

History: 1978 Comp., § 22-2-8.3, enacted by Laws 1986, ch. 33, § 4; 1990 (1st S.S.), ch. 3, § 2; 1993, ch. 226, § 6; 1997, ch. 234, § 1.

The 1990 (1st S.S.) amendment, effective July 1, 1990, rewrote Subsections A to D; deleted former Subsection E, relating to the classes of instruction for those sixth grade classes not included in an elementary school; and redesignated former Subsections F to I as present Subsections E to H.

The 1993 amendment, effective July 1, 1993, deleted former Subsection H, which read "The provi-

sions of this section shall be effective with the 1987-88 school year."

The 1997 amendment inserted "American sign language" at the end of Subsection G. Laws 1997, ch. 234 contains no effective date provision, but, pursuant to N.M. Const., art. IV, § 23, is effective on June 20, 1997, 90 days after adjournment of the legislature. See Volume 14 NMSA 1978 for "Adjournment Dates of Sessions of Legislature" table.

22-2-8.4. Graduation requirements.

A. At the end of the eighth grade or during the ninth grade, each student shall prepare an individual program of study for grades nine through twelve. The program of study shall be signed by a student's parent or guardian.

B. Beginning with students entering the ninth grade in the 1986-87 school year, successful completion of a minimum of twenty-three units shall be required for graduation. These units shall be as follows:

- (1) four units in English, with major emphasis on grammar and literature;
- (2) three units in mathematics;
- (3) two units in science, one of which shall have a laboratory component;
- (4) three units in social science, which shall include United States history and geography, world history and geography, and government and economics;
- (5) one unit in physical fitness;
- (6) one unit in communication skills, with major emphasis on writing and speaking, which may include a language other than English; and

(7) nine elective units. Only the following elective units shall be counted toward meeting the requirements for graduation: fine arts, i.e., music, band, chorus and art; practical arts; physical education; languages other than English; speech; drama; vocational education; mathematics; science; English; R.O.T.C.; social science; computer science; health education; American sign language; and other electives approved by the state board.

With the approval of the local school board, participation on an athletic team or in an athletic sport during the school day may count toward fulfillment of the physical education required unit.

C. Final examinations shall be administered to all students in all classes offered for credit.

D. Beginning with students entering the ninth grade in the 1986-87 school year, no student shall receive a high school diploma who has not passed a state competency examination in the subject areas of reading, English, math, science and social science. Beginning with the 1996-97 school year, the state competency examinations on social science shall include a section on the constitution of the United States and the constitution of New Mexico. If a student exits from the school system at the end of grade twelve without having passed a state competency examination, he shall receive an appropriate state certificate indicating the number of credits earned and the grade completed. If within five years after a student exits from the school system he takes and passes the state competency examination, he may receive a high school diploma.

E. The state board may establish a policy to provide for administrative interpretations to clarify curricular and testing provisions of the Public School Code.

History: 1978 Comp., § 22-2-8.4, enacted by Laws 1986, ch. 33, § 5; 1987, ch. 320, § 2; 1988, ch. 105, § 2; 1989, ch. 220, § 1; 1990 (1st S.S.), ch. 3, § 3; 1993, ch. 68, § 3; 1993, ch. 92, § 1; 1993, ch. 226, § 7; 1993, ch. 230, § 1; 1995, ch. 174, § 1; 1995, ch. 180, § 1; 1997, ch. 234, § 2.

The 1988 amendment, effective May 18, 1988, inserted "or during the ninth grade" in Subsection A and added Subsection E.

The 1989 amendment, effective June 16, 1989, added "which may include a language other than English" at the end of Subsection B(6).

The 1990 (1st S.S.) amendment, effective July 1, 1990, deleted "in grades nine through twelve" following "twenty-three units" near the beginning of Subsection B.

1993 amendments. — Laws 1993, ch. 68, § 3, effective July 1, 1994, inserting "defensive driving" near the end of Paragraph (7) and adding Subsection F, was approved March 19, 1993. Laws 1993, ch. 92, § 1, effective March 31, 1993 rewriting Subsection D and adding Subsection E, was approved March 31, 1993. Laws 1993, ch. 226, § 7 effective July 1, 1993, deleting "Beginning with students entering the ninth grade in the 1986-87 school year" at the beginning of Subsections B and D and deleting "Effective with the 1987-88 school year" at the beginning of Subsection C, was approved April 7, 1993. However, Laws 1993, ch. 230, § 1, effective June 18, 1993, also amending this section by adding the final sentence of Subsection D, was approved April 7, 1993. The section is set out as amended by Laws 1993, ch. 230, § 1. See 12-1-8 NMSA 1978.

1995 amendments. — Laws 1995, ch. 174, § 1, effective June 16, 1995, deleting "Effective with the 1987-88 school year" from the beginning of Subsection C, and adding "Beginning with the 1996-97

school year, the state competency examinations on social science shall include a section on the United States constitution and the constitution of New Mexico" as the second sentence of Subsection D, was approved April 6, 1995. However, Laws 1995, ch. 180, § 1, effective June 16, 1995, also amending this section by adding the last sentence in Subsection B and deleting the first part of Subsection C which read "Effective with the 1987-88 school year", but not giving effect to the changes made by the first 1995 amendment, was approved April 6, 1995. The section is set out as amended by Laws 1995, ch. 180, § 1. See 12-1-8 NMSA 1978.

The 1997 amendment inserted "American sign language" following "health education" near the end of Paragraph B(7), and inserted the second sentence in Subsection D. Laws 1997, ch. 234 contains no effective date provision, but, pursuant to N.M. Const., art. IV, § 23, is effective on June 20, 1997, 90 days after adjournment of the legislature. See Volume 14 NMSA 1978 for "Adjournment Dates of Sessions of Legislature" table.

Public School Code. — See 22-1-1 NMSA 1978 and notes thereto.

22-2-8.5. Additional statewide testing.

A. The state board shall expand the program of educational accountability established through its educational standards by adding reading assessments and writing production tests to its existing uniform statewide system of assessment to determine pupil status, progress and degree of achievement of basic skills and of essential educational competencies.

B. The department of education shall involve local school district personnel, especially certified elementary reading specialists, in the development of methods on a statewide basis to measure student reading performance in order to assist school districts in the assessment of student problem areas in the first and second grades.

C. The department of education shall involve local school district personnel, especially certified school instructors in the fourth and sixth grades, in the development or selection of a uniform statewide writing production test for school districts, which shall be administered in grades four and six to measure student writing performance in order to assist school districts in the assessment of student problem areas.

History: 1978 Comp., § 22-2-8.5, enacted by Laws 1986, ch. 33, § 6; 1989, ch. 270, § 1; 1993, ch. 226, § 8.

Cross references. — As to annual report card, see 22-1-6 NMSA 1978.

The 1989 amendment, effective April 6, 1989, in Subsection B, substituted the present language beginning with "of methods on a statewide basis" for "or selection of a statewide, nationally normed read-

ing assessment instrument for school districts, which shall be administered in the spring of the first and second grades to measure student reading performance in order to assist school districts in the assessment of student problem areas".

The 1993 amendment, effective July 1, 1993, deleted former Subsection D, which read "The provisions of this section shall be effective with the 1987-88 school year."

22-2-8.6. Essential competencies; remediation programs; promotion policies; exception.

A. The state board shall identify measurable essential competencies and determine the criteria for mastery of the essential competencies as established in the state educational standards.

B. Local school boards shall develop remediation programs to provide special instructional assistance to students in grades one through eight who fail to master the essential competencies as established by the state board. Remediation programs may include but not