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48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

*Cynthia Ryan and New Spain  
Mary Jane Larua*

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO EDUCATION; INCLUDING STATE-SUPPORTED SCHOOLS IN THE  
DUAL CREDIT PROGRAM; PROVIDING FOR DUAL CREDIT COURSES TO BE  
TAKEN IN THE SUMMER TERM.

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

Section 1. Section 21-1-1.2 NMSA 1978 (being Laws 2007,  
Chapter 227, Section 1) is amended to read:

"21-1-1.2. DUAL CREDIT FOR HIGH SCHOOL AND  
POST-SECONDARY CLASSES.--

A. As used in this section, "dual credit program"  
means a program that allows high school students to enroll in  
college-level courses offered by a public post-secondary  
educational institution that may be academic or  
career-technical but not remedial or developmental, and  
simultaneously to earn credit toward high school graduation and

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1 a post-secondary degree or certificate.

2 B. To be eligible to participate in a dual credit  
3 program, the student shall:

4 (1) except as provided in Subsection C of this  
5 section, be enrolled in a regular public school, ~~[or]~~ charter  
6 school or state-supported school in one-half or more of the  
7 minimum course requirements approved by the public education  
8 department for public school students; and

9 (2) obtain permission from a school counselor,  
10 the school principal or head administrator of a charter school  
11 or state-supported school prior to enrolling in a dual credit  
12 course.

13 C. A student who has met the eligibility criteria  
14 provided for in Subsection B of this section in a fall or  
15 winter semester, and who has not graduated or earned a general  
16 educational development certificate, may take courses for dual  
17 credit during the immediately succeeding summer semester.

18 ~~[C.]~~ D. The school district, ~~[or]~~ charter school or  
19 state-supported school that the student attends shall pay the  
20 cost of the required textbooks and other course supplies for  
21 the post-secondary course the student is enrolled in through  
22 purchase arrangements with the bookstore at the public post-  
23 secondary educational institution or other cost-efficient  
24 methods. The student shall return the textbooks and unused  
25 course supplies to the school district when the student

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1 completes the course or withdraws from the course.

2 ~~[D-]~~ E. A public post-secondary educational  
3 institution that participates in a dual credit program shall  
4 waive all general fees for dual credit courses.

5 ~~[E-]~~ F. The higher education department shall  
6 revise procedures in the higher education funding formula to  
7 address enrollments in dual credit courses and to encourage  
8 institutions to waive tuition for high school students taking  
9 those courses.

10 ~~[F-]~~ G. The higher education department and the  
11 public education department shall adopt and promulgate rules to  
12 implement a dual credit program that specify:

13 (1) post-secondary courses that are eligible  
14 for dual credit;

15 (2) conditions that apply, including:

16 (a) the required academic standing and  
17 conduct of students enrolled in dual credit courses;

18 (b) the semesters in which dual credit  
19 courses may be taken;

20 (c) the nature of high school credit  
21 earned;

22 (d) any caps on the number of courses,  
23 location of courses and provision of transcripts; and

24 (e) an appeals process for a student who  
25 is denied permission to enroll in a dual credit course;

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1 (3) accommodations or other arrangements  
2 applicable to special education students;

3 (4) the contents of the uniform master  
4 agreement, developed in collaboration with school districts,  
5 charter schools, state-supported schools and the public post-  
6 secondary educational institutions, that govern the roles,  
7 responsibilities and liabilities of the school district, [~~or~~]  
8 charter school or state-supported school; the institution; and  
9 the student and the student's family;

10 (5) provisions for expanding dual credit  
11 opportunities through distance learning and other methods;

12 (6) the means by which public high schools are  
13 required to inform students and parents about opportunities to  
14 participate in dual credit programs during student advisement,  
15 academic support and formulation of annual next step plans, as  
16 well as other methods; and

17 (7) provisions for collecting and  
18 disseminating annual data, including:

19 (a) the number of students taking dual  
20 credit courses;

21 (b) the participating school districts,  
22 charter schools, state-supported schools and public post-  
23 secondary educational institutions;

24 (c) the courses taken and grades earned;

25 (d) the high school graduation rates for

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1 participating school districts, [~~and~~] charter schools and  
2 state-supported schools;

3 (e) the public post-secondary  
4 educational institutions that participating students ultimately  
5 attend; and

6 (f) the cost of providing dual credit  
7 courses.

8 [~~G.~~] H. The higher education department and the  
9 public education department shall evaluate the dual credit  
10 [~~programs~~] program in terms of [~~their~~] its accessibility to  
11 students statewide and [~~their~~] its effect on:

12 (1) student achievement in secondary education  
13 [~~on~~];

14 (2) student enrollment and completion of  
15 higher education; and [~~on~~]

16 (3) school districts, charter schools, state-  
17 supported schools and public post-secondary educational  
18 institutions.

19 I. The departments shall make an annual report,  
20 including recommendations, to the governor and the legislature.

21 J. The provisions of this section do not apply to  
22 the New Mexico military institute."