

for progress in reading and language arts skills and students in second grade shall take diagnostic tests on reading and language arts skills.

C. All first, second and third grade classes shall provide instruction in art, music, a language other than English and instruction that meets content and performance standards shall be provided in physical education and health education.

D. In fourth through eighth grades, instruction that meets academic content and performance standards shall be provided in the following subject areas:

- (1) reading and language arts skills, with an emphasis on writing and editing for at least one year and an emphasis on grammar and writing for at least one year;
- (2) mathematics;
- (3) language other than English;
- (4) communication skills;
- (5) science;
- (6) art;
- (7) music;
- (8) social studies;
- (9) New Mexico history;
- (10) United States history;
- (11) geography;
- (12) physical education; and
- (13) health education.

E. In fourth through eighth grades, school districts shall offer electives that contribute to academic growth and skill development and provide career and technical education.

F. In ninth through twelfth grades, instruction that meets academic content and performance standards shall be provided in health education.

History: 1978 Comp., § 22-13-1, enacted by Laws 2003, ch. 153, § 57; 2005, ch. 315, § 9.

Repeals and reenactments. — Laws 2003, ch. 153, § 57 repeals former 22-13-1 NMSA 1978, as enacted by Laws 1967, ch. 16, § 180, and enacts the above section, effective April 4, 2003. For provisions of former section, see New Mexico One Source of Law DVD.

The 2005 amendment, effective April 7, 2005, adds kindergarten in Subsection B and provides in Subsection B that students shall be screened and monitored for progress in reading and language arts

skills and students in second grade shall take diagnostic tests on reading and language arts skills; provides in Subsection C that classes shall provide instruction that meets content and performance standards shall be provided in physical education and health education; adds health education in Subsection D(13); and adds Subsection F to provide that in ninth through twelfth grades, instruction that meets academic content and performance standards shall be provided in health education.

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 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 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;
- (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 department 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, mathematics, 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, the student 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 the student takes and passes the state graduation examination, the student 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 and school counselor or other school official charged with coursework planning for the student.

K. The secretary may establish a policy to provide for administrative interpretations to clarify curricular and testing provisions of the Public School Code [22-1-1 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; 2005, ch. 314, § 1; 2005, ch. 315, § 10.

Cross references. — For student achievement, see 22-2C-1 NMSA 1978 et seq.

For the federal Individuals with Disabilities Education Act, see 20 U.S.C.

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, effective June 20, 1997, inserted "American sign language" following "health education" near the end of Paragraph B(7), and inserted the second sentence in Subsection D.

2001 amendments. — Laws 2001, ch. 276, § 1, effective June 15, 2001, in Subsection D, deleting "Beginning with students entering the ninth grade in the 1986-87 school year" from the beginning of the subsection, substituting "state graduation examination" for "state competency examination" throughout the sub-

section, and inserting "writing" preceding "science and social science", was approved April 4, 2001.

This section was also amended by Laws 2001, ch. 255, § 1. Pursuant to 12-1-8 NMSA 1978, this section is set out as amended by Laws 2001, ch. 261, § 1.

The 2003 amendment, effective April 4, 2003, recompiled former 22-2-8.4 NMSA 1978 as present 22-13-1.1 NMSA 1978; deleted "of education" following "the department" throughout the section; substituted "scientifically based reading research that has been" for "research based reading programs" following "based upon quality," near the middle of Subsection A; substituted "licensed school employees" for "classroom certified instructional staff" following "staff development" near the beginning of Subsection A(2); substituted "teachers and other applicable licensed school employees" for "certified school instructors" following "provided to" near the beginning of Subsection A(4); and substituted "licensed" for "certified" following "especially" near the middle of Subsection C.

The 2004 amendment, 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.

2005 amendments. — Laws 2005, ch. 315, § 10, effective April 7, 2005, effective April 7, 2005, deletes reference to "guardian" in Subsections A and B; and deletes "other physical activity" in subsection F(5).

Pursuant to Section 12-1-8 NMSA 1978 this section is set out as amended by Laws 2005, ch. 315, § 10.

Laws 2005, ch. 314, § 1, also amends 22-13-1.1 NMSA 1978 to add a new Subsection F(7) to provide that the units shall include one-half unit in New Mexico history for students entering the ninth grade beginning in the 2005-2006 school year; and change the elective units for students entering the ninth grade in the 2005-2006 school year from eight units to seven and one-half units in Subsection F(8).

Section 22-13-1.1 NMSA 1978, as amended by Laws 2005, ch. 314, § 1 provides:

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 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;
- (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;

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

(8) nine elective units and seven and one-half 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, the student 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 the student takes and passes the state graduation examination, the student 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 may establish a policy to provide for administrative interpretations to clarify curricular and testing provisions of the Public School Code.

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

High school curricula and end-of-course tests shall be aligned with the placement tests administered by two- and four-year public post-secondary educational institutions in New Mexico. The department shall collaborate with the commission on higher education in aligning high school curricula and end-of-course tests with the placement tests.

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

Emergency clauses. — Laws 2003, ch. 153, § 74 makes the act effective immediately. Approved April 4, 2003.

22-13-1.3. Reading initiative; design.

A. The department shall design and implement a statewide reading initiative to improve reading proficiency in the state. The design of the reading initiative shall be based upon quality, scientifically based reading research that has been shown to improve reading proficiency and shall include the following:

- (1) consistent assessment and evaluation of student reading levels;