

HOUSE BILL 345

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC EDUCATION; QUALIFYING AN INTERACTIVE  
GOVERNMENT LITERACY COURSE AS AN ELECTIVE AND AS A DUAL CREDIT  
COURSE.

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) "bureau of Indian education school" means  
a school located in New Mexico that is under the control of the  
bureau of Indian education of the United States department of  
the interior;

(2) "dual credit course" means a post-

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1 secondary course that may be academic or career-technical but  
2 not remedial or developmental and specified in a rule  
3 promulgated pursuant to Paragraph (1) of Subsection G of this  
4 section for which a student simultaneously earns credit toward  
5 high school graduation and a post-secondary degree or  
6 certificate;

7 (3) "dual credit program" means a program  
8 offered by a public post-secondary educational institution or  
9 tribal college that allows high school students to enroll in  
10 dual credit courses;

11 (4) "high school" means a school offering one  
12 or more of grades nine through twelve or their equivalent and  
13 that is a school district, charter school, state-supported  
14 school, bureau of Indian education school, private school or  
15 home school; and

16 (5) "tribal college" means a tribally,  
17 federally or congressionally chartered post-secondary  
18 educational institution located in New Mexico that is  
19 accredited by the north central association of colleges and  
20 schools.

21 B. To be eligible to participate in a dual credit  
22 program, the student shall be a school-age person as that term  
23 is defined in the Public School Code and:

24 (1) except as provided in Subsection C of this  
25 section, be enrolled in a school district, charter school or

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1 state-supported school in one-half or more of the minimum  
2 course requirements approved by the public education department  
3 for public school students or, if a student in a bureau of  
4 Indian education school, private school or home school, be  
5 receiving at least one-half of the student's instruction at the  
6 student's high school; and

7 (2) obtain permission from the student's  
8 school counselor, school principal or head administrator of  
9 the high school that the student primarily attends prior to  
10 enrolling in a dual credit course.

11 C. A student who has met the eligibility criteria  
12 provided for in Subsection B of this section in a fall or  
13 winter semester and who has not graduated or earned a general  
14 educational development certificate may take courses for dual  
15 credit during the immediately succeeding summer semester.

16 D. The high school that the student primarily  
17 attends shall pay the cost of the required textbooks and other  
18 course supplies for the post-secondary course the student is  
19 enrolled in through purchase arrangements with the bookstore at  
20 the public post-secondary educational institution or tribal  
21 college or through other cost-efficient methods. The student  
22 shall return the textbooks and unused course supplies to the  
23 high school when the student completes the course or withdraws  
24 from the course.

25 E. A public post-secondary educational institution

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1 or tribal college that participates in a dual credit program  
2 shall waive all general fees for dual credit courses.

3 F. The higher education department shall revise  
4 procedures in the higher education funding formula to address  
5 enrollments in dual credit courses and to encourage  
6 institutions to waive tuition for high school students taking  
7 those courses.

8 G. The higher education department and the public  
9 education department shall adopt and promulgate rules to  
10 implement a dual credit program that specify:

11 (1) post-secondary courses that are eligible  
12 for dual credit, including an interactive government literacy  
13 course;

14 (2) conditions that apply, including:

15 (a) the required academic standing and  
16 conduct of students enrolled in dual credit courses;

17 (b) the semesters in which dual credit  
18 courses may be taken;

19 (c) the nature of high school credit  
20 earned;

21 (d) any caps on the number of courses,  
22 location of courses and provision of transcripts; and

23 (e) an appeals process for a student who  
24 is denied permission to enroll in a dual credit course;

25 (3) accommodations or other arrangements

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1 applicable to special education students;

2 (4) the contents of the uniform master  
3 agreement that govern the roles, responsibilities and  
4 liabilities of the high school, the public post-secondary  
5 educational institution or tribal college and the student and  
6 the student's family;

7 (5) provisions for expanding dual credit  
8 opportunities through distance learning and other methods;

9 (6) the means by which school districts,  
10 charter schools and state-supported schools are required to  
11 inform students and parents about opportunities to participate  
12 in dual credit programs during student advisement, academic  
13 support and formulation of annual next-step plans, as well as  
14 other methods; and

15 (7) provisions for collecting and  
16 disseminating annual data, including:

17 (a) the number of students taking dual  
18 credit courses;

19 (b) the participating high schools,  
20 public post-secondary educational institutions and tribal  
21 colleges;

22 (c) the courses taken and grades earned;

23 (d) the high school graduation rates for  
24 participating school districts, charter schools and state-  
25 supported schools;

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1 (e) the public post-secondary  
2 educational institutions and tribal colleges that participating  
3 students ultimately attend; and

4 (f) the cost of providing dual credit  
5 courses.

6 H. The higher education department and the public  
7 education department shall evaluate the dual credit program in  
8 terms of its accessibility to students statewide and its effect  
9 on:

10 (1) student achievement in secondary  
11 education;

12 (2) student enrollment and completion of  
13 higher education; and

14 (3) high schools, public post-secondary  
15 educational institutions and tribal colleges.

16 I. The departments shall make an annual report,  
17 including recommendations, to the governor and the legislative  
18 education study committee.

19 J. The provisions of this section do not apply to  
20 the New Mexico military institute."

21 SECTION 2. Section 22-13-1.1 NMSA 1978 (being Laws 1986,  
22 Chapter 33, Section 5, as amended by Laws 2014, Chapter 9,  
23 Section 3 and by Laws 2014, Chapter 70, Section 1 and also by  
24 Laws 2014, Chapter 71, Section 1) is amended to read:

25 "22-13-1.1. GRADUATION REQUIREMENTS.--

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1           A. At the end of grades eight through eleven, each  
2 student shall prepare an interim next-step plan that sets forth  
3 the coursework for the grades remaining until high school  
4 graduation. Each year's plan shall explain any differences  
5 from previous interim next-step plans, shall be filed with the  
6 principal of the student's high school and shall be signed by  
7 the student, the student's parent and the student's guidance  
8 counselor or other school official charged with coursework  
9 planning for the student.

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

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

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

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1 informed about:

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

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

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

11 E. The secretary shall:

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

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

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

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

25 F. Once a student has entered ninth grade, the

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1 graduation requirements shall not be changed for that student  
2 from the requirements specified in the law at the time the  
3 student entered ninth grade.

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

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

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

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

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

20 (5) one unit in physical education;

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

24 (7) one-half unit in New Mexico history for  
25 students entering the ninth grade beginning in the 2005-2006

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1 school year; and

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

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

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

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

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

3 (2) four units in mathematics, of which one  
4 shall be the equivalent to or higher than the level of algebra  
5 2, unless the parent submitted written, signed permission for  
6 the student to complete a lesser mathematics unit; and provided  
7 that a financial literacy course that meets state mathematics  
8 academic content and performance standards shall qualify as one  
9 of the four required mathematics units;

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

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

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

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

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

8                   K. For students entering the eighth grade in the  
9 2012-2013 school year, a course in health education is required  
10 prior to graduation. Health education may be required in  
11 either middle school or high school, as determined by the  
12 school district. Each school district shall submit to the  
13 department by the beginning of the 2011-2012 school year a  
14 health education implementation plan for the 2012-2013 and  
15 subsequent school years, including in which grade health  
16 education will be required and how the course aligns with  
17 department content and performance standards. Health education  
18 shall include age-appropriate sexual abuse and assault  
19 awareness and prevention training that meets department  
20 standards developed in consultation with the federal centers  
21 for disease control and prevention that are based on evidence-  
22 based methods that have proven to be effective.

23                   L. Final examinations shall be administered to all  
24 students in all classes offered for credit.

25                   M. Until July 1, 2010, a student who has not passed

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

19 N. Beginning with the 2010-2011 school year, a  
20 student shall not receive a New Mexico diploma of excellence if  
21 the student has not demonstrated competence in the subject  
22 areas of mathematics, reading and language arts, writing,  
23 social studies and science, including a section on the  
24 constitution of the United States and the constitution of  
25 New Mexico, based on a standards-based assessment or

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

18 0. As used in this section:

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

24 (2) "interim next-step plan" means an annual  
25 next-step plan in which the student specifies post-high-school

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1 goals and sets forth the coursework that will allow the student  
2 to achieve those goals; and

3 (3) "next-step plan" means an annual personal  
4 written plan of studies developed by a student in a public  
5 school or other state-supported school or institution in  
6 consultation with the student's parent and school counselor or  
7 other school official charged with coursework planning for the  
8 student that includes one or more of the following:

9 (a) advanced placement or honors  
10 courses;

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

13 (c) distance learning courses;

14 (d) career-technical courses; and

15 (e) pre-apprenticeship programs.

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