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SENATE BILL 127

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Mimi Stewart

AN ACT

RELATING TO PUBLIC EDUCATION; PROVIDING THAT END-OF-COURSE
FINAL EXAMINATIONS BE DEVELOPED BY THE TEACHER OF RECORD.

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 by Laws 2014, Chapter 9,
Section 3 and by Laws 2014, Chapter 70, Section 1 and also by
Laws 2014, Chapter 71, Section 1) 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

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1 the student, the student's parent and the student's guidance
2 counselor or other school official charged with coursework
3 planning for the student.

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

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

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

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

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

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

22 (2) four units in mathematics, of which one
23 shall be the equivalent to or higher than the level of algebra
24 2, unless the parent submitted written, signed permission for
25 the student to complete a lesser mathematics unit; and provided

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1 that a financial literacy course that meets state mathematics
2 academic content and performance standards shall qualify as one
3 of the four required mathematics units;

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

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

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

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

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

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1 K. For students entering the eighth grade in the
2 2012-2013 school year, a course in health education is required
3 prior to graduation. Health education may be required in
4 either middle school or high school, as determined by the
5 school district. Each school district shall submit to the
6 department by the beginning of the 2011-2012 school year a
7 health education implementation plan for the 2012-2013 and
8 subsequent school years, including in which grade health
9 education will be required and how the course aligns with
10 department content and performance standards. Health education
11 shall include age-appropriate sexual abuse and assault
12 awareness and prevention training that meets department
13 standards developed in consultation with the federal centers
14 for disease control and prevention that are based on evidence-
15 based methods that have proven to be effective.

16 L. Final examinations shall be administered to all
17 students in all classes offered for credit. Final examinations
18 shall be developed by the teacher of record.

19 M. Until July 1, 2010, a student who has not passed
20 a state graduation examination in the subject areas of reading,
21 English, mathematics, writing, science and social science shall
22 not receive a high school diploma. The state graduation
23 examination on social science shall include a section on the
24 constitution of the United States and the constitution of New
25 Mexico. If a student exits from the school system at the end

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1 of grade twelve without having passed a state graduation
2 examination, the student shall receive an appropriate state
3 certificate indicating the number of credits earned and the
4 grade completed. If within five years after a student exits
5 from the school system the student takes and passes the state
6 graduation examination, the student may receive a high school
7 diploma. Any student passing the state graduation examination
8 and completing all other requirements within five years of
9 entering ninth grade, including a final summer session if
10 completed by August 1, may be counted by the school system in
11 which the student is enrolled as a high school graduate for the
12 year in which completion and examination occur.

13 N. Beginning with the 2010-2011 school year, a
14 student shall not receive a New Mexico diploma of excellence if
15 the student has not demonstrated competence in the subject
16 areas of mathematics, reading and language arts, writing,
17 social studies and science, including a section on the
18 constitution of the United States and the constitution of
19 New Mexico, based on a standards-based assessment or
20 assessments or a portfolio of non-assessment standards-based
21 indicators established by the department by rule. The
22 standards-based assessments required in Section 22-2C-4 NMSA
23 1978 may also serve as the assessment required for high school
24 graduation. If a student exits from the school system at the
25 end of grade twelve without having satisfied the requirements

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1 of this subsection, the student shall receive an appropriate
2 state certificate indicating the number of credits earned and
3 the grade completed. If within five years after a student
4 exits from the school system the student satisfies the
5 requirement of this subsection, the student may receive a New
6 Mexico diploma of excellence. Any student satisfying the
7 requirements of this subsection and completing all other
8 requirements within five years of entering ninth grade,
9 including a final summer session if completed by August 1, may
10 be counted by the school system in which the student is
11 enrolled as a high school graduate for the year in which all
12 requirements are satisfied.

13 0. As used in this section:

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

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

23 (3) "next-step plan" means an annual personal
24 written plan of studies developed by a student in a public
25 school or other state-supported school or institution in

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1 consultation with the student's parent and school counselor or
2 other school official charged with coursework planning for the
3 student that includes one or more of the following:

4 (a) advanced placement or honors
5 courses;

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

8 (c) distance learning courses;

9 (d) career-technical courses; and

10 (e) pre-apprenticeship programs.

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

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