

HOUSE BILL 221

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

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AN ACT

RELATING TO PUBLIC EDUCATION; CHANGING ASSESSMENT REQUIREMENTS FOR STUDENTS IN KINDERGARTEN THROUGH SECOND GRADE.

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

**SECTION 1.** Section 22-13-1 NMSA 1978 (being Laws 2003, Chapter 153, Section 57, as amended by Laws 2016, Chapter 17, Section 1 and by Laws 2016, Chapter 18, Section 1) is amended to read:

.219248.2AIC March 2, 2021 (3:16pm)

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"22-13-1. SUBJECT AREAS--MINIMUM INSTRUCTIONAL AREAS  
REQUIRED--ACCREDITATION.--

A. The department shall require public schools to address department-approved academic content and performance standards when instructing in specific department-required subject areas as provided in this section. A public school or school district failing to meet these minimum requirements shall not be accredited by the department.

B. All kindergarten through third grade classes shall provide daily instruction in reading and language arts skills, including phonemic awareness, phonics [~~and~~] comprehension, vocabulary, fluency and writing, and in mathematics. Students in kindergarten [~~and first grades~~] through second grade shall be screened and monitored for progress in reading and language arts skills, and students in second grade shall take diagnostic tests on reading and language arts skills. The monitoring for progress for kindergarten through second grade shall use an observational assessment that is developed or purchased by the department that combines developmental milestones; essential skills, including social-emotional skills; and academic standards.  
HSEIC→The observational assessment shall be phased in over four years as follows:

(1) in the 2021-2022 school year, the department shall develop the kindergarten observational

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assessment;

(2) beginning in the 2022-2023 school year, monitoring for progress for kindergarten students shall use the kindergarten observational assessment and the department shall develop the first and second grade observational assessments;

(3) beginning in the 2023-2024 school year, monitoring for progress for first grade students shall use the first grade observational assessment; and

(4) beginning in the 2024-2025 school year, monitoring for progress for second grade students shall use the second grade observational assessment. ←HSEIC

C. All first, second and third grade classes shall provide instruction in art, music and a language other than English, and instruction that meets content and performance standards shall be provided in science, social studies, physical education and health education.

D. In fourth through eighth grades, instruction that meets academic content and performance standards shall be provided in the following subject areas:

(1) reading and language arts skills, with an emphasis on writing and editing for at least one year and an emphasis on grammar and writing for at least one year;

(2) mathematics;

(3) language other than English;

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- (4) communication skills;
- (5) science;
- (6) art;
- (7) music;
- (8) social studies;
- (9) New Mexico history;
- (10) United States history;
- (11) geography;
- (12) physical education; and
- (13) health education.

E. Beginning with the 2008-2009 school year, in eighth grade, algebra 1 shall be offered in regular classroom settings or through online courses or agreements with high schools.

F. In fourth through eighth grades, school districts shall offer electives that contribute to academic growth and skill development and provide career and technical education. In sixth through eighth grades, media literacy may be offered as an elective.

G. In ninth through twelfth grades, instruction that meets academic content and performance standards shall be provided in health education.

H. All health education courses shall include:

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

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

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

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

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

HSEIC → SECTION 2. APPLICABILITY. -- The provisions of this act apply to the 2021-2022 and succeeding school years. ← HSEIC