

1 SENATE BILL 127

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Mimi Stewart

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10 AN ACT

11 RELATING TO PUBLIC EDUCATION; PROVIDING THAT END-OF-COURSE  
12 FINAL EXAMINATIONS BE DEVELOPED BY THE TEACHER OF RECORD.

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

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

19 "22-13-1.1. GRADUATION REQUIREMENTS.--

20 A. At the end of grades eight through eleven, each  
21 student shall prepare an interim next-step plan that sets forth  
22 the coursework for the grades remaining until high school  
23 graduation. Each year's plan shall explain any differences  
24 from previous interim next-step plans, shall be filed with the  
25 principal of the student's high school and shall be signed by

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1 the student, the student's parent and the student's guidance  
2 counselor or other school official charged with coursework  
3 planning for the student.

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

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

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

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

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

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

5 E. The secretary shall:

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

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

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

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

19 F. Once a student has entered ninth grade, the  
20 graduation requirements shall not be changed for that student  
21 from the requirements specified in the law at the time the  
22 student entered ninth grade.

23 G. Successful completion of a minimum of twenty-  
24 three units aligned to the state academic content and  
25 performance standards shall be required for graduation. These

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1 units shall be as follows:

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

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

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

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

14 (5) one unit in physical education;

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

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

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

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1 an elective. Pre-apprenticeship programs may be offered as  
2 electives. Media literacy may be offered as an elective.

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

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

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

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

22 (2) four units in mathematics, of which one  
23 shall be the equivalent to or higher than the level of algebra  
24 2, unless the parent submitted written, signed permission for  
25 the student to complete a lesser mathematics unit; and provided

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1 that a financial literacy course that meets state mathematics  
2 academic content and performance standards shall qualify as one  
3 of the four required mathematics units;

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

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

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

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

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

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1           K. For students entering the eighth grade in the  
2 2012-2013 school year, a course in health education is required  
3 prior to graduation. Health education may be required in  
4 either middle school or high school, as determined by the  
5 school district. Each school district shall submit to the  
6 department by the beginning of the 2011-2012 school year a  
7 health education implementation plan for the 2012-2013 and  
8 subsequent school years, including in which grade health  
9 education will be required and how the course aligns with  
10 department content and performance standards. Health education  
11 shall include age-appropriate sexual abuse and assault  
12 awareness and prevention training that meets department  
13 standards developed in consultation with the federal centers  
14 for disease control and prevention that are based on evidence-  
15 based methods that have proven to be effective.

16           L. Final examinations shall be administered to all  
17 students in all classes offered for credit. Final examinations  
18 shall be developed by the teacher of record.

19           M. Until July 1, 2010, a student who has not passed  
20 a state graduation examination in the subject areas of reading,  
21 English, mathematics, writing, science and social science shall  
22 not receive a high school diploma. The state graduation  
23 examination on social science shall include a section on the  
24 constitution of the United States and the constitution of New  
25 Mexico. If a student exits from the school system at the end

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

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

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

13 0. As used in this section:

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

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

23 (3) "next-step plan" means an annual personal  
24 written plan of studies developed by a student in a public  
25 school or other state-supported school or institution in

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1 consultation with the student's parent and school counselor or  
2 other school official charged with coursework planning for the  
3 student that includes one or more of the following:

4 (a) advanced placement or honors  
5 courses;

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

8 (c) distance learning courses;

9 (d) career-technical courses; and

10 (e) pre-apprenticeship programs.

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

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