, including phonemic awareness, phonics and
6 comprehension, and in mathematics. Students in kindergarten
7 and first grades shall be screened and monitored for progress
8 in reading and language arts skills and students in second
9 grade shall take diagnostic tests on reading and language arts
10 skills.

11 C. All first, second and third grade classes shall
12 provide instruction in art, music and a language other than
13 English, and instruction that meets content and performance
14 standards shall be provided in science, social studies,
15 physical education and health education.

16 D. In fourth through eighth grades, instruction
17 that meets academic content and performance standards shall be
18 provided in the following subject areas:

19 (1) reading and language arts skills, with an
20 emphasis on writing and editing for at least one year and an
21 emphasis on grammar and writing for at least one year;

22 (2) mathematics;

23 (3) language other than English;

24 (4) communication skills;

25 (5) science;

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- 1 (6) art;
- 2 (7) music;
- 3 (8) social studies;
- 4 (9) New Mexico history;
- 5 (10) United States history;
- 6 (11) geography;
- 7 (12) physical education; and
- 8 (13) health education.

9 E. Beginning with the 2008-2009 school year, in
10 eighth grade, algebra 1 shall be offered in regular classroom
11 settings or through on-line courses or agreements with high
12 schools.

13 F. In fourth through eighth grades, school
14 districts shall offer electives that contribute to academic
15 growth and skill development and provide career and technical
16 education. Beginning with the 2010-2011 school year, in sixth
17 through eighth grades, media literacy shall be offered as an
18 elective.

19 G. In ninth through twelfth grades, instruction
20 that meets academic content and performance standards shall be
21 provided in health education."

22 Section 2. Section 22-13-1.1 NMSA 1978 (being Laws 1986,
23 Chapter 33, Section 5, as amended) is amended to read:

24 "22-13-1.1. GRADUATION REQUIREMENTS.--

25 A. At the end of grades eight through eleven, each
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1 student shall prepare an interim next-step plan that sets forth
2 the coursework for the grades remaining until high school
3 graduation. Each year's plan shall explain any differences
4 from previous interim next-step plans, shall be filed with the
5 principal of the student's high school and shall be signed by
6 the student, the student's parent and the student's guidance
7 counselor or other school official charged with coursework
8 planning for the student.

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

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

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

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1 (1) curricular and course options, including
2 honors or advanced placement courses, dual-credit courses,
3 distance learning courses, career clusters or remediation
4 programs that the college and workplace readiness assessments
5 indicate to be appropriate;

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

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

10 E. The secretary shall:

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

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

18 (3) monitor compliance with the requirements
19 of this section; and

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

24 F. Successful completion of a minimum of
25 twenty-three units aligned to the state academic content and

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1 performance standards shall be required for graduation. These
2 units shall be as follows:

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

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

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

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

15 (5) one unit in physical education;

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

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

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

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1 offered as an elective. Financial literacy shall be offered as
2 an elective. Beginning with the 2010-2011 school year, media
3 literacy shall be offered as an elective.

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

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

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

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

23 (2) four units in mathematics, of which one
24 shall be the equivalent to or higher than the level of algebra
25 2, unless the parent submitted written, signed permission for

1 the student to complete a lesser mathematics unit;

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

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

8 (5) one unit in physical education;

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

12 (7) seven and one-half elective units that
13 meet department content and performance standards. Student
14 service learning shall be offered as an elective. Financial
15 literacy shall be offered as an elective. Beginning with the
16 2010-2011 school year, media literacy shall be offered as an
17 elective.

18 J. Final examinations shall be administered to all
19 students in all classes offered for credit.

20 K. Until July 1, 2010, a student who has not passed
21 a state graduation examination in the subject areas of reading,
22 English, mathematics, writing, science and social science shall
23 not receive a high school diploma. The state graduation
24 examination on social science shall include a section on the
25 constitution of the United States and the constitution of New

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1 Mexico. If a student exits from the school system at the end
2 of grade twelve without having passed a state graduation
3 examination, the student shall receive an appropriate state
4 certificate indicating the number of credits earned and the
5 grade completed. If within five years after a student exits
6 from the school system the student takes and passes the state
7 graduation examination, the student may receive a high school
8 diploma.

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

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1 student may receive a New Mexico diploma of excellence.

2 M. As used in this section:

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

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

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

18 (a) advanced placement or honors
19 courses;

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

22 (c) distance learning courses.

23 N. 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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