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HOUSE BILL 23

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Nate Gentry and Daniel A. Ivey-Soto

AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING THAT STUDENTS APPLY TO A
POST-SECONDARY EDUCATIONAL INSTITUTION OR COMMIT TO AN
INTERNSHIP, APPRENTICESHIP OR MILITARY SERVICE PRIOR TO
GRADUATION; AUTHORIZING RECONCILIATION OF MULTIPLE AMENDMENTS
TO THE SAME SECTION OF LAW.

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 2016, Chapter 17,
Section 2 and by Laws 2016, Chapter 18, Section 2) 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

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

7 B. Each student must complete a final next-step
8 plan during the senior year and prior to graduation. The plan
9 shall be filed with the principal of the student's high school
10 and shall be signed by the student, the student's parent and
11 the student's guidance counselor or other school official
12 charged with coursework planning for the student. For students
13 entering the eleventh grade beginning in the 2018-2019 school
14 year, the secretary shall promulgate rules to provide that the
15 plan shall require a student to file an application with a
16 college or show that the student has committed to an internship
17 or apprenticeship or military service.

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

24 D. A local school board shall ensure that each high
25 school student has the opportunity to develop a next-step plan

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1 based on reports of college and workplace readiness
2 assessments, as available, and other factors and is reasonably
3 informed about:

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

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

12 (3) alternative opportunities available if the
13 student does not finish a planned curriculum; and

14 (4) the financial benefits of graduating from
15 a college and the availability of financial aid.

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. Except as provided in Subsection B of this
6 section, once a student has entered ninth grade, the graduation
7 requirements shall not be changed for that student from the
8 requirements specified in the law at the time the student
9 entered ninth grade.

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

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

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

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

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

1 (5) one unit in physical education;

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

21 I. The department shall establish a procedure for
22 students to be awarded credit through completion of specified
23 career technical education courses for certain graduation
24 requirements, and districts may choose to allow students who
25 successfully complete an industry-recognized credential,

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1 certificate or degree to receive additional weight in the
2 calculation of the student's grade point average.

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

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

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

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

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

25 (5) one unit in physical education, as

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

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

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

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

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1 department content and performance standards. Health education
2 courses shall include:

3 (1) age-appropriate sexual abuse and assault
4 awareness and prevention training that meets department
5 standards developed in consultation with the federal centers
6 for disease control and prevention that are based on evidence-
7 based methods that have proven to be effective; and

8 (2) lifesaving skills training that follows
9 nationally recognized guidelines for hands-on psychomotor
10 skills cardiopulmonary resuscitation training. Students shall
11 be trained to recognize the signs of a heart attack, use an
12 automated external defibrillator and perform the Heimlich
13 maneuver for choking victims. The secretary shall promulgate
14 rules to provide for the:

15 (a) use of the following instructors for
16 the training provided pursuant to this paragraph: 1) school
17 nurses, health teachers and athletic department personnel as
18 instructors; and 2) any qualified persons volunteering to
19 provide training at no cost to the school district that the
20 school district determines to be eligible to offer instruction
21 pursuant to this paragraph; and

22 (b) approval of training and
23 instructional materials related to the training established
24 pursuant to this paragraph in both English and Spanish.

25 L. Final examinations shall be administered to all

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1 students in all classes offered for credit.

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

21 N. Beginning with the 2010-2011 school year, a
22 student shall not receive a New Mexico diploma of excellence if
23 the student has not demonstrated competence in the subject
24 areas of mathematics, reading and language arts, writing,
25 social studies and science, including a section on the

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1 constitution of the United States and the constitution of New
2 Mexico, based on a standards-based assessment or assessments or
3 a portfolio of standards-based indicators established by the
4 department by rule. The standards-based assessments required
5 in Section 22-2C-4 NMSA 1978 may also serve as the assessment
6 required for high school graduation. If a student exits from
7 the school system at the end of grade twelve without having
8 satisfied the requirements of this subsection, the student
9 shall receive an appropriate state certificate indicating the
10 number of credits earned and the grade completed. If within
11 five years after a student exits from the school system the
12 student satisfies the requirements of this subsection, the
13 student may receive a New Mexico diploma of excellence. Any
14 student satisfying the requirements of this subsection and
15 completing all other requirements within five years of entering
16 ninth grade, including a final summer session if completed by
17 August 1, may be counted by the school system in which the
18 student is enrolled as a high school graduate for the year in
19 which all requirements are satisfied.

20 0. As used in this section:

21 (1) "career and technical education",
22 sometimes referred to as "vocational education", means
23 organized programs offering a sequence of courses, including
24 technical education and applied technology education, that are
25 directly related to the preparation of individuals for paid or

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1 unpaid employment in current or emerging occupations requiring
2 an industry-recognized credential, certificate or degree;

3 (2) "career and technical education course"
4 means a course with content that provides technical knowledge,
5 skills and competency-based applied learning and that aligns
6 with educational standards and expectations as defined in rule;

7 (3) "career cluster" means a grouping of
8 occupations in industry sectors based on recognized
9 commonalities that provide an organizing tool for developing
10 instruction within the educational system;

11 (4) "career pathways" means a sub-grouping
12 used as an organizing tool for curriculum design and
13 instruction of occupations and career specialities that share a
14 set of common knowledge and skills for career success;

15 (5) "college" means a trade or vocational
16 program, community college, college or university;

17 [~~(5)~~] (6) "final next-step plan" means a next-
18 step plan that shows that the student has committed [~~or intends~~
19 ~~to commit in the near future~~] to a four-year college or
20 university, a two-year college, a trade or vocational program,
21 an internship or apprenticeship or military service [~~or a job~~];

22 [~~(6)~~] (7) "interim next-step plan" means an
23 annual next-step plan in which the student specifies post-high-
24 school goals and sets forth the coursework that will allow the
25 student to achieve those goals; and

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1 [~~(7)~~] (8) "next-step plan" means an annual
2 personal written plan of studies developed by a student in a
3 public school or other state-supported school or institution in
4 consultation with the student's parent and school counselor or
5 other school official charged with coursework planning for the
6 student that includes one or more of the following:

7 (a) advanced placement or honors
8 courses;

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

11 (c) distance learning courses;

12 (d) career-technical courses; and

13 (e) pre-apprenticeship programs.

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

17 SECTION 2. TEMPORARY PROVISION--COMPILATION INSTRUCTION--
18 RECONCILIATION.--If acts making amendments to Section 22-13-1.1
19 NMSA 1978 are enacted by the first and second sessions of the
20 fifty-third legislature, the provisions of those acts shall be
21 reconciled and compiled in accordance with the provisions of
22 Section 12-1-8 NMSA 1978, notwithstanding that the amendments
23 were not made in the same session of the legislature.