

LESC bill analyses are available on the New Mexico Legislature website (www.nmlegis.gov). Bill analyses are prepared by LESC staff for standing education committees of the New Mexico Legislature. LESC does not assume any responsibility for the accuracy of these reports if they are used for other purposes.

LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
56th Legislature, 1st Session, 2023

Bill Number	<u>HB126</u>	Sponsor	<u>Romero, GA/Lane</u>
Tracking Number	<u>.223421.4</u>	Committee Referrals	<u>HCEDC/HEC</u>
Short Title	<u>School Graduation Requirements</u>		
Analyst	<u>Hathaway</u>	Original Date	<u>1/27/23</u>
		Last Updated	<u></u>

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

BILL SUMMARY

Synopsis of Bill

This bill amends Section 22-13-1.1 NMSA 1978 to create new high school graduation requirements. It decreases the overall number of units required to graduate from 24 to 22, increases unit requirements in core academic subject areas, requires the development of a graduate profile by school districts and charter schools, and allows career technical education and work-based learning courses to be included in unit requirements for high school graduation. Further, the bill would eliminate the requirement that students take a dual credit, advanced placement (AP), or distance learning course, would eliminate the algebra II requirement, and would require school districts and charter schools to set two units of graduation requirements for their specific school district. The Public Education Department (PED) is required to promulgate rules and school districts and charter schools are encouraged to make available courses to support goals of students.

This bill would go into effect for high school students beginning ninth grade in the 2024-2025 school year.

FISCAL IMPACT

This bill does not carry an appropriation.

There may be minimal fiscal impacts to school districts to offer professional learning for school counselors and other educators to implement revised requirements and potentially to develop graduate profiles. There may also be administrative, and therefore fiscal, impacts to PED to develop administrative rule and provide training.

HB126 does not make any changes to program units within the state equalization guarantee (SEG), the state's public education funding formula. The SEG is based primarily on the number of students in a school, referred to as "MEM" or "membership," which are multiplied by a number of factors to create "program units." These factors are designed to account for the cost of class size limits,

programmatic requirements, and special student characteristics like “at-risk” or special education. Program units are multiplied further by an annual “unit value” to generate each school district and charter schools’ SEG allocation.

Because HB126 does not make any changes to the SEG, nor to schools’ MEM, nor the program units those MEM generate, nor to the unit value itself, LESC staff expect the bill will have no significant impact on funding distributed to school districts and charter schools through the SEG. School districts and charter schools that see reduced program units due to lower enrollment, perhaps from high school students who may graduate early, would likely absorb any negative fiscal impact due to a corresponding increase in the unit value.

SUBSTANTIVE ISSUES

It has been over a decade since the state comprehensively updated its high school graduation requirements. While there have been several piecemeal changes to the section of law that specifies graduation requirements, the last time the state’s graduation requirements were comprehensively updated was in the 2007 legislative session, going into effect for students entering ninth grade in the 2009-2010 school year. Research shows that since 2007, economic changes, altered workforce and educational needs, globalization, and technological advancements have shifted the content students need to learn in high school, as well as the experiential learning students need in formative high school years. Revised high school graduation requirements could allow a more engaging high school experience for students while also ensuring rigorous academic and skill development.

New Mexico Graduation Rates. While a high school diploma on its own can improve job opportunities and earning potential, it is also a prerequisite for a wide range of postsecondary education options—credentials or certificates, two-year degrees, and four-year degrees alike. New Mexico has gradually improved its graduation rate since reaching a low of 63 percent in FY10, but still lags behind the national averages. For the four-year cohort of FY21, the graduation rate was 76.8 percent, compared with a national average of 85 percent.

Current High School Graduation Requirements. New Mexico currently requires students to complete 24 units—and to demonstrate competency in all core academic subjects including English, mathematics, science, and social studies—to earn a New Mexico diploma of excellence. This bill amends the state’s high school graduation requirements, requiring 22 units to graduate. It retains demonstrations of competency to graduate. A table comparing current requirements and proposed changes is included below:

Academic Subject	Current Graduation Requirements (expressed in units)	Proposed Changes (expressed in units)
English	<p style="text-align: center;">4</p> <p style="text-align: center;">Must include a major emphasis on grammar, nonfiction writing, and literature</p>	<p style="text-align: center;">4</p> <p style="text-align: center;">Must include a three-unit sequence of courses; English Language Development courses may apply.</p>
Math	<p style="text-align: center;">4</p> <p style="text-align: center;">One unit must be the equivalent to, or higher than, algebra II</p>	<p style="text-align: center;">4</p> <p style="text-align: center;">Must include a sequence of algebra I and geometry or an equivalent pathway</p>
Science	<p style="text-align: center;">3</p> <p style="text-align: center;">2 units must include a lab component</p>	<p style="text-align: center;">3</p> <p style="text-align: center;">Must include 2 units of laboratory sciences</p>

Academic Subject, continued	Current Graduation Requirements, continued (expressed in units)	Proposed Changes, continued (expressed in units)
Social Studies	<p style="text-align: center;">3.5</p> <p>Must include U.S. history & geography, world history & geography, government & economics, and 0.5 unit of NM history</p>	<p style="text-align: center;">4</p> <p>Must include U.S. history & geography, including course content that contains New Mexico history; government & economics, including course content that contains civics; and world history & geography</p>
Physical Education and Health	<p style="text-align: center;">1</p>	<p style="text-align: center;">Physical Education 0.5 Health: 0.5</p>
Electives	<p style="text-align: center;">7.5</p> <p>*Must meet PED content and performance standards</p>	<p style="text-align: center;">4</p> <p>Must meet content and performance standards and include a two unit pathway concentration of the student's choice in world language, fine arts, health, military, a career technical education (CTE) program, community learning with a capstone, or two units of work-based learning</p>
Career Cluster, Workplace Readiness, or a Language other than English	<p style="text-align: center;">1</p>	
Additional Requirements	<p>At least 1 unit must be AP or honors, dual credit, or distance learning. Health is required, but can be offered in middle or high school.</p>	
Local Discretion		<p style="text-align: center;">2</p> <p>Local school districts and charter schools must set 2 additional units for graduation requirements. These must meet academic content and performance standards and can be elective units or core competencies.</p>
Total Units	24	22

Proposed Changes Summarized

Changes in Core Academic Courses. A unit is typically defined as a course that is a full academic year (or two semesters) in duration. This bill would make several changes to core academic units (core academic units including English, mathematics, science, and social studies):

- **English:** This bill retains four units of English, but amends statute to require a sequence of three units, allows for English language development courses to count for core units, and allows career technical education and work-based learning courses to also count.
- **Mathematics:** This bill retains four units of mathematics, but removes the algebra II requirement currently in place, instead requiring a sequence of algebra I and geometry (or a sequence equivalent to these courses); allows career technical education and work-based learning courses to also count.
- **Science:** This bill retains three units of science, including two units that must be laboratory-based; allows career technical education and work-based learning courses to also count.
- **Social Studies:** This bill increases units from three and one-half units to four units and removes the one-half unit of New Mexico history; requires 1) U.S. history & geography, including course content that contains New Mexico history; 2) government & economics, including course content that contains civics; and 3) world history & geography.

Addition of Graduate Profiles. This bill would add a requirement that school districts develop graduate profiles at the district level. Graduate profiles are a concept that have emerged in national research as a tool to bring schools and communities together to define the skills and knowledge students should have when they leave high school. These profiles, while varying somewhat from community to community, are typically developed as a one to two-page document that outlines academic expectations, skills, and attributes needed among students by the time they graduate from high school.

Career Technical Education and Work-Based Learning Access. This bill would allow for career technical education and work-based learning courses—both of which would still need to meet academic content and performance standards set by the Public Education Department—to count for increased numbers of units in core academic subjects, as well as elective units.

Next Step Plans. This bill would continue to require “next step plans,” but would amend these plans to be required to be aligned with graduate profiles. New Mexico utilizes next step plans, which are statutorily required plans developed by all New Mexico students to identify a student’s postsecondary interests and align their high school education to these goals. There is some guidance provided to students as these are developed with input from parents and a guidance counselor or similar professional. While required by law and administrative rule (See 6.29.1.9 NMAC, Subsection J), it is unknown if these plans have contributed to increased success of New Mexico students and yet these are the only statutory mechanism for ensuring New Mexico’s students receive guidance and planning for goals after high school.

Options to Demonstrate Competency. This bill retains the requirement to demonstrate competency to receive a diploma. Current state statute, Section 22-13-1.1 NMSA 1978, Subsection O, specifies that a New Mexico Diploma of Excellence may not be received by a student if the student has not demonstrated competence in the subject areas of mathematics, reading and language arts, writing, social studies, and science “based on a standards-based assessment or assessments or a portfolio of standards-based indicators established by the department [Public Education Department] by rule.” This bill retains this requirement. It also retains PED’s authority to develop options to demonstrate competency. The department may develop administrative rule that allows competency to be demonstrated in additional ways including capstone projects, portfolio projects, work-based learning, or other forms as defined by the department.

Implementation and Phase-In. Current state statute specifies “once a student has entered ninth grade, the graduation requirements shall not be changed for that student from the requirements specified in the law at the time the student entered ninth grade.” (See Section 22-13-1.1 NMSA 1978, Subsection F). This bill retains this language to allow for a phase-in over time. Revised graduation requirements would begin to be applicable for students entering ninth grade in the 2024-2025 school year, and all subsequent school years, allowing the potential for a year of planning and development prior to implementation.

Local Discretion Units and Student Mobility. This bill proposes two units for high school graduation to be set by local school districts. It also contains language that any units earned by a student that are set by a school district must be accepted by a receiving school district if a student were to transfer between districts in New Mexico.

Student Flexibility Under This Proposal. This bill would allow students to have more choice to earn units in core courses with career technical education and work-based learning courses. This includes courses such as computer science and construction or other applied mathematics for math credits and technical writing or communication skills for required literature courses. This may allow students to design a high school curriculum that best meets their individual career and postsecondary goals, depending on course availability at their high school.

ADMINISTRATIVE IMPLICATIONS

This bill would require significant administrative work by PED to update administrative code, align course codes in the state’s manual for courses, and to develop training for school counselors

and other professionals who would be charged with implementing changes in graduation requirements. It would also require school districts to allocate time and resources to develop graduate profiles.

PED has piloted the development of graduate profiles, most formally in its FY23 Innovation Zone awards (these awards were funded with the legislature’s \$10 million career technical education appropriation in FY23 to the department), which requires awarded school districts and charter schools to develop graduate profiles. Additionally, some school districts in New Mexico have developed graduate profiles in previous years as part of their own, or department-supported, initiatives.

OTHER SIGNIFICANT ISSUES

Additional Funding Information. While HB126 does propose a reduction in overall units required to graduate from high school, it does not amend the SEG. The largest distribution of formula-based funds to public schools is based on the number of students enrolled in a particular grade level on a specified reporting date. Under the Public School Finance Act, which refers to the calculation of enrollment it uses for funding as “membership,” or “MEM,” public school students enrolled at least half time in first through 12th grade count as 1 MEM. This MEM count is then multiplied by grade-level weights, which vary by grade to reflect class size limits and program requirements, to establish basic units generated in the SEG.

The cost multiplier for secondary students in seventh through 12th grade is 1.25, which results not only from class limits but also from additional programming requirements. The weight of 1.25 includes support for standard program requirements as well as vocational programs.

HB126 would not impact the MEM count on which the SEG is then used to calculate basic program units, nor would it amend the SEG by reducing the secondary factor of 1.25. Therefore, funding to public schools that is generated by the secondary factor would not be negatively impacted, no matter if units required for graduation increased or decreased.

RELATED BILLS

Relates to House Bill 43, which amends Section 22-13-1.1 NMSA 1978 to require affirmative consent information as part of health course requirements.

Relates to House Bill 111, which amends Section 22-13-1.1 NMSA 1978 to require that Holocaust and genocide studies be offered as an elective for high school students beginning in the 2024-2025 school year.

SOURCES OF INFORMATION

- LESC Files

JKH/tb/de/cf/mb