

1 SENATE BILL 341

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

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10 AN ACT

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

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

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

21 "22-13-1. SUBJECT AREAS--MINIMUM INSTRUCTIONAL AREAS
22 REQUIRED--ACCREDITATION.--

23 A. The department shall require public schools to
24 address department-approved academic content and performance
25 standards when instructing in specific department-required

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1 subject areas as provided in this section. A public school or
2 school district failing to meet these minimum requirements
3 shall not be accredited by the department.

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

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

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

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

23 (2) mathematics;

24 (3) language other than English;

25 (4) communication skills;

- 1 (5) science;
- 2 (6) art;
- 3 (7) music;
- 4 (8) social studies;
- 5 (9) New Mexico history;
- 6 (10) United States history;
- 7 (11) geography;
- 8 (12) physical education; and
- 9 (13) health education.

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

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

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

22 H. All health education courses shall include:
23 (1) age-appropriate sexual abuse and assault
24 awareness and prevention training that meets department
25 standards developed in consultation with the federal centers

1 for disease control and prevention that are based on evidence-
2 based methods that have proven to be effective; and

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

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

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

20 SECTION 2. Section 22-13-1.1 NMSA 1978 (being Laws 1986,
21 Chapter 33, Section 5, as amended) is amended to read:

22 "22-13-1.1. GRADUATION REQUIREMENTS.--

23 A. At the end of grades eight through eleven, each
24 student shall prepare an interim next-step plan that sets forth
25 the coursework for the grades remaining until high school

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

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

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

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

24 (1) curricular and course options, including
25 honors or advanced placement courses, dual-credit courses,

1 distance learning courses, career clusters and career pathways,
2 pre-apprenticeship programs or remediation programs that the
3 college and workplace readiness assessments indicate to be
4 appropriate;

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

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

9 E. The secretary shall:

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

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

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

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

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

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1 student entered ninth grade.

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

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

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

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

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

18 ~~(5) one unit in physical education;~~

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

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

25 ~~(8) nine elective units and seven and one-half~~

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1 ~~elective units for students entering the ninth grade in the~~
2 ~~2005-2006 school year that meet department content and~~
3 ~~performance standards. Student service learning shall be~~
4 ~~offered as an elective. Financial literacy shall be offered as~~
5 ~~an elective. Pre-apprenticeship programs may be offered as~~
6 ~~electives. Media literacy may be offered as an elective.~~

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

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

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

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

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1 diploma of excellence. These units shall be as follows:

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

8 (2) four units in mathematics, of which one
9 shall be the equivalent to or higher than the level of algebra
10 2, unless the parent has submitted written, signed permission
11 for the student to complete a lesser mathematics unit; and
12 provided that a ~~[financial literacy]~~ personal finance course or
13 department-approved work-based training or career and technical
14 education course that meets state mathematics academic content
15 and performance standards shall qualify as one of the four
16 required mathematics units;

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

23 (4) three and one-half units in social
24 science, which shall include United States history and
25 geography, world history and geography, government and

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1 economics and one-half unit of New Mexico history;

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

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

12 (7) seven and one-half elective units that
13 meet department content and performance standards. Career and
14 technical education courses shall be offered as an elective.
15 Student service learning shall be offered as an elective.

16 [~~Financial literacy~~] Personal finance shall be offered as an
17 elective. [~~Pre-apprenticeship programs may be offered as~~
18 ~~electives.~~] Media literacy and pre-apprenticeship programs may
19 be offered as [~~an elective~~] electives. For students entering
20 the ninth grade in the 2023-2024 school year, one-half unit
21 shall be a personal finance course; the personal finance course
22 may be used to satisfy one-half unit of an elective unit if the
23 course is not being used to satisfy a mathematics unit.

24 [~~K.~~] J. For students entering the eighth grade [~~in~~
25 ~~the 2012-2013 school year~~], a course in health education is

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1 required prior to graduation. Health education may be required
2 in either middle school or high school, as determined by the
3 school district. ~~[Each school district shall submit to the~~
4 ~~department by the beginning of the 2011-2012 school year a~~
5 ~~health education implementation plan for the 2012-2013 and~~
6 ~~subsequent school years, including in which grade health~~
7 ~~education will be required and how the course aligns with~~
8 ~~department content and performance standards.]~~ Health education
9 courses shall include:

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

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

22 (a) use of the following instructors for
23 the training provided pursuant to this paragraph: 1) school
24 nurses, health teachers and athletic department personnel as
25 instructors; and 2) any qualified persons volunteering to

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1 provide training at no cost to the school district that the
2 school district determines to be eligible to offer instruction
3 pursuant to this paragraph; and

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

7 ~~[H.]~~ K. For students entering the ninth grade in
8 the 2017-2018 school year and subsequent school years:

9 (1) one of the units in mathematics required
10 by Paragraph (2) of Subsection ~~[J]~~ I of this section may
11 comprise a computer science course if taken after the student
12 demonstrates competence in mathematics and if the course is not
13 used to satisfy any part of the requirement set forth in
14 Paragraph (3) of that subsection; and

15 (2) one of the units in science required by
16 Paragraph (3) of Subsection ~~[J]~~ I of this section may comprise
17 a computer science course if taken after the student
18 demonstrates competence in science and if the course is not
19 used to satisfy any part of the requirement set forth in
20 Paragraph (2) of that subsection.

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

23 ~~[N. Until July 1, 2010, a student who has not~~
24 ~~passed a state graduation examination in the subject areas of~~
25 ~~reading, English, mathematics, writing, science and social~~

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1 ~~science shall not receive a high school diploma. The state~~
2 ~~graduation examination on social science shall include a~~
3 ~~section on the constitution of the United States and the~~
4 ~~constitution of New Mexico. If a student exits from the school~~
5 ~~system at the end of grade twelve without having passed a state~~
6 ~~graduation examination, the student shall receive an~~
7 ~~appropriate state certificate indicating the number of credits~~
8 ~~earned and the grade completed. If within five years after a~~
9 ~~student exits from the school system the student takes and~~
10 ~~passes the state graduation examination, the student may~~
11 ~~receive a high school diploma. Any student passing the state~~
12 ~~graduation examination and completing all other requirements~~
13 ~~within five years of entering ninth grade, including a final~~
14 ~~summer session if completed by August 1, may be counted by the~~
15 ~~school system in which the student is enrolled as a high school~~
16 ~~graduate for the year in which completion and examination~~
17 ~~occur.~~

18 ~~O. Beginning with the 2010-2011 school year]~~

19 M. A student shall not receive a New Mexico diploma
20 of excellence if the student has not demonstrated competence in
21 the subject areas of mathematics, reading and language arts,
22 writing, social studies and science, including a section on the
23 constitution of the United States and the constitution of New
24 Mexico, based on a standards-based assessment or assessments or
25 a portfolio of standards-based indicators established by the

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

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

18 (1) "career and technical education",
19 sometimes referred to as "vocational education", means
20 organized programs offering a sequence of courses, including
21 technical education and applied technology education, that are
22 directly related to the preparation of individuals for paid or
23 unpaid employment in current or emerging occupations requiring
24 an industry-recognized credential, certificate or degree;

25 (2) "career and technical education course"

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1 means a course with content that provides technical knowledge,
2 skills and competency-based applied learning and that aligns
3 with educational standards and expectations as defined in rule;

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

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

12 (5) "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 (6) "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 (7) "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 [Q+] 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 3. APPLICABILITY.**--The provisions of Section 2 of
13 this act apply to students entering the ninth grade in the
14 2023-2024 school year.