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SENATE BILL 14

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Jacob R. Candelaria

AN ACT

RELATING TO PUBLIC SCHOOLS; ALLOWING A COURSE IN A MODERN,
WIDELY USED COMPUTER PROGRAMMING LANGUAGE TO COUNT AS A
LANGUAGE OTHER THAN ENGLISH.

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

SECTION 1. Section 22-13-1 NMSA 1978 (being Laws 2003,
Chapter 153, Section 57, as amended) is amended to read:

"22-13-1. SUBJECT AREAS--MINIMUM INSTRUCTIONAL AREAS
REQUIRED--ACCREDITATION.--

A. The department shall require public schools to
address department-approved academic content and performance
standards when instructing in specific department-required
subject areas as provided in this section. A public school or
school district failing to meet these minimum requirements
shall not be accredited by the department.

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1 B. All kindergarten through third grade classes
2 shall provide daily instruction in reading and language arts
3 skills, including phonemic awareness, phonics and
4 comprehension, and in mathematics. Students in kindergarten
5 and first grades shall be screened and monitored for progress
6 in reading and language arts skills, and students in second
7 grade shall take diagnostic tests on reading and language arts
8 skills.

9 C. All first, second and third grade classes shall
10 provide instruction in art, music and a language other than
11 English, and instruction that meets content and performance
12 standards shall be provided in science, social studies,
13 physical education and health education.

14 D. In fourth through eighth grades, instruction
15 that meets academic content and performance standards shall be
16 provided in the following subject areas:

- 17 (1) reading and language arts skills, with an
18 emphasis on writing and editing for at least one year and an
19 emphasis on grammar and writing for at least one year;
- 20 (2) mathematics;
- 21 (3) language other than English;
- 22 (4) communication skills;
- 23 (5) science;
- 24 (6) art;
- 25 (7) music;

- 1 (8) social studies;
- 2 (9) New Mexico history;
- 3 (10) United States history;
- 4 (11) geography;
- 5 (12) physical education; and
- 6 (13) health education.

7 E. Beginning with the 2008-2009 school year, in
8 eighth grade, algebra 1 shall be offered in regular classroom
9 settings or through online courses or agreements with high
10 schools.

11 F. In fourth through eighth grades, school
12 districts shall offer electives that contribute to academic
13 growth and skill development and provide career and technical
14 education. In sixth through eighth grades, media literacy may
15 be offered as an elective.

16 G. In ninth through twelfth grades, instruction
17 that meets academic content and performance standards shall be
18 provided in health education.

19 H. All health education courses shall include age-
20 appropriate sexual abuse and assault awareness and prevention
21 training that meets department standards developed in
22 consultation with the federal centers for disease control and
23 prevention that are based on evidence-based methods that have
24 proven to be effective.

25 I. Beginning with the 2015-2016 school year, in all

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1 grades, school districts may offer a course in a modern, widely
2 used computer programming language to satisfy language other
3 than English requirements."

4 SECTION 2. Section 22-13-1.1 NMSA 1978 (being Laws 1986,
5 Chapter 33, Section 5, as amended by Laws 2014, Chapter 9,
6 Section 3 and by Laws 2014, Chapter 70, Section 1 and also by
7 Laws 2014, Chapter 71, Section 1) is amended to read:

8 "22-13-1.1. GRADUATION REQUIREMENTS.--

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

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

24 C. An individualized education program that meets
25 the requirements of Subsections A and B of this section and

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1 that meets all applicable transition and procedural
2 requirements of the federal Individuals with Disabilities
3 Education Act for a student with a disability shall satisfy the
4 next-step plan requirements of this section for that student.

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

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

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

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

19 E. The secretary shall:

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

24 (2) promulgate rules for accredited private
25 schools in order to ensure substantial compliance with the

1 provisions of this section;

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

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

8 F. Once a student has entered ninth grade, the
9 graduation requirements shall not be changed for that student
10 from the requirements specified in the law at the time the
11 student entered ninth grade.

12 G. Successful completion of a minimum of twenty-
13 three units aligned to the state academic content and
14 performance standards shall be required for graduation. These
15 units shall be as follows:

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

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

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

25 (4) three units in social science, which shall

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1 include United States history and geography, world history and
2 geography and government and economics;

3 (5) one unit in physical education;

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

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

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

17 H. For students entering the ninth grade beginning
18 in the 2009-2010 school year, at least one of the units
19 required for graduation shall be earned as an advanced
20 placement or honors course, a dual-credit course offered in
21 cooperation with an institution of higher education or a
22 distance learning course.

23 I. For students entering ninth grade beginning in
24 the 2015-2016 school year, a course in a modern, widely used
25 computer programming language may count as a language other

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1 than English between ninth and twelfth grades.

2 ~~[I.]~~ J. The department shall establish a procedure
3 for students to be awarded credit through completion of
4 specified career technical education courses for certain
5 graduation requirements.

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

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

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

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

24 (4) three and one-half units in social
25 science, which shall include United States history and

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1 geography, world history and geography, government and
2 economics and one-half unit of New Mexico history;

3 (5) one unit in physical education, as
4 determined by each school district, which may include a
5 physical education program that meets state content and
6 performance standards or participation in marching band, junior
7 reserve officers' training corps or interscholastic sports
8 sanctioned by the New Mexico activities association or any
9 other co-curricular physical activity;

10 (6) one unit in one of the following:
11 a career cluster course, workplace readiness or a language
12 other than English; and

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

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

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1 subsequent school years, including in which grade health
2 education will be required and how the course aligns with
3 department content and performance standards. Health education
4 shall include age-appropriate sexual abuse and assault
5 awareness and prevention training that meets department
6 standards developed in consultation with the federal centers
7 for disease control and prevention that are based on evidence-
8 based methods that have proven to be effective.

9 ~~[L-]~~ M. Final examinations shall be administered to
10 all students in all classes offered for credit.

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

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1 within five years of entering ninth grade, including a final
2 summer session if completed by August 1, may be counted by the
3 school system in which the student is enrolled as a high school
4 graduate for the year in which completion and examination
5 occur.

6 [N-] O. Beginning with the 2010-2011 school year, a
7 student shall not receive a New Mexico diploma of excellence if
8 the student has not demonstrated competence 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
12 New Mexico, based on a standards-based assessment or
13 assessments or a portfolio of standards-based indicators
14 established by the department by rule. The standards-based
15 assessments required in Section 22-2C-4 NMSA 1978 may also
16 serve as the assessment required for high school graduation.

17 If a student exits from the school system at the end of grade
18 twelve without having satisfied the requirements of this
19 subsection, the student shall receive an appropriate state
20 certificate indicating the number of credits earned and the
21 grade completed. If within five years after a student exits
22 from the school system the student satisfies the requirement of
23 this subsection, the student may receive a New Mexico diploma
24 of excellence. Any student satisfying the requirements of this
25 subsection and completing all other requirements within five

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1 years of entering ninth grade, including a final summer session
2 if completed by August 1, may be counted by the school system
3 in which the student is enrolled as a high school graduate for
4 the year in which all requirements are satisfied.

5 ~~0.~~ P. As used in this section:

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

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

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

21 (a) advanced placement or honors
22 courses;

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

25 (c) distance learning courses;

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

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

6 SECTION 3. Section 22-13-1.4 NMSA 1978 (being Laws 2005,
7 Chapter 78, Section 1, as amended by Laws 2007, Chapter 307,
8 Section 9 and by Laws 2007, Chapter 308, Section 9) is amended
9 to read:

10 "22-13-1.4. HONORS OR SIMILAR CLASSES IN MATHEMATICS AND
11 LANGUAGE ARTS--DUAL CREDIT COURSES--LANGUAGES OTHER THAN
12 ENGLISH.--

13 A. Beginning with the 2006-2007 school year, each
14 school district shall offer at least one honors or similar
15 academically rigorous class each in mathematics and language
16 arts in each high school.

17 B. Beginning in the 2008-2009 school year, each
18 school district shall also offer a program of courses for dual-
19 credit, in cooperation with an institution of higher education,
20 and a program of distance learning courses.

21 C. Beginning with the 2009-2010 school year, each
22 school district shall offer at least two years of a language
23 other than English in each high school. Beginning with the
24 2015-2016 school year, a course in a modern, widely used
25 computer programming language may be offered as a language

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