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SENATE BILL 166

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

INTRODUCED BY

Linda M. Lopez

AN ACT

RELATING TO EDUCATION; REQUIRING TWO LANGUAGES FOR HIGH SCHOOL GRADUATION; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2009; MAKING AN APPROPRIATION.

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 from previous interim next-step plans, shall be filed with the

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1 principal of the student's high school and shall be signed by
2 the student, the student's parent and the student's guidance
3 counselor or other school official charged with coursework
4 planning for the student.

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

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

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

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

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

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

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

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

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

11 (5) one unit in physical education;

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

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

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

25 G. For students entering the ninth grade beginning

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

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

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

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

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

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

25 (4) three and one-half units in social

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1 science, which shall include United States history and
2 geography, world history and geography and government and
3 economics, and one-half unit of New Mexico history;

4 (5) one unit in physical education;

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

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

14 J. For students entering the ninth grade beginning
15 in the 2010-2011 school year, the New Mexico diploma of
16 excellence requirements shall be:

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

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

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

25 (4) two units in a language other than

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1 English;

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

6 (6) one unit in physical education;

7 (7) one unit in either a career cluster or
8 workplace readiness course; and

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

15 [~~J-~~] K. Final examinations shall be administered to
16 all students in all classes offered for credit.

17 [~~K-~~] L. Until July 1, 2010, a student who has not
18 passed a state graduation examination in the subject areas of
19 reading, English, mathematics, writing, science and social
20 science shall not receive a high school diploma. The state
21 graduation examination on social science shall include a
22 section on the constitution of the United States and the
23 constitution of New Mexico. If a student exits from the school
24 system at the end of grade twelve without having passed a state
25 graduation examination, the student shall receive an

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1 appropriate state certificate indicating the number of credits
2 earned and the grade completed. If within five years after a
3 student exits from the school system the student takes and
4 passes the state graduation examination, the student may
5 receive a high school diploma. Any student passing the state
6 graduation examination and completing all other requirements
7 within five years of entering ninth grade, including a final
8 summer session if completed by August 1, may be counted by the
9 school system in which the student is enrolled as a high school
10 graduate for the year in which completion and examination
11 occur.

12 [E-] M. Beginning with the 2010-2011 school year, a
13 student shall not receive a New Mexico diploma of excellence if
14 the student has not demonstrated competence in the subject
15 areas of mathematics, reading and language arts, writing,
16 social studies and science, including a section on the
17 constitution of the United States and the constitution of New
18 Mexico, based on a standards-based assessment or assessments or
19 a portfolio of standards-based indicators established by the
20 department by rule. The standards-based assessments required
21 in Section 22-2C-4 NMSA 1978 may also serve as the assessment
22 required for high school graduation. If a student exits from
23 the school system at the end of grade twelve without having
24 satisfied the requirements of this subsection, the student
25 shall receive an appropriate state certificate indicating the

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1 number of credits earned and the grade completed. If within
2 five years after a student exits from the school system the
3 student satisfies the requirement of this subsection, the
4 student may receive a New Mexico diploma of excellence. Any
5 student satisfying the requirements of this subsection and
6 completing all other requirements within five years of entering
7 ninth grade, including a final summer session if completed by
8 August 1, may be counted by the school system in which the
9 student is enrolled as a high school graduate for the year in
10 which all requirements are satisfied.

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

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

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

21 (3) "next-step plan" means an annual personal
22 written plan of studies developed by a student in a public
23 school or other state-supported school or institution in
24 consultation with the student's parent and school counselor or
25 other school official charged with coursework planning for the

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1 student that includes one or more of the following:

2 (a) advanced placement or honors
3 courses;

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

6 (c) distance learning courses;

7 (d) career-technical courses; and

8 (e) pre-apprenticeship programs.

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

12 Section 2. APPROPRIATION.--Fifty thousand dollars
13 (\$50,000) is appropriated from the general fund to the public
14 education department for expenditure in fiscal year 2011 to
15 implement the new graduation requirement for a language other
16 than English. Any unexpended or unencumbered balance remaining
17 at the end of fiscal year 2011 shall revert to the general
18 fund.