

HOUSE BILL 83

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

G. Andrés Romero

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO PUBLIC SCHOOLS; CHANGING GRADUATION REQUIREMENTS BEGINNING IN THE 2022-2023 SCHOOL YEAR.

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) is amended to read:

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

A. At the end of grades eight through eleven, each

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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:

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(1) curricular and course options, including honors or advanced placement courses, dual-credit courses, distance learning courses, career clusters and career pathways, 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 Subsections A through D of this section;

(3) monitor compliance with the requirements of Subsections A through D 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 and the governor.

F. Once a student has entered ninth grade, the

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

~~[G.—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~~

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~~school year; and~~

~~(8) nine elective units and seven and 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.~~

~~H. 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.~~

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

~~[J.]~~ H. 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

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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; provided that department-approved work-based training or career and technical education courses that meet state English academic content performance standards shall qualify as one of the four required English units;

(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 or department-approved work-based training or career and technical education 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; provided that department-approved work-based training or career and technical education courses that meet state science academic content and performance standards shall qualify as one of the three required science units;

(4) three and one-half units in social

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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, as determined by each school district, which may include a physical education program that meets state content and performance standards or participation in marching band, junior reserve officers' training corps or interscholastic sports sanctioned by the New Mexico activities association or any other co-curricular physical activity;

(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. Career and technical education courses shall be offered as an elective. 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.

~~[K-]~~ I. For students entering the eighth grade in the 2012-2013 school year, a course in health education is required 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

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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 courses shall include:

(1) age-appropriate sexual abuse and assault awareness and prevention training that meets department standards developed in consultation with the federal centers for disease control and prevention that are based on evidence-based methods that have proven to be effective; and

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

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

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

[H.] J. For students entering the ninth grade in the 2017-2018 school year and subsequent school years:

(1) one of the units in mathematics required by Paragraph (2) of Subsection [J] H of this section may comprise a computer science course if taken after the student demonstrates competence in mathematics and if the course is not used to satisfy any part of the requirement set forth in Paragraph (3) of that subsection; and

(2) one of the units in science required by Paragraph (3) of Subsection [J] H of this section may comprise a computer science course if taken after the student demonstrates competence in science and if the course is not used to satisfy any part of the requirement set forth in Paragraph (2) of that subsection.

K. Beginning with the 2022-2023 school year, for students entering the ninth grade, successful completion of a minimum of twenty-three units aligned to the state academic content and performance standards shall be required to receive a diploma of excellence. As further delineated in Subsections L through N of this section, these units are:

(1) four units of English, with balanced emphasis on grammar, literature and nonfiction writing

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HSEIC→and one unit of which shall be English 9 and one unit of which shall be English 10←HSEIC ;

(2) HSEIC→three←HSEIC HSEIC→four←HSEIC units in mathematics HSEIC→, one of which shall be algebra 1←HSEIC ;

(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:

(a) one unit of United States history and geography;

(b) one unit of world history and geography;

(c) one unit in government and civics;  
and

(d) one-half unit of economics HSEIC→or financial literacy←HSEIC ;

(5) one unit in physical education as determined by each school district;

(6) one unit in one of the following:

(a) a career cluster course;

(b) workplace readiness; HSEIC→or←HSEIC

(c) a language other than English;

HSEIC→and←HSEIC HSEIC→or←HSEIC

HSEIC→(d) fine arts; and←HSEIC

(7) HSEIC→seven←HSEIC HSEIC→six←HSEIC and

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one-half elective units that meet department content and performance standards, unless the school district requires health education to be taken in high school, in which case elective units for high school students in that school district shall be reduced accordingly.

L. Beginning with the 2022-2023 school year, for students entering the ninth grade unless otherwise specified, the following required courses or HSEIC→allowable←HSEIC substitutions of required courses delineated in Subsections K through N of this section may be made if the required courses or course substitutions are offered in the public school the student is attending and the student meets any required prerequisites:

(1) any required literature course may be substituted with technical writing, communication skills, department-approved work-based training or career and technical education, advanced placement, international baccalaureate or other English courses that meet credit requirements and state English academic content and performance standards;

(2) mathematics credits may be satisfied by mathematics courses that meet credit requirements and state mathematics academic or applied content and performance standards, including:

- (a) pre-algebra, algebra 1 or algebra 2;
- (b) geometry or trigonometry;

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- (c) probability and statistics;
  - (d) construction or other applied mathematics;
  - (e) computer-assisted architecture and design;
  - (f) scientific technologies;
  - (g) computer science;
  - (h) computer science principles;
  - (i) data analysis;
  - (j) mathematical modeling;
  - (k) fractal mathematics;
  - (l) any advanced placement or international baccalaureate mathematics course; and
  - (m) department-approved work-based training or career and technical education;
- (3) students may choose any three science courses that meet credit requirements and state science academic content and performance standards, including:
- (a) biology;
  - (b) agriculture;
  - (c) astronomy;
  - (d) geology;
  - (e) chemistry;
  - (f) botany;
  - (g) computer science;

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(h) environmental science;  
(i) environmental engineering;  
(j) physics;  
(k) culinary arts;  
(l) wildlife management;  
(m) any advanced placement or  
international baccalaureate science course; and  
(n) department-approved work-based  
training or career and technical education;

(4) beginning in the 2022-2023 school year,  
students in the twelfth grade may substitute a capstone course  
for any core subject requirement, if the course is guided by a  
highly qualified teacher and meets academic content and  
performance standards; and

(5) beginning in the 2023-2024 school year,  
students in the eleventh grade may substitute a capstone course  
for any core subject requirement if the course is guided by a  
highly qualified teacher and meets academic content and  
performance standards.

M. The required physical education credit provided  
for in Subsection K of this section may be substituted by  
participation in marching band, junior reserve officers'  
training corps or interscholastic sports sanctioned by the New  
Mexico activities association or any other co-curricular  
physical activity.

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N. Elective credit courses provided for in Subsection K of this section may include student service learning, pre-apprenticeship, media literacy, core subject courses not taken as requirements and other courses offered at the public school the student attends. HSEIC→~~Financial literacy shall be offered as an elective.~~←HSEIC Beginning with the 2022-2023 school year, any student in the ninth through twelfth grades may undertake a capstone course as an elective; provided that elective capstone courses shall be guided by a teacher, who may use outside experts or mentors.

[M.] O. Final examinations shall be administered to all students in all classes offered for credit.

~~[N. 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~~

.218750.2AIC February 16, 2021 (12:57pm)

~~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.~~

0.] P. 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 the twelfth 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 requirements of this subsection, the student may receive a New

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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.

[P-] Q. As used in this section:

(1) "capstone course" means a multifaceted academic and intellectual experience that may take a wide variety of forms and that culminates in a final product or performance and includes a presentation on the final product or performance to a panel convened by the public school to evaluate the quality of the final product or performance;

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

[(-)] (3) "career and technical education course" means a course with content that provides technical knowledge, skills and competency-based applied learning and that aligns with educational standards and expectations as



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defined in rule;

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

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

[~~(5)~~] (6) "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;

[~~(6)~~] (7) "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

[~~(7)~~] (8) "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~~] may include one or more of the following:

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- (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.

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

**SECTION 2. APPLICABILITY.**--The provisions of this act apply to the 2022-2023 and subsequent school years.