

HOUSE BILL 171

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

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FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; CHANGING GRADUATION REQUIREMENTS
FOR STUDENTS ENTERING NINTH GRADE IN THE 2025-2026 SCHOOL YEAR;
PREPARING STUDENTS TO GRADUATE WITH A DIPLOMA OF EXCELLENCE;
ALIGNING NEXT-STEP PLANS TO GRADUATE PROFILES.

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--NEXT-STEP PLANS.--

A. The purpose of the New Mexico diploma of
excellence is to demonstrate that a student is ready for
success in post-secondary education, gainful employment and
citizenship and is equipped with the skills to be a lifelong
learner. The purpose of the state's minimum graduation
requirements is to establish rigorous expectations to support

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1 that success.

2 B. School districts and charter schools are
3 encouraged to make available courses and programs of study that
4 allow students to pursue a range of post-secondary
5 opportunities and workforce opportunities and gain knowledge in
6 entrepreneurship principles, as determined by the student's
7 next-step plan and the school district's or charter school's
8 graduate profile.

9 ~~[A.]~~ C. At the end of grades eight through eleven,
10 each student shall prepare an interim next-step plan that sets
11 forth the coursework for the grades remaining until high school
12 graduation. Each year's plan shall be aligned to the graduate
13 profile of the student's school district or charter school,
14 shall be completed on a department-approved template, shall
15 explain any differences from previous interim next-step plans,
16 shall be filed with the principal of the student's high school
17 and shall be signed by the student, the student's parent and
18 the student's guidance counselor or other school official
19 charged with coursework planning for the student.

20 ~~[B.]~~ D. Each student must complete a final next-
21 step plan during the senior year and prior to graduation. The
22 plan shall be aligned to the graduate profile of the student's
23 school district or charter school, shall be completed on a
24 department-approved template, shall be filed with the principal
25 of the student's high school and shall be signed by the

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1 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 [G.] E. An individualized education [~~program~~] plan
5 that meets the requirements of Subsections [~~A and B~~] C and D of
6 this section and that meets all applicable transition and
7 procedural requirements of the federal Individuals with
8 Disabilities Education Act for a student with a disability
9 shall satisfy the next-step plan requirements of this section
10 for that student.

11 [~~D.~~] F. A local school board or governing body of a
12 charter school shall ensure that each high school student [~~has~~
13 ~~the opportunity to develop~~] develops a next-step plan based on
14 reports of college and workplace readiness assessments, as
15 available, and other factors and is reasonably informed about:

16 (1) curricular and course options, including
17 honors or advanced placement courses, international
18 baccalaureate courses, dual-credit courses, distance learning
19 courses, career clusters and career pathways, pre-
20 apprenticeship programs or remediation programs that the
21 college and workplace readiness assessments indicate to be
22 appropriate;

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

25 (3) alternative opportunities available if the

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1 student does not finish a planned curriculum.

2 ~~[E.]~~ G. The secretary shall:

3 (1) establish specific accountability
4 standards for administrators, counselors, teachers and other
5 appropriate school district ~~[staff]~~ or charter school employees
6 to ensure that every student has the opportunity to develop a
7 next-step plan;

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

11 (3) monitor compliance with the requirements
12 of this section; and

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

17 ~~[F.]~~ H. Once a student has entered ninth grade, the
18 graduation requirements shall not be changed for that student
19 from the requirements specified in the law at the time the
20 student entered ninth grade.

21 ~~[G. Successful completion of a minimum of twenty-~~
22 ~~three units aligned to the state academic content and~~
23 ~~performance standards shall be required for graduation. These~~
24 ~~units shall be as follows:~~

25 ~~(1) four units in English, with major emphasis~~

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1 ~~on grammar and literature;~~

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

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

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

12 ~~(5) one unit in physical education;~~

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

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

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

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

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

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

21 (1) four units in English, with major emphasis
22 on grammar, nonfiction writing and literature; provided that
23 department-approved work-based training or career and technical
24 education courses that meet state English academic content
25 performance standards shall qualify as one of the four required

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1 English units;

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

11 (3) three units in science, two of which shall
12 have a laboratory component; provided that department-approved
13 work-based training or career and technical education courses
14 that meet state science academic content and performance
15 standards shall qualify as one of the three required science
16 units;

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

21 (5) one unit in physical education, as
22 determined by each school district or charter school, which may
23 include a physical education program that meets state content
24 and performance standards or participation in marching band,
25 junior reserve officers' training corps or interscholastic

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1 sports sanctioned by the New Mexico activities association or
2 any other co-curricular physical activity;

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

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

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

24 (1) age-appropriate sexual abuse and assault
25 awareness and prevention training that meets department

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1 standards developed in consultation with the federal centers
2 for disease control and prevention that are based on evidence-
3 based methods that have proven to be effective; and

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

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

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

22 [~~L.~~] M. For students entering the ninth grade in
23 the 2017-2018 school year and subsequent school years:

24 (1) one of the units in mathematics required
25 by Paragraph (2) of Subsection [~~J~~] K of this section may

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1 comprise a computer science course if taken after the student
2 demonstrates competence in mathematics and if the course is not
3 used to satisfy any part of the requirement set forth in
4 Paragraph (3) of that subsection; and

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

11 [M-] N. Final examinations shall be administered to
12 all students in all classes offered for credit.

13 ~~[N. Until July 1, 2010, a student who has not~~
14 ~~passed a state graduation examination in the subject areas of~~
15 ~~reading, English, mathematics, writing, science and social~~
16 ~~science shall not receive a high school diploma. The state~~
17 ~~graduation examination on social science shall include a~~
18 ~~section on the constitution of the United States and the~~
19 ~~constitution of New Mexico. If a student exits from the school~~
20 ~~system at the end of grade twelve without having passed a state~~
21 ~~graduation examination, the student shall receive an~~
22 ~~appropriate state certificate indicating the number of credits~~
23 ~~earned and the grade completed. If within five years after a~~
24 ~~student exits from the school system the student takes and~~
25 ~~passes the state graduation examination, the student may~~

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1 ~~receive a high school diploma. Any student passing the state~~
2 ~~graduation examination and completing all other requirements~~
3 ~~within five years of entering ninth grade, including a final~~
4 ~~summer session if completed by August 1, may be counted by the~~
5 ~~school system in which the student is enrolled as a high school~~
6 ~~graduate for the year in which completion and examination~~
7 ~~occur.]~~

8 0. Beginning with the 2010-2011 school year, a
9 student shall not receive a New Mexico diploma of excellence if
10 the student has not demonstrated competence in the subject
11 areas of mathematics, reading and language arts, writing,
12 social studies and science, including a section on the
13 constitution of the United States and the constitution of New
14 Mexico, based on a standards-based assessment or assessments or
15 a portfolio of standards-based indicators established by the
16 department by rule. The standards-based assessments required
17 in Section 22-2C-4 NMSA 1978 may also serve as the assessment
18 required for high school graduation. If a student exits from
19 the school system at the end of grade twelve without having
20 satisfied the requirements of this subsection, the student
21 shall receive an appropriate state certificate indicating the
22 number of credits earned and the grade completed. If within
23 five years after a student exits from the school system the
24 student satisfies the requirements of this subsection, the
25 student may receive a New Mexico diploma of excellence. Any

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1 student satisfying the requirements of this subsection and
2 completing all other requirements within five years of entering
3 ninth grade, including a final summer session if completed by
4 August 1, may be counted by the school system in which the
5 student is enrolled as a high school graduate for the year in
6 which all requirements are satisfied.

7 P. Beginning with students entering the ninth grade
8 in the 2025-2026 school year, successful completion of a
9 minimum of twenty-four units aligned to the state academic
10 content and performance standards shall be required for
11 graduation and the award of a diploma of excellence. These
12 units shall be as follows:

13 (1) four units in English, which shall include
14 a three-unit sequence; provided that department-approved work-
15 based learning, career technical education or English language
16 development courses that meet state English or English language
17 development academic content and performance standards may
18 qualify as required English units;

19 (2) four units in mathematics, two of which
20 shall include a sequence of algebra 1 and geometry or another
21 integrated pathway of mathematics equivalent to algebra 1 and
22 geometry; provided that financial literacy courses or
23 department-approved work-based learning or career technical
24 education courses that meet state mathematics academic content
25 and performance standards may qualify as required mathematics

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1 units; and provided further that algebra 2 shall be offered as
2 a mathematics course;

3 (3) three units in science, two of which shall
4 have a laboratory component; provided that department-approved
5 work-based learning or career technical education courses that
6 meet state science academic content and performance standards
7 may qualify as required science units;

8 (4) four units in social science, which shall
9 include United States history and geography, which course
10 content contains New Mexico history; government and economics
11 and personal financial literacy, which course content contains
12 civics; and world history and geography;

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

21 (6) one-half unit in health education;
22 provided that this one-half unit may be earned in either middle
23 or high school;

24 (7) five and one-half elective units that meet
25 department academic content and performance standards and that

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1 shall include a two-unit pathway concentration of the student's
2 choice in a language other than English, including American
3 sign language; fine arts; health; military career preparation;
4 a career technical education program; or community or service
5 learning, a capstone course or work-based learning; provided
6 that financial literacy, computer science, student service
7 learning, career technical education courses and a sequence of
8 languages other than English shall be offered as electives; and
9 provided further that media literacy and pre-apprenticeship
10 programs may be offered as electives; and

11 (8) two units set by each local school board
12 or governing body of a charter school that meet department
13 academic content and performance standards.

14 Q. If a high school student who has taken one or
15 both units provided in Paragraph (8) of Subsection P of this
16 section moves from one school district or charter school to
17 another, the receiving school district or charter school shall
18 accept those earned units toward the student's graduation.

19 R. For students entering the ninth grade in the
20 2025-2026 school year, one-half unit of health education is
21 required prior to graduation. Health education courses shall
22 include:

23 (1) age-appropriate sexual abuse and assault
24 awareness and prevention training that meets department
25 standards developed in consultation with the federal centers

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1 for disease control and prevention that are based on evidence-
2 based methods that have proven to be effective; and

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

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

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

20 S. Nothing in the minimum graduation requirements
21 specified in Subsection P of this section affects:

22 (1) a school district's or charter school's
23 authority to require more units for graduation than provided in
24 this section; or

25 (2) a student's opportunity to take advanced

1 placement or honors courses, international baccalaureate
2 courses or distance learning courses offered by the public
3 school or dual credit courses offered in cooperation with
4 institutions of higher education.

5 T. Subject to the department's academic content and
6 performance standards and other provisions of this section,
7 every school district and charter school shall develop a
8 graduate profile:

9 (1) that is specific to each community;

10 (2) that articulates the core academic
11 competencies and subjects that are key to graduates' post-high-
12 school success; and

13 (3) to which required units are aligned.

14 U. Units earned in health, algebra 1 and geometry
15 prior to enrolling in high school shall satisfy unit
16 requirements required to earn a New Mexico diploma of
17 excellence.

18 V. The department shall adopt and promulgate rules
19 to implement graduation requirements by no later than December
20 31, 2024. The rules shall include revisions to expand course
21 offerings so that students have access to a range of rigorous
22 academic options and career technical education courses and to
23 establish guidance for the development of graduate profiles.

24 [P.] W. As used in this section:

25 (1) "capstone course" means a multifaceted

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1 academic and intellectual experience that may take a wide
2 variety of forms and that culminates in a final product,
3 performance or presentation explaining how the final product,
4 performance or presentation explicates the chosen course to an
5 evaluation panel convened by the public school to evaluate the
6 quality of course and the final product, performance or
7 presentation;

8 [~~(1)~~] (2) "career [~~and~~] technical education"
9 [~~sometimes referred to as "vocational education"~~] means
10 organized programs offering a sequence of courses, including
11 technical education and applied technology education, that are
12 directly related to the preparation of [~~individuals~~] students
13 for paid or unpaid employment in current or emerging
14 occupations requiring an industry-recognized credential,
15 certificate or degree;

16 [~~(2)~~] (3) "career [~~and~~] technical education
17 course" means a course with content that provides technical
18 knowledge, skills and competency-based applied learning and
19 that aligns with educational standards and expectations as
20 defined in rule;

21 [~~(3)~~] (4) "career cluster" means a grouping of
22 occupations in industry sectors based on recognized
23 commonalities that provide an organizing tool for developing
24 instruction within the educational system;

25 [~~(4)~~] (5) "career pathways" means a sub-

1 grouping used as an organizing tool for curriculum design and
2 instruction of occupations and career specialities that share a
3 set of common knowledge and skills for career success;

4 [~~(5)~~] (6) "final next-step plan" means a next-
5 step plan that shows that the student has committed or intends
6 to commit in the near future to a four-year college or
7 university, a two-year college, a trade or vocational program,
8 an internship or apprenticeship, military service or a job;

9 (7) "graduate profile" means a document that a
10 school district or charter school uses to specify the
11 cognitive, personal and interpersonal competencies that
12 students should have when they graduate;

13 [~~(6)~~] (8) "interim next-step plan" means an
14 annual next-step plan in which the student specifies post-high-
15 school goals and sets forth the coursework that will allow the
16 student to achieve those goals; and

17 [~~(7)~~] (9) "next-step plan" means an annual
18 personal written plan of studies developed by a student in a
19 public school or other state-supported school or institution in
20 consultation with the student's parent and school counselor or
21 other school official charged with coursework planning for the
22 student that includes one or more of the following:

23 (a) advanced placement, international
24 baccalaureate or honors courses;

25 (b) dual-credit courses offered in

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- 1 cooperation with an institution of higher education;
- 2 (c) distance learning courses;
- 3 (d) career technical education or work-
- 4 based learning courses; and
- 5 (e) pre-apprenticeship programs.

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

9 SECTION 2. REPEAL.--Section 22-13-1.2 NMSA 1978 (being
10 Laws 2003, Chapter 153, Section 59) is repealed.