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SENATE BILL 5

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Carlos R. Cisneros

AN ACT

RELATING TO PUBLIC EDUCATION; ALLOWING AMERICAN SIGN LANGUAGE TO MEET THE REQUIREMENT OF A "LANGUAGE OTHER THAN ENGLISH" FOR PURPOSES OF HIGH SCHOOL GRADUATION; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2010; REPEALING A SECTION OF THE PUBLIC SCHOOL CODE.

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 2010, Chapter 25, Section 1 and by Laws 2010, Chapter 110, 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

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

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

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

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

24 (1) curricular and course options, including
25 honors or advanced placement courses, dual-credit courses,

1 distance learning courses, career clusters, pre-apprenticeship
2 programs or remediation programs that the college and workplace
3 readiness assessments indicate to be 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. Successful completion of a minimum of twenty-
23 three units aligned to the state academic content and
24 performance standards shall be required for graduation. These
25 units shall be as follows:

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

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

5 (3) two units in science, one of which shall
6 have a laboratory component; provided, however, that with
7 students entering the ninth grade beginning in the 2005-2006
8 school year, three units in science shall be required, one of
9 which shall have a laboratory component;

10 (4) three units in social science, which shall
11 include United States history and geography, world history and
12 geography and government and economics;

13 (5) one unit in physical education;

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

17 (7) one-half unit in New Mexico history for
18 students entering the ninth grade beginning in the 2005-2006
19 school year; and

20 (8) nine elective units and seven and
21 one-half elective units for students entering the ninth grade
22 in the 2005-2006 school year that meet department content and
23 performance standards. Student service learning shall be
24 offered as an elective. Financial literacy shall be offered as
25 an elective. Pre-apprenticeship programs may be offered as

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1 electives. Media literacy may be offered as an elective.

2 G. For students entering the ninth grade beginning
3 in the 2009-2010 school year, at least one of the units
4 required for graduation shall be earned as an advanced
5 placement or honors course, a dual-credit course offered in
6 cooperation with an institution of higher education or a
7 distance learning course.

8 H. The department shall establish a procedure for
9 students to be awarded credit through completion of specified
10 career technical education courses for certain graduation
11 requirements.

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

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

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

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1 academic content and performance standards shall qualify as one
2 of the four required mathematics units;

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

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

9 (5) one unit in physical education;

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

13 (7) seven and one-half elective units that
14 meet department content and performance standards. Student
15 service learning shall be offered as an elective. Financial
16 literacy shall be offered as an elective. Pre-apprenticeship
17 programs may be offered as electives. Media literacy may be
18 offered as an elective.

19 J. For students entering the eighth grade in the
20 2012-2013 school year, a course in health education is required
21 prior to graduation. Health education may be required in
22 either middle school or high school, as determined by the
23 school district. Each school district shall submit to the
24 department by the beginning of the 2011-2012 school year a
25 health education implementation plan for the 2012-2013 and

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1 subsequent school years, including in which grade health
2 education will be required and how the course aligns with
3 department content and performance standards.

4 K. Final examinations shall be administered to all
5 students in all classes offered for credit.

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

25 M. Beginning with the 2010-2011 school year, a

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

24 N. As used in this section:

25 (1) "final next-step plan" means a next-step

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1 plan that shows that the student has committed or intends to
2 commit in the near future to a four-year college or university,
3 a two-year college, a trade or vocational program, an
4 internship or apprenticeship, military service or a job;

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

9 (3) "language other than English" may include,
10 but is not limited to, American sign language; and

11 [~~3~~] (4) "next-step plan" means an annual
12 personal written plan of studies developed by a student in a
13 public school or other state-supported school or institution in
14 consultation with the student's parent and school counselor or
15 other school official charged with coursework planning for the
16 student that includes one or more of the following:

17 (a) advanced placement or honors
18 courses;

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

21 (c) distance learning courses;

22 (d) career-technical courses; and

23 (e) pre-apprenticeship programs.

24 0. The secretary may establish a policy to provide
25 for administrative interpretations to clarify curricular and

1 testing provisions of the Public School Code."

2 SECTION 2. REPEAL.--Section 22-13-1.4 NMSA 1978 (being
3 Laws 2005, Chapter 78, Section 1, as amended by Laws 2007,
4 Chapter 307, Section 9 and by Laws 2007, Chapter 308, Section
5 9) is repealed.

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