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HOUSE BILL 44

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Mary Helen Garcia

AN ACT

RELATING TO PUBLIC SCHOOLS; CHANGING GRADUATION REQUIREMENTS
FOR STUDENTS ENTERING NINTH GRADE IN THE 2012-2013 SCHOOL YEAR
TO INCLUDE HEALTH EDUCATION; RECONCILING MULTIPLE AMENDMENTS TO
THE SAME SECTION OF LAW IN LAWS 2009.

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

Section 1. Section 22-13-1.1 NMSA 1978 (being Laws 1986,
Chapter 33, Section 5, as amended by Laws 2009, Chapter 256,
Section 1 and by Laws 2009, Chapter 267, Section 2 and also by
Laws 2009, Chapter 268, Section 1) 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

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1 from previous interim next-step plans, shall be filed with the
2 principal of the student's high school and shall be signed by
3 the student, the student's parent and the student's guidance
4 counselor or other school official charged with coursework
5 planning for the student.

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

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

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

23 (1) curricular and course options, including
24 honors or advanced placement courses, dual-credit courses,
25 distance learning courses, career clusters, pre-apprenticeship

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1 programs or remediation programs that the college and workplace
2 readiness assessments indicate to be appropriate;

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

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

7 E. The secretary shall:

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

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

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

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

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

25 (1) four units in English, with major emphasis

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1 on grammar and literature;

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

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

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

12 (5) one unit in physical education;

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

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

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

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

7 H. The department shall establish a procedure for
8 students to be awarded credit through completion of specified
9 career technical education courses for certain graduation
10 requirements.

11 I. Successful completion of the requirements of the
12 New Mexico diploma of excellence shall be required for
13 graduation for students entering the ninth grade beginning in
14 the 2009-2010 school year. Successful completion of a minimum
15 of twenty-four units aligned to the state academic content and
16 performance standards shall be required to earn a New Mexico
17 diploma of excellence. These units shall be as follows:

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

20 (2) four units in mathematics, of which one
21 shall be the equivalent to or higher than the level of algebra
22 2, unless the parent submitted written, signed permission for
23 the student to complete a lesser mathematics unit;

24 (3) three units in science, two of which shall
25 have a laboratory component;

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

5 (5) one unit in physical education;

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

9 (7) seven and one-half elective units that
10 meet department content and performance standards. Student
11 service learning shall be offered as an elective. Financial
12 literacy shall be offered as an elective. Pre-apprenticeship
13 programs may be offered as electives. Media literacy may be
14 offered as an elective.

15 J. Successful completion of the requirements of the
16 New Mexico diploma of excellence shall be required for
17 graduation for students entering ninth grade beginning in the
18 2012-2013 school year. Successful completion of a minimum of
19 twenty-four units aligned to the state academic content and
20 performance standards shall be required to earn a New Mexico
21 diploma of excellence. These units shall be as follows:

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

24 (2) four units in mathematics, of which one
25 shall be the equivalent to or higher than the level of algebra

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1 2, unless the parent submitted written, signed permission for
2 the student to complete a lesser mathematics unit;

3 (3) three units in science, two of which shall
4 have a laboratory component;

5 (4) three and one-half units in social
6 science, which shall include United States history and
7 geography; world history and geography; and government and
8 economics; and one-half unit of New Mexico history;

9 (5) one unit in physical education;

10 (6) one-half unit in health education;

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

14 (8) seven elective units that meet department
15 content and performance standards. Student service learning
16 shall be offered as an elective. Financial literacy shall be
17 offered as an elective. Pre-apprenticeship programs may be
18 offered as electives. Media literacy may be offered as an
19 elective.

20 [~~J.~~] K. Final examinations shall be administered to
21 all students in all classes offered for credit.

22 [~~K.~~] L. Until July 1, 2010, a student who has not
23 passed a state graduation examination in the subject areas of
24 reading, English, mathematics, writing, science and social
25 science shall not receive a high school diploma. The state

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1 graduation examination on social science shall include a
2 section on the constitution of the United States and the
3 constitution of New Mexico. If a student exits from the school
4 system at the end of grade twelve without having passed a state
5 graduation examination, the student shall receive an
6 appropriate state certificate indicating the number of credits
7 earned and the grade completed. If within five years after a
8 student exits from the school system the student takes and
9 passes the state graduation examination, the student may
10 receive a high school diploma. Any student passing the state
11 graduation examination and completing all other requirements
12 within five years of entering ninth grade, including a final
13 summer session if completed by August 1, may be counted by the
14 school system in which the student is enrolled as a high school
15 graduate for the year in which completion and examination
16 occur.

17 ~~[E-]~~ M. Beginning with the 2010-2011 school year, a
18 student shall not receive a New Mexico diploma of excellence if
19 the student has not demonstrated competence in the subject
20 areas of mathematics, reading and language arts, writing,
21 social studies and science, including a section on the
22 constitution of the United States and the constitution of New
23 Mexico, based on a standards-based assessment or assessments or
24 a portfolio of standards-based indicators established by the
25 department by rule. The standards-based assessments required

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

16 [M-] N. As used in this section:

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

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

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(3) "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.

[N+] 0. The secretary may establish a policy to provide for administrative interpretations to clarify curricular and testing provisions of the Public School Code."