



The Legislature  
of the  
State of New Mexico

49th Legislature, 2nd Session

LAWS 2010

CHAPTER 110

HOUSE BILL 44, as amended

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Introduced by  
REPRESENTATIVE MARY HELEN GARCÍA



# Chapter 110

## AN ACT

RELATING TO PUBLIC SCHOOLS; CHANGING GRADUATION REQUIREMENTS FOR STUDENTS ENTERING NINTH GRADE IN THE 2012-2013 SCHOOL YEAR TO INCLUDE HEALTH EDUCATION; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2009.

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 2009, Chapter 256, Section 1 and by Laws 2009, Chapter 267, Section 2 and also by Laws 2009, Chapter 268, 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 the student, the student's parent and the student's guidance counselor or other school official charged with coursework planning for the student.

B. Each student must complete a final next-step plan during the senior year and prior to graduation. The plan shall be filed with the principal of the student's high school and shall be signed by the student, the student's parent and

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

3 C. An individualized education program that meets  
4 the requirements of Subsections A and B of this section and  
5 that meets all applicable transition and procedural  
6 requirements of the federal Individuals with Disabilities  
7 Education Act for a student with a disability shall satisfy  
8 the next-step plan requirements of this section for that  
9 student.

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

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

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

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

24 E. The secretary shall:

25 (1) establish specific accountability

1 standards for administrators, counselors, teachers and school  
2 district staff to ensure that every student has the  
3 opportunity to develop a next-step plan;

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

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

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

13 F. Successful completion of a minimum of twenty-  
14 three units aligned to the state academic content and  
15 performance standards shall be required for graduation. These  
16 units shall be as follows:

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

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

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

1                   (4) three units in social science, which  
2 shall include United States history and geography, world  
3 history and geography and government and economics;

4                   (5) one unit in physical education;

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

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

11                   (8) nine elective units and seven and  
12 one-half elective units for students entering the ninth grade  
13 in the 2005-2006 school year that meet department content and  
14 performance standards. Student service learning shall be  
15 offered as an elective. Financial literacy shall be offered  
16 as an elective. Pre-apprenticeship programs may be offered as  
17 electives. Media literacy may be offered as an elective.

18                   G. For students entering the ninth grade beginning  
19 in the 2009-2010 school year, at least one of the units  
20 required for graduation shall be earned as an advanced  
21 placement or honors course, a dual-credit course offered in  
22 cooperation with an institution of higher education or a  
23 distance learning course.

24                   H. The department shall establish a procedure for  
25 students to be awarded credit through completion of specified

1 career technical education courses for certain graduation  
2 requirements.

3 I. Successful completion of the requirements of  
4 the New Mexico diploma of excellence shall be required for  
5 graduation for students entering the ninth grade beginning in  
6 the 2009-2010 school year. Successful completion of a minimum  
7 of twenty-four units aligned to the state academic content and  
8 performance standards shall be required to earn a New Mexico  
9 diploma of excellence. These units shall be as follows:

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

12 (2) four units in mathematics, of which one  
13 shall be the equivalent to or higher than the level of algebra  
14 2, unless the parent submitted written, signed permission for  
15 the student to complete a lesser mathematics unit;

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

18 (4) three and one-half units in social  
19 science, which shall include United States history and  
20 geography, world history and geography and government and  
21 economics, and one-half unit of New Mexico history;

22 (5) one unit in physical education;

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

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

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

17                  K. Final examinations shall be administered to all  
18 students in all classes offered for credit.

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

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

14 M. Beginning with the 2010-2011 school year, a  
15 student shall not receive a New Mexico diploma of excellence  
16 if the student has not demonstrated competence in the subject  
17 areas of mathematics, reading and language arts, writing,  
18 social studies and science, including a section on the  
19 constitution of the United States and the constitution of New  
20 Mexico, based on a standards-based assessment or assessments  
21 or a portfolio of standards-based indicators established by  
22 the department by rule. The standards-based assessments  
23 required in Section 22-2C-4 NMSA 1978 may also serve as the  
24 assessment required for high school graduation. If a student  
25 exits from the school system at the end of grade twelve



1 without having satisfied the requirements of this subsection,  
2 the student shall receive an appropriate state certificate  
3 indicating the number of credits earned and the grade  
4 completed. If within five years after a student exits from  
5 the school system the student satisfies the requirement of  
6 this subsection, the student may receive a New Mexico diploma  
7 of excellence. Any student satisfying the requirements of  
8 this subsection and completing all other requirements within  
9 five years of entering ninth grade, including a final summer  
10 session if completed by August 1, may be counted by the school  
11 system in which the student is enrolled as a high school  
12 graduate for the year in which all requirements are satisfied.

13 N. 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  
17 university, a two-year college, a trade or vocational program,  
18 an 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  
22 student to achieve those goals; and

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





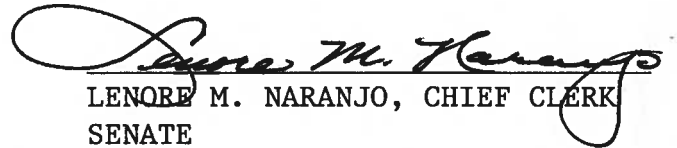
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HOUSE OF REPRESENTATIVES



STEPHEN R. ARIAS, CHIEF CLERK  
HOUSE OF REPRESENTATIVES



DIANE D. DENISH, PRESIDENT  
SENATE



LENORE M. NARANJO, CHIEF CLERK  
SENATE

Approved by me this 10<sup>th</sup> day of March, 2010



BILL RICHARDSON, GOVERNOR  
STATE OF NEW MEXICO

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