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HOUSE BILL 333

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Rick Miera

AN ACT

RELATING TO PUBLIC SCHOOLS; ALLOWING FOR FIVE-YEAR GRADUATION.

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 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.

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1           B. Each student must complete a final next-step  
2 plan during the senior year and prior to graduation. The plan  
3 shall be filed with the principal of the student's high school  
4 and shall be signed by the student, the student's parent and  
5 the student's guidance counselor or other school official  
6 charged with coursework planning for the student.

7           C. An individualized education program that meets  
8 the requirements of Subsections A and B of this section and  
9 that meets all applicable transition and procedural  
10 requirements of the federal Individuals with Disabilities  
11 Education Act for a student with a disability shall satisfy the  
12 next-step plan requirements of this section for that student.

13           D. A local school board shall ensure that each high  
14 school student has the opportunity to develop a next-step plan  
15 based on reports of college and workplace readiness  
16 assessments, as available, and other factors and is reasonably  
17 informed about:

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

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

25                   (3) alternative opportunities available if the

1 student does not finish a planned curriculum.

2 E. The secretary shall:

3 (1) establish specific accountability  
4 standards for administrators, counselors, teachers and school  
5 district staff to ensure that every student has the opportunity  
6 to develop a next-step plan;

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

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

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

16 F. Successful completion of a minimum of  
17 twenty-three units aligned to the state academic content and  
18 performance standards shall be required for graduation. These  
19 units shall be as follows:

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

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

24 (3) two units in science, one of which shall  
25 have a laboratory component; provided, however, that with

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1 students entering the ninth grade beginning in the 2005-2006  
2 school year, three units in science shall be required, one of  
3 which shall have a laboratory component;

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

7 (5) one unit in physical education;

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

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

14 (8) nine elective units and seven and  
15 one-half elective units for students entering the ninth grade  
16 in the 2005-2006 school year that meet department content and  
17 performance standards. Student service learning shall be  
18 offered as an elective. Financial literacy shall be offered as  
19 an elective.

20 G. For students entering the ninth grade beginning  
21 in the 2009-2010 school year, at least one of the units  
22 required for graduation shall be earned as an advanced  
23 placement or honors course, a dual-credit course offered in  
24 cooperation with an institution of higher education or a  
25 distance learning course.

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1           H. The department shall establish a procedure for  
2 students to be awarded credit through completion of specified  
3 career technical education courses for certain graduation  
4 requirements.

5           I. Successful completion of the requirements of the  
6 New Mexico diploma of excellence shall be required for  
7 graduation for students entering the ninth grade beginning in  
8 the 2009-2010 school year. Successful completion of a minimum  
9 of twenty-four units aligned to the state academic content and  
10 performance standards shall be required to earn a New Mexico  
11 diploma of excellence. These units shall be as follows:

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

14                   (2) four units in mathematics, of which one  
15 shall be the equivalent to or higher than the level of algebra  
16 2, unless the parent submitted written, signed permission for  
17 the student to complete a lesser mathematics unit;

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

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

24                   (5) one unit in physical education;

25                   (6) one unit in one of the following:

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1 a career cluster course, workplace readiness or a language  
2 other than English; and

3 (7) seven and one-half elective units that  
4 meet department content and performance standards. Student  
5 service learning shall be offered as an elective. Financial  
6 literacy shall be offered as an elective.

7 J. Final examinations shall be administered to all  
8 students in all classes offered for credit.

9 K. Until July 1, 2010, a student who has not passed  
10 a state graduation examination in the subject areas of reading,  
11 English, mathematics, writing, science and social science shall  
12 not receive a high school diploma. The state graduation  
13 examination on social science shall include a section on the  
14 constitution of the United States and the constitution of New  
15 Mexico. If a student exits from the school system at the end  
16 of grade twelve without having passed a state graduation  
17 examination, the student shall receive an appropriate state  
18 certificate indicating the number of credits earned and the  
19 grade completed. If within five years after a student exits  
20 from the school system the student takes and passes the state  
21 graduation examination, the student may receive a high school  
22 diploma. Any student passing the state graduation examination  
23 and completing all other requirements within five years of  
24 entering ninth grade, including a final summer session if  
25 completed by August 1, may be counted by the school system in

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1 which the student is enrolled as a high school graduate for the  
2 year in which completion and examination occur.

3 L. Beginning with the 2010-2011 school year, a  
4 student shall not receive a New Mexico diploma of excellence if  
5 the student has not demonstrated competence in the subject  
6 areas of mathematics, reading and language arts, writing,  
7 social studies and science, including a section on the  
8 constitution of the United States and the constitution of New  
9 Mexico, based on a standards-based assessment or assessments or  
10 a portfolio of standards-based indicators established by the  
11 department by rule. The standards-based assessments required  
12 in Section 22-2C-4 NMSA 1978 may also serve as the assessment  
13 required for high school graduation. If a student exits from  
14 the school system at the end of grade twelve without having  
15 satisfied the requirements of this subsection, the student  
16 shall receive an appropriate state certificate indicating the  
17 number of credits earned and the grade completed. If within  
18 five years after a student exits from the school system the  
19 student satisfies the requirement of this subsection, the  
20 student may receive a New Mexico diploma of excellence. Any  
21 student satisfying the requirements of this subsection and  
22 completing all other requirements within five years of entering  
23 ninth grade, including a final summer session if completed by  
24 August 1, may be counted by the school system in which the  
25 student is enrolled as a high school graduate for the year in

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1 which all requirements are satisfied.

2 M. As used in this section:

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

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

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

18 (a) advanced placement or honors  
19 courses;

20 (b) dual-credit courses offered in  
21 cooperation with an institution of higher education; and

22 (c) distance learning courses.

23 N. The secretary may establish a policy to provide  
24 for administrative interpretations to clarify curricular and  
25 testing provisions of the Public School Code."

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