

1 AN ACT  
2 RELATING TO PUBLIC EDUCATION; PROVIDING SCHOOL  
3 DISTRICT-DETERMINED WAYS FOR STUDENTS TO MEET THE PHYSICAL  
4 EDUCATION UNIT REQUIREMENT FOR GRADUATION; LIMITING CHANGES  
5 TO GRADUATION REQUIREMENTS AFTER STUDENTS ENTER NINTH GRADE;  
6 DECLARING AN EMERGENCY.

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

9 SECTION 1. Section 22-13-1.1 NMSA 1978 (being Laws  
10 1986, Chapter 33, Section 5, as amended by Laws 2010,  
11 Chapter 25, Section 1 and by Laws 2010, Chapter 110,  
12 Section 1) is amended to read:

13 "22-13-1.1. GRADUATION REQUIREMENTS.--

14 A. At the end of grades eight through eleven, each  
15 student shall prepare an interim next-step plan that sets  
16 forth the coursework for the grades remaining until high  
17 school graduation. Each year's plan shall explain any  
18 differences from previous interim next-step plans, shall be  
19 filed with the principal of the student's high school and  
20 shall be signed by the student, the student's parent and the  
21 student's guidance counselor or other school official charged  
with coursework planning for the student.

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

C. An individualized education program that meets  
the requirements of Subsections A and B of this section and

1 that meets all applicable transition and procedural  
2 requirements of the federal Individuals with Disabilities  
3 Education Act for a student with a disability shall satisfy  
4 the next-step plan requirements of this section for that  
5 student.

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

11 (1) curricular and course options, including  
12 honors or advanced placement courses, dual-credit courses,  
13 distance learning courses, career clusters,  
14 pre-apprenticeship programs or remediation programs that the  
15 college and workplace readiness assessments indicate to be  
16 appropriate;

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

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

21 E. The secretary shall:

22 (1) establish specific accountability  
23 standards for administrators, counselors, teachers and school  
24 district staff to ensure that every student has the  
25 opportunity to develop a next-step plan;

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

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

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

5                   F. Once a student has entered ninth grade, the  
6 graduation requirements shall not be changed for that student  
7 from the requirements specified in the law at the time the  
8 student entered ninth grade.

9                   G. Successful completion of a minimum of  
10 twenty-three units aligned to the state academic content and  
11 performance standards shall be required for graduation.  
12 These units shall be as follows:

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

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

17                   (3) two units in science, one of which shall  
18 have a laboratory component; provided, however, that with  
19 students entering the ninth grade beginning in the 2005-2006  
20 school year, three units in science shall be required, one of  
21 which shall have a laboratory component;

22                   (4) three units in social science, which  
23 shall include United States history and geography, world  
24 history and geography and government and economics;

25                   (5) one unit in physical education;

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

                  (7) one-half unit in New Mexico history for  
students entering the ninth grade beginning in the 2005-2006

1 school year; and

2 (8) nine elective units and seven and  
3 one-half elective units for students entering the ninth grade  
4 in the 2005-2006 school year that meet department content and  
5 performance standards. Student service learning shall be  
6 offered as an elective. Financial literacy shall be offered  
7 as an elective. Pre-apprenticeship programs may be offered  
8 as electives. Media literacy may be offered as an elective.

9 H. For students entering the ninth grade beginning  
10 in the 2009-2010 school year, at least one of the units  
11 required for graduation shall be earned as an advanced  
12 placement or honors course, a dual-credit course offered in  
13 cooperation with an institution of higher education or a  
14 distance learning course.

15 I. The department shall establish a procedure for  
16 students to be awarded credit through completion of specified  
17 career technical education courses for certain graduation  
18 requirements.

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

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

(2) four units in mathematics, of which one  
shall be the equivalent to or higher than the level of

1 algebra 2, unless the parent submitted written, signed  
2 permission for the student to complete a lesser mathematics  
3 unit; and provided that a financial literacy course that  
4 meets state mathematics academic content and performance  
5 standards shall qualify as one of the four required  
6 mathematics units;

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

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

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

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

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

K. For students entering the eighth grade in the  
2012-2013 school year, a course in health education is  
required prior to graduation. Health education may be

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

9 L. Final examinations shall be administered to all  
10 students in all classes offered for credit.

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

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

O. As used in this section:

(1) "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

1 program, an internship or apprenticeship, military service or  
2 a job;

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

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

SB 122  
Page 8

14 (a) advanced placement or honors  
15 courses;

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

18 (c) distance learning courses;

19 (d) career-technical courses; and

20 (e) pre-apprenticeship programs.

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

24 SECTION 2. EMERGENCY.--It is necessary for the public  
25 peace, health and safety that this act take effect  
immediately. \_\_\_\_\_