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HOUSE BILL 66

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

INTRODUCED BY

Mimi Stewart

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC EDUCATION; PROVIDING FOR A NEW MEXICO  
GENERAL DIPLOMA TO BE AWARDED TO HIGH SCHOOL STUDENTS WHO MEET  
CERTAIN GRADUATION REQUIREMENTS AND DISTINGUISHING THE NEW  
MEXICO DIPLOMA OF EXCELLENCE AWARDED TO HIGH SCHOOL STUDENTS  
WHO MEET ADDITIONAL GRADUATION REQUIREMENTS; DELINEATING THE  
PUBLIC EDUCATION DEPARTMENT'S DETERMINATION OF STANDARDS-BASED  
ASSESSMENTS REQUIREMENTS AND THE SCHOOL DISTRICTS'  
DETERMINATION OF STANDARDS-BASED INDICATOR PORTFOLIO  
REQUIREMENTS FOR NEW MEXICO GENERAL DIPLOMA CANDIDATES; MAKING  
TECHNICAL CORRECTIONS TO THE UNIT REQUIREMENTS FOR GRADUATION;  
CLARIFYING THE PHYSICAL EDUCATION REQUIREMENT; RECONCILING  
MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAWS IN LAWS 2010;  
DECLARING AN EMERGENCY.

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

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1           SECTION 1. Section 22-13-1.1 NMSA 1978 (being Laws 1986,  
2 Chapter 33, Section 5, as amended by Laws 2010, Chapter 25,  
3 Section 1 and by Laws 2010, Chapter 110, Section 1) is amended  
4 to read:

5           "22-13-1.1. HIGH SCHOOL GRADUATION REQUIREMENTS.--

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

15           B. Each student must complete a final next-step  
16 plan during the senior year and prior to graduation. The plan  
17 shall be filed with the principal of the student's high school  
18 and shall be signed by the student, the student's parent and  
19 the student's guidance counselor or other school official  
20 charged with coursework planning for the student.

21           C. An individualized education program that meets  
22 the requirements of Subsections A and B of this section and  
23 that meets all applicable transition and procedural  
24 requirements of the federal Individuals with Disabilities  
25 Education Act for a student with a disability shall satisfy the

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1 next-step plan requirements of this section for that student.

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

7 (1) curricular and course options, including  
8 honors or advanced placement courses, dual-credit courses,  
9 distance learning courses, career clusters, pre-apprenticeship  
10 programs or remediation programs that the college and workplace  
11 readiness assessments indicate to be appropriate;

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

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

16 E. The secretary shall:

17 (1) establish specific accountability  
18 standards for administrators, counselors, teachers and school  
19 district staff to ensure that every student has the opportunity  
20 to develop a next-step plan;

21 (2) promulgate rules for accredited private  
22 schools in order to ensure substantial compliance with the  
23 provisions of this section;

24 (3) monitor compliance with the requirements  
25 of this section; and

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

5 F. Successful completion of a minimum of twenty-  
6 three units aligned to the state academic content and  
7 performance standards shall be required for the receipt of a  
8 New Mexico general diploma upon graduation. These units shall  
9 be as follows:

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

12 (2) three units in mathematics, at least one  
13 of which is equivalent to the algebra 1 level or higher;  
14 provided that a financial literacy course that meets state  
15 mathematics academic content and performance standards shall  
16 qualify as one of the three required mathematics units;

17 ~~(3) [two units in science, one of which shall~~  
18 ~~have a laboratory component; provided, however, that with~~  
19 ~~students entering the ninth grade beginning in the 2005-2006~~  
20 ~~school year] three units in science [shall be required], one of~~  
21 which shall have a laboratory component;

22 (4) three units in social science, which shall  
23 include United States history and geography, world history and  
24 geography and government and economics;

25 (5) one unit in physical education as

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1 designated and provided by each school district;

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

5 (7) one-half unit in New Mexico history [~~for~~  
6 ~~students entering the ninth grade beginning in the 2005-2006~~  
7 ~~school year~~]; and

8 (8) [~~nine elective units and~~] seven and  
9 one-half elective units [~~for students entering the ninth grade~~  
10 ~~in the 2005-2006 school year~~] that meet department content and  
11 performance standards. Student service learning shall be  
12 offered as an elective. Financial literacy shall be offered as  
13 an elective. Pre-apprenticeship programs may be offered as  
14 electives. Media literacy may be offered as an elective.

15 G. [~~For students entering the ninth grade beginning~~  
16 ~~in the 2009-2010 school year~~] At least one of the units  
17 required for the receipt of a New Mexico diploma of excellence  
18 upon graduation shall be earned as an advanced placement or  
19 honors course, a dual-credit course offered in cooperation with  
20 an institution of higher education or a distance learning  
21 course.

22 H. The department shall establish a procedure for  
23 students to be awarded credit through completion of specified  
24 career technical education courses for certain graduation  
25 requirements.

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1 I. [~~Successful completion of the requirements of~~  
2 ~~the New Mexico diploma of excellence shall be required for~~  
3 ~~graduation for students entering the ninth grade beginning in~~  
4 ~~the 2009-2010 school year.~~] Successful completion of a minimum  
5 of twenty-four units aligned to the state academic content and  
6 performance standards shall be required to earn a New Mexico  
7 diploma of excellence upon high school graduation. These units  
8 shall be as follows:

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

11 (2) four units in mathematics, of which one  
12 shall be the equivalent to or higher than the level of algebra  
13 2, unless the parent submitted written, signed permission for  
14 the student to complete a lesser mathematics unit; and provided  
15 that a financial literacy course that meets state mathematics  
16 academic content and performance standards shall qualify as one  
17 of the four required mathematics units;

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

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

24 (5) one unit in physical education as  
25 designated and provided by each school district;

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

2 a career cluster course, workplace readiness or a language  
3 other than English; and

4 (7) seven and one-half elective units that  
5 meet department content and performance standards. Student  
6 service learning shall be offered as an elective. Financial  
7 literacy shall be offered as an elective. Pre-apprenticeship  
8 programs may be offered as electives. Media literacy may be  
9 offered as an elective.

10 J. ~~[For students entering the eighth grade in the~~  
11 ~~2012-2013 school year]~~ A course in health education is required  
12 ~~[prior to graduation. Health education may be required]~~ to be  
13 taken in either middle school or high school, as determined by  
14 the school district. Each school district shall submit to the  
15 department by the beginning of the ~~[2011-2012]~~ school year a  
16 health education implementation plan for the ~~[2012-2013 and~~  
17 ~~subsequent]~~ next school ~~[years]~~ year, including in which grade  
18 health education will be required and how the course aligns  
19 with department content and performance standards.

20 K. Final examinations shall be administered to all  
21 students in all classes offered for credit.

22 ~~[L. Until July 1, 2010, a student who has not~~  
23 ~~passed a state graduation examination in the subject areas of~~  
24 ~~reading, English, mathematics, writing, science and social~~  
25 ~~science shall not receive a high school diploma. The state~~

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1 ~~graduation examination on social science shall include a~~  
2 ~~section on the constitution of the United States and the~~  
3 ~~constitution of New Mexico. If a student exits from the school~~  
4 ~~system at the end of grade twelve without having passed a state~~  
5 ~~graduation examination, the student shall receive an~~  
6 ~~appropriate state certificate indicating the number of credits~~  
7 ~~earned and the grade completed. If within five years after a~~  
8 ~~student exits from the school system the student takes and~~  
9 ~~passes the state graduation examination, the student may~~  
10 ~~receive a high school diploma. Any student passing the state~~  
11 ~~graduation examination and completing all other requirements~~  
12 ~~within five years of entering ninth grade, including a final~~  
13 ~~summer session if completed by August 1, may be counted by the~~  
14 ~~school system in which the student is enrolled as a high school~~  
15 ~~graduate for the year in which completion and examination~~  
16 ~~occur.~~

17 ~~M. Beginning with the 2010-2011 school year]~~

18 L. A student shall ~~[not]~~ receive a New Mexico  
19 diploma of excellence instead of a New Mexico general diploma  
20 if the student has ~~[not]~~ met the requirements of Subsections G  
21 and I of this section and demonstrated competence in the  
22 subject areas of mathematics, reading and language arts,  
23 writing, social studies and science, including a section on the  
24 constitution of the United States and the constitution of New  
25 Mexico, based on a standards-based assessment or assessments

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

13 M. A student eligible to receive a New Mexico  
14 general diploma but not a New Mexico diploma of excellence may  
15 demonstrate competence in the subject areas of mathematics,  
16 reading and language arts, writing, social studies and science,  
17 including a section on the constitution of the United States  
18 and the constitution of New Mexico, based on a standards-based  
19 assessment or assessments required in Section 22-2C-4 NMSA 1978  
20 or a portfolio of standards-based indicators established by  
21 each school district.

22 N. Any student satisfying the requirements of  
23 [~~this~~] Subsection F or L of this section and completing all  
24 other high school graduation requirements within five years of  
25 entering ninth grade, including a final summer session if

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1 completed by August 1, may be counted by the school [~~system~~]  
2 district in which the student is enrolled as a high school  
3 graduate for the year in which all requirements are satisfied.

4 [~~N.~~] O. As used in this section:

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

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

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

20 (a) advanced placement or honors  
21 courses;

22 (b) dual-credit courses offered in  
23 cooperation with an institution of higher education;

24 (c) distance learning courses;

25 (d) career-technical courses; and

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(e) pre-apprenticeship programs.

~~[P.]~~ P. The secretary may establish a policy to provide for administrative interpretations to clarify curricular and testing provisions of the Public School Code."

**SECTION 2. EMERGENCY.**--It is necessary for the public peace, health and safety that this act take effect immediately.