

1 HOUSE BILL 163

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO PUBLIC EDUCATION; ALLOWING FINANCIAL MANAGEMENT TO
12 COUNT AS AN ELECTIVE IN SIXTH THROUGH EIGHTH GRADES; AMENDING
13 GRADUATION REQUIREMENTS; REQUIRING ONE-HALF UNIT OF FINANCIAL
14 MANAGEMENT PRIOR TO GRADUATION.
15

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

17 SECTION 1. Section 22-13-1 NMSA 1978 (being Laws 2003,
18 Chapter 153, Section 57, as amended by Laws 2016, Chapter 17,
19 Section 1 and by Laws 2016, Chapter 18, Section 1) is amended
20 to read:

21 "22-13-1. SUBJECT AREAS--MINIMUM INSTRUCTIONAL AREAS
22 REQUIRED--ACCREDITATION.--

23 A. The department shall require public schools to
24 address department-approved academic content and performance
25 standards when instructing in specific department-required

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1 subject areas as provided in this section. A public school or
2 school district failing to meet these minimum requirements
3 shall not be accredited by the department.

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

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

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

20 (1) reading and language arts skills, with an
21 emphasis on writing and editing for at least one year and an
22 emphasis on grammar and writing for at least one year;

23 (2) mathematics;

24 (3) language other than English;

25 (4) communication skills;

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

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

14 F. In fourth through eighth grades, school
15 districts shall offer electives that contribute to academic
16 growth and skill development and provide career and technical
17 education. In sixth through eighth grades, financial
18 management and media literacy may be offered as [~~an elective~~]
19 electives.

20 G. In ninth through twelfth grades, instruction
21 that meets academic content and performance standards shall be
22 provided in health education.

23 H. All health education courses shall include:
24 (1) age-appropriate sexual abuse and assault
25 awareness and prevention training that meets department

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

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

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

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

21 SECTION 2. Section 22-13-1.1 NMSA 1978 (being Laws 1986,
22 Chapter 33, Section 5, as amended) is amended to read:

23 "22-13-1.1. GRADUATION REQUIREMENTS.--

24 A. At the end of grades eight through eleven, each
25 student shall prepare an interim next-step plan that sets forth

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

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

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

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

- 25 (1) curricular and course options, including

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

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

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

10 E. The secretary shall:

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

15 (2) promulgate rules for accredited private
16 schools in order to ensure substantial compliance with the
17 provisions of this section;

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

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

24 F. Once a student has entered ninth grade, the
25 graduation requirements shall not be changed for that student

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1 from the requirements specified in the law at the time the
2 student entered ninth grade.

3 G. Successful completion of a minimum of twenty-
4 three units aligned to the state academic content and
5 performance standards shall be required for graduation. These
6 units shall be as follows:

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

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

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

16 (4) three and one-half units in social
17 science, which shall include United States history and
18 geography, world history and geography and government and
19 economics and for students entering the ninth grade beginning
20 in the 2005-2006 school year, one-half unit in New Mexico
21 history;

22 (5) one unit in physical education;

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

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1 and

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)]~~ (7) nine elective units and seven and
6 one-half elective units for students entering the ninth grade
7 in the 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; provided that
9 department-approved work-based training or career and technical
10 education courses that meet state English academic content
11 performance standards shall qualify as one of the four required
12 English units;

13 (2) four units in mathematics, of which one
14 shall be the equivalent to or higher than the level of algebra
15 2, unless the parent has submitted written, signed permission
16 for the student to complete a lesser mathematics unit; for
17 students entering the ninth grade in the 2021-2022 school year,
18 one-half unit shall be a financial management course; and
19 provided that a [~~financial literacy course or~~] department-
20 approved work-based training or career and technical education
21 course that meets state mathematics academic content and
22 performance standards shall qualify as one of the four required
23 mathematics units. The required financial management course
24 shall meet mathematics academic content and performance
25 standards and shall include a basic understanding of budgets,

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1 checking and savings accounts, credit, interest and the costs
2 of borrowing;

3 (3) three units in science, two of which shall
4 have a laboratory component; provided that department-approved
5 work-based training or career and technical education courses
6 that meet state science academic content and performance
7 standards shall qualify as one of the three required science
8 units;

9 (4) three and one-half units in social
10 science, which shall include United States history and
11 geography, world history and geography, government and
12 economics and one-half unit of New Mexico history;

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

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

23 (7) seven and one-half elective units that
24 meet department content and performance standards. Career and
25 technical education courses and student service learning shall

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1 be offered as ~~[an elective. Student service learning shall be~~
2 ~~offered as an elective. Financial literacy shall be offered as~~
3 ~~an elective. Pre-apprenticeship programs may be offered as~~
4 ~~electives. Media literacy may be offered as an elective]~~
5 electives. Media literacy and pre-apprenticeship programs may
6 be offered as electives.

7 K. For students entering the eighth grade in the
8 2012-2013 school year, a course in health education is required
9 prior to graduation. Health education may be required in
10 either middle school or high school, as determined by the
11 school district. Each school district shall submit to the
12 department by the beginning of the 2011-2012 school year a
13 health education implementation plan for the 2012-2013 and
14 subsequent school years, including in which grade health
15 education will be required and how the course aligns with
16 department content and performance standards. Health education
17 courses shall include:

18 (1) age-appropriate sexual abuse and assault
19 awareness and prevention training that meets department
20 standards developed in consultation with the federal centers
21 for disease control and prevention that are based on evidence-
22 based methods that have proven to be effective; and

23 (2) lifesaving skills training that follows
24 nationally recognized guidelines for hands-on psychomotor
25 skills cardiopulmonary resuscitation training. Students shall

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1 be trained to recognize the signs of a heart attack, use an
2 automated external defibrillator and perform the Heimlich
3 maneuver for choking victims. The secretary shall promulgate
4 rules to provide for the:

5 (a) use of the following instructors for
6 the training provided pursuant to this paragraph: 1) school
7 nurses, health teachers and athletic department personnel as
8 instructors; and 2) any qualified persons volunteering to
9 provide training at no cost to the school district that the
10 school district determines to be eligible to offer instruction
11 pursuant to this paragraph; and

12 (b) approval of training and
13 instructional materials related to the training established
14 pursuant to this paragraph in both English and Spanish.

15 L. For students entering the ninth grade in the
16 2017-2018 school year and subsequent school years:

17 (1) one of the units in mathematics required
18 by Paragraph (2) of Subsection J of this section may comprise a
19 computer science course if taken after the student demonstrates
20 competence in mathematics and if the course is not used to
21 satisfy any part of the requirement set forth in Paragraph (3)
22 of that subsection; and

23 (2) one of the units in science required by
24 Paragraph (3) of Subsection J of this section may comprise a
25 computer science course if taken after the student demonstrates

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1 competence in science and if the course is not used to satisfy
2 any part of the requirement set forth in Paragraph (2) of that
3 subsection.

4 M. Final examinations shall be administered to all
5 students in all classes offered for credit.

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

25 O. Beginning with the 2010-2011 school year, a

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

24 P. As used in this section:

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

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

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

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

24 (6) "interim next-step plan" means an annual
25 next-step plan in which the student specifies post-high-school

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1 goals and sets forth the coursework that will allow the student
2 to achieve those goals; and

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

9 (a) advanced placement or honors
10 courses;

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

13 (c) distance learning courses;

14 (d) career-technical courses; and

15 (e) pre-apprenticeship programs.

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