

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 122

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Craig W. Brandt and Jason C. Harper

AN ACT

RELATING TO PUBLIC EDUCATION; PROVIDING SCHOOL DISTRICT-
DETERMINED WAYS FOR STUDENTS TO MEET THE PHYSICAL EDUCATION
UNIT REQUIREMENT FOR 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 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
graduation. Each year's plan shall explain any differences
from previous interim next-step plans, shall be filed with the

underscoring material = new
~~[bracketed material] = delete~~

1 principal of the student's high school and shall be signed by
2 the student, the student's parent and the student's guidance
3 counselor or other school official charged with coursework
4 planning for the student.

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

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

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

22 (1) curricular and course options, including
23 honors or advanced placement courses, dual-credit courses,
24 distance learning courses, career clusters, pre-apprenticeship
25 programs or remediation programs that the college and workplace

.195733.2

underscoring material = new
~~[bracketed material] = delete~~

1 readiness assessments indicate to be appropriate;

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

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

6 E. The secretary shall:

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

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

14 (3) monitor compliance with the requirements
15 of this section; and

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

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

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

.195733.2

underscored material = new
[bracketed material] = delete

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

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

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

11 (5) one unit in physical education, as
12 determined by each school district, which may include
13 participation in cheerleading, the marching band, the junior
14 reserve officers' training corps or any other course or program
15 that meets state content and performance standards;

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

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

22 (8) nine elective units and seven and
23 one-half elective units for students entering the ninth grade
24 in the 2005-2006 school year that meet department content and
25 performance standards. Student service learning shall be

.195733.2

1 offered as an elective. Financial literacy shall be offered as
2 an elective. Pre-apprenticeship programs may be offered as
3 electives. Media literacy may be offered as an elective.

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

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

14 I. Successful completion of the requirements of the
15 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;

23 (2) four units in mathematics, of which one
24 shall be the equivalent to or higher than the level of algebra
25 2, unless the parent submitted written, signed permission for

underscored material = new
[bracketed material] = delete

1 the student to complete a lesser mathematics unit; and provided
2 that a financial literacy course that meets state mathematics
3 academic content and performance standards shall qualify as one
4 of the four required mathematics units;

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

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

11 (5) one unit in physical education, as
12 determined by each school district, which may include
13 participation in cheerleading, the marching band, the junior
14 reserve officers' training corps or any other course or program
15 that meets state content and performance standards;

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

19 (7) seven and one-half elective units that
20 meet department content and performance standards. Student
21 service learning shall be offered as an elective. Financial
22 literacy shall be offered as an elective. Pre-apprenticeship
23 programs may be offered as electives. Media literacy may be
24 offered as an elective.

25 J. For students entering the eighth grade in the

.195733.2

underscored material = new
~~[bracketed material] = delete~~

1 2012-2013 school year, a course in health education is required
2 prior to graduation. Health education may be required in
3 either middle school or high school, as determined by the
4 school district. Each school district shall submit to the
5 department by the beginning of the 2011-2012 school year a
6 health education implementation plan for the 2012-2013 and
7 subsequent school years, including in which grade health
8 education will be required and how the course aligns with
9 department content and performance standards.

10 K. Final examinations shall be administered to all
11 students in all classes offered for credit.

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

.195733.2

underscored material = new
~~[bracketed material] = delete~~

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

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

.195733.2

1 ninth grade, including a final summer session if completed by
2 August 1, may be counted by the school system in which the
3 student is enrolled as a high school graduate for the year in
4 which all requirements are satisfied.

5 N. As used in this section:

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

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

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

21 (a) advanced placement or honors
22 courses;

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

25 (c) distance learning courses;

underscoring material = new
~~[bracketed material] = delete~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- (d) career-technical courses; and
- (e) pre-apprenticeship programs.

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