

(2) requires that class attendance be taken for every instructional day in every public school or school program in the district.

C. School districts shall report truancy and habitual truancy rates to the department in a form and at such times as the department determines.

History: Laws 2004, ch. 28, § 1.

Effective dates. — Laws 2004, ch. 28 contains no effective date provision, but, pursuant to N.M. Const.,

art. IV, § 23, is effective May 19, 2004, 90 days after adjournment of the legislature.

ARTICLE 13

Courses of Instruction and School Programs

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| <p>Sec.
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22-13-1. Subject areas; minimum instructional areas required; accreditation.

History: 1978 Comp., § 22-13-1, enacted by Laws 2003, ch. 153, § 57.

Compiler's notes. — Laws 2003, ch. 143, § 3, would have repealed Article 13 of Chapter 22 NMSA 1978 effective July 1, 2004. The repeal of Article 13 of Chapter 22 was contingent upon the adoption of an amendment to Article 12, Section 6 of the constitution which was approved at a special election held

September 23, 2003. However, the repeal of Article 13 of Chapter 22 did not take effect, as prior to the July 1, 2004 effective date of the repeal of Article 13, Laws 2004, ch. 27, § 29, effective May 19, 2004, repealed Laws 2003, ch. 143, § 3.

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

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

D. A local school board shall ensure that each high school student has the opportunity to develop a next-step plan and is reasonably informed about:

- (1) curricular and course options;
- (2) opportunities available that lead to different post-high-school options; and
- (3) alternative opportunities available if the student does not finish a planned curriculum.

E. The secretary of public education shall:

- (1) establish specific accountability standards for administrators, counselors, teachers and school district staff to ensure that every student has the opportunity to develop a next-step plan;
- (2) promulgate rules for accredited private schools in order to ensure substantial compliance with the provisions of this section;
- (3) monitor compliance with the requirements of this section; and
- (4) compile such information as is necessary to evaluate the success of next-step plans and report annually, by December 15, to the legislative education study committee and the governor.

F. Successful completion of a minimum of twenty-three units aligned to the state academic content and performance standards 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, at least one of which is equivalent to the algebra 1 level or higher;
- (3) two units in science, one of which shall have a laboratory component; provided, however, that with students entering the ninth grade beginning in the 2005-2006 school year, three units in science shall be required, 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 education or other physical activity;
- (6) one unit in communication skills or business education, with a major emphasis on writing and speaking and that may include a language other than English; and
- (7) nine elective units and eight elective units for students entering the ninth grade in the 2005-2006 school year that meet state board content and performance standards. Student service learning shall be offered as an elective.

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

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

I. A student shall not receive a high school diploma who has not passed a state graduation examination in the subject areas of reading, English, math, writing, science and social science. The state graduation examination 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 graduation 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 graduation examination, he may receive a high school diploma.

J. As used in this section:

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

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

(3) "next-step plan" means an annual personal written plan of studies developed by a student in a public school or other state-supported school or institution in consultation with the student's parent or guardian and school counselor or other school official charged with coursework planning for the student.

K. The secretary of public education may establish a policy to provide for administrative interpretations to clarify curricular and testing provisions of the Public School Code [Chapter 22 NMSA 1978].

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; 2001, ch. 257, § 1; 2001, ch. 276, § 1; recompiled and amended as 1978 Comp., § 22-13-1.1 by Laws 2003, ch. 153, § 58; 2004, ch. 29, § 1.

The 2004 amendments, effective July 1, 2004, deleted Subsection A, added new Subsections A through G, redesignated Subsections C and D as Subsections G and H, added Subsection I, added Subsection J, redesignated former Subsection E as

Subsection K and changed "state board" to "secretary of public education" in Subsection K.

Compiler's notes. — Laws 2003, ch. 143, § 3, would have repealed Article 13 of Chapter 22 NMSA 1978 effective July 1, 2004. The repeal of Article 13 of Chapter 22 was contingent upon the adoption of an amendment to Article 12, Section 6 of the constitution which was approved at a special election held September 23, 2003. However, the repeal of Article 13 of Chapter 22 did not take effect, as prior to the July 1, 2004 effective date of the repeal of Article 13, Laws 2004, ch. 27, § 29, effective May 19, 2004, repealed Laws 2003, ch. 143, § 3.

22-13-1.2. High school curricula and end-of-course tests; alignment.

History: 1978 Comp., § 22-13-1.2, enacted by Laws 2003, ch. 153, § 59.

Compiler's notes. — Laws 2003, ch. 143, § 3, would have repealed Article 13 of Chapter 22 NMSA 1978 effective July 1, 2004. The repeal of Article 13 of Chapter 22 was contingent upon the adoption of an amendment to Article 12, Section 6 of the consti-

tution which was approved at a special election held September 23, 2003. However, the repeal of Article 13 of Chapter 22 did not take effect, as prior to the July 1, 2004 effective date of the repeal of Article 13, Laws 2004, ch. 27, § 29, effective May 19, 2004, repealed Laws 2003, ch. 143, § 3.

22-13-1.3. Reading initiative; design.

History: Laws 2000 (2nd S.S.), ch. 14, § 1; 2001, ch. 289, § 1; 1978 Comp., § 22-2-6.11, recompiled and amended as 1978 Comp., § 22-13-1.3 by Laws 2003, ch. 153, § 60.

Compiler's notes. — Laws 2003, ch. 143, § 3, would have repealed Article 13 of Chapter 22 NMSA 1978 effective July 1, 2004. The repeal of Article 13 of Chapter 22 was contingent upon the adoption of

an amendment to Article 12, Section 6 of the constitution which was approved at a special election held September 23, 2003. However, the repeal of Article 13 of Chapter 22 did not take effect, as prior to the July 1, 2004 effective date of the repeal of Article 13, Laws 2004, ch. 27, § 29, effective May 19, 2004, repealed Laws 2003, ch. 143, § 3.

22-13-3. Early childhood education programs required.

History: 1953 Comp., § 77-11-2, enacted by Laws 1967, ch. 16, § 181; reenacted by 1973, ch. 357, § 1; 1974, ch. 8, § 20; 1977, ch. 2, § 2; 1986, ch. 33, § 29; 1987, ch. 320, § 6; 1988, ch. 35, § 1; 1993, ch. 226, § 29.

Compiler's notes. — Laws 2003, ch. 143, § 3, would have repealed Article 13 of Chapter 22 NMSA 1978 effective July 1, 2004. The repeal of Article 13 of Chapter 22 was contingent upon the adoption of

an amendment to Article 12, Section 6 of the constitution which was approved at a special election held September 23, 2003. However, the repeal of Article 13 of Chapter 22 did not take effect, as prior to the July 1, 2004 effective date of the repeal of Article 13, Laws 2004, ch. 27, § 29, effective May 19, 2004, repealed Laws 2003, ch. 143, § 3.

22-13-3.1. Even start family literacy program; created; guidelines; benchmarks, performance standards and evaluations.

History: Laws 2001, ch. 168, § 1.