HOUSE BILL 92

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING ALL LICENSED SCHOOL
EMPLOYEES TO BE TRAINED IN DETECTING AND REPORTING CHILD SEXUAL
ABUSE AND ASSAULT AND IN ASSISTING IN AWARENESS AND PREVENTION;
REQUIRING HEALTH EDUCATION INSTRUCTION TO INCLUDE AGE-
APPROPRIATE SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION
TRAINING.

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

SECTION 1. Section 22-10A-32 NMSA 1978 (being Laws 1988,
Chapter 48, Section 1, as amended) is amended to read:

"22-10A-32. LICENSED SCHOOL EMPLOYEES--REQUIRED TRAINING
PROGRAM.--

A. All licensed school employees shall be required
to complete training in the detection and reporting of child
abuse and neglect, including sexual abuse and assault, and
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substance abuse. This requirement shall be completed within the licensed school employee's first year of employment by a school district.

B. [Pursuant to the policy and rules adopted by the state board] The department shall develop a training program, including training materials and necessary training staff, to meet the requirement of Subsection A of this section to make the training available in every school district. The department shall coordinate the development of the program with appropriate staff at the human services department and the department of health.

C. The training program developed pursuant to this section shall be made available by the department to the deans of every college of education in New Mexico for use in providing such training to students seeking elementary and secondary education licensure."

SECTION 2. Section 22-13-1 NMSA 1978 (being Laws 2003, Chapter 153, Section 57, as amended) is amended to read:

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

A. The department shall require public schools to address department-approved academic content and performance standards when instructing in specific department-required subject areas as provided in this section. A public school or school district failing to meet these minimum requirements
shall not be accredited by the department.

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

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

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

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

(2) mathematics;

(3) language other than English;

(4) communication skills;

(5) science;

(6) art;
(7) music;
(8) social studies;
(9) New Mexico history;
(10) United States history;
(11) geography;
(12) physical education; and
(13) health education.

E. Beginning with the 2008-2009 school year, in eighth grade, algebra 1 shall be offered in regular classroom settings or through online courses or agreements with high schools.

F. In fourth through eighth grades, school districts shall offer electives that contribute to academic growth and skill development and provide career and technical education. In sixth through eighth grades, media literacy may be offered as an elective.

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

H. All health education courses shall include age-appropriate sexual abuse and assault awareness and prevention training."

SECTION 3. Section 22-13-1.1 NMSA 1978 (being Laws 1986, Chapter 33, Section 5, as amended by Laws 2010, Chapter 25, Section 1 and by Laws 2010, Chapter 110, Section 1) is amended
"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 principal of the student's high school and shall be signed by the student, the student's parent and the student's guidance counselor or other school official charged with coursework planning for the student.

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

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

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

(1) curricular and course options, including
honors or advanced placement courses, dual-credit courses,
distance learning courses, career clusters, pre-apprenticeship
programs or remediation programs that the college and workplace
readiness assessments indicate to be appropriate;

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

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

E. The secretary shall:

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

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

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

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

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and the governor.

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

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

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

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

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

(5) one unit in physical education;

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

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

(8) nine elective units and seven and .195536.2SA
one-half elective units for students entering the ninth grade in the 2005-2006 school year that meet department content and performance standards. Student service learning shall be offered as an elective. Financial literacy shall be offered as an elective. Pre-apprenticeship programs may be offered as electives. Media literacy may be offered as an elective.

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

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

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

1. four units in English, with major emphasis on grammar, nonfiction writing and literature;
(2) four units in mathematics, of which one
shall be the equivalent to or higher than the level of algebra
2, unless the parent submitted written, signed permission for
the student to complete a lesser mathematics unit; and provided
that a financial literacy course that meets state mathematics
academic content and performance standards shall qualify as one
of the four required mathematics units;

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

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

(5) one unit in physical education;

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

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

J. For students entering the eighth grade in the
2012-2013 school year, a course in health education is required

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prior to graduation. Health education may be required in
either middle school or high school, as determined by the
school district. Each school district shall submit to the
department by the beginning of the 2011-2012 school year a
health education implementation plan for the 2012-2013 and
subsequent school years, including in which grade health
education will be required and how the course aligns with
department content and performance standards. Health education
shall include age-appropriate sexual abuse and assault
awareness and prevention training.

K. Final examinations shall be administered to all
students in all classes offered for credit.

L. Until July 1, 2010, a student who has not passed
a state graduation examination in the subject areas of reading,
English, mathematics, writing, science and social science shall
not receive a high school diploma. The state graduation
examination on social science shall include a section on the
constitution of the United States and the constitution of New
Mexico. If a student exits from the school system at the end
of grade twelve without having passed a state graduation
examination, the student shall receive an appropriate state
certificate indicating the number of credits earned and the
grade completed. If within five years after a student exits
from the school system the student takes and passes the state
graduation examination, the student may receive a high school
diploma. Any student passing the state graduation examination and completing all other requirements within five years of entering ninth grade, including a final summer session if completed by August 1, may be counted by the school system in which the student is enrolled as a high school graduate for the year in which completion and examination occur.

M. Beginning with the 2010-2011 school year, a student shall not receive a New Mexico diploma of excellence if the student has not demonstrated competence in the subject areas of mathematics, reading and language arts, writing, social studies and science, including a section on the constitution of the United States and the constitution of New Mexico, based on a standards-based assessment or assessments or a portfolio of standards-based indicators established by the department by rule. The standards-based assessments required in Section 22-2C-4 NMSA 1978 may also serve as the assessment required for high school graduation. If a student exits from the school system at the end of grade twelve without having satisfied the requirements of this subsection, the student shall receive an appropriate state certificate indicating the number of credits earned and the grade completed. If within five years after a student exits from the school system the student satisfies the requirement of this subsection, the student may receive a New Mexico diploma of excellence. Any student satisfying the requirements of this subsection and
completing all other requirements within five years of entering ninth grade, including a final summer session if completed by August 1, may be counted by the school system in which the student is enrolled as a high school graduate for the year in which all requirements are satisfied.

N. As used in this section:

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

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

(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.

O. The secretary may establish a policy to provide for administrative interpretations to clarify curricular and testing provisions of the Public School Code."

SECTION 4. APPLICABILITY.--The provisions of this act apply to the 2014-2015 school year and subsequent school years.