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AN ACT

RELATING TO EDUCATION; INCLUDING STATE-SUPPORTED SCHOOLS IN  
THE DUAL CREDIT PROGRAM; PROVIDING FOR DUAL CREDIT COURSES TO  
BE TAKEN IN THE SUMMER TERM.

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

Section 1. Section 21-1-1.2 NMSA 1978 (being Laws 2007,  
Chapter 227, Section 1) is amended to read:

"21-1-1.2. DUAL CREDIT FOR HIGH SCHOOL AND  
POST-SECONDARY CLASSES.--

A. As used in this section, "dual credit program"  
means a program that allows high school students to enroll in  
college-level courses offered by a public post-secondary  
educational institution that may be academic or  
career-technical but not remedial or developmental, and  
simultaneously to earn credit toward high school graduation  
and a post-secondary degree or certificate.

B. To be eligible to participate in a dual credit  
program, the student shall:

(1) except as provided in Subsection C of  
this section, be enrolled in a regular public school, charter  
school or state-supported school in one-half or more of the  
minimum course requirements approved by the public education  
department for public school students; and

(2) obtain permission from a school

1 counselor, the school principal or head administrator of a  
2 charter school or state-supported school prior to enrolling  
3 in a dual credit course.

4 C. A student who has met the eligibility criteria  
5 provided for in Subsection B of this section in a fall or  
6 winter semester, and who has not graduated or earned a  
7 general educational development certificate, may take courses  
8 for dual credit during the immediately succeeding summer  
9 semester.

10 D. The school district, charter school or  
11 state-supported school that the student attends shall pay the  
12 cost of the required textbooks and other course supplies for  
13 the post-secondary course the student is enrolled in through  
14 purchase arrangements with the bookstore at the public  
15 post-secondary educational institution or other  
16 cost-efficient methods. The student shall return the  
17 textbooks and unused course supplies to the school district  
18 when the student completes the course or withdraws from the  
19 course.

20 E. A public post-secondary educational institution  
21 that participates in a dual credit program shall waive all  
22 general fees for dual credit courses.

23 F. The higher education department shall revise  
24 procedures in the higher education funding formula to address  
25 enrollments in dual credit courses and to encourage

1 institutions to waive tuition for high school students taking  
2 those courses.

3 G. The higher education department and the public  
4 education department shall adopt and promulgate rules to  
5 implement a dual credit program that specify:

6 (1) post-secondary courses that are eligible  
7 for dual credit;

8 (2) conditions that apply, including:

9 (a) the required academic standing and  
10 conduct of students enrolled in dual credit courses;

11 (b) the semesters in which dual credit  
12 courses may be taken;

13 (c) the nature of high school credit  
14 earned;

15 (d) any caps on the number of courses,  
16 location of courses and provision of transcripts; and

17 (e) an appeals process for a student  
18 who is denied permission to enroll in a dual credit course;

19 (3) accommodations or other arrangements  
20 applicable to special education students;

21 (4) the contents of the uniform master  
22 agreement, developed in collaboration with school districts,  
23 charter schools, state-supported schools and the public  
24 post-secondary educational institutions, that govern the  
25 roles, responsibilities and liabilities of the school

1 district, charter school or state-supported school; the  
2 institution; and the student and the student's family;

3 (5) provisions for expanding dual credit  
4 opportunities through distance learning and other methods;

5 (6) the means by which public high schools  
6 are required to inform students and parents about  
7 opportunities to participate in dual credit programs during  
8 student advisement, academic support and formulation of  
9 annual next step plans, as well as other methods; and

10 (7) provisions for collecting and  
11 disseminating annual data, including:

12 (a) the number of students taking dual  
13 credit courses;

14 (b) the participating school districts,  
15 charter schools, state-supported schools and public  
16 post-secondary educational institutions;

17 (c) the courses taken and grades  
18 earned;

19 (d) the high school graduation rates  
20 for participating school districts, charter schools and  
21 state-supported schools;

22 (e) the public post-secondary  
23 educational institutions that participating students  
24 ultimately attend; and

25 (f) the cost of providing dual credit

1 courses.

2 H. The higher education department and the public  
3 education department shall evaluate the dual credit program  
4 in terms of its accessibility to students statewide and its  
5 effect on:

6 (1) student achievement in secondary  
7 education;

8 (2) student enrollment and completion of  
9 higher education; and

10 (3) school districts, charter schools,  
11 state-supported schools and public post-secondary educational  
12 institutions.

13 I. The departments shall make an annual report,  
14 including recommendations, to the governor and the  
15 legislature.

16 J. The provisions of this section do not apply to  
17 the New Mexico military institute." \_\_\_\_\_

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