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HOUSE BILL 83

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

G. Andrés Romero

AN ACT

RELATING TO PUBLIC SCHOOLS; CHANGING GRADUATION REQUIREMENTS
BEGINNING IN THE 2022-2023 SCHOOL YEAR.

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
the student, the student's parent and the student's guidance
counselor or other school official charged with coursework

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1 planning for the student.

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

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

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

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

25 (2) opportunities available that lead to

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1 different post-high-school options; and

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

4 E. The secretary shall:

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

9 (2) promulgate rules for accredited private
10 schools in order to ensure substantial compliance with the
11 provisions of Subsections A through D of this section;

12 (3) monitor compliance with the requirements
13 of Subsections A through D of this section; and

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

18 F. Once a student has entered ninth grade, the
19 graduation requirements shall not be changed for that student
20 from the requirements specified in the law at the time the
21 student entered ninth grade.

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

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

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

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

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

13 ~~(5) one unit in physical education;~~

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

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

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

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1 ~~electives. Media literacy may be offered as an elective.~~

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

8 ~~F.]~~ G. The department shall establish a procedure
9 for students to be awarded credit through completion of
10 specified career technical education courses for certain
11 graduation requirements, and school districts may choose to
12 allow students who successfully complete an industry-recognized
13 credential, certificate or degree to receive additional weight
14 in the calculation of the student's grade point average.

15 ~~[J.]~~ H. Successful completion of the requirements
16 of the New Mexico diploma of excellence shall be required for
17 graduation for students entering the ninth grade beginning in
18 the 2009-2010 school year. Successful completion of a minimum
19 of twenty-four units aligned to the state academic content and
20 performance standards shall be required to earn a New Mexico
21 diploma of excellence. These units shall be as follows:

22 (1) four units in English, with major emphasis
23 on grammar, nonfiction writing and literature; provided that
24 department-approved work-based training or career and technical
25 education courses that meet state English academic content

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1 performance standards shall qualify as one of the four required
2 English units;

3 (2) four units in mathematics, of which one
4 shall be the equivalent to or higher than the level of algebra
5 2, unless the parent submitted written, signed permission for
6 the student to complete a lesser mathematics unit; and provided
7 that a financial literacy course or department-approved work-
8 based training or career and technical education course that
9 meets state mathematics academic content and performance
10 standards shall qualify as one of the four required mathematics
11 units;

12 (3) three units in science, two of which shall
13 have a laboratory component; provided that department-approved
14 work-based training or career and technical education courses
15 that meet state science academic content and performance
16 standards shall qualify as one of the three required science
17 units;

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-~~] I. For students entering the eighth grade in
15 the 2012-2013 school year, a course in health education is
16 required prior to graduation. Health education may be required
17 in 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 [~~H~~] J. For students entering the ninth grade in
23 the 2017-2018 school year and subsequent school years:

24 (1) one of the units in mathematics required
25 by Paragraph (2) of Subsection [~~J~~] H of this section may

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

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

11 K. Beginning with the 2022-2023 school year, for
12 students entering the ninth grade, successful completion of a
13 minimum of twenty-three units aligned to the state academic
14 content and performance standards shall be required to receive
15 a diploma of excellence. As further delineated in Subsections
16 L through N of this section, these units are:

17 (1) four units of English, with balanced
18 emphasis on grammar, literature and nonfiction writing;

19 (2) three units in mathematics;

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

22 (4) three and one-half units in social
23 science, which shall include:

24 (a) one unit of United States history
25 and geography;

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1 (b) one unit of world history and
2 geography;

3 (c) one unit in government and civics;
4 and

5 (d) one-half unit of economics;
6 (5) one unit in physical education as
7 determined by each school district;

8 (6) one unit in one of the following:

9 (a) a career cluster course;

10 (b) workplace readiness; or

11 (c) a language other than English; and

12 (7) seven and one-half elective units that
13 meet department content and performance standards, unless the
14 school district requires health education to be taken in high
15 school, in which case elective units for high school students
16 in that school district shall be reduced accordingly.

17 L. Beginning with the 2022-2023 school year, for
18 students entering the ninth grade unless otherwise specified,
19 the following required courses or substitutions of required
20 courses delineated in Subsections K through N of this section
21 may be made if the required courses or course substitutions are
22 offered in the public school the student is attending and the
23 student meets any required prerequisites:

24 (1) any required literature course may be
25 substituted with technical writing, communication skills,

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1 department-approved work-based training or career and technical
2 education, advanced placement, international baccalaureate or
3 other English courses that meet credit requirements and state
4 English academic content and performance standards;

5 (2) mathematics credits may be satisfied by
6 mathematics courses that meet credit requirements and state
7 mathematics academic or applied content and performance
8 standards, including:

9 (a) pre-algebra, algebra 1 or algebra 2;
10 (b) geometry or trigonometry;
11 (c) probability and statistics;
12 (d) construction or other applied
13 mathematics;

14 (e) computer-assisted architecture and
15 design;

16 (f) scientific technologies;

17 (g) computer science;

18 (h) computer science principles;

19 (i) data analysis;

20 (j) mathematical modeling;

21 (k) fractal mathematics;

22 (l) any advanced placement or
23 international baccalaureate mathematics course; and

24 (m) department-approved work-based
25 training or career and technical education;

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1 (3) students may choose any three science
2 courses that meet credit requirements and state science
3 academic content and performance standards, including:

- 4 (a) biology;
- 5 (b) agriculture;
- 6 (c) astronomy;
- 7 (d) geology;
- 8 (e) chemistry;
- 9 (f) botany;
- 10 (g) computer science;
- 11 (h) environmental science;
- 12 (i) environmental engineering;
- 13 (j) physics;
- 14 (k) culinary arts;
- 15 (l) wildlife management;
- 16 (m) any advanced placement or
17 international baccalaureate science course; and
18 (n) department-approved work-based
19 training or career and technical education;

20 (4) beginning in the 2022-2023 school year,
21 students in the twelfth grade may substitute a capstone course
22 for any core subject requirement, if the course is guided by a
23 highly qualified teacher and meets academic content and
24 performance standards; and

25 (5) beginning in the 2023-2024 school year,

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1 students in the eleventh grade may substitute a capstone course
2 for any core subject requirement if the course is guided by a
3 highly qualified teacher and meets academic content and
4 performance standards.

5 M. The required physical education credit provided
6 for in Subsection K of this section may be substituted by
7 participation in marching band, junior reserve officers'
8 training corps or interscholastic sports sanctioned by the New
9 Mexico activities association or any other co-curricular
10 physical activity.

11 N. Elective credit courses provided for in
12 Subsection K of this section may include student service
13 learning, pre-apprenticeship, media literacy, core subject
14 courses not taken as requirements and other courses offered at
15 the public school the student attends. Financial literacy
16 shall be offered as an elective. Beginning with the 2022-2023
17 school year, any student in the ninth through twelfth grades
18 may undertake a capstone course as an elective; provided that
19 elective capstone courses shall be guided by a teacher, who may
20 use outside experts or mentors.

21 ~~[M.]~~ O. Final examinations shall be administered to
22 all students in all classes offered for credit.

23 ~~[N. Until July 1, 2010, a student who has not~~
24 ~~passed a state graduation examination in the subject areas of~~
25 ~~reading, English, mathematics, writing, science and social~~

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

18 ~~0.]~~ P. Beginning with the 2010-2011 school year, a
19 student shall not receive a New Mexico diploma of excellence if
20 the student has not demonstrated competence in the subject
21 areas of mathematics, reading and language arts, writing,
22 social studies and science, including a section on the
23 constitution of the United States and the constitution of
24 New Mexico, based on a standards-based assessment or
25 assessments or a portfolio of standards-based indicators

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

18 [~~P-~~] Q. As used in this section:

19 (1) "capstone course" means a multifaceted
20 academic and intellectual experience that may take a wide
21 variety of forms and that culminates in a final product or
22 performance and includes a presentation on the final product or
23 performance to a panel convened by the public school to
24 evaluate the quality of the final product or performance;

25 [~~(1)~~] (2) "career and technical education",

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1 sometimes referred to as "vocational education", means
2 organized programs offering a sequence of courses, including
3 technical education and applied technology education, that are
4 directly related to the preparation of individuals for paid or
5 unpaid employment in current or emerging occupations requiring
6 an industry-recognized credential, certificate or degree;

7 ~~(2)~~ (3) "career and technical education
8 course" means a course with content that provides technical
9 knowledge, skills and competency-based applied learning and
10 that aligns with educational standards and expectations as
11 defined in rule;

12 ~~(3)~~ (4) "career cluster" means a grouping of
13 occupations in industry sectors based on recognized
14 commonalities that provide an organizing tool for developing
15 instruction within the educational system;

16 ~~(4)~~ (5) "career pathways" means a sub-
17 grouping used as an organizing tool for curriculum design and
18 instruction of occupations and career specialities that share a
19 set of common knowledge and skills for career success;

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

25 ~~(6)~~ (7) "interim next-step plan" means an

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

4 [~~(7)~~] (8) "next-step plan" means an annual
5 personal written plan of studies developed by a student in a
6 public school or other state-supported school or institution in
7 consultation with the student's parent and school counselor or
8 other school official charged with coursework planning for the
9 student that [~~includes~~] may include one or more of the
10 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 [~~Q-~~] R. The secretary may establish a policy to
19 provide for administrative interpretations to clarify
20 curricular and testing provisions of the Public School Code."

21 **SECTION 2. APPLICABILITY.**--The provisions of this act
22 apply to the 2022-2023 and subsequent school years.