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HOUSE BILL 513

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

Mimi Stewart

AN ACT

RELATING TO PUBLIC SCHOOLS; ALLOWING CERTAIN ASSESSMENTS TO SERVE AS DEMONSTRATED COMPETENCE IN REQUIRED SUBJECTS FOR A HIGH SCHOOL DIPLOMA BEGINNING WITH THE 2012-2013 SCHOOL YEAR; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2010; DECLARING AN EMERGENCY.

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 2010, Chapter 25, Section 1 and by Laws 2010, Chapter 110, Section 1) 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

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1 graduation. Each year's plan shall explain any differences  
2 from previous interim next-step plans, shall be filed with the  
3 principal of the student's high school and shall be signed by  
4 the student, the student's parent and the student's guidance  
5 counselor or other school official charged with coursework  
6 planning for the student.

7 B. Each student must complete a final next-step  
8 plan during the senior year and prior to graduation. The plan  
9 shall be filed with the principal of the student's high school  
10 and shall be signed by the student, the student's parent and  
11 the student's guidance counselor or other school official  
12 charged with coursework planning for the student.

13 C. An individualized education program that meets  
14 the requirements of Subsections A and B of this section and  
15 that meets all applicable transition and procedural  
16 requirements of the federal Individuals with Disabilities  
17 Education Act for a student with a disability shall satisfy the  
18 next-step plan requirements of this section for that student.

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

24 (1) curricular and course options, including  
25 honors or advanced placement courses, dual-credit courses,

1 distance learning courses, career clusters, pre-apprenticeship  
2 programs or remediation programs that the college and workplace  
3 readiness assessments indicate to be appropriate;

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

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

8 E. The secretary shall:

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

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

16 (3) monitor compliance with the requirements  
17 of this section; and

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

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

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

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

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

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

13 (5) one unit in physical education;

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

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

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

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1 electives. Media literacy may be offered as an elective.

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

8 H. The department shall establish a procedure for  
9 students to be awarded credit through completion of specified  
10 career technical education courses for certain graduation  
11 requirements.

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

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

21 (2) four units in mathematics, of which one  
22 shall be the equivalent to or higher than the level of algebra  
23 2, unless the parent submitted written, signed permission for  
24 the student to complete a lesser mathematics unit; and provided  
25 that a financial literacy course that meets state mathematics

1 academic content and performance standards shall qualify as one  
2 of the four required mathematics units;

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

5 (4) three and one-half units in social  
6 science, which shall include United States history and  
7 geography, world history and geography, government and  
8 economics and one-half unit of New Mexico history;

9 (5) one unit in physical education;

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

13 (7) seven and one-half elective units that  
14 meet department content and performance standards. Student  
15 service learning shall be offered as an elective. Financial  
16 literacy shall be offered as an elective. Pre-apprenticeship  
17 programs may be offered as electives. Media literacy may be  
18 offered as an elective.

19 J. For students entering the eighth grade in the  
20 2012-2013 school year, a course in health education is required  
21 prior to graduation. Health education may be required in  
22 either middle school or high school, as determined by the  
23 school district. Each school district shall submit to the  
24 department by the beginning of the 2011-2012 school year a  
25 health education implementation plan for the 2012-2013 and

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1 subsequent school years, including in which grade health  
2 education will be required and how the course aligns with  
3 department content and performance standards.

4 K. Final examinations shall be administered to all  
5 students in all classes offered for credit.

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

25 M. ~~[Beginning with]~~ In the 2010-2011 and 2011-2012

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

25 N. Beginning with the 2012-2013 school year, a

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1 student shall not receive a New Mexico diploma of excellence if  
2 the student has not demonstrated competence in the subject  
3 areas of mathematics; reading and language arts; writing;  
4 science; and social studies, including a section on the  
5 constitution of the United States and the constitution of New  
6 Mexico, based on the end-of-course examinations in those  
7 subjects or the ACT or SAT test scores. If a student exits  
8 from the school system at the end of grade twelve without  
9 having satisfied the requirements of this subsection, the  
10 student shall receive an appropriate state certificate  
11 indicating the number of credits earned and the grade  
12 completed. If within five years after a student exits from the  
13 school system the student satisfies the requirements of this  
14 subsection, the student may receive a New Mexico diploma of  
15 excellence. A student satisfying the requirements of this  
16 subsection and completing all other requirements within five  
17 years of entering ninth grade, including a final summer session  
18 if completed by August 1, may be counted by the school system  
19 in which the student is enrolled as a high school graduate for  
20 the year in which all requirements are satisfied. Upon  
21 adoption by the legislature of the common core state standards  
22 and the partnership for assessment of readiness for college and  
23 careers assessment, that assessment shall be added to the  
24 options for demonstrating competence for a New Mexico diploma  
25 of excellence.

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1           ~~[N-]~~ O. As used in this section:

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

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

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

17                           (a) advanced placement or honors  
18 courses;

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

21                           (c) distance learning courses;

22                           (d) career-technical courses; and

23                           (e) pre-apprenticeship programs.

24                   ~~[Θ-]~~ P. The secretary may establish a policy to  
25 provide for administrative interpretations to clarify

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1 curricular and testing provisions of the Public School Code."

2 SECTION 2. EMERGENCY.--It is necessary for the public  
3 peace, health and safety that this act take effect immediately.

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