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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.

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) 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  
from previous interim next-step plans, shall be filed with the  
principal of the student's high school and shall be signed by

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1 the student, the student's parent and the student's guidance  
2 counselor or other school official charged with coursework  
3 planning for the student.

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

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

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

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

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

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

11 (4) the financial benefits of graduating from  
12 a college and the availability of financial aid.

13 E. The secretary shall:

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

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

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

23 (4) compile such information as is necessary  
24 to evaluate the success of next-step plans and report annually,  
25 by December 15, to the legislative education study committee

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1 and the governor.

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

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

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

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

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

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

23 (5) one unit in physical education;

24 (6) one unit in communication skills or  
25 business education, with a major emphasis on writing and

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1 speaking and that may include a language other than English;

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

5 (8) nine elective units and seven and one-half  
6 elective units for students entering the ninth grade in the  
7 2005-2006 school year that meet department content and  
8 performance standards. Student service learning shall be  
9 offered as an elective. Financial literacy shall be offered as  
10 an elective. Pre-apprenticeship programs may be offered as  
11 electives. Media literacy may be offered as an elective.

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

18 I. The department shall establish a procedure for  
19 students to be awarded credit through completion of specified  
20 career technical education courses for certain graduation  
21 requirements, and districts may choose to allow students who  
22 successfully complete an industry-recognized credential,  
23 certificate or degree to receive additional weight in the  
24 calculation of the student's grade point average.

25 J. Successful completion of the requirements of the

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

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

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

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

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

22 (5) one unit in physical education, as  
23 determined by each school district, which may include a  
24 physical education program that meets state content and  
25 performance standards or participation in marching band, junior

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1 reserve officers' training corps or interscholastic sports  
2 sanctioned by the New Mexico activities association or any  
3 other co-curricular physical activity;

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

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

14 K. For students entering the eighth grade in the  
15 2012-2013 school year, a course in health education is required  
16 prior to graduation. Health education may be required in  
17 either middle school or high school, as determined by the  
18 school district. Each school district shall submit to the  
19 department by the beginning of the 2011-2012 school year a  
20 health education implementation plan for the 2012-2013 and  
21 subsequent school years, including in which grade health  
22 education will be required and how the course aligns with  
23 department content and performance standards. Health education  
24 courses shall include:

25 (1) age-appropriate sexual abuse and assault

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1 awareness and prevention training that meets department  
2 standards developed in consultation with the federal centers  
3 for disease control and prevention that are based on evidence-  
4 based methods that have proven to be effective; and

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

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

19 (b) approval of training and  
20 instructional materials related to the training established  
21 pursuant to this paragraph in both English and Spanish.

22 L. For students entering the ninth grade in the  
23 2017-2018 school year and subsequent school years:

24 (1) one of the units in mathematics required  
25 by Paragraph (2) of Subsection J of this section may comprise a

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1 computer science course if taken after the student demonstrates  
2 competence in mathematics and if the course is not used to  
3 satisfy any part of the requirement set forth in Paragraph (3)  
4 of that subsection; and

5 (2) one of the units in science required by  
6 Paragraph (3) of Subsection J of this section may comprise a  
7 computer science course if taken after the student demonstrates  
8 competence in science and if the course is not used to satisfy  
9 any part of the requirement set forth in Paragraph (2) of that  
10 subsection.

11 M. Final examinations shall be administered to all  
12 students in all classes offered for credit.

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

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

7 O. Beginning with the 2010-2011 school year, a  
8 student shall not receive a New Mexico diploma of excellence if  
9 the student has not demonstrated competence in the subject  
10 areas of mathematics, reading and language arts, writing,  
11 social studies and science, including a section on the  
12 constitution of the United States and the constitution of  
13 New Mexico, based on a standards-based assessment or  
14 assessments or a portfolio of standards-based indicators  
15 established by the department by rule. The standards-based  
16 assessments required in Section 22-2C-4 NMSA 1978 may also  
17 serve as the assessment required for high school graduation.  
18 If a student exits from the school system at the end of grade  
19 twelve without having satisfied the requirements of this  
20 subsection, the student shall receive an appropriate state  
21 certificate indicating the number of credits earned and the  
22 grade completed. If within five years after a student exits  
23 from the school system the student satisfies the requirements  
24 of this subsection, the student may receive a New Mexico  
25 diploma of excellence. Any student satisfying the requirements

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

6 P. As used in this section:

7 (1) "career and technical education",  
8 sometimes referred to as "vocational education", means  
9 organized programs offering a sequence of courses, including  
10 technical education and applied technology education, that are  
11 directly related to the preparation of individuals for paid or  
12 unpaid employment in current or emerging occupations requiring  
13 an industry-recognized credential, certificate or degree;

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

18 (3) "career cluster" means a grouping of  
19 occupations in industry sectors based on recognized  
20 commonalities that provide an organizing tool for developing  
21 instruction within the educational system;

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

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1                                   (5) "college" means a trade or vocational  
2 program, community college, college or university;

3                                   ~~[(5)]~~ (6) "final next-step plan" means a next-  
4 step plan that shows that the student has committed ~~[or intends~~  
5 ~~to commit in the near future]~~ to a four-year college or  
6 university, a two-year college, a trade or vocational program,  
7 an internship or apprenticeship or military service ~~[or a job];~~

8                                   ~~[(6)]~~ (7) "interim next-step plan" means an  
9 annual next-step plan in which the student specifies post-high-  
10 school goals and sets forth the coursework that will allow the  
11 student to achieve those goals; and

12                                   ~~[(7)]~~ (8) "next-step plan" means an annual  
13 personal written plan of studies developed by a student in a  
14 public school or other state-supported school or institution in  
15 consultation with the student's parent and school counselor or  
16 other school official charged with coursework planning for the  
17 student that includes one or more of the following:

18   (a) advanced placement or honors  
19 courses;

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

22   (c) distance learning courses;

23   (d) career-technical courses; and

24   (e) pre-apprenticeship programs.

25                                   Q. The secretary may establish a policy to provide

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1 for administrative interpretations to clarify curricular and  
2 testing provisions of the Public School Code."

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