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SENATE BILL 577

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

George K. Munoz

AN ACT

RELATING TO EDUCATION; AMENDING A SECTION OF THE NMSA 1978 TO EXEMPT MIDDLE COLLEGE HIGH SCHOOLS FROM REQUIREMENTS FOR DUAL CREDIT PROGRAMS.

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, as amended) is amended to read:

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

A. As used in this section:

(1) "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

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1 school graduation and a post-secondary degree or certificate;

2 (2) "middle college high school" is a charter
3 school that provides a seamless continuity between high school
4 and college by providing simultaneous enrollment in and
5 academic credit for high school and a post-secondary
6 educational institution; and

7 (3) "post-secondary educational institution"
8 means any junior college, college, university, technical and
9 vocational institute or similar institution accredited or
10 approved by the appropriate official, department or agency as
11 provided by the laws of the state wherein the institution is
12 located.

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

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

20 (2) obtain permission from a school counselor,
21 the school principal or head administrator of a charter school
22 or state-supported school prior to enrolling in a dual credit
23 course.

24 C. A student who has met the eligibility criteria
25 provided for in Subsection B of this section in a fall or

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1 winter semester, and who has not graduated or earned a general
2 educational development certificate, may take courses for dual
3 credit during the immediately succeeding summer semester.

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

13 E. A public post-secondary educational institution
14 that participates in a dual credit program shall waive all
15 general fees for dual credit courses.

16 F. The higher education department shall revise
17 procedures in the higher education funding formula to address
18 enrollments in dual credit courses and to encourage
19 institutions to waive tuition for high school students taking
20 those courses.

21 G. The higher education department and the public
22 education department shall adopt and promulgate rules to
23 implement a dual credit program that specify:

24 (1) post-secondary courses that are eligible
25 for dual credit;

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- 1 (2) conditions that apply, including:
- 2 (a) the required academic standing and
- 3 conduct of students enrolled in dual credit courses;
- 4 (b) the semesters in which dual credit
- 5 courses may be taken;
- 6 (c) the nature of high school credit
- 7 earned;
- 8 (d) any caps on the number of courses,
- 9 location of courses and provision of transcripts; and
- 10 (e) an appeals process for a student who
- 11 is denied permission to enroll in a dual credit course;
- 12 (3) accommodations or other arrangements
- 13 applicable to special education students;
- 14 (4) the contents of the uniform master
- 15 agreement, developed in collaboration with school districts,
- 16 charter schools, state-supported schools and the public
- 17 post-secondary educational institutions that govern the roles,
- 18 responsibilities and liabilities of the school district,
- 19 charter school or state-supported school; the institution; and
- 20 the student and the student's family;
- 21 (5) provisions for expanding dual credit
- 22 opportunities through distance learning and other methods;
- 23 (6) the means by which public high schools are
- 24 required to inform students and parents about opportunities to
- 25 participate in dual credit programs during student advisement,

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1 academic support and formulation of annual next step plans, as
2 well as other methods; and

3 (7) provisions for collecting and
4 disseminating annual data, including:

5 (a) the number of students taking dual
6 credit courses;

7 (b) the participating school districts,
8 charter schools, state-supported schools and public post-
9 secondary educational institutions;

10 (c) the courses taken and grades earned;

11 (d) the high school graduation rates for
12 participating school districts, charter schools and state-
13 supported schools;

14 (e) the public post-secondary
15 educational institutions that participating students ultimately
16 attend; and

17 (f) the cost of providing dual credit
18 courses.

19 H. The higher education department and the public
20 education department shall evaluate the dual credit program in
21 terms of its accessibility to students statewide and its effect
22 on:

23 (1) student achievement in secondary
24 education;

25 (2) student enrollment and completion of

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1 higher education; and

2 (3) school districts, charter schools, state-
3 supported schools and public post-secondary educational
4 institutions.

5 I. The departments shall make an annual report,
6 including recommendations, to the governor and the legislature.

7 J. The provisions of this section do not apply to
8 the New Mexico military institute or to middle college high
9 schools in the state."

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