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SENATE BILL 31

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Gay G. Kernan

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC EDUCATION; AMENDING THE PUBLIC SCHOOL CODE TO REMOVE THE REQUIREMENT FOR STUDENTS TO TAKE AT LEAST ONE ADVANCED PLACEMENT, HONORS, DUAL-CREDIT OR DISTANCE LEARNING COURSE FOR 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 by Laws 2016, Chapter 17, Section 2 and by Laws 2016, Chapter 18, Section 2) 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

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1 from previous interim next-step plans, shall be filed with the
2 principal of the student's high school and shall be signed by
3 the student, the student's parent and the student's guidance
4 counselor or other school official charged with coursework
5 planning for the student.

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

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

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

23 (1) curricular and course options, including
24 honors or advanced placement courses, dual-credit courses,
25 distance learning courses, career clusters and career pathways,

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1 pre-apprenticeship programs or remediation programs that the
2 college and workplace readiness assessments indicate to be
3 appropriate;

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

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

8 E. The secretary shall:

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

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

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

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

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

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1 G. Successful completion of a minimum of twenty-
2 three units aligned to the state academic content and
3 performance standards shall be required for graduation. These
4 units shall be as follows:
5 (1) four units in English, with major emphasis
6 on grammar and literature;
7 (2) three units in mathematics, at least one
8 of which is equivalent to the algebra 1 level or higher;
9 (3) two units in science, one of which shall
10 have a laboratory component; provided, however, that with
11 students entering the ninth grade beginning in the 2005-2006
12 school year, three units in science shall be required, one of
13 which shall have a laboratory component;
14 (4) three units in social science, which shall
15 include United States history and geography, world history and
16 geography and government and economics;
17 (5) one unit in physical education;
18 (6) one unit in communication skills or
19 business education, with a major emphasis on writing and
20 speaking and that may include a language other than English;
21 (7) one-half unit in New Mexico history for
22 students entering the ninth grade beginning in the 2005-2006
23 school year; and
24 (8) nine elective units and seven and one-half
25 elective units for students entering the ninth grade in the

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1 2005-2006 school year that meet department content and
2 performance standards. Student service learning shall be
3 offered as an elective. Financial literacy shall be offered as
4 an elective. Pre-apprenticeship programs may be offered as
5 electives. Media literacy may be offered as an elective.

6 H. For students entering the ninth grade beginning
7 in the 2009-2010 school year through the 2016-2017 school year,
8 at least one of the units required for graduation shall be
9 earned as an advanced placement or honors course, a dual-credit
10 course offered in cooperation with an institution of higher
11 education or a distance learning course.

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

19 J. Successful completion of the requirements of the
20 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 minimum
23 of twenty-four units aligned to the state academic content and
24 performance standards shall be required to earn a New Mexico
25 diploma of excellence. These units shall be as follows:

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

3 (2) four units in mathematics, of which one
4 shall be the equivalent to or higher than the level of algebra
5 2, unless the parent submitted written, signed permission for
6 the student to complete a lesser mathematics unit; and provided
7 that a financial literacy course that meets state mathematics
8 academic content and performance standards shall qualify as one
9 of the four required mathematics units;

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

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

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

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

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1 (7) seven and one-half elective units that
2 meet department content and performance standards. Career and
3 technical education courses shall be offered as an elective.
4 Student service learning shall be offered as an elective.
5 Financial literacy shall be offered as an elective. Pre-
6 apprenticeship programs may be offered as electives. Media
7 literacy may be offered as an elective.

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

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

24 (2) lifesaving skills training that follows
25 nationally recognized guidelines for hands-on psychomotor

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

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

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

16 L. Final examinations shall be administered to all
17 students in all classes offered for credit.

18 M. Until July 1, 2010, a student who has not passed
19 a state graduation examination in the subject areas of reading,
20 English, mathematics, writing, science and social science shall
21 not receive a high school diploma. The state graduation
22 examination on social science shall include a section on the
23 constitution of the United States and the constitution of New
24 Mexico. If a student exits from the school system at the end
25 of grade twelve without having passed a state graduation

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1 examination, the student shall receive an appropriate state
2 certificate indicating the number of credits earned and the
3 grade completed. If within five years after a student exits
4 from the school system the student takes and passes the state
5 graduation examination, the student may receive a high school
6 diploma. Any student passing the state graduation examination
7 and completing all other requirements within five years of
8 entering ninth grade, including a final summer session if
9 completed by August 1, may be counted by the school system in
10 which the student is enrolled as a high school graduate for the
11 year in which completion and examination occur.

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

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

11 0. As used in this section:

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

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

23 (3) "career cluster" means a grouping of
24 occupations in industry sectors based on recognized
25 commonalities that provide an organizing tool for developing

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1 instruction within the educational system;

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

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

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

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

21 (a) advanced placement or honors
22 courses;

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

25 (c) distance learning courses;

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- (d) career-technical courses; and
- (e) pre-apprenticeship programs.

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