

HOUSE BILL 329

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

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC EDUCATION; PROVIDING FOR A NEW MEXICO
DIPLOMA OF EXCELLENCE TO BE AWARDED TO RESIDENT HOME SCHOOL
STUDENTS WHO MEET CERTAIN GRADUATION REQUIREMENTS THROUGH
TESTING.

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 by Laws 2010, Chapter 25,
Section 1 and by Laws 2010, Chapter 110, Section 1) 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

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1 from previous interim next-step plans, shall be filed with the
2 principal of the student's high school and shall be signed by
3 the student, the student's parent and the student's guidance
4 counselor or other school official charged with coursework
5 planning for the student.

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

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

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

23 (1) curricular and course options, including
24 honors or advanced placement courses, dual-credit courses,
25 distance learning courses, career clusters, pre-apprenticeship

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1 programs or remediation programs that the college and workplace
2 readiness assessments indicate to be appropriate;

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

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

7 E. The secretary shall:

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

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

15 (3) monitor compliance with the requirements
16 of this section; and

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

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

25 (1) four units in English, with major emphasis

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1 on grammar and literature;

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

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

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

12 (5) one unit in physical education;

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

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

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

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

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

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

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

20 (2) four units in mathematics, of which one
21 shall be the equivalent to or higher than the level of algebra
22 2, unless the parent submitted written, signed permission for
23 the student to complete a lesser mathematics unit; and provided
24 that a financial literacy course that meets state mathematics
25 academic content and performance standards shall qualify as one

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1 of the four required mathematics units;

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, 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. Pre-apprenticeship
16 programs may be offered as electives. Media literacy may be
17 offered as an elective.

18 J. For students entering the eighth grade in the
19 2012-2013 school year, a course in health education is required
20 prior to graduation. Health education may be required in
21 either middle school or high school, as determined by the
22 school district. Each school district shall submit to the
23 department by the beginning of the 2011-2012 school year a
24 health education implementation plan for the 2012-2013 and
25 subsequent school years, including in which grade health

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1 education will be required and how the course aligns with
2 department content and performance standards.

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

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

24 M. Beginning with the 2010-2011 school year, a
25 student shall not receive a New Mexico diploma of excellence if

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1 the student has not demonstrated competence in the subject
2 areas of mathematics, reading and language arts, writing,
3 social studies and science, including a section on the
4 constitution of the United States and the constitution of New
5 Mexico, based on a standards-based assessment or assessments or
6 a portfolio of standards-based indicators established by the
7 department by rule. The standards-based assessments required
8 in Section 22-2C-4 NMSA 1978 may also serve as the assessment
9 required for high school graduation. If a student exits from
10 the school system at the end of grade twelve without having
11 satisfied the requirements of this subsection, the student
12 shall receive an appropriate state certificate indicating the
13 number of credits earned and the grade completed. If within
14 five years after a student exits from the school system the
15 student satisfies the requirement of this subsection, the
16 student may receive a New Mexico diploma of excellence. Any
17 student satisfying the requirements of this subsection and
18 completing all other requirements within five years of entering
19 ninth grade, including a final summer session if completed by
20 August 1, may be counted by the school system in which the
21 student is enrolled as a high school graduate for the year in
22 which all requirements are satisfied.

23 N. A New Mexico resident home school student who
24 demonstrates competence in the subject areas of mathematics,
25 reading and language arts, writing, social studies and science,

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1 including a section on the constitution of the United States
2 and the constitution of New Mexico:

3 (1) based on the results of taking and
4 receiving passing scores on one or any combination of the
5 following:

6 (a) a standards-based assessment or
7 assessments;

8 (b) end-of-course tests in the subject
9 areas of mathematics, reading and language arts, writing,
10 social studies and science, including a section on the
11 constitution of the United States and the constitution of New
12 Mexico, administered during the final year of high school; or

13 (c) a state graduation examination;

14 (2) shall receive a New Mexico diploma of
15 excellence from a high school in the student's attendance zone
16 within the student's school district; and

17 (3) may be counted as a high school graduate
18 by the school district that awards a New Mexico diploma of
19 excellence to the student.

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

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

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

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

11 (a) advanced placement or honors
12 courses;

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

15 (c) distance learning courses;

16 (d) career-technical courses; and

17 (e) pre-apprenticeship programs.

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