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HOUSE BILL 659

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

INTRODUCED BY

Mary Helen Garcia

AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING STUDENTS ENTERING NINTH GRADE IN THE 2009-2010 SCHOOL YEAR TO TAKE HEALTH EDUCATION TO GRADUATE FROM HIGH SCHOOL.

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) 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 from previous interim next-step plans, shall be filed with the principal of the student's high school and shall be signed by 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 complete a final next-step
4 plan during the senior year and prior to graduation. The plan
5 shall be filed with the principal of the student's high school
6 and shall be signed by the student, the student's parent and
7 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 or remediation
23 programs that the college and workplace readiness assessments
24 indicate to be appropriate;

25 (2) opportunities available that lead to

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1 different post-high-school options; and

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

4 E. The secretary shall:

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

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

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

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

18 F. Successful completion of a minimum of
19 twenty-three units aligned to the state academic content and
20 performance standards shall be required for graduation. These
21 units shall be as follows:

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

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

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

6 (4) three units in social science, which shall
7 include United States history and geography, world history and
8 geography and government and economics;

9 (5) one unit in physical education;

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

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

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

22 G. For students entering the ninth grade beginning
23 in the 2009-2010 school year, at least one of the units
24 required for graduation shall be earned as an advanced
25 placement or honors course, a dual-credit course offered in

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1 cooperation with an institution of higher education or a
2 distance learning course.

3 H. The department shall establish a procedure for
4 students to be awarded credit through completion of specified
5 career technical education courses for certain graduation
6 requirements.

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

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

16 (2) four units in mathematics, of which one
17 shall be the equivalent to or higher than the level of algebra
18 2, unless the parent submitted written, signed permission for
19 the student to complete a lesser mathematics unit;

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

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

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1 (5) one unit in physical education;

2 (6) one unit in one of the following:

3 a career cluster course, workplace readiness or a language
4 other than English; [~~and~~]

5 (7) one-half unit in health education; and

6 [~~(7) seven~~] (8) six and one-half elective
7 units that meet department content and performance standards.

8 Student service learning shall be offered as an elective.

9 Financial literacy shall be offered as an elective.

10 J. Final examinations shall be administered to all
11 students in all classes offered for credit.

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

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1 L. 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 New
7 Mexico, based on a standards-based assessment or assessments or
8 a portfolio of standards-based indicators established by the
9 department by rule. The standards-based assessments required
10 in Section 22-2C-4 NMSA 1978 may also serve as the assessment
11 required for high school graduation. If a student exits from
12 the school system at the end of grade twelve without having
13 satisfied the requirements of this subsection, the student
14 shall receive an appropriate state certificate indicating the
15 number of credits earned and the grade completed. If within
16 five years after a student exits from the school system the
17 student satisfies the requirement of this subsection, the
18 student may receive a New Mexico diploma of excellence.

19 M. As used in this section:

20 (1) "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 (2) "interim next-step plan" means an annual

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

4 (3) "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; and

14 (c) distance learning courses.

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