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SENATE BILL 170

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

INTRODUCED BY

Siah Correa Hemphill

AN ACT

RELATING TO PUBLIC EDUCATION; AMENDING GRADUATION REQUIREMENTS;
REQUIRING ONE-HALF UNIT OF FINANCIAL LITERACY PRIOR TO
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

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1 counselor or other school official charged with coursework
2 planning for the student.

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

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

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

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

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

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

5 E. The secretary shall:

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

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

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

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

19 F. Once a student has entered ninth grade, the
20 graduation requirements shall not be changed for that student
21 from the requirements specified in the law at the time the
22 student entered ninth grade.

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

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1 units shall be as follows:

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

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

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

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

14 (5) one unit in physical education;

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

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

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

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

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

9 I. The department shall establish a procedure for
10 students to be awarded credit through completion of specified
11 career technical education courses for certain graduation
12 requirements, and districts may choose to allow students who
13 successfully complete an industry-recognized credential,
14 certificate or degree to receive additional weight in the
15 calculation of the student's grade point average.

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

23 (1) four units in English, with major emphasis
24 on grammar, nonfiction writing and literature; provided that
25 department-approved work-based training or career and technical

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1 education courses that meet state English academic content
2 performance standards shall qualify as one of the four required
3 English units;

4 (2) as provided in this paragraph:

5 (a) except as provided in Subparagraph
6 (b) of this paragraph, four units in mathematics, of which one
7 shall be the equivalent to or higher than the level of algebra
8 2, unless the parent has submitted written, signed permission
9 for the student to complete a lesser mathematics unit; and
10 provided that a financial literacy course or department-
11 approved work-based training or career and technical education
12 course that meets state mathematics academic content and
13 performance standards shall qualify as one of the four required
14 mathematics units; and

15 (b) for students who enter the ninth
16 grade in the 2022-2023 school year and subsequent school years,
17 four and one-half units of mathematics, of which one shall be
18 the equivalent to or higher than the level of algebra 2, unless
19 the parent has submitted written, signed permission for the
20 student to complete a lesser mathematics unit, and one-half
21 unit of financial literacy; provided that a department-approved
22 work-based training or career and technical education course
23 that meets state mathematics academic content and performance
24 standards shall qualify as one of the four and one-half
25 required mathematics units. The required financial literacy

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1 course shall meet mathematics academic content and performance
2 standards and shall include a basic understanding of budgets,
3 checking and savings accounts, credit, interest and the costs
4 of borrowing;

5 (3) three units in science, two of which shall
6 have a laboratory component; provided that department-approved
7 work-based training or career and technical education courses
8 that meet state science academic content and performance
9 standards shall qualify as one of the three required science
10 units;

11 (4) three and one-half units in social
12 science, which shall include United States history and
13 geography, world history and geography, government and
14 economics and one-half unit of New Mexico history;

15 (5) one unit in physical education, as
16 determined by each school district, which may include a
17 physical education program that meets state content and
18 performance standards or participation in marching band, junior
19 reserve officers' training corps or interscholastic sports
20 sanctioned by the New Mexico activities association or any
21 other co-curricular physical activity;

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

25 (7) seven and one-half elective units that

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1 meet department content and performance standards. Career and
2 technical education courses shall be offered as an elective.
3 Student service learning shall be offered as an elective.
4 Financial literacy shall be offered as an elective. Pre-
5 apprenticeship programs may be offered as electives. Media
6 literacy may be offered as an elective. For students entering
7 the ninth grade in the 2022-2023 school year and subsequent
8 school years, elective units shall total seven.

9 K. For students entering the eighth grade in the
10 2012-2013 school year, a course in health education is required
11 prior to graduation. Health education may be required in
12 either middle school or high school, as determined by the
13 school district. Each school district shall submit to the
14 department by the beginning of the 2011-2012 school year a
15 health education implementation plan for the 2012-2013 and
16 subsequent school years, including in which grade health
17 education will be required and how the course aligns with
18 department content and performance standards. Health education
19 courses shall include:

20 (1) age-appropriate sexual abuse and assault
21 awareness and prevention training that meets department
22 standards developed in consultation with the federal centers
23 for disease control and prevention that are based on evidence-
24 based methods that have proven to be effective; and

25 (2) lifesaving skills training that follows

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

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

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

17 L. For students entering the ninth grade in the
18 2017-2018 school year and subsequent school years:

19 (1) one of the units in mathematics required
20 by Paragraph (2) of Subsection J of this section may comprise a
21 computer science course if taken after the student demonstrates
22 competence in mathematics and if the course is not used to
23 satisfy any part of the requirement set forth in Paragraph (3)
24 of that subsection; and

25 (2) one of the units in science required by

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1 Paragraph (3) of Subsection J of this section may comprise a
2 computer science course if taken after the student demonstrates
3 competence in science and if the course is not used to satisfy
4 any part of the requirement set forth in Paragraph (2) of that
5 subsection.

6 M. Final examinations shall be administered to all
7 students in all classes offered for credit.

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

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1 year in which completion and examination occur.

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

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P. As used in this section:

(1) "career and technical education", sometimes referred to as "vocational education", means organized programs offering a sequence of courses, including technical education and applied technology education, that are directly related to the preparation of individuals for paid or unpaid employment in current or emerging occupations requiring an industry-recognized credential, certificate or degree;

(2) "career and technical education course" means a course with content that provides technical knowledge, skills and competency-based applied learning and that aligns with educational standards and expectations as defined in rule;

(3) "career cluster" means a grouping of occupations in industry sectors based on recognized commonalities that provide an organizing tool for developing instruction within the educational system;

(4) "career pathways" means a sub-grouping used as an organizing tool for curriculum design and instruction of occupations and career specialities that share a set of common knowledge and skills for career success;

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

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

5 (7) "next-step plan" means an annual personal
6 written plan of studies developed by a student in a public
7 school or other state-supported school or institution in
8 consultation with the student's parent and school counselor or
9 other school official charged with coursework planning for the
10 student that includes one or more of the following:

11 (a) advanced placement or honors
12 courses;

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

15 (c) distance learning courses;

16 (d) career-technical courses; and

17 (e) pre-apprenticeship programs.

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