

SENATE EDUCATION COMMITTEE SUBSTITUTE FOR
SENATE BILL 219

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

AN ACT

RELATING TO PUBLIC EDUCATION; DEFINING "ETHNIC STUDIES";
REQUIRING ETHNIC STUDIES IN GRADES NINE THROUGH TWELVE.

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

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

"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

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underscored material = new
[bracketed material] = delete

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 and career pathways,
24 pre-apprenticeship programs or remediation programs that the
25 college and workplace readiness assessments indicate to be

1 appropriate;

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

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

6 E. The secretary shall:

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

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

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

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

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

24 G. Successful completion of a minimum of twenty-
25 three units aligned to the state academic content and

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1 performance standards shall be required for graduation. These
2 units shall be as follows:

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

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

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

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

15 (5) one unit in physical education;

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (7) seven and one-half elective units that
25 meet department content and performance standards [~~Career and~~

1 ~~technical education courses shall be offered as an elective.~~
 2 ~~Student service learning shall be offered as an elective.~~
 3 ~~Financial literacy shall be offered as an elective. Pre-~~
 4 ~~apprenticeship programs may be offered as electives. Media~~
 5 ~~literacy may be offered as an elective]; provided that:~~

6 (a) career and technical education
 7 courses, student service learning, financial literacy and
 8 ethnic studies shall be offered as electives; and

9 (b) pre-apprenticeship programs and
 10 media literacy may be offered as electives.

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

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

14 0. As used in this section:

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

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

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

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

9 (5) "ethnic studies" means the
10 interdisciplinary study of multiple perspectives through the
11 examination of social, ethnic, cultural, gender and historical
12 experiences to build critical thinking skills;

13 [~~(5)~~] (6) "final next-step plan" means a next-
14 step plan that shows that the student has committed or intends
15 to commit in the near future to a four-year college or
16 university, a two-year college, a trade or vocational program,
17 an internship or apprenticeship, military service or a job;

18 [~~(6)~~] (7) "interim next-step plan" means an
19 annual next-step plan in which the student specifies post-high-
20 school goals and sets forth the coursework that will allow the
21 student to achieve those goals; and

22 [~~(7)~~] (8) "next-step plan" means an annual
23 personal written plan of studies developed by a student in a
24 public school or other state-supported school or institution in
25 consultation with the student's parent and school counselor or

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1 other school official charged with coursework planning for the
2 student that includes one or more of the following:

3 (a) advanced placement or honors
4 courses;

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

7 (c) distance learning courses;

8 (d) career-technical courses; and

9 (e) pre-apprenticeship programs.

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