SENATE BILL 181

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

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC EDUCATION; ALLOWING PERSONAL FINANCE TO COUNT AS AN ELECTIVE IN SIXTH THROUGH EIGHTH GRADES; AMENDING GRADUATION REQUIREMENTS; ALLOWING ONE-HALF UNIT OF PERSONAL FINANCE TO COUNT AS AN ELECTIVE UNIT PRIOR TO GRADUATION; MAKING AN APPROPRIATION.

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

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

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

A. The department shall require public schools to address department-approved academic content and performance
standards when instructing in specific department-required subject areas as provided in this section. A public school or school district failing to meet these minimum requirements shall not be accredited by the department.

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

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

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

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

(2) mathematics;

(3) language other than English;
(4) communication skills;
(5) science;
(6) art;
(7) music;
(8) social studies;
(9) New Mexico history;
(10) United States history;
(11) geography;
(12) physical education; and
(13) health education.

E. [Beginning with the 2008–2009 school year] In eighth grade, algebra 1 shall be offered in regular classroom settings or through online courses or agreements with high schools.

F. In fourth through eighth grades, school districts shall offer electives that contribute to academic growth and skill development and provide career and technical education. In sixth through eighth grades, media literacy and personal finance may be offered as [an elective] electives.

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

H. All health education courses shall include:
   (1) age-appropriate sexual abuse and assault awareness and prevention training that meets department .222252.1
standards developed in consultation with the federal centers for disease control and prevention that are based on evidence-based methods that have proven to be effective; and

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

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

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

SECTION 2. 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
planning for the student.

B. Each student must complete a final next-step
plan during the senior year and prior to graduation. The plan
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 planning for the student.

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

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

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

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

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

E. The secretary shall:

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

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

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

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

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

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

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

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

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

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

   (5) one unit in physical education;

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

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

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

H. For students entering the ninth grade beginning in the 2009-2010 school year]

G. At least one of the units required for graduation shall be earned as an advanced placement or honors course, a dual-credit course offered in cooperation with an institution of higher education or a distance learning course.

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

[J-] I. Successful completion of the requirements of the New Mexico diploma of excellence shall be required for graduation [for students entering the ninth grade beginning in the 2009-2010 school year]. Successful completion of a minimum of twenty-four units aligned to the state academic content and

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performance standards shall be required to earn a New Mexico diploma of excellence. These units shall be as follows:

1. four units in English, with major emphasis on grammar, nonfiction writing and literature; provided that department-approved work-based training or career and technical education courses that meet state English academic content performance standards shall qualify as one of the four required English units;

2. four units in mathematics, of which one shall be the equivalent to or higher than the level of algebra 2, unless the parent has submitted written, signed permission for the student to complete a lesser mathematics unit; and provided that a financial literacy personal finance course or department-approved work-based training or career and technical education course that meets state mathematics academic content and performance standards shall qualify as one of the four required mathematics units;

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

4. three and one-half units in social science, which shall include United States history and
geography, world history and geography, government and
economics and one-half unit of New Mexico history;

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

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

(7) seven and one-half elective units that
meet department content and performance standards. Career and
technical education courses and student service learning shall
be offered as [an elective. Student service learning shall be
offered as an elective. Financial literacy shall be offered as
an elective. Pre-apprenticeship programs may be offered as]
electives. Media literacy and pre-apprenticeship programs may
be offered as [an elective electives. For students entering
the ninth grade in the 2022-2023 school year, one-half unit
shall be a personal finance course; the personal finance course
may be used to satisfy one-half unit of an elective unit if the
course is not being used to satisfy a mathematics unit.

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

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

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

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

   (b) approval of training and

   instructional materials related to the training established
   pursuant to this paragraph in both English and Spanish.

   [L-] K. For students entering the ninth grade in
   the 2017-2018 school year and subsequent school years:
   
   (1) one of the units in mathematics required

   by Paragraph (2) of Subsection [J] I of this section may
   comprise a computer science course if taken after the student
   demonstrates competence in mathematics and if the course is not
   used to satisfy any part of the requirement set forth in
   Paragraph (3) of that subsection; and

   (2) one of the units in science required by

   Paragraph (3) of Subsection [J] I of this section may comprise
   a computer science course if taken after the student
   demonstrates competence in science and if the course is not
   used to satisfy any part of the requirement set forth in
   Paragraph (2) of that subsection.

   [M-L] L. Final examinations shall be administered to
all students in all classes offered for credit.

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

O. Beginning with the 2010-2011 school year]

M. A student shall not receive a New Mexico diploma of excellence if the student has not demonstrated competence in the subject areas of mathematics, reading and language arts, writing, social studies and science, including a section on the constitution of the United States and the constitution of New Mexico, based on a standards-based assessment or assessments or

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

[P. N.] As used in this section:

(1) "career and technical education",
sometimes referred to as "vocational education", means
organized programs offering a sequence of courses, including
technical education and applied technology education, that are
directly related to the preparation of individuals for paid or
unpaid employment in current or emerging occupations requiring
an industry-recognized credential, certificate or degree;
(2) "career and technical education course" means a course with content that provides technical knowledge, skills and competency-based applied learning and that aligns with educational standards and expectations as defined in rule;

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

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

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

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

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

(a) advanced placement or honors
courses;

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

(c) distance learning courses;

(d) career-technical courses; and

(e) pre-apprenticeship programs.

[Q-r] O. The secretary may establish a policy to
provide for administrative interpretations to clarify
curricular and testing provisions of the Public School Code."

SECTION 3. APPROPRIATION.--One hundred thousand dollars
($100,000) is appropriated from the general fund to the public
education department for expenditure in fiscal year 2023 to
purchase personal finance instructional materials. Any
unexpended or unencumbered balance remaining at the end of
fiscal year 2023 shall revert to the general fund.

SECTION 4. APPLICABILITY.--The provisions of Section 2 of
this act apply to students entering the ninth grade in the
2022-2023 school year.

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