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

"22-13-1.1. HIGH SCHOOL 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 counselor or other school official charged with coursework planning for the student.

B. Each student must complete a final next-step plan during the senior year and prior to graduation. The plan 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 counselor or other school official charged with coursework planning for the student.

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

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

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

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

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

E. The secretary shall:

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

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

(3) monitor compliance with the requirements of this section; and
(4) compile such information as is necessary
to evaluate the success of next-step plans and report annually,
by December 15, to the legislative education study committee
and the governor.

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

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

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

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

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

(5) one unit in physical education as

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designated and provided by each school district;

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

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

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

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

H. The department shall establish a procedure for students to be awarded credit through completion of specified career technical education courses for certain graduation requirements.
I. [Successful completion of the requirements of the New Mexico diploma of excellence shall be required for graduation for students entering the ninth grade beginning in the 2009-2010 school year.] Successful completion of a minimum of twenty-four units aligned to the state academic content and performance standards shall be required to earn a New Mexico diploma of excellence upon high school graduation. These units shall be as follows:

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

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

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

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

(5) one unit in physical education as designated and provided by each school district;
(6) one unit in one of the following:
a career cluster course, workplace readiness or a language
other than English; and

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

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

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

[L. Until July 1, 2010, a student who has not
passed a state graduation examination in the subject areas of
reading, English, mathematics, writing, science and social
science shall not receive a high school diploma. The state
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graduation examination on social science shall include a
section on the constitution of the United States and the
constitution of New Mexico. If a student exits from the school
system at the end of grade twelve without having passed a state
graduation examination, the student shall receive an
appropriate state certificate indicating the number of credits
earned and the grade completed. If within five years after a
student exits from the school system the student takes and
passes the state graduation examination, the student may
receive a high school diploma. Any student passing the state
graduation examination and completing all other requirements
within five years of entering ninth grade, including a final
summer session if completed by August 1, may be counted by the
school system in which the student is enrolled as a high school
graduate for the year in which completion and examination
occur.

M. Beginning with the 2010-2011 school year]

L. A student shall [not] receive a New Mexico
diploma of excellence instead of a New Mexico general diploma
if the student has [not] met the requirements of Subsections G
and I of this section and demonstrated competence in the
subject areas of mathematics, reading and language arts,
writing, social studies and science, including a section on the
constitution of the United States and the constitution of New
Mexico, based on a standards-based assessment or assessments
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required in Section 22-2C-4 NMSA 1978 or a portfolio of standards-based indicators established by the department by rule. [The standards-based assessments required in Section 22-2C-4 NMSA 1978 may also serve as the assessment required for high school graduation. If a student exits from the school system at the end of grade twelve without having satisfied the requirements of this subsection, the student shall receive an appropriate state certificate indicating the number of credits earned and the grade completed. If within five years after a student exits from the school system the student satisfies the requirement of this subsection, the student may receive a New Mexico diploma of excellence].

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

N. Any student satisfying the requirements of [this] Subsection F or L of this section and completing all other high school graduation requirements within five years of entering ninth grade, including a final summer session if
completed by August 1, may be counted by the school district in which the student is enrolled as a high school graduate for the year in which all requirements are satisfied.

As used in this section:

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

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

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

(a) advanced placement or honors courses;

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

(c) distance learning courses;

(d) career-technical courses; and
(e) pre-apprenticeship programs.

[] 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.

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