

1 HOUSE BILL 498

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Alonzo Baldonado

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10 AN ACT

11 RELATING TO PUBLIC EDUCATION; ALLOWING HIGH SCHOOL STUDENTS TO
12 GRADUATE EARLY FROM HIGH SCHOOL BY TESTING OUT; REQUIRING
13 MINIMUM SCORES ON THE SAT, ACT, ARMED SERVICES VOCATIONAL
14 APTITUDE BATTERY CAREER EXPLORATION PROGRAM TEST OR OTHER
15 TESTS; GRANTING EARLY GRADUATES A DIPLOMA OF EXCELLENCE.

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

18 SECTION 1. Section 22-13-1.1 NMSA 1978 (being Laws 1986,
19 Chapter 33, Section 5, as amended by Laws 2016, Chapter 17,
20 Section 2 and by Laws 2016, Chapter 18, Section 2) is amended
21 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,

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

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

20 J. Except as otherwise provided in Subsections O
21 and P of this section, successful completion of the
22 requirements of the New Mexico diploma of excellence shall be
23 required for graduation for students entering the ninth grade
24 beginning in the 2009-2010 school year. Successful completion
25 of a minimum of twenty-four units aligned to the state academic

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1 content and performance standards shall be required to earn a
2 New Mexico diploma of excellence. These units shall be as
3 follows:

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

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

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

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

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

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

4 (7) seven and one-half elective units that
5 meet department content and performance standards. Career and
6 technical education courses shall be offered as [~~an elective~~]
7 electives. Student service learning shall be offered as an
8 elective. Financial literacy shall be offered as an elective.
9 Pre-apprenticeship programs may be offered as electives. Media
10 literacy may be offered as an elective.

11 K. For students entering the eighth grade in the
12 2012-2013 school year, a course in health education is required
13 prior to graduation. Health education may be required in
14 either middle school or high school, as determined by the
15 school district. Each school district shall submit to the
16 department by the beginning of the 2011-2012 school year a
17 health education implementation plan for the 2012-2013 and
18 subsequent school years, including in which grade health
19 education will be required and how the course aligns with
20 department content and performance standards. Health education
21 courses shall include:

22 (1) age-appropriate sexual abuse and assault
23 awareness and prevention training that meets department
24 standards developed in consultation with the federal centers
25 for disease control and prevention that are based on evidence-

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1 based methods that have proven to be effective; and

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

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

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

19 L. Final examinations shall be administered to all
20 students in all classes offered for credit.

21 M. Until July 1, 2010, a student who has not passed
22 a state graduation examination in the subject areas of reading,
23 English, mathematics, writing, science and social science shall
24 not receive a high school diploma. The state graduation
25 examination on social science shall include a section on the

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

15 N. Except as otherwise provided in this section,
16 beginning with the 2010-2011 school year, a student shall not
17 receive a New Mexico diploma of excellence if the student has
18 not demonstrated competence in the subject areas of
19 mathematics, reading and language arts, writing, social studies
20 and science, including a section on the constitution of the
21 United States and the constitution of New Mexico, based on a
22 standards-based assessment or assessments or a portfolio of
23 standards-based indicators established by the department by
24 rule. The standards-based assessments required in Section
25 22-2C-4 NMSA 1978 may also serve as the assessment required for

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

15 0. A student in grade eleven or twelve may choose
16 to test out of high school and graduate with a diploma of
17 excellence, including a state seal of bilingualism-biliteracy
18 as provided in Section 22-1-9.1 NMSA 1978, if applicable, if
19 the student receives a:

20 (1) score in the top ten percentile of New
21 Mexico students on the ACT;

22 (2) score in the top ten percentile of New
23 Mexico students on the SAT;

24 (3) score higher than 39 on the armed services
25 vocational aptitude battery; or

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1 (4) department-approved cut score on another
2 assessment approved by the department.

3 P. A student who wants to test out of the remainder
4 of high school shall:

5 (1) demonstrate appropriate maturity and
6 competence as determined by the school principal, in
7 consultation with a school counselor or social worker, if
8 available; and

9 (2) have the student's parent's permission.

10 [~~Q.~~] Q. As used in this section:

11 (1) "career and technical education",
12 sometimes referred to as "vocational education", means
13 organized programs offering a sequence of courses, including
14 technical education and applied technology education, that are
15 directly related to the preparation of individuals for paid or
16 unpaid employment in current or emerging occupations requiring
17 an industry-recognized credential, certificate or degree;

18 (2) "career and technical education course"
19 means a course with content that provides technical knowledge,
20 skills and competency-based applied learning and that aligns
21 with educational standards and expectations as defined in rule;

22 (3) "career cluster" means a grouping of
23 occupations in industry sectors based on recognized
24 commonalities that provide an organizing tool for developing
25 instruction within the educational system;

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

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

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

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

20 (a) advanced placement or honors
21 courses;

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

24 (c) distance learning courses;

25 (d) career-technical courses; and

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(e) pre-apprenticeship programs.

~~[P.]~~ R. The secretary may establish a policy to provide for administrative interpretations to clarify curricular and testing provisions of the Public School Code."