

1 SENATE BILL 177

2 55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO PUBLIC EDUCATION; AMENDING GRADUATION REQUIREMENTS;  
12 REQUIRING ONE-HALF UNIT OF PERSONAL FINANCE AND ECONOMICS PRIOR  
13 TO GRADUATION; REQUIRING CERTAIN LICENSES FOR PERSONAL FINANCE  
14 INSTRUCTION.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 22-13-1.1 NMSA 1978 (being Laws 1986,  
18 Chapter 33, Section 5, as amended) is amended to read:

19 "22-13-1.1. GRADUATION REQUIREMENTS.--

20 A. At the end of grades eight through eleven, each  
21 student shall prepare an interim next-step plan that sets forth  
22 the coursework for the grades remaining until high school  
23 graduation. Each year's plan shall explain any differences  
24 from previous interim next-step plans, shall be filed with the  
25 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.

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

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

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

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1 appropriate;

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

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

6 E. The secretary shall:

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

11 (2) promulgate rules for accredited private  
12 schools in order to ensure substantial compliance with the  
13 provisions of this section;

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

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

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

24 G. Successful completion of a minimum of twenty-  
25 three units aligned to the state academic content and

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1 performance standards shall be required for graduation. These  
2 units shall be as follows:

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

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

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

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

15 (5) one unit in physical education;

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

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

22 (8) nine elective units and seven and one-half  
23 elective units for students entering the ninth grade in the  
24 2005-2006 school year that meet department content and  
25 performance standards. Student service learning shall be

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1 offered as an elective. Financial literacy shall be offered as  
2 an elective. Pre-apprenticeship programs may be offered as  
3 electives. Media literacy may be offered as an elective.

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

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

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

24 (1) four units in English, with major emphasis  
25 on grammar, nonfiction writing and literature; provided that

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1 department-approved work-based training or career and technical  
2 education courses that meet state English academic content and  
3 performance standards shall qualify as one of the four required  
4 English units;

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

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

20 (4) three and one-half units in social  
21 science, which shall include United States history and  
22 geography, world history and geography, one-half unit of  
23 government, ~~[and economics and]~~ one-half unit of New Mexico  
24 history and for students entering the ninth grade in the 2022-  
25 2023 school year, one-half unit of personal finance and

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1 economics;

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

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

12 (7) seven and one-half elective units that  
13 meet department content and performance standards. Career and  
14 technical education courses and student service learning shall  
15 be offered as ~~[an elective. Student service learning shall be~~  
16 ~~offered as an elective. Financial literacy shall be offered as~~  
17 ~~an elective. Pre-apprenticeship programs may be offered as]~~  
18 electives. Media literacy, personal finance and pre-  
19 apprenticeship programs may be offered as ~~[an elective]~~  
20 electives.

21 K. A school district or state-chartered charter  
22 school shall require an individual to have a valid teaching  
23 license in mathematics, social studies, business education,  
24 economics or family and consumer science to provide personal  
25 finance instruction.

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

12                    (1) age-appropriate sexual abuse and assault  
13 awareness and prevention training that meets department  
14 standards developed in consultation with the federal centers  
15 for disease control and prevention that are based on evidence-  
16 based methods that have proven to be effective; and

17                    (2) lifesaving skills training that follows  
18 nationally recognized guidelines for hands-on psychomotor  
19 skills cardiopulmonary resuscitation training. Students shall  
20 be trained to recognize the signs of a heart attack, use an  
21 automated external defibrillator and perform the Heimlich  
22 maneuver for choking victims. The secretary shall promulgate  
23 rules to provide for the:

24                    (a) use of the following instructors for  
25 the training provided pursuant to this paragraph: 1) school

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1 nurses, health teachers and athletic department personnel as  
2 instructors; and 2) any qualified persons volunteering to  
3 provide training at no cost to the school district that the  
4 school district determines to be eligible to offer instruction  
5 pursuant to this paragraph; and

6 (b) approval of training and  
7 instructional materials related to the training established  
8 pursuant to this paragraph in both English and Spanish.

9 ~~[L.]~~ M. For students entering the ninth grade in  
10 the 2017-2018 school year and subsequent school years:

11 (1) one of the units in mathematics required  
12 by Paragraph (2) of Subsection J of this section may comprise a  
13 computer science course if taken after the student demonstrates  
14 competence in mathematics and if the course is not used to  
15 satisfy any part of the requirement set forth in Paragraph (3)  
16 of that subsection; and

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

23 ~~[M.]~~ N. Final examinations shall be administered to  
24 all students in all classes offered for credit.

25 ~~[N.]~~ O. Until July 1, 2010, a student who has not

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

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

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

19 [P.] Q. As used in this section:

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

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1 an industry-recognized credential, certificate or degree;

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

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

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

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

19 (6) "interim next-step plan" means an annual  
20 next-step plan in which the student specifies post-high-school  
21 goals and sets forth the coursework that will allow the student  
22 to achieve those goals; and

23 (7) "next-step plan" means an annual personal  
24 written plan of studies developed by a student in a public  
25 school or other state-supported school or institution in

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1 consultation with the student's parent and school counselor or  
2 other school official charged with coursework planning for the  
3 student that includes one or more of the following:

4 (a) advanced placement or honors  
5 courses;

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

8 (c) distance learning courses;

9 (d) career-technical courses; and

10 (e) pre-apprenticeship programs.

11 [Q+] R. The secretary may establish a policy to  
12 provide for administrative interpretations to clarify  
13 curricular and testing provisions of the Public School Code."

14 **SECTION 2. APPLICABILITY.**--The provisions of this act  
15 apply to students entering the ninth grade in the 2022-2023  
16 school year.