

1 HOUSE BILL 221
2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Joy Garratt and Harold Pope, Jr. and Susan K. Herrera
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10 AN ACT

11 RELATING TO PUBLIC EDUCATION; CHANGING ASSESSMENT REQUIREMENTS
12 FOR STUDENTS IN KINDERGARTEN THROUGH SECOND GRADE.
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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

19 "22-13-1. SUBJECT AREAS--MINIMUM INSTRUCTIONAL AREAS
20 REQUIRED--ACCREDITATION.--

21 A. The department shall require public schools to
22 address department-approved academic content and performance
23 standards when instructing in specific department-required
24 subject areas as provided in this section. A public school or
25 school district failing to meet these minimum requirements

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1 shall not be accredited by the department.

2 B. All kindergarten through third grade classes
3 shall provide daily instruction in reading and language arts
4 skills, including phonemic awareness, phonics ~~[and]~~
5 comprehension, vocabulary, fluency and writing, and in
6 mathematics. Students in kindergarten ~~[and first grades]~~
7 through second grade shall be screened and monitored for
8 progress in reading and language arts skills, and students in
9 second grade shall take diagnostic tests on reading and
10 language arts skills. The monitoring for progress for
11 kindergarten through second grade shall use an observational
12 assessment that is developed or purchased by the department
13 that combines developmental milestones; essential skills,
14 including social-emotional skills; and academic standards.

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

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

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

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

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

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

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

25 H. All health education courses shall include:

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

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

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

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

23 SECTION 2. APPLICABILITY.--The provisions of this act
24 apply to the 2021-2022 and succeeding school years.