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SENATE BILL 157

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Lynda M. Lovejoy

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO HIGHER EDUCATION; PROVIDING THAT DUAL CREDIT REIMBURSEMENT THROUGH THE HIGHER EDUCATION FUNDING FORMULA SHALL BE BASED ON COMPLETION, NOT ENROLLMENT.

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~~] directly funded by the bureau of Indian education of the United States department of the interior;

(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; and

7 (3) "tribal college" means a tribally,
8 federally or congressionally chartered post-secondary
9 educational institution located in New Mexico that is
10 accredited by the north central association of colleges and
11 schools.

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

14 (1) except as provided in Subsection C of this
15 section, be enrolled in a regular public school, charter
16 school, state-supported school or bureau of Indian education
17 high school in one-half or more of the minimum course
18 requirements approved by the public education department for
19 public school students; and

20 (2) obtain permission from a school counselor;
21 the school principal; or the head administrator of a charter
22 school, state-supported school or bureau of Indian education
23 high school prior to enrolling in a dual credit course.

24 C. A student who has met the eligibility criteria
25 provided for in Subsection B of this section in a fall or

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1 winter semester and who has not graduated or earned a general
2 educational development certificate may take courses for dual
3 credit during the immediately succeeding summer semester.

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

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

19 F. The higher education department shall revise
20 procedures in the higher education funding formula to address
21 [~~enrollments in~~] dual credit courses and to encourage
22 institutions to waive tuition for high school students taking
23 those courses. The formula shall reimburse institutions only
24 for those students who complete their dual credit courses.

25 G. The higher education department and the public

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1 education department shall adopt and promulgate rules to
2 implement a dual credit program that specify:

3 (1) post-secondary courses that are eligible
4 for dual credit;

5 (2) conditions that apply, including:

6 (a) the required academic standing and
7 conduct of students enrolled in dual credit courses;

8 (b) the semesters in which dual credit
9 courses may be taken;

10 (c) the nature of high school credit
11 earned;

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

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

16 (3) accommodations or other arrangements
17 applicable to special education students;

18 (4) the contents of the uniform master
19 agreement, developed in collaboration with school districts,
20 charter schools, state-supported schools, bureau of Indian
21 education high schools, public post-secondary educational
22 institutions and tribal colleges, that govern the roles,
23 responsibilities and liabilities of the school district,
24 charter school, state-supported school or bureau of Indian
25 education high school; the public post-secondary educational

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1 institution or tribal college; and the student and the
2 student's family;

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

5 (6) the means by which public high schools are
6 required to inform students and parents about opportunities to
7 participate in dual credit programs during student advisement,
8 academic support and formulation of annual next step plans, as
9 well as other methods; and

10 (7) provisions for collecting and
11 disseminating annual data, including:

12 (a) the number of students taking dual
13 credit courses;

14 (b) the participating school districts,
15 charter schools, state-supported schools, bureau of Indian
16 education high schools, public post-secondary educational
17 institutions and tribal colleges;

18 (c) the courses taken and grades earned;

19 (d) the high school graduation rates for
20 participating school districts, charter schools, state-
21 supported schools and bureau of Indian education high schools;

22 (e) the public post-secondary
23 educational institutions and tribal colleges that participating
24 students ultimately attend; and

25 (f) the cost of providing dual credit

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1 courses.

2 H. The higher education department and the public
3 education department shall evaluate the dual credit program in
4 terms of its accessibility to students statewide and its effect
5 on:

6 (1) student achievement in secondary
7 education;

8 (2) student enrollment and completion of
9 higher education; and

10 (3) school districts, charter schools, state-
11 supported schools, bureau of Indian education high schools,
12 public post-secondary educational institutions and tribal
13 colleges.

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

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

18 SECTION 2. APPLICABILITY.--The provisions of this act
19 apply to dual credit courses in the fall 2011 and subsequent
20 semesters.