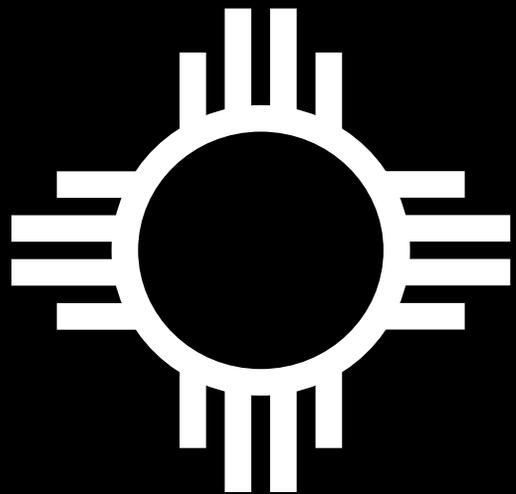


**NEW  
MEXICO  
REGISTER**

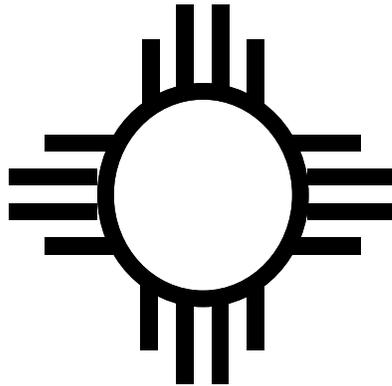


Volume XX  
Issue Number 11  
June 15, 2009



# **New Mexico Register**

**Volume XX, Issue Number 11  
June 15, 2009**



The official publication for all notices of rulemaking and filings of adopted, proposed and emergency rules in New Mexico

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Administrative Law Division  
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2009

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# New Mexico Register

Volume XX, Number 11

June 15, 2009

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#### Effective Date and Validity of Rule Filings

Rules published in this issue of the New Mexico Register are effective on the publication date of this issue unless otherwise specified. "No rule shall be valid or enforceable until it is filed with the records center and published in the New Mexico register as provided by the State Rules Act. Unless a later date is otherwise provided by law, the effective date of a rule shall be the date of publication in the New Mexico register." Section 14-4-5 NMSA 1978.

***A=Amended, E=Emergency, N=New, R=Repealed, Rn=Renumbered***

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## Notices of Rulemaking and Proposed Rules

### NEW MEXICO DEPARTMENT OF AGRICULTURE

#### Notice of Hearing

The New Mexico Department of Agriculture (NMDA) will hold one public hearing to address changes to the Pecan Weevil Exterior Quarantine, Title 21, Chapter 17, Part 28. NMDA is proposing to eliminate the use of methyl bromide and aluminum phosphide as acceptable treatment methods for in-shell pecans.

The hearing will be held at the New Mexico Department of Agriculture conference room, located at 3190 South Espina (corner of Gregg and Espina), Las Cruces, New Mexico, beginning at 1:30 p.m. on July 6, 2009.

Written statements in support or opposition, signed by the submitting person, will be accepted if received prior to 5:00 p.m. on July 6, 2009. Written statements, inquiries, or requests for copies of the proposed rule changes should be directed to Brad Lewis, Entomology and Nursery Industry Section, New Mexico Department of Agriculture, Las Cruces, New Mexico 88003 or at (575) 646-3207.

### NEW MEXICO CHILDREN, YOUTH AND FAMILIES DEPARTMENT JUVENILE JUSTICE DIVISION

#### Notice of Public Hearing

The Children, Youth and Families Department, Juvenile Justice Services, will hold a formal public hearing on June 29 from 9:00 to 11:00 a.m. in Room 565 on the 5th floor of the PERA building located at 1120 Paseo de Peralta, Santa Fe, New Mexico to receive public comments regarding proposed new regulations **8.14.7 NMAC**, governing Supervised Release of juveniles from CYFD JJS Facilities.

The proposed changes to the regulations may be obtained by contacting Patricia Ruiz at 505-827-7632. Interested persons may testify at the hearing or submit written comments no later than 11:00 a.m. on June 29, 2009. Written comments will be given the same consideration as oral testimony given at the hearing. Written comments should be addressed to Patricia Ruiz, Juvenile Justice

Services, P.O. Drawer 5160, Santa Fe, New Mexico 87502-5160, Fax Number 505-827-8408.

If you are a person with a disability and you require this information in an alternative format or require special accommodations to participate in the public hearing, please contact Patricia Ruiz at 505-827-7632. The Department requests at least 10 days advance notice to provide requested alternative formats and special accommodations.

### NEW MEXICO GAME COMMISSION

#### STATE GAME COMMISSION PUBLIC MEETING AND RULE MAKING NOTICE

On **Thursday, July 2, 2009**, beginning at 9:00 a.m., at the **Herron Lake State Park Visitors Center - Gray Room, 640 State Road 95, Los Ojos, New Mexico 87551**, the State Game Commission will meet in Public Session to hear and consider action as appropriate on the following: Revocations; Adoption of the 2009-2010 Migratory Game Bird Rule, 19.31.6, NMAC; Budget Status and Initial FY '10 Budget Preparation Discussion; Mexican Wolf Recovery Program Semi-Annual Briefing; General Public Comments (Comments limited to 3 minutes); San Juan River Fisheries Management Update; Rule Promulgation and Public Comment Process; State Game Commission Final Approval Sought for 2010 Habitat Stamp Program Projects; Closed Executive Session; and Land Acquisition and Disposal Report.

The following rules will be opened for public comment and consideration for adoption by the Commission:

\* Opening the Deer Rule (19.31.13, NMAC) to Consider Changing the Deer Application Deadline, Eliminating the Requirement for a Deer Permit, and to Provide Various Licensing Options for Deer Applicants.

A copy of the agenda or any of the affected rules can be obtained from the Office of the Director, New Mexico Department of Game and Fish, P.O. Box 25112, Santa Fe, New Mexico 87504 or on the Department's website. This agenda is subject to change up to 24 hours prior to the meeting. Please contact the Director's Office at (505) 476-8008, or the Department's website at

[www.wildlife.state.nm.us](http://www.wildlife.state.nm.us) for updated information.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Shirley Baker at (505) 476-8029. Please contact Ms. Baker at least 3 working days before the set meeting date. Public documents, including the Agenda and Minutes can be provided in various accessible forms. Please contact Shirley Baker if a summary or other type of accessible form is needed.

### NEW MEXICO HUMAN SERVICES DEPARTMENT CHILD SUPPORT ENFORCEMENT DIVISION

#### NOTICE OF PUBLIC HEARING

On July 21, 2008, the Department of Health and Human Services published the final rules in the Federal Register 42416 which revised 45 CFR Parts 302, 303, 304, 305 and 308. The updates revised the requirements for establishing and enforcing medical support obligations in Child Support Enforcement program cases receiving services under title IV-D of the Social Security Act (the Act).

The changes address the following: requires that all support orders in the IV-D program address medical support; redefines reasonable-cost health insurance; and, requires health insurance to be accessible, as defined by the State. The proposed changes to the NMAC in the Medical Support 8.50.109, Fees, Payments, and Distributions 8.50.125 and Case Management 8.50.129 place the New Mexico Child Support Enforcement Division in compliance with the federal regulations and clarify agency procedures regarding medical support case closure and application of payments.

A public hearing to receive testimony on this proposed regulation will be held on Wednesday, July 15, 2009 at 9:00 a.m.

The hearing will be held at the Child Support Enforcement Division Conference Room at Room 203 Pollon Plaza Building, 2009 South Pacheco St., Santa Fe, NM 87505. The conference room is located on the second floor or actual ground floor of the building. Individuals wishing to testify may contact the Child Support Enforcement

Division, P.O. Box 25110, Santa Fe, NM 87504, or by calling toll free 1-800-432-6217, or in Santa Fe at 476-7203.

If you are a person with a disability and you require this information in an alternative format, or you require a special accommodation to participate in any HSD public hearing, program, or service, please contact the New Mexico Human Services Department toll free at 1-800-288-7207, in Santa Fe at 476-7203, or through the New Mexico Relay system, toll free at 1-800-659-8331. The Department requests at least a ten (10) day advance notice to provide requested alternative formats and special accommodations.

Individuals who do not wish to attend the hearing may submit written or recorded comments. Written or recorded comments must be received by 5:00 p.m. on the date of the hearing. All written and oral testimony will be considered prior to issuance of the final regulation. Please send comments to:

Laura L. Galindo, Policy Manager  
Human Services Department  
P.O. Box 25110 Pollon Plaza  
Santa Fe, N.M. 87504

You may send comments electronically to: [laura.galindo@state.nm.us](mailto:laura.galindo@state.nm.us) or via fax to (505) 476-7045

**NEW MEXICO HUMAN SERVICES DEPARTMENT  
MEDICAL ASSISTANCE DIVISION**

**NOTICE**

The New Mexico Human Services Department (HSD) cancelled the public hearing originally scheduled for June 16, 2009, and rescheduled the public hearing for 9:00 a.m., July 9, 2009, in the ASD Conference Room, 729 St. Michael's Dr., Plaza San Miguel, Santa Fe, New Mexico. The subject of the hearing will be Coordinated Long Term Services.

The Medical Assistance Division is proposing amendments to the Coordinated Long Term Services rules to reflect additional program requirements, to clarify language related to program policy and to change the name of the program from Coordinated Long Term Services (CLTS) to Coordination of Long Term Services (CoLTS)

Interested persons may submit written comments no later than 5:00 p.m., June 16, 2009, to Pamela S. Hyde, J.D., Secretary, Human Services Department, P.O. Box

2348, Santa Fe, New Mexico 87504-2348. All written and oral testimony will be considered prior to issuance of the final regulation.

If you are a person with a disability and you require this information in an alternative format or require a special accommodation to participate in any HSD public hearing, program or services, please contact the NM Human Services Department toll-free at 1-888-997-2583, in Santa Fe at 827-3156, or through the department TDD system, 1-800-609-4833, in Santa Fe call 827-3184. The Department requests at least 10 days advance notice to provide requested alternative formats and special accommodations.

Copies of the Human Services Register are available for review on our Website at [www.hsd.state.nm.us/mad/registers](http://www.hsd.state.nm.us/mad/registers) by sending a self-addressed stamped envelope to Medical Assistance Division, Long-Term Services and Support Bureau, P.O. Box 2348, Santa Fe, NM. 87504-2348.

**NEW MEXICO JUVENILE PAROLE BOARD**

**Notice of Proposed Rulemaking**

On July 2, 2009, beginning at 1:00 p.m., at the YDDC Suely Porter Room, 4000 Edith N.E., Albuquerque, New Mexico, the Juvenile Parole Board will meet in public session to hear and consider proposed rulemaking actions on Title 22, Chapter 510, Part 100 NMAC.

Interested individuals may testify at the public hearing or submit written comments regarding the proposed rulemaking to Emili-Jon Gonzales, Juvenile Parole Board Deputy Director, 3411 Pan American FWY, Albuquerque, NM 87107. Written comments must be received by 5:00 p.m. on July 1, 2009.

Individuals with disabilities who require any form of auxiliary aid to attend or participate in this rulemaking are asked to contact Emili-Jon Gonzales as soon as possible.

**NEW MEXICO  
COMMISSION OF PUBLIC RECORDS**

**NOTICE OF REGULAR MEETING**

The Commission of Public Records has scheduled a regular meeting for Tuesday, June 30, 2009, at 9:30 A.M. The meeting will be held at the NM State Records Center and Archives, which is an accessible facility, at 1209 Camino Carlos Rey, Santa Fe, N.M. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing, please contact Antoinette L. Solano at 476-7902 by June 22, 2009. Public documents, including the agenda and minutes, can be provided in various accessible formats. A final copy of the agenda will be available 24 hours before the hearing.

**NOTICE OF RULEMAKING**

The Commission of Public Records may consider the following items of rulemaking at the meeting:

**Amendments**

- |               |   |
|---------------|---|
| 1.18.333 NMAC | ERRDS, Taxation and Revenue Department          |
| 1.18.667 NMAC | ERRDS, New Mexico Department of Environment     |
| 1.18.690 NMAC | ERRDS, Children, Youth, and Families Department |

**Repeal**

- |               |                            |
|---------------|----------------------------|
| 1.18.631 NMAC | ERRDS, Department of Labor |
|---------------|----------------------------|

**New-Replacement**

- |               |  |
|---------------|--|
| 1.18.631 NMAC | ERRDS, Department of Workforce Solutions |
|---------------|--|

**NEW MEXICO  
REGULATION AND  
LICENSING DEPARTMENT  
PRIVATE INVESTIGATIONS  
ADVISORY BOARD**

The New Mexico Private Investigations Advisory Board will hold a Rule Hearing on July 16, 2009 and will convene at 10:00 am. Following the Rule Hearing the New Mexico Private Investigations Advisory Board will convene a Regular Board Meeting to adopt the rules and take care of regular business. The meetings will be held at the Regulation and Licensing Department, 2550 Cerrillos Road, 2<sup>nd</sup> floor, Rio Grande Room, Santa Fe, NM.

If you would like a copy of the proposed changes you may access the website at [www.rld.state.nm.us](http://www.rld.state.nm.us) after June 01, 2009 to get a draft copy. In order for Board members to review the comments in their meeting packets prior to the meeting, public comments must be received in writing no later than July 10, 2009. Persons wishing to present their comments at the hearing will need to bring (10) copies of any comments or proposed changes for distribution to the Board and staff.

If you have questions, or if you are an individual with a disability who wishes to attend the hearing or meeting, but you need a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to participate, please call the Board office at (505) 476-4909 at least two weeks prior to the meeting or as soon as possible.

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**End of Notices and  
Proposed Rules Section**

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## Adopted Rules

**NEW MEXICO CHILDREN,  
YOUTH AND FAMILIES  
DEPARTMENT  
EARLY CHILDHOOD SERVICES  
DIVISION**

HED 86-10 (HSD), Regulations Governing the Registration of Child Care Food Program Day Care Homes, filed October 8, 1986 is hereby repealed effective June 15, 2009.

8.2.2 NMAC, Requirements for Participation in the Child and Adult Care Food Program, filed 11-16-2001 is repealed effective 6-15-2009 and replaced with 8.2.2 NMAC, Requirements for Participation in the Child and Adult Care Food Program, effective 6-15-2009.

**NEW MEXICO CHILDREN,  
YOUTH AND FAMILIES  
DEPARTMENT  
EARLY CHILDHOOD SERVICES  
DIVISION**

**TITLE 8 SOCIAL SERVICES  
CHAPTER 2 FOOD ASSISTANCE  
AND SUPPORT  
PART 2 REQUIREMENTS  
FOR PARTICIPATION IN THE CHILD  
AND ADULT CARE FOOD PROGRAM**

**8.2.2.1 ISSUING AGENCY:** Children, Youth and Families Department (CYFD).  
[8.2.2.1 NMAC - Rp, 8.2.2.1 NMAC, 06-15-09]

**8.2.2.2 SCOPE:** This policy applies to all CYFD staff who work with the child and adult care food program ("CACFP") and to participating institutions including sponsoring organizations, independent centers and family child care providers.  
[8.2.2.2 NMAC - Rp, 8.2.2.2 NMAC, 06-15-09]

**8.2.2.3 STATUTORY AUTHORITY:** The NM food assistance and support program regulations are administered pursuant to regulation promulgated by the US department of agriculture Code of Federal Regulations, 7 CFR Part 226, pursuant to Section 17 of the National School Lunch Act, as amended.  
[8.2.2.3 NMAC - Rp, 8.2.2.3 NMAC, 06-15-09]

**8.2.2.4 DURATION:** Permanent

[8.2.2.4 NMAC - Rp, 8.2.2.4 NMAC, 06-15-09]

**8.2.2.5 EFFECTIVE DATE:** June 15, 2009, unless a later date is cited at the end of a section.

[8.2.2.5 NMAC - Rp, 8.2.2.5 NMAC, 06-15-09]

**8.2.2.6 OBJECTIVE:** To establish regulations for administration of the child and adult care food program, ("program"), including requirements for participating organizations.

[8.2.2.6 NMAC - Rp, 8.2.2.6 NMAC, 06-15-09]

**8.2.2.7 DEFINITIONS:**

A. "Act" means the National School Lunch Act, as amended.

B. "Administrative costs" means costs incurred by an institution related to planning, organizing, and managing a food service under the program and allowed by the state agency financial management instruction.

C. "Administrative review" means the fair hearing provided upon request to:

(1) an institution that has been given notice by CYFD of any action or proposed action that will affect their participation or reimbursement under the program, in accordance with 7 CFR Part 226.6(k);

(2) a principal or individual responsible for an institution's serious deficiency after the responsible principal or responsible individual has been given a notice of intent to disqualify them from the program; and

(3) a day care home that has been given a notice of proposed termination for cause.

D. "Administrative review official" means the independent and impartial official who conducts the administrative review held in accordance with 7 CFR Part 226.6(k).

E. "Adult" means, for the purposes of the collection of social security numbers as a condition of eligibility for free or reduced-price meals, any individual 21 years of age or older.

F. "Adult day care center" means any public or private nonprofit organization or any proprietary Title XIX or Title XX center (as defined herein at BM and BN) which (a) is licensed or approved by federal, state or local authorities to provide nonresidential adult day care services to functionally impaired adults (as defined herein at AN) or persons 60 years of age or older in a group setting outside their homes on a less than 24-hour basis and (b) pro-

vides for such care and services directly or under arrangement made by the agency or organization whereby the agency or organization maintains professional management responsibility for all such services. Such centers shall provide a structured, comprehensive program that provides a variety of health, social and related support services to enrolled adult participants through an individual plan of care.

G. "Adult day care facility" means a licensed or approved adult day care center under the auspices of a sponsoring organization.

H. "Adult participant" means a person enrolled in an adult day care center who is functionally impaired (as defined herein at AN) or 60 years of age or older.

I. "Advanced payment" means financial assistance made available to an institution for its program cost prior to the month in which such costs will be incurred.

J. "At-risk afterschool care center" means a public or private nonprofit organization that is participating or is eligible to participate in the CACFP as an institution or as a sponsored facility and that provides nonresidential child care to children after school through an approved afterschool care program located in an eligible area. However, an emergency shelter (as defined herein at Z), may participate as an at-risk afterschool care center without regard to location.

K. "Block claim" means a claim for reimbursement submitted by a facility on which the number of meals claimed for one or more meal type (breakfast, lunch, snack, or supper) is identical for 15 consecutive days within a claiming period.

L. "Center" means a child care center, an adult day care center, an emergency shelter, or an outside-school-hours care center.

M. "Child care center" means any public or private nonprofit institution or facility (except day care homes), or any for profit center (as defined herein at AL), required to be licensed and which provides non-residential child care services and supervision for less than 24 hours a day to enrolled children, primarily of preschool age, including but not limited to day care centers, settlement houses, neighborhood centers, head start centers and organizations providing day care services for disabled children. Child care centers may participate in the program as independent centers or under the auspices of a sponsoring organization.

N. "Child care facility"

means a licensed or approved child care center, day care home or outside-school-hours care center under the auspices of a sponsoring organization.

O. "Children" means:

(1) persons 12 years of age and under;

(2) persons aged 15 and under who are children of migrant workers;

(3) persons with mental or physical handicaps, as defined by NM law, enrolled in an institution or a child care facility serving a majority of persons 18 years of age and under;

(4) for emergency shelters, persons age 18 and under; and

(5) for at-risk after school care centers, persons age 18 and under at the start of the school year.

P. "Component" means one of four food categories of the USDA meal pattern requirements arranged by age group, including:

(1) milk;

(2) meat/meat alternates;

(3) bread/bread alternates; and

(4) fruits/vegetables.

Q. "Creditable foods" means foods used to meet the requirements for a reimbursable meal. Foods are creditable based on the following:

(1) nutrient content;

(2) customary function in a meal;

(3) listed in the US department of agriculture ("USDA") food buying guide for child nutrition programs;

(4) listed in the food and drug administration's ("FDA") standards of identity; and

(5) is not listed in the children youth and families department ("CYFD") non creditable foods list.

R. "Current income" means income received during the month prior to application for free or reduced-price meals and multiplied by 12. If such income does not accurately reflect the household's annual income, income shall be based on the projected annual household income. If the prior year's income provides an accurate reflection of the household's current annual income, the prior year may be used as a base for the projected annual income.

S. "CYFD" means the New Mexico children, youth and families department.

T. "Day care home" means an organized nonresidential child care program for children enrolled in a private home licensed or approved as a family or group day care home and under the auspices of a sponsoring organization.

U. "Disallowed claims" requires the monetary repayment to the state agency resulting from a meal or meals that have been determined ineligible for reimbursement due to, among other things:

(1) failure to record meals, types of food served or amounts prepared, in the menu record book as defined herein at AX;

(2) meals which lack one or more required components;

(3) meals which contain a non creditable food as a required component; or

(4) the menu records and food receipts indicate that not enough food was served, or recorded as served, to have given each participant the required minimum portion size of each component; CYFD uses the USDA food buying guide to determine how many servings of each component were available.

V. "Disclosure" means individual children's program eligibility information obtained through the free and reduced-price meal eligibility process that is revealed or used for a purpose other than for the purpose for which the information was obtained. The term refers to access, release, or transfer of personal data about children by means of print, tape, microfilm, microfiche, electronic communication or any other means.

W. "Disqualified" means the status of an institution, a responsible principal or responsible individual, or a day care home that is ineligible for participation.

X. "Documentation" means the completion of information to determine the eligibility of free and reduced price meals as required in 7 CFR Part 226.2 (definition of "documentation").

Y. "Eligible area" means: (a) for the purpose of determining the eligibility of at-risk afterschool care centers, the attendance area of an elementary, middle, or high school in which at least 50 percent of the enrolled children are certified eligible for free or reduced-price school meals; or (b) for the purpose of determining the tiering status of day care homes the area served by an elementary school in which at least 50 percent of the total number of children are certified eligible to receive free or reduced-price meals, or the area based on census data in which at least 50 percent of the children residing in the area are members of households that meet the income standards for free or reduced price meals.

Z. "Emergency shelter" means a public or private nonprofit organization or its site that provides temporary shelter and food services to homeless children, including a residential child care institution ("RCCI") that serves a distinct group of homeless children who are not enrolled in the RCCI's regular program.

AA. "Enrolled child" means a child whose parent or guardian has submitted to an institution a signed document which indicates that the child is enrolled for child care. In addition, for the purposes of calculations made by sponsoring organiza-

tions of family day care homes in accordance with 7 CFR 226.13(d)(3)(ii) and 226.13(d)(3)(iii), "enrolled child" (or "child in attendance") means a child whose parent or guardian has submitted a signed document which indicates the child is enrolled for child care; who is present in the day care home for the purpose of child care; and who has eaten at least one meal during the claiming period. For at-risk afterschool care centers, outside-school-hours care centers, or emergency shelters, the term "enrolled child" or "enrolled participant" does not apply.

AB. "Enrolled participant" means an "enrolled child" as defined herein at AA or "adult participants" as defined herein at H.

AC. "Facility" means a sponsored center or a family day care home.

AD. "Family" means, in the case of children, a group of related or non related individuals, who are not residents of an institution or boarding house, but who are living as one economic unit or, in the case of adult participants, the adult participant, and if residing with the adult participant, the spouse and dependent(s) of the adult participant.

AE. "Family style meal service" means a style of meal service in which both adults and children participate in setting the table, serving the food, eating together and cleaning up after the meal.

AF. "FDPIR" means food distribution programs on Indian reservations.

AG. "Fiscal year" means a period of 12 calendar months beginning October 1 of any year and ending with September 30 of the following year.

AH. "FNS" means the food and nutrition service of USDA.

AI. "FNSRO" means the appropriate regional office of the food and nutrition service of USDA.

AJ. "Food service management company" means an organization other than a public or private nonprofit school, with which an institution may contract for preparing and, unless otherwise provided for, delivering meals with or without milk for use in the program.

AK. "Food stamp household" means any individual or group of individuals which is currently certified to receive assistance as a household under the food stamp program.

AL. "For profit center" means a child care center, outside-school-hours care center, or adult day care center providing nonresidential care to adults or children that does not qualify for tax-exempt status under the Internal Revenue Code of 1986, and meets the criteria of 7 CFR Part 226.2 (definition of "for profit center").

AM. "Free meal" means a meal served under the program to a participant from a family which meets the income standards for free school meals; or to a child who is automatically eligible for free meals by virtue of food stamp, FDPIR or TANF reciprocity; or to a child who is a head start participant; or to a child who is receiving temporary housing and meal services from an approved emergency shelter; a child participating in an approved at-risk afterschool care program; or to an adult participant who is automatically eligible for free meals by virtue of food stamp or FDPIR reciprocity, or is a SSI or medicaid participant. Regardless of whether the participant qualified for free meals by virtue of meeting one of the criteria of this definition, neither the participant nor any member of their family shall be required to pay or to work in the food service program in order to receive a free meal.

AN. "Functionally impaired adult" means chronically impaired disabled persons 18 years of age or older, including victims of Alzheimer's disease and related disorders with neurological and organic brain dysfunction, who are physically or mentally impaired to the extent that their capacity for independence and their ability to carry out activities of daily living is markedly limited. Activities of daily living include, but are not limited to, adaptive activities such as cleaning, shopping, cooking, taking public transportation, maintaining a residence, caring appropriately for one's grooming or hygiene, using telephones and directories, or using a post office. Marked limitations refer to the severity of impairment, and not the number of limited activities, and occur when the degree of limitation is such as to seriously interfere with the ability to function independently.

AO. "Household contact" means a contact made by a sponsoring organization or CYFD to an adult member of a household with a child in a family day care home or a child care center in order to verify the attendance and enrollment of the child and the specific meal service(s) which the child routinely receives while in care.

AP. "Income standards" means the family size and income standards prescribed annually by USDA for determining eligibility for free and reduced-price meals under the national school lunch program and the school breakfast program.

AQ. "Income to the program" means any funds used in an institution's food service program, including, but not limited to all monies, other than program payments, received from other federal, state, intermediate, or local government sources; participant's payments for meals and food service fees; income from any

food sales to adults; and other income, including cash donations or grants from organizations or individuals.

AR. "Independent center" means a child care center, at-risk afterschool care center, emergency shelter, outside-school-hours care center or adult day care center which enters into an agreement with CYFD to assume final administrative and financial responsibility for program operations.

AS. "Infant cereal" means any iron-fortified dry cereal specially formulated for and generally recognized as cereal for infants that is routinely mixed with formula or milk prior to consumption.

AT. "Infant formula" means any iron-fortified infant formula intended for dietary use solely as a food for normal, healthy infants; excluding those formulas specifically formulated for infants with inborn errors of metabolism or digestive or absorptive problems. Infant formula, as served, must be in liquid state at recommended dilution.

AU. "Institution" means a sponsoring organization, child care center, outside-school-hours care center, emergency shelter or adult day care center which enters into an agreement with CYFD to assume final administrative and financial responsibility for program operations.

AV. "Meals" means food which is served to enrolled participants at an institution, child care facility or adult day care facility and which meets the nutritional requirements set forth in this part.

AW. "Medicaid participant" means an adult participant who receives assistance under Title XIX of the Social Security Act, the grant to states for medical assistance programs-medicaid.

AX. "Menu record book" means the official record which is used to document the types of food served and the quantities used to meet USDA meal pattern requirements by sponsoring organizations of child care centers, adult day care centers, outside school hours programs and head starts.

AY. "Milk" means pasteurized fluid types of flavored or unflavored whole milk, low-fat milk, skim milk, or cultured buttermilk which meet NM state and local standards for such milk except that, in the meal pattern for infants (0 to 1 year of age), milk means breast milk or iron-fortified infant formula. All milk should contain vitamins A and D at levels specified by the food and drug administration and be consistent with NM state and local standards for such milk.

AZ. "National disqualified list" means the list, maintained by the US department of agriculture, of institutions, responsible principals and responsible indi-

viduals, and day care homes disqualified from participation in the program.

BA. "Non creditable foods" means foods that do not meet the criteria for a creditable food, as determined by CYFD, and appear on the CYFD non-creditable foods list. A meal may contain both creditable and non-creditable foods. Non-creditable foods are allowed to supply calories to meet the energy needs of growing children or to improve acceptability of the rest of the meal. However, non-creditable foods may not be used to meet the meal pattern requirements.

BB. "Non pricing program" means an institution in which there is no separate identifiable charge made for meals served to participants.

BC. "Non profit food service" means all food service operations conducted by the institution principally for the benefit of enrolled participants for which all of the program reimbursement funds are used solely for the operations or improvements of such food service.

BD. "Nonresidential" means that the same participants are not maintained in care for more than 24 hours on a regular basis.

BE. "Notice" means a letter sent by certified mail, return receipt (or the equivalent private delivery service), by facsimile, or by email, that describes an action proposed or taken by CYFD or FNS with regard to an institution's program reimbursement or participation. Notice also means a letter sent by certified mail, return receipt (or the equivalent private delivery service), by facsimile, or by email, that describes an action proposed or taken by a sponsoring organization with regard to a day care home's participation. The notice must specify the action being proposed or taken and the basis for the action, and is considered to be received by the institution or day care home when it is delivered, sent by facsimile, or sent by email. If the notice is undeliverable, it is considered to be received by the institution, responsible principal or responsible individual, or day care home five days after being sent to the addressee's last known mailing address, facsimile number, or email address.

BF. "Operating costs" means expenses incurred by an institution in serving meals to participants under the program, and allowed by CYFD.

BG. "Outside-school-hours care center" means a public or private non-profit institution or facility (except day care homes) or a for profit center, as defined herein at AL, that is licensed or approved in accordance with 7 CFR Part 226.6(d)(1) to provide organized nonresidential child care services to children during hours outside of school. Outside-school-hours care centers

may participate in the program as independent centers or under the auspices of a sponsoring organization.

BH. "Participants" means "children" or "adult participants" as defined herein at Subsections O and H.

BI. "Pricing program" means an institution in which a separate identifiable charge is made for meals served to participants.

BJ. "Principal" means any individual who holds a management position within, or is an officer of, an institution or a sponsored center, including all members of the institution's board of directors or the sponsored center's board of directors.

BK. "Program" means the child and adult care food program authorized by section 17 of the National School Lunch Act, as amended.

BL. "Program payments" means financial assistance in the form of start-up payments, advance payments, expansions funds or reimbursement paid or payable to institutions for operating costs and administrative costs.

BM. "Proprietary Title XIX center" means any private, for-profit center (a) providing non-residential adult day care services for which it receives compensation from amounts granted to the states under title XIX of the Social Security Act and (b) in which Title XIX beneficiaries were not less than 25 percent of enrolled eligible participants in the calendar month preceding initial application or annual re-application for program participation.

BN. "Proprietary Title XX center" means any private, for-profit center (a) providing non-residential child or adult day care services for which it receives compensation from amounts granted to the states under Title XX of the Social Security Act and (b) in which Title XX beneficiaries or enrolled participants eligible for free or reduced price meals were not less than 25 percent of total enrolled eligible participants or licensed capacity, whichever is less, in the calendar month preceding initial application or annual re-application for program participation.

BO. "Reduced-price meal" means a meal served, and reimbursed, under the program to a participant from a family that meets the income standards for reduced-price school meals, and as defined in 7 CFR Part 226.2.

BP. "Reimbursement" means federal financial assistance paid or payable to institutions for program costs within the rates assigned by CYFD.

BQ. "Renewing institution" means an institution that is participating in the program at the time it submits a renewal application.

BR. "Responsible principal or responsible individual" means:

(1) a principal, whether compensated or uncompensated, who CYFD or FNS determines to be responsible for an institution's serious deficiency;

(2) any other individual employed by, or under contract with, an institution or sponsored center, who CYFD or FNS determines to be responsible for an institution's serious deficiency; or

(3) an uncompensated individual who the CYFD or FNS determines to be responsible for an institution's serious deficiency.

BS. "SSI participant" means an adult participant who receives assistance under Title XVI of the Social Security Act, the supplemental security income (SSI) for the aged, blind and disabled program.

BT. "Seriously deficient" means the status of an institution or a day care home that has been determined to be non-compliant in one or more aspects of its operation of the program.

BU. "Sponsoring organization" means a public or nonprofit private organization that is entirely responsible for the administration of the food program in:

(1) one or more day care homes;

(2) a child care center, emergency shelter, at-risk after school care center outside-school-hours care centers, or adult day care center which is a legally distinct entity from the sponsoring organization;

(3) two or more child care centers, emergency shelters, at-risk after school care centers, outside-school-hours care centers, or adult day care centers; or

(4) any combination of child care centers, emergency shelters, at-risk after school care centers, outside-school-hours care centers, adult day care centers and day care homes; the term "sponsoring organization" also includes an organization that is entirely responsible for administration of the program in any combination of two or more child care centers, at-risk after school care centers, adult day care centers or outside-school-hours care centers, which meet the definition of "for profit center" herein at Subsection AL and are part of the same legal entity as the sponsoring organization.

BV. "Start-up payments" means financial assistance made available to a sponsoring organization for its administrative expenses associated with developing or expanding food service program in day care homes and initiating successful program operations.

BW. "State agency list" means an actual paper or electronic list, or the retrievable paper records, maintained by CYFD, that includes a synopsis of information concerning seriously deficient institutions and providers terminated for cause in the state of New Mexico. The list must be made available to FNS upon request, and

must include the items listed in 7 CFR 226.2 (definition of "state agency list").

BX. "Suspended" means the status of an institution or day care home that is temporarily ineligible for participation (including program payments).

BY. "Suspension review" means the review provided, upon the institution's request, to an institution that has been given a notice of intent to suspend participation (including program payments), based on a determination that the institution has knowingly submitted a false or fraudulent claim.

BZ. "Suspension review official" means the independent and impartial official from CYFD who conducts the suspension review.

CA. "Termination for cause" means the termination of a day care home's program agreement by the sponsoring organization due to the day care home's violation of the agreement.

CB. "Termination for convenience" means termination of a day care home's program agreement by either the sponsoring organization or the day care home, due to considerations unrelated to either party's performance of program responsibilities under the agreement.

CC. "Tier I day care home" means (a) a day care home that is operated by a provider whose household meets the income standards for free or reduced price meals, as determined by the sponsoring organization based on a completed free and reduced price application, and whose income is verified by the sponsoring organization of the home in accordance with 7 CFR Part 226.23(h)(6); (b) a day care home that is located in an area served by a school enrolling elementary students in which at least 50 percent of the total number of children enrolled are certified eligible to receive free or reduced price meals; or (c) a day care home that is located in a geographic area, as defined by FNS based on census data, in which at least 50 percent of the children residing in the area are members of households which meet the income standards for free or reduced price meals.

CD. "Tier II day care home" means a day care home that does not meet the criteria for a Tier I day care home.

CE. "Title XIX" means Title XIX of the Social Security Act which authorizes the grants to states for medical assistance program-medicaid.

CF. "Title XX" means Title XX of the Social Security Act.

CG. "Verification" means a review of the information reported by institutions to CYFD regarding the eligibility of participants for free or reduced-price meals in accordance with 7 CFR 226.2 (definition of "verification") and with 226.23(h)(1). [8.2.2.7 NMAC - Rp, 8.2.2.7 NMAC, 06-

15-09]

**8.2.2.8 APPLICATION APPROVAL, RENEWAL AND TERMINATION:**

A. The children, youth and families department (CYFD) may enter into an agreement for participation in the program with any non-profit 501 (c)(3) organization, government agency or proprietary Title XX organization which meets the established criteria and requirements according to 7 CFR 226.6(b)(1)-(b)(3).

(1) Child care centers must be state licensed, or have tribal approval or military approval if located on a military base and shall comply with 7 CFR Part 226.17.

(2) Adult day care centers must be state licensed, or have tribal approval or military approval if located on a military base and comply with 7 CFR Part 226.19(a).

(3) Outside-school-hours care centers must be state licensed, or have tribal approval or military approval if located on a military base and comply with 7 CFR Part 226.19.

(4) Family day care homes must be state licensed or registered, or have tribal approval or military approval if located on a military base and comply with 7 CFR Part 226.18.

(5) At risk programs must be state licensed or approved, or have tribal approval or have military approval if located on a military base and comply with 7 CFR Part 226.17a.

B. CYFD shall not enter into an agreement with any new applicant sponsoring organization of family day care homes which does not meet the new sponsor criteria. The criteria are as follows: The new applicant must:

(1) demonstrate the need for a new sponsorship by supplying a list of eligible family child care homes which have expressed an interest in participating in the program;

(2) submit documents to establish financial stability and accountability;

(3) demonstrate their method for covering non-program related costs;

(4) document an adequate level of staffing to administer the program and to provide a responsible sponsor representative and an office in the service area within the state of New Mexico, for program clients and state agency staff during normal working hours;

(5) submit a training plan, describing how the sponsor ensures administrative staff is trained in program requirements;

(6) provide assurance that they will not employ an individual in a responsi-

ble administrative capacity who is listed on the national disqualified list or is otherwise ineligible for program duties based on requirements in 7 CFR 226.6(b)(1) through (b)(3).

(7) submit a copy of the organization's by-laws, detail of the organization's structure, officers of the organization and a list of their responsibilities;

(8) submit information about the organization's board of directors, including their responsibility in program management, their role in approving or determining fiscal actions and the relationship of board members to others in the organization;

(9) provide assurance that they will not recruit or allow participation of any child care provider who, is on the national disqualified list or is otherwise ineligible to participate,

(10) submit a complete and accurate application for sponsorship.

C. Any non-profit organization, or proprietary Title XX center, wishing to participate as a sponsoring organization in the program shall complete and submit an application packet that includes at a minimum: a management plan, an administrative budget, non-discrimination and non-pricing policy statement, signed agreement, certificate of authority, copy of current letter to households, civil rights questionnaire, certification regarding lobbying, copy of appeal procedures and internal policies and procedures, public release statement, an affidavit or certification statement that the organization has not been terminated from any publicly funded program for failure to comply with that program's requirements and documentation that all institutions under the sponsor are in compliance with licensing, registration and other approval provisions. In addition, all current and prospective sponsoring organizations must be able to demonstrate that they are financially viable, administratively capable, and have internal controls in place to ensure accountability.

(1) Proprietary Title XX centers shall submit documentation that they are currently providing non residential day care services for which they receive compensation under Title XX, and certification that not less than 25 percent of the enrolled participants in each such center during the most recent calendar month were Title XX beneficiaries or were eligible for free or reduced price meals according to school lunch guidelines.

(2) CYFD shall notify new or renewing institutions of approval or denial of their application for sponsorship in writing within 30 days of filing a complete and correct application. If an institution submits an incomplete application, CYFD will notify the institution of the incomplete applica-

tion and provide technical assistance.

(3) Renewal applications for continued participation in the program shall be submitted annually. CYFD may grant approval for up to thirty six months. In such cases, the institution shall submit a media release, a management plan and a budget on an annual basis to CYFD.

(4) Renewal applications for the fiscal year beginning October 1 shall be submitted to CYFD by August 15. In its discretion, CYFD may accept late renewals after August 15. Renewal applications submitted after September 30, if approved, will be effective the date all required documents are submitted and may result in loss of reimbursement.

D. CYFD shall not approve an institution's application if, during the past seven years, the institution or any of its principals have been declared ineligible for any other publicly funded program by reason of violating that program's requirements. However, this prohibition does not apply if the institution or the principal has been fully reinstated in, or determined eligible for that program, including the payment of any debts owed, in accordance with 7 CFR Part 226.6(b)(2)(iii)(A).

E. CYFD will notify an institution that it proposes to terminate its program agreement with any institution which fails to satisfactorily and permanently correct a serious deficiency by the date prescribed by CYFD.

(1) CYFD shall not allow more than 90 days for corrective action from the date the institution receives the serious deficiency notice.

(2) CYFD notifies FNS within 15 days of the termination of an institution for failure to correct a serious deficiency. The institution is placed on a national disqualified list.

(3) Serious deficiencies which are grounds for denial of applications and for proposed termination of program participation include, but are not limited to, any of the following:

(a) non-compliance with the applicable bid procedures and contract requirements of federal child nutrition program regulations;

(b) submission of false information to CYFD on the institution's application, including, but not limited to, a determination that the institution has concealed a conviction for any activity that occurred during the past seven years and that indicates a lack of business integrity; a lack of business integrity includes, but is not limited to, fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice or any

other activity indicating a lack of business integrity as defined by the state agency;

(c) failure to return to CYFD any advance payments which exceeded the amount earned for serving eligible meals or failure to return disallowed start-up or expansion payments;

(d) failure to maintain adequate records;

(e) failure to adjust meal orders to conform to variations in the number of participants;

(f) claiming reimbursement for meals not served to participants;

(g) claiming reimbursement for a significant number of meals that do not meet program requirements;

(h) use of a food service management company that is in violation of health codes;

(i) failure of a sponsoring organization to disburse payments to its facilities within five days of receipt from CYFD as required by 7 CFR Part 226.16 (h);

(j) failure by a sponsoring organization of day care homes to properly classify day care homes as Tier I or Tier II in accordance with 7 CFR Part 226.15(f);

(k) claiming reimbursement for meals served by a for profit child care center or a for profit outside-school-hours center during a calendar month in which less than 25 percent of the children in care (enrolled or licensed capacity, whichever is less) were eligible for free or reduced price meals or were Title XX beneficiaries;

(l) failure to properly implement and administer the day care home termination and administrative review provisions set forth in 7 CFR Part 226.6(l) and Part 226.16(l);

(m) permitting an individual who is on the national disqualified list to serve in a principal capacity with the institution or, if a sponsoring organization, permitting such an individual to serve as a principal in a sponsored center or as a day care home;

(n) failure to operate the program in conformance with the performance standards set forth in paragraphs 7 CFR Part 226.6(b)(1)(xvii) and Part 226.6(b)(2)(vii);

(o) failure by a sponsoring organization to properly train or monitor sponsored facilities in accordance with 7 CFR Part 226.16(d);

(p) use of day care home funds by a sponsoring organization to pay for the sponsoring organization's administrative expenses;

(q) the fact the institution or any of the institution's principals have been declared ineligible for any other publicly funded program by reason of violating that program's requirements; however, this prohibition does not apply if the institution or the principal has been fully reinstated in, or is now eligible to participate in, that pro-

gram, including the payment of any debts owed;

(r) conviction of the institution or any of its principals for any activity that occurred during the past seven years and that indicates a lack of business integrity; a lack of business integrity includes, but is not limited to, fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by the state agency; or

(s) any other action affecting the institution's ability to administer the program in accordance with program requirements, and

(t) failure to respond to CYFD requests for investigations of integrity report findings.

F. Sponsoring organizations of family day care home providers shall ensure that all family day care home providers are registered, licensed or tribal or military approved prior to signing an agreement with the sponsoring organization to participate in the program.

G. Sponsoring organizations of family day care homes must initiate action to terminate the agreement of a family day care home for cause if the sponsoring organization determines the family day care home has committed one or more serious deficiency listed in paragraph 7 CFR Part 226.16(l)(2). Serious deficiencies for family day care homes include the following:

(1) submission of false information on the application;

(2) submission of false claims for reimbursement;

(3) simultaneous participation under more than one sponsoring organization;

(4) non-compliance with the program meal pattern;

(5) failure to keep required records;

(6) conduct or conditions that threaten the health or safety of a child(ren) in care, or the public health or safety;

(7) a determination that the day care home has been convicted of any activity that occurred during the past seven years and that indicated a lack of business integrity; a lack of business integrity includes, but is not limited to, fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by CYFD, or the concealment of such a conviction;

(8) failure to participate in train-

ing; or

(9) any other circumstance related to non-performance under the sponsoring organization-day care home agreement, as specified by the sponsoring organization or CYFD, including, but not limited to:

(a) the provider is found not at home during stated hours of meal service on two or more consecutive visits and has not notified the sponsoring organization of the intended absence ahead of time;

(b) chronic non compliance with program menu and record keeping requirements;

(c) serving meals outside of the provider's required time frame as documented on the application for participation;

(d) whenever a block claim submitted by the provider cannot be validated by an unannounced visit or parent audits conducted by the sponsor.

H. Sponsoring organizations shall send a notice to family day care home providers advising them of the serious deficiencies in accordance with 7 CFR 226.16(l)(3). Family day care home providers must complete corrective action as soon as possible but no later than 30 days after receipt of the seriously deficient notice.

I. Sponsoring organizations shall notify CYFD within 30 days of terminating a family day care home provider.

J. Terminated providers are placed on a national disqualified list. Once included on the national disqualified list, a family day care home will remain on the list until such time as CYFD determines that the serious deficiency(ies) that led to its placement on the list has(ve) been corrected, or until seven years have elapsed since its agreement was terminated for cause. However, if the day care home has failed to repay debts owed under the program, it will remain on the list until the debt has been repaid.

[8.2.2.8 NMAC - Rp, 8 2.2.8 NMAC, 06-15-09]

### 8.2.2.9 ADMINISTRATIVE REVIEW PROCESS:

A. The children, youth and families department will follow the administrative appeal process as described in 8.8.4 NMAC and as required in 7 CFR Part 226.6(k) and for the following state actions:

(1) application denial: denial of a new or renewing institution's application for participation;

(2) denial of sponsored facility application: denial of an application submitted by a sponsoring organization on behalf of a facility;

(3) notice of proposed termination: proposed termination of an institution's agreement (see 7 CFR Part

226.6(c)(2)(iii)(C), Part 226.6(c)(3)(iii)(C), and Part 226.6(c)(5)(i)(B) dealing with proposed termination of agreements with renewing institutions, participating institutions, and participating institutions suspended for health or safety violations);

(4) notice of proposed disqualification of a responsible principal or responsible individual: proposed disqualification of a responsible principal or responsible individual (see 7 CFR Part 226.6(c)(1)(iii)(C), Part 226.6(c)(2)(iii)(C), Part 226.6(c)(3)(iii)(C), and Part 226.6(c)(5)(i)(B) dealing with proposed disqualification of responsible principals or responsible individuals in new, renewing, and participating institutions, and participating institutions suspended for health or safety violations);

(5) suspension of participation: suspension of an institution's participation;

(6) start-up or expansion funds denial: a denial of an institution's application for start up or expansion payments;

(7) advance denial: a denial of a request for an advance payment;

(8) recovery of advances: recovery of all or part of an advance in excess of the claim for the applicable period; the recovery may be through a demand for full repayment or an adjustment of subsequent payments;

(9) claim denial: a denial of all or part of a claim for reimbursement, except for late submission as stated in 7 CFR 226.10(e);

(10) claim deadline exceptions and requests for upward adjustments to a claim: decision by CYFD not to forward to FNS an exception request by an institution for payment of a late claim, or a request for an upward adjustment to a claim;

(11) overpayment demand: a demand for the remittance of an overpayment, or any other action affecting the participation of an institution in the program or the institution's claim for reimbursement;

(12) other actions: any other CYFD action affecting an institution's participation or its claim for reimbursement.

B. The administrative review process procedures are made available in writing each year to all institutions at the time of application for participation in the program and when CYFD takes any action which requires an administrative review as set forth herein.

C. Appellants shall receive adequate notice of the administrative review date and of the right to be represented by legal counsel.

D. Decisions are rendered within sixty days of the administrative review.

E. The determination by the state administrative review official is the

final administrative determination afforded to the appellant.

F. Actions not subject to administrative review include FNS decisions on claim deadline exceptions and requests for upward adjustments to a claim, and other situations as per 7 CFR 226.6(k)(3)(ii-iv).

[8.2.2.9 NMAC - Rp, 8 2.2.9 NMAC, 06-15-09]

#### **8.2.2.10 PROGRAM ASSISTANCE AND REVIEW:**

A. CYFD provides at least annual training and technical assistance, as needed, to participating institutions and sponsoring organizations.

(1) CYFD conducts ongoing program reviews of institutions to assess compliance with state and federal guidelines for operating the program. CYFD may conduct a review of any institution, at any time, without prior notification in order to ascertain program compliance.

(2) CYFD annually reviews at least one-third of all sponsoring organizations.

(3) Independent centers, sponsoring organizations of centers, and sponsoring organizations of day care homes with 1 to 200 providers will be reviewed at least once every three years. Reviews of sponsoring organizations will include reviews of at least 15 percent of their childcare, adult day care and outside-school-hours care centers and at least 10 percent of their day care homes.

(4) Sponsoring organizations with more than 200 homes will be reviewed at least once every two years. Reviews of such sponsoring organizations will include reviews of at least 10 percent of the first 200 homes, 5 percent of the next 800 homes, and 2.5 percent of all homes in excess of 1,000 homes.

B. CYFD conducts reviews for newly participating sponsoring organizations with five or more child care or adult day care facilities, and all home sponsoring organizations, within the first 90 days of program operations.

(1) CYFD conducts pre-approval visits to all newly participating institutions prior to approval of their applications.

(2) CYFD conducts initial reviews of all newly participating center institutions within three to six months of program approval.

(3) CYFD conducts additional reviews of any institution participating in the program which CYFD has determined to have a history of serious deficiencies.

C. CYFD reviews and validates at least one full month of an institution's claim as a sample during program reviews.

D. CYFD conducts follow up visits of institutions found to be seriously deficient within 90 days of the notification to the sponsor of a seriously deficient status.

E. CYFD provides technical assistance to institutions upon request. [8.2.2.10 NMAC - Rp, 8 2.2.10 NMAC, 06-15-09]

#### **8.2.2.11 COMPLAINT AND REFERRAL PROVISIONS:**

A. CYFD promptly investigates complaints received by the public or other state offices in connection with the operation of the program, and takes appropriate action to correct any program non-compliance or deficiency.

B. CYFD maintains a file of all such investigations and related actions taken.

C. Institutions found to be non-compliant or seriously deficient receive written notice and are required to correct all violations. CYFD makes the determination about the institution's correction of all violations.

D. CYFD will issue a proposal to terminate the program agreement with institutions if serious deficiencies are not corrected within 90 or fewer calendar days of written notification to the institution.

E. CYFD shall suspend an institution's participation when there is an imminent threat to the health and safety of participants, as per 7 CFR Part 226.6(c)(5)(i)(A).

F. When CYFD, family nutrition bureau staff observes, during investigations, violations of applicable health, safety, or staff-child ratio standards, or attendance in excess of licensed or other approved capacity, CYFD family nutrition bureau staff shall promptly refer any such violations to CYFD's child care services bureau.

G. CYFD denies reimbursement to providers for program meals served to attending children in excess of the licensed or other approved capacity.

[8.2.2.11 NMAC - Rp, 8 2.2.11 NMAC, 06-15-09]

#### **8.2.2.12 FINANCIAL MANAGEMENT:**

A. CYFD reviews and approves all institution administrative budgets submitted with the application.

(1) CYFD reviews and approves all budget adjustment requests with adequate justification.

(2) CYFD reviews and approves all changes made to the management plan.

(3) Institutions are responsible for accounting for costs correctly and for main-

taining sufficient supporting documentation to demonstrate that costs claimed have been incurred, are allowable to the program and comply with CYFD policies, financial management requirements and with USDA's FNS instruction 796-2, Revision 3 which is distributed to all institutions upon approval to participate in the program.

B. CYFD approves applications and issues start-up payments to eligible institutions, and monitors the use of these payments.

C. CYFD approves applications and issues advance payments to eligible institutions and monitors the use of these payments.

(1) CYFD recovers, from future claims for reimbursement, outstanding start-up and advance payments from institutions which, in CYFD's opinion, are not able to earn these payments.

(2) Institutions, upon CYFD's written approval, may claim reimbursement for the necessary and reasonable costs of ceasing program participation in accordance with USDA's FNS Instruction 796-2, Revision 3, Section VIII(I)(38).

D. Claims for reimbursement are submitted by institutions by the tenth of the month following the month being claimed and report information in accordance with the financial management system established by CYFD.

(1) Each institution certifies that the claim is correct and that records are available to support the claim.

(2) Independent proprietary Title XX centers shall document that not less than 25 percent of enrolled participants were Title XX beneficiaries in the month claimed. Alternatively, the center shall document that it has valid free or reduced price meal applications on file for at least 25 percent of the enrolled children or 25 percent of the licensed capacity, whichever is less. CYFD will review and validate during on site reviews the Title XX documentation or free or reduced meal applications of eligible children claimed to validate the 25 percent requirement.

(3) CYFD shall pay all valid claims within 45 calendar days of receipt. Within 15 calendar days of receipt of any incomplete or incorrect claim which must be revised for payment, CYFD shall notify the institution as to why and how such claim must be revised.

(4) The institution shall retain all records to support the claim for a period of three years after the submission of the final claim for the fiscal year to which they pertain.

(5) All accounts and records pertaining to the program are made available, upon request, to representatives of CYFD, USDA and of the US general accounting office for audit or review.

E. CYFD ensures that payment is not made for meals served to participants attending in excess of the authorized capacity of the institution.

[8.2.2.12 NMAC - Rp, 8 2.2.12 NMAC, 06-15-09]

#### **8.2.2.13 AUDIT REQUIREMENTS:**

A. Institutions shall conduct financial audits of their program in accordance with the office of management and budget circulars A-133 and A-110 and the U.S. department of agriculture's uniform federal assistance regulations (7 CFR Part 3015). CYFD instructs institutions of the audit requirements during annual training.

B. Institutions not subject to the OMB A-133 or A-110 audit requirements will have a financial review conducted by CYFD during administrative program reviews which will be conducted no less than every three years and upon any referral or complaint regarding financial operations.

C. Audits are due to CYFD no later than nine months after the close of the institution's fiscal year.

[8.2.2.13 NMAC - Rp, 8 2.2.13 NMAC, 06-15-09]

#### **8.2.2.14 PAYMENT PROVISION:**

A. Congress assigns rates of reimbursement for meals, annually.

B. Institutions shall submit to CYFD each month's counts for meals served daily to participants from families meeting the eligibility standards for free meals, participants from families meeting the eligibility standards for reduced-price meals, and participants from families not meeting such guidelines.

C. CYFD uses the meals times rates payment method to reimburse institutions participating in the program.

[8.2.2.14 NMAC - Rp, 8 2.2.14 NMAC, 06-15-09]

#### **8.2.2.15 CLAIMS AGAINST INSTITUTIONS:**

A. CYFD shall recover any payment made to an institution for disallowed claims. CYFD identifies disallowed claims during program reviews and considers payments made for such claims as over payments. CYFD shall notify all institutions of the reasons for the disallowed claim and demand reimbursement. The institution may request an administrative review of CYFD's decision as provided in Paragraph (11) of Subsection A of 8.2.2.9 NMAC.

B. Disallowed claims include the following for independent centers:

(1) lack of documentation to veri-

fy sufficient milk purchases to meet the required portion size for each age group, as documented in the menu record book and claimed for any month reviewed;

(2) reimbursement for meals, or snacks, claimed which lack required components;

(3) reimbursement for meals or snacks claimed which include non creditable foods as one of the required meal components;

(4) reimbursement for meals claimed when food production observed or recorded indicate there was not enough food prepared to provide the minimum serving size for the meals claimed for eligible children; food production is calculated using the USDA food buying guide;

(5) reimbursement for meals claimed when there is insufficient, or lack of, documentation to support the quantity and types of foods served;

(6) reimbursement for meals claimed in excess of two main meals and one supplement, or two supplements and one main meal per child, per day;

(7) reimbursement for meals claimed when meal count records do not support the meals claimed, or when any other required documentation to support the meals claimed, is not available;

(8) reimbursement for meals served during unapproved meal time periods;

(9) reimbursement for individual meals claimed in excess of recorded attendance or authorized capacity;

(10) reimbursement for all meals claimed for any month by for-profit Title XX centers when less than 25 percent of enrolled participants are Title XX beneficiaries or eligible for free or reduced price meals.

C. Disallowed claims for sponsoring organizations of day care homes include the following:

(1) reimbursement paid for meals served to ineligible children;

(2) reimbursement paid for ineligible meals or meals served during unapproved time periods;

(3) reimbursement paid for meals served that do not follow the USDA meal pattern as described in 7 CFR 226.20, and the state agency non creditable foods list;

(4) reimbursement for meals served to children not properly enrolled;

(5) reimbursement paid for meals served to providers' own children without current and complete income eligibility applications on file;

(6) reimbursement paid for meals at Tier 1 rates to providers who are incorrectly classified as Tier 1; the difference between Tier 1 and Tier 2 reimbursement paid to providers, is considered an over payment;

(7) reimbursement paid for meals at Tier I rates served by Tier II providers who do not have adequate Tier I eligibility documentation for non resident children.

D. Sponsoring organizations of day care homes shall recover payments from family day care home providers for the following disallowed claims:

(1) failure to maintain daily menu and attendance records;

(2) claiming meals when eligible enrolled children are not present;

(3) claiming meals which do not meet meal pattern requirements;

(4) claiming more than 2 main meals and a snack or two snacks and a main meal per child per day;

(5) claiming provider's own children when non resident children are not present at the meal service;

(6) program participants not found at the family day care home during stated hours of care on two consecutive visits; in such cases, the sponsoring organization shall dis-enroll these participants from the program and shall disallow any future claims concerning such participants until the sponsor verifies attendance.

E. Sponsoring organizations of family day care homes shall notify providers of disallowed claims and afford an opportunity for an administrative review in accordance with 7 CFR Part 226.6(l)(2). [8.2.2.15 NMAC - Rp, 8 2.2.15 NMAC, 06-15-09]

#### **8.2.2.16 INSTITUTION OPERATIONAL PROVISIONS:**

A. Each institution is solely responsible for the administrative and financial management of the program, including the actions of their employees. Institutions may not use independent contractors to manage the program.

B. Each institution shall provide adequate supervisory and operational personnel for monitoring and management of the program.

C. Each institution shall establish procedures to collect and maintain all necessary program records as described in the Code of Federal Regulations, 7 CFR 226.15 e(1), (3), (4), (7), (8), (9), (10), (11), and (12).

D. Sponsoring organizations of day care homes shall maintain their provider, participant, meal attendance, monitoring visits and claim payment records in an electronic format using a state agency approved computer data base program. Sponsors submit their data electronically on a regular basis and as requested by CYFD in a format compatible with CYFD's electronic data base program.

E. Each institution shall maintain appropriately staffed offices and

phone lines for access by program clients and CYFD staff.

[8.2.2.16 NMAC - Rp, 8.2.2.16 NMAC, 06-15-09]

#### **8.2.2.17 SPONSORING ORGANIZATION PROVISIONS:**

A. Sponsoring organizations of day care homes shall monitor the program at all day care homes under their respective jurisdiction according to requirements in 7 CFR 226.16(d) (1), (2), (3), and (4). Additionally, sponsors are required to review each day care home participating with the organization at least four times during the provider's application year and follow the review elements and reconciliation of meal count requirements listed in 7 CFR 226.16(d)(4)(i-ii).

B. Sponsoring organizations of day care homes shall maintain information concerning dates and amount of disbursement to each day care home and information concerning the dates and location of each day care home review.

C. Sponsoring organizations of day care homes shall provide payments of claim reimbursement funds to their day care home providers within five working days of receipt of funds from CYFD.

D. Sponsoring organizations of day care homes shall maintain their data on providers, program participants, monitoring visits, meal attendance and claim payments made to providers, in a child and adult care food program software system approved by CYFD in order to provide consistent data reporting. Sponsoring organizations of day care homes shall respond to CYFD inquiries regarding possible duplicate participants or providers, and any other program integrity questions in a timely manner.

E. Sponsoring organizations of child care and adult day care facilities shall provide adequate supervision and monitoring of the program at all child care and adult day care facilities under their jurisdiction and according to 7 CFR Part 226.16(d).

[8.2.2.17 NMAC - Rp, 8.2.2.17 NMAC, 06-15-09]

#### **8.2.2.18 REQUIREMENTS FOR MEALS:**

A. Each meal served in the program shall comply with USDA meal patterns as outlined in federal regulations 7 CFR Part 226.20 and with the CYFD creditable foods list.

(1) Non-creditable foods shall not be used to meet the meal pattern component requirement. Some foods which are non-creditable include but are not limited to: hot dogs, doughnuts, and processed lunch meats that do not appear in the USDA food

buying guide or do not have a child nutrition (CN) label. All items which are listed as "not reimbursable" or "not allowable" on the non creditable list supplied by CYFD are not reimbursable, and their purchase price is subtracted from total food costs by CYFD review staff during program and other on site reviews.

(2) Infants shall be provided meals which follow USDA meal pattern for infants. The provider/center is responsible for providing one milk or soy-based house formula only. The parent shall be notified in writing of the availability of this formula. If the parent elects to have the center/provider use a different formula which the parent provides, the infant may still be claimed for reimbursement. Care givers may not deviate from the infant meal pattern without a doctor's written statement which specifies what foods to allow or not allow for the individual infant.

B. Special dietary needs and requirements of children shall be met. Special dietary needs include, but are not limited to, diabetic diets, high calorie, lower calorie, mechanically altered, and substitutions for food allergies or intolerance. Special dietary needs shall be expressed in an order from a medical authority which specifies any texture modifications, foods to be eliminated and which foods to substitute for the eliminated food, and other diet modifications. They do not include enteral or parenteral formulas which may be covered by medical insurance or medicare/medicaid.

C. Child nutrition ("CN") labeled products are not required for CACFP programs, and do not necessarily meet the meal requirements for CYFD's creditable foods list. Combination food items purchased which do not have a CN label must have a product analysis sheet from the manufacturer.

D. Family style meal service ("FSMS") or a modified version thereof, where all required components of the meal are placed on the table at the start of the meal and children are encouraged to take a portion from each meal component, is required at all participating centers and homes, unless there is a documented reason why FSMS cannot be implemented.

E. Institutions, with the exception of family day care homes, shall document on a daily basis the type and production elements of meals served in the menu record book which is provided by CYFD at the time of program approval.

(1) Family day care home providers document on a daily basis the types and number of meals served to enrolled children on an approved attendance sheet.

(2) Meals served by family day care home providers, including compo-

nents, are recorded on the menu records which are approved by CYFD and provided by the sponsoring organization.

(3) Family day care home providers are not required to document quantities served, but are required to offer at least the minimum required portion size of each component for each meal.

(4) Family day care home providers are required to specify the times when approved meals are regularly served. Meal service is required to begin within fifteen minutes before or after the specified meal times as documented on the provider-sponsor agreement.

[8.2.2.18 NMAC - Rp, 8.2.2.18 NMAC, 06-15-09]

#### **8.2.2.19 FOOD SERVICE MANAGEMENT COMPANIES:**

A. Institutions which contract with a food service management company remain responsible for ensuring that the food service operation conforms to all requirements herein.

B. All procurement of meals from food service management companies shall adhere to the procurement standards set forth in 7 CFR 226.22, Procurement Standards.

C. Institutions with program meal contracts of an aggregate value in excess of \$10,000 shall formally advertise such contracts and comply with the federal procedures in 7 CFR 226.21(a)(1-8), which are intended to prevent fraud, waste and program abuse.

D. The institution and the food service management company shall enter into a standard contract as required in 7 CFR 226.6(I).

E. The institution shall submit to CYFD a copy of its contract with the food service management company prior to the beginning of program operations under the subject contract.

F. Proposed additional provisions to the standard contract are submitted to CYFD for approval.

[8.2.2.19 NMAC - Rp, 8.2.2.19 NMAC, 06-15-09]

#### **8.2.2.20 FREE AND REDUCED-PRICE MEALS:**

A. Each institution shall submit to CYFD, at the time it applies for program participation, a written policy statement concerning free and reduced-price meals to be uniformly used in all child care and adult day care facilities under its jurisdiction.

B. Institutions are not approved for participation unless CYFD approves the free and reduced price policy statement. CYFD provides the free and reduced price policy statement with each initial application.

C. Each institution annually shall provide a public release to the local media to inform the public of the program's availability.

(1) For all institutions, other than sponsoring organizations of day care homes, the public release shall include the USDA income eligibility guidelines for free and reduced-price meals.

(2) The public release issued by sponsoring organizations of day care homes shall include the USDA income eligibility guidelines for reduced-price meals.

(3) The public release issued by all institutions shall announce the availability of meals at no separate charge and state that meals are available to all participants without regard to race, color, national origin, sex, age or disability.

D. All institutions, other than sponsoring organizations of day care homes, distribute applications for free and reduced-price meals to the families of participants enrolled in the institution.

(1) Sponsoring organizations of day care homes distribute free and reduced-price applications to day care home providers who wish to enroll their own children in the program and, upon request, to parents of children in Tier 2 homes wishing to receive Tier 1 rates.

(2) Applications for free and reduced price meals are made available by CYFD. Institutions shall complete the applications according to 7 CFR Part 226.23(e)(1) and Parts 226.23 (j), (k), (l), (m) and (n).

(3) Completed applications for free and reduced-price meals are valid for 12 months and shall be completed annually.

(4) Free and reduced price applications shall include:

(a) names of all household members;

(b) the signature of an adult member of the household;

(c) social security number of the adult household member signing the application or an indication that the adult household member does not possess one;

(d) household income received by each household member, identified by source of income (such as earnings, wages, pensions, support payments, unemployment compensation, and social security) and total household income.

(5) For a child who is a TANF recipient or a member of a food stamp or FDPIR household only the following is required:

(a) the name(s) and appropriate TANF, food stamp or FDPIR case number(s);

(b) the signature of an adult member of the household;

(c) the name(s) of the enrolled child(ren).

(6) For a child in a Tier II day care home who is a member of a household participating in a federally or state supported child care or other benefit program with an income eligibility limit that does not exceed the eligibility standard for free and reduced price meals, the following is required:

(a) the name(s), appropriate case number(s) (if the program utilizes case numbers), and the name(s) of the qualifying program(s) for the child(ren), and the signature of an adult member of the household; or

(b) if the sponsoring organization or day care home possesses it, official evidence of the household's participation in a qualifying program (submission of a free and reduced price application by the household is not required in this case).

(7) For a child who participates in head start, only the official head start enrollment document which certifies that the child is eligible based on income guidelines, is required.

(8) For an adult participant who is a member of a food stamp or FDPIR household or is an SSI or medicaid participant, as defined in this section, only the following is required:

(a) the name(s) and appropriate food stamp or FDPIR case number(s) for the participants or the adult participant's SSI or medicaid identification number, as defined in this section; and

(b) the signature of an adult member of the household.

(9) Additional documentation requirements for Tier 1 classifications as required in 7 CFR Part 226.15(f).

E. Institutions shall distribute a letter to households or guardians of enrolled participants in order to inform them of the procedures regarding eligibility for free and reduced-price meals.

[8.2.2.20 NMAC - Rp, 8.2.2.20 NMAC, 06-15-09]

#### **8.2.2.21 VERIFICATION OF PROVIDER ELIGIBILITY:**

A. CYFD verifies eligibility for free and reduced-price meals on an annual basis, in accordance with federal regulations 7 CFR 226.23(h).

B. Sponsoring organizations of family day care homes are responsible for verifying the income eligibility for providers who are classified as Tier 1 based on household income.

[8.2.2.21 NMAC - Rp, 8.2.2.21 NMAC, 06-15-09]

#### **8.2.2.22 OTHER NUTRITION PROVISIONS:**

A. CYFD provides nutrition education and training to all institutions and participants as an integral part of the child and adult care food program adminis-

tration in New Mexico.

(1) Nutrition education activities shall be conducted by center staff in child care centers on a monthly basis. Center staff shall document these activities on CYFD forms and maintains such forms for CYFD's review.

(2) Family day care home providers are encouraged to provide nutrition education activities to children as part of their developmentally appropriate program.

B. Centers and family day care home providers are discouraged from utilizing disposable dishes and plastic ware at meal services.

C. CYFD annually reviews a sample of center menus to ensure nutritional quality and variety of meals served.

(1) Menu reviews which identify significant poor quality or lack of variety may require the center to utilize CYFD menus or to contract for services with a licensed or registered dietician/nutritionist to correct the deficient menus.

(2) CYFD provides sample menus to assist participating centers in providing varied and nutritious meals. [8.2.2.22 NMAC - Rp, 8.2.2.22 NMAC, 06-15-09]

**HISTORY OF 8.2.2 NMAC:**

**History of Repealed Material:**

8 NMAC 2.2, Requirements for Participation in the Child and Adult Care Food Program, filed 5-27-1999 - Repealed effective 11-30-2001

8.2.2 NMAC, Requirements for Participation in the Child and Adult Care Food Program, filed 11-16-2001 - Repealed effective 06-15-2009

**NEW MEXICO  
DEPARTMENT OF GAME  
AND FISH**

**TITLE 19 N A T U R A L  
RESOURCES AND WILDLIFE  
CHAPTER 30 WILDLIFE ADMIN-  
ISTRATION  
PART 14 AQUATIC INVA-  
SIVE SPECIES**

**19.30.14.1 ISSUING AGENCY:**  
New Mexico Department of Game and Fish.  
[19.30.14.1 NMAC - N/E, 05-29-2009]

**19.30.14.2 SCOPE:** Providing for the control and prevention of the spread of aquatic invasive species in New Mexico.  
[19.30.14.2 NMAC - N/E, 05-29-2009]

**19.30.14.3 S T A T U T O R Y  
AUTHORITY:** Chapter 17, including 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state game commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to aquatic invasive species.  
[19.30.14.3 NMAC - N/E, 05-29-2009]

**19.30.14.4 D U R A T I O N :**  
Permanent.  
[19.30.14.4 NMAC - N/E, 05-29-2009]

**19.30.14.5 EFFECTIVE DATE:**  
May 29, 2009, unless a later date is cited at the end of individual sections.  
[19.30.14.5 NMAC - N/E, 05-29-2009]

**19.30.14.6 OBJECTIVE:** To establish and define the procedures and restrictions for controlling or preventing aquatic invasive species.  
[19.30.14.6 NMAC - N/E, 05-29-2009]

**19.30.14.7 DEFINITIONS:**  
A. "Department" shall mean the New Mexico department of game and fish.

B. "Director" shall mean the director of the New Mexico department of game and fish.

C. "Warning tag" as used herein, shall mean a document issued by the department or other state or federal agency that prevents a conveyance or equipment from entering into a water body until being properly decontaminated or otherwise approved for re-enter.

D. "Impound" shall mean to detain or subject to temporary control of the state a conveyance or equipment until the owner or person in control thereof shall meet all conditions for release of such conveyance or equipment.  
[19.30.14.7 NMAC - N/E, 05-29-2009]

**19.30.14.8 WARNING TAG:** The director of the department shall prescribe and procure the printing of warning tags to be used for the state to identify any conveyance or equipment known or believed to contain an aquatic invasive species; or conveyance or equipment leaving an infested water body without being decontaminated.

A. Any conveyance or equipment identified by trained personnel as known or believed to contain aquatic invasive species or leaving designated infested water shall have a warning tag immediately affixed to the hull.

B. Each warning tag shall be affixed on boats and other similar vessels within 12" of the boat number on the port (left) side only. In cases where no boat num-

ber is found the warning tag shall still be affixed in the same general location.

C. Each warning tag shall be individually affixed to all other conveyances and equipment in the most visible manner possible.

D. No warning tag may be removed except by trained personnel or a person or entity certified by the director and only if the respective personnel, person or entity is acting in their official capacity and has inspected the conveyance or equipment, satisfied that proper decontamination or elimination of aquatic invasive species has occurred.  
[19.30.14.8 NMAC - N/E, 05-29-2009]

**19.30.14.9 IMPOUNDMENT OF  
CONVEYANCE OR EQUIPMENT:**

A. Any law enforcement officer may impound any conveyance or equipment, if a warning tag is visible and the conveyance or equipment is currently in or entering a water body.

B. Any law enforcement officer may impound any conveyance or equipment known or believed to contain aquatic invasive species if such conveyance or equipment is currently in a water body or the person operating or in control of such conveyance or equipment fails to follow the enforcement officer's command to immediately prevent such from entering or remaining in a water body.

C. A warning tag shall be immediately affixed to any conveyance or equipment impounded pursuant to the provision above.

D. Any impounded conveyance or equipment shall only be released from impoundment:

(1) upon receipt of satisfactory proof that decontamination requirements as prescribed by the director have been met; or

(2) upon receipt of a conditional release from the director wherein the owner or person responsible for the conveyance or equipment agrees to the specific terms and conditions that require immediate decontamination followed by an inspection to verify decontamination has occurred.

E. It shall be the responsibility of the owner of any conveyance or equipment impounded to pay all costs, including storage fees, decontamination charges and towing associated with the impoundment and to reimburse any agency that incurs expenditures for the same impoundment.  
[19.30.14.9 NMAC - N/E, 05-29-2009]

**19.30.14.10 DIRECTOR'S DEC-  
LARATION:**

A. The provisions of this rule shall apply to any species declared by the director as an aquatic invasive species.

**B.** The provisions of this rule shall apply to any water body declared by the director as an infested water body.  
[19.30.14.10 NMAC - N/E, 05-29-2009]

**HISTORY OF 19.30.14 NMAC: [RESERVED]**

**NEW MEXICO  
DEPARTMENT OF GAME AND FISH**

This is an amendment to 19.30.9 NMAC, Section 9, effective 6-15-09

**19.30.9.9 ESTABLISHING CERTAIN LICENSES, PERMITS, CERTIFICATES AND FEES:**

Licenses, permit, or certificate  
Fee

<b>A.</b>	Airborne hunting	\$10.00
<b>B.</b>	Call pen	15.00
<b>C.</b>	Class A lake	101.00
<b>D.</b>	Additional Class A lake	26.00
<b>E.</b>	Class A park	501.00
<b>F.</b>	Field trial/importation	15.00
<b>G.</b>	Falconry	25.00
<b>H.</b>	Game bird propagation	10.00
<b>I.</b>	Importation	
	(1) protected ungulate:	
	(a) initial 500.00/source & up to 2 animals (valid 6 months)	
	(b) for additional animals, <u>not to exceed 30 ungulates from the same source property/owner 50.00 per animal (if no acquisitions to source herd during 6 month period of validity)</u>	
	(c) <u>for greater than 30 ungulates from the same source property/owner 5.00 per animal (if no acquisitions to source herd during 6 months period of validity).</u>	
	(2) furbearer	40.00/animal
	(3) non-game	25.00/animal
	(4) other	15.00
	(5) fish	6.00
<b>J.</b>	Protected mammal	10.00
<b>K.</b>	Shooting preserve	200.00
<b>L.</b>	Zoo	15.00
<b>M.</b>	Scientific collecting/bird banding	15.00
<b>N.</b>	Bait dealers	21.00
<b>O.</b>	Transportation	0.00
<b>P.</b>	Retention	1.25
<b>Q.</b>	Triploid grass carp	25.00
<b>R.</b>	Commercial fishing	25.00
<b>S.</b>	Certificate of application:	
	(1) NM resident (2009-2010)	9.00
	(2) NM resident (2010-2011 and subsequent license years)	10.00
	(3) Non-resident (2009-2010)	12.00
	(4) Non-resident (2010-2011 and subsequent license years)	27.00
<b>T.</b>	Wildlife conservation stamp	10.00
<b>U.</b>	Duplicate license	6.00
<b>V.</b>	Landowner authorization certificate	9.00
<b>W.</b>	Additional antelope permit tag	25.00
<b>X.</b>	Migratory bird permit	0.00
<b>Y.</b>	Big game depredation damage stamp resident	3.00
<b>Z.</b>	Big game depredation damage stamp non-resident	10.00
<b>AA.</b>	Public land user stamp	5.00
<b>BB.</b>	Commercial collecting permit	50.00

[12-20-94, 3-31-98; 19.30.9.9 NMAC - Rn, 19 NMAC 30.1.9 & A, 7-16-01; A, 10-31-01, A, 12-28-01; A, 08-01-03; A, 3-16-09; A, 6-15-09]

**NEW MEXICO  
DEPARTMENT OF GAME  
AND FISH**

This is an amendment to 19.31.4 NMAC, Section 11, effective June 15, 2009

**19.31.4.11 DAILY BAG, POSSESSION LIMITS AND REQUIREMENTS OR CONDITIONS:**

**A. Trout**

(1) Waters with reduced bag limit:

No person shall fish waters regulated for reduced limits while having in excess of that limit in possession.

(2) Brown, rainbow, cutthroat, Gila, lake, Brook trout and Kokanee salmon:

(a) The daily bag limit shall be 5 trout and no more than 10 trout shall be in possession, unless otherwise specified in special trout waters, Paragraph (4) of Subsection A of 19.31.4.11 NMAC.

(b) The daily bag limit for cutthroat trout shall be 2 trout and no more than 2 cutthroat trout may in possession. Cutthroat trout are included in the bag and possession limits for trout explained in Subparagraph (a) of Paragraph (2) of Subsection A of 19.31.4.11 NMAC (above).

(c) The daily bag limit for lake trout shall be 2 trout and no more than 4 lake trout shall be in possession.

(3) Special Kokanee salmon season: During the special Kokanee salmon season, the daily bag limit shall be 12 Kokanee salmon in addition to the daily bag limit for trout, and no more than 24 Kokanee salmon may be possessed in addition to the possession limit for trout. It shall be unlawful to possess Kokanee salmon at Heron lake and Pine river during the closed Kokanee salmon season (October 1 through the second Thursday of November).

(4) Special trout waters - On certain waters, hereafter referred to as "Special Trout Waters", the following exceptions shall apply:

(a) On those sections of the following waters the daily bag limit shall be 2 trout and no more than 2 trout shall be in possession. Anglers must stop fishing in those waters when the daily bag limit is reached: In Rio Arriba county: all waters lying within or adjacent to the Little Chama valley ranch (Edward Sargent wildlife area) including the Rio Chamito, Sexton creek, and Rio Chama, excluding Nabor creek and Nabor lake; In Colfax county; the Shuree lakes on the Valle Vidal; In Taos county: a posted portion of the Rio Pueblo between the bridge at mile marker 55 on state hwy. 518 upstream approximately 1 mile to the Canon Tio Maes trailhead; In San Miguel county: an approximately 1-1/2 mile posted portion of the Pecos river beginning approx-

imately 1/2 mile above the confluence of the Mora river (Mora-Pecos) upstream to approximately 1/4 mile above the bridge crossing at Cowles; In Rio Arriba county: a posted portion of the Chama river approximately 2.9 miles within the boundaries of the Rio Chama wildlife and fishing area; In Rio Arriba county: a posted portion of the Rio de los Pinos from USFS Boundary 24 at the junction of forest road 284 and 87A, 2.5 miles upstream to the private property boundary; In Taos county: a posted portion of Red River from the confluence of Goose creek 1 mile upstream. In Catron county: Iron creek in the Gila wilderness upstream of the constructed waterfall barrier located in T12SR17WSec16NE. Every person angling for fish on this portion of Iron creek must be in possession of a Gila trout permit, issued in their name by the department or its designee. A photocopy, duplicate copy or computer printout of this permit will suffice as evidence of receiving such permit.

(b) In San Juan county, in a posted portion of the San Juan river, from a point beginning approximately 1/4 mile downstream of Navajo dam and extending downstream 3.5 miles to the east side of section 16: the daily bag limit shall be 1 trout and no more than 1 trout shall be in possession except in the catch-and-release section. The angler must stop fishing in the section defined once the daily bag limit is reached.

(c) On those sections of the following waters every person must comply with any special requirements listed and no fish may be kept or held in possession while fishing in the posted portions of the following waters: In San Juan county: a posted portion of the San Juan river from Navajo dam downstream approximately 1/4 mile; In Sandoval county: a posted portion of the Rio Cebolla from the Seven Springs day use area upstream to its headwaters; In Sandoval county: a posted portion of the San Antonio river from the Baca location boundary downstream approximately 2.0 miles (T. 19 N., R. 03 E., S 16 and 20); In Sandoval county: a posted portion of the Rio Guadalupe from the Porter landing bridge downstream approximately 1.3 miles to Llano Loco Spring; In Taos county: a posted portion of the Rio Costilla from the Valle Vidal tract of the Carson national forest downstream for approximately 2.4 miles to the confluence of Latir creek; In Sierra county: the Rio las Animas within the Gila national forest, Black range ranger district; In Mora county: the Pecos river in the Pecos wilderness, above Pecos falls; In Rio Arriba county: Nabor creek and Nabor lake on the Edward Sargent wildlife area; In San Miguel and Santa Fe counties: Doctor creek from 1/4 mile above its confluence with Holy Ghost creek upstream to its head-

waters; In Mora county: Rio Valdez in the Pecos wilderness from 1/4 mile below Smith cabin upstream to its headwaters; In San Miguel and Mora counties: Jack's creek from the water falls located 1/4 mile downstream of NM highway 63 crossing upstream to its headwaters; In Taos and Colfax counties: any stream on the Valle Vidal (Vermejo tract - Carson national forest); In Grant and Catron counties; Black canyon creek in Grant county upstream from lower Black canyon campground and Mogollon creek in Grant and Catron counties upstream from waterfall barrier near intersection of FS trail 153 to confluence of Trail canyon. Every person angling for fish on these portions of Black canyon and Mogollon creek must be in possession of a Gila trout permit, issued in their name by the department or its designee. A photocopy, duplicate copy or computer printout of this permit will suffice as evidence of receiving such permit.

(d) In Colfax county: on a posted section of the Cimarron river from the lower end of Tolby campground downstream approximately 1.4 miles to the first bridge of N.M. 64 the daily bag limit shall be 1 fish and no more than one fish may be in possession.

(e) At Conservancy park/Tingley beach in Albuquerque: the southernmost pond shall be catch-and-release only and the remaining two ponds shall have daily bag limits of 4 trout with no more than 4 trout in possession.

(f) On those sections of the following waters the daily bag limit shall be 3 trout and no more than 3 trout shall be in possession. Anglers must stop fishing in those waters when the daily bag limit is reached. Any legal angling gear and legal bait for trout waters may be used. In Taos county: a posted portion of the Rio Grande beginning at the New Mexico/Colorado state line downstream to the Taos junction bridge; In Taos county: a posted portion of the Red River beginning approximately 1/2 mile downstream of the walking bridge at Red River state fish hatchery downstream to its confluence with the Rio Grande; In Taos county: the designated fishing pond at Red River state fish hatchery; In Taos county: the Red River city ponds; In Rio Arriba county: on a posted portion of the Rio Chama from the base of Abiquiu dam downstream approximately 7 miles to the river crossing bridge on U.S. 84 at Abiquiu; In Rio Arriba county: Laguna del campo at Los Ojos trout hatchery; In Sierra county: the Rio Grande from Elephant Butte dam downstream to and including Caballo lake; In Lincoln county: The Rio Ruidoso from the boundary between the Mescalero Apache reservation and the city of Ruidoso downstream to Fridenbloom drive.

(g) On those sections of the following waters the daily bag limit shall be 2 Gila trout and no more than 2 Gila trout in possession, and the bag limit and possession limit for brown trout is unlimited. Anglers must stop fishing in those waters when the daily bag limit is reached. Any legal angling gear and legal bait for trout waters must be used. In Catron county: waters upstream from the confluence of Gilita creek and Snow creek including Gilita, Willow and Little Turkey creeks.

#### B. Warm-water fishes:

The daily bag limit for game fish other than trout shall be as listed below and the possession limit shall be twice the daily bag limit.

- (1) striped bass 3 fish;
- (2) largemouth, smallmouth, and spotted bass 5 fish;
- (3) walleye 5 fish;
- (4) crappie 20 fish;
- (5) white bass and white bass x striped bass hybrid 25 fish;
- (6) northern pike 10 fish;
- (7) catfish (all species, except bullheads) 15 fish;
- (8) yellow perch 30 fish;
- (9) all other warm-water game species 20 fish.

#### C. The following exception shall apply:

(1) At Conservancy park/Tingley beach in Albuquerque; lake Van (Chaves county); Oasis state park; Greene Acres lake (Curry county); Burn lake (Dona Ana county); Escondida lake (Socorro county); McGaffey lake (McKinley county); Bataan lake (Eddy county); Chaparral lake (Lea county); Bosque Redondo (De Baca county); Carrizozo lake (Lincoln county); Green Meadow lake; Eunice lake; Estancia Park lake (Torrance county); Corona lake (Lincoln county); Grants city pond (Cibola county); and Jal lake (Lea county): the daily bag limit for channel catfish will be 2 fish and the possession limit shall be twice the daily bag limit.

(2) In San Juan county, in the San Juan and Animas rivers, not including Navajo lake, there is no daily bag limit or possession limit for channel catfish and striped bass.

(3) Statewide, all tiger muskie (*Esox lucius x E. masquinongy*) caught must immediately be released.

(4) In Eddy county, the Pecos river beginning at the north boundary of Brantley wildlife management area to Brantley reservoir dam including Brantley reservoir, all fish caught must immediately be released, except during official fishing tournaments during which fish may be held in a live well until they are weighed and measured, on site, and then immediately released back into the lake.

[19.31.4.11 NMAC - Rp 19.31.4.11 NMAC, 4-15-02; A, 10-31-02; A, 6-25-03; A, 8-13-04; A, 5-13-05; A, 9-15-05; A/E, 01-03-06; A, 1-31-06; A/E, 3-31-06; A/E, 5-31-06; A, 5-1-07; A, 9-14-07; A, 12-14-07; A, 3-14-08; A, 6-15-09]

## NEW MEXICO GENERAL SERVICES DEPARTMENT STATE PURCHASING DIVISION

This is an amendment to 1.4.4 NMAC, Section 8, effective, 06-15-09.

**1.4.4.8 PURPOSE:** This rule implements the mandated requirements of Section 14-11-7 NMSA 1978, as amended, and as outlined in 1.4.4.3 NMAC of this rule, the newspaper publisher is entitled to receive no more than:

A. ~~[\$.61 cents (\$.61)]~~ \$.63 cents (\$.63) for each column line of eight point or smaller type for the first insertion; and

B. ~~[\$.48 cents (\$.48)]~~ \$.49 cents (\$.49) per line of each subsequent insertion;

C. all emblems, display headings, rule work and necessary blank spaces shall be calculated as solid type and shall be counted and paid for as such.

[02-15-99; 1.4.4.8 NMAC - Rn, 1 NMAC 1.1.8 & A, 11-15-05; A, 05-14-09; A, 06-15-09]

## NEW MEXICO HUMAN SERVICES DEPARTMENT INCOME SUPPORT DIVISION

This is an amendment to 8.106.100 NMAC, Section 7; effective 07/01/2009.

### 8.106.100.7 DEFINITIONS:

#### A. Definitions A-L:

**(1) Adult residential shelter care home:** means a shelter care home for adults that is licensed pursuant to the regulations established by the department of health.

**(2) Application:** means a written request for assistance, on the appropriate ISD form, signed by or on behalf of an individual or family.

**(3) Attendant:** means an individual needed in the home for medical, housekeeping or child care reasons.

**(4) Authorized representative:** means an adult who is designated in writing by the applicant and is sufficiently knowledgeable about the applicant/benefit group's circumstances to complete the application form correctly and represent the benefit group.

**(5) Basic needs:** means food, clothing, shelter, utilities, personal require-

ments and the individual's share of household supplies.

**(6) Beginning month:** means the first month or the initial month for which a benefit group is certified after a lapse in certification of at least one calendar month in any project area; a benefit group is budgeted prospectively in a beginning month.

**(7) Benefit group:** means an individual or group of individuals authorized to receive cash assistance financed by state or local funds.

**(8) Benefit month:** means the month for which cash assistance benefits have been issued.

**(9) Budget month:** means the calendar month for which income and other circumstances of the benefit group shall be determined in order to calculate the cash assistance amount.

**(10) Capital gains:** means the proceeds from the sale of capital goods or equipment.

**(11) Cash assistance:** means state-funded cash assistance in the general assistance program, the adult residential home care shelter program, or the burial assistance program for the indigent.

**(12) Certification:** means the authorization of eligibility of a benefit group for the issuance of cash assistance benefits.

**(13) Certification period:** means the time period in calendar months that is assigned to a benefit group that is approved to receive cash assistance benefits.

**(14) Collateral contact:** means an individual or agency designated to provide information concerning eligibility.

**(15) Date of admission:** means the date established by the immigration and naturalization service as the date an alien (or sponsored alien) was admitted for permanent residence.

**(16) Date of entry:** means the date established by the immigration and naturalization service as the date an alien (or sponsored alien) was admitted for permanent residence.

**(17) Department:** means the human services department.

**(18) Dependent child:** means an individual who is seventeen years of age or younger; eighteen years of age and enrolled in high school; or between eighteen and twenty-two years of age and is receiving special education services regulated by the state public education department.

**(19) Director:** means the director of the income support division.

**(20) Disability:** means the definitions of disability related to the general assistance program and the disability determination process found at 8.106.420.7 NMAC.

**(21) Documentation:** means a

written statement entered in the case record regarding the type of verification submitted and a summary of the information obtained to determine eligibility.

**(22) Earned income:** means cash or payment in-kind that is received as wages from employment or payment in lieu of wages; and earnings from self-employment or earnings acquired from the direct provision of services, goods or property, production of goods, management of property or supervision of services.

**(23) Emancipated:** means an individual under the age of 18 who is legally recognized as no longer under parental control due to the individual's marriage or by a decision of a court.

**(24) Encumbrance:** means debt owed on property.

**(25) Equity value:** means the fair market value of property, less any encumbrances owed on the property.

**(26) Expedited services:** means the process by which a household reporting little or no income or resources will be provided an opportunity to participate in the food stamp program by the seventh day after an application is filed.

**(27) Expungement:** means the permanent deletion of cash benefits from and EBT account that is stale.

**(28) Fair hearing:** means an administrative proceeding which a claimant and/or his representative may request if:

(a) an application is not acted on within a reasonable time after the filing of the application; or

(b) an application is denied in whole or in part; or

(c) cash assistance or services are modified, terminated or not provided.

**(29) Fair market value (FMV):** means the amount an item can be expected to sell for on the open market at the prevailing rate of return. For vehicles, the term FMV means the amount a dealer would buy a vehicle for wholesale or as a trade-in, not the amount the dealer would sell the vehicle for at retail.

**(30) Federal act:** means the federal Social Security Act and rules promulgated pursuant to the Social Security Act.

**(31) Federal fiscal year:** means the time period beginning on October 1 and ending on September 30 of the calendar year.

**(32) Federal poverty guidelines:** means the level of income defining poverty by family size, published annually in the federal register by the United States department of health and human services.

**(33) Food Stamp Act:** means the federal Food Stamp Act of 1977 (P.L. 95-113) and subsequent amendments enacting the food stamp program.

**(34) Government entity:** means any federal, state, tribal or local unit of gov-

ernment as well as any non-government entity that receives public funds for the purpose of meeting the needs of its clientele.

**(35) Gross income:** means the total amount of earned or unearned income before any voluntary or involuntary deductions are made, such as, but not limited to, federal and state taxes, FICA, garnishments, insurance premiums (including medicare), and monies due and owing the benefit group but diverted by the provider. Gross income does not include specific income exclusions, such as but not limited to, the cost of producing self-employment income and income excluded by federal law.

**(36) Gross income test:** means the income test applied to the maximum income eligibility limit for participation in a particular cash assistance program based on the size of the household or benefit group.

**(37) Head of household:** means an individual who is the responsible case head for the benefit group. The head of household may be the parent, guardian, sole adult member, specified relative, pregnant woman, a recipient of general assistance, or caretaker.

**(38) Initial month:** means the first month for which a benefit group is certified for participation in the cash assistance program. An initial month is also a month in which a benefit group is certified following a break in participation of one calendar month or longer.

**(39) Inquiry:** means a request for information about eligibility requirements for a financial, medical, or food assistance program that is not an application for that program.

**(40) Institution of higher education:** means any education institution which normally requires a high school diploma or equivalency certificate for enrollment, including, but not limited to, colleges, universities, and vocational or technical schools at the post-high school level.

**(41) Institution of post-secondary education:** means an institution of post-secondary education, any public or private educational institution that normally requires a high school diploma or equivalency certificate for enrollment, or that admits persons who are beyond the age of compulsory school attendance in the state in which the institution is located, regardless of the high school prerequisite, provided that the institution is legally authorized by the state to provide an educational program beyond secondary education or a training program to prepare students for gainful employment.

**(42) Irrevocable trust funds:** means an arrangement to have monies held by one person for the benefit of another that cannot be revoked.

**(43) Issuance month:** means the calendar month in which cash assistance is issued.

#### B. Definitions M-Z:

**(1) Medicaid:** means medical assistance under title XIX of the Social Security Act, as amended.

**(2) Minor unmarried parent:** Means an unmarried parent who is under the age of 18 years or is age 18 and enrolled in high school.

**(3) Month of approval:** means the month in which the action is taken to approve a benefit group for cash assistance.

**(4) Net income test:** means the income test applied to eligibility for a particular program after all allowable deductions are taken from the gross income for the household or benefit group. To be eligible, the benefit group's net earned income must be less than the standard of need applicable to the benefit group after allowable deductions have been made to the earned and unearned income.

**(5) Net monthly income:** means gross non-exempt income minus the allowable deductions. Net monthly income is the figure used to determine eligibility and cash assistance benefit amount.

**(6) New Mexico works:** means the federally funded temporary cash assistance program for needy families that carries a sixty-month term limit for adults in the state.

**(7) Non-benefit group members:** means persons residing with a benefit group but who are specifically excluded by regulation from being included in the benefit group certification.

**(8) Notice of adverse action (NOAA):** means a written notice sent 13 days in advance of an action to reduce, suspend or terminate benefits that includes a statement of the action the department intends to take, the reason for the action, the benefit group's right to a fair hearing, who to contact for additional information, the availability of continued benefits, and liability of the benefit group for any overpayment received if the hearing decision is adverse to the benefit group.

**(9) Overpayment/overissuance:** means the amount by which cash assistance benefits issued to a benefit group exceed the amount the benefit group was eligible to receive.

**(10) Parent:** means a natural parent, adoptive parent, stepparent or legal guardian.

**(11) Payment:** means the amount of the cash assistance benefit, after the countable net earned and unearned income of the benefit group has been subtracted from the benefit group's standard of need, and before any reduction by sanction and/or recoupment.

**(12) Person:** means an individual.

**(13) Project area:** means the geographic area designated to a county office that is responsible for the administration of the department's programs.

**(14) Prospective budgeting:** means the computation of a benefit group's eligibility and benefit amount based on a reasonable estimate of income and circumstances that will exist in the current month and future months.

**(15) Quarterly reporting:** means a reporting requirement that allowed a 12-month certification period and required a benefit group to submit a report form every third month during the certification period.

**(16) Real property:** means land, affixed improvements and structures, which include mobile homes. Grazing permits are also considered real property.

**(17) Recertification:** means a complete review of all conditions of eligibility and a redetermination of the amount of the cash assistance benefits for an additional period of time.

**(18) Recipient:** means a person receiving cash assistance benefits.

**(19) Regular reporting:** means a reporting requirement in which a benefit group is not required to meet periodic reporting requirements, and must report changes within ten days of the date the change becomes known.

**(20) Resource standard:** means the financial standard with respect to an applicant's/recipient's resources and property, which is set at \$2,000 for non-liquid resources and \$1500 for liquid resources.

**(21) Retrospective budgeting:** means the computation of a benefit group's benefits for an issuance month based on actual income and circumstances that existed in the previous month.

**(22) Secretary:** means the secretary of the human services department.

**(23) Self-employed:** means an individual who engages in a self-managed enterprise for the purpose of providing support and income.

**(24) Semiannual reporting:** means a requirement for a benefit group to file a report of information in the sixth month of a 12-month certification period to determine if eligibility for benefits can continue.

**(25) Shelter for battered women and children:** means a public or private nonprofit residential facility that serves battered women and their children. If such a facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered women and children.

**(26) Single-parent benefit**

**group:** means a benefit group that does not include both parents of a child who is included in the benefit group and thus includes families in which there is only one parent or in which there are no parents.

**(27) Stale:** means EBT accounts which have not been accessed, no withdrawal activity, by the household in the last 90 days from the most recent date of withdrawal.

**(28) Standard of need:** means a maximum cash benefit amount that is based on the availability of state funds and the number of individuals included in the benefit group and allows for a financial standard and basic needs.

**(29) Supplemental security income (SSI):** means monthly cash payments made under the authority of:

(a) Title XVI of the Social Security Act, as amended, to the aged, blind and disabled;

(b) Section 1616(a) of the Social Security Act; or

(c) Section 212(a) of P.L. 93-66.

**(30) Two-parent benefit group:** means a benefit group in which both parents of a child included in the benefit group live in the home with the child and are included in the benefit group.

**(31) Term limit:** means the 60-month lifetime limit under the TANF/NMW cash assistance program, which is applied to an adult or minor head of household and spouse of the minor head of household, for receipt of cash assistance benefits or support services funded by the TANF block grant.

**(32) Unearned income:** Means old age, survivors and disability insurance payments (social security); railroad retirement benefits; veterans administration compensation or pension payments; military retirement and allotments; pensions, annuities and retirement benefits; lodge or fraternal benefits; other public or private disability or retirement benefits or pension; shared shelter payments; individual Indian money (IIM); royalty or lease payments for land or property owned by a benefit group member; settlement payments resulting from insurance or litigation; worker's compensation benefits; child support; unemployment compensation benefits; union benefits paid in cash; gifts and contributions; and real property income.

**(33) Verification:** means the use of third-party information or documentation to establish the accuracy of statements on the application.

**(34) Wage subsidy program:** means a subsidized employment opportunity through which a TANF cash assistance recipient is hired into full-time employment.

[8.106.100.7 NMAC - N, 07/01/2004; A, 02/28/2007; A, 07/01/2009]

## NEW MEXICO HUMAN SERVICES DEPARTMENT INCOME SUPPORT DIVISION

This is amendment to 8.106.110 NMAC, section 14; effective 07/01/2009.

**8.106.110.14 APPROVAL EFFECTIVE DATE:** ~~Beginning with applications dated July 1, 2004 or later, general assistance benefits for an approved application shall be effective as of the date of application. Payment in the first month shall be prorated from the date of application.~~ General assistance benefits for an approved application shall be effective the date of approval or from the 30th day after the date of application; whichever is earlier. Payment in the first month shall be prorated from the date of authorization.  
[8.106.110.14 NMAC - N, 07/01/2004, A/E, 01/30/2009; A, 03/31/2009; A, 07/01/2009]

## NEW MEXICO HUMAN SERVICES DEPARTMENT INCOME SUPPORT DIVISION

This is an amendment to 8.106.120 NMAC, section 9; effective 07/01/2009.

### 8.106.120.9 CERTIFICATION PERIODS:

#### A. Certification period:

Cash assistance shall be approved for a fixed certification period at the end of which the assistance shall be terminated.

#### B. Assigning the certification period:

**(1) GA-time-limited disability:** The certification period for a individual with a verified time-limited disability shall:

(a) be set for the length of the disability established by medical documentation at the time of approval;

(b) be assigned for a fixed period beginning the first month of [application] approval, not to exceed six months; and

(c) be terminated at the end of the initial certification unless;

(i) the recipient submits a recertification application, and

(ii) the recipient meets the financial eligibility requirements, and

(iii) the IRU re-determines eligibility due to disability prior to the end of the certification period.

#### (2) GA-temporary disability:

The certification period for a temporary disability depends on the type and length of disability established by medical documentation, and shall be assigned for a fixed period of six months, beginning the first month of [application] approval. A temporary disability with a duration of six months or longer shall be reviewed and verified by the IRU prior to extending the certification

period beyond six months.

**(3) GA-permanent disability:** The certification period for a permanent disability shall be twelve months, beginning in the month of application. A permanent disability with a duration of 12 months or longer shall be reviewed and verified by the IRU prior to extending the certification period beyond the first six months.

**(4) GA-unrelated dependent child:** The certification period begins in the first month of [application] approval and cannot exceed six months.

**(5) Shelter home care:** Adults receiving a state supplement payment for SSI recipients in an ARCSH setting shall be certified for twelve months, beginning in the month of application.

[8.106.120.9 NMAC - N, 07/01/2004; A, 03/16/2005; A/E, 01/30/2009; A, 03/31/2009; A; 07/01/2009]

## NEW MEXICO HUMAN SERVICES DEPARTMENT INCOME SUPPORT DIVISION

This is an amendment to 8.106.500 NMAC, section 8; effective 07/01/2009.

### 8.106.500.8 GA - GENERAL REQUIREMENTS:

~~A.~~ Lack of availability of state funds may result in a suspension or reduction in general assistance benefits without eligibility and need considered.

~~A;~~ **B. Need determination process:** Eligibility for the GA program based on need requires a finding that the:

(1) countable resources owned by and available to the benefit group do not exceed either the \$1500 liquid or \$2000 non-liquid resource limit;

(2) benefit group's countable gross earned and unearned income does not equal or exceed eighty-five percent (85%) of the federal poverty guideline for the size of the benefit group; and

(3) benefit group's countable net income does not equal or exceed the standard of need for the size of the benefit group.

~~B;~~ **C. GA payment determination:** The benefit group's cash assistance payment is determined after subtracting from the standard of need the benefit group's countable income and any payment sanctions or recoupments.

~~C;~~ **D. Gross income test:** The total countable gross earned and unearned income of the benefit group cannot exceed eighty-five percent (85%) of the federal poverty guidelines for the size of the benefit group.

(1) Income eligibility limits are revised and adjusted each year in October.

(2) The gross income limit for the size of the benefit group is as follows:

- (a) one person \$ 737
- (b) two persons \$ 992
- (c) three persons \$1,247
- (d) four persons \$1,502
- (e) five persons \$1,757
- (f) six persons \$2,012
- (g) seven persons \$2,267
- (h) eight persons \$2,522
- (i) add \$255 for each additional

person.

**~~D.~~ E. Standard of need:**

(1) The standard of need is based on the availability of state funds and the number of individuals included in the benefit group and allows for a financial standard and basic needs.

(2) Basic needs include food, clothing, shelter, utilities, personal requirements and an individual benefit group member's share of supplies.

(3) The financial standard includes approximately ~~[\$94]~~ \$84 per month for each individual in the benefit group.

(4) The standard of need, based on the availability of state funds for the GA cash assistance benefit group is:

- (a) one person ~~[\$266]~~ \$245
- (b) two persons ~~[\$357]~~ \$329
- (c) three persons ~~[\$447]~~ \$412
- (d) four persons ~~[\$539]~~ \$496
- (e) five persons ~~[\$630]~~ \$580
- (f) six persons ~~[\$721]~~ \$664
- (g) seven persons ~~[\$812]~~ \$748
- (h) eight persons ~~[\$922]~~ \$849
- (i) add ~~[\$94]~~ \$84 for each additional person.

**~~E.~~ F. Net income test:** The total countable earned and unearned income of the benefit group after all allowable deductions cannot equal or exceed the standard of need for the size of the GA benefit group.

**~~F.~~ G. Special clothing allowance for school-age dependent children:** In order to assist in preparing a child for school, a special clothing allowance is made each year in the amount of \$100 for the months of August and January subject to the availability of state or federal funds.

(1) For purposes of determining eligibility for the clothing allowance, a child is considered to be of school age if the child is six years of age or older and less than age nineteen (19) by the end of August.

(2) The clothing allowance shall be allowed for each school-age child who is included in the GA cash assistance benefit group for the months of August and January subject to the availability of state or federal funds.

(3) The clothing allowance is not counted in determining eligibility for GA cash assistance.

**~~G.~~ H. Supplemental issuance:** A one time supplemental

issuance may be distributed to recipients of GA for disabled adults based on the sole discretion of the secretary of the human services department and the availability of state funds.

(1) The one time supplemental issuance may be no more than the standard GA payment made during the month the GA payment was issued.

(2) To be eligible to receive the one time supplement, a GA application must be active and determined eligible no later than the last day of the month in the month the one time supplement is issued.

[8.106.500.8 NMAC - N, 07/01/2004; A/E, 10/01/2004; A/E, 10/01/2005; A, 7/17/2006; A/E, 10/01/2006; A/E, 10/01/2007; A, 01/01/2008; A, 06/16/2008; A/E, 10/01/2008; A, 07/01/2009]

**NEW MEXICO HUMAN SERVICES DEPARTMENT  
INCOME SUPPORT DIVISION**

This is an amendment to 8.106.610 NMAC, Section 8; effective 07/01/2009.

**8.106.610.8 CASH ASSISTANCE ISSUANCE:**

**~~A.~~ Method of payment:** Cash assistance benefits are paid by deposit of funds into an electronic benefit transfer (EBT) account.

(1) The initial month's cash assistance payment is posted to the benefit group's EBT account on the first working day after the date of authorization.

(2) Cash assistance payments are issued into the recipient's EBT account so that the funds are available to the benefit group on the first working day of the month.

**~~B.~~ Benefit issuance:** EBT account cards shall be issued at time of application to the authorized payee or authorized representative.

**~~C.~~ Replacement card:** The caseworker, the HSD help desk or the contractor customer service help desk shall have a card deactivated upon request of an adult participant in the benefit group or authorized payee. The card will be deactivated immediately and a replacement card provided to the participant. Once a card is deactivated it cannot be reactivated for any reason.

**~~D.~~ Authorizing payments:**

(1) Cash benefit payments are authorized, changed or terminated through the department's automated eligibility system.

(2) An initial month's cash assistance payment that is issued by warrant is sent by mail on the first working day after the date of authorization.

**~~E.~~ Initiation of payment:**

(1) The initial month's GA cash assistance payment is prorated from the date of application.

(2) A benefit group may be eligible for payment in the application month, but is not eligible for the month following the month of application.

**~~F.~~ Ongoing monthly issuance:** Ongoing cash assistance payments are authorized in the regular monthly issuance process.

(1) The payment amount remains the same from month to month in the certification period, unless changes are made that affect eligibility or benefit amount.

(2) **~~Warrants:~~** During the monthly issuance process, if necessary, hard copy checks are written the night before the third to the last working day of the month. They are mailed so as to arrive on or about the first mail delivery day of the month.

**~~G.~~ Change in amount of payment:**

(1) After approval, there is a continuing responsibility on the part of both the benefit group and the caseworker to make sure that eligibility and benefit amount are correctly determined. Failure on either side to recognize and carry out this responsibility can result in overpayment to the benefit group. Overpayments for any reason are charged to the benefit group and must be repaid to the department.

(2) A benefit group's cash assistance payment shall be increased or decreased after receipt and verification of information indicating that changes in a benefit group's circumstances affect the amount of assistance to which the benefit group is entitled.

(3) Changes in the payment amount shall be made in accordance with changes in program policy.

**~~H.~~ Affecting changes:**

(1) A change in the benefit group's circumstances may change the cash assistance amount for which the group is eligible.

(2) The cash assistance payment reduction or termination of benefits shall be effective in the month following the month the notice of adverse action expires.

(3) The cash assistance payment will be reduced in the month following issuance of a notification of change in circumstances, when the benefit group reports a change in writing, an adult has signed the written report, and the caseworker has sufficient information to effect the change in benefit amount.

(4) If a change in benefit amount occurs as a result of an untimely report by the benefit group, an overpayment or underpayment may occur. If an underpayment occurs, it shall be corrected by issuing a

supplemental payment effective the month following the month the change is verified. In case of an overpayment, an overpayment claim shall be established for all appropriate months and efforts shall be made to recover the overpayment from the benefit group.

**I. Whereabouts unknown:** Eligibility shall be terminated if the whereabouts of the benefit group are unknown to the department. A benefit group's whereabouts shall be considered to be unknown if:

(1) mail sent to the last known address is returned to the department indicating that the benefit group no longer lives at that address and at least 30 days have passed since the caseworker sent the mail;

(2) warrants for two consecutive months are returned to the HSD accounting section of the administrative services division; or

(3) the benefit group does not make any withdrawals from the benefit group's EBT account for 60 days or more.]

**A. Method of payment:** Cash assistance benefits are issued by deposit of funds into an electronic benefit transfer (EBT) account and in some instances payments are issued by warrant.

(1) **EBT card issuance:** EBT account cards shall be issued at time of application to the authorized payee or authorized representative.

(2) **Replacement card:** The caseworker, the HSD help desk or the contractor customer service help desk shall have a card deactivated upon request of an adult participant in the benefit group or authorized payee. The card will be deactivated immediately and a replacement card provided to the participant. Once a card is deactivated it cannot be reactivated for any reason.

(3) **Warrants:** In some instances hard copy checks are generated and issued via mail.

**B. Authorizing and issuing payments:** Cash benefits are clarified below.

(1) **Payment authorization:** Cash payments are authorized through the department's eligibility system.

(2) **Payment issuance:** Payment in the first month shall be prorated from the date of authorization; which will be either the date of approval or from the 30th day after the date of application; whichever is earlier.

(a) If the case was eligible in a month prior to the month of approval, but is not eligible for payment in the month following the month of disposition, the benefit group is not eligible for payment in any of these months.

(b) **Ongoing monthly issuance:** Ongoing cash assistance payments are authorized in the regular monthly issuance

process.

(c) **Warrants:** An initial month's cash assistance payment that is issued by warrant is sent by mail on the first working day after the date of authorization. During the monthly issuance process, if necessary, hard copy checks are written the night before the third to the last working day of each month. They are mailed so as to arrive on or about the first mail delivery day of the month.

(3) **Whereabouts unknown:** Eligibility shall be terminated if the whereabouts of the benefit group are unknown to the department. A benefit group's whereabouts shall be considered to be unknown if:

(a) mail sent to the last known address is returned to the department indicating that the benefit group no longer lives at that address and at least 30 days have passed since the caseworker sent the mail;

(b) warrants for two consecutive months are returned to the HSD accounting section of the administrative services division; or

(c) the benefit group does not make any withdrawals from the benefit group's EBT account for 60 days or more.

**C. Due to changed in a benefit group's circumstances:** If a change in the benefit amount occurs as a result of an untimely report by the benefit group, an overpayment or underpayment may occur in accordance with regulation at 8.106.120.8 NMAC. If an underpayment occurs, it shall be corrected by issuing a supplemental payment effective the month following the month the change is verified. In case of an overpayment, an overpayment claim shall be established for all appropriate months and efforts shall be made to recover the overpayment from the benefit group. The cash assistance payment reduction of benefits shall be effective in the month following the month of the adverse action.

[8.106.610.8 NMAC - N, 07/01/2004; A, 02/28/2007, A/E, 01/30/2009; A, 03/31/2009; A, 07/01/2009]

## NEW MEXICO HUMAN SERVICES DEPARTMENT MEDICAL ASSISTANCE DIVISION

This is an amendment to 8.200.510 NMAC, Section 12, effective July 1, 2009.

**8.200.510.12 POST-ELIGIBILITY CALCULATION (MEDICAL CARE CREDIT):** Apply applicable deductions in the order listed below when determining the medical care credit for an institutionalized spouse.

<u>DEDUCTION</u>	<u>AMOUNT</u>
A. Personal needs allowance for institutionalized spouse	[ <del>\$60</del> ] \$63
B. Minimum monthly maintenance needs allowance (MMMNA)	[ <del>\$1,750</del> ] \$1,822
C. The community spouse monthly income allowance (CSMIA) is calculated by subtracting the community spouse's gross income from the MMMNA:	
(1) If allowable shelter expenses of the community spouse exceed	[ <del>\$525</del> ] \$547
deduct an excess shelter allowance from community spouse's income that includes: expenses for rent; mortgage (including interest and principal); taxes and insurance; any maintenance charge for a condominium or cooperative; and an amount for utilities (if not part of maintenance charge above); use the standard utility allowance (SUA) deduction used in the food stamp program for the utility allowance.	
(2) Excess shelter allowance may not exceed a maximum of	[ <del>\$989</del> ] \$917.
D. Any extra maintenance allowance ordered by a court of jurisdiction or a state administrative hearing officer.	
E. Dependent family member income allowance (if applicable) calculated as follows: 1/3 X MMMNA - dependent member's income)	
F. Non-covered medical expenses	
G. The maximum total of the community spouse monthly income allowance and excess shelter deduction may not exceed \$2,739.	
[1-1-95, 7-1-95, 3-30-96, 8-31-96, 4-1-97, 6-30-97, 4-30-98, 6-30-98, 1-1-99, 7-1-99, 7-1-00; 8.200.510.12 NMAC - Rn, 8 NMAC 4.MAD.510.2 & A, 1-1-01, 7-1-01; A, 1-1-02; A, 7-1-02; A, 1-1-03; A, 7-1-03; A, 1-1-04; A, 7-1-04; A, 1-1-05; A, 7-1-05; A, 1-1-06; A, 7-1-06; A, 1-1-07; A, 7-1-07; A, 1-1-08; A, 7-1-08, A, 1-1-09, A, 4-1-09; A, 7-1-09]	

## NEW MEXICO STATE PERSONNEL BOARD

This is an emergency amendment to 1.7.11 NMAC Section 13, effective 6-19-09, adopted by the State Personnel Board at their meeting on 5-29-09.

**1.7.11.13 EMPLOYEES IN CAREER STATUS:**

**A. Notice of Contemplated Action:**

(1) To initiate the suspension, demotion, or dismissal of an employee in career status and an employee in term status who has completed the probationary period, the agency shall serve a notice of contemplated action on the employee which: describes the conduct, actions, or omissions which form the basis for the contemplated disciplinary action; gives a general explanation of the evidence the agency has; advises the employee of his or her right to inspect and obtain copies of any documentary evidence relied upon; specifies what the contemplated action is; and states that the employee has eleven calendar days from service of the notice to respond in writing to the notice or to request an opportunity for an oral response.

(2) When the notice of contemplated action is served by mail, the employee receiving service shall have 3 additional calendar days in which to file a response.

**B. Response to Notice of Contemplated Action:**

(1) A representative of the employee's choosing may respond in writing to the notice of contemplated action on behalf of the employee.

(2) If there is a request for an oral response to the notice of contemplated action, the agency shall meet with the employee within 11 calendar days of a request for an oral response, unless the employee and the agency agree in writing to an extension of time. A representative of the employee's choosing may represent the employee.

(3) The purpose of the oral response is not to provide an evidentiary hearing but is an opportunity for the employee to present his or her side of the story. It is an initial check against mistaken decisions, essentially a determination of whether there are reasonable grounds to believe that the charges against the employee are true and support the proposed action.

**C. Notice of Final Action:**

(1) If the employee does not respond to the notice of contemplated action the agency shall issue a notice of final action within 11 calendar days following the response period.

(2) If the employee has filed a written response or has been provided an opportunity for oral response, the agency shall issue a notice of final action no later than 11 calendar days from the date of receipt of the response.

(3) The notice of final action shall:

(a) specify the final action to be taken, which may be upholding the contemplated action, a lesser form of discipline than contemplated, or no disciplinary action;

(b) describe the conduct, actions, or omissions which form the basis for the disciplinary action, which may not include allegations not included in the notice of contemplated action;

(c) give a general explanation of the evidence the agency has;

(d) specify when the disciplinary action will be effective, which must be at least 24 hours from the time of service of the notice of final action; and

(e) ~~inform the employee that the disciplinary action may be appealed to the board with a written statement of the grounds for the appeal delivered to the state personnel office in Santa Fe, New Mexico, and if it is, it must be received by the director within 30 calendar days of the effective day and that the employee must submit a copy of the notice of final action with the notice of appeal.~~ inform the employee of his or her appeal rights.

**(4) Appeal rights:**

(a) for an employee not covered by a collective bargaining agreement inform the employee that the final disciplinary action may be appealed to the board with a written statement of the grounds for the appeal delivered to the state personnel office in Santa Fe, New Mexico, and that the appeal must be received by the director within 30 calendar days of the effective day of final action and that the employee must submit a copy of the notice of final action with the notice of appeal.

(b) for an employee covered by a collective bargaining agreement inform the employee that the final disciplinary action may be appealed to the board with a written statement of the grounds for the appeal delivered to the state personnel office in Santa Fe, New Mexico, and that the appeal must be received by the director within 30 calendar days of the effective day of final action and that the employee must submit a copy of the notice of final action with the notice of appeal; or the employee may make an irrevocable election of appeal to an arbitrator and that the appeal to an arbitrator shall be filed in accordance with the steps outlined in the collective bargaining agreement.

[1.7.11.13 NMAC - Rp, 1 NMAC 7.11.13, 07/07/01; A, 11/14/02; A, 7-15-05; A/E, 6/19/09]

**NEW MEXICO PUBLIC EDUCATION DEPARTMENT**

The Public Education Department ("Department") has repealed 6.30.2 NMAC (STANDARDS FOR EXCELLENCE) effective June 30, 2009. The Department has adopted new rule: 6.29.1 NMAC, General Provisions; 6.29.2 NMAC, Arts Education; 6.29.3 NMAC, Career and

Technical Education; 6.29.4 NMAC, English Language Arts; 6.29.5 NMAC, English Language Development; 6.29.6 NMAC, Health Education; 6.29.7 NMAC, Mathematics; 6.29.8 NMAC, Modern, Classical and Native Languages; 6.29.9 NMAC, Physical Education; 6.29.10 NMAC, Science; and 6.29.11 NMAC, Social Studies; which repromulgates and updates the provisions of the repealed 6.30.2 NMAC (STANDARDS FOR EXCELLENCE), adding new language addressing the many requirements and revisions to the general procedures and New Mexico Content Standards with Benchmarks and Performance Standards that have been approved since the year 2000. These additions will be effective June 30, 2009.

**NEW MEXICO PUBLIC EDUCATION DEPARTMENT**

**TITLE 6 PRIMARY AND SECONDARY EDUCATION  
CHAPTER 29 STANDARDS FOR EXCELLENCE  
PART 1 GENERAL PROVISIONS**

**6.29.1.1 ISSUING AGENCY:** Public Education Department, hereinafter the department.  
[6.29.1.1 NMAC - Rp, 6.30.2.1 NMAC, 6-30-2009]

**6.29.1.2 SCOPE:** All public schools, state educational institutions and educational programs conducted in state institutions other than New Mexico military institute.  
[6.29.1.2 NMAC - Rp, 6.30.2.2 NMAC, 6-30-2009]

**6.29.1.3 STATUTORY AUTHORITY:**  
A. Section 22-2-2 NMSA 1978 grants the authority and responsibility for the assessment and evaluation of public schools, state-supported educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

B. Section 22-2-2 NMSA 1978 directs the department to set graduation expectations and hold schools accountable. Section 22-2C-3 NMSA 1978 requires the department to adopt academic content and performance standards and to measure the performance of public schools in New Mexico.

C. Subsection E of Section 22-13-1.1 NMSA 1978 authorizes the department to establish a policy for administrative interpretations to clarify curricular and testing provisions of the Public School

Code.

D. Section 22-5-13 NMSA 1978 grants authority to the department to develop mandatory training of local school board members.

E. Section 22-13-14 NMSA 1978 requires the department to establish penalties for non-compliance with this section prescribing the frequency with which public schools and private schools shall hold emergency drills.

F. Subsection D of Section 9-24-8 NMSA 1978 authorizes the secretary to adopt rules necessary to carry out the duties of the department.

[6.29.1.3 NMAC - Rp, 6.30.2.3 NMAC, 6-30-2009]

**6.29.1.4 DURATION:**  
Permanent.

[6.29.1.4 NMAC - Rp, 6.30.2.4 NMAC, 6-30-2009]

**6.29.1.5 EFFECTIVE DATE:**  
June 30, 2009, unless a later date is cited at the end of a section.

[6.29.1.5 NMAC - Rp, 6.30.2.5 NMAC, 6-30-2009]

**6.29.1.6 OBJECTIVE:**

A. This rule provides for the implementation for educational standards and expectations for all students who attend schools defined in the scope of this regulation.

B. The New Mexico content standards with benchmarks and performance standards specify the goals for instruction.

(1) Part 1. Standards for Excellence. General Provisions specifies general requirements for procedures and programs. Parts two through eleven outline content standards with benchmarks and performance standards for subjects as follows:

(2) Part 2. Arts Education

(3) Part 3. Career and Technical Education

(4) Part 4. English Language Arts

(5) Part 5. English Language Development

(6) Part 6. Health Education

(7) Part 7. Mathematics

(8) Part 8. Modern, Classical and Native Languages (content standards only)

(9) Part 9. Physical Education

(10) Part 10. Science

(11) Part 11. Social Studies

[6.29.1.6 NMAC - Rp, 6.30.2.6 NMAC, 6-30-2009]

**6.29.1.7 DEFINITIONS:**

A. "Ability program of study" means an alternative graduation option for students with disabilities. This option is based upon the student's meeting or exceeding IEP goals and objectives, with

or without reasonable accommodations of delivery and assessment methods, referencing skill attainment at a student's ability level which provides a clear and coordinated transition to meaningful employment or other appropriate day habilitation or community membership and independent living, as appropriate to meet anticipated functional needs.

B. "Academic achievement" means the relative success of students in learning and mastering the school subjects that they study as measured by tests of the knowledge and skills that were taught.

C. "Academic choices" means required courses, elective courses, co-curricular activities and extra-curricular activities available to students.

D. "Accountability" means that individuals or organizations should be held responsible for improving student achievement and should be either rewarded for their success or sanctioned for their lack of success. In education, accountability requires measurable proof that teachers, schools, districts and states are teaching students efficiently and well.

E. "Accreditation" means the official recognition that a school or district meets required standards. Schools are accredited in two ways: by voluntary regional accrediting associations or by state government. Accreditation also refers to the process of certifying that institutions of higher education meet certain standards in relation to such matters as the qualifications of their faculty, the condition of their facilities and the appropriateness of their curriculum.

F. "Achievement" means demonstrated accomplishment and the mastery of a clearly identified essential skill or of knowledge as a consequence of the individual's effort, learning and practice.

G. "Achievement gap" means the persistent differences in achievement among different groups of students as indicated by scores on standardized tests, grades, levels of educational attainment, graduation rates and other data.

H. "Adequate yearly progress (AYP)" means the state's measure of yearly progress toward achieving state academic standards, as described in the No Child Left Behind Act of 2001 (NCLB). Adequate yearly progress is the minimum level of improvement that states, school districts and schools shall achieve each year. This progress is determined by a collection of performance measures that a state, its school districts and sub-populations of students within its schools are expected to meet if the state receives Title I, Part A federal funding.

I. "Advanced placement (AP)" means a course taught by high school

teachers trained in advanced placement course delivery provided through the college board. These courses are more difficult and involve more work than a standard class. AP courses are considered college-level courses and may allow a student to earn college credit, depending upon college and university policies at an institution the student may later attend.

J. "Advisor" means a student's guidance counselor or other designated school official, which may include teachers assisting students and their parents with course work planning.

K. "Aligned professional development" means professional development that is aligned to the instructional or organizational needs of the school or district, and to the district's EPSS. Professional development is tied directly to the student achievement data of the school and district.

L. "Annual measurable objective (AMO)" means the target used to determine student performance for NCLB. This law requires states to develop target annual measurable objectives that will determine whether a school, a district or the state as a whole is making adequate yearly progress toward the goals of having all students performing academically at an acceptable rate by the year 2014.

M. "Applied technology education" means using technology in a course.

N. "Articulation" means planning a comprehensive and logical sequence of a program of studies.

O. "Assessment" means measurement. An assessment may be part of a system for testing and evaluating individual students, groups of students, schools or districts. Different types of assessment instruments include: achievement tests, minimum competency tests, developmental screening tests, aptitude tests, observation instruments, performance tasks, portfolio and authentic assessments. Assessments may contain questions in any of a number of formats. Common formats for standardized tests include: multiple-choice, short response and open-ended response.

P. "Benchmark" means a specific, measurable goal or objective for students to meet at various points during the school year. Benchmarks describe what all students shall know and be able to do in a content area by the end of designated grades or levels.

Q. "Bilingual multicultural education" means an instructional program that uses two languages (English and the home language of students) as mediums of instruction in the teaching-learning process.

R. "Career and technical education" means organized programs offering a sequence of courses, (including

technical education and applied technology education) which are directly related to the preparation of individuals for paid or unpaid employment in current or emerging occupations requiring an industry-recognized credential, certificate or degree. This phrase is also referred to as "vocational education" at 22-14-1 NMSA 1978.

S. "Career and technical education course" means a course with content that provides technical knowledge, skills and competency-based applied learning, and that aligns with the regulations for educational standards and expectations for all New Mexico students who attend schools as defined in the scope of 6.29.1.2 NMAC.

T. "Career cluster" means a grouping of occupations in industry sectors based on recognized commonalities. Career clusters provide an organizing tool for developing instruction within the educational system.

U. "Career pathways" means a sub-grouping used as an organizing tool for curriculum design and instruction of occupations/career specialties that share a set of common knowledge and skills for career success.

V. "Career readiness program of study" means an alternative graduation option for students with disabilities. This option is based upon meeting the department's employability and career education standards with benchmarks and performance standards as identified in the student's IEP.

W. "Caseload" means the total number of students receiving special education and speech-only services as special education, for whom a special education teacher or speech language pathologist has responsibility for developing and monitoring the students' IEPs. "Caseload" may also mean the number of students for which individual support services staff members are responsible.

X. "Charter school" means a school authorized by a chartering authority to operate as a public school. Sections 22-2-1, 22-8-1 through 22-8-47, and 22-8B-1 through 22-8B-17, NMSA, 1978.

Y. "Chartering agency" means a school district or agency that approves and oversees a charter school.

Z. "Commission" means the public education commission.

AA. "Competency-based applied learning" means ensuring that applied learning courses are aligned with the appropriate content standards, benchmarks and performance standards.

AB. "Class load" means the number of students for whom a teacher structures activities at a given time.

AC. "Content standard" is a

statement about performance that describes what students should know and be able to do in content areas at each grade level.

AD. "Core academics" are the required subjects in middle and high schools.

AE. "Core curriculum" means the body of knowledge that all students are expected to learn.

AF. "Correspondence course" means a form of distance learning that is conducted via traditional mail. A correspondence course is used to teach non-resident students by mailing them lessons and exercises, which upon completion, are returned to the correspondence school for grading.

AG. "Culturally and linguistically different" means a student who is of a different cultural background than "mainstream United States culture," and whose home or heritage language, inherited from the student's family, tribe or country of origin, is a language other than English.

AH. "Data-based decision making" means the process of making decisions about curriculum and instruction on the basis of statistical analysis of student performance data and schoolwide performance data.

AI. "Department" means the New Mexico public education department (PED), which is the state educational agency (SEA) for New Mexico.

AJ. "Diagnostic tools" means the category of measurement tools informing the effectiveness of instruction, materials or techniques that address the academic needs of students in their performance of expected levels of achievement of learning targets.

AK. "Distance learning" means the technology and the educational process used to provide instruction for credit or for a grade when the course provider and the distance-learning student are not necessarily physically present at the same time or place. Distance learning does not include educational software that utilizes only on-site teaching.

AL. "District" means the geographic boundary in which a K-12 set of public schools resides, under the supervision of a locally-elected board of education (22-4-1 and 22-4-2, NMSA 1978).

AM. "Dual credit program" means a program that allows high school students to enroll in college-level courses offered by public post-secondary educational institutions that may be academic or career-technical in nature, but may not be remedial or developmental, and through which students can simultaneously earn credit toward high school graduation and a post-secondary degree or certificate. (Refer to 6.30.7.6 NMAC.)

AN. "Educational plan for student success (EPSS)" is the strategic plan written by all districts and schools to improve student performance.

AO. "Elective unit" means a unit ("credit") that is not specified as a graduation requirement, but that can be taken to complete the number of units required for graduation.

AP. "Emergency drills" means the requirement that a total of twelve drills be conducted in each public and private school. These emergency drills shall consist of nine fire drills, two shelter-in-place drills and one evacuation drill at the intervals set forth in Paragraph (1) of Subsection N of 6.29.1.9 NMAC.

AQ. "English language learner" means a student whose first or heritage language is not English and who is unable to read, write, speak or understand English at a level comparable to grade-level English proficient peers and native English speakers.

AR. "Formative assessment" means measures of academic achievement during the learning process.

AS. "Free appropriate public education (FAPE)" means special education and related services that are provided at public expense, under public supervision and direction without charge, which meet the standards of the department in providing appropriate preschool, elementary or secondary education in New Mexico; and which are provided in conformity with an individualized education program (IEP) that meets the requirements of 34 CFR, Sections 300.320 through 300.324.

AT. "Family Educational Rights and Privacy Act (FERPA)" means rights, pursuant to 20 U.S. Code 1232(g) and 34 CFR Part 99, afforded to parents and students over 18 years of age with respect to the student's education records, that include: the right to inspect and review the student's education records within 45 days, the right to request amendment to the student's education records for various reasons, the right to consent or refuse to consent to disclosures of personally identifiable information in the student's records (except for those records that FERPA authorizes for disclosure without consent) and the right to file a complaint with the U. S. department of education concerning non-compliance with FERPA.

AU. "Fidelity" means the implementation of a program, strategy or intervention exactly as it was developed by the vendor, researcher or author. The commitment to fidelity is essential to determine if the change in instruction is based on a program, strategy, or intervention.

AV. "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, as stated at 22-13-1.1(M)(1) NMSA 1978.

AW. "Gifted child" means a school-age person, as defined in Section 22-13-6 (D) NMSA 1978, whose intellectual ability paired with subject matter, aptitude/achievement, creativity/divergent thinking or problem-solving/critical thinking meets the eligibility criteria in 6.31.2.12 NMAC, and for whom a properly constituted IEP team determines that special education services are required to meet the child's educational needs.

AX. "Grade configuration" means the grade band(s) in which schools are organized in a district, such as: K-5, K-6, K-8, 6-8, 7-8.

AY. "Heritage language" means a language other than English that is inherited from a family, tribe, community or country of origin.

AZ. "Home language" means a language other than English that is the primary or heritage language spoken at home or in the community.

BA. "Honors course" means a course developed locally to meet the needs of accelerated students. Honors courses offer the same curriculum that standard courses offer, but are more challenging. Honors courses are generally faster-paced and cover topics in more depth; however, these courses are not generally considered equivalent to college-level work.

BB. "Individuals With Disabilities Education Improvement Act of 2004 (IDEA)" addresses special needs of individual students with disabilities.

BC. "Individualized education program (IEP)" means a written statement for a student (with a disability) that is developed, reviewed and revised in accordance with 34 CFR, Sections 300.320 through 300.324.

BD. "Interim next-step plan" means an annual next-step plan in which the student specifies post-high-school goals and sets forth the course work that will allow the student to achieve those goals, as stated at 22-13-1.1(M)(2) NMSA 1978. The "interim next step plan" includes all next-step plans in grades 9 through 11.

BE. "Laboratory component" means an experience in the laboratory, classroom or the field that provides students with opportunities to interact directly with natural phenomena or with data collected by others using tools, materials, data collection techniques and models. Throughout the process, students should have opportunities to design investigations, engage in scientific reasoning, manipulate equipment, record data, analyze results and

discuss their findings.

BF. "Local educational agency (LEA)" means a local educational agency as defined in 34 CFR Sec. 300.28. The LEA may be a public school district, a state-chartered charter school or a state educational institution.

BG. "Locally chartered charter school" means a charter school authorized by a local school board.

BH. "National standards" means an agreement at the national level about what students are supposed to learn in a given subject area at each grade level.

BI. "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 course work planning for the student (22-13-1.1(M)(3) NMSA 1978).

BJ. "New Mexico school boards association (NMSBA)" means the organization made up of the local public school boards and the governing bodies of charter schools in New Mexico.

BK. "New Mexico standards-based assessment (SBA)" means the collection of instruments that assess student academic performance annually and the students' progress toward meeting the New Mexico content standards with benchmarks and performance standards.

BL. "No Child Left Behind Act (NCLB)" refers to the reauthorization of the federal Elementary and Secondary Education Act, which was originally passed in 1965. NCLB was passed in fall 2001 and signed into law in early 2002.

BM. "Occupational safety and health administration (OSHA)" means a division of the U.S. department of labor.

BN. "Online" means utilizing the internet.

BO. "Pathway" means the academic plan of study for a student to achieve graduation, including courses to take in Grades 9-12.

BP. "Performance standard" means the statement of a standard that describes the specific level of mastery expected in achieving the New Mexico content standards with benchmarks and performance standards.

BQ. "Positive behavior support (PBS)" means implementing individualized, classroom and school-wide behavior interventions and strategies to decrease inappropriate and disruptive behaviors.

BR. "Primary language" means the first language a child learns, also called the "native language."

BS. "Prior written notice (PWN)" means the written notice that goes to parents from the school district, informing them that the district proposes or refus-

es to initiate or change the identification, evaluation or educational placement of their child, or the provision of FAPE to the child, and which meets the requirements of 34 CFR, Sections 300.503 and 300.504.

BT. "Professional development" means the continuing education process for teachers and administrators to provide them with the knowledge and skills needed to perform their jobs well.

BU. "Proficiency" means the mastery of skills and knowledge for a specific grade or subject.

BV. "Proficient" means one of four classifications of achievement levels of districts, schools and students based on the SBA and schools on the *national assessment of educational progress* (NAEP).

BW. "Program of study" is a progressive continuum of courses that may be offered across grades 9-14. A program of study is a means to provide technical training, training to prepare for employment and training to prepare for entry into post-secondary education.

BX. "Response to intervention (RtI)" means a multi-tiered intervention model that uses a set of increasingly intensive academic or behavioral supports, matched to student need, as a framework for making educational programming and eligibility decisions. The model includes primary, secondary and tertiary levels of intervention based on progress monitoring to determine the student's response or lack of response to the instruction/intervention.

BY. "School improvement framework" means a document written by the department that is used by public schools and districts to develop and monitor their school improvement plans. The school improvement framework shall align with the district's EPSS.

BZ. "Schoolwide" means a Title I program model implemented at a school where all students could potentially benefit from Title I funding.

CA. "Scientific-based research" means research that involves the application of rigorous, systematic and objective procedures to obtain reliable and valid knowledge relevant to educational activities and programs.

CB. "Secretary" means the secretary of the New Mexico public education department.

CC. "Short-cycle assessment" is a formative measure that is regularly used to assess student performance over a short time period.

CD. "Skills" are competencies or abilities, mental or physical, which may be improved by practice.

CE. "Socioeconomic status" means the stratification of groups of people by status ascribed through social constructs such as race, gender, ethnicity, educational

attainment, economic resources, language and national origin.

CF. "Standard program of study" means a program of study that is based upon the student's meeting or exceeding all requirements for graduation as specified in Section 22-13-1.1 NMSA 1978.

CG. "Standardized grading system" means that all schools and districts are required by SY 2009-2010 to implement a standardized grading system for grades 5 through 12 (Section 22-2-8.13, NMSA 1978).

CH. "State-chartered charter school" means a charter school authorized by the public education commission.

CI. "State education agency (SEA)" is the agency primarily responsible for supervising a state's public schools.

CJ. "State educational institution" means a school that is under the direction of a state agency other than the department or a separate board of regents.

CK. "Strategy" means a plan or tactic to solve a problem or carry out a decision. In education, a strategy refers to almost every action that a teacher or a student does in a classroom, such as asking a question, reading a story, figuring out the meaning of a word, planning the next day's lesson.

CL. "Student and teacher accountability reporting system (STARS)" means the data reporting system directed by the department.

CM. "Student assistance team (SAT)" is a school-based group of people whose purpose is to provide additional tier II support (consistent with requirements of the three-tier model of student intervention provided in Subsection D of 6.29.1.9 NMAC) to students who are experiencing academic or behavioral difficulties that are preventing them from benefiting from general education, because they are either performing below or above expectations. (Public agencies may have similar names used for this team, such as "student success team" or "student support team.")

CN. "Targeted assistance" means a Title I program model where Title I services are provided to a small number or a particular group of students.

CO. "Technical assistance" means support and guidance provided to states, districts, schools and classrooms.

CP. "Transition" means the goal of creating a seamless transition from one part of the educational system to the next.

CQ. "Transition plan" means a coordinated set of activities for a student with a disability, which specifies special education and related services

designed to meet a student's unique needs and to prepare the student for future education, employment and independent living. The use of individualized educational program (IEP) transition planning, graduation planning and post-secondary transitions is described in Subparagraph (a) of Paragraph (13) of Subsection J of 6.29.1.9 NMAC.

[6.29.1.7 NMAC - Rp, 6.30.2.7 NMAC, 6-30-2009]

#### 6.29.1.8 IMPLEMENTATION

This regulation shall assist in the implementation of standards for excellence through the use of the *educational plan for student success (EPSS)*, content standards with benchmarks and performance standards, and additional program and procedural requirements specified in this regulation. The primary mechanism for planning and implementation is the *educational plan for student success (EPSS)*.

A. District responsibilities for the EPSS. The EPSS is a strategic improvement plan that is written or revised based on trend data and the academic achievement of the school and district. Each district is required to develop, implement, monitor and evaluate the plan on an annual basis. Additionally, the district shall ensure that a site-level EPSS is developed by each school within the district and by each charter school for which the district is the chartering agency. State-chartered charter schools shall develop a site-level EPSS. Districts with fewer than 600 students may write only one EPSS for the entire district; however, a district with a school in or receiving a school improvement status classification is not eligible for this option. The EPSS shall be guided by the following four questions:

(1) What is the current level of performance compared with the annual measurable objectives (AMOs)? This requires a review of student performance data using SBA trends, short-cycle assessments and other assessments used at local sites.

(2) Where does the district or charter school need to be, compared with the AMOs? This requires a review of overall goals/target areas (performance indicators).

(3) How will the district or charter school achieve its stated goals/target areas? This requires development of strategies and activities for improvement.

(4) How does the district or charter school know it is meeting short-term and annual goals? This requires a review of short-cycle and SBA data.

B. *The school improvement framework. The school improvement framework* is the document that is used by public schools and districts to develop,

implement, monitor and evaluate schools in the school improvement process. The department shall develop the framework in alignment with applicable state and federal laws. It shall be revised annually or as necessary, and approved by the secretary.

[6.29.1.8 NMAC - Rp, 6.30.2.9 NMAC, 6-30-2009]

#### 6.29.1.9 PROCEDURAL REQUIREMENTS:

A. Duties and powers of the local board of education or governing body of a charter school. In addition to the powers and duties set out in Section 22-5-4 NMSA 1978 and Section 22-1-1 et seq. NMSA 1978 of the Public School Code, the local board of education (or governing body of a charter school, where indicated) shall:

(1) review, approve and support the district's EPSS and each school site-level EPSS, or the charter school's EPSS;

(2) employ and evaluate the local superintendent or charter school administrator;

(3) develop a planned program of training annually, in which each member of the board participates, to assist in the performance of specified duties; this planned program shall align with the district's EPSS; training shall include the following requirements and procedures.

(a) All local school board members shall receive a total of five hours of annual training.

(b) Newly elected or appointed local school board members, who are in office for less than a year, shall receive three of the five hours from attending a training course developed by the department and sponsored by the New Mexico school boards association (NMSBA). The additional two hours of annual training for new board members shall consist of sessions sponsored by the NMSBA and approved by the department.

(c) All board members who have been in office for one or more years shall attend five hours of annual training sponsored by the NMSBA and approved by the department.

(d) In order to be credited with attendance at these courses, each attendee shall comply with written attendance procedures established by the department. Prior to September 1 of each year, the NMSBA shall provide each local superintendent with a list of training hours earned annually by each local school board member. The school district's accountability report shall include the names of those local school board members who failed to attend annual mandatory training (see Section 22-2C-11(G) NMSA 1978);

(4) delegate administrative and supervisory functions to the local superin-

tendent or charter school administrator;

(5) refrain from involvement in delegated administrative functions;

(6) review district or charter school policies on an annual basis and revise as needed;

(7) award high school graduation diplomas to students who have successfully completed graduation requirements;

(8) ensure the alignment of district or charter school curricula with New Mexico content standards with benchmarks and performance standards;

(9) ensure that district or charter school funds are appropriately managed and disbursed in accordance with laws, regulations and terms of grants;

(10) approve the annual district or charter school budget;

(11) be responsible for oversight of revenue and expenditures within the district or charter school budget; and

(12) coordinate with the district's superintendent to establish the procedures for discharging and terminating school employees pursuant to Section 22-5-4 NMSA 1978 and the School Personnel Act (Chapter 22, Article 10-A NMSA 1978).

**B. Duties and powers of the district superintendent or the administrator of a charter school.** In addition to the powers and duties set out in Section 22-5-14 NMSA 1978 of the Public School Code, the local superintendent (or charter school administrator, where relevant) shall:

(1) administer local board's (or governing body of a charter school's) policies, state and federal requirements and applicable laws, including the Public School Code;

(2) be accountable for student achievement; budget management; expenditure of funds; dissemination of information; district or charter school communications; development, implementation and evaluation of the EPSS and all other district or charter school business;

(3) review, approve and support the district EPSS and each school site-level EPSS or the charter school's EPSS;

(4) attend all local board or governing body of a charter school's meetings or, when necessary, designate a licensed administrator to attend;

(5) ensure that school patrons and the public are informed and involved in the acquisition, planning and development of school facilities and that students are provided with adequate facilities which conform to state and federal mandates;

(6) be accountable for student safety (see 6.12.6 NMAC - *School District Wellness Policy*):

(a) ensure that all students are supervised while on school property and while attending or traveling to school events or activities on school-provided transporta-

tion;

(b) ensure that all buildings, grounds and facilities provide a safe and orderly environment for public use (see Subsection O of 6.29.1.9 NMAC - *School Facilities and Grounds*; Paragraph (8) of Subsection D of 6.12.6.8 NMAC - *School District Wellness Policy* and 6.19.3 NMAC - *Unsafe School Choice Option*);

(7) administer and implement the district's or charter school's approved staff accountability plan and procedures;

(8) ensure that a process is in place to identify, train, assign and support the use of unlicensed content-area experts as resources in classrooms, team teaching, online instruction, curriculum development and other purposes as determined by the superintendent, which shall include, but not be limited to, the following:

(a) establish the specific expertise of the person;

(b) obtain a background check and fingerprint records;

(c) provide the person with a three-hour training, prior to entering a classroom, about how the school operates, appropriate teaching methods and expectations of principal and assigned teacher;

(d) establish a start date and ending date for the person;

(e) ensure that the person is under the direct supervision of the teacher assigned when students are present; and

(f) provide for an evaluation of services upon completion of the assignment;

(9) shall issue the following notifications in accordance with Section 22-10A-16 NMSA 1978, in addition to any other parental notification requirements contained in the No Child Left Behind Act of 2001 (PL 107-110, 20 US Code Section 6301 et seq.); a school district or charter school shall issue these notifications in English and, to the extent possible, in the language of the parent or guardian (if it is known that the parent or guardian's primary language is not English); the district or charter school shall retain a copy of all notifications and shall ensure that information required under this paragraph is available to the public upon request.

(a) Within sixty calendar days from the beginning of each school year, a school district or charter school shall issue a notice to parents informing them that they may obtain written information regarding:

(i) the professional qualifications of their child's teachers, instructional support providers and school principals or charter school administrators;

(ii) other descriptive information, such as whether their teacher has met all qualifications for licensure for the grade level and subjects being taught;

(iii) whether their

child's teacher is teaching under a teaching or assignment waiver;

(iv) the teacher's degree major and any other license or graduate degree held by the teacher;

(v) the qualifications of any instructional support providers that serve their child.

(b) When, by the end of a consecutive four-week period, a child is still being taught by a substitute teacher or a teacher not holding the requisite licensure or licensure endorsement, the school district or charter school shall provide written notice to the parent or guardian that the child is being taught by a substitute teacher or a teacher not holding the requisite licensure or licensure endorsement.

(c) No class may be taught by a substitute teacher, in lieu of a licensed teacher under contract, for more than forty-five (45) school days during a school year.

(d) The secretary shall consider deviations from the requirements of Subparagraph (c) of Paragraph (9) of Subsection B of 6.29.1.9 NMAC when a written request by a local superintendent or charter school administrator is submitted. The request shall include:

(i) the size of the school district;

(ii) the geographic location of the district;

(iii) demonstrated efforts to employ an appropriately-licensed person in the area(s) of need;

(iv) the historical use of substitutes in the district; and

(v) an estimation of the number of days that a substitute will be utilized that exceed the forty-five (45) day limit.

**C. Licensed staff and administrators.**

(1) The licensed staff shall exercise duties specified in law and those assigned by the local district or charter school.

(2) As required by state and federal law, all licensed staff and administrators shall be evaluated on an annual basis.

(3) The detection and reporting of child abuse or neglect is required by both the Children's Code (32A-4-3 NMSA 1978) and the Public School Code (22-5-4.2 NMSA 1978). Abuse of a child under the Children's Code refers to the physical, sexual, emotional or psychological abuse of a child by a parent, guardian or custodian. According to the Children's Code, failure to report abuse or neglect of a child is a misdemeanor. The terms "abuse" and "neglect" are defined in detail in Section 32A-4-2 NMSA 1978 of the Children's Code. There is also the crime of child abuse, which consists of anyone who knowingly, intentionally, negligently or without cause, causes or

permits a child to be placed in a situation of endangerment to the child's life or health, torturing or cruelly confining a child, or exposing a child to the inclemency of weather. To address the detection and reporting of child abuse or neglect in public schools:

(a) school districts and charter schools shall adopt written policies that establish a process for the coordination and internal tracking of child abuse or neglect reports made by district personnel;

(b) school districts and charter schools shall include in their policies a requirement that all personnel shall immediately report suspected child abuse or neglect to either a law enforcement agency, the New Mexico children, youth and families department, or a tribal law enforcement or social services agency for any Indian child residing on tribal land;

(c) school districts and charter schools shall not require their personnel to first report to or notify designated school personnel or go through their chain of command before making the mandatory report described in Subparagraph (a) of Paragraph (3) of Subsection C of 6.29.1.9 NMAC;

(d) no school district or charter school shall adopt a policy that relieves any personnel of their duty to report suspected child abuse or neglect;

(e) school personnel detecting suspected child abuse or neglect, including the suspected crime of child abuse, shall immediately - i.e., the same day - report their observations to one of the offices designated in Subparagraph (b) of Paragraph (3) of Subsection C of 6.29.1.9 NMAC;

(f) all licensed school personnel, including substitute teachers, educational assistants, school nurses, school counselors, school psychologists and other instructional service providers shall complete training provided by the department in the detection and reporting of child abuse or neglect, within their first year of employment by, or providing services to, a school district or charter school;

(g) all persons who have never received training required under Subparagraph (f) of Paragraph (3) of Subsection C of 6.29.1.9 NMAC shall make arrangements to receive training before the end of their current school year;

(h) the department shall develop a training program to detect child abuse or neglect, in coordination with the New Mexico human services department and the New Mexico department of health. This program shall be made available to all colleges, school districts and charter schools in the state offering teacher preparation courses;

(i) nothing in Paragraph (3) of Subsection C of 6.29.1.9 NMAC shall be

interpreted as preventing a school district or charter school from developing and providing its own training for all staff to detect and report suspected child abuse or neglect, in addition to the training offered by the department.

D. Student intervention system (e.g., SAT, RtI, PBS). The school and district shall follow a three-tier model of student intervention as a proactive system for early intervention for students who demonstrate a need for educational support for learning or behavior.

(1) In tier 1, the school and district shall ensure that adequate universal screening in the areas of general health and well-being, language proficiency status and academic levels of proficiency has been completed for each student enrolled. If through universal screening, a referral from a parent, a school staff member or other information available to a school or district suggests that a particular student needs educational support for learning or behavior, then the student shall be referred to the SAT for consideration of interventions at the tier 2 level.

(2) In tier 2, a properly-constituted SAT at each school, which includes the student's parents and the student (as appropriate), shall conduct the student study process and consider, implement and document the effectiveness of appropriate research-based interventions utilizing curriculum-based measures. In addition, the SAT shall address culture and acculturation, socioeconomic status, possible lack of appropriate instruction in reading or math, teaching and learning styles and instructional delivery mechanisms in order to rule out other possible causes of the student's educational difficulties. When it is determined that a student has an obvious disability or a serious and urgent problem, the SAT shall address the student's needs promptly on an individualized basis, which may include a referral for a multi-disciplinary evaluation to determine possible eligibility for special education and related services consistent with the requirements of Subsections D-F of 6.31.2.10 NMAC and federal regulations at 34 CFR Sec. 300.300.

(3) In tier 3, a student has been identified as a student with disability and deemed eligible for special education and related services, and an IEP is developed by a properly-constituted team, pursuant to Subsection B of 6.31.2.11 NMAC and federal regulations at 34 CFR Sec. 300.321.

(4) The department's manual, *the student assistance team and the three-tier model of student intervention*, shall be the guiding document for schools and districts to use in implementing the student intervention system.

E. Records and reports.

(1) Each district and charter school shall maintain and treat all personally identifiable educational records in accordance with the Family Educational Rights and Privacy Act (FERPA), the implementing regulations set forth at 34 Code of Federal Regulations, Part 99 and Inspection of Public Records Act, Sections 14-2-1 through 14-2-12 NMSA 1978.

(2) All records shall be safe from fire and theft and stored in a retrievable manner.

(3) Transcripts and copies of pertinent records of students transferring from one school to another, including disciplinary records with respect to suspension and expulsion, shall be forwarded promptly upon written request by the receiving school.

(4) Local school boards and governing bodies of charter schools shall establish policies providing for inspection of education records by students and parents.

(5) Effective July 1, 2009, after the administration of the eleventh grade SBA, school districts and charter schools are required to record test results on each student's official transcript. The information recorded shall include the following:

(a) district and high school administering the examination;

(b) date of examination administration;

(c) results of the examination for each subject area tested; and

(d) reports of the results in a format and language that is understandable to parents.

F. Organization of grade levels and establishing/closing schools. Any change in a school district or charter school's organizational pattern, including the establishment or closing of a school, shall have the secretary's approval prior to implementation. Requests for change shall be submitted using the department's *organization of grade levels and establishing/closing school waiver request form*. This form shall include: name of superintendent; district/school; mailing address; phone; fax; email address; name of a secondary contact person including the same information; date of submission; local board policy requirement and approval, if required; date of board approval; statement of applicable district or charter school policy and rationale for request. The waiver request shall outline the expected educational benefits.

G. Class loads. Class loads shall be in compliance with the most current class load requirements in Section 22-10A-20 NMSA 1978 and Section 22-15 NMSA 1978.

(1) The individual class load for elementary school teachers shall not exceed

20 students for kindergarten, provided that any teacher in kindergarten with a class load of 15 to 20 students shall be entitled to the assistance of an educational assistant.

(2) The average class load for elementary school teachers at an individual school shall not exceed 22 students when averaged among grades one, two and three, provided that any teacher in grade one with a class load of 21 or more shall be entitled to the full-time assistance of an educational assistant.

(3) The average class load for an elementary school teacher at an individual school shall not exceed 24 students when averaged among grades four, five and six.

(4) The daily teaching load per teacher for grades seven through twelve shall not exceed 160 students, except the daily teaching load for teachers of required English courses in grades seven and eight shall not exceed 135, with a maximum of 27 students per class; and the daily teaching load for teachers of required English courses in grades nine through twelve shall not exceed 150 students, with a maximum of 30 students per class. The teaching load for teachers assigned to laboratories and shops shall adhere to the current workplace safety codes of the industry.

(5) Students receiving special education services integrated into a regular classroom for any part of the day shall be counted in the calculation of class load averages. Students receiving special education services not integrated into the regular classroom shall not be counted in the calculation of class load averages. Only classroom teachers charged with responsibility for the regular classroom instructional program shall be counted in determining average class loads. In elementary schools offering only one grade level, average class loads may be calculated by averaging appropriate grade levels between schools in the school district.

(6) The secretary may waive the individual school class load requirements established in this section. Waivers shall be applied for annually, and a waiver shall not be granted for more than two consecutive years. Requests for class load waivers shall be submitted using the department's *class size waiver request form*. This form shall include: name of superintendent; district/school; mailing address; phone; fax; email address; name of a secondary contact person including the same information; date of submission; local board policy requirement and approval, if required; date of board approval; statement of applicable district or charter school policy and rationale for request. Waivers may only be granted if a school district or charter school demonstrates:

(a) no portable classrooms are available;

(b) no other available sources of funding exist to meet the need for additional classrooms;

(c) the district or charter school is planning alternatives to increase building capacity for implementation within one year; and

(d) the parents of all children affected by the waiver have been notified in writing of the statutory class load requirements; that the school district or charter school has made a decision to deviate from these class load requirements; and of the school district's or charter school's plan to achieve compliance with the class load requirements.

(7) If a waiver is granted pursuant to Paragraph (6) of Subsection G of 6.29.1.9 NMAC to an individual school, the average class load for elementary school teachers at that school shall not exceed 20 students in kindergarten and grade one, and shall not exceed 25 students when averaged among grades two, three, four, five and six.

(8) Each school district or charter school shall report to the department the size and composition of classes subsequent to the 40th day report and the December 1 count. Failure to meet class load requirements within two years shall be justification for the disapproval of the school district's or charter school's budget by the secretary.

(9) The department shall report to the legislative education study committee by November 30 of each year regarding each school district's or charter school's ability to meet class load requirements imposed by law.

(10) Notwithstanding the provisions of Paragraph (6) of Subsection G of 6.29.1.9 NMAC, the secretary may waive the individual class load and teaching load requirements established in this section upon demonstration of a viable alternative curricular plan and a finding by the department that the plan is in the best interest of the school district or charter school; and that, on an annual basis, the plan has been presented to and is supported by the affected teaching staff. The department shall evaluate the impact of each alternative curricular plan annually. Annual reports shall be made to the legislative education study committee. Requests for alternative curricular plans shall be submitted using the department's *collaborative school improvement programs waiver request form*. This form shall include: name of superintendent; district/school; mailing address; phone; fax; email address; name of a secondary contact person including the same information; date of submission; local board policy requirement and approval, if required; date of board approval; statement of applicable district or charter school policy and rationale for request.

H. Student/staff caseloads

in gifted and special education.

(1) The student/staff caseload shall not exceed 35:1 for a special education teacher and 60:1 for a speech-language pathologist for special education services or speech-only services, in which properly licensed special education teachers or speech-language pathologists travel from class to class or school to school, providing services to students with disabilities whose individualized education programs (IEPs) require a minimal amount of special education. (A minimal amount of special education services shall not exceed 10 per cent of the school day/week.)

(2) The student/staff caseload shall not exceed 24:1 for a special education teacher and 35:1 for a speech-language pathologist for special education services or speech-only services which properly-licensed special education teachers or speech-language pathologists provide to students with disabilities whose IEPs require a moderate amount of special education. (A moderate amount of special education services shall be less than 50 per cent of the school day.)

(3) The student/staff caseload shall not exceed 15:1 for special education services in which properly licensed special education teachers provide services to students with disabilities whose IEPs require an extensive amount of special education for a portion of the school day as appropriate to implement the plan. (An extensive amount of special education services shall be provided 50 per cent or more of the school day.)

(4) The student/staff caseload shall not exceed 8:1 for special education services in which a properly licensed professional provides services to students with disabilities whose IEPs require a maximum amount of special education. (A maximum amount of special education services shall be provided in an amount approaching a full school day.)

(5) The student/adult caseload shall not exceed 4:1 for center-based special education services in which one of the adults in the program is a properly licensed professional providing three- and four-year old children with the amount of special education needed to implement each child's IEP. This includes a child who will turn three at any time during the school year, and who is determined to be eligible for Part B services. The child may be enrolled in a Part B preschool program at the beginning of the school year if the parent so chooses, whether or not the child has previously been receiving Part C services.

(6) The student/adult caseload shall not exceed 2:1 for center-based special education services in which three- and four-year old children have profound educational needs. This includes children who will

turn three at any time during the school year, and who are determined to be eligible. The child may be enrolled in a Part B pre-school program at the beginning of the school year if the parent so chooses, whether or not the child has previously been receiving Part C services.

(7) Adequate student/staff caseloads shall be provided to appropriately address needs identified in the IEPs. Paraprofessionals and assistants who are appropriately trained and supervised in accordance with applicable department licensure rules or written department policy may be used to assist in the provision of special education and related services to students with disabilities under Part B of IDEA.

(8) If the student/staff caseload ratio exceeds the standards provided above, a request for waiver shall be submitted to the department for review and approval by the secretary.

#### I. Length of school day and year.

(1) The district or charter school shall be in compliance with length of school day and year requirements as defined in Section 22-2-8.1 NMSA 1978. Within statutory requirements, the local board or governing body of a charter school determines the length of the school year, which includes equivalent hours. The local board or governing body of a charter school may delegate this authority to the superintendent or charter school administrator who, in turn, may delegate to others.

(2) Time for home visits/parent-teacher conferences. The local board or governing body of a charter school may designate a prescribed number of hours within the school year for home visits or parent conferences up to the following maximum hours: kindergarten: 33 hours; grades 1 through 5: 22 hours; and grades 7 through 12: 12 hours. When grade 6 is in an elementary school, the hours for grades 1 through 5 apply; when grade 6 is in a middle/junior high school, the hours for grades 7 through 12 apply.

(3) All students shall be in school-directed programs, exclusive of lunch, for a minimum of the following:

(a) kindergarten, for half-day programs: two and one-half (2 and 1/2) hours per day or 450 hours per year; or, for full-day programs: five and one-half (5 and 1/2) hours per day or 990 hours per year;

(b) grades one through six: five and one-half (5 and 1/2) hours per day or 990 hours per year; and

(c) grades seven through twelve: six (6) hours per day or 1,080 hours per year.

(4) Testing and assessments are considered part of instructional hours. One

group of students cannot be dismissed while another group of students is testing, unless the students being dismissed already have approved extended-day plans in place for participating in the minimum instructional hours required.

(5) Dismissing students or closing school for staff development and participation in other non-instructional activities does not count toward the minimum instructional hours required. This time is to be built into a district and school schedule as an add-on. Early-release days may be built into a district or charter school calendar when the minimum instructional hours' requirement is otherwise being met.

(6) The student lunch period each day shall be at least thirty (30) minutes. Lunch recess shall not be counted as part of the instructional day.

(7) Districts or charter schools may request a waiver from the secretary if the minimum length of school day requirement creates an undue hardship. Such requests shall be submitted using the department's *instructional hours waiver request form*. This form shall include: name of superintendent; district/school; mailing address; phone; fax; email address; name of a secondary contact person including the same information; date of submission; local board policy requirement and approval, if required; date of board approval; statement of applicable district or charter school policy and rationale for request. Requests shall provide documentation that the following conditions exist:

(a) the educational, societal or fiscal consequences of operating the minimum length of a school day/year significantly impede the district's ability to provide a quality educational program; and

(b) the district or charter school has thoroughly investigated alternatives other than shortening the length of a school day/year in order to address the identified concerns.

(8) When an emergency arises and the emergency affects the required hours, the local superintendent or charter school administrator shall request in writing approval from the secretary regarding the manner in which the lost instructional hours will be made up, or requesting an exemption from the required instructional hours.

#### J. Graduation requirements.

(1) The New Mexico eleventh grade SBA. The district or charter school shall be in compliance with requirements as specified in Section 22-13-1.1 NMSA 1978 and Subsection L of Section 66-7-506 NMSA 1978 (offering driver education, service learning and financial literacy as electives). The department specifies that students shall meet all graduation require-

ments in order to be eligible to receive a diploma. This includes the requirement of passing the eleventh grade SBA.

(2) The next step plan. Each student shall complete a next step plan for each high school year. For students with individualized education programs (IEPs), the transition plan substitutes for the next step plan. The next step plan requires that:

(a) each grade-level next step plan shall be completed within the last 60 school days of the preceding school year (for example, the 9th grade interim next step plan shall be made before the end of the 8th grade year);

(b) only one grade-level next step plan shall be completed for a student each year;

(c) the development of the next step plan shall include the student, the student's parent or guardian and the advisor, but may include additional relevant parties;

(d) to write the next step plan, the advisor shall consult with the student and the student's parent or guardian on academic choices that target the student's interests and meet graduation requirements;

(e) the next step plan shall address career clusters in career and technical education, academic support and study skills, extracurricular experiences and out-of-school activities, exposure to post-secondary education and career options, family and social supports, assessments, credentials and any other relevant information; as part of the next step plan, the advisor shall disseminate and share information concerning advanced placement, honors, dual-credit and distance learning programs;

(f) the next step plan determines whether or not the student is on track with graduation requirements; the plan ensures that gaps in courses and test-taking are filled;

(g) the next step plan may be made in large-group, small-group or individual student settings;

(h) the advisor has the responsibility to see that the student is reasonably informed about curricular and course options, opportunities available that lead to broader post-high school options, and alternative opportunities available if the student does not finish a planned curriculum;

(i) the next step plan shall be signed by the student, the student's parent or guardian and the advisor;

(j) the completed next step plan shall be filed with the school principal or charter school administrator and only the final next step plan shall be filed in the student's cumulative file upon graduation.

(3) Transfer of credits. For students enrolling or re-enrolling in public schools, local school boards or governing bodies of charter schools will establish poli-

cies as follows.

(a) Credits shall be transferable with no loss of value between schools that are accredited by a state board of education in the United States, United States territories, Puerto Rico, the freely-associated states and outlying areas of the United States, department of defense schools or other authorized body.

(b) Policies of the local school board or the governing body of a charter school, for students transferring from home schools, private schools or foreign schools to the public schools, will be in accordance with Subsection D of Section 22-1-4 NMSA 1978.

(c) Acceptance of credits earned through correspondence extension study, foreign study, home study courses or non-department accredited, non-public schools is determined by the policy of the local school board or the governing body of a charter school.

(4) Correspondence courses. For students currently enrolled in public schools, local school boards or governing bodies of charter schools will establish policies addressing the use of correspondence courses to meet graduation requirements.

(a) Policies should be based on the following circumstances:

(i) when road conditions or distance from access to school transportation prohibit regular daily attendance;

(ii) when a student cannot attend school due to prolonged illness or recovery from injury, as part of the individual plan to address the student's educational needs developed in accordance with applicable state and federal regulations governing the education of students with disabilities;

(iii) when the occupation of the parent or student requires prolonged periods of time away from the school district;

(iv) when a student is housed in a long-term residential facility; or

(v) to enhance or supplement graduation requirements based on a student's individual need(s).

(b) Schools counting credit for correspondence courses for enrolled students shall ensure that such courses are part of the student's individual plan for graduation. If applicable, such courses are part of the IEP developed in accordance with applicable state and federal regulations governing the education of students with disabilities, and schools shall ensure that assistance is available to students as needed to complete the correspondence courses.

(c) Correspondence courses used to provide graduation credit to currently enrolled students shall be provided by:

(i) a school accredited

by the state board of education of the state in which the school is located, or

(ii) a college or university with regional accreditation to perform such function.

(5) Dual credit program. "Dual credit program" means a program that allows high school students to enroll in college-level courses offered by public post-secondary educational institutions that may be academic or career-technical in nature, but may not be remedial or developmental, and through which students can simultaneously earn credit toward high school graduation and a post-secondary degree or certificate. (Refer to 6.30.7.6 NMAC.)

(6) Distance learning courses. "Distance learning" means the technology and the educational process used to provide instruction for credit or for a grade, when the course provider and the distance-learning student are not necessarily physically present at the same time or place. Distance learning does not include educational software that utilizes only on-site teaching. Any program involving distance learning shall be governed by the department's distance learning rule, found at 6.30.8 NMAC.

(7) Standardized grading system. Beginning with the 2009-2010 school year, a standardized grading system is required to be implemented by each district and charter school. The system shall include the following components:

(a) a written report to parents regarding the performance of their children tested with the New Mexico standards-based assessments;

(b) for grades 5-12, a standardized alphabetic grading system, based on the 4.0 scale (i.e., a minimum of 4.0 or higher=A, 3.0=B, 2.0=C, 1.0=D); certain courses may be assigned a weighted score according to local policy;

(c) alignment of all district and school curriculum to the New Mexico content standards with benchmarks and performance standards; and

(d) all school report card grades shall reflect standards-based academic performance.

(8) Final examination. A final examination shall be administered to all students in all courses offered for credit.

(9) Credit. Credit cannot be earned twice for the same course.

(10) Other elective credit. Elective credit courses shall meet all New Mexico content standards with benchmarks and performance standards, and shall:

(a) include a written, sequential curriculum;

(b) be taught by an instructor who is appropriately licensed and endorsed to teach the course;

(c) include a final examination; and

(d) be reviewed and approved by the local board of education or governing body of a charter school.

(11) Alternative credit. Local districts, charter schools or state educational institutions may design elective courses, known as alternative credit courses, to satisfy any of the specified credits required for graduation.

(a) The process includes:

(i) review of the licensure and endorsements of affected staff;

(ii) review of required course content standards with benchmarks and performance standards with the proposed elective course, and summary of alignment between the two courses;

(iii) determination of the amount of credit that will be generated;

(iv) publication of information regarding what course is available for alternative credit and identification of STARS course number;

(v) inclusion of the availability of alternative credit in all next-step plans;

(vi) note on the student transcript that the graduation requirement course was completed using the named alternative credit course;

(vii) review and preliminary approval by the local board of education or governing body of a charter school.

(b) Once the process has been completed, the district superintendent or administrator of a charter school or state educational institution shall submit a written request, with appropriate documentation, to the secretary for approval.

(12) Excuses from physical education. The physical education graduation requirement may be waived by the secretary, based upon a request by the local superintendent or charter school administrator with documentation from a licensed medical doctor, osteopath, certified nurse practitioner with prescriptive authority or chiropractor, that the student has a permanent or chronic condition that does not permit physical activity. Such requests shall be submitted using the department's *physical education waiver request form*. This form shall include: name of superintendent; district/school; mailing address; phone; fax; email address; name of a secondary contact person including the same information; date of submission; local board policy requirement and approval, if required; date of board approval; statement of applicable district or charter school policy and, for each student for whom the waiver is requested: name, school and year of student graduation, district affirmation that it possesses required medical documentation, name and email address of school principal and rationale for the request. A student receiving special education supports and services

pursuant to the IDEA or Section 504 of the federal Rehabilitation Act may also be eligible to request this waiver, when appropriate medical documentation is provided in the IEP.

(13) Graduation requirements for issuance of a conditional certificate of transition for students with an IEP. The development of a program of study and the granting of a diploma, or use of a conditional certificate of transition in the form of a continuing or transition individualized educational program (IEP) for students receiving special education services, includes the following governing principles:

(a) The IEP team is responsible for determining whether the student has completed a planned program of study based on the student's strengths, interests, preferences, identified educational and functional needs and long-term educational or occupational goals, making the student eligible to receive either a diploma or a conditional certificate of transition. A conditional certificate of transition allows the student to participate in graduation activities. If a student receives a conditional certificate of transition, the student shall then return to the program specified in the IEP to complete the student's secondary program and meet the requirements for a diploma. In addition, all IEPs shall provide a description of how the student's progress toward meeting annual goals and graduation requirements will be measured, and at what intervals progress will be reported to parents or guardians. A student shall be awarded a diploma upon completion of a planned program of study that meets the requirements of paragraph (b).

(b) A student may be awarded a diploma (Section 22-13-1.1 NMSA 1978) using any of the following programs of study described in (i) through (iii). All IEP team discussion points and decisions identified herein, including the identification of the student's program of study and any student or parent proposals accepted or rejected by the IEP team (if the student has not reached the age of majority), shall be documented on the student's IEP and in the prior written notice (PWN) of proposed action.

(i) A standard program of study is based upon meeting or exceeding all requirements for graduation based on the New Mexico standards for excellence (Subsection J of 6.29.1.9 NMAC) with or without reasonable accommodations of delivery and assessment methods. In addition, a student shall pass all sections of the current state graduation examination(s) administered pursuant to Section 22-13-1.1(I) NMSA 1978 under standard administration or with state-approved accommodations, and shall meet all other standard graduation requirements of the district.

(ii) A career readiness alternative program of study is developed to provide relevance and is based on a student's career interest as it relates to one of the career clusters, with or without reasonable accommodations of delivery and assessment methods. In addition, a student shall take the current state graduation examination(s) administered pursuant to Section 22-13-1.1(K) NMSA 1978, under standard administration or with state-approved accommodations, and achieve a level of competency pre-determined by the student's IEP team; the student shall earn at least the minimum number of credits required by the district or charter school for graduation through standard or alternative courses that address the employability and career development standards with benchmarks and performance standards, as determined by the IEP team. Course work shall include a minimum of four units of career development opportunities and learning experiences that may include any of the following: career readiness and vocational course work, work experience, community-based instruction, student service learning, job shadowing, mentoring or entrepreneurship related to the student's occupational choices. Credits for work experience shall be related to the program of study that the school offers and specific to the district's ability to offer work experience or community-based instruction credits. The student shall achieve competency in all areas of the employability and career development standards with benchmarks and performance standards, as determined by the IEP team and the student's interest as it relates to the career clusters. The program of study shall address the New Mexico content standards with benchmarks and performance standards in other subject areas as appropriate.

(iii) An ability program of study was developed for students who have a significant cognitive disability or severe mental health issues. The IEP goals and functional curriculum course work shall be based on the New Mexico standards with benchmarks and performance standards and employability and career development standards with benchmarks and performance standards. Students in this program of study shall earn the minimum number of credits or be provided equivalent educational opportunities required by the district or charter school, with course work individualized to meet the unique needs of the student through support of the IEP. In addition, a student shall take either the current state graduation examination(s) administered pursuant to Section 22-13-1.1(K) NMSA 1978, under standard administration or with state-approved accommodations, or the state-approved alternate assessment. The student shall achieve a level of competency

pre-determined by the student's IEP team on the current graduation examination or the state-approved alternate assessment, and meet all other graduation requirements established by the IEP team.

(c) The new requirements for the career readiness and ability pathways become effective beginning with students graduating in 2009.

(d) By the end of the eighth grade, each student's IEP shall contain a proposed individual program of study for grades nine through twelve. The program of study shall identify by name all course options the student may take and shall align with the student's long-range measurable post-secondary goals and transition services to facilitate a smooth transition to high school and beyond. This program of study shall be reviewed on an annual basis and adjusted to address the student's strengths, interests, preferences and areas of identified educational and functional needs. The IEP team shall document on the IEP the student's progress toward earning required graduation credits and passing the current graduation examination.

(e) A district or charter school shall provide each student, who has an IEP and who graduates or reaches the maximum age for special education services, a summary of the student's academic achievement and functional performance, which shall include recommendations on how to assist the student in meeting post-secondary goals.

(f) Students graduating on the standard program of study shall meet the state's minimum requirements on all sections of the graduation examination. IEP teams shall document a plan of action on the IEP and the PWN to be carried out by both the student and the district or charter school, to ensure that the student will pass all sections of the graduation examination.

(g) To establish a level of proficiency on the current graduation examination or the state-approved alternate assessment for students on a career readiness program of study or ability program of study, IEP teams shall review the student's performance on the first attempt, and establish a targeted proficiency on all sections that are below the state's minimum requirement. For those students who meet participation criteria for the New Mexico alternate assessment, IEP teams shall set targeted levels of proficiency based upon previous performance on the test. If the student has previously been administered the New Mexico alternate assessment and has achieved an advanced level of overall performance, the IEP team shall arrange for the student to participate in the general graduation examination, and shall identify appropriate accommodations that the student may

require. IEP teams shall document the targeted levels of proficiency on the IEP and the PWN, outlining the plan of action to be taken by both the student and the district or charter school to ensure that the student will meet the targeted levels of proficiency. Districts or charter schools may submit a written request for a waiver to the secretary in cases where a student has medical or mental health issues that may result in regression or that negatively influence the student's ability to achieve targeted levels of proficiency. The written request shall be signed by the superintendent or charter school administrator and shall include documentation of the medical or mental health issues.

(h) Changes in programs of study.

(i) Departures from the standard program of study for students receiving special education services and supports shall be considered in the order of the options listed in Subparagraph (b) of Paragraph (13) of Subsection J of 6.29.1.9 NMAC. Any modified program of study may depart from a standard program of study only so far as is necessary to meet an individual student's educational needs as determined by the IEP team. Districts and charter schools are obligated to meet the requirements of IDEA to provide students with IEPs on any one of the three programs of study, and access to the general curriculum in the least restrictive environment. When an alternative program of study is developed, a building administrator or designee who has knowledge about the student shall be a member of the IEP team

(ii) Districts and charter schools shall document changes from the standard program of study on the PWN. IEP teams shall identify the reasons for changing the student's program of study, shall provide parents with clear concise explanations of the career readiness or ability programs of study, shall notify parents and students of the potential consequences that may limit the student's post-secondary options, and shall make required changes to the IEP and course of study, to ensure that the student meets the requirements of that program of study.

(iii) The IEP team shall not change the program of study for a student entering the final year of high school from the standard program of study to the career readiness program of study, nor from the career readiness program of study to the ability program of study, after the 20th school day of the final year of high school. IEP teams may change a student's program of study from the ability program of study to the career readiness program of study, or from the career readiness program of study to the standard program of study, if the student meets the graduation requirements of that program of study and if the change is

made and documented appropriately in a revised IEP and PWN by a properly constituted IEP team in a properly convened meeting.

(iv) Beginning with students entering the 10th grade, districts and charter schools shall maintain an accurate accounting of graduation programs of study for students with IEPs. Districts and charter schools shall ensure that 80% or more of students with IEPs are in the standard program of study, no more than 10 - 15% of students with IEPs shall graduate in the career readiness program of study, and no more than 1- 3% of students with IEPs shall graduate in the ability program of study. Districts or charter schools exceeding the above maximum percentages shall submit a request for a waiver regarding each student affected. The request for waiver shall include the district name, the high school name, a list of all students on the alternate program of study exceeding the maximum percentage (including student demographics, unique student identifiers and the justification for changing each student's program of study). The waiver request shall be signed and submitted by the superintendent or charter school administrator to the secretary.

(i) A student who receives special education services may be granted a conditional certificate of transition in the form of a continuing or transition IEP when:

(i) the IEP team provides sufficient documentation and justification that the issuance of a conditional certificate of transition for an individual student is warranted;

(ii) prior to the student's projected graduation date, the IEP team provides a PWN stating that the student will receive a conditional certificate of transition;

(iii) the district or charter school ensures that a conditional certificate of transition is not a program of study and does not end the student's right to a FAPE;

(iv) the district or charter school ensures that a conditional certificate of transition entitles a student who has attended four years or more of high school to participate in graduation activities, and requires that the student continue receiving special education supports and services needed to obtain the high school diploma;

(v) the district or charter school ensures that, prior to receiving a conditional certificate of transition, the student has a continuing or transition IEP;

(vi) the student's continuing or transition IEP outlines measures, resources and specific responsibilities for both the student and the district or charter school to ensure that the student receives a diploma.

(j) A student who does not return to complete the program of study as outlined in the continuing or transition IEP will be considered as a dropout.

(k) A student who receives a conditional certificate of transition is eligible to continue receiving special education services until receipt of a diploma or until the end of the academic year in which the student becomes 22 years of age.

(l) Graduation plans shall be a part of all IEPs:

(i) by the end of eighth grade, or by the time the student turns 14 years of age, and concurrent with the development of the student's transition plan in accordance with federal regulations at 34 CFR 300.320;

(ii) when a student returns to a school after an extended absence, and if an IEP program of study may have been developed but needs to be reviewed; or

(iii) when evaluations warrant the need for a modified program of study at any time after development of an initial graduation plan.

(m) Graduation plans shall be a part of all of all IEPs and annual reviews, and shall follow the student in all educational settings. Receiving institutions that fall under the department's jurisdiction will recognize these graduation plans, subject to revision by new IEP teams, if appropriate to meet a student's changing needs.

(n) At the exit IEP meeting, the team shall review the student's transition plan, and shall confirm and document that all state and district requirements for graduation under the final IEP have been satisfied. A building administrator who has knowledge about the student shall be a member of this team, and shall sign specifically to verify and accept completed graduation plans, goals and objectives pursuant to (i) - (iii) of Subparagraph (b) of Paragraph (13) of Subsection J of 6.29.1.9 NMAC, or plans for a conditional certificate of transition with a continuing or transition IEP, pursuant to Subparagraph (i) of Paragraph (13) of Subsection J of 6.29.1.9 NMAC. The IEP team shall ensure that the student has current and relevant evaluations, reports or other documentation necessary to support a smooth and effective transition to post-secondary services for a student who will graduate on one of the three programs of study. The school shall arrange for any necessary information to be provided at no cost to the students or parents. The school shall submit a list of students who will receive the diploma through a career readiness or ability program of study to the local superintendent or charter school administrator, using the students' identification numbers. This list shall be totalled and submitted to the local school board or governing body of a charter

school. This information shall be treated as confidential in accordance with the FERPA.

(o) Students eligible for special education services are entitled to a FAPE through age 21. If a student turns 22 during the school year, the student shall be allowed to complete the school year. If a student becomes 22 prior to the first day of the school year, the student is no longer eligible to receive special education services.

(p) The receipt of a diploma terminates the service eligibility of students with special education needs.

(q) All diplomas awarded by a school district or charter school shall be identical in appearance, content and effect, except that symbols or notations may be added to individual students' diplomas to reflect official school honors or awards earned by students.

(14) Future changes in graduation requirements. Refer to 6.29.1.13 NMAC.

K. Statewide accountability program.

(1) Educational accountability. The local board of education or charter school governing body and the district superintendent or charter school administrator are responsible for providing educational services that support student learning. Educational accountability has two mechanisms and three indicators which impact the approval of the district's budget and accreditation status. The accountability mechanisms are accreditation and the program/budget review process. These two mechanisms shall align directly with the district or charter school's EPSS. The indicators are community representation, local accountability indicators and statewide accountability indicators.

(2) Accountability mechanisms.

(a) Accreditation. Accreditation will be conducted in accordance with Subsection F of Section 22-2-2 NMSA 1978. Verification of the district or charter school's EPSS and student progress will occur on a regular basis. State and federal regulations which fall within the scope of accreditation will also be monitored.

(b) Program/budget review and approval. The program/budget review and approval process, including assessment and evaluation, occurs annually. Its purpose is to link the district or charter school's program needs directly with budgetary resources. In order for a district or charter school to obtain an approved budget, the district shall:

(i) document the local board or charter school governing body's determination of needs as defined in its EPSS (Section 22-8-18 NMSA 1978);

(ii) document minimum budget requirements (Section 22-8-9 NMSA 1978);

(iii) document parent

involvement in budget preparation (Section 22-8-11 NMSA 1978);

(iv) complete the annual program/budget questionnaire; and

(v) comply with requirements specified in Section 22-8-5 NMSA 1978.

(3) Accountability indicators.

(a) Community representation.

Community representatives shall be involved in the budget preparation process, the EPSS process, the EPSS evaluation (including the establishment of local student performance indicators) and the accreditation process. Community representatives include parents, students and other community members who reflect the composition of the student population. Evidence shall be provided to verify different forms of representation.

(b) Local student performance indicators. Local student performance indicators shall:

(i) be identified by the local school district or charter school in conjunction with students, parents, community members and businesses;

(ii) be part of the local EPSS evaluation;

(iii) measure and demonstrate student progress toward the New Mexico content standards with benchmarks and performance standards;

(iv) demonstrate student progress toward identified EPSS goals/focus areas (performance indicators);

(v) be included as an integral part of the accreditation and program/budget review processes; and

(vi) use any other indicators the district or charter school shall choose for its students.

(c) Statewide student performance indicators. Statewide student performance indicators shall:

(i) be included as an integral part of the accreditation and program/budget review processes;

(ii) be part of the local EPSS evaluation;

(iii) measure and demonstrate student progress toward the New Mexico content standards with benchmarks and performance standards;

(iv) communicate clearly to parents and the general public the students' progress toward meeting the goals established by the district and school, or charter school; and

(v) describe performance levels across the grade levels and across the curriculum.

L. Statewide student assessment system. As stated in 22-2-8.13 NMSA 1978, students' knowledge and skills are assessed and evaluated through the New Mexico content standards with bench-

marks and performance standards, the New Mexico standards-based assessments (SBA) and local measures. All public schools, state educational institutions and educational programs conducted in state institutions other than New Mexico military institute, as noted in the scope of this rule, shall participate in the statewide student assessment system.

(1) The statewide student assessment system. All public school students, with the exceptions indicated below, shall participate in the SBA, which includes standards-based assessments in grades 3 through 8 and grade 11 and other tests, including short-cycle assessments in grades 9 and 10.

(2) Exceptions. Exceptions include special provisions and requirements for the assessment of English language learners and students with IEPs.

(a) English language learners. Students who have limited English language skills [i.e., students who are "English language learners" as determined by the department's language assessment instrument (the New Mexico English language proficiency assessment - NMELPA)] shall participate in the statewide testing program. The following considerations specify how assessment shall be conducted.

(i) Length of enrollment in U.S. schools. The options for participation of English language learners in the New Mexico standards-based assessment program depend on the length of time that the student has been enrolled in U. S. public schools. For students who are new to U.S. schools, the following applies: If the student has not been in the school for a full academic year at the time of testing, the student's test results will not be included in the performance data used to determine the AYP of the school. Students who are enrolled for the first year in a U.S. school may receive a language exemption from the SBA for the reading subtest only. In this situation, the student's score on the NMELPA, if available, will be substituted for the reading subtest and will count toward the district or school's required 95% participation rate. If this option is chosen for a student, the language exemption for reading only indicator shall be completed on the SBA's student biogrid sheet. In all other content areas of the SBA, the student shall participate in the Spanish-language version of the assessment (if available and appropriate) or in the English-language version with accommodations provided, if they are determined to be appropriate by the local school's team, as described in (iii) of Subparagraph (a) of Paragraph (2) of Subsection L of 6.29.1.9 NMAC. For the subtests other than reading, the test completion status shall be student tested all sessions, and the types of accommodations that are provided, if any, shall be

indicated on the student biogrid sheet. Students who have been in U.S. schools for less than three consecutive years shall participate in the statewide assessment program in one of three ways: the student may participate in the standard administration of the English-language version of the assessment without accommodations; the student may participate in the English-language version of the assessment with appropriate accommodations; or the student may participate in the standard administration of the Spanish-language version of the assessment, where available and appropriate. Locally developed portfolio assessments are not permitted, under the terms of federal law.

(ii) Waivers for home language assessment. Students who have been in U.S. schools for three or more consecutive years shall participate in the English-language version of the assessment with or without allowable accommodations, unless a waiver request to continue the testing of the student in the home language of Spanish is approved by the secretary. If, after three consecutive years in U.S. schools, the district or charter school determines (on a case-by-case basis) that academic assessments in the student's home language of Spanish would yield more accurate and reliable information about the student's knowledge of a subject, the district or charter school may request a waiver from the secretary to continue to assess the student in the home language of Spanish. Approved waivers are effective for the current year only; annual waiver requests may be approved for a maximum of two years. The waiver request shall be submitted to the secretary for approval at least three months before the assessment, by the district's superintendent or the charter school administrator. The request shall take the form of a memorandum that includes: student name, student state identification number, school in which the student is currently enrolled, student's grade level, student's English language proficiency scores (from the NMELPA) and date(s) of most recent NMELPA administration, an indication of whether this is the first or second waiver request for the student, the reason or justification for the waiver request, and names of the school team members involved in the decision to request the waiver.

(iii) Accommodations. Districts and charter schools shall provide accommodations to English language learners after consideration of their appropriateness for the individual student. To determine the appropriateness of allowing accommodations, the district or charter school shall consider the student's level of proficiency in all domains of language (listening, speaking, reading, writing and comprehension) and the nature of the school's

instructional program. The district or charter school shall ensure that students do not receive accommodations without current justification supported by data. District and school staff may obtain the technical assistance on procedures for accommodations from the department's district test coordinator's manual or from the department. Each school shall utilize a team to review individual student progress in order to determine accommodations. For students being served on an individualized education program (IEP) or Section 504 Plan, those teams (IEP or Section 504) will respectively determine appropriate test accommodations. For all other students, the school may use its student assistance team (SAT) or form another school-based team for this purpose, but the team shall be comprised of at least three school staff, including staff who are familiar with the student's abilities and language needs, standardized test procedures and valid ELL test accommodations. Team members may include: the student's bilingual multicultural education- or TESOL-endorsed teacher, the bilingual multicultural education program coordinator, the student's other teacher(s), administrators or school test coordinators, or the school counselor. The student's parent or guardian, the student and other staff members may be also included, as appropriate. The team shall base its decisions about appropriate accommodations on the following: annual review of the student's progress in attaining English proficiency, student's current English language proficiency, including the student's experience and time in U. S. schools, student's expected date for exiting English language learner accommodations, student's familiarity with the accommodation under consideration, the primary language of instruction used in the content area to be assessed and the length of time that the student has received instruction in that language, and the student's grade level. Written documentation of accommodation decisions made by the team shall be stored in the student's cumulative file and shall be reported to the department's bureau of assessment and evaluation.

(b) Students with IEPs. Students with IEPs who receive special education and related services shall participate in all statewide and district-wide assessments of student achievement or in state-approved alternate assessments. Pursuant to Subsection E of 6.31.2.11 NMAC, 34 CFR 300.320 (a)(2)(ii) and 34 CFR 300.320(a)(6), the IEPs for such students shall specify which assessments each student will participate in and what, if any, accommodations or modifications in administration are needed to enable the student to participate. The IEPs for students who will not participate in a particular statewide or district-wide assessment shall

meet state-approved criteria, methods and instruments.

(c) Waiver of the eleventh grade SBA (graduation requirement assessment).

(i) With the approval of the local board of education or charter school governing body, the local superintendent or charter school administrator may request written approval from the secretary to award a diploma to a student who has not passed the eleventh grade SBA. The district or charter school shall document student attainment of required competencies through an alternative assessment procedure and shall submit such a request using the department's *eleventh grade SBA waiver request* form. This form shall include: name of superintendent; district/school; mailing address; phone; fax; email address; name of a secondary contact person including the same information; date of submission; statement of applicable district or charter school policy, list of students for whom the waiver request is being made including: student name, school, date of board approval, and statement of whether or not competencies are documented through an alternative assessment; and rationale for request.

(ii) With appropriate documentation, a passing score on another state's graduation requirement assessment shall substitute for the eleventh grade SBA.

M. Indigent identification and guidelines.

(1) A student who has been deemed eligible for free or reduced-price school meals, or a student who has been identified by the children, youth and families department as being in the custody of the state, shall be deemed indigent for the purposes of remediation programs and damage of instructional materials, as discussed in Sections 22-2C-6 and 22-15-10 NMSA 1978.

(2) A parent or guardian of a student who has not applied for free or reduced-price school meals shall be notified in writing by the local school board or governing body of a charter school of the availability of remediation at no charge upon an eligibility determination for free or reduced-price school meals.

N. Emergency drills and practiced evacuations.

(1) Emergency drills shall be conducted in each public school and private school in the state, as follows:

(a) at least once per week during the first four weeks of the school year, and at least once per month during the remainder of the school year;

(b) two of these drills shall be shelter-in-place drills;

(c) one of these drills shall be an evacuation drill;

(d) nine of these drills shall be fire

drills, with one fire drill required each week during the first four weeks of school;

(e) in locations where a fire department is maintained, a member of the fire department shall be requested to be in attendance during the emergency drills for the purpose of giving instruction and constructive criticism;

(f) it shall be the responsibility of the person in charge of a school to carry out the provisions related to emergency drills.

(2) Requirements to comply and penalties for non-compliance:

(a) It shall be the responsibility of the superintendent of a school district, a charter school administrator or private school counterpart(s) to ensure that each school under the person's authority follows the requirements set forth in Subsection N of 6.29.1.9 NMAC.

(b) In the event that the person responsible for complying with Subsection N of 6.29.1.9 NMAC fails or refuses to comply with this subsection, the department may, in the case of a public school, take any action designed to ensure prompt corrective action or future compliance, including reporting the non-compliance to either the state fire marshal or to a local fire department. In the case of a private school, the department will report the non-compliance to either the state fire marshal or to a local fire department and may consider adverse licensure action.

(c) Failure or refusal to comply with the requirements in Subsection N of 6.29.1.9 NMAC for holding emergency drills shall constitute grounds to suspend or revoke the license of the person responsible for compliance. The due process procedures under the Uniform Licensing Act (Sections 61-1-1 through 61-1-31 NMSA 1978) shall apply.

O. School facilities and grounds. Pursuant to Subsection B of 6.29.1.9 NMAC (*Duties of the Superintendent*); Subsection D of 6.12.6.8 NMAC (*School District Wellness Policy*); and 6.19.3 NMAC (*Unsafe School Choice Option*), each school district or charter school shall ensure that all buildings, facilities and grounds provide a safe and orderly environment for public use; i.e., that they shall be:

(1) safe, healthy, orderly, clean and in good repair;

(2) in compliance with the Americans with Disabilities Act-Part III and state fire marshal regulations, Sections 59A-52-1 through 59A-52-25 NMSA 1978;

(3) safe for conducting experiments and school projects in all school laboratories and shops, as established in written school safety procedures which are reviewed annually; these procedures include, but are not limited to:

(a) personal protective equip-

ment;

(b) adequate ventilation and electrical circuitry;

(c) material safety data sheets;

(d) body and eye washes; and

(e) training appropriate for each teaching situation;

(4) the maximum number of occupants in a laboratory or shop teaching space shall be based on the following:

(a) the number of work stations;

(b) the building and fire safety codes;

(c) the design of the laboratory or shop teaching facility;

(d) appropriate supervision and the special needs of students; and

(e) all applicable OSHA regulations;

(5) appropriate procedures for the storing, handling and removal of toxic or dangerous substances shall be established and implemented; all school programs (including those areas noted above and custodial areas, art room, library and cafeteria) shall comply with standard safety practices and all applicable state and federal regulations;

(6) use of pesticides by districts and charter schools will be governed by the following standards:

(a) Definitions as used in this section:

(i) "Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest.

(ii) "Pest" means any living organism injurious to other living organisms, except humans, viruses, bacteria or other microorganisms in or on other living organisms other than plants, which is declared to be a pest pursuant to the Pesticide Control Act, Sections 76-4-1 through 76-4-39 NMSA 1978.

(b) Districts and charter schools will develop procedures for the implementation of pest management with consideration for reducing the possible impact of pesticide use on human health and the environment, including people with special sensitivities to pesticides. Procedures will include, but are not limited to, the following:

(i) No pesticide may be applied to public school property and no pest control device, as defined in the New Mexico Pesticide Control Act, may be used on public school property except those pesticides and devices currently registered for legal use in the state by the New Mexico department of agriculture.

(ii) No pesticide may be applied to public school property except by those persons certified in the applicable category and currently licensed by the New Mexico department of agriculture or by

employees under their direct supervision.

(iii) Pesticides will only be applied in or on the outside of school buildings when a pest is present, and will not be applied on a regular or calendar basis unless it is to treat an infestation and is a part of a pest management system being implemented to address a particular target pest. A pest is considered to be present when it is observed directly or can reasonably be expected to be present based on finding evidence, such as droppings, body parts, or damage that is typically done by the pest. This section of the regulation does not apply to pre-construction termite treatments or the use of outdoor herbicides.

(iv) Pesticides that are applied in a liquid, aerosolized or gaseous form through spraying, aerosol cans, bombs, fumigation or injections into the ground, foundation or plants will not be applied on public school property when students, staff or visitors are present, or may reasonably be expected to be present within 6 hours of the application. In emergency cases, where a pest infestation threatens the health or safety of the occupants of public school property, and which requires the immediate application of a pesticide to remediate, students, staff and other school occupants will be removed from the treatment area prior to the application. Small amounts of gel or liquid pesticides applied to cracks and crevices or baits used to treat pest infestation are exempt from this section.

(v) At the beginning of each year, and when new students register, schools will develop a list of parents and guardians who wish to be notified prior to pesticide application during the school year. These parents/guardians will be notified in writing prior to pesticide application. General notification of anticipated pesticide applications will occur by posting or dissemination of notices, by oral communication or other means of communication. In emergency cases where a pest infestation threatens the health or safety of the occupants of public school property, no pre-notification is required. Immediately following the application of a pesticide in emergency cases, signs will be posted indicating an application was made.

(vi) Written records of pesticide applications will be kept for three years at each school site and be available upon request to parents, guardians, students, teachers and staff.

(vii) If any part of Paragraph (6) of Subsection O of 6.29.1.9 NMAC is found to be in conflict with the provisions of the Pesticide Control Act, the remainder of the regulation will remain in full force and effect.

P. School district budget-

ing. Section 22-8-4 NMSA 1978 requires the department to prescribe forms for, supervise and control the preparation of all budgets of all public schools and school districts, and to compile accurate information concerning public school finance and administration. Sections 22-8-5 through 22-8-12.1 NMSA 1978 set out specific budget preparation and submission requirements for the department, public schools and public school districts. Regulations governing budgeting and accounting for New Mexico public schools and school districts are set out in 6.20.2 NMAC.

Q. Final course and other student grade changes. Any changes to students' course or other grades shall be governed by the state rule, "*Final Course and Other Student Grade Changes*" (6.30.10 NMAC).

[6.29.1.9 NMAC - Rp, 6.30.2.10 NMAC, 6-30-2009]

#### 6.29.1.10 WAIVERS:

A. To obtain a waiver from the department for procedural or program requirements, a district superintendent or the administrator of a state-chartered charter school shall submit a request to the secretary, in the manner required by the department, with justification for the change. The request and the response shall be kept on file by the district or charter school and the department, and these records shall be available for review by the public.

B. The secretary may waive a graduation requirement for a student based upon the written request of the superintendent or the administrator of a state-chartered charter school, using the department's *graduation waiver request* form. This form shall include: name of superintendent; district/school; mailing address; phone; fax; email address; name of a secondary contact person including the same information; date of submission; local board policy requirement and approval, if required; date of board approval; statement of applicable district or charter school policy and rationale for request.

C. No other waivers of provisions of the Public School Code shall be permitted unless authorized by law. [6.29.1.10 NMAC - N, 6-30-2009]

#### 6.29.1.11 PROGRAM REQUIREMENTS:

A. Curriculum.

(1) Local curricula shall be aligned with the applicable New Mexico content standards with benchmarks and performance standards. In accordance with Section 22-13-1.6 NMSA 1978, each school district shall align its curricula to meet the state standards for each grade level and subject area so that students who transfer between public schools within the school

district receive the same educational opportunity within the same grade or subject area. Each school district's aligned grade level and subject area curricula shall be in place for mathematics by the 2009-2009 school year.

(2) Adopted instructional materials shall support the aligned local curricula. The state standards revision cycle, the local curriculum cycle and the instructional materials cycle shall be aligned and sequenced to provide standards-based curricula that are supported by aligned instructional materials. At the completion of each standards revision cycle, the standards-based state assessment program shall be reviewed to determine the need for realignment.

(3) All courses offered for credit shall have written, delivered, assessed and sequential curriculum.

(4) Written and delivered curricula shall be congruent, state what students should know and be able to do, and include an assessment process.

(5) The curricula shall be assessed as part of the EPSS process.

(6) The curricula shall support the EPSS.

B. Subject areas. The district or charter school shall be in compliance with subject area requirements as specified in Section 22-13-1 NMSA 1978.

(1) The department shall require instruction in specific subject areas as provided in Paragraphs (2) through (7) of Subsection B of 6.29.1.11 NMAC. Any public school or school district failing to meet these minimum requirements shall not be accredited by the department.

(2) All kindergarten through third grade classes shall provide daily instruction in reading and language arts skills, including phonemic awareness, phonics and comprehension; and in mathematics. Students in kindergarten and first grades 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.

(3) All first, second and third grade classes shall provide instruction in art, music and a language other than English, and instruction that meets content standards, benchmarks and performance standards shall be provided in science, social studies, physical education and health education.

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

(a) 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;

(b) mathematics;

(c) a language other than English;

(d) communication skills;

(e) science;

(f) art;

(g) music;

(h) social studies;

(i) New Mexico history;

(j) United States history;

(k) geography;

(l) physical education; and

(m) health education.

(5) In eighth grade, algebra I shall be offered in regular classroom settings, through online courses or agreements with high schools.

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

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

(8) In every grade, inquiry-based laboratory components are at the core of the science program, and shall be woven into every lesson and concept strand. For required science units in grades nine through twelve, "laboratory component" means an experience in the laboratory, classroom or the field that provides students with opportunities to interact directly with natural phenomena or with data collected by others using tools, materials, data collection techniques and models. Throughout the process, students shall have opportunities to design investigations, engage in scientific reasoning, manipulate equipment, record data, analyze results and discuss their findings. The laboratory component comprises at least 40 per cent of the unit's instructional time. All science classes that include dissection activities as part of the curriculum shall provide virtual dissection techniques as alternative activities for any student who is opposed to real dissections for ethical, moral, cultural or religious reasons. Alternative techniques shall approximate the experience of real dissection activities as closely and appropriately as possible. A virtual dissection technique means carrying out dissection activities using computer two-dimensional or three-dimensional simulations, videotape or videodisk simulations, take-apart anatomical models, photographs or anatomical atlases.

C. Bilingual multicultural education. Bilingual multicultural education shall be provided to meet the identified educational and linguistic needs of linguistically and culturally different students, including Native American children, and other students who may wish to participate, in grades K-12, with priority to be given to programs in grades K-3. These programs shall:

(1) provide services in accor-

dance with the Bilingual Multicultural Act (Sections 22-23-1 through 6 NMSA 1978) and the Bilingual Education Regulation (Sections 6.32.2.7 through 6.32.2.11 NMAC);

(2) be implemented in accordance with the identified needs of qualifying culturally and linguistically different students and ensure equal educational opportunities;

(3) be assessed as part of the EPSS process; and

(4) support the local curriculum and EPSS.

D. Career and technical education (CTE). Career and technical education programs for both elementary and secondary levels shall:

(1) be in accordance with Section 22-14-1 through 22-14-30 NMSA 1978 and the Carl Perkins Act;

(2) provide exploratory and skill development program offerings;

(3) ensure students' mastery of the New Mexico career and technical education content standards with benchmarks and performance standards;

(4) include competency-based applied learning;

(5) be assessed as part of the EPSS process; and

(6) support the local curriculum and the EPSS.

E. School health. School health programs provide opportunities for all students to develop healthy behaviors. Districts and charter schools shall provide or make provisions for school health programs that address the health needs of students and staff. Districts and charter schools shall provide the following programs: health education, physical education, health services and school counseling. Additional programs may include: nutrition, staff wellness, family-school-community partnerships, healthy environment and psychological services. These programs shall:

(1) be in accordance with Section 22-10A-34 and Section 24-5-1 through 24-5-6 NMSA 1978;

(2) provide education and skill development program offerings;

(3) provide community partnerships which help to achieve the goal of healthy students and staff;

(4) be assessed as part of the EPSS process; and

(5) support the local curriculum and EPSS.

F. Special education. Special education is specially-designed instruction that is provided at no cost to parents to meet the unique needs of a student with a disability, as defined in the IDEA regulations (34 CFR Part 300 and state special education regulations (6.31.2 NMAC). Special education programs shall:

(1) provide specially-designed instruction in career and technical education and travel training for students whose IEPs require such services;

(2) provide instruction to students placed on homebound services as per their IEP; and

(3) provide instruction in state-supported educational programs, hospitals, institutions and other settings. As set forth in the state special education regulations at Paragraph (15) of Subsection C of 6.31.2.7 NMAC, special education may include speech-language pathology services consisting of specially-designed instruction that is provided to enable a student with a disability, as recognized under IDEA, to have access to the general curriculum and to meet the educational standards of the public agency that apply to all children;

(4) provide instruction, in accordance with Section 22-13-1 (D) NMSA 1978, for the unique needs of gifted and talented students;

(5) be assessed as part of the EPSS process; and

(6) support the local curriculum and EPSS.

G. Supplemental programs. Programs which supplement, but do not replace, state operational programs may include, but are not limited to: Title I - Improving the Academic Achievement of the Disadvantaged (NCLB); Title II - Preparing, Training and Recruiting High Quality Teachers and Principals (NCLB); Title III - Language Instruction for Limited English Proficient and Immigrant Students (NCLB); Title IV, Part A - Safe and Drug Free Schools and Communities (NCLB); Title V - Promoting Informed Parental Choice and Innovative Programs (NCLB); Title VI - Flexibility and Accountability (NCLB), Title VII - Indian, Native Hawaiian and Alaska Native Education (NCLB), Title VIII - Impact Aid Program (NCLB), the Johnson-O'Malley Act and Individuals with Disabilities Education Improvement Act (IDEA, 2004). Supplemental programs shall:

(1) provide services as required by federal laws and assurances, including Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act (EEOA) of 1974;

(2) be assessed as part of the EPSS process; and

(3) support the local curriculum and EPSS.

H. Support services. Districts and charter schools shall provide support service programs which strengthen the instructional program. Required support service programs are: library media, school counseling and health services. Support services shall:

(1) have a written, delivered and assessed program, K-12;

(2) provide licensed staff to develop and supervise the program;

(3) be assessed as part of the EPSS process; and

(4) support the local curriculum and EPSS.

I. Technology in education. The Technology for Education Act establishes a fund and a system for equal distribution of funds based upon final funded student membership within each school district and charter school. The Technology for Education Act requires annual review and approval of each school district and charter school's educational technology plan, through which every school district and charter school reports to the department the fiscal distributions received, expenditures made and educational technology obtained by the district or charter school, and other related information. As districts and charter schools develop, refine and implement strategic long-range plans for utilizing educational technology, each plan shall:

(1) be in accordance with Section 22-15A-10 NMSA 1978;

(2) be assessed as part of the EPSS process; and

(3) support the local curriculum and EPSS.

[6.29.1.11 NMAC - Rp, 6.30.2.11 NMAC, 6-30-2009]

**6.29.1.12 SEVERABILITY:** If any part or application of this rule is held invalid by a court of competent jurisdiction, the remainder or its application to other situations shall not be affected.

[6.29.1.12 NMAC - N, 6-30-2009]

**6.29.1.13 FUTURE CHANGES IN LAW THAT AFFECT THIS RULE:**

A. This rule will be periodically amended to reflect changes in law or laws that were enacted with delayed effect provisions.

B. Most noteworthy as of the initial insertion of this section are the changes to graduation requirements that were included by the Laws of 2007, Chapter 308, Section 8, Senate Bill 211 of the 48th legislature, first session, amending Section 22-13-1.1 NMSA 1978. Those changes include:

(1) a requirement that each school district shall align its curricula to meet the state standards for each grade level and subject area; each school district's aligned grade level and subject area curricula shall be in place for language arts and science by the 2009-2010 school year (Section 22-13-1.6 NMSA 1978);

(2) a requirement that, in order to

graduate, students entering ninth grade beginning in the 2009-2010 school year shall earn at least one unit in either an advanced college placement or honors course, a dual credit course offered by a college, or a distance learning course;

(3) a requirement that, for students entering ninth grade beginning in the 2009-2010 school year, the number of science courses that must have a lab component is increased from one to two (Section 22-13-1.1 Section 1, Paragraph 3 NMSA);

(4) a requirement that, after July 1, 2010, the currently-issued high school diploma will be replaced by the New Mexico diploma of excellence;

(5) a requirement that, in order to receive the New Mexico diploma of excellence to graduate (unless a student has a parent-signed permission exempting the student from this requirement), students entering ninth grade beginning in the 2009-2010 school year shall successfully complete a minimum of twenty-four (24) credits aligned to the state academic content standards with benchmarks and performance standards;

(6) a requirement that, in order to graduate, beginning in the 2010-2011 school year, a student shall not receive a high school diploma if the student has not demonstrated competence in the subject areas of mathematics, reading and language arts, writing, science and social studies, including a section on the constitutions of the United States and New Mexico;

(7) a provision that those students who exit a public school after the twelfth grade without having satisfied these requirements may receive an appropriate state certificate that indicates the number of credits the student earned and grade completed, with the added provision that a student who, within five (5) years after exiting school, satisfies these requirements may receive a high school diploma.

[6.29.1.13 NMAC - N, 6-30-2009]

#### **HISTORY OF 6.29.1 NMAC:**

**Pre-NMAC HISTORY:** The material in this part is derived from that previously filed with the State Records Center:

SDE 74-17, (Certificate No. 74-17), Minimum Educational Standards for New Mexico Schools, filed April 16, 1975.

SDE 76-9, (Certificate No. 76-9), Minimum Education Standards for New Mexico Schools, filed July 7, 1976.

SDE 78-9, Minimum Education Standards for New Mexico Schools, filed August 17, 1978.

SBE 80-4, Educational Standards for New Mexico Schools, filed September 10, 1980.

SBE 81-4, Educational Standards for New Mexico Schools, filed July 27, 1981.

SBE 82-4, Educational Standards for New Mexico Schools, Basic and Vocational

Program Standards, filed November 16, 1982.

SBE Regulation No. 83-1, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed June 24, 1983.

SBE Regulation 84-7, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed August 27, 1984.

SBE Regulation 85-4, Educational Standards for New Mexico Schools, Basic, Special Education, and Vocational Programs, filed October 21, 1985.

SBE Regulation No. 86-7, Educational Standards for New Mexico Schools, filed September 2, 1986.

SBE Regulation No. 87-8, Educational Standards for New Mexico Schools, filed February 2, 1988.

SBE Regulation No. 88-9, Educational Standards for New Mexico Schools, filed October 28, 1988.

SBE Regulation No. 89-8, Educational Standards for New Mexico Schools, filed November 22, 1989.

SBE Regulation No. 90-2, Educational Standards for New Mexico Schools, filed September 7, 1990.

SBE Regulation No. 92-1, Standards for Excellence, filed June 30, 1992.

#### **History of Repealed Material:**

6.30.2 NMAC, Standards for Excellence, filed November 2, 2000 - Repealed effective June 30, 2009.

#### **NMAC History:**

6 NMAC 3.2, Standards for Excellence, filed October 17, 1996.

6.30.2 NMAC, Standards for Excellence, November 2, 2000, replaced by 6.29.1 NMAC, General Provisions; 6.29.2 NMAC, Arts Education; 6.29.3 NMAC, Career and Technical Education; 6.29.4 NMAC, English Language Arts; 6.29.5 NMAC, English Language Development; 6.29.6 NMAC, Health Education; 6.29.7 NMAC, Mathematics; 6.29.8 NMAC, Modern, Classical and Native Languages; 6.29.9 NMAC, Physical Education; 6.29.10 NMAC, Science; 6.29.11 NMAC, Social Studies; effective June 30, 2009.

## **NEW MEXICO PUBLIC EDUCATION DEPARTMENT**

### **TITLE 6 PRIMARY AND SECONDARY EDUCATION CHAPTER 29 STANDARDS FOR EXCELLENCE**

#### **PART 2 ARTS EDUCATION**

**6.29.2.1 ISSUING AGENCY:**  
Public Education Department, hereinafter

the department.

[6.29.2.1 NMAC - N, 6-30-2009]

**6.29.2.2 SCOPE:** All public schools, state educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

[6.29.2.2 NMAC - N, 6-30-2009]

#### **6.29.2.3 STATUTORY AUTHORITY:**

A. Section 22-2-2 NMSA 1978 grants the authority and responsibility for the assessment and evaluation of public schools, state-supported educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

B. Section 22-2-2 NMSA 1978 directs the department to set graduation expectations and hold schools accountable. Section 22-2C-3 NMSA 1978 requires the department to adopt academic content and performance standards and to measure the performance of public schools in New Mexico.

[6.29.2.3 NMAC - N, 6-30-2009]

**6.29.2.4 DURATION:**  
Permanent.

[6.29.2.4 NMAC - N, 6-30-2009]

**6.29.2.5 EFFECTIVE DATE:**  
June 30, 2009, unless a later date is cited at the end of a section.

[6.29.2.5 NMAC - N, 6-30-2009]

#### **6.29.2.6 OBJECTIVE:**

A. The New Mexico content standards with benchmarks and performance standards for the arts are mandated for students in grades K-8. In addition, these standards are required in the arts electives for participating students in grades 9-12. The content areas included in the arts are: dance, music, theatre/drama and visual arts. The New Mexico content standards with benchmarks for the arts were adopted in April 1997 as part of 6 NMAC 3.2; the benchmarks and performance standards were revised in June 2008. They are subdivided into particular benchmarks and performance standards for each of the four areas: dance, music, theatre/drama and visual arts.

B. Visual and performing arts education includes experience, explorations and expressions that develop and integrate all aspects of student intelligence. Visual and performing arts education includes programs through which students participate in dance, drama, music and visual arts. Programs provide for: assessment (using developmentally-appropriate, process-oriented methods), active creative processes and performances, and develop-

ment of knowledge, essential skills and technical mastery unique to each discipline. The arts are essential to a basic education and the right of every student in New Mexico. To ensure visual and performing arts education for all students, the standards shall be delivered through the collaborative efforts of licensed visual and performing arts teachers and elementary and secondary classroom teachers.

[6.29.2.6 NMAC - N, 6-30-2009]

### 6.29.2.7 DEFINITIONS:

Note: Definitions are provided in this section for each of the four areas: dance, music, theatre/drama and visual arts.

A. GENERAL DEFINITIONS: "Program strand" means two or more curriculum strands sharing a distinct philosophy. Dance, music, theatre/drama and visual arts share the same program strands.

B. DEFINITIONS FOR DANCE:

(1) "AB" means a two-part compositional form with an A theme and a B theme; the binary form consists of two distinct, self-contained sections that share either a character or quality (such as the same tempo, movement quality or style).

(2) "ABA" means a three-part compositional form in which the second section contrasts with the first section. The third section is a restatement of the first section.

(3) "ABC" means a three-part compositional form with three contrasting sections.

(4) "Abstraction" means an idea or concept conveyed through movement and removed from its original context.

(5) "Accent" means a strong movement or gesture.

(6) "Action" means a movement event.

(7) "Aesthetic criteria" means standards on which to make judgments about the artistic merit of a work of art.

(8) "Alignment" means the relationship of the skeleton to the line of gravity and base of support.

(9) "Axial movement" means movement anchored to one spot by a body part. Only the available space in any direction is used while the initial body contact is being maintained. Movement is organized around the axis of the body and is not designed for travel from one location to another. Axial movement is also known as non-locomotor movement. Examples include stretching, bending, turning in place, gesturing.

(10) "Balance" means a state of equilibrium referring to the balance of weight or the spatial arrangement of bodies. Designs may be balanced on both sides of

center (symmetrical) or balanced off center (asymmetrical).

(11) "Call and response" means a structure that is most often associated with African music and dance forms, although it is also used elsewhere. One soloist/group performs with the second soloist/group entering "in response" to the first.

(12) "Canon" means a passage, movement sequence or piece of music in which the parts are done in succession, overlapping one another.

(13) "Chance/chance dance" means a method of reordering a dance phrase and finding multiple variations. Elements are specifically chosen and defined but randomly structured to create a dance or movement phrase.

(14) "Choreography" means the creation and composition of dances by arranging or inventing steps, movements and patterns of movements.

(15) "Choreographic" describes a dance sequence that has been created with specific intent.

(16) "Choreographic structure" means the specific compositional forms in which movement is structured to create a dance.

(17) "Classical" means dance that has been developed into highly stylized structures within a culture; generally, it is developed within the court or circle of power in a society.

(18) "Compositional forms" means the overall structural organization of a dance or music composition.

(19) "Contrast" means to set side by side to emphasize differences. In dance, two contrasting movements might differ in energy; space (direction, level); design (symmetrical/asymmetrical, open/closed); timing (fast/slow, even/uneven); or two or more different themes or patterns.

(20) "Coordination" means the planning of elements such as: spatial awareness, timing, balance and combining several movements into a sequence.

(21) "Dance" means movement selected and organized for aesthetic purposes or as a medium of expression, rather than for its function as work or play.

(22) "Dance phrase" means a partial dance idea composed of a series of connecting movements, similar to a sentence in the written form.

(23) "Dance sequence" means the order in which a series of movements and shapes occurs.

(24) "Dance study" means a short work that investigates a specific idea or concept and shows a selection of movement ideas. It can be improvised or composed.

(25) "Dynamics" means the expressive content of human movement, sometimes called qualities or efforts.

Dynamics manifest the interrelationships among the elements of space, time and force/energy. See also "movement quality."

(26) "Elements" means the use of the body moving in space and time with force/energy.

(27) "Elevation" means the body's propulsion into the air away from the floor, such as in a leap, hop, or jump.

(28) "Energy" means an element of dance characterized by the release of potential energy into kinetic energy. It utilizes body weight, reveals the effects of gravity on the body, is projected into space, and affects emotional and spatial relationships and intentions. The most recognized qualities of movement are sustained, percussive, suspended, swinging and collapsing.

(29) "Focus" means, in general, a gathering of forces to increase the projection of intent. In particular, it refers to the dancer's line of sight.

(30) "Folk" means dances that are usually created and performed by a specific group within a culture. Generally, these dances originated outside the courts or circle of power within a society.

(31) "Folk/traditional dance" means dance associated with a nationalistic purpose, usually performed today as a surviving portion of a traditional celebration and done for social gatherings or as recreation.

(32) "General space (shared space)" means a way of managing groups of dancers in a space during improvisation. Dancers take responsibility for monitoring the distance between each other to avoid touching.

(33) "Gesture" means the movement of a body part or combination of parts, with emphasis on the expressive aspects of the move. It includes all movements of the body not supporting weight.

(34) "Improvisation (improvise)" means movement created spontaneously that ranges from free-form to highly structured environments, always including an element of chance.

(35) "Initiation" means the point at which a movement is said to originate. This particularly refers to specific body parts and is generally said to be either distal (from the limbs or head) or central (from the torso).

(36) "Isolation" means movement done with one body part or a small part of the body. Examples are: rolling the head, shrugging the shoulders and rotating the pelvis.

(37) "Kinesphere" means the movement space or the space surrounding the body in stillness and in motion, which includes all directions and levels - both close to the body and as far as the person

can reach with limbs or torso. See "personal space."

(38) "Kinesthetic" means the ability of the body's sensory organs in the muscles, tendons, and joints to respond to stimuli while dancing or viewing a dance.

(39) "Kinesthetic principles" means physics principles that govern motion, flow and weight in time and space; including, for example, the laws of gravity, balance and centrifugal force.

(40) "Levels" means the divisions of space relative to the body: low (near the floor), middle (around the waist) and high (occupied when reaching or leaping).

(41) "Locomotor/locomotor movement" means movement progressing through space from one spot to another. Basic locomotor movements include walking, running, galloping, jumping, hopping, skipping, sliding and leaping.

(42) "Meter" means an organizing pattern of rhythmic pulses used in music and dance. Meter is designated by a fraction such as 4/4 or 3/4.

(43) "Movement pattern" means a repeated sequence of movement ideas, a rhythmic movement sequence, a spatial design on the floor or in the air, or a specific relationship or grouping of people.

(44) "Movement problem" means a specific focus or task that serves as a point of departure for exploration and composing, usually with specific criteria.

(45) "Movement quality" means the identifying attributes created by the release, follow-through and termination of energy, which are key to making movement become dance. Typical terms denoting qualities include sustained, swing, percussive, collapse and vibratory; and effort combinations such as float, dab, punch and glide.

(46) "Movement theme" means a complete idea in movement that is manipulated and developed within a dance.

(47) "Musicality" means the attention and sensitivity to the musical elements of dance while creating or performing.

(48) "Narrative" means the sequence of events of a story or song.

(49) "Non-locomotor movement" - see axial movement.

(50) "Palindrome" means a choreographic structure used with a phrase or a longer sequence of movement in which the phrase, for example, is first performed proceeding from movement 1 to movement 2, etc.; when the last movement of the phrase is completed, the phrase is retrograded from the penultimate movement to the first movement.

(51) "Pathways" means a line along which a person or a part of the person, such as an arm or head, moves (e. g., her arm took a circular path, or he traveled

along a zigzag pathway).

(52) "Personal space" means the volume of space around a person defined by the extent of reach in all directions; kinesphere.

(53) "Phrase" means a brief sequence of related movements that has a sense of rhythmic completion.

(54) "Principles of choreography (choreographic principles)" means the presence of unity, continuity (transitions) and variety (contrasts and repetition) in choreography.

(55) "Projection" means a confident presentation of one's body and energy to communicate movement and meaning vividly to an audience. It also refers to performance quality.

(56) "Pulse" means the underlying and consistent beat.

(57) "Range of motion" means the extent to which a joint allows movement. Dance stretches and exercises are often designed to extend this range.

(58) "Re-ordering" means a choreographic process in which known and defined elements (specific movements, movement phrases, etc.) are separated from their original relationship and restructured in a different pattern.

(59) "Repetition" means the duplication of movements or movement phrases within choreography.

(60) "Rhythmic acuity" means the physical, auditory recognition of various complex time elements.

(61) "Rhythmic movement" means moving in a structure of patterns in time; a movement with a regular succession of strong and weak elements; the pattern produced by emphasis and duration of notes in music.

(62) "Rondo" means a form in which the principal theme is repeated several times, with short sections based on different themes in between each restatement of the opening theme.

(63) "Shape" means the positioning of the body in space: curved, straight, angular, twisted, symmetrical or asymmetrical.

(64) "Space" means an element of dance that refers to the immediate spherical space surrounding the body in all directions. Use of space includes shape, direction, path, range and level of movement. Space is also the location of a performed dance.

(65) "Spatial" means of or relating to space or existing in space.

(66) "Style" means a distinctive manner of moving; the characteristic way dance is done, created or performed that identifies the dance of a particular performer, choreographer or period.

(67) "Technique" means the physical skills of a dancer that enable him or her to execute the steps and movements

required in different dances. Different styles or genres of dance often have specific techniques.

(68) "Technology" means electronic media (such as video, computers or lasers) used as tools to create, learn, explain, document, analyze or present dance.

(69) "Tempo" means the speed of music or a dance.

(70) "Theatrical" means dance genres primarily developed for the stage (such as jazz and tap).

(71) "Theme" means the unifying subject or idea; in music, it means the principal melody.

(72) "Time" means an element of dance involving rhythm, phrasing, tempo, accent and duration. Time can be metered, as in music, or based on body rhythms, such as breath, emotions and heartbeat.

(73) "Traditional dance" means those dances and dance forms that have arisen out of the tradition of a people, such as the folk dances of indigenous peoples of Europe or other areas.

(74) "Transition" means the bridging point at which a single movement, the end of a phrase, or even the end of a larger section of a dance progresses into the next movement, phrase or sequence.

(75) "Unison" means dance movement that takes place at the same time in a group.

(76) "Unity" means the feeling of wholeness in a dance achieved when all of the parts work well together.

(77) "Variety in dance" means a quantity or range of different things. To maintain audience interest, the composition choreographer must provide variety within the development of the dance. Contrasts in the use of space, force and spatial designs, as well as some repetition of movements and motifs, provide variety.

(78) "Warmup" means movements or movement phrases designed to raise the core body temperature and bring the mind into focus for the dance activities to follow.

#### C. DEFINITIONS FOR MUSIC:

(1) "Alla breve" means the meter signature indicating the equivalent of 2/2 time.

(2) "AB" means a two-part compositional form with an "A" theme and a "B" theme, consisting of two distinct, self-contained sections that share either a character or quality.

(3) "ABA" means a three-part compositional form in which the second section contrasts with the first section. The third section is a restatement of the first section.

(4) "Absolute music" means instrumental music having an intellectual

and affective content that depends solely on its rhythmic, melodic and contrapuntal structures.

(5) "Accompaniment" means music that goes along with a more important part; often harmony or rhythmic patterns accompanying a melody.

(6) "Aleatoric music" means elements selected by chance.

(7) "Articulation" means a sign, direction or performance technique which indicates or affects the transition or continuity between notes or sounds.

(8) "Asymmetric" means departure from the customary binary or ternary rhythms.

(9) "Asymmetric meter" means a type of compound meter where beats are divided into duples and triples.

(10) "Balance" means a state of equilibrium where the individual components of music form a unified whole.

(11) "Beat" means the steady pulse in music.

(12) "Binary form" means two-part form, the structure of a musical composition consisting of two main sections.

(13) "Blend" means the mixing of instruments or voices where a single sound is indistinguishable from the group.

(14) "Body percussion" means sounds or patterns produced by clapping, snapping, stomping or striking one body part with another.

(15) "Breath support" means constant airflow necessary to produce sound for singing or playing an instrument.

(16) "Chord" means three or more tones combined and sounded simultaneously.

(17) "Classical" means referring to that period from approximately 1750-1800, characterized musically by objectivity of the composer, emotional restraint and simple harmonies.

(18) "Classroom instruments" means instruments typically used in the general music classroom, including, for example: recorder-type instruments, chorded zithers, mallet instruments, simple percussion instruments, fretted instruments, keyboard instruments and electronic instruments.

(19) "Clefs" means musical symbol used to indicate the pitch of written notes.

(20) "Compound meter" means meter in which the beat is subdivided into groups of three.

(21) "Descant" means accompanying melody that is sung above the main melody of a song.

(22) "Diction" means the proper pronunciation of words when singing.

(23) "Duple meter" means meter in which the beat is subdivided into groups

of two.

(24) "Dynamic levels/dynamics" means varying intensities of sound throughout a given musical composition (piano, mezzo piano, forte, etc.)

(25) "Embouchure" means placement of lips, jaw and facial muscles when playing a wind instrument.

(26) "Ensemble" means a group of players or singers.

(27) "Expression, expressive, expressively" means to sing or play a musical instrument with feeling.

(28) "Form" means how sound is organized. Just as a builder uses a blueprint to build a house, a composer uses form to build a song. A musical blueprint that helps the composer put his sounds together in different ways.

(29) "Found sound" means sound that is produced using non-traditional music sources "found" in one's surroundings or in nature.

(30) "Fretted instruments" means instruments with frets (strips of material across the fingerboard allowing the strings to be stopped at predetermined locations), such as guitar, ukulele and sitar.

(31) "Genre" means a type or category of music (e.g., sonata, opera, oratorio, art song, gospel, suite, jazz, madrigal, march, work song, lullaby, barbershop, dixieland).

(32) "Harmony" means the sound resulting from the simultaneous sounding of two or more tones consonant with each other.

(33) "Iconic notation" means graphical representations of pitch, rhythm, etc., used alongside or in place of traditional musical notation.

(34) "Improvisation" means making up music as it is being performed (often used in jazz).

(35) "Intonation" means the accuracy of pitch as related to standard frequencies in music (e.g., "A440").

(36) "Key signature" means an indication of the key of the music, usually found at the beginning of a musical composition, made up of sharps or flats.

(37) "Level of difficulty" means how music is classified into six levels of difficulty, from "easy" to "very difficult."

(38) "Melody" means the arrangement of single tones in a meaningful sequence.

(39) "Meter" means the organization of beats - a succession of beats and rhythms - into groups as indicated by a time/meter signature.

(40) "Meter signature" means an indicator of the meter of a musical work, usually presented in the form of a fraction, the denominator of which indicates the unit of measurement and the numerator of which

indicates the number of units that make up a measure.

(41) "Midi" (musical instrument digital interface) means the standard specifications that enable electronic instruments such as the synthesizer, sampler, sequencer and drum machine from any manufacturer to communicate with one another and with computers.

(42) "Orff instrument" means keyboard instruments which use mallets and removable bars developed to be used with the Orff-Schulwerk learning approach of Carl Orff.

(43) "Ostinato" means a repeated melodic or rhythmic fragment.

(44) "Partner songs" means melodies, performed as independent musical voices, which fit together in such a way that they sound good when performed together.

(45) "Phrase" means a small section of a composition comprising a musical thought; comparable to a sentence in language.

(46) "Pitch" means the frequency of a tone with respect to highness and lowness.

(47) "Posture" refers to a position of a human body; in music, it refers to proper performance posture for instrumentalists and vocalists.

(48) "Range" means the set of notes a musical instrument can play, or notes used in a piece of music; also, the vocal range of notes.

(49) "Repertoire" means a collection of music; usually learned and prepared for performance.

(50) "Rhythm" means the way movement is organized in a piece of music, using beat/no beat, long/short sounds, meter, accents/no accents, tempo, syncopation, etc.

(51) "Rondo form" means a musical form in which the first section always returns (ABACADA).

(52) "Round" means a musical composition in which the parts enter in succession, singing or playing the same melody or rhythm; a canon.

(53) "Scale" means a graduated series of tones arranged in a specified order.

(54) "Singing range" means the distance between the lowest and highest vocal pitches.

(55) "Staves" means the plural of staff (the five parallel lines on which music is written).

(56) "Style" means the distinctive or characteristic manner in which elements of music are treated. In practice, the term may be applied to composers (e.g., the style of Copland), periods (e.g., Baroque style), media (e.g., keyboard style), nations (e.g., French style), form or type of composition

(e.g., fugal style, contrapuntal style), or genre (e.g., operatic style, bluegrass style).

(57) "Tablature" means a form of musical notation which tells players where to place their fingers on a particular instrument rather than which pitches to play. It is often used for fretted stringed instruments.

(58) "Technical accuracy, technical skills" means the ability to perform with appropriate timbre, intonation and diction, and to play or sing the correct pitches and rhythms.

(59) "Tempo" means the rate of speed at which a musical composition is performed, as determined by the amount of time between beats/counts.

(60) "Texture" means the way melody and harmony go together.

(61) "Theme" means the initial or principal melody in a musical piece.

(62) "Timbre" means the quality of a musical tone that distinguishes the voices and instruments which produce it.

(63) "Time signature" means a number or symbol (C) that appears at the beginning of a piece of music, indicating meter. Specifically, the top number indicates how many beats per measure (bar), while the bottom number indicates which type of a note receives one beat/count (e.g., in 4/4 or "common" time, there are four beats per measure (bar), and the quarter note receives one beat; while in 6/8 time, there are six beats per measure (bar) and the eighth note receives one beat).

(64) "Tonality" means the harmonic relationship of tones with respect to a definite center or point of rest; fundamental to much of western music from ca. 1600.

(65) "Tone" means the quality of a musical sound.

(66) "Two-part rounds" means a musical composition in which two voices sing exactly the same melody over and over again, but with each voice beginning at different times.

(67) "Unison" means the simultaneous playing or singing of the same notes by two or more performers either at the same pitch or in octaves.

(68) "Unpitched/pitched instruments" means the understanding that unpitched instruments do not produce distinguishable pitches, but pitched instruments do produce distinguishable pitches.

(69) "Variation" means the formal technique where material is altered during repetition.

(70) "Verse/refrain" means the musical phrase that is repeated within a larger musical form.

(71) "Vibrato" means rapid movement back and forth or up and down.

(72) "Vocal quality" means a singer's tone quality, derived from proper posture, diction, breathing, placement of tongue and soft palate, etc.

#### D. DEFINITIONS FOR THEATRE/DRAMA:

(1) "Action" means the core of a theatre piece; the sense of forward movement created by the sense of time or the physical and psychological motivations of characters.

(2) "Aesthetic criteria" means criteria developed about the visual, aural and oral aspects of the witnessed event, derived from cultural and emotional values and cognitive meaning.

(3) "Aesthetic qualities" means the emotional values and cognitive meanings derived from interpreting a work of art; the symbolic nature of art.

(4) "Apron" means the very front edge of the stage, or parts of the stage that are between the audience and the curtain.

(5) "Arena stage/thrust stage" means the form of stage where the audience is seated on at least two (normally three or all four) sides of the whole acting area.

(6) "Artistic choices" means selections made by theatre artists about situation, action, direction and design in order to convey meaning.

(7) "Blocking" means the process of determining the placement or location of actors on stage and planning their relative movement in a scene.

(8) "Center stage" means the middle area of the stage.

(9) "Classical" means a dramatic form and production techniques considered of significance in earlier times, in any culture or historical period.

(10) "Classroom dramatizations" means the act of creating character, dialogue, action and environment for the purpose of exploration, experimentation and study, in a setting where there is no formal audience observation except that of fellow students and teachers.

(11) "Constructed meaning" means the personal understanding of dramatic/artistic intentions and actions, and their social and personal significance, selected and organized from the visual, aural and oral symbols of a dramatic production.

(12) "Drama" means the art of composing, writing, acting or producing plays; a literary composition intended to portray life or character or to tell a story (usually involving conflicts and emotions exhibited through action and dialogue), designed for theatrical performance.

(13) "Dramatic elements" means dialogue, movement, scenery, costumes, make-up, props, lights and music.

(14) "Dramatic media" are the means of telling of stories by way of stage, film, television, radio or computer.

(15) "Dramatize" means to put in dramatic form.

(16) "Dynamics" means the vari-

ation in pacing used to create emotional response.

(17) "Down stage" means the portion of the stage closest to the audience. This comes from old stages that were raked or inclined and were actually lower at the edge closest to the audience.

(18) "Electronic media" refers to the means of communication characterized by the use of technology (e.g., radio, video, computers, virtual reality, etc.).

(19) "Ensemble" means group collaboration. This can include actors, stage hands (i.e., anyone involved in the production).

(20) "Environment" means the physical surroundings that establish place, time and atmosphere/mood; the physical conditions that reflect and affect the emotions, thoughts and actions of characters.

(21) "Formal presentation/production" means a performance staged for an invited audience.

(22) "Front of house" means the box office and lobby.

(23) "House" means the space where the audience sits.

(24) "Improvisation" means the portrayal of a character or scene without benefit of a script, and with little or no preparation.

(25) "Informal presentation/production" means shared experiences within a classroom.

(26) "Intention" means what a character wants.

(27) "In-the-round stage" refers to theatre in the round, a form of audience seating layout where the acting area is enclosed on all sides by seating. There are often a number of entrances through the seating. Special consideration is given to onstage furniture and scenery, as audience sightlines can easily be blocked.

(28) "Levels" means blocking actors or staging work using high, medium and low positions.

(29) "Motivation" means the reasons for plausible character behavior.

(30) "Movement patterns" means planning traffic and blocking.

(31) "New art forms" means the novel combination of traditional arts and materials with emerging technology (such as performance art, videodiscs, virtual reality, etc.).

(32) "Open up/cheat out" is a term used to ask actors to turn their bodies so that they face more toward the audience.

(33) "Physicalize" means that, through facial expressions and body movement, the actor communicates the intent of a character.

(34) "Pit" is a slang term for orchestra pit. The pit can form a buffer between the audience and the performers.

(35) "Play making" means the

process of planning, improvising and refining a script.

(36) "Playwright" means the writer of the scene or play (i.e., the person who "wrought" the work).

(37) "Playwright's concept" means the playwright's viewpoint, expressed through written word and stage directions.

(38) "Presentation" includes everything that happens in the house, on the stage and in the backstage area.

(39) "Production elements" means technical aspects (e.g., lighting, scenery, costumes, sound).

(40) "Properties ('props')" means all objects on stage, exclusive of scenery and costumes.

(41) "Proscenium stage" means the traditional audience seating layout, where the audience is looking at the stage from the same direction. This seating layout is that of a proscenium arch theatre. The proscenium arch is the opening in the wall which stands between stage and auditorium in some theatres; it is the picture frame through which the audience sees the play. It is also called the "fourth wall," and is often shortened to "proscenium" or "pros arch."

(42) "Raked stage" means a stage with a permanent or temporary slope. Theatre stages were traditionally built with them, but now, more commonly, the auditorium is raked to facilitate the audience's view.

(43) "Rehearse" means to experiment with options and choices in characterization, vocalization and blocking requirement.

(44) "Role" means the characteristic and expected social behavior of an individual in a given position (e.g., mother, employer). Role portrayal is likely to be more predictable and one-dimensional than character portrayal.

(45) "Script" means the written dialogue, description and directions provided by the playwright.

(46) "Social pretend play" means when two or more children engage in unsupervised enactments (participants use the play to explore social knowledge and skills).

(47) "Stage business" means the physical action taken by the actor to support his/her character; e.g., pouring a glass of water, sitting and waiting for a bus, tiptoeing to escape the monster.

(48) "Stage left" means the side of the stage to one's left if one is standing on the stage looking out at the audience.

(49) "Stage management" means coordination of all production elements.

(50) "Stage right" means the side of the stage to one's right if one is standing on the stage looking out at the audience.

(51) "Staging" means physicalizing the written or spoken word.

(52) "Staging choices" means the blocking, movement and choreography in formal and informal presentations.

(53) "Tension" means the atmosphere created by unresolved, disquieting or inharmonious situations that human beings feel compelled to address.

(54) "Text" means the basis of dramatic activity and performance (e.g., a written script or an agreed-upon structure and content for an improvisation).

(55) "Theatre" means the imitation/representation of life performed for other people; the performance of dramatic literature; drama; the milieu of actors and playwrights, the place that is the setting for dramatic performances.

(56) "Theatre literacy" means the ability to create, perform, perceive, analyze, critique and understand dramatic performances.

(57) "Traditional forms" means forms that use time-honored theatrical practices.

(58) "Unified production concept" means a brief statement, metaphor or expression of the essential meaning of a play that orders and patterns all the play's parts; a perceptual device used to evoke associated visual and aural presuppositions serving to physicalize and unify the production values of a play.

(59) "Up stage" means the portion of the stage farthest from the audience. This term comes from old stages that were "raked" or inclined, and were actually lower at the audience edge.

(60) "Wings" means the out-of-view areas to the sides of the acting area, or scenery standing where the acting area joins these technical areas.

#### E. DEFINITIONS FOR VISUAL ARTS:

(1) "Aesthetics" means a branch of philosophy that focuses on the nature of beauty, the nature and value of art, and the inquiry processes and human responses associated with those topics.

(2) "Analysis" means identifying and examining separate elements as they function independently and together in creative works and studies of the visual arts.

(3) "Artifact" means an object produced or shaped by human craft; especially a tool, weapon or ornament of archaeological or historical interest.

(4) "Art criticism" means describing and evaluating the media, processes and the meaning of works of visual art, and making comparative judgments.

(5) "Art history" means a record of the visual arts, incorporating information, interpretations and judgments about art objects, artists and conceptual influences on

developments in the visual arts.

(6) "Arts disciplines" means dance, music, theatre/drama and visual arts.

(7) "Assess" means to analyze and determine the nature and quality of achievement through means appropriate to the subject.

(8) "Asymmetry" means informal balance; i.e., the shapes on one side are intentionally not the same as the other side.

(9) "Balance" refers to the ways in which the elements (lines, shapes, colors, textures, etc.) of a piece are arranged to create a sense of visual weight, interest or stability.

(10) "Chiaroscuro" comes from the Italian meaning "light-dark." It is a method of using light and shadow in pictorial representation.

(11) "Color" means the visual perceptual property corresponding to the categories called red, yellow, blue, etc. Color derives from the spectrum of light.

(12) "Color scheme" means a planned combination of colors, often based on color wheel concepts. Common color schemes are monochromes (one color), analogs (similar colors), complements (opposite colors) and triads (three colors that are equally distant on a color wheel).

(13) "Commercial art" refers to art created for commercial purposes such as: advertising, illustration, architecture, product design and movie-making.

(14) "Context" means a set of interrelated conditions in an environment (such as social, economic, political). In the visual arts, "context" refers to thoughts, ideas or concepts that define specific cultures and eras.

(15) "Contrast" means the arrangement of opposite elements (light vs. dark colors, rough vs. smooth textures, large vs. small shapes, etc.).

(16) "Create," "creative" or "creativity" means a mental process involving the generation of new ideas or concepts, or new associations between existing ideas or concepts; the flexible and fluent generation of unique, complex or elaborate ideas.

(17) "Creative process" means the act of generating new ideas or concepts, and the steps involved.

(18) "Cultural institutions" means places such as theatres or museums that preserve or display works of art, history, etc. It also can mean the attitudes, values, patterns of behavior, social organization and concepts of reality of a given people.

(19) "Elements of art/art elements" means visual art components such as: color, form, line, shape, texture and value.

(20) "Expressive features" means elements evoking feelings (such as joy, sadness or anger) or ideas (such as memories of

experiences, peacefulness or environmental concerns).

(21) "Expression" means a process of conveying ideas, feelings and meanings through selective use of the communicative possibilities of the visual arts.

(22) "Form" means the external three-dimensional outline, appearance or configuration of an object or work of art.

(23) "Golden rectangle" means a rectangle whose side lengths are in the "golden ratio" (approximately 1:1.618). When a square section is removed, the remainder is another "golden rectangle." Many artists and architects have proportioned their works to approximate the form of the "golden rectangle," which has been considered aesthetically pleasing.

(24) "Idea" means a formulated thought, opinion or concept that can be represented in visual or verbal form.

(25) "Inspiration" means sudden creativity in artistic production.

(26) "Line" means a mark that is long relative to its width.

(27) "Material/art materials" means things needed for making a work of art.

(28) "Media/art media" means broad categories for grouping works of visual art according to the art materials used (e.g., watercolor, pen and ink, oil).

(29) "Negative space and positive space. Negative space occupies the space around and between the subject of an image. Positive space is the subject as normally seen/recognized. The use of positive and negative space is a key element of artistic composition.

(30) "Pattern" means the repetitive use of any shape, object, color, line or other component in a work.

(31) "Perception" means visual and sensory awareness with regard to objects, images and feelings.

(32) "Portfolio" means a collection of an artist's work. Portfolios are used in visual arts, performing arts and writing, as well as in many other venues. They may be put together electronically or physically. The use of a portfolio includes comparing and contrasting, writing, observing and critiquing.

(33) "Positive space." See "negative and positive space."

(34) "Principles of design/organizational principles" means the use of: balance, contrast, emphasis, movement, pattern, proportion, repetition, rhythm, unity and variety.

(35) "Process" means a complex operation involving a number of methods or techniques, such as addition and subtraction processes in sculpture, etching and intaglio processes in printmaking, or casting or constructing processes in making jewelry.

(36) "Reflection" means contem-

plation or careful consideration.

(37) "Repetition" means a way of combining art elements so that the same pieces are used over and over to achieve balance and harmony.

(38) "Shape" means an outline (or implied outline) of an object. The three categories of shape include: natural, non-objective and geometric.

(39) "Structures" are means of organizing the components of a work into a cohesive and meaningful whole.

(40) "Symbol" means an image that stands for something more than its own literal meaning (e.g., a national flag stands for a country).

(41) "Symbolic elements." See "symbol" and "symbolism." Colors, letters, numbers, geometric shapes, orientation, gestures, materials, objects and other attributes can be symbolic elements in our culture and in other cultures.

(42) "Symbolism" means the representation of things or ideas by use of symbols.

(43) "Symmetry" means formal balance. Symmetry is a design with identical parts on opposite sides of a dividing line or a central point.

(44) "Technique" means a method or way of working with materials to create a work of art to accomplish specific effects.

(45) "Technology" means tools, equipment or techniques used for creating or performing.

Technology includes objects or methods from pencil and paper to the latest electronic device.

(46) "Texture" means the surface quality or physical feel of a piece of art, or the representation or invention of the appearance of such a surface quality (e.g., flat, bumpy, rough, smooth, etc.).

(47) "Tool" means a device that provides a mechanical or mental advantage in accomplishing a task.

(48) "Visual arts" means a broad category that includes: the traditional fine arts (such as drawing, painting, printmaking, sculpture); communication and design arts (such as film, television, graphics, product design); architecture and environmental arts (such as urban, interior and landscape design); folk arts and processes of art (such as ceramics, fibers, jewelry, works in wood, paper and other materials).

(49) "Visual arts problems" means specific challenges based on thinking about and using visual arts components.

(50) "Visual culture" means a field of study of items of popular culture from the perspectives of art criticism, history and anthropology.

(51) "Visual literacy" means the ability to interpret, negotiate and make meaning from information presented in the form of an image.

[6.29.2.7 NMAC - N, 6-30-2009]

### 6.29.2.8 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR DANCE, Grades K-5: Note: See definitions for dance at 6.29.2.7 NMAC.

A. Strand: Dance.

Content standard 1: Students will learn and develop skills and meet technical demands unique to dance, music, theatre/drama and visual arts.

(1) Grades K-5 benchmark 1A: Demonstrate body coordination and awareness.

(a) Grades K-1 performance standards:

(i) Identify different parts of the body and improvise movements that use parts alone and in combination with one another.

(ii) Participate in movement studies (pattern or problem) that combine locomotor movements (walk, run, gallop, hop, crawl) and non-locomotor movements (freeze, balance, stretch, twist, sway, swing).

(b) Grades 2-3 performance standards:

(i) Identify the major joints of the body (shoulders, elbows, wrists, spine, hips, knees, ankles) and explore their range of motion and alignment through exercises and improvisation.

(ii) Identify, demonstrate and create increasingly varied combinations of locomotor movements (including skip, leap, roll, slither) and non-locomotor movements (including turns, kicks, gestures and balances).

(c) Grades 4-5 performance standards:

(i) Identify major muscles and bones of the body and explore and extend their range of motion through a variety of exercises and improvisational studies.

(ii) Create and perform movement studies for peers which employ and combine a variety of locomotor and non-locomotor movements.

(2) Grades K-5 benchmark 1B: Identify and demonstrate the elements of space, time and energy.

(a) Grades K-1 performance standards:

(i) Move responsibly in personal and general (shared) space.

(ii) Form shapes and create designs with one's own body and with other dancers (e.g., geometric shapes, letters, numbers, animals and objects).

(iii) Move through space using a variety of directions (forward, backward, sideways, diagonally and turning) and pathways (curved, straight and zigzag) at low to increasing higher skill levels.

(iv) Explore rhythmic movement (e.g., moving to a steady beat and responding to changes in tempo).

(b) Grades 2-3 performance standards:

(i) Create shapes and original designs with one's own body and with other dancers, accurately identifying symmetry and asymmetry and positive and negative space.

(ii) Identify and demonstrate with non-locomotor and locomotor movements, the use of varied spatial elements such as directions, pathways and levels.

(iii) Participate in movement explorations with drum or recorded music, demonstrating accuracy in moving with a steady beat and responding to changes in tempo.

(iv) Respond with movement to a variety of opposites that relate to energy (e.g., sharp/fluid, strong/delicate, swinging/shaking, active/resting, soft/hard, light/heavy and free/controlled).

(c) Grades 4-5 performance standards:

(i) Demonstrate and describe shapes and designs (using appropriate vocabulary) that are made individually and in complementary relationships with others.

(ii) Create and perform movement studies for peers that utilize directions, pathways and levels (individually and in groups).

(iii) Demonstrate accuracy in movement explorations built upon increasingly demanding rhythmic patterns, tempos and meters.

(iv) Demonstrate a broader range of movement qualities with respect to energy (e.g., passive/active, bound/free, firm/fine, sustained/sudden).

**B. Strand: Dance.**  
Standard 2: Use dance, music, theatre/drama and visual arts to express ideas.

(1) Grades K-5 benchmark 2A: Use the elements of movement to express imaginative, literary and personal themes.

(a) Grades K-1 performance standards:

(i) Express personal feelings and experiences through movement and gestures.

(ii) Respond to the actions, emotion and mood of a story or poem with movement.

(b) Grades 2-3 performance standards:

(i) Develop and refine movements and gestures to express emotions, memories or personal stories.

(ii) Select from a variety

of movements to accurately communicate the intention of an experience, idea, theme or story.

(c) Grades 4-5 performance standards:

(i) Demonstrate movements and gestures to express emotions, memories or personal stories.

(ii) Select from a variety of movements to create a movement study that accurately communicates the intention of an experience, idea, theme or story.

(2) Grades K-5 benchmark 2B: Observe and respond to a variety of formal and informal dance performances.

(a) Grades K-1 performance standards:

(i) Describe how dance is differentiated from other movement activities (i.e., sports and work-related activities).

(ii) Use personal ideas to respond to observations of formal and informal dance performances.

(b) Grades 2-3 performance standards:

(i) Identify and communicate the ideas, experiences or feelings expressed by the movements.

(ii) Explain what a specific dance communicates or expresses.

(c) Grades 4-5 performance standards:

(i) Take an active role in a class discussion about interpretations of and reactions to a dance.

(ii) Discuss similarities and differences in the experience of a dance, as reported by the dancers and by the observers.

**C. Strand: Dance.**  
Standard 3: Integrate understanding of visual and performing arts by seeking connections and parallels among arts disciplines as well as other content areas.

(1) Grades K-5 benchmark 3A: Explore connections between the elements of dance and other arts disciplines.

(a) Grades K-1 performance standards: Participate in activities that combine dance with other arts disciplines.

(b) Grades 2-3 performance standards: Create a dance that uses a concept found in another arts discipline.

(c) Grades 4-5 performance standards: Create a project that shows understanding of an element of dance that is shared with another discipline (e.g., pattern in dance and visual arts).

(2) Grades K-5 benchmark 3B: Explore connections between the elements of dance and other content areas.

(a) Grades K-1 performance standard: Generate inventive movement suggested by other content areas (e.g., math,

language arts, science or social studies).

(b) Grades 2-3 performance standard: Identify movement as described in a variety of content areas (e.g., pathways and force of weather; shapes and actions of animals; intersections, pathways and interruptions of transportation; shapes and spatial relationships of geometry) and respond through movement.

(c) Grades 4-5 performance standard: Use dance to illustrate the movement that is inherent in other content areas.

**D. Strand: Dance.**  
Standard 4: Demonstrate an understanding of the dynamics of the creative process. Grades K-5 benchmark 4A: Understand and apply choreographic principles and compositional forms.

(1) Grades K-1 performance standards:

(a) Participate in movement activities that explore the principles of unity, variety and contrast (mirroring and contrasting movements).

(b) Create a dance with a narrative form (based on the sequence of events of a story or song).

(2) Grades 2-3 performance standards:

(a) Create movement sequences that explore the choreographic principles of unity, variety, contrast and repetition.

(b) Create an original movement sequence with three distinct parts: a beginning, middle and end (ABA or ABC).

(3) Grades 4-5 performance standards:

(a) Create movement sequences that explore the choreographic principles of unity, variety, contrast, repetition, harmony, emphasis and balance.

(b) Create a movement study that utilizes the compositional forms of recurring theme and chance dance.

**E. Strand: Dance.**  
Standard 5: Observe, discuss, analyze and make critical judgments about artistic works. Grades K-5 benchmark 5A: Develop and use vocabulary that is unique to dance.

(1) Grades K-1 performance standard: Observe, in a group, formal and informal performances; discuss reactions and reasons for responses.

(2) Grades 2-3 performance standard: Observe formal and informal performances and use the elements of dance and choreographic principles to analyze performances.

(3) Grades 4-5 performance standard: Observe formal and informal performances and use the elements of dance and choreographic principles to analyze and critique performances.

**F. Strand: Dance.**  
Standard 6: Show increased awareness of

diverse peoples and cultures through visual and performing arts. Grades K-5 benchmark 6A: Develop knowledge and understanding of human diversity through dance.

(1) Grades K-1 performance standard: Identify, through observation and experience, how dance is common to all cultures.

(2) Grades 2-3 performance standard: Demonstrate understanding, through observation and experience, that folk and social dances are common to all world cultures.

(3) Grades 4-5 performance standard: Perform and discuss folk and social dances from various local and world cultures and other historical periods.

G. Strand: Dance. Standard 7: Demonstrate knowledge about how technology and invention have historically influenced artists and offered new possibilities for expression. Grades K-5 benchmark 7A: Expand dance horizons through the use of technology.

(1) Grades K-1 performance standard: Use a variety of media to experience dances from other cultures.

(2) Grades 2-3 performance standard: View and respond to a variety of dances from other cultures and infer the influence of media and technology.

(3) Grades 4-5 performance standards:

(a) View and respond to a variety of dances from other cultures and discuss the influence of media and technology.

(b) Use media (e.g., photography, video, etc.) to create, record, reflect upon and critique personal dance experiences.

H. Strand: Dance. Standard 8: Contribute to communities by sharing expertise in dance, music, theatre/drama and visual arts and by participating in the activities of cultural institutions. Grades K-5 benchmark 8A: Share dance abilities and knowledge with the community through formal and informal dance presentations.

(1) Grades K-1 performance standard: Participate in informal creative dance presentations.

(2) Grades 2-3 performance standard: Participate in informal and formal dance presentations.

(3) Grades 4-5 performance standard: Participate in dance presentations, both informal and choreographed, for the school and the larger community.

[6.29.2.8 NMAC - N, 6-30-2009]

### 6.29.2.9 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR DANCE, Grades 6-8:

A. Strand: Dance. Standard 1: Students will learn and develop skills and meet technical demands unique to

dance, music, theatre/drama and visual arts.

(1) Grades 6-8 benchmark 1A: Demonstrate kinesthetic awareness. Grades 6-8 performance standards:

(a) Identify major muscles and bones of the body and demonstrate appropriate skeletal alignment, balance, flexibility and strength.

(b) Create and perform original sequences that demonstrate knowledge of locomotor and non-locomotor movements.

(2) Grades 6-8 benchmark 1B: Identify and demonstrate the elements of space, time and energy. Grades 6-8 performance standards:

(a) Demonstrate and describe shapes and designs (using appropriate vocabulary) made individually and in complementary relationships with others.

(b) Create, memorize and perform movement studies for peers, which utilize spatial patterns, individually and in groups.

(c) Identify the vocabulary of time (speed, rhythmic pattern, stillness, duration) and apply the concepts with increasing complexity.

(d) Demonstrate a broader range of movement qualities with respect to energy (e.g., sharp, smooth, shaky, sudden, sustained, swinging, twisting, collapsing and percussive).

B. Strand: Dance. Standard 2: Use dance, music, theatre/drama and visual arts to express ideas. Grades 6-8 benchmark 2: Use the elements of movement to express imaginative, literary and personal themes. Grades 6-8 performance standards:

(1) Use improvisation to explore, discover and create movement phrases based on emotions, memories or personal stories.

(2) Choose from a variety of movements to create movement studies that accurately communicate the intention of an experience, idea, theme or story.

C. Strand: Dance. Standard 3: Integrate understanding of visual and performing arts by seeking connections and parallels among arts disciplines as well as other content areas.

(1) Grades 6-8 benchmark 3A: Explore connections between dance and other arts disciplines. Grades 6-8 performance standard: Create a dance project that integrates two or more arts disciplines (e.g., dance and art relating concepts of line or pattern to both disciplines).

(2) Grades 6-8 benchmark 3B: Explore connections between dance and other content areas. Grades 6-8 performance standards:

(a) Use dance to illustrate the movement that is inherent in other content areas.

(b) Create a dance project that integrates other subject matter (e.g., rela-

tionships, current events, social issues, nature, literature, history, environmental themes).

D. Strand: Dance. Standard 4: Demonstrate an understanding of the dynamics of the creative process. Grades 6-8 benchmark 4: Understand and apply choreographic principles, processes and structures. Grades 6-8 performance standards:

(1) Create movement sequences that explore the choreographic principles of unity, variety, contrast, repetition, harmony, abstraction, emphasis and balance.

(2) Choreograph using a variety of compositional forms (e.g., ABA, canon, rondo, chance dance and narrative).

E. Strand: Dance. Standard 5: Observe, discuss, analyze, and make critical judgments about artistic works. Grades 6-8 benchmark 5: Develop and use vocabulary that is unique to dance. Grades 6-8 performance standard: Observe choreography (live or recorded) and discuss, analyze and evaluate choreographic choices using appropriate dance vocabulary.

F. Strand: Dance. Standard 6: Show increased awareness of diverse peoples and cultures through visual and performing arts.

(1) Grades 6-8 benchmark 6A: Develop knowledge and understanding of human diversity through dance. Grades 6-8 performance standards:

(a) Study dances from other cultures and other historical periods.

(b) Identify and compare movements, music and costume in historical, cultural and contemporary dances.

(2) Grades 6-8 benchmark 6B: Investigate the role of dance in historical and contemporary cultures. Grades 6-8 performance standard: Observe and discuss the different functions of dance in various cultures (e.g., ceremony, entertainment, social interaction).

G. Strand: Dance. Standard 7: Demonstrate knowledge about how technology and invention have historically influenced artists and offered new possibilities for expression. Grades 6-8 benchmark 7: Expand dance horizons through the use of technology. Grades 6-8 performance standards:

(1) Use a variety of resources (e.g., print, recordings, internet, etc.) to research dance from other cultures and historical periods.

(2) Demonstrate through discussion the ways that technology influences dance and movement.

H. Strand: Dance. Standard 8: Contribute to communities by sharing expertise in dance, music, theatre/drama and visual arts and by participating in the activities of cultural institutions.

(1) Grades 6-8 benchmark 8A: Share dance abilities and knowledge with the community through formal and informal dance presentations. Grades 6-8 performance standard: Participate in dance presentations, both informal and choreographed, for the school and the larger community.

(2) Grades 6-8 benchmark 8B: Participate in community dance events. Grades 6-8 performance standard: Participate in informal and formal dance presentations that reflect the interests and culture of the community.  
[6.29.2.9 NMAC - N, 6-30-2009]

**6.29.2.10 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR DANCE, Grades 9-12:** Note: Due to the reality that students may enter studies in dance at various grade levels, teachers will need to adapt objectives accordingly for students who have received no prior education in dance before grades 9-12. Students at the high school level will have the option of studying dance as an area of interest or as a career possibility.

A. Strand: Dance.  
Standard 1: Students will learn and develop skills and meet technical demands unique to dance, music, theatre/drama and visual arts.

(1) Grades 9-12 benchmark 1A: Demonstrate kinesthetic awareness. Grades 9-12 performance standards:

(a) Demonstrate appropriate skeletal alignment, body part articulation, balance, flexibility and strength.

(b) Demonstrate coordination in locomotor and non-locomotor (axial) movements.

(2) Grades 9-12 benchmark 1B: Identify and demonstrate the elements of space, time and energy. Grades 9-12 performance standards:

(a) Demonstrate and describe shapes and designs (using appropriate vocabulary) made individually and in complementary relationships with others.

(b) Move with purpose and intent on all levels (low, middle, high).

(c) Move with awareness of one's own personal space and relationships to other dancers in a group.

(d) Move through space using a variety of directions and pathways.

(e) Identify the vocabulary of time (speed, rhythmic pattern, stillness, duration, acceleration) and apply these concepts with increasing complexity.

(f) Demonstrate ability to phrase movement with musicality.

(g) Demonstrate a broader range of movement qualities with respect to energy (e.g., strong, gentle, sharp, smooth, percussive, sustained, swinging, twisting and collapsing).

(3) Grades 9-12 benchmark 1C : Perform complex movement sequences from different dance styles or traditions consistently and reliably, with projection and artistic expression. Grades 9-12 performance standards:

(a) Build and apply dance terminology appropriate to a given style (e.g., flamenco, ballet, jazz, etc.

(b) Memorize and demonstrate extended movement sequences.

B. Strand: Dance.  
Standard 2: Use dance, music, theatre/drama and visual arts to express ideas. Grades 9-12 benchmark 2: Use the elements of movement to express imaginative, personal and literary themes. Grades 9-12 performance standards:

(1) Use improvisation to explore, discover and create movement phrases based on emotions, memories or personal stories.

(2) Utilize improvisation to generate movement themes for individual and group expression.

(3) Choose from a variety of movements to create movement studies that accurately communicate the intention of an experience, idea, theme or story.

C. Strand: Dance.  
Standard 3: Integrate understanding of visual and performing arts by seeking connections and parallels among arts disciplines as well as other content areas.

(1) Grades 9-12 benchmark 3A: Explore connections between dance and other arts disciplines. Grades 9-12 performance standards:

(a) Create a dance project that integrates two or more arts disciplines.

(b) Respond to a dance through another arts discipline (music, drama, architecture or visual arts).

(2) Grades 9-12 benchmark 3B: Explore connections between dance and other content areas. Grades 9-12 performance standard: Create a dance project that integrates other subject matter (e.g., relationships, current events, social issues, physics, nature, literature, history, environmental themes).

D. Strand: Dance.  
Standard 4: Demonstrate an understanding of the dynamics of the creative process. Grades 9-12 benchmark 4: Understand and apply choreographic principles, processes and structures. Grades 9-12 performance standards:

(1) Create a sequence with a beginning, middle and end and identify each of these parts of the sequence.

(2) Choreograph using a variety of compositional forms: ABA, canon, rondo and narrative.

(3) Create movement sequences that explore the choreographic principles of

unity, variety, contrast, repetition, harmony, abstraction, emphasis and balance.

E. Strand: Dance.  
Standard 5: Observe, discuss, analyze and make critical judgments about artistic works. Grades 9-12 benchmark 5: Develop a set of aesthetic criteria for evaluating choreography. Grades 9-12 performance standards:

(1) Perform a movement study or dance for peers and discuss reasons for your choreographic choices.

(2) Give feedback to peers that reports on the movement content, qualities and forms noticed in their dance.

(3) Observe a variety of professional choreography (live or recorded) and discuss, analyze and evaluate choreographic choices.

F. Strand: Dance.  
Standard 6: Show increased awareness of diverse peoples and cultures through visual and performing arts.

(1) Grades 9-12 benchmark 6A: Develop knowledge and understanding of human diversity through dance. Grades 9-12 performance standards:

(a) Study dances from other cultures and other historical periods.

(b) Identify and compare costume, gesture, rhythmic structure, music and choreographic forms in historical, cultural and contemporary dances.

(2) Grades 9-12 benchmark 6B: Investigate the role of dance in historical and contemporary cultures. Grades 9-12 performance standards:

(a) Observe and discuss the different functions of dance in various cultures (e.g., ceremony, entertainment, social interaction).

(b) Observe and analyze commonalities in contemporary dance styles of various cultures.

G. Strand: Dance.  
Standard 7: Demonstrate knowledge about how technology and invention have historically influenced artists and offered new possibilities for expression. Grades 9-12 benchmark 7: Expand dance horizons through the use of technology. Grades 9-12 performance standards:

(1) Use a variety of resources (e.g., print, recordings, internet) to research dance from other cultures and historical periods.

(2) Create a dance using technology (e.g., music, lighting, video, slide projection) to enhance the mood of a dance.

(3) Discuss historical and contemporary images of the body and how these images have changed through the influence of contemporary media and technology.

H. Strand: Dance.  
Standard 8: Contribute to communities by

sharing expertise in dance, music, theatre/drama and visual arts and by participating in the activities of cultural institutions.

(1) Grades 9-12 benchmark 8A: Share dance abilities and knowledge with the community through formal and informal dance presentations. Grades 9-12 performance standards:

(a) Participate in dance presentations, both informal and choreographed, for the school and the larger community.

(b) Support a community dance presentation in a non-dance aspect of the production (e.g., costumes, technical theatre, marketing).

(2) Grades 9-12 Benchmark 8B: Participate in community dance events. Grades 9-12 Performance Standard: Participate in informal and formal dance presentations that reflect the interests and culture of the community.

[6.29.2.10 NMAC - N, 6-30-2009]

**6.29.2.11 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR MUSIC, Grades K-5:** Note: See definitions for music at 6.29.2.7 NMAC.

A. Strand: Music.

Standard 1: Learn and develop the essential skills and meet technical demands unique to dance, music, theatre/drama and visual arts.

(1) Grades K-5 benchmark 1A: Sing and play instruments with appropriate techniques while maintaining a steady beat.

(a) Grades K-1 performance standards:

(i) Develop appropriate singing techniques and range (from keys E to B).

(ii) Develop appropriate instrument-playing techniques.

(b) Grades 2-3 performance standards:

(i) Perform a simple accompaniment (e.g., body percussion, rhythm band instruments, Orff instruments) while singing a simple song.

(ii) Develop appropriate singing techniques and range (from D below the staff to fourth line D).

(c) Grades 4-5 performance standards:

(i) Sing, alone and with others, with correct pitch, rhythm, timbre, diction, posture and range.

(ii) Play alone and with others on instruments (pitched and unpitched) with good rhythmic and ensemble skills.

(iii) Sing and play two-part rounds, partner songs, simple descants, unison songs and simple accompaniments.

(iv) Develop sight-reading skills, using simple melodic and rhythmic patterns.

(2) Grades K-5 benchmark 1B: Identify timbre (tone quality) of various families of instruments.

(a) Grades K-1 performance standard: Make music using body percussion and simple rhythm band instruments.

(b) Grades 2-3 performance standard: Make music using body percussion, Orff instruments, and world folk instruments.

(c) Grades 4-5 performance standard: Distinguish the sounds produced by woodwind, brass, percussion, string and keyboard instruments.

(3) Grades K-5 benchmark 1C: Acquire beat and rhythmic competency skills.

(a) Grades K-1 performance standard: Demonstrate a steady beat through movement, instruments and speech pieces.

(b) Grades 2-3 performance standard: Demonstrate rhythmic competency through reading, performing and creating rhythms/movements.

(c) Grades 4-5 performance standard:

(i) Demonstrate rhythmic independence by combining beat and rhythm patterns in solo/ensemble situations/movement.

(ii) Explore simple meter groupings (aurally, visually in notation and through conducting patterns).

(4) Grades K-5 benchmark 1D: Identify basic musical notation and symbols.

(a) Grades K-1 performance standard: Use iconic notation to identify steady beat and melodic direction.

(b) Grades 2-3 performance standard: Identify simple rhythmic and melodic notation.

(c) Grades 4-5 performance standards:

(i) Make music by reading notation and musical symbols.

(ii) Notate simple melodic and rhythmic patterns, using standard musical notation.

B. Strand: Music.  
Standard 2: Use dance, music, theatre/drama and visual arts to express ideas. Grades K-5 benchmark 2: Understand how music expresses ideas.

(1) Grades K-1 performance standard: Use descriptive vocabulary when responding to musical examples.

(2) Grades 2-3 performance standard: Recognize and respond to different genres of music.

(3) Grades 4-5 performance standards:

(a) Identify ways in which music can express, non-verbally, various emotions or events.

(b) Create and perform pieces using graphic/iconic notation and standard

musical notation to express an idea or concept.

(c) Use correct musical terminology in discussing and responding to music.

C. Strand: Music.  
Standard 3: Integrate understanding of visual and performing arts by seeking connections and parallels among arts disciplines as well as other content areas.

(1) Grades K-5 benchmark 3A: Identify terms common to the various art forms.

(a) Grades K-1 performance standard: Explore the relationship between music elements and basic elements of other arts disciplines.

(b) Grades 2-3 performance standard: Identify the relationship between music elements and basic elements of other arts disciplines.

(c) Grades 4-5 performance standard: Communicate an understanding of music elements as they relate to basic elements of other arts disciplines.

(2) Grades K-5 benchmark 3B: Develop musical accompaniments related to other art forms or content areas.

(a) Grades K-1 performance standard: Use body percussion or rhythm instruments to accompany a song or speech piece.

(b) Grades 2-3 performance standard: Develop ostinato patterns based on key concepts or facts related to another content area.

(c) Grades 4-5 performance standard: Read, write and perform musical accompaniments.

(3) Grades K-5 benchmark 3C: Identify how music can support and enhance other disciplines.

(a) Grades K-1 performance standard: Make simple connections between music and other content areas.

(b) Grades 2-3 performance standard: Identify commonalities (e.g., terms, concepts, media) between music and other disciplines.

(c) Grades 4-5 performance standard: Discuss and demonstrate relationships of music to other disciplines: (e.g., reading - the ongoing, horizontal flow of words akin to the movement of music; social studies - how music of a culture helps to define and understand that culture; mathematics - the rhythm of music is expressed numerically; science - the movement of sound as a physical phenomenon).

D. Strand: Music.  
Standard 4: Demonstrate an understanding of the dynamics of the creative process.

(1) Grades K-5 benchmark 4A: Understand why music is created and how it is used.

(a) Grades K-1 performance standard: Develop an awareness of where music is found in the daily environment.

(b) Grades 2-3 performance standards:  
 (i) Identify the role and purpose music plays in daily life (e.g., entertainment, religion, civic affairs, military.)

(ii) Identify different careers in music.

(c) Grades 4-5 performance standard: Discuss different motivating factors which have inspired the creation of music, including historical figures, nature, events, literature, drama, etc.

(2) Grades K-5 benchmark 4B: Understand how music is created.

(a) Grades K-1 performance standards:

(i) Demonstrate call and response, create simple rhythmic and melodic ostinati, and create simple melodies for everyday tasks.

(ii) Improvise a rhythmic or melodic response to a musical question.

(b) Grades 2-3 performance standards:

(i) Perform and label simple forms in music such as: AB, ABA, rondo, theme and variation.

(ii) Improvise on an existing melody or accompaniment.

(iii) Explore a variety of sound sources for composing or improvising accompaniments or “found sound” pieces.

(c) Grades 4-5 performance standards:

(i) Apply learned musical elements (e.g., rhythm, melody, form, timbre, tempo, dynamics) to compose a simple melody.

(ii) Improvise rhythmic and melodic phrase endings, ostinato patterns and variations on familiar themes.

E. Strand: Music.  
 Standard 5: Observe, discuss, analyze and make critical judgments about artistic works.

(1) Grades K-5 benchmark 5A: Identify simple music forms when presented aurally.

(a) Grades K-1 performance standard: Identify repeated patterns in music.

(b) Grades 2-3 performance standard: Identify AB, ABA and rondo.

(c) Grades 4-5 performance standard: Identify theme and variation and verse/refrain.

(2) Grades K-5 benchmark 5B: Identify the sounds of more familiar instruments, as well as treble and bass voices.

(a) Grades K-1 performance standards:

(i) Distinguish between woods, metals and drums.

(ii) Distinguish

between a man’s voice, a woman’s voice and a child’s voice.

(iii) Distinguish between speaking, whispering, singing and calling/shouting voice.

(b) Grades 2-3 performance standards:

(i) Understand how different instruments generate sound, including: shakers (maracas, jingle bells), scrapers (guiro, sand blocks), struck instruments (triangle, wood block), drums and blown instruments (recorders).

(ii) Distinguish various singing voices (e.g., soprano, bass).

(c) Grades 4-5 performance standards:

(i) Identify four orchestral families (strings, woodwinds, brass, percussion).

(ii) Identify at least two individual instruments from each orchestral family by sight and sound.

(iii) Identify vocal and instrumental ensembles (e.g., duet, choir, symphony orchestra, band)

(3) Grades K-5 benchmark 5C: Use appropriate terminology to discuss responses and reactions to particular musical works.

(a) Grades K-1 performance standard: Describe various pieces of music using terms such as: fast/slow, high/low, loud/ soft and various mood descriptors.

(b) Grades 2-3 performance standard: Using appropriate musical terminology, discuss and rationalize personal preferences about music in general and as related to a specific piece of music.

(c) Grades 4-5 performance standard: Using appropriate musical terminology, compare/contrast various styles and genres of music.

F. Strand: Music.  
 Standard 6: Show increased awareness of diverse peoples and cultures through visual and performing arts. Grades K-5 benchmark 6: Identify and perform a varied repertoire from historical periods and diverse cultures, with emphasis on the music and cultures of New Mexico.

(1) Grades K-1 performance standards:

(a) Sing songs from different cultures and in different languages.

(b) Perform songs and musical games from New Mexico cultures.

(2) Grades 2-3 performance standards:

(a) Perform music from various cultures and discuss same and different elements in each.

(b) Perform songs and musical games from New Mexico cultures.

(3) Grades 4-5 performance standards:

(a) Study and perform music from various cultures with an emphasis on historical and cultural connections.

(b) Study and perform music representative of the cultures found in New Mexico.

(c) Identify specific musical characteristics unique to a country or a cultural style of music.

G. Strand: Music.  
 Standard 7: Demonstrate knowledge about how technology and invention have historically influenced artists and offered new possibilities for expression.

(1) Grades K-5 benchmark 7A: Understand how various instruments have evolved.

(a) Grades K-1 performance standard: Explore how instruments have developed and evolved from materials found in the environment.

(b) Grades 2-3 performance standard: Discuss and classify instruments based on origins.

(c) Grades 4-5 performance standards:

(i) Discuss and identify how instruments have developed from natural materials to man-made materials.

(ii) Discuss similarities and differences among folk instruments across cultures.

(iii) Discuss how the development of electronic instruments has influenced contemporary music.

(2) Grades K-5 benchmark 7B: Use appropriate music technology.

(a) Grades K-1 performance standards:

(i) Explore and experience traditional and non-traditional instruments.

(ii) Identify and label electronic technology used in music (e.g., stereo, compact discs, microphones, mp3 devices, electronic instruments)

(b) Grades 2-3 performance standard: Use recording and playback technology and music skill training software.

(c) Grades 4-5 performance standard: Understand how music technology is an extension of the traditional music curriculum.

H. Strand: Music.  
 Standard 8: Contribute to communities by sharing expertise in dance, music, theatre/drama and visual arts, and by participating in the activities of cultural institutions.

(1) Grades K-5 benchmark 8A: Model appropriate audience behavior at live concert performances.

(a) Grades K-1 performance standard: Understand the role of the audience.

(b) Grades 2-3 performance standard: Understand and exhibit proper con-

cert etiquette.

(c) Grades 4-5 performance standards:

(i) Understand and exhibit proper concert etiquette.

(ii) Model respectful behavior, understanding the dynamics of what it takes to be a performer.

(2) Grades K-5 benchmark 8B: Participate in appropriate school programs.

(a) Grades K-1 performance standard: Prepare and perform age-appropriate material at school and community-based programs.

(b) Grades 2-3 performance standard: Prepare and perform age-appropriate material at school and community-based programs.

(c) Grades 4-5 performance standard: Prepare and perform age-appropriate material at school and community-based programs.

(3) Grades K-5 benchmark 8C: Share and develop cultural experiences.

(a) Grades K-1 performance standard: Celebrate customs, cultural traditions and American holidays, using music at or from home and in other social situations.

(b) Grades 2-3 performance standard: Celebrate customs, cultural traditions and American holidays, using music at or from home and in other social situations.

(c) Grades 4-5 performance standard: Celebrate customs, cultural traditions and American holidays, using music at or from home and in other social situations. [6.29.2.11 NMAC - N, 6-30-2009]

### 6.29.2.12 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR MUSIC, Grades 6-8:

A. Strand: Music. Standard 1: Learn and develop the essential skills and meet technical demands unique to dance, music, theatre/drama and visual arts.

(1) Grades 6-8 benchmark 1A: Sing and play instruments with appropriate techniques while maintaining a steady beat. Grades 6-8 performance standards:

(a) Sing, alone and with others, with correct pitch, rhythm, timbre, diction, posture, range, voice quality and breath control.

(b) Demonstrate proper instrumental playing techniques (e.g., breath control, bow control, stick control, embouchure, articulation, vibrato, correct fingerings, posture, hand position and characteristic tone quality.)

(c) Perform at appropriate grade and ability level, using musical literature in both small and large ensembles, with a focus on blend, good intonation, balance and expressiveness.

(d) Demonstrate the ability to prepare (using good practice skills) and per-

form music independent of the teacher/instructor.

(e) Demonstrate sight-reading skills using musical literature appropriate to the ability level.

(2) Grades 6-8 benchmark 1B: Identify timbre (tone quality) of various families of instruments, and treble and bass voices. Grades 6-8 performance standard: Study and emulate tone quality of appropriate models in singing and instrumental playing.

(3) Grades 6-8 benchmark 1C: Acquire beat and rhythmic competency skills. Grades 6-8 performance standards:

(a) Read and perform rhythms in simple and compound meter in solo/ensemble situations.

(b) Identify simple and compound meter (aurally, visually in notation, and through conducting patterns).

(4) Grades 6-8 benchmark 1D: Identify basic musical notation and symbols. Grades 6-8 performance standard: Read, identify and perform using musical notation and symbols from appropriate grade-level literature (instrumental/choral.)

B. Strand: Music. Standard 2: Use dance, music, theatre/drama and visual arts to express ideas. Grades 6-8 benchmark 2: Understand how music expresses ideas. Grades 6-8 performance standards:

(1) Recognize and discuss how programmatic music can describe specific events, art work, places, etc.

(2) Discuss how movie scores and other background music complements and intensifies the action, emotion or mood in a dramatic performance.

(3) Discuss how personal tastes influence the music that people perform, purchase and listen to.

C. Strand: Music. Standard 3: Integrate understanding of visual and performing arts by seeking connections and parallels among arts disciplines as well as other content areas.

(1) Grades 6-8 benchmark 3A: Identify terms common to the various art forms. Grades 6-8 performance standard: Compare and contrast music elements with elements of other arts disciplines (e.g., rhythm, balance, form, style, tempo).

(2) Grades 6-8 benchmark 3B: Understand how music can relate to other art forms or content areas. Grades 6-8 performance standard: Discuss and demonstrate relationships of music to other disciplines: (e.g., reading - the ongoing, horizontal flow of words akin to the movement of music; social studies - how music of a culture helps to define and understand that culture; mathematics - the rhythm of music is expressed numerically; science - the movement of sound as a physical phenomenon).

(3) Grades 6-8 benchmark 3C:

Identify how music can support and enhance other disciplines. Grades 6-8 performance standard: Compose or improvise a short piece of music to represent or describe an idea or concept from another content area.

D. Strand: Music. Standard 4: Demonstrate an understanding of the dynamics of the creative process.

(1) Grades 6-8 benchmark 4A: Understand why music is created and how it is used. Grades 6-8 performance standards:

(a) Discuss different motivating factors which have inspired the creation of music, including: historical figures, nature, events, literature, drama, etc.

(b) Explore the training, skills and education necessary for various careers in music.

(2) Grades 6-8 benchmark 4B: Understand how music is created. Grades 6-8 performance standards:

(a) Discuss influences on the creation of music from historical and cultural perspectives (e.g., aboriginal tribes - ritual, religion, social issues, availability of natural materials and technology/tools).

(b) Apply learned musical elements (e.g., rhythm, melody, form, timbre, tempo, dynamics) to compose or improvise music.

E. Strand: Music. Standard 5: Observe, discuss, analyze and make critical judgments about artistic works.

(1) Grades 6-8 benchmark 5A: Identify music forms when presented aurally. Grades 6-8 performance standards:

(a) Identify the musical form of the piece of music being studied/performed in an ensemble class.

(b) Identify stylistic forms of music (e.g., rap, gamelan, mariachi, oriental, non-western, reggae, steel drum, folk, Mongolian throat singing).

(2) Grades 6-8 benchmark 5B: Identify the sounds of more familiar instruments as well as treble and bass voices. Grades 6-8 performance standards:

(a) Identify traditional orchestral families (e.g., strings, woodwinds, brass, percussion) and other traditional folk/cultural instruments (e.g., guitar, accordion, recorder, dulcimers).

(b) Identify qualities unique to soprano, alto, tenor and bass voices.

(c) Classify different types of ensembles when presented aurally (e.g., percussion ensemble, woodwind quintet, string quartet, brass ensemble, vocal trio).

(3) Grades 6-8 benchmark 5C: Use appropriate terminology to discuss responses and reactions to particular musical works. Grades 6-8 performance standards:

(a) Develop a list of criteria for what constitutes a good musical perform-

ance, as applied to different genres/styles of music.

(b) Using appropriate terminology, make critical judgments about one's own performance and the performance of others.

F. Strand: Music.  
Standard 6: Show increased awareness of diverse peoples and cultures through visual and performing arts. Grades 6-8 benchmark 6: Identify and perform a varied repertoire from historical periods and diverse cultures, with emphasis on the music and cultures of New Mexico. Grades 6-8 performance standards:

(1) Describe how folk music from various cultures is used as the basis for formal compositions.

(2) Identify representative music of the diverse cultures found in New Mexico.

(3) Compare and contrast music from different eras.

G. Strand: Music.  
Standard 7: Demonstrate knowledge about how technology and invention have historically influenced artists and offered new possibilities for expression.

(1) Grades 6-8 benchmark 7A: Show understanding of how various instruments have evolved. Grades 6-8 performance standards:

(a) Trace the development of various instruments (e.g., wind, brass, string, percussion, keyboard.)

(b) Describe how an instrument/voice functions and produces a characteristic tone.

(2) Grades 6-8 benchmark 7B: Use appropriate music technology. Grades 6-8 performance standards:

(a) Use recording and playback technology to improve one's personal musical skills.

(b) Use appropriate computer-aided instruction programs (e.g., theory programs, rhythmic training, compositional programs).

H. Strand: Music.  
Standard 8: Contribute to communities by sharing expertise in dance, music, theatre/drama and visual arts and by participating in the activities of cultural institutions.

(1) Grades 6-8 benchmark 8A: Model appropriate audience behavior at live concert performances. Grades 6-8 performance standards:

(a) Model respectful behavior, understanding the dynamics of what it takes to be a performer, as well as appropriate behavior in the performance venue.

(b) Describe the role of the audience and how it should react to a performer in various types of performance situations (e.g., clapping after a jazz solo, but not a

classical solo.)

(2) Grades 6-8 benchmark 8B: Participate in appropriate school programs. Grades 6-8 performance standard: Prepare and perform age-appropriate material at school and community-based programs.

(3) Grades 6-8 benchmark 8C: Share and develop cultural experiences. Grades 6-8 performance standard: Celebrate customs, cultural traditions and American holidays, using music at or from home and in other social situations. [6.29.2.12 NMAC - N, 6-30-2009]

### 6.29.2.13 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR MUSIC, Grades 9-12:

A. Strand: Music.  
Standard 1: Learn and develop the essential skills and meet technical demands unique to dance, music, theatre/drama and visual arts.

(1) Grades 9-12 benchmark 1A: Sing and play instruments with appropriate techniques while performing a varied repertoire of music. Grades 9-12 performance standards:

(a) Sing, alone and with others (with and without accompaniment) with correct pitch, rhythm, timbre, diction, posture, range, voice quality, style, techniques and breath control.

(b) Demonstrate advanced instrumental playing techniques (e.g., breath control, bow control, stick control, embouchure, articulation, vibrato, correct fingerings and extended range, posture, hand position and characteristic tone quality.)

(c) Perform using musical literature appropriate to grade and ability level in both small and large ensembles, with a focus on blend, good intonation, balance, precision and expressiveness (e.g., dynamics, phrasing, style and interpretation).

(d) Demonstrate the ability to prepare (using good practice skills) and perform music independent of the teacher/instructor.

(e) Demonstrate sight-reading skills, using musical literature appropriate to ability level.

(2) Grades 9-12 benchmark 1B: Identify timbre (tone quality) of extended families of instruments, advanced ranges of instruments and specific voice classifications. Grades 9-12 performance standard: Study and perform literature of various genres and styles that utilize advanced techniques, emulating performances of well-known and appropriate soloists and ensembles.

(3) Grades 9-12 benchmark 1C: Acquire beat and rhythmic competency skills. Grades 9-12 performance standards:

(a) Identify simple, compound

and asymmetric meters (aurally, visually in notation and through conducting patterns).

(b) Read and perform rhythms in simple meter (2/4, 3/4, 4/4), compound meter (3/8, 6/8, 9/8) and asymmetric meter (5/4, 5/8, 7/8) in solo/ensemble situations.

(4) Grades 9-12 benchmark 1D: Identify basic musical notation and symbols. Grades 9-12 performance standards:

(a) Read, identify and perform using musical notation and symbols from appropriate grade-level literature (instrumental/choral.)

(b) Use the conventions of musical notation (e.g., key signature, time signature, clefs, repeat signs) and non-traditional symbols (e.g., aleatoric symbols, tablature, chord symbols, shaped notes).

B. Strand: Music.  
Standard 2: Use dance, music, theatre/drama and visual arts to express ideas. Grades 9-12 benchmark 2: Show understanding of how music expresses ideas. Grades 9-12 performance standards:

(1) Recognize and discuss how programmatic and absolute music can express an abstract concept or describe specific events, art work, places, etc.

(2) Discuss how movie scores and other background music complement and intensify the action, emotion or mood in a dramatic performance.

(3) Discuss how preferences in music are developed among different subgroups (e.g., classes, strata and generations) in our society, showing respect and appreciation for the preferences of others.

C. Strand: Music.  
Standard 3: Integrate understanding of visual and performing arts by seeking connections and parallels among arts disciplines as well as other content areas.

(1) Grades 9-12 benchmark 3A: Identify terms common to the various art forms. Grades 9-12 performance standard: Describe the interrelationship of all the art disciplines in terms of commonalities in the creative processes, historical and cultural influences and common elements (e.g., rhythm, balance, form, style, tempo).

(2) Grades 9-12 benchmark 3B: Explain how music can relate to other art forms or content areas. Grades 9-12 performance standard: Discuss and demonstrate relationships of music to other disciplines (e.g., reading - the ongoing, horizontal flow of words akin to the movement of music; social studies - how music of a culture helps to define and understand that culture; mathematics - the rhythm of music is expressed numerically; science - the movement of sound as a physical phenomenon).

(3) Grades 9-12 benchmark 3C: Identify how music can support and enhance other disciplines. Grades 9-12 performance standards:

(a) Develop an essential question that can be addressed through a musical composition and other art forms (e.g., "Why does racism occur?" "Why does war exist?").

(b) Compose or improvise a short piece of music to represent or describe an idea or concept from another content area.

D. Strand: Music.  
Standard 4: Demonstrate an understanding of the dynamics of the creative process.

(1) Grades 9-12 benchmark 4A: Describe why music is created and how it is used. Grades 9-12 performance standards:

(a) Discuss different motivating factors which have inspired the creation of music, including: historical figures, nature, events, literature, drama, etc.

(b) Explore the training, skills and education necessary for various careers in music.

(c) Communicate an understanding of the role of music as an avocation (e.g., consumer of music, concertgoer, listening to or performing music for personal pleasure.)

(2) Grades 9-12 benchmark 4B: Explain how music is created. Grades 9-12 performance standards:

(a) Discuss influences on the creation of music from historical and cultural perspectives (e.g., aboriginal tribes - rituals, religions, social issues, availability of natural materials and technology/tools, etc.).

(b) Demonstrate an understanding of principles of repetition, contrast and unity as compositional elements (e.g., score analysis, study of form, personal composition).

(c) Identify non-traditional sources (e.g., computer-generated, manipulated, "found sound").

E. Strand: Music.  
Standard 5: Observe, discuss, analyze and make critical judgments about artistic works.

(1) Grades 9-12 benchmark 5A: Identify music forms when presented aurally. Grades 9-12 performance standards:

(a) Identify the musical form of the piece being studied/performed in an ensemble class (e.g., overture, march, symphony, concerto, sonata allegro, rondo).

(b) Identify stylistic forms of music (e.g., rap, gamelan, mariachi, oriental, non-western, reggae, steel drum, folk, Mongolian throat singing).

(2) Grades 9-12 benchmark 5B: Use appropriate terminology to discuss responses and reactions to particular musical works. Grades 9-12 performance standards:

(a) Describe and analyze the criteria used in the critical evaluation of one's own and other's performances, compositions/arrangements and improvisations.

(b) Utilize professional adjudica-

tor's critiques/feedback from festival performances to improve individual and ensemble musicianship.

F. Strand: Music.  
Standard 6: Show increased awareness of diverse peoples and cultures through visual and performing arts. Grades 9-12 benchmark 6: Identify and perform a varied repertoire from historical periods and diverse cultures, with emphasis on the music and the cultures of New Mexico. Grades 9-12 performance standards:

(1) Study and perform music from various cultures with an emphasis on historical and cultural connections, and on the musical characteristics unique to a national or cultural style of music.

(2) Describe the development of American musical styles and the contribution of various ethnic groups represented in American society (e.g., country, Appalachian folk, blues, jazz, bluegrass, gospel).

(3) Identify and describe the role of music and musicians in various settings within New Mexico.

(4) Compare and contrast music from different eras that employ various compositional techniques (e.g., fugue, classical style, impressionism, atonal music, jazz rhythms).

G. Strand: Music.  
Standard 7: Demonstrate knowledge about how technology and invention have historically influenced artists and offered new possibilities for expression.

(1) Grades 9-12 benchmark 7A: Describe how various instruments have evolved. Grades 9-12 performance standard: Describe how technology has influenced the composition and performance of music (e.g., use of computers, computer-generated sounds, electronic keyboards/guitars/violins, etc.).

(2) Grades 9-12 benchmark 7B: Use appropriate music technology. Grades 9-12 performance standards:

(a) Use recording and playback technology to improve one's personal musical skills.

(b) Use appropriate computer-aided instruction programs (e.g., theory programs, rhythmic training, compositional programs).

H. Strand: Music.  
Standard 8: Contribute to communities by sharing expertise in dance, music, theatre/drama and visual arts, and by participating in the activities of cultural institutions.

(1) Grades 9-12 benchmark 8A: Model appropriate audience behavior at live concert performances. Grades 9-12 performance standards:

(a) Model respectful behavior, showing understanding of the dynamics of what it takes to be a performer, as well as

appropriate behavior in the performance venue.

(b) Show understanding of the role of the audience and how it should react to a performer in various types of performance situations (e.g., clapping after a jazz solo, but not a classical solo).

(2) Grades 9-12 benchmark 8B: Participate in appropriate school programs. Grades 9-12 performance standards:

(a) Prepare and perform age-appropriate material at school and community-based programs.

(b) Participate in interscholastic music festivals and volunteer in community service projects using musical talents.

(3) Grades 9-12 benchmark 8C: Share and develop cultural experiences. Grades 9-12 performance standards:

(a) Celebrate customs, cultural traditions and American holidays, using music at or from home and in other social situations.

(b) Attend concerts within the community.

[6.29.2.13 NMAC - N, 6-30-2009]

**6.29.2.14 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR THEATRE/DRAMA, Grades K-5:** Note: See definitions for theatre at 6.29.2.7 NMAC.

A. Strand: Theatre/drama.  
Standard 1: Learn and develop skills and meet technical demands unique to dance, music, theatre/drama and visual arts.

(1) Grades K-5 benchmark 1A: Use body and voice to portray character.

(a) Grades K-1 performance standards:

(i) Express various characters, ideas and emotions through gestures, movement and voice.

(ii) Speak and act within the full range of current abilities.

(b) Grades 2-3 performance standards:

(i) Use body and voice to portray characters, to demonstrate mood or setting.

(ii) Interpret characters within the full range of current abilities.

(c) Grades 4-5 performance standards:

(i) Integrate body and voice to portray character (e.g., mood, emotions) within the context of a dramatization.

(ii) Demonstrate the ability to stay in character for the duration of improvised dramatizations.

(iii) Apply characterization within the full range of current abilities.

(2) Grades K-5 benchmark 1B: Design and construct technical elements for classroom dramatizations (e.g., simple sets, props, costumes, make-up and sound

effects).

(a) Grades K-1 performance standard: Construct simple props appropriate to a grade-level dramatization.

(b) Grades 2-3 performance standard: Design and construct simple props, scenery and costumes appropriate to a grade-level dramatization.

(c) Grades 4-5 performance standard: Design, construct and gather props, scenery, costumes and make-up needed for a grade-level dramatization.

B. Strand: Theatre/drama. Standard 2: Use dance, music, theatre/drama, and visual arts to express ideas.

(1) Grades K-5 benchmark 2A: Develop classroom dramatizations that express various moods or emotions (e.g., happy/sad, funny, scary, mysterious, etc.).

(a) Grades K-1 performance standards:

(i) Create dialogue to retell stories.

(ii) Explore the use of the voice to express feelings and moods.

(b) Grades 2-3 performance standards:

(i) Identify the various ways that a story could be performed.

(ii) Paraphrase dialogue from a story to demonstrate different interpretations for use in dramatizations.

(iii) Develop character, feeling or mood through the use of the voice.

(c) Grades 4-5 performance standards:

(i) Develop dialogue to express a character's feelings.

(ii) Create various character voices by varying volume, pitch, rate, tone quality, duration, intensity and clarity.

(2) Grades K-5 benchmark 2B: Plan, prepare and present improvisations.

(a) Grades K-1 performance standards:

(i) Collaborate to create and present original stories.

(ii) Dramatize stories using improvisation and creative drama games.

(b) Grades 2-3 performance standards:

(i) Improvise and reenact scenes based on personal or community experiences.

(ii) Listen and react to others in an improvisation.

(c) Grades 4-5 performance standards:

(i) Collaborate creatively in improvised and scripted scenes.

(ii) Explore character responses in relation to other actors' interpretations of their character.

C. Strand: Theatre/drama. Standard 3: Integrate understanding of visual and performing arts by seeking connections and parallels among arts disciplines, as well as other content areas.

(1) Grades K-5 benchmark 3A: Describe theatrical elements (visual, aural, oral, kinetic, ideas, emotions and mood) and compare them with other art forms and content areas.

(a) Grades K-1 performance standards:

(i) Discuss basic similarities and differences between art forms.

(ii) Describe ways that other art forms enhance a dramatic piece.

(b) Grades 2-3 performance standards:

(i) Identify different art forms within the community.

(ii) Discuss how theatre arts can express ideas from other content areas (e.g., social studies, science, math).

(c) Grades 4-5 performance standards:

(i) Discuss how theatre arts can synthesize all the arts disciplines.

(ii) Explain relationships between theatre arts and other content areas.

(iii) Describe visual, aural and kinetic elements in dramatic media.

(2) Grades K-5 benchmark 3B: Select movement, music or visual elements to enhance a dramatization.

(a) Grades K-1 performance standards:

(i) Apply sound, movement and drawing in dramatic play.

(ii) Use pantomime in simple characterizations.

(b) Grades 2-3 performance standards:

(i) Incorporate other art forms into the creation of a dramatic presentation.

(ii) Develop pantomime for use in simple dramatizations.

(c) Grades 4-5 performance standard: Explore color, space, shape, texture, movement and sound to develop a dramatic setting.

D. Strand: Theatre/drama. Standard 4: Demonstrate an understanding of the dynamics of the creative process. Grades K-5 benchmark 4: Collaborate to design, plan, rehearse and perform dramatizations.

(1) Grades K-1 performance standards:

(a) Retell stories through guided dramatic play.

(b) Relay a sequence of events, through verbal and non-verbal communication, in a simple drama.

(2) Grades 2-3 performance standards:

(a) Develop stories and original pieces using improvisation.

(b) Use basic script writing to portray a sequence of events in a simple scene or story.

(3) Grades 4-5 performance standards:

(a) Improvise dialogue to tell a story.

(b) Alone or in groups, write a script based on a short story for improvised dramatization, with a beginning that introduces the characters, a middle that includes a dramatic conflict, and an ending that resolves the conflict.

E. Strand: Theatre/drama. Standard 5: Observe, discuss, analyze and make critical judgments about artistic works.

(1) Grades K-5 benchmark 5A: Identify and describe visual, aural, oral and kinetic elements of dramatic performances.

(a) Grades K-1 performance standard: Discuss what makes theatre arts unique.

(b) Grades 2-3 performance standard: Make distinctions between live and recorded performances.

(c) Grades 4-5 performance standard: Discuss the meaning of scene, act and play.

(2) Grades K-5 benchmark 5B: Explain how the wants and needs of characters are different from those of the actors.

(a) Grades K-1 performance standard: Make predictions about the outcomes of characters' actions in dramatic presentations.

(b) Grades 2-3 performance standard: Discuss the concept that consequences and actions teach characters and audience members life lessons.

(c) Grades 4-5 performance standard: Explain how consequences and actions in dramatic productions introduce and teach life lessons.

(3) Grades K-5 benchmark 5C: Describe one's emotional response and personal preferences, and give constructive feedback about dramatic performances.

(a) Grades K-1 performance standards:

(i) Use age-appropriate theatre vocabulary to critique what is seen, heard and understood.

(ii) Discuss the likes and dislikes of audience members.

(b) Grades 2-3 performance standards:

(i) Use selective criteria to critique what one sees, hears and understands.

(ii) Demonstrate responsible audience behaviors and respon-

sible responses to dramatizations.

(iii) Discuss personal reactions to various performances.

(c) Grades 4-5 performance standards:

(i) Offer constructive critique of scene and play, using descriptive vocabulary.

(ii) Utilize appropriate audience behaviors and appropriate responses to dramatizations.

(iii) Use verbal and written responses to identify emotions and thoughts evoked by dramatizations.

F. Strand: Theatre/drama. Standard 6: Show increased awareness of diverse peoples and cultures through visual and performing arts.

(1) Grades K-5 benchmark 6A: Communicate information to peers about people, events, time and place related to dramatizations.

(a) Grades K-1 performance standards:

(i) Discuss drama as an expression and record of the human experience.

(ii) Use family, school and community resources to gather information about the characters and settings of a story.

(b) Grades 2-3 performance standards:

(i) Examine the dynamic relationship between community, culture and theatre arts.

(ii) Explore and explain the value of theatre as a means of integrating art forms, history and culture.

(c) Grades 4-5 performance standards:

(i) Explain how social concepts can be developed through dramatizations.

(ii) Explore and explain performing theatre arts in the community.

(2) Grades K-5 benchmark 6B: Identify and compare similar characters and situations in dramas and stories from various cultures.

(a) Grades K-1 performance standard: Discuss various cultural traditions found in stories, songs, fairy tales, fables and nursery rhymes.

(b) Grades 2-3 performance standards:

(i) Compare and contrast various cultural traditions found in stories, songs, fairy tales, fables and nursery rhymes.

(ii) Recognize that forms of theatre are found in all cultures.

(c) Grades 4-5 performance standard: Explore theatre arts from various cultures.

G. Strand: Theatre/drama. Standard 7: Demonstrate knowledge about

how technology and invention have historically influenced artists and offered new possibilities for expression.

(1) Grades K-5 benchmark 7A: Describe how scientific and technological developments have impacted career choice and availability in theatre, TV, film, video and other electronic media.

(a) Grades K-1 performance standards:

(i) Discuss the role that film and television have played in one's personal life.

(ii) Identify what actors and other members of a dramatic production do.

(b) Grades 2-3 performance standards:

(i) Examine the roles of theatre, film and television in the community.

(ii) Discuss what actors, designers, directors and playwrights do in theatre.

(c) Grades 4-5 performance standards: Investigate careers in the theatre.

(2) Grades K-5 benchmark 7B: Explore the impact of video, film and computer on theatrical endeavor.

(a) Grades K-1 performance standard: List qualities of various types of live or recorded presentations (film, television and electronic technology).

(b) Grades 2-3 performance standard: Summarize the roles of technology and electronic media as they relate to theatre arts.

(c) Grades 4-5 performance standard: Describe the moods or emotional qualities of different kinds of live or recorded dramatic performances.

H. Strand: Theatre/drama. Standard 8: Contribute to communities by sharing expertise in dance, music, theatre/drama and visual arts, and by participating in the activities of cultural institutions.

(1) Grades K-5 benchmark 8A: Explore the importance of lighting, costumes, set/scenery, properties, sound effects and make-up for dramatic presentation.

(a) Grades K-1 performance standards:

(i) Interact through use of visual aids, props and costumes to establish characters and setting.

(ii) Create various ways of staging classroom dramatizations.

(b) Grades 2-3 performance standards:

(i) Transform a space and materials for acting out simple dramatizations.

(ii) Contribute to making artistic choices for the scenery, props and costumes in a presentation.

(c) Grades 4-5 performance stan-

dards:

(i) Use available design resources for props, costumes, lights and set.

(ii) Design a simple set, considering possible limitations dictated by an environment.

(2) Grades K-5 benchmark 8B: Assume roles for an audience that demonstrate characterization and tell a story.

(a) Grades K-1 performance standards:

(i) Participate in creative drama and informal presentations.

(ii) Adapt movement to include audience focus.

(b) Grades 2-3 performance standards:

(i) Participate in and construct creative dramatic presentations.

(ii) Adjust blocking to include audience focus.

(c) Grades 4-5 performance standards:

(i) Demonstrate focus and dedication (e.g., memorization of text and blocking) in portraying character for dramatic presentations.

(ii) Use blocking to non-verbally depict character, mood and action to the audience.

[6.29.2.14 NMAC - N, 6-30-2009]

### 6.29.2.15 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR THEATRE/DRAMA, Grades 6-8:

A. Strand: Theater/drama. Standard 1: Learn and develop the essential skills and meet technical demands unique to dance, music, theatre/drama and visual arts.

(1) Grades 6-8 benchmark 1A: Refine dialogue and action that contribute to effective plots in classroom dramatizations. Grades 6-8 performance standards:

(a) Utilize acting skills to study human behavior and conflict resolution.

(b) Interpret the meaning of scripted scenes and plays.

(c) Construct dialogue and action that creates a story line with a beginning, middle and end.

(2) Grades 6-8 benchmark 1B: Practice acting skills to develop characterizations that suggest or illustrate artistic choice. Grades 6-8 performance standards:

(a) Define and analyze character relationships in improvised and scripted scenes.

(b) Analyze and describe character behaviors and motivations.

(c) Participate in improvisation and scene work focused on artistic choices.

(3) Grades 6-8 benchmark 1C: Interact as characters in an ensemble. Grades 6-8 performance standards:

(a) Apply various acting skills

(memory and sensory recall, concentration and motivation) to create believable characters that function in an ensemble.

(b) Cooperate and abide by group decisions.

(4) Grades 6-8 benchmark 1D: Select and create necessary technical elements for dramatizations (e.g., sets, props, costumes, make-up and sound effects). Grades 6-8 performance standards:

(a) Using available resources, develop and implement technical elements (e.g., sets, costumes, lighting, sound) needed to enhance the meaning of a scene or play.

(b) Develop basic design concepts to create a set for formal and informal scenes.

(5) Grades 6-8 benchmark 1E: Demonstrate the directing process (e.g., research, plan, collaborate, audition, cast, block and direct). Grades 6-8 performance standards:

(a) Utilize the directing process (research, plan, collaborate, audition, cast, block and direct) in dramatizations.

(b) Lead small groups in designing, planning and rehearsing a variety of dramatizations.

B. Strand: Theatre/drama. Standard 2: Use dance, music, theatre/drama and visual arts to express ideas.

(1) Grades 6-8 benchmark 2A: Create improvised dramatizations that express specific ideas, meanings, themes, moods and emotions. Grades 6-8 performance standards:

(a) Develop and defend character choices in relation to other actors' interpretations of their characters.

(b) Identify the physical, emotional and social dimensions of characters in improvisations.

(2) Grades 6-8 benchmark 2B: Interact as the invented characters within an ensemble. Grades 6-8 performance standards:

(a) Collaborate with others to create and evaluate improvised and scripted scenes.

(b) Demonstrate the ability to stay in character for longer classroom dramatizations.

C. Strand: Theatre/drama. Standard 3: Integrate understanding of visual and performing arts by seeking connections and parallels among arts disciplines as well as other content areas.

(1) Grades 6-8 benchmark 3A: Describe and compare characteristics of different art forms as they relate to theatre arts. Grades 6-8 performance standards:

(a) Incorporate elements of dance, music and visual arts to express ideas and emotions in improvised and scripted scenes.

(b) Design and construct a set using available materials based on line, color, space, shape, texture and principles of visual arts.

(2) Grades 6-8 benchmark 3B: Develop dramatizations which include topics in other content areas such as literature, history and science. Grades 6-8 performance standard: Apply the transfer of knowledge between the arts and other content areas to dramatic presentations.

D. Strand: Theatre/drama. Standard 4: Demonstrate an understanding of the dynamics of the creative process.

(1) Grades 6-8 benchmark 4A: Using appropriate vocabulary, describe and make connections between various technical aspects of theatre. Grades 6-8 performance standards:

(a) Explain the functions and interrelated nature of technical aspects of theatre (e.g., set/scenery, lighting, costumes, props and make-up).

(b) Integrate theatre arts vocabulary in the development of dramatic presentations.

(2) Grades 6-8 benchmark 4B: Collaborate to develop improvised and scripted scenes, and evaluate effectiveness of student contributions. Grades 6-8 performance standards:

(a) Employ the use of different tones, moods and characterization in the creation of suspense.

(b) Lead small groups in planning and rehearsing scenes to be scripted using social, group and consensus skills.

(3) Grades 6-8 benchmark 4C: Create written dramatic scenes based on original or recognized interdisciplinary prompts, personal experiences and historical events. Grades 6-8 performance standards:

(a) Analyze how culture, location and era are reflected in written scenes and plays.

(b) Refine, write, critique and produce original scenes or one-act plays.

E. Strand: Theatre/drama. Standard 5: Observe, discuss, analyze and make critical judgments about artistic works.

(1) Grades 6-8 benchmark 5A: Express and compare personal reactions to dramatic performances. Grades 6-8 performance standards:

(a) Attend and evaluate theatre productions in the school or community.

(b) Describe sensory impressions and emotional reactions to various works of art, and justify preferences.

(c) Express and compare personal reactions and audience reactions to a variety of art forms.

(2) Grades 6-8 benchmark 5B: Describe and analyze the effect of publicity,

support materials and physical environments on audience response and appreciation. Grades 6-8 performance standard: Assess the relationship between an audience and a dramatic presentation.

(3) Grades 6-8 benchmark 5C: Articulate and support meaning constructed from one's own and other dramatic performances. Grades 6-8 performance standards:

(a) Critique the ideas, meaning, themes, moods and emotions expressed in classroom dramatizations or formal theatrical productions.

(b) Apply descriptive vocabulary and creative thinking in the critiquing process.

(c) Utilize student-developed criteria for evaluation of dramatic presentations.

F. Strand: Theatre/drama. Standard 6: Show increased awareness of diverse peoples and cultures through visual and performing arts.

(1) Grades 6-8 benchmark 6A: Describe and compare universal characters and situations in dramas from various cultures and historical periods. Grades 6-8 performance standards:

(a) Engage in dramatic activities depicting different cultures and times, and discuss commonality of characters, situations and motives in various cultures and historical periods.

(b) Critique theatrical material from various cultures.

(2) Grades 6-8 benchmark 6B: Explore similarities between life and theatre. Grades 6-8 performance standards:

(a) Assess the emotional and social impact of theatre arts on one's own life.

(b) Analyze the functions of the performing arts in the community and in other cultures.

(3) Grades 6-8 benchmark 6C: Explore reasons why subjects and ideas are re-examined in different cultures and times. Grades 6-8 performance standards:

(a) Compare and contrast theatrical productions from different cultures, and examine how theatrical forms develop in response to cultural needs.

(b) Analyze how culture affects the content and production elements of a dramatic presentation.

G. Strand: Theatre/drama. Standard 7: Demonstrate knowledge about how technology and invention have historically influenced artists and offered new possibilities for expression.

(1) Grades 6-8 benchmark 7A: Describe how scientific and technological developments have impacted career choices in theatre, film, television, video and other electronic media. Grades 6-8 performance

standards:

(a) Assess careers in the theatre and related fields (e.g., actor, director, stage manager, producer, set designer, costume designer, production/marketing, agent, internet and intranet endeavors, and other fields).

(b) Explain knowledge, skills and discipline needed to pursue careers and vocational opportunities in various theatrical media and in related fields.

(c) Discuss a variety of theatrical works, playwrights and performing artists in various cultures throughout history.

(2) Grades 6-8 benchmark 7B: Explore the impact of film, video and computer on theatrical endeavor. Grades 6-8 performance standards:

(a) Debate the advantage or disadvantage of film, video and communications technology on dramatic presentations.

(b) Interpret a variety of theatre works in their contexts in cultures, times and places.

H. Strand: Theatre/drama. Standard 8: Contribute to communities by sharing expertise in dance, music, theatre/drama and visual arts, and by participating in the activities of cultural institutions. Grades 6-8 benchmark 8: Develop scenes and technical aspects to perform for an audience. Grades 6-8 performance standards:

(1) Apply various acting skills (e.g., memorization, concentration and motivation) to create believable characters.

(2) Design and construct a set, using available materials, with consideration for the performance space.

(3) Create lighting and sound elements that set a mood for an audience in formal and informal dramatic presentations.

(4) Use time effectively to brainstorm, experiment, plan and rehearse.

(5) Evaluate staging choices to convey the meaning in scripted scenes. [6.29.2.15 NMAC - N, 6-30-2009]

#### **6.29.2.16 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR THEATRE/DRAMA, Grades 9-12:**

A. Strand: Theatre/drama. Standard 1: Learn and develop the essential skills and meet technical demands unique to dance, music, theatre/drama and visual arts.

(1) Grades 9-12 benchmark 1A: Create and analyze the physical, emotional and social dimensions of characters and sustain these characters in an ensemble. Grades 9-12 performance standards:

(a) Create and portray characters in performance.

(b) Write a character analysis.

(2) Grades 9-12 benchmark 1B: Apply the basic physical and chemical properties of the technical aspects of the-

atre: light, color, electricity, paint, make-up, etc. Grades 9-12 performance standards:

(a) Apply knowledge and skills to collaboratively and safely create functional scenery, properties, lighting and sound.

(b) Apply knowledge and skills to create character make-up.

(3) Grades 9-12 benchmark 1C: Create and implement production schedules, management plans and promotional ideas. Grades 9-12 performance standards:

(a) Create posters, playbills, multi-media advertising and programs.

(b) Create a timeline that includes multiple steps and deadlines in order to complete a long-term project (i.e., scheduling what must be completed in each rehearsal in order to be ready by the production, setting a schedule to have costumes completed by the production, etc.).

(4) Grades 9-12 benchmark 1D: Conduct auditions, cast actors, direct scenes and manage production meetings. Grades 9-12 performance standards:

(a) Audition and cast actors.

(b) Direct actors in a scene.

(c) Conduct production meetings with cast and crew members.

(5) Grades 9-12 benchmark 1E: Demonstrate artistic discipline to achieve an ensemble. Grades 9-12 performance standard: Demonstrate the ability to listen to, react to and perform in response to other actors in rehearsal and in performance.

B. Strand: Theatre/drama. Standard 2: Use dance, music, theatre/drama and visual arts to express ideas.

(1) Grades 9-12 benchmark 2A: Construct and refine scripts that express specific themes and emotions. Grades 9-12 performance standards:

(a) Write, edit and revise short theatre, film, television or electronic media scripts in a variety of new or traditional forms.

(b) Make decisions so that different settings, plots, characters, phrasing, etc., most effectively reflect intended theme or emotion.

(2) Grades 9-12 benchmark 2B: Develop technical designs that use visual and sound elements to enhance scripts. Grades 9-12 performance standard: Present designs using learned technical knowledge.

C. Strand: Theatre/drama. Standard 3: Integrate understanding of visual and performing arts by seeking connections and parallels among arts disciplines as well as other content areas.

(1) Grades 9-12 benchmark 3A: Determine how the non-dramatic art forms are modified to enhance theatrical production. Grades 9-12 performance standard: Research and discuss various theatrical productions to determine how other art forms

are used in a production.

(2) Grades 9-12 benchmark 3B: Describe the basic nature, materials, elements and means of communicating in the various art forms. Grades 9-12 performance standard: Discuss, write or present a project using other art forms as communication tools.

(3) Grades 9-12 benchmark 3C: Illustrate the integration of several arts media. Grades 9-12 performance standard: Incorporate several arts disciplines (e.g., music, painting, dance) into classroom exercises or performances.

D. Strand: Theatre/drama. Standard 4: Demonstrate an understanding of the dynamics of the creative process.

(1) Grades 9-12 benchmark 4A: Justify selection of texts, interpretation of texts and artistic choices for production. Grades 9-12 performance standards:

(a) Present set, costume, properties, lighting, sound or make-up designs, and explain how the text was selected, designs and concepts were formulated, and how the designs relate to the text.

(b) Select the most effective text for a purpose, interpret texts and make artistic choices through scene work or acting exercises.

(2) Grades 9-12 benchmark 4B: Explain the roles and interrelated responsibilities of the various personnel involved in theatrical production. Grades 9-12 performance standard: Analyze the relationships and responsibilities of all personnel in the production staff hierarchy.

(3) Grades 9-12 benchmark 4C: Collaborate with designers and directors, and develop a unified production concept. Grades 9-12 performance standard: Present a unified production concept by means of a production, paper or class presentation.

E. Strand: Theater/drama. Standard 5: Observe, discuss, analyze and make critical judgments about artistic works.

(1) Grades 9-12 benchmark 5A: Articulate and justify personal criteria in order to critique dramatic texts and events. Grades 9-12 performance standards:

(a) Discuss criteria used to critique, and create a rubric or checklist using those criteria to critique a text or performance.

(b) Defend a critique of a performance verbally or in writing.

(2) Grades 9-12 benchmark 5B: Analyze and critique any dramatic performance, comparing perceived artistic intent with final production achievement. Grades 9-12 performance standards:

(a) Analyze and critique a performance, verbally or in writing, comparing artistic intent with final production.

(b) Analyze and evaluate others' critical comments about personal work (i.e.,

final production achievement), compare with initial intent, and decide and explain which points are most appropriate to further development of the work.

F. Strand: Theater/drama.  
Standard 6: Show increased awareness of diverse peoples and cultures through visual and performing arts.

(1) Grades 9-12 benchmark 6A: Analyze and compare dramatic texts and artists from various cultures and periods of history. Grades 9-12 performance standards:

(a) Select a theme or idea and compare how it is developed or treated in dramas from a variety of cultures.

(b) Analyze and summarize how contemporary and historic cultural influences affect the content and production elements of a dramatic presentation.

(2) Grades 9-12 benchmark 6B: Construct social meaning from productions representing a variety of cultures and historical periods, and relate to current issues. Grades 9-12 performance standards:

(a) Reflect and describe how personal cultural experiences have affected a performance in a play.

(b) Assess the social impact of theatre productions, past and present.

G. Strand: Theatre/drama.  
Standard 7: Demonstrate knowledge about how technology and invention have historically influenced artists and offered new possibilities for expression.

(1) Grades 9-12 benchmark 7A: Explore how scientific and technological advances have impacted technical theatre development (set/scenery, costumes, lighting, properties, sound and make-up). Grades 9-12 performance standards:

(a) Assess and compare careers in traditional theatre, and in film/television /electronic industries.

(b) Choose a specific career or vocational opportunity and thoroughly evaluate the knowledge, skills and discipline needed for success in that career.

(c) Choose playwrights from various cultures during a specific historical period, and compare their lives and works, and how they influenced the society in which they lived.

(2) Grades 9-12 benchmark 7B: Examine the differences in styles of performing for live audiences and performing for film, television or video, etc. Grades 9-12 performance standards:

(a) Evaluate the advantages or disadvantages that live theatre or film, video and electronic communications technology have on dramatic presentations.

(b) Analyze the differences between performing for a live audience and performing in front of a recording device.

(3) Grades 9-12 benchmark 7C:

Explain how scientific and technological advances have impacted all aspects of theatre. Grades 9-12 performance standard: Describe how computers and other technological advances have impacted technical design and other aspects of theatre.

H. Strand: Theatre/drama.  
Standard 8: Contribute to communities by sharing expertise in dance, music, theatre/drama and visual arts, and by participating in the activities of cultural institutions. Grades 9-12 benchmark 8: Explore the art of theatre through guest speakers, field trips and participation in school, community and professional theatre activities. Grades 9-12 performance standards:

(1) Explain the knowledge, skills and discipline needed to pursue careers and vocational opportunities in theatre, film, television and electronic media.

(2) Analyze school, community and professional theatre activities from personal observation and participation.

(3) Summarize and evaluate personal participation in school, community or professional theatre activities.

[6.29.2.16 NMAC - N, 6-30-2009]

**6.29.2.17 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR VISUAL ARTS, Grades K-5:** Note: Each standard requires the application of the elements of art and principles of design. See definitions for the visual arts at 6.29.2.7 NMAC.

A. Strand: Visual arts.  
Standard 1: Learn and develop the essential skills and meet technical demands unique to dance, music, theatre/drama and visual arts.

(1) Grades K-5 benchmark 1A: Participate in the process of making and looking at works of art to understand the elements of art, such as: color, form, line, shape, size, space, texture and value.

(a) Grades K-1 performance standards:

(i) Identify the elements of art in works of art and the environment.

(ii) Explore the use of lines, shapes and other art elements for image-making.

(b) Grades 2-3 performance standards:

(i) Group colors based on formal and informal criteria (warm-cool, limited color schemes, etc.)

(ii) Discuss how different elements of art impact images.

(c) Grades 4-5 performance standards:

(i) Identify the principles of design in works of art and the environment.

(ii) Apply the elements of art in assigned visual arts problems.

(2) Grades K-5 benchmark 1B: Explore and develop skills using art materials, tools and techniques.

(a) Grades K-1 performance standard: Use a variety of art materials and related skills.

(b) Grades 2-3 performance standard: Demonstrate increased skill with materials, tools and techniques.

(c) Grades 4-5 performance standard: Select a variety of materials, tools and techniques for producing desired artistic results.

(3) Grades K-5 benchmark 1C: Use art materials and tools safely and responsibly.

(a) Grades K-1 performance standards:

(i) Take care of classroom art materials.

(ii) Answer questions about safety.

(b) Grades 2-3 performance standards:

(i) Demonstrate responsibility for art materials.

(ii) Predict consequences of proper/improper use of materials.

(c) Grades 4-5 performance standards:

(i) Discuss potential hazards of art materials and tools.

(ii) Demonstrate proper use of art materials.

B. Strand: Visual arts.  
Standard 2: Use dance, music, theatre/drama, and visual arts to express ideas. Grades K-5 benchmark 2: Create art work that expresses ideas, feelings and experiences about self, family, community and the world.

(1) Grades K-1 performance standards:

(a) Describe ideas, feelings and experiences (about self, family, community and the world) in his or her art work and the art work of others.

(b) Express ideas, feelings and experiences in making art.

(2) Grades 2-3 performance standards:

(a) Interpret meaning in works of art and relate them to personal experiences.

(b) Demonstrate understanding of personal, local and global events as inspiration for expression.

(3) Grades 4-5 performance standards:

(a) Use personal experience as inspiration for expression in visual art.

(b) Use knowledge of local and global communities as inspiration for expression in visual art.

C. Strand: Visual arts.  
Standard 3: Integrate understanding of

visual and performing arts by seeking connections and parallels among arts disciplines as well as other content areas.

(1) Grades K-5 benchmark 3A: Explore characteristics of the visual arts and other arts disciplines.

(a) Grades K-1 performance standards:

(i) Become familiar with and name the other arts disciplines.

(ii) Explore the relationship between visual elements and basic elements of other arts disciplines through discussion and art making.

(b) Grades 2-3 performance standards:

(i) Describe similarities and differences among the visual arts and other arts disciplines.

(ii) Associate visual art elements with concepts from other arts disciplines.

(c) Grades 4-5 performance standards:

(i) Compare and contrast emotional responses to specific works of visual art and to works in other arts disciplines (e.g., how different lines can relate to music or dance).

(ii) Compare elements of art and design principles used across art disciplines, such as: pattern, repetition, contrast and balance.

(2) Grades K-5 benchmark 3B: Explore connections between the visual arts and other content areas.

(a) Grades K-1 performance standards:

(i) Identify and discuss connections between the elements of art and the principles of design in art used in other content areas (e.g. shapes and patterns in math or texture and repetition in science).

(ii) Discuss connections between themes used in visual arts and other content areas (e.g., stories in art and language arts or scientific concepts about the seasons, as shown in art).

(b) Grades 2-3 performance standards:

(i) Compare selected elements of art (color, form, line, shape, size, space, texture and value) and selected principles of design (balance, contrast, emphasis, movement, pattern, proportion, repetition, rhythm, unity and variety) within other content areas.

(ii) Describe connections between visual arts and other content areas.

(c) Grades 4-5 performance standards:

(i) Demonstrate understanding by applying art elements (e.g., color, form, line, shape, size, space, texture and value) and principles of design (balance, contrast, emphasis, movement, pat-

tern, proportion, repetition, rhythm, unity and variety) to other content areas.

(ii) Describe relationships between visual art and other content areas.

D. Strand: Visual arts.  
Standard 4: Demonstrate an understanding of the dynamics of the creative process.

(1) Grades K-5 benchmark 4A: Understand that artists create works of art based upon their diverse sources of inspiration, including personal and cultural experiences.

(a) Grades K-1 performance standards:

(i) Discuss how some artists make art based on their personal and cultural experiences.

(ii) Look for clues to an artist's creative processes used in some works of art.

(b) Grades 2-3 performance standards:

(i) Demonstrate understanding of how artists create using various steps and sources of inspiration.

(ii) Interpret the possible sources of inspiration in works of art.

(iii) Gather ideas through sketches, experimentation or modeling.

(c) Grades 4-5 performance standards:

(i) Solve artistic challenges using preliminary sketches, divergent production, and various sources of inspiration.

(ii) Examine works of art with a focus on their sources of inspiration.

(2) Grades K-5 benchmark 4B: Practice methods of reflection and self-evaluation of one's own art work.

(a) Grades K-1 performance standards:

(i) Describe the process of creating one's work of art.

(ii) Describe an artist's purpose for creating art work.

(b) Grades 2-3 performance standards:

(i) Discuss and reflect about the process of creating art.

(ii) Review and interpret the artistic intent in the creation of a work of art.

(c) Grades 4-5 performance standards:

(i) Reflect on the process of creating one's work of art.

(ii) Examine the success of personal/artistic intent in the creation of a work of art.

(iii) Research an idea to be used in an art work.

E. Strand: Visual arts.  
Standard 5: Observe, discuss, analyze and

make critical judgments about artistic works.

(1) Grades K-5 benchmark 5A: Develop necessary skills for identifying the design elements, narrative components and symbolism in a work of art.

(a) Grades K-1 performance standards:

(i) Identify and describe what the student sees in his/her own work and the work of others (e.g., subject matter, design elements, expressive qualities and materials used in works of art and in the student's own art).

(ii) Interpret possible stories and feelings from an art work based on what the student sees.

(b) Grades 2-3 performance standards:

(i) Interpret possible meanings and symbolism in art works and discuss how artists design their art for many reasons (e.g., to show what they see, to express feelings, to tell stories, to create with their imaginations, to make designs and to serve practical purposes).

(ii) Compare at least two pieces of art in terms of similarities and differences (e.g., in design, story, expression, function or symbolism).

(c) Grades 4-5 performance standards:

(i) Analyze narrative and symbolic elements in a piece of art.

(ii) Examine relationships among elements of art and principles of design found in a work of art.

(iii) Analyze why artists make art to achieve various goals (e.g., realistic, expressionistic, narrative, imaginative, formal or practical).

(iv) Communicate about works of art (e.g., class discussion, portfolio collection and display).

(2) Grades K-5 benchmark 5B: Develop and practice skills necessary for communicating responses to a work of art.

(a) Grades K-1 performance standards:

(i) Discuss how the use of elements of art can express ideas and feelings in one's own art.

(ii) Describe what it was like to make one's work of art.

(b) Grades 2-3 performance standards:

(i) Discuss reasons for selecting particular media to convey meaning in one's own art work.

(ii) Interpret the meaning of a work of art.

(iii) Make a summary observation about a work of art using the vocabulary of visual arts.

(c) Grades 4-5 performance standards:

(i) Use visual art infor-

mation to discuss the meaning of a work of art.

(ii) Communicate about works of art using activities such as class discussion, portfolio collection and display.

F. Strand: Visual arts. Standard 6: Show increased awareness of diverse peoples and cultures through visual and performing arts. Grades K-5 benchmark 6: Explore the visual arts of diverse peoples, times, places and cultures.

(1) Grades K-1 performance standards:

(a) Examine art and discuss diverse cultural influences.

(b) Create art about experiences within one's own culture.

(2) Grades 2-3 performance standards:

(a) Explore similarities and differences among art works from various cultures or periods of history.

(b) Become familiar with art forms that reflect New Mexico cultures.

(3) Grades 4-5 performance standards:

(a) Make interpretations of art that reflect cultural and historical influences.

(b) Experiment with creating art that reflects cultural and historical influences.

(c) Classify art from various cultures and historical eras.

(d) Recognize art from a variety of New Mexico and world cultures.

G. Strand: Visual arts. Standard 7: Demonstrate knowledge about how technology and invention have historically influenced artists and offered new possibilities for expression. Grades K-5 benchmark 7: Explore the role of specific inventions and their influence on art.

(1) Grades K-1 performance standards:

(a) Learn about and discuss art materials and media and when they came into use.

(b) Demonstrate, explore and use different art media.

(2) Grades 2-3 performance standards:

(a) Learn about examples and describe the impact of invention and technology on art.

(b) Demonstrate understanding of how various technologies are used to create works of art (e.g., animation and computer games).

(3) Grades 4-5 performance standards:

(a) Demonstrate an understanding of the impact of invention on a variety of arts-related careers.

(b) Use various technologies to create works of art.

H. Strand: Visual arts. Standard 8: Contribute to communities by sharing expertise in the visual arts and by participating in the activities of cultural institutions.

(1) Grades K-5 benchmark 8A: View art in various community settings.

(a) Grades K-1 performance standards:

(i) Identify and describe art in various settings.

(ii) Name some examples of local public art.

(b) Grades 2-3 performance standards:

(i) Talk about where art can be found in one's community and why it is there.

(ii) Associate types of art with likely display settings.

(c) Grades 4-5 performance standards:

(i) Examine art in different contexts (e.g., in museums, galleries or other public settings, commercial art, etc.).

(ii) Discover and discuss at least two examples of local public art.

(iii) Compare and contrast the meanings of art found in commercial settings (e.g., advertisements, product design, television and the internet).

(2) Grades K-5 benchmark 8B: Develop an awareness of how artists have contributed artistically to the community.

(a) Grades K-1 performance standards:

(i) Talk about art careers.

(ii) Show personal art work in various settings.

(iii) Contribute to community culture by exhibiting art work in various settings.

(b) Grades 2-3 performance standards:

(i) Describe various art careers.

(ii) Participate in school or community art displays.

(iii) Contribute to community culture by exhibiting art work in various settings.

(c) Grades 4-5 performance standards:

(i) Examine various arts careers.

(ii) Contribute to community culture by exhibiting art work in various settings.

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#### 6.29.2.18 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR

#### THE VISUAL ARTS, Grades 6-8:

A. Strand: Visual arts. Standard 1: Learn and develop the essential skills and meet technical demands unique to dance, music, theatre/drama and visual arts.

(1) Grades 6-8 benchmark 1A: Produce art that demonstrates the elements of art and principles of design in a variety of media. Grades 6-8 performance standards:

(a) Produce art that demonstrates understanding and knowledgeable application of the use of the elements of art (color, form, line, shape, space, texture and value) and principles of design (balance, contrast, emphasis, movement, pattern, proportion, repetition, rhythm, unity and variety).

(b) Experiment with the elements of art and principles of design in a variety of media, in unique and new situations.

(2) Grades 6-8 benchmark 1B: Explore and understand the use of art materials and techniques. Grades 6-8 performance standard: Apply and analyze a variety of materials, tools and techniques for producing art.

(3) Grades 6-8 benchmark 1C: Recognize that there are multiple points of view about organizational principles of design and elements of art. Grades 6-8 performance standards:

(a) Compare the use of principles of design and elements of art in different works of art.

(b) Engage in problem-solving activities that demonstrate unique and selective application of the principles of design and elements of art.

(4) Grades 6-8 benchmark 1D: Know appropriate health and safety issues and use materials safely and responsibly. Grades 6-8 performance standards:

(a) Analyze potential hazards of art materials and tools.

(b) Apply information about proper use of art materials.

B. Strand: Visual arts. Standard 2: Use dance, music, theatre/drama and visual arts to express ideas.

(1) Grades 6-8 benchmark 2A: Apply art concepts to communicate ideas about self, communities, cultures and the world. Grades 6-8 performance standards:

(a) Communicate ideas and points of view to others through discussion of specific works of art.

(b) Connect personal experience and knowledge of local and global communities as inspiration for expression in visual art.

(2) Grades 6-8 benchmark 2B: Use subjects, themes and symbols when expressing ideas in art works. Grades 6-8 performance standards:

(a) Explore a variety of ideas, images, themes, symbols and events

through art making.

(b) Infer connotations about the artist's emotions based on the use and placement of design principles and elements of art in one's own work and the work of others.

C. Strand: Visual arts.  
Standard 3: Integrate understanding of visual and performing arts by seeking connections and parallels among arts disciplines as well as other content areas.

(1) Grades 6-8 benchmark 3A: Explore the characteristics of works in two or more arts disciplines that share similar subject matter, historical periods or cultural contexts. Grades 6-8 performance standards:

(a) Identify similarities and differences among ideas, images, themes, symbols and events in specific works of visual art and works in other arts disciplines.

(b) Analyze and apply concepts used across arts disciplines, such as texture, repetition, contrast, balance, symmetry and pattern.

(2) Grades 6-8 benchmark 3B: Show ways in which principles and subject matter of other disciplines are interrelated with visual arts. Grades 6-8 performance standards:

(a) Identify and explain similarities and differences of concepts common to the visual arts and to other content areas.

(b) Analyze art concepts, such as texture, repetition, contrast, balance, symmetry and pattern within other content areas.

D. Strand: Visual arts.  
Standard 4: Demonstrate an understanding of the dynamics of the creative process.

(1) Grades 6-8 benchmark 4A: Demonstrate understanding of how the qualities and characteristics of various art media, techniques and processes influence the creative process to communicate experiences and ideas. Grades 6-8 performance standards:

(a) Apply idea-gathering processes, art elements and design principles in conjunction with subject, theme and content to express personal experiences and create meaning.

(b) Analyze personal reaction to art in different media.

(c) Demonstrate how the use of media can convey meaning (e.g., the softness of pastels and watercolors, the texture of collage, the sparseness of wire, etc).

(2) Grades 6-8 benchmark 4B: Explore how the influence of introspection, reflection, personal experience, imagination and the dynamics of culture have influenced artists to produce works of art. Grades 6-8 performance standards:

(a) Examine specific instances in which culture influences art.

(b) Explore personal experience,

imagination and culture to create art with personal meanings.

(c) Analyze the emotional connotations suggested by the use and placement of design principles and art elements in a particular piece of art.

E. Strand: Visual arts.  
Standard 5: Observe, discuss, analyze and make critical judgments about artistic works.

(1) Grades 6-8 benchmark 5A: Understand and distinguish multiple purposes and motivations for creating works of art. Grades 6-8 performance standards:

(a) Select and arrange the elements of art to express moods and feelings in one's own art and the art of others.

(b) Explain relationships between different elements found in a work of art.

(2) Grades 6-8 benchmark 5B: Understand personal, contemporary and historic meaning in specific art works through cultural and aesthetic inquiry. Grades 6-8 performance standards:

(a) Analyze how history, context and culture can influence artists when making art, and can influence viewers when studying works of art.

(b) Use historic, cultural and visual art concepts and information to explain the meaning of a piece of art.

F. Strand: Visual arts.  
Standard 6: Show increased awareness of diverse peoples and cultures through visual and performing arts.

(1) Grades 6-8 benchmark 6A: Compare and describe art work of various eras and cultures to understand culturally-based meanings. Grades 6-8 performance standards:

(a) Compare and contrast art works and artifacts from two dissimilar world cultures.

(b) Experiment with creating art that reflects one's own cultural and historical influences.

(2) Grades 6-8 benchmark 6B: Recognize historical and cultural themes, trends and styles in various works of art. Grades 6-8 performance standards:

(a) Sort and classify a variety of art objects within an identified historical or cultural context.

(b) Demonstrate art creation or selection that is inspired by cultural or historical influences.

G. Strand: Visual arts.  
Standard 7: Demonstrate knowledge about how technology and invention have historically influenced artists and offered new possibilities for expression.

(1) Grades 6-8 benchmark 7A: Analyze the role of specific inventions and their influence on art. Grades 6-8 performance standards:

(a) Explain the impact of invention on a variety of arts-related careers.

(b) Select various technologies to create works of art.

(2) Grades 6-8 benchmark 7B: Use, review and evaluate computers and other electronic media as tools for design and communication of ideas. Grades 6-8 performance standards:

(a) Select the appropriate type of technology to achieve a desired outcome.

(b) Incorporate the use of at least one means of electronic technology in creating an original work of art.

H. Strand: Visual arts.  
Standard 8: Contribute to communities by sharing expertise in dance, music, theatre/drama and visual arts, and by participating in the activities of cultural institutions.

(1) Grades 6-8 benchmark 8A: Examine art in various community settings. Grades 6-8 performance standards:

(a) Examine art in different contexts including museums, galleries and other public settings, etc.

(b) Analyze at least two examples of local public art.

(2) Grades 6-8 benchmark 8B: Create an exhibit incorporating a variety of original art using different media. Grades 6-8 performance standards:

(a) Participate in at least two art exhibits by providing original art.

(b) Arrange, as part of a team, an art exhibit (e.g., assist with arrangements, display or decision-making).

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#### **6.29.2.19 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR THE VISUAL ARTS, Grades 9-12:**

A. Strand: Visual arts.  
Standard 1: Learn and develop the essential skills and meet technical demands unique to dance, music, theatre/drama and visual arts.

(1) Grades 9-12 benchmark 1A: Explore and understand the elements of art (color, form, line, shape, space, texture and value) and principles of design (balance, contrast, emphasis, movement, pattern, proportion, repetition, rhythm, unity and variety) and what makes them effective in solving specific art problems and artistic intentions. Grades 9-12 performance standards:

(a) Integrate, with an increasing level of competence, the elements of art and principles of design to create works of art for specific purposes.

(b) Evaluate elements of art, principles of design and other artistic concepts as to their effect in various works of art.

(2) Grades 9-12 benchmark 1B: Show skill, confidence and sensitivity in applying knowledge of art media and techniques to the production of art work. Grades 9-12 performance standards:

(a) Demonstrate an increasing

level of competence in using processes, media and techniques to create experimental and display-quality works of art.

(b) Evaluate the use of techniques and effectiveness of media in various works of art.

(3) Grades 9-12 benchmark 1C: Recognize that there are multiple points of view about organizational principles of design and elements of art. Grades 9-12 performance standards:

(a) Produce a body of work that represents both diversity and effectiveness of selected mediums, techniques and artistic concepts for communicating.

(b) Compare, support and summarize the use of specific artistic concepts in two or more works of art.

(4) Grades 9-12 benchmark 1D: Demonstrate knowledge of appropriate health and safety issues as they pertain to the use of art material and equipment. Grades 9-12 performance standards:

(a) Evaluate potential hazards of art materials and tools.

(b) Integrate all acquired information about safety in the art studio into a set of appropriate procedures.

B. Strand: Visual arts.  
Standard 2: Use dance, music, theatre/drama and visual arts to express ideas.

(1) Grades 9-12 benchmark 2A: Combine art concepts to communicate simple and complex ideas. Grades 9-12 performance standards:

(a) Synthesize ideas and points of view into personal works of art.

(b) Construct a personal portfolio to enhance expressive viewpoints and processes.

(2) Grades 9-12 benchmark 2B: Describe how specific works of art may communicate ideas or elicit a variety of responses through the use of selected media, techniques and processes. Grades 9-12 performance standards:

(a) Compare and contrast a variety of art works in a historical and cultural context, and assimilate this into personal expression.

(b) Review and assess the use of elements of art and principles of design in art works.

C. Strand: Visual arts.  
Standard 3: Integrate understanding of visual and performing arts by seeking connections and parallels among arts disciplines as well as other content areas.

(1) Grades 9-12 benchmark 3A: Create art work that demonstrates an understanding of the relationship between selected subjects, symbols, images and design concepts from specific historic and cultural contexts among the arts. Grades 9-12 performance standards:

(a) Explore complex artistic expressions that combine multiple art disciplines, such as visual art and sound, movement or theatrical production.

(b) Incorporate concepts or elements from other arts disciplines in a visual art project.

(2) Grades 9-12 benchmark 3B: Examine how specific works are created, and how they relate to historical and cultural contexts, science and the humanities. Grades 9-12 performance standards:

(a) Include in one's portfolio, examples that demonstrate an understanding of art based on cross-disciplinary learning.

(b) Explore challenging visual arts problems, independently using intellectual skills such as analysis, synthesis and evaluation.

D. Strand: Visual arts.  
Standard 4: Demonstrate an understanding of the dynamics of the creative process.

(1) Grades 9-12 benchmark 4A: Analyze the qualities and characteristics of various art, media, techniques and processes that influence the creative process. Grades 9-12 performance standards:

(a) Synthesize idea-gathering processes, art elements and design principles with subject, theme and content to express personal experiences and create meaning in art.

(b) Analyze and assess personal reactions to art in different media.

(c) Predict how the combination of media and subject/theme can convey meaning.

(2) Grades 9-12 benchmark 4B: Use the introspective process used in creating personal art work. Grades 9-12 performance standards:

(a) Use the language of art criticism to explore and identify purposes for creating art.

(b) Explain the visual and other sensory qualities in art and nature, and their relationship to the social environment.

(c) Investigate, analyze and reflect on various writings, viewpoints and opinions about art.

E. Strand: Visual arts.  
Standard 5: Observe, discuss, analyze and make critical judgments about artistic works.

(1) Grades 9-12 benchmark 5A: Demonstrate knowledge of analytical processes to create critical aesthetic statements concerning selected works of art. Grades 9-12 performance standards:

(a) Describe the processes used to analyze a work of art.

(b) Analyze works of art from diverse world cultures and discuss the ideas, issues and events of the culture that these works convey.

(c) Examine and analyze works of art and artifacts from diverse world cultures, and place them in a cultural and historical context, using appropriate vocabulary.

(2) Grades 9-12 benchmark 5B: Apply concepts of analysis and criticism in producing art work. Grades 9-12 performance standards:

(a) Synthesize the analysis of art elements and design principles into the process of creating a work of art.

(b) Select and integrate historic or cultural visual and aesthetic concepts (enduring ideas and processes) by creating an original work of art (e.g., using chiaroscuro, golden rectangle, etc).

F. Strand: Visual arts.  
Standard 6: Show increased awareness of diverse peoples and cultures through visual and performing arts.

(1) Grades 9-12 benchmark 6A: Describe uses and explore the meaning of art objects within diverse cultures, times and geographic locations. Grades 9-12 performance standards:

(a) Interpret the meaning of works and artifacts in terms of the cultures that produced them. This includes the use of apprenticeship systems to maintain cultural heritage and the arts of contemporary artists, who may retain, reinterpret, challenge or critique cultural traditions.

(b) Interpret the meaning of art works or visual culture in terms of the cultures that produced them, including contemporary critiques of the meanings embedded in popular culture (e.g., television, the Internet, video games, movies, etc.).

(2) Grades 9-12 benchmark 6B: Identify the characteristics and purposes of the historical and cultural contexts of selected pieces of art. Grades 9-12 performance standards:

(a) Present a body of work within a portfolio that reflects one's own inspiration, interpretation or critique, and that is influenced by a variety of cultural styles.

(b) Derive content for one's art work based on one's identity/culture.

G. Strand: Visual arts.  
Standard 7: Demonstrate knowledge about how technology and invention have historically influenced artists and offered new possibilities for expression.

(1) Grades 9-12 benchmark 7A: Evaluate the role of invention and technology on art, directly and indirectly. Grades 9-12 performance standards:

(a) Explain or theorize regarding the effects of the technology of the time on historic works of art.

(b) Analyze the effects of current technologies on traditional folk/culturally-oriented art.

(2) Grades 9-12 benchmark 7B:

Demonstrate effective visual communication using current arts-related technology. Grades 9-12 performance standards:

(a) Integrate current technology into a work of art to achieve a specific outcome.

(b) Develop a commencement portfolio that shows proficiency in using computers and other electronic media.

H. Strand: Visual arts. Standard 8: Contribute to communities by sharing expertise in dance, music, theatre/drama and visual arts, and by participating in the activities of cultural institutions.

(1) Grades 9-12 benchmark 8A: Analyze and evaluate art in various public settings, including community displays and internet museums. Grades 9-12 performance standards:

(a) Analyze art in different contexts, such as museums, galleries and public shows.

(b) Analyze and evaluate the effectiveness of the display context itself (gallery, public show, internet museum) in terms of aesthetics and marketing strategies.

(2) Grades 9-12 benchmark 8B: Exhibit studio work in community-based exhibits. Grades 9-12 performance standards:

(a) Develop commencement portfolios that show proficiency in skills of analysis and multiple media, including skills in using computers and other electronic media.

(b) Arrange (as part of a team) two or more exhibits, and contribute art work for at least two community-based art exhibits. [6.29.2.19 NMAC - N, 6-30-2009]

**HISTORY OF 6.29.2 NMAC:**

**Pre-NMAC HISTORY:** The material in this part is derived from that previously filed with the State Records Center: SDE 74-17, (Certificate No. 74-17), Minimum Educational Standards for New Mexico Schools, filed April 16, 1975. SDE 76-9, (Certificate No. 76-9), Minimum Education Standards for New Mexico Schools, filed July 7, 1976. SDE 78-9, Minimum Education Standards for New Mexico Schools, filed August 17, 1978. SBE 80-4, Educational Standards for New Mexico Schools, filed September 10, 1980. SBE 81-4, Educational Standards for New Mexico Schools, filed July 27, 1981. SBE 82-4, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed November 16, 1982. SBE Regulation No. 83-1, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed June 24, 1983.

SBE Regulation 84-7, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed August 27, 1984.

SBE Regulation 85-4, Educational Standards for New Mexico Schools, Basic, Special Education, and Vocational Programs, filed October 21, 1985.

SBE Regulation No. 86-7, Educational Standards for New Mexico Schools, filed September 2, 1986.

SBE Regulation No. 87-8, Educational Standards for New Mexico Schools, filed February 2, 1988.

SBE Regulation No. 88-9, Educational Standards for New Mexico Schools, filed October 28, 1988.

SBE Regulation No. 89-8, Educational Standards for New Mexico Schools, filed November 22, 1989.

SBE Regulation No. 90-2, Educational Standards for New Mexico Schools, filed September 7, 1990.

SBE Regulation No. 92-1, Standards for Excellence, filed January 3, 1992.

**History of Repealed Material:**

6.30.2 NMAC, Standards for Excellence, filed November 2, 2000 - Repealed effective June 30, 2009.

**NMAC History:**

6 NMAC 3.2, Standards for Excellence, filed October 17, 1996.

6.30.2 NMAC, Standards for Excellence, November 2, 2000, replaced by 6.29.1 NMAC, General Provisions; 6.29.2 NMAC, Arts Education; 6.29.3 NMAC, Career and Technical Education; 6.29.4 NMAC, English Language Arts; 6.29.5 NMAC, English Language Development; 6.29.6 NMAC, Health Education; 6.29.7 NMAC, Mathematics; 6.29.8 NMAC, Modern, Classical and Native Languages; 6.29.9 NMAC, Physical Education; 6.29.10 NMAC, Science; 6.29.11 NMAC, Social Studies; effective June 30, 2009.

**NEW MEXICO PUBLIC EDUCATION DEPARTMENT**

**TITLE 6 PRIMARY AND SECONDARY EDUCATION CHAPTER 29 STANDARDS FOR EXCELLENCE PART 3 CAREER AND TECHNICAL EDUCATION**

**6.29.3.1 ISSUING AGENCY:** Public Education Department, hereinafter the department. [6.29.3.1 NMAC - N, 6-30-2009]

**6.29.3.2 SCOPE:** All public

schools, state educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

[6.29.3.2 NMAC - N, 6-30-2009]

**6.29.3.3 STATUTORY AUTHORITY:**

A. Section 22-2-2 NMSA 1978 grants the authority and responsibility for the assessment and evaluation of public schools, state-supported educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

B. Section 22-2-2 NMSA 1978 directs the department to set graduation expectations and hold schools accountable. Section 22-2C-3 NMSA 1978 requires the department to adopt academic content and performance standards and to measure the performance of public schools in New Mexico.

[6.29.3.3 NMAC - N, 6-30-2009]

**6.29.3.4 DURATION:** Permanent.

[6.29.3.4 NMAC - N, 6-30-2009]

**6.29.3.5 EFFECTIVE DATE:** June 30, 2009, unless a later date is cited at the end of a section.

[6.29.3.5 NMAC - N, 6-30-2009]

**6.29.3.6 OBJECTIVE:** To establish challenging academic and technical standards with benchmarks and performance standards for students in grades 7-12 and to assist students in meeting such standards, including preparation for high-skill, high-wage or high-demand occupations in current or emerging professions, as defined in the scope of this regulation.

[6.29.3.6 NMAC - N, 6-30-2009]

**6.29.3.7 DEFINITIONS:**

A. "Career and technical education" means organized programs offering a sequence of courses (including technical education and applied technology education) which are directly related to the preparation of individuals in paid or unpaid employment in current or emerging occupations requiring an industry-recognized credential, certificate or degree. This phrase is also referred to as "vocational education" in 22-14-1 NMSA 1978.

B. "Career and technical education course" means a course with content that provides technical knowledge and skills and competency-based applied learning, and that aligns with the regulations for educational standards and student expectations for all New Mexico students who attend schools as defined in the scope of 6.29.1.2 NMAC.

C. "Career cluster" means

a grouping of occupations in industry sectors based on recognized commonalities. Career clusters provide an organizing tool for developing instruction within the educational system.

D. "Career pathways" means a sub-grouping, used as an organizing tool for curriculum design and instruction, of occupations/career specialties that share a set of common knowledge and skills for career success.

E. "Cooperative education" means a method of education for individuals who, through written cooperative arrangements between a school and employers, receive instruction, including required rigorous and challenging academic courses and related career and technical education instruction, by alternation of study in school with a job in any occupational field, which alternation:

(1) shall be planned and supervised by the school and employer so that each contributes to the education and employability of the individual;

(2) may include an arrangement in which work periods and school attendance may be on alternate half days, full days, weeks or other periods of time in fulfilling the cooperative program.

F. "Educational plan for student success (EPSS)" is the annual strategic long-range plan written by all districts and schools to improve student performance.

G. "Eligible postsecondary institution" means a postsecondary institution that grants a certificate or associate degree in a career and technical occupational area.

H. "Postsecondary education tech prep student" means a student who:

(1) has completed the secondary education component of a tech prep program;

(2) has enrolled in the postsecondary education component of a tech prep program at an institution of higher education.

I. "Program of study" is a progressive continuum of courses that may be offered across grades 9-14. A program of study is a means to provide technical training, training to prepare for employment and training to prepare for entry into postsecondary education.

J. "Secondary education tech prep student" means a secondary education student who has enrolled in two courses in the secondary education component of a tech prep program.

K. "Tech prep program" means a program of study that combines a minimum of two years of secondary education with a minimum of two years of post-

secondary education in a non-duplicative, sequential course of study.

[6.29.3.7 NMAC - N, 6-30-2009]

### **6.29.3.8 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR CAREER AND TECHNICAL EDUCATION, Grades 7-12:**

A. Strand 1: Academic foundations.

(1) Content standard 1: Students will achieve the academic knowledge and skills required to pursue the full range of career and postsecondary education opportunities common to all career clusters. Students will:

(a) grades 7-12 benchmark 1: complete required training, education and certification to prepare for employment in a particular career field; grades 7-12 performance standards:

(i) identify training, education and certification requirements for one's occupational choice;

(ii) participate in career-related training or degree programs;

(iii) prepare for certification tests to qualify for licensure or certification in a chosen occupational area;

(b) grades 7-12 benchmark 2: demonstrate knowledge and skills in language arts required to pursue the full range of postsecondary education and career opportunities; grades 7-12 performance standards:

(i) model behaviors that demonstrate active listening;

(ii) adapt language for audience, purpose and situation (i.e., choice of diction, structure, style);

(iii) organize oral and written information;

(iv) compose well-organized copy for a variety of written documents such as: agendas, speeches and audio-visual presentations, bibliographies, drafts, forms/documents, notes, oral presentations, reports and explanations of technical terminology;

(v) edit copy to create well-organized written documents such as: agendas, speeches and audio-visual presentations, bibliographies, drafts, forms/documents, notes, oral presentations, reports and explanations of technical terminology;

(vi) demonstrate key elements of oral and written information such as: cause/effect, comparisons/contrasts, conclusions, context, purpose, charts/tables/graphs, evaluation/critiques, mood, persuasive text, sequence, summaries and technical subject matter;

(vii) evaluate oral and written information for: accuracy, adequacy/sufficiency, appropriateness, clarity, con-

clusions/solutions, fact/opinion, propaganda, relevance, validity and relationship of ideas;

(viii) identify assumptions, purposes, outcomes/solutions and propaganda techniques in oral and written information;

(ix) predict potential outcomes or solutions based on oral and written information regarding trends;

(x) present formal and informal speeches including: discussion, information requests, interpretation and persuasive arguments;

(c) grades 7-12 benchmark 3: demonstrate knowledge and skills of mathematics required to pursue the full range of postsecondary education and career opportunities; grades 7-12 performance standards:

(i) identify whole numbers, decimals and fractions;

(ii) demonstrate knowledge of arithmetic operations such as: addition, subtraction, multiplication and division;

(iii) demonstrate use of relational expressions such as: equal to, not equal, greater than, less than, etc.;

(iv) apply data and measurements to solve problems;

(v) analyze mathematical problem statements for missing or irrelevant data;

(vi) construct charts/tables/graphs from functions and data;

(vii) analyze data when interpreting operational documents;

(d) grades 7-12 benchmark 4: demonstrate knowledge and skills of science required to pursue the full range of postsecondary and career education opportunities; grades 7-12 performance standards:

(i) evaluate scientific constructs including: conclusions, conflicting data, controls, data, inferences, limitations, questions, sources of error and variables;

(ii) apply scientific methods in qualitative and quantitative analysis, data gathering, direct and indirect observation, predictions and problem identification.

(2) Content standard 2: Students will develop specific language arts, math and science skills required to pursue pathway opportunities within a career cluster. Students will:

(a) grades 7-12 benchmark 1: demonstrate knowledge and skills of language arts specific to a career pathway opportunity; grades 7-12 performance standards:

(i) identify types of oral

and written opportunities within a selected career cluster;

(ii) comprehend key elements of oral and written information relevant to a selected career pathway;

(iii) create oral and written representations of communications appropriate to a selected pathway;

(b) grades 7-12 benchmark 2: demonstrate knowledge and skills of mathematics specific to a career pathway opportunity; grades 7-12 performance standards:

(i) demonstrate knowledge of arithmetic operations needed to succeed within a selected career pathway;

(ii) analyze and summarize data appropriate to a selected pathway;

(iii) construct charts/tables/graphs from functions and data needed to advance a selected career pathway;

(c) grades 7-12 benchmark 3: demonstrate knowledge and skills of science specific to a career; grades 7-12 performance standards:

(i) apply appropriate scientific methods in qualitative and quantitative analysis, data gathering, direct and indirect observation, predictions and problem identification;

(ii) understand how scientific discoveries and technological advancements are continually evaluated, validated, revised or rejected in relation to a selected career pathway.

B. Strand 2: Communications.

(1) Content standard 1: Students will use oral and written communication skills in creating, expressing and interpreting information and ideas, including technical terminology and information. Students will:

(a) grades 7-12 benchmark 1: select and employ appropriate reading and communication strategies to learn and use technical concepts and vocabulary; grades 7-12 performance standards:

(i) determine the most appropriate reading strategy for identifying the overarching purpose of a text (e.g., skimming, reading for detail, reading for meaning or critical analysis);

(ii) demonstrate use of content, technical concepts and vocabulary when analyzing information and following directions;

(iii) select the reading strategy or strategies needed to fully comprehend the content within a written document (e.g., skimming, reading for detail, reading for meaning or critical analysis);

(iv) interpret information, data and observations to apply information learned from reading to actual practice;

(v) transcribe information, data and observations to apply information learned from reading to actual practice;

(vi) communicate information, data and observations to apply information learned from reading to actual practice;

(vii) evaluate the information, explanations or ideas of others by identifying and applying clear, reasonable criteria for evaluation;

(b) grades 7-12 benchmark 2: demonstrate use of the concepts, strategies and systems for obtaining and conveying ideas and information to enhance communication in the workplace; grades 7-12 performance standards:

(i) employ verbal skills when obtaining and conveying information;

(ii) record information needed to present a report on a given topic or problem;

(iii) write internal and external business correspondence that conveys or obtains information effectively;

(iv) communicate with others to clarify workplace objectives;

(v) communicate effectively with others to foster positive relationships;

(c) grades 7-12 benchmark 3: locate, organize and reference written information from various sources to communicate with co-workers and clients/participants; grades 7-12 performance standards:

(i) locate written information used to communicate with co-workers and customers;

(ii) organize information to use in written and oral communications;

(iii) reference the sources of information;

(d) grades 7-12 benchmark 4: evaluate and use information resources to accomplish specific occupational tasks; grades 7-12 performance standards:

(i) use informational texts, internet web sites and technical materials to review and apply information sources for occupational tasks;

(ii) evaluate the reliability of information from informational texts, internet web sites and technical materials and resources.

(e) grades 7-12 benchmark 5: use correct grammar, punctuation and terminology to write and edit documents; grades 7-12 performance standards:

(i) compose multi-paragraph documents clearly, succinctly and accurately;

(ii) use descriptions of audience and purpose when preparing and editing written documents;

(iii) use correct gram-

mar, spelling, punctuation and capitalization when preparing written documents;

(f) grades 7-12 benchmark 6: develop and deliver formal and informal presentations using appropriate media to engage and inform audiences; grades 7-12 performance standards:

(i) prepare oral presentations to provide information for specific purposes and audiences;

(ii) identify support materials that will enhance an oral presentation;

(iii) prepare support materials that will enhance an oral presentation;

(iv) deliver an oral presentation that sustains listeners' attention and interest;

(v) align presentation strategies to the intended audience;

(vi) implement multimedia strategies for presentations;

(g) grades 7-12 benchmark 7: interpret verbal and nonverbal cues/behaviors to enhance communication with co-workers and clients/participants; grades 7-12 performance standards:

(i) interpret verbal behaviors when communicating with clients and co-workers;

(ii) interpret nonverbal behaviors when communicating with clients and co-workers;

(iii) interpret a given verbal message/information;

(iv) respond with restatement and clarification techniques to clarify information;

(h) grades 7-12 benchmark 8: develop and interpret tables, charts and figures to support written and oral communications; grades 7-12 performance standards:

(i) create tables, charts and figures to support written and oral communications;

(ii) interpret tables, charts and figures used to support written and oral communication;

(i) grades 7-12 benchmark 9: listen to and speak with diverse individuals to enhance communication skills; grades 7-12 performance standards:

(i) apply factors and strategies for communicating with a diverse work force;

(ii) demonstrate ability to communicate and resolve conflicts within a diverse work force;

(j) grades 7-12 benchmark 10: exhibit public relations skills to increase internal and external customer/client satisfaction; grades 7-12 performance standards:

(i) communicate effectively when developing positive customer/client relationships;

(ii) identify information

related to customer needs.

(2) Content standard 2: Students will locate, organize and reference written information from various sources to compose and prepare oral and written communications to convey technical concepts and company information. Students will:

(a) grades 7-12 benchmark 1: use writing and organizational skills to construct reports, graphs and tables; grades 7-12 performance standards:

- (i) compile and arrange information to communicate main facts;
- (ii) document sources and references of data;
- (iii) organize and arrange information for effective coherence;
- (iv) use appropriate software to develop text, charts, graphs or figures to convey technical concepts;

(b) grades 7-12 benchmark 2: identify the main ideas of an informational text and determine the essential elements of the text; grades 7-12 performance standards:

- (i) examine informational sources for ideas and concepts;
- (ii) accurately interpret information from and detect inconsistencies in informational sources;
- (iii) read informational and technical texts critically and independently;
- (iv) analyze the validity of source information;

(c) grades 7-12 benchmark 3: identify and prepare support materials for an oral presentation; grades 7-12 performance standards:

- (i) identify media and visual aids appropriate to understanding of topic;
- (ii) operate efficiently the equipment associated with presentations;
- (iii) prepare visual aids and support materials for easy viewing, without error.

C. Strand 3: Problem solving and critical thinking.

(1) Content standard 1: Students will solve problems using critical thinking skills (analyze, synthesize and evaluate) independently and in teams, using creativity and innovation. Students will:

(a) grades 7-12 benchmark 1: employ critical thinking skills independently and in teams to solve problems and make decisions (e.g., analyze, synthesize and evaluate); grades 7-12 performance standards:

- (i) identify common tasks that require employees/team members to use problem-solving skills;
- (ii) analyze elements of a problem to develop creative solutions;

(iii) describe the value of using problem-solving and critical thinking skills to improve a situation or process;

(iv) create ideas, proposals and solutions to problems;

(v) evaluate ideas, proposals and solutions to problems;

(vi) use structured problem-solving methods when developing proposals and solutions;

(vii) generate new and creative ideas to solve problems by brainstorming possible solutions;

(viii) critically analyze information to determine value to the problem-solving task;

(ix) guide individuals through the process of recognizing concerns and making informed decisions;

(x) identify alternatives using a variety of problem-solving and critical thinking skills;

(xi) evaluate alternatives using a variety of problem-solving and critical thinking skills;

(b) grades 7-12 benchmark 2: employ critical thinking and interpersonal skills to resolve conflicts with staff or customers; grades 7-12 performance standards:

- (i) analyze situations and behaviors that affect conflict management;
- (ii) determine best options/outcomes for conflict resolution using critical thinking skills;
- (iii) identify with others' feelings, needs and concern;
- (iv) implement stress management techniques;
- (v) resolve conflicts with/for customers using conflict resolution skills;
- (vi) implement conflict resolution skills to address staff issues/problems;

(c) grades 7-12 benchmark 3: identify, write and monitor workplace performance goals to guide progress in assigned areas of responsibility and accountability; grades 7-12 performance standards:

- (i) write realistic performance goals, objectives and action plans;
- (ii) monitor performance goals and adjust as necessary;
- (iii) recognize goal achievement using appropriate rewards in the workplace;
- (iv) communicate goal achievement with managers and co-workers;

(d) grades 7-12 benchmark 4: conduct technical research to gather information necessary for decision-making; grades 7-12 performance standards:

- (i) align the information

gathered to the needs of the audience;

(ii) gather technical information and data using a variety of resources;

(iii) analyze information and data for value to the research objectives;

(iv) evaluate information and data to determine value to research objectives.

(2) Content standard 2: Students will demonstrate the ability to evaluate and verify the appropriateness of a solution to a problem. Students will:

(a) grades 7-12 benchmark 1: understand problem-solving techniques; grades 7-12 performance standards:

(i) identify potential problems with a given solution to a problem;

(ii) demonstrate knowledge of decision-making skills and techniques;

(b) grades 7-12 benchmark 2: study potential, real and perceived emergency situations to recognize and implement appropriate safety and security measures; grades 7-12 performance standards:

(i) observe people and surroundings to identify dangerous situations;

(ii) develop and role-play emergency situations, demonstrating caution and good judgment.

D. Strand 4: Information technology applications.

(1) Content standard 1: Students will use information technology tools specific to the career cluster to access, manage, integrate and create information. Students will:

(a) grades 7-12 benchmark 1: use personal information management (PIM) applications to increase workplace efficiency; grades 7-12 performance standards:

- (i) manage personal schedule and contact information;
- (ii) create memos and notes;

(b) grades 7-12 benchmark 2: employ technological tools to expedite workflow; grades 7-12 performance standards:

- (i) use information technology tools to manage and perform work responsibilities;
- (ii) use email to share files and documents;
- (iii) identify the functions and purpose of email systems;
- (iv) use email to communicate within and across organizations;

(c) grades 7-12 benchmark 3: operate internet applications to perform workplace tasks; grades 7-12 performance standards:

(i) access and navigate internet (e.g., use a web browser);  
(ii) search for information and resources;

(iii) evaluate internet resources for reliability and validity;

(d) grades 7-12 benchmark 4: operate writing and publishing applications to prepare business communications; grades 7-12 performance standards:

(i) prepare simple documents and other business communications;

(ii) prepare reports and other business communications by integrating graphics and other non-text elements;

(iii) prepare complex multi-media publications;

(e) grades 7-12 benchmark 5: operate presentation applications to prepare and deliver presentations; grades 7-12 performance standards:

(i) prepare presentations for training, sales and information sharing;

(ii) deliver presentations with supporting materials;

(f) grades 7-12 benchmark 6: employ spreadsheet applications to organize and manipulate data; grades 7-12 performance standards:

(i) create a spreadsheet;

(ii) perform calculations and analyses on data using a spreadsheet;

(g) grades 7-12 benchmark 7: employ database applications to manage data; grades 7-12 performance standards:

(i) manipulate data elements;

(ii) manage interrelated data elements;

(iii) analyze interrelated data elements;

(iv) generate reports showing interrelated data elements;

(h) grades 7-12 benchmark 8: employ computer operations applications to manage work tasks; grades 7-12 performance standards:

(i) manage computer operations;

(ii) manage file storage;

(iii) compress or alter files.

(2) Content standard 2: Students will recognize and use information technology tools to access, manage, integrate, create and share information within a designated career pathway. Students will:

(a) grades 7-12 benchmark 1: use computer-based equipment (containing embedded computers or processors) to control devices; grades 7-12 performance standards:

(i) operate computer-driven equipment and machines;

(ii) use installation and

operation manuals;

(iii) troubleshoot computer-driven equipment and machines;

(iv) access support as needed to maintain operation of computer-driven equipment and machines;

(b) grades 7-12 benchmark 2: employ collaborative/groupware applications to facilitate group work; grades 7-12 performance standards:

(i) facilitate group work through management of shared schedule and contact information;

(ii) facilitate group work through management of shared files and online information;

(iii) facilitate group work through instant messaging or virtual meetings;

(c) grades 7-12 benchmark 3: use installation and operating manuals; grades 7-12 performance standards:

(i) install a relevant program using appropriate documentation;

(ii) access available documentation to solve technology tool problems.

E. Strand 5: Systems.

(1) Content standard 1: Students will demonstrate understanding of roles within teams, work units, departments, organizations, inter-organizational systems and the larger environment. Students will:

(a) grades 7-12 benchmark 1: describe the nature and types of business organizations to build an understanding of the scope of organizations; grades 7-12 performance standards:

(i) list the types and functions of businesses;

(ii) describe the types and functions of businesses;

(iii) explain the functions and interactions of common departments within a business;

(b) grades 7-12 benchmark 2: implement quality control systems and practices to ensure quality products and services; grades 7-12 performance standards:

(i) describe quality control standards and practices common to the workplace;

(ii) describe the benefits of using a cross-functional team in policy and procedure development.

(2) Content standard 2: Students will identify how key organizational systems and government affect organizational performance and the quality of products and services. Students will:

(a) grades 7-12 benchmark 1: identify occupation-specific governmental regulations and national, state and local building codes to establish workplace/job-site regulations and codes; grades 7-12 performance standards:

(i) read and discuss information on OSHA, EPA and other safety regulations;

(ii) apply information given in workplace/building regulations and codes correctly;

(iii) obtain, understand and follow material safety data sheets information;

(b) grades 7-12 benchmark 2: identify workplace/job-site environmental hazards in order to promote workplace/job-site safety; grades 7-12 performance standards:

(i) use hazardous materials safely;

(ii) follow safe practices relating to environmental hazards;

(c) grades 7-12 benchmark 3: understand global context of industries and careers; grades 7-12 performance standards:

(i) identify mission, organizational goals and objectives of a business;

(ii) understand the components of a business plan;

(iii) explain the role of risk-management in reducing risks and improving performance in business;

(iv) explain the approaches for managing organizational risks.

F. Strand 6: Safety, health and environmental management.

(1) Content standard 1: Students will demonstrate understanding of the importance of health, safety and environmental management systems in organizations and their importance to organizational performance and regulatory compliance. Students will:

(a) grades 7-12 benchmark 1: implement personal and jobsite safety rules and regulations to maintain safe and healthful working conditions and environments; grades 7-12 performance standards:

(i) assess workplace conditions with regard to safety and health;

(ii) align safety issues with appropriate safety standards to ensure a safe workplace/job-site;

(iii) identify safety hazards common to workplaces;

(iv) identify safety precautions to maintain a safe worksite;

(v) select appropriate personal protective equipment as needed for a safe workplace/job-site;

(vi) inspect personal protective equipment commonly used for a selected career pathway;

(vii) use personal protective equipment according to manufacturer's rules and regulations;

(viii) employ a safety hierarchy and communication system within the workplace/job-site;

(ix) implement safety precautions to maintain a safe worksite;

(b) grades 7-12 benchmark 2: complete work tasks in accordance with employee rights and responsibilities and employer's obligations to maintain workplace safety and health; grades 7-12 performance standards:

(i) identify rules and laws designed to promote safety and health in the workplace;

(ii) state the rationale of rules and laws designed to promote safety and health;

(c) grades 7-12 benchmark 3: employ emergency procedures as necessary to provide aid in workplace accidents; grades 7-12 performance standards:

(i) use knowledge of first aid procedures as necessary;

(ii) use knowledge of CPR procedures as necessary;

(iii) use safety equipment as necessary;

(d) grades 7-12 benchmark 4: employ knowledge of response techniques to create a disaster or emergency response plan; grades 7-12 performance standards:

(i) complete an assessment of an emergency or disaster situation;

(ii) create an emergency or disaster plan.

(2) Content standard 2: Students will follow organizational policies and procedures and contribute to continuous improvement in performance and compliance. Students will:

(a) grades 7-12 benchmark 1: understand health and safety standards and concepts in the workplace; grades 7-12 performance standards:

(i) demonstrate knowledge of the relationship between health, safety and productivity;

(ii) identify health and safety standards established by government agencies;

(iii) ensure maintenance of a clean work area;

(iv) demonstrate knowledge of ergonomics and repetitive strain injury;

(b) grades 7-12 benchmark 2: implement procedures to protect the health and safety of all individuals; grades 7-12 performance standards:

(i) use safety techniques in managing an emergency and ensuring a safe environment;

(ii) document and report emergency/crisis situations and outcomes to appropriate authorities.

G. Strand 7: Leadership and team work.

(1) Content standard 1: Students will use leadership and teamwork skills in

collaborating with others to accomplish organizational goals and objectives. Students will:

(a) grades 7-12 benchmark 1: employ leadership skills to accomplish organizational goals and objectives; grades 7-12 performance standards:

(i) analyze the various roles of leaders within organizations (e.g. contribute ideas; share in building an organization; act as role models to employees by adhering to company policies, procedures and standards; promote the organization's vision; and mentor others);

(ii) exhibit traits such as empowerment, risk, communication, focusing on results, decision-making, problem-solving and investment in individuals when leading a group in solving a problem;

(iii) exhibit traits such as compassion, service, listening, coaching, developing others, team development and understanding and appreciating others when acting as a manager of others in the workplace;

(iv) exhibit traits such as enthusiasm, creativity, conviction, mission, courage, concept, focus, principle-centered living and flexibility when interacting with others in general;

(v) consider issues related to self, team, community, diversity, environment and global awareness when leading others;

(vi) exhibit traits such as innovation, intuition, adaptation, lifelong learning and coachability to develop leadership potential over time;

(vii) analyze leadership in relation to trust, positive attitude, integrity and willingness to accept key responsibilities in a work situation;

(viii) describe observations of outstanding leaders using effective management styles;

(ix) participate in civic and community leadership and teamwork opportunities to enhance skills;

(b) grades 7-12 benchmark 2: employ organizational and staff development skills to foster positive working relationships and accomplish organizational goals; grades 7-12 performance standards:

(i) implement organizational skills when facilitating others' work efforts;

(ii) explain how to manage a staff that satisfies work demands while adhering to budget constraints;

(iii) describe how staff growth and development increase productivity and employee satisfaction;

(iv) organize team involvement within a group environment;

(v) work with others to develop and gain commitment to team

goals;

(vi) distribute responsibility and work load fairly;

(vii) model leadership and teamwork qualities to aid in employee morale;

(viii) identify best practices for successful team functioning;

(ix) explain best practices for successful team functioning;

(c) grades 7-12 benchmark 3: employ teamwork skills to achieve collective goals and use team members' talents effectively; grades 7-12 performance standards:

(i) work with others to achieve objectives in a timely manner;

(ii) promote the full involvement and use of team member's individual talents and skills;

(iii) employ conflict-management skills to facilitate solutions;

(iv) demonstrate teamwork skills though working cooperatively with co-workers, supervisory staff and others, both in and out of the organization, to achieve particular tasks;

(v) demonstrate teamwork processes that provide team building, consensus, continuous improvement, respect for the opinions of others, cooperation, adaptability and conflict resolution;

(vi) develop plans to improve team performance;

(vii) demonstrate commitment to and a positive attitude toward team goals;

(viii) take responsibility for shared group and individual work tasks;

(ix) assist team members in completing their work;

(x) adapt effectively to changes in projects and work activities;

(xi) negotiate effectively to arrive at decisions;

(d) grades 7-12 benchmark 4: establish and maintain effective working relationships with all levels of personnel and other departments in order to accomplish objectives and tasks; grades 7-12 performance standards:

(i) build effective working relationships using interpersonal skills;

(ii) use positive interpersonal skills to work cooperatively with co-workers representing different cultures, genders and backgrounds;

(iii) manage personal skills to accomplish assignments;

(iv) treat people with respect;

(v) provide constructive praise and criticism;

(vi) demonstrate sensitivity to and value for diversity;

(vii) manage stress and

control emotions;

(e) grades 7-12 benchmark 5: conduct and participate in meetings to accomplish work tasks; grades 7-12 performance standards:

(i) develop meeting goals, objectives and agenda;

(ii) assign responsibilities for preparing materials and leading discussions;

(iii) prepare materials for leading discussion;

(iv) assemble and distribute meeting materials;

(v) conduct meeting to achieve objectives within scheduled time;

(vi) demonstrate effective communication skills in meetings;

(vii) produce meeting minutes, including decisions and next steps;

(viii) use parliamentary procedure as needed to conduct meetings;

(f) grades 7-12 benchmark 6: employ mentoring skills to inspire and teach others; grades 7-12 performance standards:

(i) use motivational techniques to enhance performance in others;

(ii) provide guidance to enhance performance in others.

(2) Content standard 2: Students will employ conflict identification and resolution to achieve organizational goals and objectives. Students will:

(a) grades 7-12 benchmark 1: use conflict resolution skills to maintain a smooth workflow; grades 7-12 performance standards:

(i) work collaboratively and cooperatively;

(ii) give and receive criticism in a diplomatic and constructive manner;

(iii) use diplomatic and constructive statements and responses;

(b) grades 7-12 benchmark 2: use human relations skills to work cooperatively with co-workers and foster good relations between different cultures, genders and backgrounds; grades 7-12 performance standards:

(i) work effectively with a variety of co-workers;

(ii) identify team member strengths and weaknesses;

(iii) practice motivational techniques.

H. Strand 8: Ethics and legal responsibilities.

(1) Content standard 1: Students will know and understand the importance of professional ethics and legal responsibilities. Students will:

(a) grades 7-12 benchmark 1: apply ethical reasoning to a variety of workplace situations in order to make ethical decisions; grades 7-12 performance stan-

dards:

(i) evaluate alternative responses to workplace situations based on personal or professional ethical responsibilities;

(ii) identify personal and long-term workplace consequences of unethical or illegal behaviors;

(iii) explain personal and long-term workplace consequences of unethical or illegal behaviors;

(iv) determine the most appropriate response to workplace situations based on legal and ethical considerations;

(v) explain the most appropriate response to workplace situations based on legal and ethical considerations.;

(b) grades 7-12 benchmark 2: interpret and explain written organizational policies and procedures to help employees perform their jobs according to employer rules and expectations; grades 7-12 performance standards:

(i) locate information on organizational policies in handbooks and manuals;

(ii) discuss how specific organizational policies and procedures influence a specific work situation.

(2) Content standard 2: Students will apply business laws and regulations to business situations. Students will:

(a) grades 7-12 benchmark 1: apply laws and regulations to personnel situations; grades 7-12 performance standards:

(i) explain major points and purpose of laws and regulations concerning sexual harassment, gender equity and disabilities;

(ii) identify resources that provide specific information regarding personnel laws and regulations;

(iii) apply major laws affected in given scenarios/situations;

(b) grades 7-12 benchmark 2: apply knowledge of copyright laws to business situations; grades 7-12 performance standards:

(i) analyze and interpret copyright laws and regulations;

(ii) demonstrate ability to apply copyright laws to specific situations;

(iii) identify procedures to avoid violation of copyright laws.

I. Strand 9: Employability and career development.

(1) Content standard 1: Students will know and understand the importance of employability skills. Students will:

(a) grades 7-12 benchmark 1: identify and demonstrate the use of positive work behaviors and personal qualities needed to be employable; grades 7-12 perform-

ance standards:

(i) demonstrate self-discipline, self-worth, positive attitude and integrity in a work situation;

(ii) demonstrate flexibility and willingness to learn new knowledge and skills;

(iii) exhibit commitment to the organization;

(iv) identify how work varies with regard to site, from indoor confined spaces to outdoor areas, including aerial space and a variety of climatic and physical conditions;

(v) apply communication strategies when adapting to a culturally diverse environment;

(vi) manage resources in relation to the position (e.g., budget, supplies, computer, etc.);

(vii) identify positive work qualities typically desired in each of the career clusters pathways;

(viii) manage work roles and responsibilities to balance them with other life roles and responsibilities;

(b) grades 7-12 benchmark 2: develop a personal career plan to meet career goals and objectives; grades 7-12 performance standards:

(i) develop career goals and objectives as part of a plan for future career direction;

(ii) develop strategies to reach career objectives;

(c) grades 7-12 benchmark 3: demonstrate skills related to seeking and applying for employment to find and obtain a desired job; grades 7-12 performance standards:

(i) use multiple resources to locate job opportunities;

(ii) prepare a resumé;

(iii) prepare a letter of application;

(iv) complete an employment application;

(v) interview for employment;

(vi) list the standards and qualifications that must be met in order to enter a given industry;

(vii) employ critical thinking and decision-making skills to exhibit qualifications to a potential employer.

(2) Content standard 2: Students will explore, plan and effectively manage careers. Students will:

(a) grades 7-12 benchmark 1: maintain a career portfolio to document knowledge, skills and experience in a career field; grades 7-12 performance standards:

(i) select educational and work history highlights to include in a career portfolio;

(ii) produce a record of

work experiences, licenses, certifications and products;

(iii) organize electronic or physical portfolio for use in demonstrating knowledge, skills and experiences;

(b) grades 7-12 benchmark 2: demonstrate skills in evaluating and comparing employment opportunities in order to accept employment positions that match career goals; grades 7-12 performance standards:

(i) compare employment opportunities to individual needs and career plan objectives;

(ii) evaluate employment opportunities based upon individual needs and career plan objectives;

(iii) demonstrate appropriate methods for accepting or rejecting employment offers;

(c) grades 7-12 benchmark 3: identify and exhibit traits for retaining employment to maintain employment once secured; grades 7-12 performance standards:

(i) model behaviors that demonstrate reliability and dependability;

(ii) maintain appropriate dress and behavior for the job to contribute to a safe and effective workplace/jobsite;

(iii) complete required employment forms and documentation such as I-9 form, work visa, W-4 and licensures to meet employment requirements;

(iv) summarize key activities necessary to retain a job in the industry;

(v) identify positive work behaviors and personal qualities necessary to retain employment;

(d) grades 7-12 benchmark 4: identify and explore career opportunities in one or more career pathways to build an understanding of the opportunities available in the cluster; grades 7-12 performance standards:

(i) locate and identify career opportunities that appeal to personal career goals;

(ii) match personal interest and aptitudes to selected careers;

(e) grades 7-12 benchmark 5: recognize and act upon requirements for career advancement to plan for continuing education and training; grades 7-12 performance standards:

(i) identify opportunities for career advancement;

(ii) pursue education and training opportunities to acquire skills necessary for career advancement;

(iii) examine the organization and structure of various segments of the industry to prepare for career advancement;

(iv) research local and regional labor (work force) market and job growth information to project potential for advancement;

(v) manage employment relations to make career advancements;

(f) grades 7-12 benchmark 6: continue professional development to keep current on relevant trends and information within the industry; grades 7-12 performance standards:

(i) use self assessment, organizational priorities, journals, internet sites, professional associations, peers and other resources to develop goals that address training, education and self-improvement issues;

(ii) read trade magazines and journals, manufacturers' catalogues, industry publications and internet sites to keep current on industry trends;

(iii) participate in relevant conferences, workshops, mentoring activities and in-service training to stay current with recent changes in the field;

(g) grades 7-12 benchmark 7: examine licensing, certification and credentialing requirements at the national, state and local levels to maintain compliance with industry requirements; grades 7-12 performance standards:

(i) examine continuing education requirements related to licensing, certification and credentialing requirements at the local, state and national levels for one's chosen occupation;

(ii) examine the procedures and paperwork involved in maintaining and updating licensure, certification and credentials for one's chosen occupation;

(iii) align ongoing licensing, certification and credentialing requirements to career plans and goals;

(h) grades 7-12 benchmark 8: examine employment opportunities in entrepreneurship to consider entrepreneurship as an option for career planning; grades 7-12 performance standards:

(i) describe the opportunities for entrepreneurship in a given industry;

(ii) identify and explore career opportunities in one or more career pathways;

(i) grades 7-12 benchmark 9: understand the essential principles of an entrepreneurial organization; grades 7-12 performance standards:

(i) practice personal integrity and honesty;

(ii) interact appropriately and respectfully with diverse ethnic, age, cultural, religious and economic groups in various entrepreneurial and social situations;

(iii) exhibit respectful and empathetic behavior when interacting with customers in one-on-one and group situations.

J. Strand 10: Technical skills.

(1) Content standard 1: Students will demonstrate the use of technical knowledge and skills required to pursue careers in all career clusters, including knowledge of design, operation and maintenance of technological systems critical to the career cluster. Students will:

(a) grades 7-12 benchmark 1: employ information management techniques and strategies in the workplace to assist in decision-making; grades 7-12 performance standards:

(i) use information literacy skills when accessing, evaluating and disseminating information;

(ii) describe the nature and scope of information management;

(iii) maintain records to facilitate ongoing business operations;

(b) grades 7-12 benchmark 2: employ planning and time management skills and tools to enhance results and complete work tasks; grades 7-12 performance standards:

(i) develop goals and objectives;

(ii) prioritize tasks to be completed;

(iii) develop timelines using time management knowledge and skills;

(iv) use project management skills to improve workflow and minimize costs.

(2) Content standard 2: Students will apply and demonstrate technical skills required for career specialties within a selected career pathway. Students will:

(a) grades 7-12 benchmark 1: understand technical skill requirements within the career field's techniques; grades 7-12 performance standards:

(i) obtain industry-recognized certifications where available and appropriate;

(ii) evaluate industry needs to explain the role and functions of critical industry-related technological systems;

(iii) measure and manage the reliability and performance of technological systems to establish use and maintenance guidelines;

(b) grades 7-12 benchmark 2: establish criteria to identify technical skills needed to run an industry efficiently; grades 7-12 performance standards:

(i) identify types of skills needed to succeed in a desired industry;

(ii) explore methods available to develop technical skills;

(iii) correctly operate the tools associated with a specific skill.  
[6.29.3.8 NMAC - Rp, 6.30.2.21 NMAC, 6-30-2009]

#### **HISTORY OF 6.29.3 NMAC:**

**Pre-NMAC HISTORY:** The material in this part is derived from that previously filed with the State Records Center:

SDE 74-17, (Certificate No. 74-17), Minimum Educational Standards for New Mexico Schools, filed April 16, 1975.

SDE 76-9, (Certificate No. 76-9), Minimum Education Standards for New Mexico Schools, filed July 7, 1976.

SDE 78-9, Minimum Education Standards for New Mexico Schools, filed August 17, 1978.

SBE 80-4, Educational Standards for New Mexico Schools, filed September 10, 1980.

SBE 81-4, Educational Standards for New Mexico Schools, filed July 27, 1981.

SBE 82-4, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed November 16, 1982.

SBE Regulation No. 83-1, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed June 24, 1983.

SBE Regulation 84-7, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed August 27, 1984.

SBE Regulation 85-4, Educational Standards for New Mexico Schools, Basic, Special Education, and Vocational Programs, filed October 21, 1985.

SBE Regulation No. 86-7, Educational Standards for New Mexico Schools, filed September 2, 1986.

SBE Regulation No. 87-8, Educational Standards for New Mexico Schools, filed February 2, 1988.

SBE Regulation No. 88-9, Educational Standards for New Mexico Schools, filed October 28, 1988.

SBE Regulation No. 89-8, Educational Standards for New Mexico Schools, filed November 22, 1989.

SBE Regulation No. 90-2, Educational Standards for New Mexico Schools, filed September 7, 1990.

SBE Regulation No. 92-1, Standards for Excellence, filed January 3, 1992.

#### **History of Repealed Material:**

6.30.2 NMAC, Standards for Excellence, filed November 2, 2000 - Repealed effective June 30, 2009.

#### **NMAC History:**

6 NMAC 3.2, Standards for Excellence, filed October 17, 1996.

6.30.2 NMAC, Standards for Excellence,

November 2, 2000, replaced by 6.29.1 NMAC, General Provisions; 6.29.2 NMAC, Arts Education; 6.29.3 NMAC, Career and Technical Education; 6.29.4 NMAC, English Language Arts; 6.29.5 NMAC, English Language Development; 6.29.6 NMAC, Health Education; 6.29.7 NMAC, Mathematics; 6.29.8 NMAC, Modern, Classical and Native Languages; 6.29.9 NMAC, Physical Education; 6.29.10 NMAC, Science; 6.29.11 NMAC, Social Studies; effective June 30, 2009.

## **NEW MEXICO PUBLIC EDUCATION DEPARTMENT**

### **TITLE 6 PRIMARY AND SECONDARY EDUCATION CHAPTER 29 STANDARDS FOR EXCELLENCE PART 6 HEALTH EDUCA- TION**

**6.29.6.1 ISSUING AGENCY:**  
Public Education Department, hereinafter the department.

[6.29.6.1 NMAC - N, 6-30-2009]

**6.29.6.2 SCOPE:** All public schools, state educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

[6.29.6.2 NMAC - N, 6-30-2009]

**6.29.6.3 S T A T U T O R Y  
AUTHORITY:**

A. Section 22-2-2 NMSA 1978 grants the authority and responsibility for the assessment and evaluation of public schools, state-supported educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

B. Section 22-2-2 NMSA 1978 directs the department to set graduation expectations and hold schools accountable. Section 22-2C-3 NMSA 1978 requires the department to adopt academic content and performance standards and to measure the performance of public schools in New Mexico.

[6.29.6.3 NMAC - N, 6-30-2009]

**6.29.6.4 D U R A T I O N :**  
Permanent.

[6.29.6.4 NMAC - N, 6-30-2009]

**6.29.6.5 EFFECTIVE DATE:**  
June 30, 2009, unless a later date is cited at the end of a section.

[6.29.6.5 NMAC - N, 6-30-2009]

**6.29.6.6 OBJECTIVE:** The New Mexico content standards with bench-

marks and performance standards for health education are mandated for students in grades K-12. (The New Mexico content standards with benchmarks for health education were adopted in March 1997 as part of 6 NMAC 3.2; the benchmarks and performance standards were revised in June 2007.)

[6.29.6.6 NMAC - N, 6-30-2009]

**6.29.6.7 DEFINITIONS:**  
[Reserved.]

### **6.29.6.8 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR HEALTH EDUCATION, Grades K-4:**

A. Content standard 1:  
Students will comprehend concepts related to health promotion and disease prevention. Students will:

(1) grades K-4 benchmark 1:  
identify/describe/understand the relationships between personal health behaviors and individual well-being;

(a) grade K performance standards:

(i) describe how personal choices relate to health and how the consequences of those choices affect self and others (i.e., smoking, lack of physical activity, nutrition, personal hygiene, personal safety, etc.);

(ii) describe characteristics of healthy and unhealthy relationships (i.e., describe the unique differences of self and others, etc.);

(iii) describe what is meant by good personal hygiene (i.e., describe the importance of hand washing in disease prevention, etc.);

(b) grades 1-2 performance standards:

(i) identify how personal choices relate to health and how the consequences of those choices affect self and others (i.e., smoking, lack of physical activity, nutrition, personal hygiene, personal safety, etc.);

(ii) identify characteristics of healthy and unhealthy relationships (i.e., describe the unique differences of self and others, etc.);

(iii) recognize what is meant by good personal hygiene (i.e., describe the importance of hand washing in disease prevention, etc.);

(c) grades 3-4 performance standards:

(i) identify and understand how personal choices relate to health and how the consequences of those choices affect self and others (i.e., smoking, lack of physical activity, nutrition, personal hygiene, abstinence, personal safety, etc.);

(ii) identify and describe characteristics of healthy and

unhealthy relationships (i.e., describe the unique differences of self and others, etc.);

(iii) discuss what is meant by good personal hygiene (i.e., describe the importance of hand washing in disease prevention, etc.);

(iv) list the steps associated with refusal skills and their relationship to the decision-making process;

(2) grades K-4 benchmark 2: identify examples of mental, emotional, social and physical health during childhood;

(a) grade K performance standards:

(i) recognize different emotions;

(ii) identify compassionate behavior and its relationship to diversity (i.e., bullying, disabilities, other special needs, etc.);

(iii) identify the differences between safe and unsafe situations (i.e., bullying, good touch/bad touch, alcohol, tobacco, other drugs, food contamination, etc.);

(iv) list positive health choices and activities that promote health and help prevent diseases;

(b) grades 1-2 performance standards:

(i) describe different emotions;

(ii) describe compassionate behavior and its relationship to diversity (i.e., bullying, disabilities, other special needs, etc.);

(iii) identify the differences between safe and unsafe situations (i.e., bullying, good touch/bad touch, alcohol, tobacco, other drugs, food contamination, etc.);

(iv) recall positive health choices and activities that promote health and help prevent diseases;

(c) grades 3-4 performance standards:

(i) understand different emotions;

(ii) recognize compassionate behavior and its relationship to diversity (i.e., bullying, disabilities, other special needs, etc.);

(iii) identify and understand the differences between safe and unsafe situations (i.e., bullying, good touch/bad touch, alcohol, tobacco, other drugs, food contamination, etc.);

(iv) understand positive health choices and activities that promote health and help prevent diseases;

(v) describe different types of family units and their relationship to health (i.e., single, grandparent, same sex parents, etc.);

(3) grades K-4 benchmark 3: describe the basic structure and functions of

the human body systems;

(a) grade K performance standards:

(i) identify the effects of lifestyle choices on body systems (i.e., alcohol, tobacco, other drugs, second-hand smoke, food, physical activity, etc.);

(ii) describe how stress and emotions affect the body systems;

(iii) utilize correct terminology for the human body;

(b) grades 1-2 performance standards:

(i) know the effects of lifestyle choices on body systems (i.e., alcohol, tobacco, other drugs, second-hand smoke, food, physical activity, etc.);

(ii) identify and list how stress and emotions affect the body systems;

(iii) understand correct terminology for the human body;

(c) grades 3-4 performance standards:

(i) understand the effects of lifestyle choices on body systems (i.e., alcohol, tobacco, other drugs, second-hand smoke, food, physical activity, abstinence, etc.);

(ii) recognize how stress and emotions affect the body systems;

(iii) utilize correct terminology for the human body;

(iv) identify the different changes in body that occur during puberty;

(4) grades K-4 benchmark 4: describe how physical, social and emotional environments influence personal health;

(a) grade K performance standards:

(i) recognize the behaviors that could affect other people (i.e., smoking, drinking, physical activity, nutrition, etc.);

(ii) identify the differences between safe and unsafe situations (i.e., bullying, good touch/bad touch, alcohol, tobacco, other drugs, food contamination, poisonous substances, etc.);

(iii) know how to access help (i.e., dial 911 in an emergency, trusted adult, etc.);

(iv) recognize the influences of media and peer pressure on health;

(b) grades 1-2 performance standards:

(i) describe the behaviors that could affect other people (i.e., smoking, drinking, physical activity, nutrition, etc.);

(ii) identify the differences between safe and unsafe situations (i.e., bullying, good touch/bad touch, alcohol, tobacco and other drugs, food contamination, poisonous substances, etc.);

(iii) know how to access help (i.e., dial 911 in an emergency, trusted adult, etc.);

(iv) describe the influences of media and peer pressure on health;

(c) grades 3-4 performance standards:

(i) understand the behaviors that could affect other people (i.e., smoking, drinking, physical activity, nutrition, etc.);

(ii) identify the differences between safe and unsafe situations (i.e., bullying, good touch/bad touch, alcohol, tobacco, other drugs, food contamination, poisonous substances, etc.);

(iii) know how to access help (i.e., dial 911 in an emergency, trusted adult, etc.);

(iv) understand the influences of media and peer pressure on health;

(5) grades K-4 benchmark 5: identify common health issues of children;

(a) grade K performance standards:

(i) name common physical health issues of children in same age group (i.e., intentional and unintentional injury, personal hygiene, etc.);

(ii) name common social health issues of children in same age group (i.e., peer pressure, relationships, etc.);

(iii) name common emotional health issues of children in same age group (i.e., effects of bullying, when family member is sick, sadness, domestic violence, etc.);

(iv) name common environmental health issues that affect children in same age group (i.e., second-hand smoke, litter, noise, etc.);

(b) grades 1-2 performance standards:

(i) describe common physical health issues of children in same age group (i.e., intentional and unintentional injury, personal hygiene, etc.);

(ii) describe common social health issues of children in same age group (i.e., peer pressure, relationships, etc.);

(iii) describe common emotional health issues of children in same age group (i.e., effects of bullying, when family member is sick, sadness, domestic violence, etc.);

(iv) describe common environmental health issues that affect children in same age group (i.e., second-hand smoke, litter, noise, etc.);

(c) grades 3-4 performance standards:

(i) recognize common physical health issues of children in same

age group (i.e., intentional and unintentional injury, personal hygiene, etc.);

(ii) recognize common social health issues of children in same age group (i.e., peer pressure, relationships, etc.);

(iii) recognize common emotional health issues of children in same age group (i.e., effects of bullying, when family member is sick, sadness, domestic violence, etc.);

(iv) recognize common environmental health issues that affect children in same age group (i.e., second-hand smoke, litter, noise, etc.);

(6) grades K-4 benchmark 6: identify health problems that should be detected and treated early and explain how childhood injuries and illnesses can be prevented or treated;

(a) grade K performance standards:

(i) identify symptoms of illness (i.e., runny nose, coughing, fever, stomachache, sadness, etc.);

(ii) list individuals that can help with detecting and treating childhood injuries and illnesses (i.e., parent, grandparent, teacher, counselor, nurse, doctor, etc.);

(iii) identify the benefits of following the directions of health care providers;

(iv) list safety rules for different situations (i.e., playground safety, bus safety, classroom rules, etc.);

(v) describe the importance of taking personal responsibility for actions;

(b) grades 1-2 performance standards:

(i) describe symptoms of illness (i.e., runny nose, coughing, fever, stomach ache, sadness, etc.);

(ii) list individuals that can help with detecting and treating childhood injuries and illnesses (i.e., parent, grandparent, teacher, counselor, nurse, doctor, etc.);

(iii) describe the benefits of following the directions of health care providers;

(iv) describe safety rules for different situations (i.e., playground safety, bus safety, classroom rules, etc.);

(v) describe the importance of taking personal responsibility for actions;

(c) grades 3-4 performance standards:

(i) recognize symptoms of illness (i.e., runny nose, coughing, fever, stomach ache, sadness, etc.);

(ii) list individuals that can help with detecting and treating childhood injuries and illnesses and explain what

role the individuals play (i.e., parent, grandparent, teacher, counselor, nurse, doctor, etc.);

(iii) understand the benefits of following the directions of health care providers;

(iv) list and understand safety rules for different situations (i.e., playground safety, bus safety, classroom rules, etc.);

(v) understand the importance of taking personal responsibility for actions.

B. Content standard 2: Students will demonstrate the ability to access valid health information and health-promoting products and services. Students will:

(1) grades K-4 benchmark 1: identify characteristics of valid health information and health-promoting products and services;

(a) grade K performance standards:

(i) recognize safe and unsafe products in the home and community (i.e., bleach vs. milk, used needles, etc.);

(ii) identify appropriate adults to talk to regarding health and safety issues;

(iii) recognize health-promoting products and services (i.e., food choices, community services, physical activity, etc.);

(b) grades 1-2 performance standards:

(i) identify safe and unsafe products in the home and community (i.e., bleach vs. milk, used needles, etc.);

(ii) identify health-promoting products and services (i.e., food choices, community services, physical activity, etc.);

(iii) identify where to seek valid health information (i.e., doctor, dentist, nurse, counselor, appropriate adult, etc.);

(c) grades 3-4 performance standards:

(i) identify safe and unsafe products in the home and community (i.e., bleach vs. milk, used needles, etc.);

(ii) demonstrate universal precautions in handling unsafe/contaminated products and materials (i.e., blood-borne pathogens, etc.);

(iii) identify health-promoting products and services (i.e., food choices, community services, physical activity, etc.);

(iv) identify where to seek valid health information (i.e., doctor, dentist, nurse, counselor, appropriate adult, etc.);

(v) analyze health information that may be confusing or contradictory (i.e., from media, peers, siblings,

etc.);

(2) grades K-4 benchmark 2: demonstrate the ability to locate resources from home, school and community that provide valid health information;

(a) grade K performance standards:

(i) recall own address and phone number; identify safe adults (i.e., parent, teacher, doctor, dentist, nurse, counselor, appropriate adult, etc.);

(ii) recognize unsafe environments/situations;

(b) grades 1-2 performance standards:

(i) understand how to use emergency phone numbers (i.e., 911, poison control, etc.);

(ii) identify safe adults (i.e., parent, teacher, doctor, dentist, nurse, counselor, appropriate adult, etc.);

(iii) recognize unsafe environments/situations;

(iv) identify where to seek valid health information;

(c) grades 3-4 performance standards:

(i) demonstrate ability to use emergency phone numbers (i.e., 911, poison control, etc.);

(ii) identify safe adults (i.e., parent, teacher, doctor, dentist, nurse, counselor, appropriate adult, etc.);

(iii) recognize unsafe environments/situations;

(iv) identify where to seek valid health information;

(v) identify location of first aid kit/station;

(3) grades K-4 benchmark 3: explain how the media influences the selection of health information, products and services;

(a) grade K performance standard: recognize that media messages may be misleading;

(b) grades 1-2 performance standards:

(i) recognize that media messages may be misleading;

(ii) recognize the goals of media (i.e., sell, entertain, etc.);

(iii) recognize media messages that may contain both healthy and unhealthy messages in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(c) grades 3-4 performance standards:

(i) identify media messages that may be misleading;

(ii) identify the goals of media (i.e., sell, entertain, etc.);

(iii) identify media messages that may contain both healthy and

unhealthy messages in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(4) grades K-4 benchmark 4: demonstrate the ability to locate school and community health helpers;

(a) grade K performance standards:

(i) recognize safety officials (i.e., police, fire, security, crossing guard, etc.);

(ii) identify safe adults (i.e., parent, teacher, doctor, dentist, nurse, counselor, appropriate adult, etc.);

(b) grades 1-2 performance standards:

(i) recognize safety officials (i.e., police, fire, security, crossing guard, etc.);

(ii) identify safe adults (i.e., parent, teacher, doctor, dentist, nurse, counselor, appropriate adult, etc.);

(c) grades 3-4 performance standards:

(i) explain the role of safety officials (i.e., police, fire, security, crossing guard, etc.);

(ii) explain the role(s) of safe adults (i.e., parent, teacher, doctor, dentist, nurse, counselor, appropriate adult, etc.).

C. Content standard 3: Students will demonstrate the ability to practice health-enhancing behaviors and reduce health risks. Students will:

(1) grades K-4 benchmark 1: identify responsible health behaviors;

(a) grade K performance standard: list responsible health behaviors (i.e., washing hands, brushing teeth, exercise, etc.);

(b) grades 1-2 performance standards:

(i) recognize responsible health behaviors in self and others (i.e., personal hygiene, not drinking and driving, daily physical activity, eating fruits and vegetables, etc.);

(ii) demonstrate conflict resolution skills;

(c) grades 3-4 performance standards:

(i) demonstrate responsible health behaviors (i.e., proper personal hygiene, participating in daily physical activity, eating fruits and vegetables, wearing seat belts, abstinence, etc.);

(ii) role play conflict resolution skills;

(iii) identify behaviors that promote healthy relationships (i.e., sharing, supporting, caring, listening, etc.);

(2) grades K-4 benchmark 2: identify personal health needs;

(a) grade K performance standards:

(i) identify where to go when you don't feel good (i.e., parent, teacher, school nurse, etc.);

(ii) recognize the importance of hygiene (i.e., washing hands to avoid colds, etc.);

(iii) identify personal safety rules (i.e., don't push others, playground safety, don't go with strangers, etc.);

(b) grades 1-2 performance standards:

(i) describe where to go when you don't feel good (i.e., parent, teacher, school nurse, etc.);

(ii) demonstrate the importance of hygiene (i.e., washing hands to avoid colds, etc.);

(iii) recognize personal safety rules (i.e., don't push others, playground safety, don't go with strangers, etc.);

(c) grades 3-4 performance standards:

(i) identify the relationship between physical activity and nutrition as related to healthy development;

(ii) identify ways in which diseases are transmitted or are not transmitted (i.e., HIV, common cold, measles, etc.);

(3) grades K-4 benchmark 3: compare behaviors that are safe to those that are risky or harmful;

(a) grade K performance standards:

(i) list safety rules;

(ii) list safe and unsafe situations;

(b) grades 1-2 performance standards:

(i) identify when to report dangerous situations to an adult;

(ii) identify behaviors that are safe and unsafe in the areas related to sexuality; nutrition; alcohol; tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(c) grades 3-4 performance standards:

(i) predict consequences of safe and risky behaviors in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) understand the consequences of risky behaviors in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(4) grades K-4 benchmark 4: demonstrate strategies to improve or maintain personal health;

(a) grade K performance standard: identify ways to improve or maintain personal health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., eat fruits and vegetables, exercise, don't smoke, etc.);

(b) grades 1-2 performance standards:

(i) describe ways to improve or maintain personal health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., eat fruits and vegetables, exercise, don't smoke, etc.);

(ii) describe refusal skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) identify healthy choices in the areas related to sexuality; nutrition, alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., walk away from a fight, participate in physical activity, identify healthier foods from a list of foods, etc.);

(c) grades 3-4 performance standards:

(i) demonstrate ways to improve or maintain personal health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., eat fruits and vegetables, exercise, don't smoke, abstinence, etc.);

(ii) demonstrate refusal skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) demonstrate healthy choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., avoiding a fight, participating in physical activity, choosing healthier foods from a list of foods, abstinence, etc.);

(5) grades K-4 benchmark 5: develop injury prevention and management strategies for personal health;

(a) grade K performance standards:

(i) identify substances that are unsafe to touch (i.e., blood, bleach, needles, etc.);

(ii) practice safety rules at home, in school and in the community;

(b) grades 1-2 performance standards:

(i) demonstrate refusal

skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) demonstrate safety rules at home, in school and in the community;

(c) grades 3-4 performance standards:

(i) identify when food is safe to eat (i.e., recognize expiration dates, etc.);

(ii) demonstrate refusal skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) recognize and demonstrate safety rules at home, in school and in the community;

(6) grades K-4 benchmark 6: demonstrate ways to avoid and reduce threatening situations;

(a) grade K performance standards:

(i) list situations that may be dangerous;

(ii) list trusted adults to go to when faced with a dangerous situation;

(b) grades 1-2 performance standards: identify trusted adults to go to when faced with a threatening situation;

(c) grades 3-4 performance standards:

(i) recognize when to ask for help in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) recognize how peer pressure can lead to dangerous or risky situations;

(iii) demonstrate conflict resolution skills;

(7) grades K-4 benchmark 7: apply skills to manage stress;

(a) grade K performance standard: practice stress management skills (i.e., daily physical activity, singing, being read to, etc.);

(b) grades 1-2 performance standards:

(i) identify situations that cause stress and recognize that stress is not always negative (i.e., bullies, going to a birthday party, reading out loud, etc.);

(ii) list activities that help reduce stress (i.e., physical activity, reading, etc.);

(c) grades 3-4 performance standards:

(i) identify the body's reaction to stressful situations (i.e., fight or flight, increased heart rate, etc.);

(ii) demonstrate stress management skills.

D. Content standard 4: Students will analyze the influence of culture, media, technology and other factors on health. Students will:

(1) grades K-4 benchmark 1: describe how cultures within the local community influence personal health behaviors;

(a) grade K performance standards:

(i) list similarities and differences in cultures within the community;

(ii) list how the media and culture portray gender roles (i.e., pink=girls, blue=boys, short hair vs. long hair, different toys, etc.);

(b) grades 1-2 performance standards:

(i) recognize similarities and differences in cultures within the community;

(ii) recognize how the media and culture portray gender roles (i.e., pink=girls, blue=boys, short hair vs. long hair, different toys, etc.);

(iii) identify how school and community values relate to health, safety and personal choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(c) grades 3-4 performance standards:

(i) describe qualities of different cultures in the school and community, and how they contribute to health, safety and personal choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) describe how the media and culture portray gender roles (i.e., pink=girls, blue=boys, short hair vs. long hair, different toys, etc.);

(2) grades K-4 benchmark 2: Explain how media influences thoughts, feelings and health behaviors.

(a) grade K performance standards:

(i) list different forms of media (i.e., television, newspaper, magazines, radio, etc.);

(ii) list the purposes for media (i.e., entertain, sell products, promote services, etc.);

(iii) understand that not all media messages are true;

(iv) understand how media influences feelings and thoughts;

(b) grades 1-2 performance standards:

(i) identify different forms of media (i.e., television, newspaper, magazines, radio, etc.);

(ii) identify the purpos-

es for media (i.e., entertain, sell products, promote services, etc.);

(iii) understand that not all media messages are true;

(iv) recognize how media influences feelings and thoughts;

(c) grades 3-4 performance standards:

(i) describe the purposes for media (i.e., entertain, sell products, promote services, etc.);

(ii) identify how to determine if media messages are true;

(iii) recognize how media influences feelings and health choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., abstain from sexual behavior, use drugs, be aggressive, eat healthy foods, participate in physical activity, etc.);

(3) grades K-4 benchmark 3: describe ways technology can influence personal health;

(a) grade K performance standards:

(i) list different forms of technology (i.e., computers, video games, microwaves, cell phones, etc.);

(ii) list the purposes for technology (i.e., convenience, entertainment, selling products, promoting services, etc.);

(iii) understand that technology affects how we live;

(b) grades 1-2 performance standards:

(i) identify different forms of technology (i.e., computers, video games, microwaves, cell phones, etc.);

(ii) identify the purposes for technology (i.e., convenience, entertainment, selling products, promoting services, etc.);

(iii) understand that technology affects how we live;

(c) grades 3-4 performance standards:

(i) describe different forms of technology (i.e., computers, video games, microwaves, cell phones, etc.);

(ii) recognize the purposes for technology in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., medical, conveniences, communication, etc.);

(iii) describe how technology affects how we live;

(4) grades K-4 benchmark 4: explain how information from school and family influences health;

(a) grade K performance standard: list health messages that families give in the areas related to sexuality; nutrition;

alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., what types of snacks you eat at home, stranger danger, family activities, etc.);

(b) grades 1-2 performance standards:

(i) recognize health messages that families give in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., what types of snacks you eat at home, stranger danger, family activities, etc.);

(ii) list different types of families (i.e., two parents, single parents, extended families, etc.);

(c) grades 3-4 performance standards:

(i) describe health messages that families give in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., what types of snacks you eat at home, stranger danger, family activities, etc.);

(ii) describe different types of families and how the structure influences health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being. (i.e., vegetarian vs. non-vegetarian, working parents and time for family activities and proper nutrition, smoking parents and second-hand smoke, etc.);

(iii) recognize that there are multiple messages about health, based on values and beliefs.

E. Content standard 5: Students will demonstrate the ability to use interpersonal communication skills to enhance health. Students will:

(1) grades K-4 benchmark 1: distinguish between verbal and non-verbal communication;

(a) grade K performance standards:

(i) describe the differences between verbal and non-verbal communication;

(ii) understand that people communicate in different ways;

(iii) recognize different feelings and the verbal and non-verbal forms of communication associated with them;

(b) grades 1-2 performance standards:

(i) identify the differences between verbal and non-verbal communication;

(ii) describe how people communicate in different ways;

(iii) recognize different feelings and the verbal and non-verbal forms of communication associated with them;

(c) grades 3-4 performance standards:

(i) demonstrate the differences between verbal and non-verbal communication;

(ii) demonstrate how people communicate in different ways;

(iii) recognize and describe different feelings and the verbal and non-verbal forms of communication associated with them;

(2) grades K-4 benchmark 2: describe characteristics needed to be a responsible friend and family member;

(a) grade K performance standards:

(i) list characteristics of behaviors that are healthy;

(ii) identify actions to help friends make healthy decisions;

(b) grades 1-2 performance standard: list ways that a person can show responsibility for his/her own health behaviors;

(c) grades 3-4 performance standard: explain the importance of assuming personal responsibility for health behaviors;

(3) grades K-4 benchmark 3: demonstrate positive ways to express needs, wants and feelings;

(a) grade K performance standards:

(i) identify feelings associated with different situations (i.e., conflict - frustration/satisfaction; birthday - happy/excited, etc.);

(ii) identify how to express feelings in a positive way;

(b) grades 1-2 performance standards:

(i) explain feelings associated with different situations (i.e., conflict - frustration/satisfaction; birthday - happy/excited, etc.);

(ii) explain how to express feelings in a positive way;

(c) grades 3-4 performance standards:

(i) demonstrate feelings associated with different situations (i.e., conflict - frustration/satisfaction; birthday - happy/excited, etc.);

(ii) demonstrate how to express feelings in a positive way;

(iii) demonstrate how to respond appropriately to other people's needs, wants and feelings;

(4) grades K-4 benchmark 4: demonstrate ways to communicate care, consideration and respect of self and others;

(a) grade K performance standard: demonstrate the ability to use "I"

statements;

(b) grades 1-2 performance standard: demonstrate the ability to appropriately use "I" statements in communication;

(c) grades 3-4 performance standards:

(i) identify respectful and caring acts of self and others;

(ii) demonstrate the ability to appropriately use "I" statements in communication;

(5) grades K-4 benchmark 5: demonstrate attentive listening skills to build and maintain health-enhancing relationships;

(a) grade K performance standards:

(i) understand the importance of letting people speak without interruption;

(ii) understand when it is appropriate to interrupt for health needs;

(iii) recognize when someone is telling you to do something that is wrong;

(b) grades 1-2 performance standards:

(i) demonstrate listening skills as a tool to enhance relationships;

(ii) describe when it is appropriate to interrupt for health needs;

(iii) recognize when someone is telling you to do something that is wrong;

(c) grades 3-4 performance standards:

(i) describe and demonstrate listening skills as a tool to enhance relationships;

(ii) demonstrate when it is appropriate to interrupt for health needs;

(iii) recognize when someone is telling you to do something that is wrong;

(6) grades K-4 benchmark 6: demonstrate refusal skills and explain why they are important to enhance health;

(a) grade K performance standard: identify refusal skills in the areas related to sexuality (i.e., good touch/bad touch, etc.); nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 1-2 performance standard: explain refusal skills in the areas related to sexuality (i.e., good touch/bad touch, etc.); nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(c) grades 3-4 performance standard: demonstrate refusal skills in the areas related to sexuality (i.e., good touch/bad touch, etc.); nutrition; alcohol, tobacco and other drug use; physical activity; personal

safety; mental, social and emotional well-being;

(7) grades K-4 benchmark 7: differentiate between negative and positive behaviors used in conflict situations;

(a) grade K performance standards:

(i) list the differences between negative and positive behaviors;

(ii) list situations that cause conflict;

(b) grades 1-2 performance standards:

(i) identify common conflict situations that occur among friends, family members and others;

(ii) describe possible causes of conflict;

(iii) explain the differences between negative and positive behaviors used in conflict situations;

(c) grades 3-4 performance standards: demonstrate conflict mediation and conflict resolution skills;

(8) grades K-4 benchmark 8: demonstrate non-violent strategies to resolve conflicts;

(a) grade K performance standards:

(i) list non-violent strategies to resolve conflict;

(ii) list situations that cause conflict;

(b) grades 1-2 performance standards:

(i) identify common conflict situations that occur among friends, family members and others;

(ii) explain non-violent strategies to resolve conflict;

(c) grades 3-4 performance standard: demonstrate conflict mediation and conflict resolution skills.

F. Content standard 6: Students will demonstrate the ability to use goal-setting and decision-making skills to enhance health. Students will:

(1) grades K-4 benchmark 1: demonstrate the ability to apply a decision-making process to health issues and problems;

(a) grade K performance standard: list steps in the decision-making process;

(b) grades 1-2 performance standard: identify actions to make healthy decisions in the areas related to sexuality (i.e., good touch/bad touch, etc.); nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(c) grades 3-4 performance standard: demonstrate actions to make healthy decisions in the areas related to sexuality (i.e., good touch/bad touch, etc.); nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social

and emotional well-being;

(2) grades K-4 benchmark 2: explain when to ask for assistance in making health-related decisions and setting health goals;

(a) grade K performance standard: list examples of when it is appropriate to ask for help in making health-related decisions (i.e., when you are lost, when being bullied, etc.);

(b) grades 1-2 performance standard: identify when it is appropriate to ask for help in making health-related decisions (i.e., when you are lost, when being bullied, etc.);

(c) grades 3-4 performance standards:

(i) explain when it is appropriate to ask for help in making health-related decisions (i.e., when you are lost, when being bullied, etc.);

(ii) set health-related goals (i.e., wear seat belts, be active every day, wash hands, etc.);

(3) grades K-4 benchmark 3: predict outcomes of positive health decisions;

(a) grade K performance standard: list consequences of actions (i.e., wearing a seat belt will help avoid injuries if in a car accident, etc.);

(b) grades 1-2 performance standard: describe how decisions affect health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., eating right and exercising leads to healthy development, etc.);

(c) grades 3-4 performance standard: describe how decisions affect health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., saying no to sex prevents pregnancy and sexually transmitted infections, saying no to drugs positively affects your thinking, etc.);

(4) grades K-4 benchmark 4: set a personal health goal and track progress toward achievement;

(a) grade K performance standard: list what personal health goals are appropriate for your age (i.e., wash hands, wear seat belts, etc.);

(b) grades 1-2 performance standard: identify a personal health goal in one of the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(c) grades 3-4 performance standard: identify and track progress of a personal health goal in one of the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being.

G. Content standard 7: Students will demonstrate the ability to advocate for personal, family, peer and community health. Students will:

(1) grade K-4 benchmark 1: describe a variety of methods to convey accurate health information and ideas;

(a) grade K performance standard: list ways to convey accurate health information and ideas (i.e., storytelling, talking to a health professional, etc.);

(b) grades 1-2 performance standard: recognize methods to convey accurate health information and ideas;

(c) grades 3-4 performance standard: describe how to communicate with others about making healthy choices;

(2) grades K-4 benchmark 2: express information and opinions about health issues;

(a) grade K performance standard: be able to express feelings to others (i.e., when they are sick, feel unsafe, etc.);

(b) grades 1-2 performance standard: discuss when it is appropriate to express opinions about health issues;

(c) grades 3-4 performance standard: describe information and opinions about health issues in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(3) grades K-4 benchmark 3: identify community agencies/resources that advocate for healthy individuals, families, peers and communities;

(a) grade K performance standard: identify appropriate adults to go to for health issues (i.e., who is a safe adult to go to when you are being bullied, etc.);

(b) grades 1-2 performance standard: list places and people in the school and community you can go to for health information (i.e., school nurse, doctor's office, etc.);

(c) grades 3-4 performance standard: list places, resources and people in the school and community you can go to for health information (i.e., school nurse, doctor's office, books, etc.);

(4) grades K-4 benchmark 4: demonstrate the ability to influence and support others in making health-enhancing choices;

(a) grade K performance standard: list positive health choices;

(b) grades 1-2 performance standard: list ways to help others make healthy choices;

(c) grades 3-4 performance standard: describe how to help others make healthy choices.

[6.29.6.8 NMAC - Rp, 6.30.2.19 NMAC, 6-30-2009]

**DARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR HEALTH EDUCATION, Grades 5-8:**

A. Content standard 1: Students will comprehend concepts related to health promotion and disease prevention. Students will:

(1) grades 5-8 benchmark 1: explain the relationship between positive health behaviors and the prevention of injury, illness, disease and premature death;

(a) grades 5-6 performance standards:

(i) describe risk factors and their association with health consequences in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) identify healthy alternatives to unhealthy behaviors in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., abstinence, selection of healthy food choices, "natural highs," etc.);

(iii) explain how personal daily choices can affect future health status;

(b) grades 7-8 performance standards:

(i) understand risk factors and their association with health consequences in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) understand how healthy alternatives can replace unhealthy behaviors (i.e., abstinence, condom use, other pregnancy prevention methods, selection of healthy food choices, "natural highs," etc.);

(iii) analyze how personal daily choices can affect future health status;

(2) grades 5-8 benchmark 2: describe the interrelationship of mental, emotional, social and physical health during adolescence;

(a) grades 5-6 performance standards:

(i) describe the characteristics of peer pressure and its impact on mental, emotional, social and physical health during adolescence in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) describe the impact of family history, cultural values, social systems and environmental influences on mental, emotional, social and physical health during adolescence in the areas related to

sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) describe how changes during adolescence affect mental, emotional, social and physical health;

(iv) identify positive stress reduction techniques and the impact on mental, emotional, social and physical health during adolescence;

(v) describe patterns of addiction and its influence on mental, emotional, social and physical health during adolescence;

(b) grades 7-8 performance standards:

(i) analyze the characteristics of peer pressure and its impact on mental, emotional, social and physical health during adolescence in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) analyze the impact of family history, cultural values, social systems and environmental influences on mental, emotional, social and physical health during adolescence in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) understand how changes during adolescence affect mental, emotional, social and physical health;

(iv) identify positive stress reduction techniques and the impact on mental, emotional, social and physical health during adolescence;

(v) analyze patterns of addiction and its influence on mental, emotional, social and physical health during adolescence;

(3) grades 5-8 benchmark 3: explain how health is influenced by the interaction of body systems;

(a) grades 5-6 performance standard: describe the reproductive, circulatory, digestive, nervous and endocrine systems and their relationships to adolescent health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standard: understand the reproductive, circulatory, digestive, nervous and endocrine systems and their relationships to adolescent health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(4) grades 5-8 benchmark 4: describe how family and peers influence the

health of adolescents;

(a) grades 5-6 performance standard: describe how family, peers, media, culture and others influence adolescent decision-making in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standard: analyze how family, peers, media, culture and others influence adolescent decision-making in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(5) grades 5-8 benchmark 5: analyze how environments and personal health are interrelated;

(a) grades 5-6 performance standards:

(i) explain how school, religion, culture, community, society and media, along with other outside influences (such as federal, state or local laws, policies, etc.), impact personal health decisions;

(ii) understand the importance of maintaining the environment and promoting its use for stress reduction, wellness and recreational activities;

(b) grades 7-8 performance standards:

(i) analyze how school, religion, culture, community, society and media, along with other outside influences (such as federal, state or local laws, policies, etc.), impact personal health decisions;

(ii) analyze the importance of maintaining the environment and promoting its use for stress reduction, wellness and recreational activities;

(6) grades 5-8 benchmark 6: describe ways to reduce risks related to adolescent health issues;

(a) grades 5-6 performance standards:

(i) identify health risks in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) identify consequences of health risks in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) identify ways to reduce health risks in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., abstinence, selection of healthy food choices, etc.);

(b) grades 7-8 performance standards:

(i) analyze health risks

in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) analyze consequences of health risks in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) analyze ways to reduce health risks in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., abstinence, condom use, other pregnancy prevention methods, selection of healthy food choices, etc.);

(7) grades 5-8 benchmark 7: explain how health care can prevent premature death and disability;

(a) grades 5-6 performance standards:

(i) identify health care providers in the community and available services in areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) identify ways to access health care providers within the community and state; identify how family history, genetics and preventive health care can affect personal health;

(b) grades 7-8 performance standards:

(i) identify health care providers in the community and available services in areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) identify ways to access health care providers within the community and state;

(iii) understand how family history, genetics and preventive health care can affect personal health;

(8) grades 5-8 benchmark 8: describe how lifestyle, pathogens, family history and other risk factors are related to the prevention or cause of disease and other health problems;

(a) grades 5-6 performance standards:

(i) identify how family history, genetics and preventive health care can affect personal health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) identify how lifestyle choices can affect personal health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social

and emotional well-being;

(b) grades 7-8 performance standards:

(i) identify how family history, genetics and preventive health care can affect personal health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) identify how lifestyle choices can affect personal health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being.

B. Content standard 2: Students will demonstrate the ability to access valid health information and health-promoting products and services. Students will:

(1) grades 5-8 benchmark 1: analyze the availability and validity of health information, products and services;

(a) grades 5-6 performance standards:

(i) identify school and community health resources related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) analyze health-promoting products and services (i.e., food choices, community services, physical activity, etc.);

(iii) analyze health information that may be confusing or contradictory (i.e., from media, peers, siblings, etc.);

(b) grades 7-8 performance standards:

(i) explain the functions and effectiveness of school and community health information, products and services (i.e., school nurse, school-based health center, public health office, private health care provider, etc.);

(ii) identify and evaluate products that claim to have a positive impact on health or wellness;

(iii) research information to obtain accurate health information in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(2) grades 5-8 benchmark 2: demonstrate the ability to evaluate and utilize resources from home, school and community that provide valid health information;

(a) grades 5-6 performance standards:

(i) explain how community resources can be accessed and utilized in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use;

physical activity; personal safety; mental, social and emotional well-being;

(ii) compare and contrast valid resources in the community in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standards:

(i) analyze how community resources can be accessed and utilized in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., school-based health centers, primary care clinics, school nurse, etc.);

(ii) analyze valid resources in the community in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) identify and provide solutions to barriers for health care (i.e., costs, transportation, culture, accessibility, etc.);

(iv) explain how community resources can be accessed and utilized in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(v) compare and contrast valid resources in the community in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(3) grades 5-8 benchmark 3: analyze how the media influences the selection of health information and products;

(a) grades 5-6 performance standards:

(i) analyze why media messages may be misleading;

(ii) explain the goals of media (i.e., sell, entertain, etc.);

(iii) give examples of media messages that may contain both healthy and unhealthy messages in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standards:

(i) analyze why media messages may be misleading;

(ii) interpret the goals of media (i.e., sell, entertain, etc.);

(iii) analyze media messages that may contain both healthy and unhealthy messages in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal

safety; mental, social and emotional well-being;

(4) grades 5-8 benchmark 4: demonstrate the ability to locate health products and services;

(a) grades 5-6 performance standards:

(i) identify valid health products and resources in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) identify where to obtain products and services in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standards:

(i) analyze valid health products and resources in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) demonstrate the ability to obtain products and services in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., how to access STI/HIV testing, pregnancy testing, help for depression, etc.);

(5) grades 5-8 benchmark 5: compare the costs and validity of health products;

(a) grades 5-6 performance standards:

(i) identify the availability and costs of health products utilized in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., the availability and cost of the patch for smoking cessation vs. the cost of smoking; diet and exercise vs. diabetes treatment; abstinence vs. having a baby; etc.);

(ii) identify cost of health resources in the community and compare benefits of those that are more affordable (i.e., walking vs. joining a club for exercise, etc.);

(iii) analyze different health care products and their effectiveness in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standards:

(i) analyze the availability and costs of health products utilized in the areas related to sexuality; nutrition;

alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., the availability and cost of: the patch for smoking cessation vs. the cost of smoking; diet and exercise vs. diabetes treatment; pregnancy prevention vs. having a baby; etc.);

(ii) analyze cost of health resources in the community and compare benefits of those that are more affordable (i.e., walking vs. joining a club for exercise, etc.);

(iii) research different health care products and their effectiveness in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(6) grades 5-8 benchmark 6: describe situations requiring professional health services;

(a) grades 5-6 performance standards:

(i) identify and recognize risk behaviors in situations that may lead to negative physical, social or emotional health consequences (i.e., abuse, bullying, sexual assault, mental health, depression, suicide, domestic violence, STI/HIV, etc.);

(ii) identify situations related to a health crisis and formulate solutions to intervene or prevent the crisis (i.e., a friend tells you he is thinking about suicide; a friend tells you he is smoking, etc.);

(iii) recognize and identify professional health services in the community;

(b) grades 7-8 performance standards:

(i) analyze risk behaviors in situations that may lead to negative physical, social or emotional health consequences (i.e., abuse, bullying, sexual assault, mental health, depression, suicide, domestic violence, STI/HIV and other risky behavior, etc.);

(ii) role play and discuss situations related to a health crisis and formulate solutions to intervene or prevent the crisis (i.e., a friend tells you he is thinking about suicide; a friend tells you she may be pregnant, etc.);

(iii) recognize and identify professional health services in the community.

C. Content standard 3: Students will demonstrate the ability to practice health-enhancing behaviors and reduce health risks. Students will:

(1) grades 5-8, benchmark 1: explain the importance of assuming responsibility for personal health behaviors;

(a) grades 5-6 performance standards:

(i) identify the signifi-

cance of personal responsibility for health behaviors in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity, personal safety; mental, social and emotional well-being;

(ii) describe the consequences of personal health choices and their effects;

(iii) describe the relationship between health behaviors and mental, social and emotional well-being in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety;

(b) grades 7-8 performance standards:

(i) analyze the significance of personal responsibility for healthy behaviors in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) use decision-making skills to determine personal health goals in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(2) grades 5-8 benchmark 2: analyze a personal health assessment to determine health strengths and risks;

(a) grades 5-6 performance standards:

(i) determine relationship between health behaviors and health outcomes in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., the relationship between physical activity, nutrition and chronic disease; the relationship between sexual activity and teen pregnancy, etc.);

(ii) identify health assessment data that can help determine health goals in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., physical fitness data, nutrition log, youth-reported data for risk and resiliency factors, etc.);

(b) grades 7-8 performance standards:

(i) compare and contrast the relationships between health behaviors and health outcomes in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., the relationship between physical activity, nutrition and chronic disease; the relationship between sexual activity and teen pregnancy, etc.);

(ii) chart individual health assessment data that can help deter-

mine health goals in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., physical fitness data, nutrition logs, youth-reported data for risk and resiliency factors, etc.);

(3) grades 5-8 benchmark 3: distinguish between safe and risky or harmful behavior in relationships;

(a) grades 5-6 performance standards:

(i) identify risky or harmful behaviors in relationships and ways to avoid them (i.e., abstinence to avoid teen pregnancy, mediation skills to avoid conflict, practice refusal skills to avoid smoking or drugs, etc.);

(ii) identify negative or harmful behaviors in relationships and identify strategies to resolve the situation;

(b) grades 7-8 performance standards:

(i) role play risky or harmful behaviors in relationships and ways to avoid them (i.e., abstinence or birth control methods to avoid teen pregnancy, mediation skills to avoid conflict, practice refusal skills to avoid smoking or drugs, etc.);

(ii) recognize negative or harmful behaviors in relationships and identify strategies to resolve the situation;

(4) grades 5-8 benchmark 4: demonstrate strategies to improve or maintain personal and family health;

(a) grades 5-6 performance standards:

(i) describe how families, peers and culture influence personal health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) identify personal, family and cultural healthy choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standards:

(i) analyze family strengths and weaknesses in relationship to healthy behaviors (i.e., eating patterns and physical activity as related to healthy behaviors; tobacco, alcohol or other drug use; how families deal with conflict; etc.);

(ii) develop personal, family and cultural health goals and strategies for achieving the goals in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(5) grades 5-8 benchmark 5: develop injury prevention and management

strategies for personal and family health;

(a) grades 5-6 performance standards:

(i) identify factors that contribute to intentional and unintentional injuries (i.e., use of alcohol/other drugs, steroid use, food safety, etc.);

(ii) identify strategies to prevent intentional and unintentional injuries;

(iii) describe skills related to personal safety in the areas of physical, emotional or sexual abuse;

(b) grades 7-8 performance standards:

(i) analyze factors that contribute to intentional and unintentional injuries (i.e., use of alcohol/other drugs, steroid use, food safety, etc.);

(ii) describe strategies to prevent intentional and unintentional injuries;

(iii) role play skills related to personal safety in the areas of physical, emotional or sexual abuse;

(6) grades 5-8 benchmark 6: demonstrate ways to avoid and reduce threatening situations;

(a) grades 5-6 performance standards:

(i) identify threatening situations and reduction strategies in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) demonstrate refusal skills in the context of dangerous situations (i.e., tobacco, alcohol, other drugs, inappropriate touch, etc.);

(b) grades 7-8 performance standards:

(i) analyze threatening situations and reduction strategies to reduce them in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) demonstrate refusal skills in the context of dangerous situations (i.e., tobacco, alcohol, other drugs, inappropriate touch, etc.);

(iii) analyze the possible outcomes of being in dangerous situations and suggest safer options (i.e., riding a bike without a helmet, riding in a car with someone who is intoxicated, etc.);

(7) grades 5-8 benchmark 7: demonstrate strategies to manage stress;

(a) grades 5-6 performance standards:

(i) identify stressors and strategies to reduce their harmful effects;

(ii) identify the immediate and long term effects of stress on the body;

(iii) identify ways to manage stress;

(b) Grades 7-8 performance standards:

(i) analyze stressors and strategies to reduce their harmful effects;

(ii) analyze the immediate and long term effects of stress on the body;

(iii) demonstrate ways to manage stress;

D. Content standard 4: Students will analyze the influence of culture, media, technology and other factors on health. Students will:

(1) grades 5-8 benchmark 1: describe the influence of cultural beliefs on health behaviors and the use of health services;

(a) grades 5-6 performance standards:

(i) identify and discuss qualities of cultures (both positive and negative) in the school and community and how they contribute to health, safety and personal choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) describe how the media and culture portray gender roles (i.e., aggressive behavior for boys vs. submissive behavior for girls, media portrayal of sexual behavior for each gender, etc.);

(iii) identify community and cultural factors that influence health (i.e., religion, values, habits, money, gender, ethnicity, etc.);

(iv) compare cultural values and beliefs with personal values and beliefs and identify how they relate to health behaviors and choices;

(b) grades 7-8 performance standards:

(i) explain how qualities within cultures (both positive and negative) in the school and community contribute to health, safety and personal choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) examine how the media and culture portray gender roles (i.e., aggressive behavior for boys vs. submissive behavior for girls, media portrayal of sexual behavior for each gender, etc.);

(iii) describe how community and cultural factors influence health (i.e., religion, values, habits, money, gender, ethnicity, etc.);

(iv) compare cultural values and beliefs with personal values and beliefs, and identify how they relate to health behaviors and choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity;

ty; personal safety; mental, social and emotional well-being;

(2) grades 5-8 benchmark 2: analyze how messages from media and other sources influence health behaviors;

(a) grades 5-6 performance standards:

(i) list examples of health-related advertisements (i.e., messages around sexual behavior, STI/HIV, exercise, nutrition, violence, alcohol, etc.);

(ii) identify positive and negative health messages from media and other sources in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., abstinence vs. teenage sex, smoking vs. non-smoking, using a seat belt or not, healthy vs. unhealthy eating habits, etc.);

(iii) identify sources that can help to determine whether media messages are true or false;

(iv) apply refusal skills in choices related to media messages;

(b) grades 7-8 performance standards:

(i) examine health-related advertisements and their influences on health behaviors (i.e., messages around sexual behavior, STI/HIV, exercise, nutrition, violence, alcohol, etc.);

(ii) explain positive and negative health messages from media and other sources in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., abstinence vs. teenage sex, smoking vs. non-smoking, using a seat belt or not, healthy vs. unhealthy eating habits, etc.);

(iii) describe sources that can help to determine whether media messages are true or false;

(iv) apply refusal skills in choices related to media messages;

(3) grades 5-8 benchmark 3: analyze the influence of technology on personal and family health;

(a) grades 5-6 performance standards:

(i) recognize the purposes for technology and its impact on personal and family health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., internet, medical, conveniences, communication, etc.);

(ii) describe advances in technology and how they positively and negatively impact personal and family health (i.e., use of computers and television vs. physical activity time, effects on communication skills, access to medical care, etc.);

(b) grades 7-8 performance standards:

(i) examine the purposes for technology and its impact on personal and family health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., internet, medical, conveniences, communication, etc.);

(ii) interpret how advances in technology positively and negatively impact personal and family health (i.e., use of computers and television vs. physical activity time, effects on communication skills, access to medical care, etc.);

(4) grades 5-8 benchmark 4: analyze how information from peers influences health;

(a) grades 5-6 performance standards:

(i) recognize that there are multiple messages (positive and negative) about health from peers;

(ii) describe health messages peers give in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., abstinence messages, drug, alcohol, tobacco use messages, suicide ideation, etc.);

(b) grades 7-8 performance standards:

(i) determine if health messages from peers are valid and discuss appropriate responses;

(ii) identify how peers influence personal health choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) describe health messages peers give in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., sexual activity messages, drug, alcohol, tobacco use messages, suicide ideation, etc.).

E. Content standard 5: Students will demonstrate the ability to use interpersonal communication skills to enhance health. Students will:

(1) grades 5-8 benchmark 1: demonstrate effective verbal and non-verbal communication skills to maintain health-enhancing relationships;

(a) grades 5-6 performance standards:

(i) recognize and describe different feelings and verbal and non-verbal forms of communication associated with them;

(ii) role play effective

verbal and non-verbal communication skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standards:

(i) recognize differences in people (i.e., cultural, gender, religion, etc.) and their influences on verbal and non-verbal communication;

(ii) role play and analyze effective verbal and non-verbal communication skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(2) grades 5-8 benchmark 2: describe how the behavior of family and peers affects interpersonal communication;

(a) grades 5-6 performance standards:

(i) recognize cultural diversity and its influence on verbal and non-verbal communication;

(ii) identify factors in the community (i.e., faith, values, habits, budgets, etc.) that influence behaviors of families and peers that affect interpersonal communication;

(iii) describe how values are formed;

(b) grades 7-8 performance standards:

(i) describe how cultural diversity influences verbal and non-verbal communication;

(ii) describe factors in the community (i.e., faith, values, habits, budgets, etc.) that influence behaviors of families and peers and affect interpersonal communication;

(iii) analyze how values are formed;

(3) grades 5-8 benchmark 3: demonstrate positive ways to express needs, wants and feelings;

(a) grades 5-6 performance standards:

(i) recognize feelings associated with different situations (i.e., conflict - frustration/satisfaction; birthday - happy/excited, etc.);

(ii) describe and demonstrate how to express feelings in a positive way;

(iii) describe and demonstrate how to respond appropriately to other people's needs, wants and feelings;

(b) grades 7-8 performance standards:

(i) recognize feelings associated with different situations (i.e., conflict - frustration/satisfaction; birthday - happy/excited, etc.);

(ii) analyze and demon-

strate how to express feelings in a positive way;

(iii) analyze and demonstrate how to respond appropriately to other people's needs, wants and feelings;

(4) grades 5-8 benchmark 4: demonstrate ways to communicate care, consideration and respect of self and others;

(a) grades 5-6 performance standard: identify and demonstrate, in both verbal and non-verbal ways, how to show care, consideration and respect for self and others in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standard: analyze and demonstrate, in both verbal and non-verbal ways, how to show care, consideration and respect for self and others in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(5) grades 5-8 benchmark 5: demonstrate communication skills to build and maintain relationships;

(a) grades 5-6 performance standards:

(i) describe and demonstrate communication skills as a tool to enhance relationships;

(ii) describe how someone may ask to participate in a healthy behavior in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) demonstrate ways to refuse to participate in an unhealthy behavior in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being, while maintaining positive relationships;

(b) grades 7-8 performance standards:

(i) analyze and demonstrate communication skills as a tool to enhance relationships;

(ii) analyze why someone may ask to participate in a healthy behavior in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) demonstrate ways to refuse to participate in an unhealthy behavior in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being, while maintaining positive relationships;

(6) grades 5-8 benchmark 6: demonstrate refusal and negotiation skills to enhance health;

(a) grades 5-6 performance stan-

dards:

(i) demonstrate refusal and negotiation skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) discuss aggressive, passive and assertive ways to respond to conflict;

(iii) demonstrate means to use a variety of conflict resolution skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standards:

(i) analyze risky situations in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being, and identify appropriate responses;

(ii) give examples of and demonstrate refusal and negotiation skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(iii) analyze aggressive, passive and assertive ways to respond to conflict;

(iv) explain and demonstrate means to use a variety of conflict resolution skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(7) grades 5-8 benchmark 7: analyze the possible causes of conflict among youth in schools and communities;

(a) grades 5-6 performance standard: discuss possible causes of conflict among youth in schools and communities in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standards:

(i) discuss and analyze possible causes of conflict among youth in schools and communities in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) describe possible solutions for resolving conflict among youth in schools and communities in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(8) grades 5-8 benchmark 8: demonstrate strategies to manage conflict in

positive ways;

(a) grades 5-6 performance standard: demonstrate conflict resolution skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standard: demonstrate conflict resolution skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being.

F. Content standard 6: Students will demonstrate the ability to use goal-setting and decision-making skills to enhance health. Students will:

(1) grades 5-8 benchmark 1: demonstrate the ability to apply a decision-making process to health issues and problems individually and collaboratively;

(a) grades 5-6 performance standard: demonstrate actions both individually and collaboratively to make healthy decisions in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standards:

(i) describe and demonstrate actions both individually and collaboratively to make healthy decisions in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) analyze the difference between making an individual decision or one in consultation with others;

(2) grades 5-8 benchmark 2: analyze how health-related decisions are influenced by individuals, family, peers and community values;

(a) grades 5-6 performance standards:

(i) describe the relationship between personal, family, peer and community values in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) describe the influences of culture, family, peers and communities on decisions in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standards:

(i) describe and analyze the relationship between personal, family, peer and community values in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activi-

ty; personal safety; mental, social and emotional well-being;

(ii) describe and analyze the influences of culture, family, peers and communities on decisions in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(3) grades 5-8 benchmark 3: predict how decisions regarding health behaviors have consequences for self and others;

(a) grades 5-6 performance standards:

(i) draw conclusions as to why specific decisions result in various consequences in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., the decision to remain abstinent from sexual activity will lead to not having an unwanted pregnancy or sexually transmitted infection, the decision not to smoke a cigarette will help prevent lung cancer, etc.);

(ii) summarize how personal decisions in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being contribute to the well-being of self, family, peers and communities (i.e., the decision to do physical activity as a family will lead to better physical and social health, etc.);

(b) grades 7-8 performance standards:

(i) analyze why specific decisions result in various consequences in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., the decision to use a condom if sexually active will help prevent an unwanted pregnancy or sexually transmitted infection, the decision not to drink at the party will help prevent making other risk-taking decisions while intoxicated, etc.);

(ii) analyze how impulsive actions related to consequences in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., having sex without protection can lead to unwanted pregnancy or sexually transmitted infections, taking drugs can lead to addictive behavior, etc.);

(iii) analyze how personal decisions in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being contribute to the well-being of self, family, peers and communities;

(4) grades 5-8 benchmark 4: apply strategies and skills needed to attain personal health goals;

(a) grades 5-6 performance standards:

(i) explain the relationship between health behaviors and personal outcomes in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) set and apply strategies to attain a realistic personal health goal in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standards:

(i) analyze the relationship between health behaviors and personal outcomes in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(ii) set and apply strategies to attain a realistic personal health goal in at least one of the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(5) grades 5-8 benchmark 5: describe how personal health goals are influenced by changing information, abilities, priorities and responsibilities;

(a) grades 5-6 performance standards:

(i) evaluate how health goals in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being change as individuals grow older (i.e., as a child, teenager, adult, etc.);

(ii) evaluate how health goals in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being may change as information, abilities, priorities and responsibilities change;

(b) grades 7-8 performance standards:

(i) analyze how health goals in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being change as individuals grow older (i.e., as a child, teenager, adult, etc.);

(ii) analyze how health goals in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being may change as information, abilities, priorities

and responsibilities change;

(6) grades 5-8 benchmark 6: develop a plan that addresses personal strengths, needs and health risks;

(a) grades 5-6 performance standards:

(i) identify personal strengths, needs and health risks;

(ii) develop a personal wellness plan that addresses a personal health need and goal;

(b) grades 7-8 performance standards:

(i) identify personal strengths, needs and health risks;

(ii) develop a personal wellness plan that addresses a personal health need and goal.

G. Content standard 7: Students will demonstrate the ability to advocate for personal, family, peer and community health. Students will:

(1) grades 5-8 benchmark 1: analyze various communication methods to accurately express health information and ideas;

(a) grades 5-6 performance standard: examine different ways to communicate health issues in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standard: analyze different ways to communicate health issues in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(2) grades 5-8 benchmark 2: express information and opinions about health issues;

(a) grades 5-6 performance standard: recognize information and opinions about health issues in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standard: define and analyze information and opinions about health issues in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(3) grades 5-8 benchmark 3: identify barriers to effective communication of information, ideas, feelings and opinions about health issues;

(a) grades 5-6 performance standard: describe barriers to effective communication about health issues in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being and demonstrate ways to

overcome those barriers;

(b) grades 7-8 performance standard: analyze barriers to effective communication about health issues in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being and describe ways to overcome those barriers;

(4) grades 5-8 benchmark 4: demonstrate the ability to influence and support others in making health-enhancing choices;

(a) grades 5-6 performance standard: role play how to help others make healthy choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standard: role play and analyze how to help others make healthy choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(5) grades 5-8 benchmark 5: demonstrate the ability to work cooperatively when advocating for healthy individuals, families and schools;

(a) grades 5-6 performance standard: role play how to work cooperatively when advocating for healthy individuals, families and schools in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) grades 7-8 performance standard: role play and analyze how to work cooperatively when advocating for healthy individuals, families and schools in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being.

[6.29.6.9 NMAC - Rp, 6.30.2.19 NMAC, 6-30-2009]

**6.29.6.10 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR HEALTH EDUCATION, Grades 9-12:**

A. Content standard 1: Students will comprehend concepts related to health promotion and disease prevention. Students will:

(1) grades 9-12 benchmark 1: analyze how behavior can impact health maintenance and disease prevention; grades 9-12 performance standards:

(a) differentiate between risks and benefits regarding choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) identify alternatives to health risk behaviors in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., abstinence, condom use, other pregnancy prevention methods, selection of healthy food choices, "natural highs," etc.);

(c) identify ways to avoid health risk behaviors in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being; discuss and analyze the difference(s) between healthy and unhealthy relationships;

(d) explain how attitude(s) and behavior(s) affect health of self and others;

(2) grades 9-12 benchmark 2: describe the interrelationships of mental, emotional, social and physical health throughout life; grades 9-12 performance standards:

(a) identify and analyze how social systems, peer pressure and family history relate to mental, emotional, social and physical health throughout life;

(b) describe the relationship between actions and consequences in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being and the impact on mental, emotional, social and physical health throughout life (i.e., unintended pregnancy, STI/HIV, chronic diseases, addiction, intentional and unintentional injuries, depression, suicide, etc.);

(c) explain relationship between risk behaviors and health behaviors in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., drinking and sexual behavior, lack of physical activity/nutrition choices and chronic diseases, etc.);

(d) describe how emotions affect health behaviors in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., attraction, love, lust, infatuation, jealousy, anger, etc.);

(e) describe ways to manage stress (i.e., physical activity, relaxation, etc.);

(3) grades 9-12 benchmark 3: explain the impact of personal health behaviors on the functioning of body systems; grades 9-12 performance standards:

(a) identify and analyze health behaviors in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being on the functioning of body systems (i.e., physical activity and the respiratory system, con-

tracting a sexually-transmitted disease and the reproductive system, etc.);

(b) identify emotional and physical changes that occur during puberty; identify the impact of health screenings on personal health and wellness; identify ways in which diseases are transmitted (i.e., HIV, bacterial diseases, viral diseases, etc.);

(c) describe how untreated health conditions can affect the functioning of body systems (i.e., an untreated sexually-transmitted infection on the reproductive system, untreated asthma on the respiratory system, etc.); explain the benefits of healthy food choices and physical activity on body systems (i.e., weight gain/loss, heart disease, diabetes, etc.);

(4) grades 9-12 benchmark 4: analyze how the family, peers and community influence the health of individuals; grades 9-12 performance standards:

(a) identify and analyze how family, peers and community can be helpful or a hindrance to healthy behaviors (i.e., family choices for meals, community norms for sexual behavior, etc.);

(b) describe how family, peers and community influence the ability to apply refusal skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(c) analyze how inappropriate behavior such as bullying, harassment and intentional injury influence the health of individuals;

(d) identify how family, peer and community factors influence personal health choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., religion, culture, family values, budget, etc.);

(5) grades 9-12 benchmark 5: analyze how the environment influences the health of the community; grades 9-12 performance standards:

(a) identify and analyze how environmental influences can be helpful or a hindrance to healthy behaviors (i.e., cultural, family history, socio-economic status and social norms on choices for meals, relationships, physical activity, etc.);

(b) analyze how environmental influences affect behavior in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., riding a bike vs. driving a car, personal relationships, etc.);

(6) grades 9-12 benchmark 6: describe how to delay onset and reduce risks of potential health problems during adulthood; grades 9-12 performance standards:

(a) describe and analyze how behaviors practiced early in life can potentially affect health problems during adulthood in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., smoking as a teenager and lung disease, poor nutritional choice and lack of physical activity and chronic diseases, sexual activity/unprotected sex and teen pregnancy/STI/HIV, etc.);

(b) demonstrate knowledge of pregnancy prevention and prevention of sexually transmitted infections; understand human reproduction and how pregnancy can be prevented through the use of various methods of contraception, including barrier and hormonal methods;

(c) understand the concept of sexually transmitted infections and recognize prevention strategies including abstinence, the proper use of condoms and immunizations;

(7) grades 9-12 benchmark 7: analyze how public health policies and government regulations influence health promotion and disease prevention; grades 9-12 performance standards:

(a) research local, state and national regulations and policies that influence health promotion and disease prevention in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) identify how policies are developed that influence health promotion and disease prevention in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(8) grades 9-12 benchmark 8: analyze how the prevention and control of health problems are influenced by research and medical advances; grades 9-12 performance standards:

(a) identify scientific journals, agencies and organizations that contribute to research and medical advances in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) analyze how research and medical advances can influence health promotion and disease prevention in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., new treatment in diabetes control, etc.).

B. Content standard 2: Students will demonstrate the ability to access valid health information and health-

promoting products and services. Students will:

(1) grades 9-12 benchmark 1: evaluate the availability and validity of health information, products and services; grades 9-12 performance standards:

(a) explain and evaluate the functions and effectiveness of school and community health information, products and services (i.e., school nurse, school-based health center, public health office, private health care provider, etc.);

(b) evaluate health information products and services advertised by media; demonstrate the ability to evaluate health information in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(2) grades 9-12 benchmark 2: demonstrate the ability to evaluate and utilize resources from home, school and community that provide valid health information; grades 9-12 performance standards:

(a) evaluate how community resources can be accessed and utilized in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., school-based health centers, primary care clinics, school nurse, etc.);

(b) compare and contrast valid resources in the community in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(c) identify and devise solutions to barriers for health care (i.e., costs, transportation, culture, accessibility, etc.);

(d) explain how community resources can be accessed and utilized in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(e) compare and contrast valid resources in the community in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(3) grades 9-12 benchmark 3: evaluate factors that influence personal selection of health products and services; grades 9-12 performance standards:

(a) evaluate the characteristics that media uses to influence the selection of health products and services;

(b) describe influences of cultural beliefs and how they influence personal selection of health products and services;

(c) explain factors in the community that influence health choices in the areas related to sexuality; nutrition; alcohol,

tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., religion, values, habits, budget, etc.);

(d) demonstrate and discuss ways to avoid risky behavior in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(4) grades 9-12 benchmark 4: demonstrate the ability to access school and community health services for self and others; grades 9-12 performance standards:

(a) demonstrate the ability to access local health resources in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., school-based health centers, primary care clinics, local health facilities, walking trails, etc.);

(b) demonstrate how to determine the appropriate school and community health services in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., where to go for immunizations, wellness check-up, pregnancy/STI/HIV testing, help for depression, treatment for diabetes, etc.);

(5) grades 9-12 benchmark 5: analyze the cost and accessibility of health care services; grades 9-12 performance standards:

(a) demonstrate the ability to compare cost and accessibility of health care services in the community and benefits of those that are more affordable (i.e., walking vs. joining a club for exercise, public health clinic vs. private doctor, sexual activity/unprotected sex vs. teen pregnancy/STI/HIV, etc.);

(b) analyze the availability and costs of health care services utilized in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., the availability and cost of smoking cessation class, nutrition education programs, prenatal care, etc.);

(6) grades 9-12 benchmark 6: analyze situations requiring professional health services; grades 9-12 performance standards:

(a) prepare a plan of action for risk behaviors in situations that may lead to negative physical, social or emotional health consequences (i.e., abuse, bullying, sexual assault, mental health, depression, suicide, domestic violence, teen pregnancy, STI/HIV, etc.);

(b) analyze situations related to health crises and formulate solutions to intervene or prevent the crisis (i.e., a friend

tells you he is thinking about suicide; a friend tells you he is smoking, a friend tells you she is pregnant, etc.);

(c) demonstrate how to access professional health services in your community.

C. Content standard 3: Students will demonstrate the ability to practice health-enhancing behaviors and reduce health risks. Students will:

(1) grades 9-12 benchmark 1: analyze the role of individual responsibility for enhancing health; grades 9-12 performance standards:

(a) analyze the significance of personal responsibility and consequences for healthy behaviors in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) demonstrate decision-making skills to determine personal health goals in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(2) grades 9-12 benchmark 2: evaluate a personal health assessment to determine strategies for health enhancement and risk reduction; grades 9-12 performance standards:

(a) differentiate among health behaviors and health outcomes in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., the relationship between physical activity, nutrition and chronic disease; the relationship between sexual activity and teen pregnancy, etc.);

(b) chart and analyze individual health assessment data that can help determine health goals in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., physical fitness data, nutrition logs, youth reported data for risk and resiliency factors, etc.);

(3) grades 9-12 benchmark 3: analyze the short-term and long-term consequences of safe, risky and harmful behaviors; grades 9-12 performance standards:

(a) demonstrate skills to avoid risky or harmful behaviors in relationships (i.e., abstinence or birth control methods to avoid teen pregnancy, mediation skills to avoid conflict, practice refusal skills to avoid smoking or drugs, etc.);

(b) recognize and analyze negative or harmful behaviors in relationships and identify strategies to resolve the situation;

(c) identify consequences of risky and harmful behaviors on self and others in the areas related to sexuality; nutrition;

alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(4) grades 9-12 benchmark 4: develop management strategies to improve or maintain personal, family, peer and community health; grades 9-12 performance standards:

(a) describe personal, family, peer, community and cultural strengths in maintaining or improving healthy behaviors (i.e., eating patterns and physical activity related to healthy behaviors; tobacco, alcohol or other drug use; how families deal with conflict; etc.);

(b) develop personal, family, community and cultural health goals and management strategies for achieving the goals in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(5) grades 9-12 benchmark 5: develop injury prevention strategies for personal, family, peer and community health; grades 9-12 performance standards:

(a) analyze personal, family, peer and community factors that contribute to intentional and unintentional injuries (i.e., use of alcohol or other drugs, steroid use, food safety, etc.);

(b) describe prevention strategies to avoid intentional and unintentional injuries;

(c) demonstrate refusal skills related to personal safety in the areas of physical, emotional or sexual abuse;

(d) demonstrate effective negotiation and risk avoidance strategies for avoiding unwanted sexual activity;

(6) grades 9-12 benchmark 6: demonstrate ways to avoid and reduce threatening situations; grades 9-12 performance standards:

(a) recognize threatening situations and formulate strategies to reduce them in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) demonstrate refusal skills in the context of dangerous situations (i.e., tobacco, alcohol, other drugs, date rape, etc.);

(c) reflect on the possible outcomes of being in dangerous situations and explain different options that could have been chosen (i.e., riding a motorcycle without a helmet, driving a car while intoxicated, having unprotected sex, etc.);

(d) demonstrate effective negotiation and risk avoidance strategies for avoiding unwanted sexual activity;

(7) grades 9-12 benchmark 7: evaluate strategies to manage stress; grades 9-12 performance standards:

(a) evaluate stressors and strate-

gies to reduce their harmful effects;

(b) explain the immediate and long-term effects of stress on the body;

(c) demonstrate ways to manage stress.

D. Content standard 4: Students will analyze the influence of culture, media, technology and other factors on health. Students will:

(1) grades 9-12 benchmark 1: analyze how cultural practices can enrich or challenge health behaviors; grades 9-12 performance standards:

(a) explain how cultural practices (both positive and negative) in the school and community contribute to health, safety and personal choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) analyze how the media and culture portray gender roles (i.e., aggressive behavior for boys vs. submissive behavior for girls, media portrayal of sexual behavior for each gender, etc.);

(c) analyze cultural values and beliefs compared with personal values and beliefs in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(2) grades 9-12 benchmark 2: evaluate the effect of media and other factors on personal, family, peer and community health; grades 9-12 performance standards:

(a) analyze health-related advertisements and their influences on health behaviors (i.e., messages around sexual behavior, STI/HIV, condom use, exercise, nutrition, violence, alcohol, etc.);

(b) explain positive and negative health messages from media and other sources in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., condom use vs. unprotected sex, smoking vs. non-smoking, using a seat belt or not, healthy vs. unhealthy eating habits, etc.);

(c) analyze sources that can help to determine if media messages are true or false; demonstrate refusal skills in choices related to media messages;

(3) grades 9-12 benchmark 3: evaluate the impact of technology on personal, family, peer and community health; grades 9-12 performance standards:

(a) analyze the purposes for technology and its impact on personal, family, peer and community health in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., internet, medical, conveniences, communication, etc.);

(b) compare and contrast how advances in technology positively or negatively impact personal, family, peer and community health (i.e., use of computers and television vs. physical activity time, effects on communication skills, access to medical care, etc.).

E. Content standard 5: Students will demonstrate the ability to use interpersonal communication skills to enhance health. Students will:

(1) grades 9-12 benchmark 1: demonstrate skills for communicating effectively with family, peers and others; grades 9-12 performance standards:

(a) role play and analyze effective verbal and non-verbal communication skills with family, peers and others in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) compare and contrast effective and ineffective verbal and non-verbal communication skills with family, peers and others in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(2) grades 9-12 benchmark 2: analyze how interpersonal communication affects relationships; grades 9-12 performance standards:

(a) analyze how cultural diversity influences verbal and non-verbal communication;

(b) role play and analyze interpersonal communications skills that affect relationships in the areas related to sexuality; nutrition; alcohol tobacco, and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(3) grades 9-12 benchmark 3: demonstrate positive ways to express needs, wants and feelings; grades 9-12 performance standards:

(a) analyze feelings associated with different situations (i.e., conflict - frustration/satisfaction; birthday - happy/excited, etc.);

(b) role play and analyze how to express feelings in a positive way;

(c) role play and analyze how to respond appropriately to other people's needs, wants and feelings;

(4) grades 9-12 benchmark 4: demonstrate ways to communicate care, consideration and respect of self and others; grades 9-12 performance standard: role play and analyze both verbal and non-verbal ways to show care, consideration and respect for self and others in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(5) grades 9-12 benchmark 5: demonstrate strategies for solving interpersonal conflicts without harming self or others; grades 9-12 performance standards:

(a) demonstrate skills used in conflict resolution in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) describe and analyze aggressive, passive and assertive ways to respond to conflict;

(c) explain and demonstrate means to use a variety of conflict resolution skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(6) grades 9-12 benchmark 6: demonstrate refusal, negotiation and collaboration skills to avoid potentially harmful situations; grades 9-12 performance standards:

(a) describe and analyze risky situations in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being and identify appropriate responses;

(b) role play and analyze refusal and negotiation skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(c) demonstrate effective negotiations and risk avoidance strategies ( i.e., avoiding unwanted pregnancy, alcohol tobacco and other drug use, bullying behavior, poor nutritional choices, physical inactivity, etc.);

(7) grades 9-12 benchmark 7: analyze the possible causes of conflict in schools, families and communities; grades 9-12 performance standards:

(a) discuss and analyze possible causes of conflict among youth in schools and communities in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) design possible solutions to resolving conflict among youth in schools and communities in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(8) grades 9-12 benchmark 8: demonstrate strategies to prevent conflict; grades 9-12 performance standard: demonstrate and analyze conflict resolution skills in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being.

F. Content standard 6: Students will demonstrate the ability to use goal-setting and decision-making skills to enhance health. Students will:

(1) grades 9-12 benchmark 1: demonstrate the ability to utilize various strategies when making decisions related to health needs and risks of young adults; grades 9-12 performance standard: analyze and demonstrate strategies used to make healthy decisions in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(2) grades 9-12 benchmark 2: analyze health concerns that require collaborative decision-making; grades 9-12 performance standards:

(a) describe health issues that require decision-making in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) role play and analyze the difference between making an individual decision or collaborating with others in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(3) grades 9-12 benchmark 3: predict the immediate and long-term impact of health decisions on the individual, family, peers and community; grades 9-12 performance standards:

(a) predict how specific decisions result in various consequences in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., the decision to use a condom if sexually active will help prevent an unwanted pregnancy or sexually transmitted infection, the decision not to drink at the party will help prevent making other risk-taking decisions while intoxicated, etc.);

(b) predict and analyze how impulsive actions relate to consequences in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being (i.e., having sex without protection can lead to unwanted pregnancy or sexually transmitted infections; taking drugs can lead to addictive behavior, etc.);

(c) predict and analyze how personal decisions in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being contribute to the well-being of self, family, peers and communities;

(4) grades 9-12 benchmark 4:

implement a plan for attaining a personal health goal; grades 9-12 performance standards:

(a) analyze the relationship between health behaviors and personal outcomes in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(b) create strategies and implement a plan to attain a realistic personal health goal in at least one of the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(5) grades 9-12 benchmark 5: evaluate progress toward achieving personal health goals; grades 9-12 performance standard: create strategies and implement an evaluation plan in attaining a realistic personal health goal in at least one of the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(6) grades 9-12 benchmark 6: formulate an effective plan for lifelong health; grades 9-12 performance standard: develop and implement a personal wellness plan that includes both short and long term goals and describe how that plan can be effective for lifelong health and wellness.

G. Content standard 7: Students will demonstrate the ability to advocate for personal, family, peer and community health. Students will:

(1) grades 9-12 benchmark 1: evaluate the effectiveness of communication methods for accurately expressing health information and ideas; grades 9-12 performance standard: role play and evaluate different ways to communicate health issues in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(2) grades 9-12 benchmark 2: express information and opinions about health issues; grades 9-12 performance standard: define and analyze information and opinions about health issues in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(3) grades 9-12 benchmark 3: utilize strategies to overcome barriers when communicating information, ideas, feelings and opinions about health issues; grades 9-12 performance standard: analyze barriers to effective communication about health issues in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being and illustrate ways to overcome those barriers;

(4) grades 9-12 benchmark 4: demonstrate the ability to influence and support others in making health-enhancing choices; grades 9-12 performance standard: role play and analyze how to help others make healthy choices in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(5) grades 9-12 benchmark 5: demonstrate the ability to work cooperatively when advocating for healthy communities; grades 9-12 performance standard: role play and analyze how to work cooperatively when advocating for healthy individuals, families and schools in the areas related to sexuality; nutrition; alcohol, tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being;

(6) grades 9-12 benchmark 6: demonstrate the ability to adapt health messages and communication techniques to the characteristics of a particular audience; grades 9-12 performance standards:

(a) identify how healthy messages and communication techniques can target different audiences;

(b) create positive health messages in the areas related to sexuality; nutrition; alcohol; tobacco and other drug use; physical activity; personal safety; mental, social and emotional well-being.

[6.29.6.10 NMAC - Rp, 6.30.2.19 NMAC, 6-30-2009]

**6.29.6.11 SEXUALITY PERFORMANCE STANDARDS EXEMPTION:** Each school district or charter school shall implement a policy that will insure that parents have the ability to request that their child be exempted from the parts of the health education curriculum that address sexuality performance standards.

A. The policy shall include, but is not limited to:

(1) the process for parents to request an exemption from the parts of the health education curriculum that address the sexuality performance standards;

(2) how alternative lessons are established for the exempted parts of the curriculum.

B. Each local board of education or governing body of a charter school shall ensure the involvement of parents, staff and students in the development of the policy.

[6.29.6.11 NMAC - Rp, 6.30.2.19 NMAC, 6-30-2009]

#### **HISTORY OF 6.29.6 NMAC:**

**Pre-NMAC HISTORY:** The material in this part is derived from that previously filed with the State Records Center:

SDE 74-17, (Certificate No. 74-17), Minimum Educational Standards for New Mexico Schools, filed April 16, 1975.

SDE 76-9, (Certificate No. 76-9), Minimum Education Standards for New Mexico Schools, filed July 7, 1976.

SDE 78-9, Minimum Education Standards for New Mexico Schools, filed August 17, 1978.

SBE 80-4, Educational Standards for New Mexico Schools, filed September 10, 1980.

SBE 81-4, Educational Standards for New Mexico Schools, filed July 27, 1981.

SBE 82-4, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed November 16, 1982.

SBE Regulation No. 83-1, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed June 24, 1983.

SBE Regulation 84-7, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed August 27, 1984.

SBE Regulation 85-4, Educational Standards for New Mexico Schools, Basic, Special Education, and Vocational Programs, filed October 21, 1985.

SBE Regulation No. 86-7, Educational Standards for New Mexico Schools, filed September 2, 1986.

SBE Regulation No. 87-8, Educational Standards for New Mexico Schools, filed February 2, 1988.

SBE Regulation No. 88-9, Educational Standards for New Mexico Schools, filed October 28, 1988.

SBE Regulation No. 89-8, Educational Standards for New Mexico Schools, filed November 22, 1989.

SBE Regulation No. 90-2, Educational Standards for New Mexico Schools, filed September 7, 1990.

SBE Regulation No. 92-1, Standards for Excellence, filed January 3, 1992.

#### **History of Repealed Material:**

6.30.2 NMAC, Standards for Excellence, filed November 2, 2000 - Repealed effective June 30, 2009.

#### **NMAC History:**

6 NMAC 3.2, Standards for Excellence, filed October 17, 1996.

6.30.2 NMAC, Standards for Excellence, November 2, 2000, replaced by 6.29.1 NMAC, General Provisions; 6.29.2 NMAC, Arts Education; 6.29.3 NMAC, Career and Technical Education; 6.29.4 NMAC, English Language Arts; 6.29.5 NMAC, English Language Development; 6.29.6 NMAC, Health Education; 6.29.7 NMAC, Mathematics; 6.29.8 NMAC, Modern, Classical and Native Languages; 6.29.9 NMAC, Physical Education; 6.29.10 NMAC, Science; 6.29.11 NMAC, Social

Studies; effective June 30, 2009.

## NEW MEXICO PUBLIC EDUCATION DEPARTMENT

### TITLE 6            PRIMARY            AND SECONDARY EDUCATION CHAPTER 29       STANDARDS       FOR EXCELLENCE PART 7            MATHEMATICS

**6.29.7.1            ISSUING AGENCY:**  
Public Education Department, hereinafter  
the department.  
[6.29.7.1 NMAC - N, 6-30-2009]

**6.29.7.2            SCOPE:** All public  
schools, state educational institutions and  
educational programs conducted in state  
institutions other than New Mexico military  
institute.  
[6.29.7.2 NMAC - N, 6-30-2009]

**6.29.7.3            S T A T U T O R Y  
AUTHORITY:**  
A.            Section 22-2-2 NMSA  
1978 grants the authority and responsibility  
for the assessment and evaluation of public  
schools, state-supported educational institu-  
tions and educational programs conducted  
in state institutions other than New Mexico  
military institute.  
B.            Section 22-2-2 NMSA  
1978 directs the department to set gradua-  
tion expectations and hold schools account-  
able. Section 22-2C-3 NMSA 1978  
requires the department to adopt academic  
content and performance standards and to  
measure the performance of public schools  
in New Mexico.  
[6.29.7.3 NMAC - N, 6-30-2009]

**6.29.7.4            D U R A T I O N :**  
Permanent.  
[6.29.7.4 NMAC - N, 6-30-2009]

**6.29.7.5            EFFECTIVE DATE:**  
June 30, 2009, unless a later date is cited at  
the end of a section.  
[6.29.7.5 NMAC - N, 6-30-2009]

**6.29.7.6            OBJECTIVE:** The  
New Mexico content standards with bench-  
marks and performance standards for math-  
ematics provide a framework of required  
knowledge and skills in this field. The con-  
tent standards with benchmarks and per-  
formance standards for mathematics were  
adopted in 1996 as part of 6.32 NMAC;  
they were replaced in 2002. The mathemat-  
ics content standards for grades 9-12 were  
revised in April 2008. The content stan-  
dards are mandated for grades K-12. For  
grades 9-12, students shall take a minimum

of four units in mathematics, of which one  
shall be equivalent to or higher than the  
level of algebra 2, unless the parent has sub-  
mitted a written, signed permission for the  
student to complete a lesser mathematics  
unit.  
[6.29.7.6 NMAC - N, 6-30-2009]

**6.29.7.7            D E F I N I T I O N S :**  
[Reserved]

**6.29.7.8            C O N T E N T   S T A N -  
D A R D S   W I T H   B E N C H M A R K S   A N D  
P E R F O R M A N C E   S T A N D A R D S   F O R  
M A T H E M A T I C S ,   G r a d e s   K - 4 :**

A.            Strand: Number and  
operations. Content standard 1: Students  
will understand numerical concepts and  
mathematical operations.

(1) Grades K-4 benchmark 1:  
Understand numbers, ways of representing  
numbers, relationships among numbers and  
number systems.

(a) Grade K performance stan-  
dards:

(i) Demonstrate an  
understanding of the place-value structure  
of the base-ten number system.

(ii) Count with under-  
standing and recognize "how many" in sets  
of objects up to 20.

(iii) Read and write  
whole numbers up to 20.

(iv) Compare and order  
whole numbers up to 20.

(v) Connect numerals  
to the quantities they represent using vari-  
ous physical models.

(vi) Use an organized  
counting method to keep track of quantities  
while counting (one-to-one correspondence  
- e.g., touch object once and only once as  
counting a set).

(vii) Order sets of  
objects and numbers from least to most or  
most to least.

(b) Grade 1 performance stan-  
dards:

(i) Demonstrate an  
understanding of the place-value structure  
of the base-ten number system.

(ii) Read, write, model  
and sequence whole numbers up to 100,  
including filling in missing numbers in a  
sequence.

(iii) Count with under-  
standing and recognize "how many" in sets  
of objects up to 50.

(iv) Count orally by 2s  
to 20 and by 5s and 10s to 100.

(v) Count orally back-  
ward from 100.

(vi) Compare and order  
numbers up to 100.

(vii) Decompose and  
recombine numbers using manipulatives

(e.g., by breaking numbers apart and recom-  
bining) to create and construct equivalent  
representations for the same number (e.g.,  
 $10 = 3 + 7$  or  $1 + 2 + 7$  or  $3 + 2 + 5$ ).

(viii) Group objects by  
10s and 1s to explore place value (e.g., 24  
equals two tens and four ones); use ordinal  
numbers (e.g., what position?) and cardinal  
numbers (e.g., how many?) appropriately.

(ix) Connect number  
words and numbers to the quantities they  
represent.

(c) Grade 2 performance stan-  
dards:

(i) Understand the rela-  
tionship between numbers, quantities and  
place value in whole numbers up to 1,000  
and develop flexible ways of thinking about  
numbers: use multiple models to explore  
place value and the base-ten number sys-  
tem; represent whole numbers and use them  
in flexible ways including decomposing and  
recombining numbers to see their relation-  
ships (e.g., 3 is one less than 4, one more  
than 2, two less than 5); identify whether a  
set of objects has an odd or even number of  
elements; compare and order numbers using  
a variety of terms (e.g., tens, less than, odd  
numbers); apply strategies for computation  
utilizing an understanding of place value  
(e.g.,  $48 + 25$  would be  $40 + 20$  is 60,  $8 + 5$   
is 13,  $60 + 13$  is 73).

(ii) Apply counting  
skills and number sense through meaningful  
activities: count and recognize "how many"  
in sets of objects up to 1,000; count forward  
and backward from given numbers to 1,000;  
connect number words and numerals to the  
quantities they represent using physical  
models and other representations (e.g., 23  
can be twenty-three 1s, one 10 and thirteen  
1s, or two 10s and three 1s); model how  
many parts make a whole using equal frac-  
tional parts (e.g.,  $1/2$ ,  $1/3$ ,  $1/4$  and  $1/6$  as  
equal parts of a whole).

(d) Grade 3 performance stan-  
dards:

(i) Exhibit an under-  
standing of the place-value structure of the  
base-ten number system by: reading, mod-  
eling, writing and interpreting whole num-  
bers up to 10,000; comparing and ordering  
numbers up to 1,000; recognizing the posi-  
tion of a given number in the base-ten num-  
ber system and its relationship to bench-  
mark numbers such as 10, 50, 100, 500.

(ii) Use whole numbers  
by using a variety of contexts and models  
(e.g., exploring the size of 1,000 by skip-  
counting to 1,000 using "hundred charts or  
strips" 10 or 100 centimeters long).

(iii) Identify some rep-  
resentations for some numbers and generate  
them by decomposing and recombining  
numbers (e.g.,  $853 = 8 \times 100 + 5 \times 10 + 3$ ;  
 $85 \times 10 + 3 = 853$ ;  $853 = 900 - 50 + 3$ ).

(iv) Identify the relationship among commonly encountered factors and multiples (e.g., factor pairs of 12 are  $1 \times 12$ ,  $2 \times 6$ ,  $3 \times 4$ ; multiples of 12 are 12, 24, 36).

(v) Use visual models and other strategies to recognize and generate equivalents of commonly used fractions and mixed numbers (e.g., halves, thirds, fourths, sixths, eighths and tenths).

(vi) Demonstrate an understanding of fractions as parts of unit wholes, parts of a collection or set, and as locations on a number line.

(vii) Use common fractions for measuring and money (e.g., using fractions and decimals as representations of the same concept, such as half of a dollar = 50 cents).

(e) Grade 4 performance standards:

(i) Exhibit an understanding of the place-value structure of the base-ten number system by reading, modeling, writing and interpreting whole numbers up to 100,000; compare and order the numbers: recognize equivalent representations for the same number and generate them by decomposing and combining numbers (e.g.,  $853 = 8 \times 100 + 5 \times 10 + 3$ ;  $853 = 85 \times 10 + 3$ ;  $853 = 900 - 50 + 3$ ); identify the numbers less than 0 by extending the number line and using negative numbers through familiar applications (e.g., temperature, money).

(ii) Identify fractions as parts of unit wholes, as parts of groups, and as locations on number lines: use visual models and other strategies to compare and order commonly used fractions; use models to show how whole numbers and decimals (to the hundredths place) relate to simple fractions (e.g.,  $1/2$ ,  $5/10$ ,  $0.5$ ); identify different interpretations of fractions (division of whole numbers by whole numbers, ratio, equivalence, ordering of fractions, parts of a whole or parts of a set).

(iii) Add and subtract fractions with common and uncommon denominators using a variety of strategies (e.g., manipulatives, numbers, pictures): recognize and generate equivalent decimal forms of commonly used fractions (e.g., halves, quarters, tenths, fifths); identify the numbers less than 0 by extending the number line and using negative numbers through familiar applications (e.g., temperature, money).

(iv) Recognize classes of numbers (e.g., odd, even, factors, multiples, square numbers) and apply these concepts in problem-solving situations.

(2) Grades K-4 benchmark 2: Understand the meaning of operations and how they relate to one another.

(a) Grade K performance standards:

(i) Represent numbers using pictures, objects, or numerals.

(ii) Use concrete objects to solve simple addition and subtraction story problems (e.g., oral, not written).

(b) Grade 1 performance standards:

(i) Use a variety of models to demonstrate an understanding of addition and subtraction of whole numbers.

(ii) Solve addition and subtraction problems with one- and two-digit numbers (e.g.,  $5 + 58 = ?$ ).

(iii) Find the sum of three one-digit numbers to the sum of 15.

(iv) Understand and use the inverse relationship between addition and subtraction to solve problems and check solutions (e.g.,  $8 + 6 = 14$  is related to  $14 - 6 = 8$ ).

(v) Use concrete materials to investigate situations that relate to multiplication and division (e.g., equal groupings of objects, sharing equally), and, given simple story problems, explain verbally how to select and use appropriate operations.

(c) Grade 2 performance standards:

(i) Find the sum of two whole numbers up to three digits long (e.g.,  $235 + 476 = ?$ ;  $564 - 273 = ?$ ).

(ii) Find the difference of two whole numbers up to three digits long.

(iii) Understand and use the inverse relationships between addition and subtraction to solve problems and check solutions ( $28 + 31 = 59$ ; therefore,  $59 - 31 = 28$ ).

(iv) Identify and describe situations that require multiplication and division and develop strategies to solve problems for repeated joining of groups and partitioning into equal subgroups or shares (e.g., repeated addition and subtraction, counting by multiples, equal sharing).

(d) Grade 3 performance standards:

(i) Use a variety of models to show an understanding of multiplication and division of whole numbers (e.g., charts, arrays, diagrams, and physical models; i.e., modeling multiplication with a variety of pictures, diagrams and concrete tools to help students learn what the factors and products represent in various contexts).

(ii) Find the sum or difference of two whole numbers between 0 and 10,000.

(iii) Solve simple multiplication and division problems (e.g.,  $135 \div 5 = ?$ ).

(iv) Identify how the number of groups and the number of items

in each group equal a product.

(v) Demonstrate the effects of multiplying and dividing on whole numbers (e.g., to find the total number of legs on 12 cats, 4 represents the number of each "cat" unit, so  $12 \times 4 = 48$  "leg" units;

(vi) Identify and use relationship between multiplication and division (e.g., division is the inverse of multiplication) to solve problems, and select and use operations (e.g., addition, subtraction, multiplication and division) to solve problems.

(e) Grade 4 Performance Standards:

(i) Demonstrate an understanding of and the ability to use: standard algorithms for the addition and subtraction of multi-digit numbers; standard algorithms for multiplying a multi-digit number by a two-digit number and for dividing a multi-digit number by a one-digit number.

(ii) Select and use appropriate operations (addition, subtraction, multiplication and division) to solve problems.

(iii) Extend the uses of whole numbers to the addition and subtraction of simple decimals (positive numbers to two places).

(iv) Demonstrate commutative, associative, identity and zero properties of operations on whole numbers; e.g.,  $37 \times 46 = 46 \times 37$  and  $(6 \times 2) \times 5 = 6 \times (2 \times 5)$ .

(v) Demonstrate the concept of distributivity of multiplication over addition and subtraction; e.g.,  $7 \times 28$  is equivalent to  $(7 \times 20) + (7 \times 8)$  or  $(7 \times 30) - (7 \times 2)$ .

(3) Grades K-4 benchmark 3: Compute fluently and make reasonable estimates.

(a) Grade K performance standard: Estimate quantities of objects up to 20.

(b) Grade 1 performance standards:

(i) Use strategies for whole-number computation, with a focus on addition and subtraction (e.g., counting on or counting back, doubles, sums that make 10, direct modeling with pictures or objects, numerical reasoning based on number combinations and relationships).

(ii) Demonstrate a variety of methods to compute (e.g., objects, mental computation, paper and pencil, and estimation).

(iii) Perform addition and subtraction with whole number combinations.

(iv) Use and explain estimation strategies to determine the reasonableness of answers involving addition

and subtraction.

(c) Grade 2 performance standards:

(i) Use and explain strategies for addition and subtraction of multi-digit whole numbers.

(ii) Model and solve problems representing adding and subtracting amounts of money using dollars and coins.

(iii) Use addition combinations (addends through 10) and related subtraction combinations to develop strategies for computing based on number sense (e.g., for  $25 + 37$ , take 3 from the 25 and use it to turn 37 into 40; then add 40 and 22 to get 62).

(iv) Select and use a variety of appropriate strategies and methods to compute (e.g., objects, mental computation, estimation, paper and pencil, etc.).

(v) Skip-count by 2, 5 and 10 to develop multiplicative reasoning and notational representations (e.g., 5, 10, 15, 20;  $4 \times 5 = 20$ ; four groups of 5 equal 20).

(d) Grade 3 performance standards:

(i) Choose computational methods based on understanding the base-ten number system, properties of multiplication and division, and number relationships.

(ii) Use strategies (e.g.,  $6 \times 8$  is double  $3 \times 8$ ) to become fluent with the multiplication pairs up to  $10 \times 10$ .

(iii) Compute with basic number combinations (e.g., multiplication pairs up to  $10 \times 10$  and their division counterparts).

(iv) Demonstrate reasonable estimation strategies for measurement, computation and problem solving.

(e) Grade 4 performance standards:

(i) Demonstrate multiplication combinations through  $12 \times 12$  and related division facts, and use them to solve problems mentally and to compute related problems (e.g.,  $4 \times 5$  is related to  $40 \times 50$ ,  $400 \times 5$ , and  $40 \times 500$ ).

(ii) Add, subtract and multiply up to two double-digits accurately and efficiently.

(iii) Use a variety of strategies (e.g., rounding and regrouping) to estimate the results of whole number computations and judge the reasonableness of answers.

(iv) Use strategies to estimate computations involving fractions and decimals.

B. Strand: Algebra.  
Content standard 2: Students will understand algebraic concepts and applications.

(1) Grades K-4 benchmark 1:

Understand patterns, relations and functions.

(a) Grade K performance standards:

(i) Identify the attributes of objects (e.g., the ability to identify attributes is a foundational skill for sorting and classifying).

(ii) Sort, classify and order objects by size, number and other properties.

(iii) Recognize, reproduce, describe, extend and create repeating patterns (e.g., color, shape, size, sound, movement, simple numbers).

(b) Grade 1 performance standards:

(i) Recognize, reproduce, describe, extend and create repeating patterns (e.g., color, shape, size, sound, movement, simple numbers) and translate from one representation to another (e.g., red, red, blue, blue to step, step, clap, clap).

(ii) Skip-count on a hundreds chart (e.g., by 2s up to 20 and 5s and 10s up to 100) to identify, describe and predict number patterns.

(iii) Identify number patterns on the hundreds chart.

(c) Grade 2 performance standards:

(i) Recognize, reproduce, describe, extend and create repeating and growing patterns, and translate from one representation to another.

(ii) Skip-count using calculators or a hundreds chart to identify, describe, predict and make generalizations about number patterns to differentiate rote counting versus the meaning of the numbers.

(iii) Construct and solve open sentences that have variables (e.g.,  $10 = ? + 7$ ).

(iv) Relate everyday problem situations to number sentences involving addition and subtraction (e.g., 25 students are going to the store. Five students can ride in a car. How many cars will be needed?).

(d) Grade 3 performance standards:

(i) Represent relationships of quantities in the form of mathematical expressions, equations or inequalities.

(ii) Solve problems involving numeric equations.

(iii) Select appropriate operational and relational symbols to make an expression true (e.g., "If  $4 \div 3 = 12$ , what operational symbol goes in the box?").

(iv) Use models of feet and inches to express simple unit conversions in symbolic form (e.g., 36 inches = ? feet  $\times$  12) that develop conceptual understanding versus procedural skills.

(v) Recognize and use the commutative property of multiplication (e.g., if  $5 \times 7 = 35$ , then what is  $7 \times 5$ ?).

(vi) Create, describe and extend numeric and geometric patterns including multiplication patterns.

(vii) Represent simple functional relationships: solve simple problems involving a functional relationship between two quantities (e.g., find the total cost of multiple items given the cost per unit).

(viii) Extend and recognize a linear pattern by its rules (e.g., the number of legs on a given number of horses may be calculated by counting by 4s, by multiplying the number of horses by 4 or through the use of tables).

(e) Grade 4 performance standards:

(i) Represent and analyze patterns and simple functions using words, tables, and graphs.

(ii) Create and describe numeric and geometric patterns including multiplication and division patterns.

(iii) Express mathematical relationships using equations.

(iv) Use and interpret variables, mathematical symbols and properties to write and simplify expressions and sentences: use letters, boxes or other symbols to stand for any number in simple expressions or equations (e.g., demonstrate an understanding of the concept of a variable).

(v) Interpret and evaluate mathematical expressions using parentheses.

(vi) Use and interpret formulas (e.g.,  $\text{Area} = \text{Length} \times \text{Width}$  or  $A = L \times W$ ) to answer questions about quantities and their relationships.

(2) Grades K-4 benchmark 2: Represent and analyze mathematical situations and structures using algebraic symbols.

(a) Grade K performance standard: Use concrete, pictorial and verbal representation to develop an understanding of invented and conventional symbols.

(b) Grade 1 performance standards:

(i) Write number sentences that use concrete objects, pictorial, and verbal representations to express mathematical situations using invented and conventional symbols (e.g.,  $+$ ,  $-$ ,  $=$ ).

(ii) Demonstrate and describe the concept of equal (e.g., using objects, balance scales).

(iii) Solve open number sentences that have variables representing numbers up to 10 (e.g.,  $10 = ? + 2$ ).

(c) Grade 2 performance standards:

(i) Use mathematical language to describe a variety of representations and mathematical ideas and situations.

(ii) Explain the concept of equal (e.g., quantities on both sides of equation are the same) by using objects or giving examples.

(iii) Construct and solve open number sentences that have variables representing numbers up to 20 (e.g.,  $20 = ? + 6$ ).

(iv) Use objects, words, and symbols to explain the concept of addition.

(d) Grade 3 performance standards:

(i) Determine the value of variables in missing part problems (e.g.,  $139 + ? = 189$ ).

(ii) Recognize and use the commutative and associative properties of addition and multiplication (e.g., "If  $5 \times 7 = 35$ , then what is  $7 \times 5$ ? If  $5 \times 7 \times 3 = 105$ , then what is  $7 \times 3 \times 5$ ?")

(iii) Explore the ways that commutative, distributive, identity and zero properties are useful in computing with numbers.

(e) Grade 4 performance standards:

(i) Identify symbols and letters that represent the concept of a variable as an unknown quantity.

(ii) Explore the uses of properties (commutative, distributive, associative) in the computation of whole numbers.

(iii) Express mathematical relationships using equations.

(iv) Determine the value of variables in simple equations (e.g.,  $80 \times 15 = 40 \times ?$ ).

(v) Develop simple formulas in exploring quantities and their relationships (e.g.,  $A = L \times W$ ).

(3) Grades K-4 benchmark 3: Use mathematical models to represent and understand quantitative relationships.

(a) Grade K performance standard: Model situations that involve whole numbers using objects or pictures.

(b) Grade 1 performance standards:

(i) Represent equivalent forms of the same number through the use of physical models, diagrams and number expressions to 20 (e.g.,  $3 + 5 = 8$ ,  $2 + 6 = 8$ ).

(ii) Describe situations that involve addition and subtraction of whole numbers including objects, pictures, and symbols (e.g., Robert has four apples, Maria has five more).

(c) Grade 2 performance standards:

(i) Model situations of addition and subtraction of whole numbers using objects, pictures and symbols.

(ii) Solve problems related to trading (e.g., coin trading, measurement trading).

(iii) Solve addition and subtraction problems by using data from simple charts, picture graphs and number sentences.

(d) Grade 3 performance standards:

(i) Model problem situations with objects and use representations such as pictures, graphs, tables and equations, to draw conclusions.

(ii) Solve problems involving proportional relationships including unit pricing (e.g., four apples cost 80 cents; therefore, one apple costs 20 cents).

(iii) Describe relationships of quantities in the form of mathematical expressions, equations or inequalities.

(iv) Select appropriate operational and relational symbols to make an expression true (e.g., "If  $4 \div 3 = 12$ , what operational symbol goes in the box?").

(e) Grade 4 performance standards:

(i) Solve problems involving proportional relationships (including unit pricing and map interpretations (e.g., one inch = five miles; therefore, five inches = ? miles).

(ii) Model problem situations and use graphs, tables, pictures and equations to draw conclusions (e.g., different patterns of change).

(iii) Use and interpret formulas (e.g.,  $\text{area} = \text{length} \times \text{width}$  or  $A = L \times W$ ) to answer questions about quantities and their relationships.

(4) Grades K-4 benchmark 4: Analyze changes in various contexts.

(a) Grade K performance standard: Verbally describe changes in various contexts (e.g., plants or animals growing over time).

(b) Grade 1 performance standard: Describe qualitative change (e.g., a student growing taller, trees getting bigger, ice melting).

(c) Grade 2 performance standard: Describe quantitative change (e.g., a student growing two inches in one year, water heating up to boil).

(d) Grade 3 performance standard: Demonstrate how change in one variable can relate to a change in a second variable (e.g., input-output machines, data tables).

(e) Grade 4 performance standards:

(i) Identify and describe situations with constant or varying rates of change and compare them.

(ii) Determine how a change in one variable relates to a change in a second variable (e.g., data tables, input-output machines).

(iii) Find and analyze patterns using data tables (e.g., T tables).

(iv) Demonstrate and describe varying rates of change in relation to real-world situations (e.g., plant growth, students' heights).

C. Strand: Geometry. Content standard 3: Students will understand geometric concepts and applications.

(1) Grades K-4 benchmark 1: Analyze characteristics and properties of two- and three-dimensional geometric shapes and develop mathematical arguments about geometric relationships.

(a) Grade K performance standard: Identify common objects in their environments and describe their geometric features: describe, identify, model and draw common geometric objects (e.g., circle, triangle, square, rectangle, cube, sphere, cone); compare familiar plane and solid objects by common attributes (e.g., shape, size, number of corners).

(b) Grade 1 performance standards:

(i) Identify common geometric figures and classify them by common attributes: recognize, name, build and draw both polygonal (up to six sides) and curved shapes.

(ii) Sort two- and three-dimensional shapes into categories based on common attributes.

(iii) Use the attributes of shapes to analyze and identify examples and non-examples of geometric shapes.

(iv) Participate in discussions comparing, identifying and analyzing attributes to develop the vocabulary needed to describe two- and three-dimensional geometric shapes and their attributes (e.g., sides, corners, edges, faces).

(c) Grade 2 performance standards:

(i) Identify and describe the attributes of common figures in a plane and common objects in space: sort, describe and analyze plane and solid geometric shapes (e.g., circle, triangle, square, rectangle, sphere, pyramid, cube, rectangular prism) based on various attributes (e.g., faces, edges, and corners).

(ii) Put shapes together and take them apart to form other shapes (e.g., two congruent right triangles can be arranged to form a rectangle).

(iii) Explore lines of symmetry in two-dimensional shapes.

(d) Grade 3 performance standards:

(i) Describe and compare the attributes of plane and solid geometric figures to show relationships and solve problems: identify, describe, and classify polygons (e.g., pentagons, hexagons and octagons).

(ii) Identify lines of

symmetry in two-dimensional shapes.

(iii) Explore attributes of quadrilaterals (e.g., parallel and perpendicular sides for the parallelogram, right angles for the rectangle, equal sides and right angles for the square).

(iv) Identify right angles.

(v) Identify, describe and classify common three-dimensional geometric objects (e.g., cube, rectangular solid, sphere, prism, pyramid, cone, cylinder).

(e) Grade 4 performance standards:

(i) Identify, compare and analyze attributes of two- and three-dimensional shapes and develop vocabulary to describe the attributes: build, draw, create and describe geometric objects; identify lines that are parallel or perpendicular; identify and compare congruent and similar figures.

(ii) Classify two- and three-dimensional shapes according to their properties and develop definitions of classes like triangles and pyramids: visualize, describe and make models of geometric solids in terms of the number of faces, edges and vertices; interpret two-dimensional representations (nets) of three-dimensional objects.

(iii) Make and test conjectures about geometric properties and relationships and develop logical arguments to justify conclusions.

(2) Grades K-4 benchmark 2: Specify locations and describe spatial relationships using coordinate geometry and other representational systems.

(a) Grade K performance standards:

(i) Follow simple directions to find a specific location in space.

(ii) Use spatial vocabulary (e.g., left, right, above, below) to describe relative position.

(b) Grade 1 performance standards:

(i) Participate in group and individual activities based on the concepts of space and location: describe direction, location, space and shape (e.g., left, right, over, under, near, far, between).

(ii) Visualize, describe and record directions for navigating from one location to another to develop the vocabulary needed to describe direction, distance, location and representation.

(iii) Use materials to create representations of the surrounding environment (e.g., three-dimensional models, maps of the classroom).

(iv) Develop estimates and measure distances using nonstandard measurements.

(c) Grade 2 performance standards:

(i) Find and name locations with simple relationships like "near to" and apply ideas about relative position.

(ii) Describe, name and interpret direction in navigating space and apply ideas about direction and distance.

(iii) Use maps to locate points and navigate through mazes or maps.

(iv) Visualize, justify and create paths using landmarks, space, shapes and descriptive language.

(v) Make and draw rectangular arrays of squares.

(d) Grade 3 performance standards:

(i) Describe location and movement using common language and geometric vocabulary (e.g., directions from classroom to gym).

(ii) Use ordered pairs to graph, locate specific points, create paths and measure distances within a coordinate grid system.

(iii) Use a two-dimensional grid system (e.g., a map) to locate positions representing actual places.

(e) Grade 4 performance standards:

(i) Describe location and movement using common language and geometric vocabulary.

(ii) Use ordered pairs to graph, locate, identify points and describe paths in the first quadrant of the coordinate plane.

(iii) Use a variety of methods for measuring distances between locations on a grid.

(3) Grades K-4 benchmark 3: Apply transformation and use symmetry to analyze mathematical situations.

(a) Grade K Performance Standards:

(i) Use manipulatives (e.g., puzzles, tangrams, blocks) to demonstrate rotation (i.e., turns), translations (i.e., slides) and reflection (i.e., flips).

(ii) Investigate the symmetry of two-dimensional shapes (e.g., by folding or cutting paper, using mirrors).

(b) Grade 1 performance standards:

(i) Predict the results of changing a shape's position or orientation by using rotation (i.e., turns), reflection (i.e., flips) and translations (i.e., slides).

(ii) Create simple symmetrical shapes and pictures.

(iii) Recognize and describe the symmetric characteristics of designs (e.g., geometric designs made with pattern blocks).

(c) Grade 2 performance standards:

(i) Use systematic thinking to solve geometric puzzles (e.g., pentominoes).

(ii) Use materials to investigate rotational and line symmetry and create shapes that have symmetry.

(d) Grade 3 performance standards:

(i) Predict and describe the results of sliding, flipping and turning two-dimensional shapes.

(ii) Identify and describe the line of symmetry in two- and three-dimensional shapes.

(e) Grade 4 performance standards:

(i) Create and describe rotational designs using language of transformational symmetry.

(ii) Describe a motion or set of motions that will show that two shapes are congruent.

(4) Grades K-4 benchmark 4: Use visualization, spatial reasoning and geometric modeling to solve problems.

(a) Grade K performance standards:

(i) Describe how to get from one location to another (e.g., how to get to the library).

(ii) Find and describe geometric shapes in nature or architecture.

(b) Grade 1 performance standards:

(i) Use combinations of shapes to make a new shape to demonstrate relationships between shapes (e.g., a hexagon can be made from six triangles).

(ii) Create three-dimensional shapes based on two-dimensional representations.

(iii) Participate in activities to develop mental visualization and spatial memory (e.g., "quick image" activities that require students to recall or reproduce a configuration of dots on a card or to determine the number of dots without counting).

(iv) Describe how to get from one location to another by visualizing the landmarks along the route.

(v) Identify structures from different views or match views of the same structure portrayed from different perspectives.

(c) Grade 2 performance standards:

(i) Demonstrate relationships of different attributes with concrete materials (e.g., change one characteristic of a shape while preserving others such as increasing number of sides while perimeter stays the same).

(ii) Select and use visualization skills to create mental images of geometric shapes.

(iii) Describe geometric shapes and structures from different perspectives.

(iv) Relate geometric ideas to numbers (e.g., seeing rows in array as a model of repeated addition).

(v) Recognize geometric shapes and structures in the environment and specify their location.

(d) Grade 3 performance standards:

(i) Visualize, build and draw geometric objects.

(ii) Create and describe mental images of objects, patterns and paths.

(iii) Recognize geometric shapes and structures (e.g., in the environment).

(iv) Use geometric models to solve problems in other areas of mathematics (e.g., using arrays as models of multiplication or area).

(v) Identify and build three-dimensional objects from two-dimensional representations of that object.

(vi) Investigate two-dimensional representations of three-dimensional shapes.

(vii) Explore geometric ideas and relationships as they apply to other disciplines and to problems that arise in the classroom or in everyday life.

(e) Grade 4 performance standards:

(i) Develop and use mental images of geometric shapes to solve problems (e.g., represent three-dimensional shapes in two dimensions - net).

(ii) Use geometric models such as number lines, arrays and computer simulations to investigate number relationships (e.g., patterns).

(iii) Explore relationships involving perimeter and area: measure area of rectangular shapes and use appropriate units; recognize that area can have the same perimeter but different areas, and vice versa; use models and formulas to solve problems involving perimeter and area of rectangles and squares (e.g., arrays).

D. Strand: Measurement.  
Content standard 4: Students will understand measurement systems and applications.

(1) Grades K-4 benchmark 1: Understand measurable attributes of objects and the units, systems and process of measurement.

(a) Grade K performance standards:

(i) Describe and compare, using appropriate concepts and vocabulary, the measurable properties of length (e.g., shorter, longer, taller), volume (e.g., full, empty), weight (e.g., heavy, light) and time (e.g., before, after, morning, afternoon,

days of week).

(ii) Use tools to make predictions (e.g., using a balance scale, predicting how many cups a container will hold and then filling it to check the prediction).

(iii) Measure using non-standard units of measurement (e.g., use pencils to measure desk top, use different lengths of rope to measure distance in classroom).

(iv) Use digital and analog (face) clocks to tell time to the hour.

(b) Grade 1 performance standards:

(i) Develop an understanding of measurable properties (e.g., length, volume, weight, area and time) using appropriate concepts and vocabulary: length by measuring and estimating (e.g., longer, shorter, meter, centimeter, inch, yard); weight by measuring, estimating, and weighing (e.g., heavy [-ier], light [-er]); volume by measuring, estimating, and weighing (e.g., full, empty); area by measuring and estimating (e.g., perimeter, rectangles, squares); time by estimating (e.g., minutes, hours, days, weeks).

(ii) Use digital and analog (face) clocks to tell time to the half hour.

(c) Grade 2 performance standards:

(i) Identify a unit of measure (e.g., nearest inch) and repeat that unit comparing it to the item being measured.

(ii) Use direct comparison to compare and order objects according to length, mass and area.

(iii) Measure and compare common objects using standard and non-standard units of length.

(iv) Find and represent the value of a collection of coins and dollars up to \$5.00, using appropriate notation.

(v) Identify and use time intervals (e.g., hours, days, weeks, months).

(vi) Select and use appropriate measurement tools (e.g., ruler, yardstick, meter stick).

(vii) Tell time to the nearest quarter hour.

(d) Grade 3 performance standards:

(i) Demonstrate understanding of the need for measuring with standard units and become familiar with standard units in the U.S. customary system.

(ii) Choose and use the appropriate units and measurement tools to quantify the properties of objects [e.g., length (ruler), width (ruler), or mass (balance scale)].

(iii) Identify time to the nearest minute (elapsed time) and relate time to everyday events.

(iv) Identify and use time intervals (e.g., hours, days, weeks, months, years).

(v) Identify properties (e.g., length, area, weight, volume) and select the appropriate type of unit for measuring each property.

(vi) Demonstrate understanding that measurements are approximations, investigate differences in units and their effect on precision, and consider the degree of accuracy for different situations.

(e) Grade 4 performance standards:

(i) Select the appropriate type of unit for measuring perimeter and size of an angle.

(ii) Understand the need for measuring with standard units and become familiar with the standard units in customary and metric system.

(iii) Identify the inverse relationship between the size of the units and the number of units.

(iv) Develop formulas to determine the surface areas of rectangular solids.

(v) Develop, understand and use formulas to find the area of rectangles and related triangles and parallelograms.

(vi) Carry out simple conversions within a system of measurement (e.g., hours to minutes, meters to centimeters).

(2) Grades K-4 benchmark 2: Apply appropriate techniques, tools and formulas to determine measurements.

(a) Grade K performance standard: Explore measuring objects using a repeating non-standard unit of measurement (e.g., paper clips, cubes, etc.).

(b) Grade 1 performance standards:

(i) Measure with multiple copies of units the same size (e.g., paper clips).

(ii) Use repetition of a single unit to measure something larger than the unit (e.g., a yardstick/meterstick to measure a room).

(c) Grade 2 performance standards:

(i) Develop common referents to make comparisons and estimates of length, volume, weight, area and time.

(ii) Develop an understanding that different measuring tools will yield different numerical measurements of the same object (e.g., ruler, yardstick, meterstick, paper clip).

(iii) Estimate measurements and develop precision in measuring objects.

(d) Grade 3 performance stan-

dards:

(i) Find the area of rectangles using appropriate tools (e.g., grid paper, tiles).

(ii) Estimate measurements.

(iii) Use appropriate standard units and tools to estimate, measure and solve problems (e.g., length, area, weight).

(iv) Recognize a 90-degree angle and use it as a strategy to estimate the size of other angles.

(e) Grade 4 performance standards:

(i) Estimate perimeters, areas of rectangles, triangles and irregular shapes.

(ii) Find the area of rectangles, related triangles and parallelograms.

(iii) Estimate, measure and solve problems involving length, area, mass, time and temperature using appropriate standard units and tools.

(iv) Identify common measurements of turns (e.g., 360 degrees in one turn, 90 degrees in a quarter-turn).

(v) Compute elapsed time and make and interpret schedules.

(vi) Use tools to measure angles (e.g., protractor, compass).

E. Strand: Data analysis and probability. Content standard 5: Students will understand how to formulate questions, analyze data, and determine probabilities.

(1) Grades K-4 benchmark 1: Formulate questions that can be addressed with data and collect, organize and display relevant data to answer them.

(a) Grade K performance standard: Collect data about objects and events in the environment to answer simple questions (e.g., brainstorm questions about self and surroundings, collect data and record the results using objects, pictures and pictographs).

(b) Grade 1 performance standards:

(i) Collect, organize, represent and compare data by category on graphs and charts to answer simple questions: answer questions about "how" data can be gathered.

(ii) Gather data by interviewing, surveying and making observations.

(iii) Organize data into appropriate categories by sorting based on shared properties.

(iv) Participate in discussions about selecting an appropriate way to display the data.

(v) Represent data using objects, pictures, tables and simple

bar graphs.

(c) Grade 2 performance standards:

(i) Collect numerical data systematically.

(ii) Represent data by using concrete objects, pictures, tables, numbers, tallies and graphs (e.g., pictographs).

(iii) Pose questions about students' selves and their surroundings and gather data by interviewing, surveying and making observations to answer the questions posed.

(iv) Identify patterns and explain the relationships of the units in the pattern (e.g., the number of ears on one dog, two dogs, etc., or linear numerical patterns).

(d) Grade 3 performance standards:

(i) Collect and organize data using observations, measurements, surveys or experiments.

(ii) Represent data using tables and graphs (e.g., line plots, bar graphs and line graphs).

(iii) Conduct simple experiments by determining the number of possible outcomes and make simple predictions: identify whether events are certain, likely, unlikely or impossible; record the outcomes for a simple event and keep track of repetitions; summarize and record the results in a clear and organized way; use the results to predict future events.

(e) Grade 4 Performance Standards:

(i) Organize, represent and interpret numerical and categorical data and clearly communicate findings: choose and construct representations that are appropriate for the data set; recognize the differences in representing categorical and numerical data.

(ii) Design investigations and represent data using tables and graphs (e.g., line plots, bar graphs, line graphs).

(2) Grades K-4 benchmark 2: Select and use appropriate statistical methods to analyze data.

(a) Grade K performance standards:

(i) Describe simple data.

(ii) Pose questions about the data.

(b) Grade 1 performance standards: Analyze simple data: interpret what the graph or other representation shows; determine whether or not the data gathered helps answer the specific question that was posed; compare parts of the data (e.g., "How many students have lost none, one, two, or three teeth?") to make statements

about the data as a whole (e.g., "Most students in the class have lost only two teeth.").

(c) Grade 2 performance standards:

(i) Describe and interpret data by drawing conclusions and making conjectures based on the data collected.

(ii) Display data in a variety of formats.

(d) Grade 3 performance standard: Apply and explain the uses of sampling techniques (e.g., observations, polls, tally marks) for gathering data.

(e) Grade 4 performance standards:

(i) Compare and describe related data sets.

(ii) Use the concepts of median, mode, maximum, minimum and range and draw conclusions about a data set.

(iii) Use data analysis to make reasonable inferences and predictions and to develop convincing arguments from data described in a variety of formats (e.g. bar graphs, Venn diagrams, charts, tables, line graphs and pictographs).

(3) Grades K-4 benchmark 3: Develop and evaluate inferences and predictions that are based on data.

(a) Grade K performance standard: Make simple predictions.

(b) Grade 1 performance standard: Make conclusions based on data (e.g., whether or not other groups would reach similar conclusions based on the same data).

(c) Grade 2 performance standards:

(i) Discuss events related to students' experiences as "likely" or "unlikely" and "possible" or "certain".

(ii) Recognize appropriate conclusions generated from the data collected.

(iii) Recognize inappropriate descriptions of the data set.

(d) Grade 3 performance standards: Analyze data displayed in a variety of formats to make reasonable inferences and predictions, answer questions and make decisions.

(e) Grade 4 performance standards:

(i) Propose and justify conclusions and predictions based on data.

(ii) Develop convincing arguments from data displayed in a variety of formats.

(4) Grades K-4 benchmark 4: Understand and apply basic concepts of probability.

(a) Grade K performance standard: Answer questions that relate to the possibility of familiar events happening or

not.

(b) Grade 1 performance standards:

(i) Discuss the likelihood of events (based on student experiences or from books) using terminology such as “more likely”, “less likely”, “possible”, or “certain”.

(ii) Observe, explore and discuss whether some events occur more often than others (e.g., tossing two die and recording the sum after each toss to explore whether or not certain sums occur more frequently than others).

(c) Grade 2 performance standards:

(i) Investigate concepts of chance (e.g., outcomes of a simple experiment).

(ii) Investigate whether outcomes of a simple event are equally likely to occur.

(d) Grade 3 performance standards:

(i) Discuss the degree of likelihood of events and use terminology such as “certain,” “likely,” “unlikely”.

(ii) Predict the outcomes of simple experiments (e.g., coin tossing) and test the predictions using concrete objects (e.g., coins, counters, number cubes, spinners).

(iii) Record the probability of a specific outcome for a simple probability situation (e.g., probability is three out of seven for choosing a black ball:  $3/7$ ).

(e) Grade 4 performance standards:

(i) Describe events as “likely,” “unlikely” or “impossible” and quantify simple probability situations: represent all possible outcomes for a simple probability situation in an organized way (e.g., tables, grids, tree diagrams); and express outcomes of experimental probability situations verbally and numerically (e.g., three out of four:  $3/4$ ).

(ii) List all the possible combinations of objects from three sets (e.g., spinners, number of outfits from three different shirts, two skirts and two hats).

[6.29.7.8 NMAC - Rp, 6.30.2.14 NMAC, 6-30-2009]

### 6.29.7.9 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR MATHEMATICS, Grades 5-8:

A. Strand: Number and operations. Content standard 1: Students will understand numerical concepts and mathematical operations.

(1) Grades 5-8 benchmark 1: Understand numbers, ways of representing numbers, relationships among numbers and number systems.

(a) Grade 5 performance standards:

(i) Compare and order using concrete or illustrated models: whole numbers (to millions), common fractions (halves, thirds, fourths, eighths), decimals (thousandths).

(ii) Demonstrate understanding of the magnitude of the value of numbers from thousandths to millions, including common fractions.

(iii) Represent place value using concrete or illustrated models up to one billion (1,000,000,000).

(iv) Interpret percents as part of a hundred (i.e., find decimal and percent equivalents for common fractions, explain how they represent the same value, and compute a given percent of a whole number).

(v) Identify and represent on a number line decimals, fractions and mixed numbers.

(vi) Identify prime and composite numbers to 50.

(b) Grade 6 performance standards:

(i) Compare and order rational numbers.

(ii) Use equivalent representations for rational numbers (e.g., integers, decimals, fractions, percents, ratios, numbers with whole-number exponents).

(iii) Use appropriate representations of positive rational numbers in the context of real-life applications.

(iv) Identify greatest common factor and least common multiples for a set of whole numbers.

(v) Identify and represent on a number line decimals, fractions, mixed numbers and positive and negative integers.

(c) Grade 7 performance standards:

(i) Determine the absolute value of rational numbers.

(ii) Illustrate the relationships among natural (i.e., counting) numbers, whole numbers, integers, rational and irrational numbers.

(iii) Use properties of the real-number system to explain reasoning and to formulate and solve real-world problems.

(iv) Read, write and compare rational numbers in scientific notation (e.g., positive and negative powers of 10) with approximate numbers using scientific notation.

(v) Simplify numerical expressions using order of operations.

(d) Grade 8 performance standards:

(i) Classify numbers by their properties (e.g., prime, composite or perfect square).

(ii) Demonstrate the magnitude of rational numbers (e.g., trillions to millions).

(2) Grades 5-8 benchmark 2: Understand the meaning of operations and how they relate to one another.

(a) Grade 5 performance standards:

(i) Explain and perform whole number division and express remainders as a whole number or a fractional part as appropriate to the context of real-life problems.

(ii) Add and subtract decimals.

(iii) Add and subtract fractions and mixed numbers without regrouping and express answers in simplest form.

(iv) Find the factors and multiples of whole numbers.

(v) Use arithmetic operations and inverse relationships to represent and solve real-world problems.

(vi) Identify and represent on a number line decimals, fractions and mixed numbers.

(vii) Demonstrate proficiency with division, including one- and two-digit divisors.

(viii) Solve simple problems involving the addition and subtraction of fractions and mixed numbers.

(ix) Represent and use fractions and decimals in equivalent forms.

(b) Grade 6 performance standards:

(i) Calculate multiplication and division problems using contextual situations.

(ii) Factor a whole number into a product of its primes.

(iii) Demonstrate the relationship and equivalency among ratios and percents.

(iv) Use proportions to solve problems.

(v) Explain and perform: whole number division and express remainders as decimals or appropriately in the context of the problem; addition, subtraction, multiplication and division with decimals; addition and subtraction with integers; addition, subtraction and multiplication with fractions and mixed numerals.

(vi) Determine the least common multiple and the greatest common divisor of whole numbers and use them to solve problems with fractions.

(c) Grade 7 performance standards:

(i) Add, subtract, multiply and divide rational numbers (e.g., integers, fractions, terminating decimals) and take positive rational numbers to whole-number powers.

(ii) Convert terminating

decimals into reduced fractions.

(iii) Calculate given percentages of quantities and use them to solve problems (e.g., discounts of sales, interest earned, tips, markups, commission, profit, simple interest).

(iv) Add and subtract fractions with unlike denominators.

(v) Multiply, divide and simplify rational numbers by using exponent rules.

(vi) Understand the meaning of the absolute value of a number: interpret the absolute value as the distance of the number from zero on a number line; determine the absolute value of real numbers.

(vii) Find square roots of perfect whole-number squares.

(viii) Simplify and evaluate positive rational numbers raised to positive whole number powers.

(ix) Solve addition, subtraction, multiplication and division problems that use positive and negative integers and combinations of these operations.

(d) Grade 8 performance standards:

(i) Use real number properties (e.g., commutative, associative, distributive) to perform various computational procedures.

(ii) Perform arithmetic operations and their inverses (e.g., addition/subtraction, multiplication/division, square roots of perfect squares, cube roots of perfect cubes) on real numbers.

(iii) Find roots of real numbers using calculators.

(3) Grades 5-8 benchmark 3: Compute fluently and make reasonable estimates.

(a) Grade 5 performance standards:

(i) Add, subtract, multiply and divide whole numbers.

(ii) Add and subtract decimals.

(iii) Use estimation strategies to verify the reasonableness of calculated results.

(iv) Explain how the estimation strategy impacts the result.

(v) Relate the basic arithmetic operations to one another (e.g., multiplication and division are inverse operations).

(vi) Simplify numerical expressions using order of operations.

(vii) Recognize and explain the differences between exact and approximate values.

(b) Grade 6 performance standards:

(i) Estimate quantities

involving rational numbers using various estimations.

(ii) Use estimates to check reasonableness of results and make predictions in situations involving rational numbers.

(iii) Determine if a problem situation calls for an exact or approximate answer and perform the appropriate computation.

(iv) Compare and order positive and negative fractions, decimals and mixed numbers, and place them on a number line.

(v) Convert fractions to decimals and percents and use these representations in estimations, computations and applications.

(vi) Interpret and use ratios in different contexts.

(vii) Compute and perform multiplication and division of fractions and decimals, and apply these procedures to solving problems.

(c) Grade 7 performance standards:

(i) Use estimation to check reasonableness of results, and use this information to make predictions in situations involving rational numbers, pi and simple algebraic equations.

(ii) Convert fractions to decimals and percents and use these representations in estimations, computations and applications.

(iii) Read, write and compare rational numbers in scientific notation (e.g., positive and negative powers of 10) with approximate numbers using scientific notation in appropriate contextual situations.

(iv) Calculate the percentage of increases and decreases of a quantity.

(v) Add and subtract fractions with unlike denominators.

(vi) Use the inverse relationship between rising to a power and extracting the root of a perfect square integer.

(d) Grade 8 performance standards:

(i) Formulate algebraic expressions that include real numbers to describe and solve real-world problems.

(ii) Use a variety of computational methods to estimate quantities involving real numbers.

(iii) Differentiate between rational and irrational numbers.

(iv) Use real number properties to perform various computational procedures and explain how they were used.

(v) Perform and explain computations with rational numbers, pi and

first-degree algebraic expressions in one variable in a variety of situations.

(vi) Select and use appropriate forms of rational numbers to solve real-world problems including those involving proportional relationships.

(vii) Approximate (mentally and with calculators) the value of irrational numbers as they arise from problem situations.

(viii) Express numbers in scientific notation (including negative exponents and significant figures) in appropriate problem situations involving multiplication and division using a calculator.

(ix) Estimate answers and use formulas to solve application problems involving surface area and volume.

B. Strand: Algebra.  
Content standard 2: Students will understand algebraic concepts and applications.

(1) Grades 5-8 benchmark 1: Understand patterns, relations, and functions.

(a) Grade 5 performance standards:

(i) Identify and graph ordered pairs in the first quadrant of the coordinate plane.

(ii) Describe, represent and analyze patterns and relationships.

(iii) Identify, describe and continue patterns presented in a variety of formats (e.g., numeric, visual, oral, written, kinesthetic, pictorial).

(iv) Generate a pattern using a written description.

(b) Grade 6 performance standards:

(i) Solve problems involving proportional relationships.

(ii) Graph ordered pairs in the coordinate plane.

(iii) Explain and use symbols to represent unknown quantities and variable relationships.

(iv) Explain and use the relationships among ratios, proportions, and percents.

(v) Make generalizations based on observed patterns and relationships.

(c) Grade 7 performance standards:

(i) Identify and continue patterns presented in a variety of formats.

(ii) Represent a variety of relationships using tables, graphs, verbal rules and possible symbolic notation, and recognize the same general pattern presented in different representations.

(iii) Simplify numerical expressions by applying properties of rational numbers, and justify the process used.

(iv) Interpret and evaluate expressions involving integer powers and simple roots.

(v) Graph and interpret linear functions.

(vi) Solve problems involving rate, average speed, distance and time.

(d) Grade 8 performance standards:

(i) Move between numerical, tabular and graphical representations of linear relationships.

(ii) Use variables to generalize patterns and information presented in tables, charts and graphs: graph linear functions noting that the vertical change per unit of horizontal change (the slope of the graph) is always the same; plot the values of quantities whose ratios are always the same, fit a line to the plot, and understand that the slope of the line equals the quantities.

(2) Grades 5-8 benchmark 2: Represent and analyze mathematical situations and structures using algebraic symbols.

(a) Grade 5 performance standards:

(i) Compute the value of the expression for specific numerical values of the variable.

(ii) Use a letter to represent an unknown number.

(iii) Understand the differences between the symbols for “less than,” “less than or equal to,” “greater than,” and “greater than or equal to.”

(b) Grade 6 performance standards:

(i) Solve problems involving proportional relationships.

(ii) Use letters to represent an unknown in an equation.

(iii) Solve one-step linear equations and inequalities in one variable with positive whole-number solutions.

(iv) Demonstrate that a variable can represent a single quantity that changes.

(v) Demonstrate how changes in one variable affect other variables.

(c) Grade 7 performance standards:

(i) Write verbal expressions and sentences as algebraic expressions and equations; evaluate algebraic expressions; solve simple linear equations; graph and interpret results.

(ii) Use variables and appropriate operations to write an expression, an equation, or an inequality that represents a verbal description.

(iii) Use the order of operations to evaluate algebraic expressions.

(iv) Simplify numerical

expressions by applying properties of rational numbers.

(v) Graph linear functions and identify slope as positive or negative.

(vi) Use letters as variables in mathematical expressions to describe how one quantity changes when a related quantity changes.

(d) Grade 8 performance standards:

(i) Demonstrate the difference between an equation and an expression.

(ii) Solve two-step linear equations and inequalities in one variable with rational solutions.

(iii) Evaluate formulas using substitution.

(iv) Demonstrate understanding of the relationships between ratios, proportions and percents and solve for a missing term in a proportion.

(v) Graph solution sets of linear equations in two variables on the coordinate plane.

(vi) Formulate and solve problems involving simple linear relationships, find percents of a given number, variable situations and unknown quantities.

(vii) Use symbols, variables, expressions, inequalities, equations, and simple systems of equations to represent problem situations that involve variables or unknown quantities.

(3) Grades 5-8 benchmark 3: Use mathematical models to represent and understand quantitative relationships.

(a) Grade 5 performance standards:

(i) Use mathematical models to represent and explain mathematical concepts and procedures.

(ii) Understand and use mathematical models such as: the number line to model the relationship between rational numbers and rational number operations; pictorial representation of addition and subtraction of rational numbers with regrouping; manipulatives or pictures to model computational procedures; graphs, tables and charts to describe data; diagrams or pictures to model problem situations.

(iii) Demonstrate how a situation can be represented in more than one way.

(b) Grade 6 performance standards:

(i) Develop and use mathematical models to represent and justify mathematical relationships found in a variety of situations.

(ii) Create, explain and use mathematical models, such as: Venn diagrams to show the relationships between the characteristics of two or more sets; equations and inequalities to model numer-

ical relationships; three-dimensional geometric models; graphs, tables and charts to interpret and analyze data.

(c) Grade 7 performance standards:

(i) Create scale models and use them for dimensional drawings.

(ii) Understand and use the coordinate plane to graph ordered pairs and linear equations.

(iii) Select and use an appropriate model for a particular situation.

(d) Grade 8 performance standard: Generate different representations to model a specific numerical relationship given one representation of data (e.g., a table, a graph, an equation, a verbal description).

(4) Grades 5-8 benchmark 4: Analyze changes in various contexts.

(a) Grade 5 performance standards:

(i) Recognize and create patterns of change from everyday life using numerical or pictorial representations.

(ii) Generalize patterns of change and recognize the same general patterns presented in different representations.

(b) Grade 6 performance standards:

(i) Represent and explain changes using one-step equations with one variable.

(ii) Solve problems that involve change using proportional relationships.

(iii) Use ratios to predict changes in proportional situations.

(iv) Use tables and symbols to represent and describe proportional and other relationships involving conversions, sequences and perimeter.

(v) Generate formulas to represent relationships involving changes in perimeter.

(c) Grade 7 performance standards:

(i) Use variables and appropriate operations to write an expression, an equation and an inequality that represents a verbal description involving change.

(ii) Interpret and evaluate expressions involving integer powers and simple roots as they relate to change.

(iii) Graph and interpret linear functions as they are used to solve problems.

(iv) Solve two-step equations and inequalities with one variable over the rational numbers, interpret the solution or solutions in the context from which they arose, and verify the reasonableness of the results.

(d) Grade 8 performance standards:

(i) Use graphs, tables and algebraic representations to make predictions and solve problems that involve change.

(ii) Estimate, find and justify solutions to problems that involve change using tables, graphs and algebraic expressions.

(iii) Use appropriate problem-solving strategies (e.g., drawing a picture, looking for a pattern, systematic guessing and checking, acting it out, making a table or graph, working a simpler problem, writing an algebraic expression or working backward) to solve problems that involve change.

(iv) Solve multi-step problems that involve changes in rate, average speed, distance and time.

(v) Analyze problems that involve change by identifying relationships, distinguishing relevant from irrelevant information, identifying missing information, sequencing, and observing patterns.

(vi) Generalize a pattern of change using algebra and show the relationship among the equation, graph and table of values.

(vii) Recognize the same general pattern of change presented in different representations.

C. Strand: Geometry.  
Content standard 3: Students will understand geometric concepts and applications.

(1) Grades 5-8 benchmark 1: Analyze characteristics and properties of two- and three-dimensional geometric shapes and develop mathematics arguments about geometric relationships.

(a) Grade 5 performance standards:

(i) Identify, describe, and classify two-dimensional shapes and three-dimensional figures by their properties.

(ii) Recognize and describe properties of regular polygons having up to ten sides.

(iii) Identify faces, edges and bases on three-dimensional objects.

(b) Grade 6 performance standards:

(i) Identify, describe and classify the properties of, and the relationships between, plane and solid geometric figures: measure, identify, and draw angles, perpendicular and parallel lines, rectangles and triangles by using appropriate tools (e.g., straightedge, ruler, compass, protractor, drawing software); understand that the sum of angles of any triangle is 180 degrees and the sum of the angles of any quadrilateral is 360 degrees and use this information to solve problems; visualize and draw two-dimensional views of three-

dimensional objects made from rectangular solids.

(ii) Classify angles as right, acute, obtuse or straight.

(iii) Describe the properties of geometric figures that include regular polygons, circles, ellipses, cylinders, cones, spheres and cubes.

(iv) Classify polygons as regular or irregular.

(v) Classify triangles as scalene, isosceles or equilateral and by angles (i.e., right, acute and obtuse).

(vi) Identify angle, line, segment and ray and use the symbols for each.

(vii) Describe the relationship between radius, diameter and circumference of a circle.

(c) Grade 7 performance standards:

(i) Classify geometric figures as similar or congruent.

(ii) Understand the concept of a constant (e.g., pi) and use the formulas for the circumference and area of a circle.

(iii) Explain and use the Pythagorean theorem.

(iv) Determine the radius, diameter and circumference of a circle and explain their relationship.

(v) Use properties to classify solids including pyramids, cones, prisms and cylinders.

(d) Grade 8 performance standards:

(i) Recognize, classify and discuss properties of all geometric figures including point, line and plane.

(ii) Identify arc, chord and semicircle and explain their attributes.

(iii) Use the Pythagorean theorem and its converse to find the missing side of a right triangle and the lengths of the other line segments.

(2) Grades 5-8 benchmark 2: Specify locations and describe spatial relationships using coordinate geometry and other representational systems.

(a) Grade 5 performance standard: Recognize perpendicular and parallel lines.

(b) Grade 6 performance standards:

(i) Use coordinate geometry to describe location on a plane.

(ii) Recognize skewed lines in space.

(c) Grade 7 performance standard: Construct and use coordinate graphs to plot simple figures, determine lengths and areas related to them, and determine the image under translations and reflections.

(d) Grade 8 performance standard: Represent, formulate, and solve dis-

tance and geometry problems using the language and symbols of algebra and the coordinate plane and space (e.g., ordered triplets).

(3) Grades 5-8 benchmark 3: Apply transformations and use symmetry to analyze mathematical situations.

(a) Grade 5 performance standard: Identify line of symmetry in simple geometric figures.

(b) Grade 6 performance standard: Identify line of symmetry with rotation and scaling.

(c) Grade 7 performance standard: Determine how perimeter and area are affected by changes of scale.

(d) Grade 8 performance standards:

(i) Describe the symmetry of three-dimensional figures.

(ii) Describe and perform single and multiple transformations that include rotation, reflection, translation and dilation (i.e., shrink or magnify) to two-dimensional figures.

(4) Grades 5-8 benchmark 4: Use visualization, spatial reasoning and geometric modeling to solve problems.

(a) Grade 5 performance standards:

(i) Understand and compute the perimeter of regular polygons.

(ii) Identify and explain circumference, radius and diameter.

(b) Grade 6 performance standard: Use appropriate technology, manipulatives, constructions or drawings to recognize or compare geometric figures.

(c) Grade 7 performance standards:

(i) Compute the perimeter and area of common geometric shapes and use the results to find measures of less common objects.

(ii) Identify and describe the properties of two-dimensional figures: identify angles as vertical, adjacent, complementary or supplementary and provide descriptions of these terms; use the properties of complementary and supplementary angles and the sum of the angles of a triangle to solve problems involving an unknown angle; draw quadrilaterals and triangles from given information.

(d) Grade 8 performance standards:

(i) Understand angle relationships formed by parallel lines cut by a transversal.

(ii) Recognize and apply properties of corresponding parts of similar and congruent triangles and quadrilaterals.

(iii) Represent and solve problems relating to size, shape, area and volume using geometric models.

(iv) Develop and use formulas for area, perimeter, circumference and volume.

(v) Construct two-dimensional representations (nets) for three-dimensional models (e.g., cylinders, prisms, cones).

D. Strand: Measurement. Content standard 4: Students will understand measurement systems and applications.

(1) Grades 5-8 benchmark 1: Understand measurable attributes of objects and the units, systems, and processes of measurement.

(a) Grade 5 performance standards:

(i) Understand properties (e.g., length, area, weight, volume) and select the appropriate type of unit for measuring each using both U.S. customary and metric systems.

(ii) Select and use appropriate units and tools to measure according to the degree of accuracy required in a particular problem-solving situation.

(iii) Solve problems involving linear measurement, weight and capacity (e.g., measuring to the nearest sixteenth of an inch or nearest millimeter; using ounces, milliliters or pounds and kilograms) to the appropriate degree of accuracy.

(iv) Perform one-step conversions within a system of measurement (e.g., inches to feet, centimeters to meters).

(b) Grade 6 performance standards:

(i) Perform multi-step conversions of measurement units to equivalent units within a given system (e.g., 36 inches equals 3 feet or 1 yard).

(ii) Estimate measurement in both U.S. customary and metric units.

(iii) Select and use units of appropriate size and type to measure angles; e.g., degrees, radians; perimeter; area and capacity in both U.S. customary and metric systems.

(iv) Use standard units of linear measurement to the nearest sixteenth of an inch; metric measurements to the nearest millimeter.

(c) Grade 7 performance standards:

(i) Choose appropriate units of measure and ratios to recognize new equivalences (e.g., 1 square yard equals 9 square feet) to solve problems.

(ii) Select and use the appropriate size and type of unit for a given measurement situation.

(iii) Compare masses, weights, capacities, geometric measures,

times and temperatures within measurement systems.

(iv) Approximate the relationship between standard and metric measurement systems (e.g., inches and centimeters, pounds and kilograms, quarts and liters).

(v) Use measures expressed as rates and measures expressed as products to solve problems, check the units of the solutions, and analyze the reasonableness of the answer.

(d) Grade 8 performance standards:

(i) Understand the concept of volume and use the appropriate units in common measuring systems (e.g., cubic centimeter, cubic inch, cubic yard) to compute the volume of rectangular solids.

(ii) Use changes in measurement units (e.g., square inches, cubic feet) to perform conversions from one-, two-, and three-dimensional shapes.

(2) Grades 5-8 benchmark 2: Apply appropriate techniques, tools, and formulas to determine measurements.

(a) Grade 5 performance standards:

(i) Solve measurement problems using appropriate tools involving length, perimeter, weight, capacity, time and temperature.

(ii) Select and use strategies to estimate measurements including length, distance, capacity and time.

(iii) Apply strategies and use tools for estimating and measuring the perimeter of regular and irregular shapes.

(b) Grade 6 performance standards:

(i) Apply various measurement techniques and tools, units of measure, and degrees of accuracy to find accurate rational number representations for length, liquid, weight, perimeter, temperature and time.

(ii) Select and use formulas for perimeters of squares and rectangles.

(iii) Select and use strategies to estimate measurements including angle measure and capacity.

(iv) Select and justify the selection of measurement tools, units of measure and degrees of accuracy appropriate to the given situation.

(c) Grade 7 performance standards:

(i) Apply strategies and formulas to find missing angle measurements in triangles and quadrilaterals.

(ii) Select and use formulas to determine the circumference of circles and the area of triangles, parallelograms, trapezoids and circles.

(iii) Solve problems

involving scale factors, ratios and proportions.

(d) Grade 8 performance standards:

(i) Use ratios and proportions to measure hard-to-measure objects.

(ii) Use estimation to solve problems.

(iii) Use proportional relationships in similar shapes to find missing measurements.

(iv) Apply strategies to determine the surface area and volume of prisms, pyramids and cylinders.

(v) Perform conversions with multiple terms between metric and U.S. standard measurement systems.

(vi) Estimate volume in cubic units.

(vii) Solve simple problems involving rates and derived measurements for such properties as velocity and density.

E. Strand: Data analysis and probability. Content standard 5: Students will understand how formulate questions, analyze data, and determine probabilities.

(1) Grades 5-8 benchmark 1: Formulate questions that can be addressed with data and collect, organize, and display relevant data to answer them.

(a) Grade 5 performance standards:

(i) Construct, read, analyze and interpret tables, charts, graphs and data plots.

(ii) Construct, interpret and analyze data from graphical representations and draw simple conclusions using bar graphs, line graphs, circle graphs, frequency tables and Venn diagrams.

(iii) Display, analyze, compare and interpret different data sets, including data sets of different sizes.

(iv) Organize and display single-variable data in appropriate graphs and representations.

(v) Organize, read and display numerical (quantitative) and non-numerical (qualitative) data in a clear, organized and accurate manner including correct titles, labels and intervals or categories including: frequency tables; stem and leaf plots; bar, line and circle graphs; Venn diagrams; pictorial displays; charts and tables.

(vi) Formulate questions and identify data to be collected to correctly answer a question.

(b) Grade 6 performance standards:

(i) Use statistical representations to analyze data.

(ii) Draw and compare different graphical representations of the

same data.

(iii) Use mean, median, mode and range to describe data.

(iv) Sketch circle graphs to display data.

(v) Solve problems by collecting, organizing, displaying and interpreting data.

(vi) Compare different samples of a population with the entire population and determine the appropriateness of using a sample.

(vii) Conduct and explain sampling techniques such as observations, surveys and random sampling for gathering data.

(viii) Determine the median for a rational number data set containing an odd number of data points.

(ix) Calculate and explain the median for a whole number data set containing an even number of data points.

(x) Explain advantages and disadvantages of using various display formats for a specific data set.

(xi) Formulate and solve problems by collecting, organizing, displaying and interpreting data.

(c) Grade 7 performance standards:

(i) Describe how data representations influence interpretation.

(ii) Select and use appropriate representation for presenting collected data and justify the selection.

(iii) Use measures of central tendency and spread to describe a set of data.

(iv) Choose between median and mode to describe a set of data and justify the choice for a particular situation.

(v) Determine the quartiles of a data set.

(vi) Identify ordered pairs of data from a graph and interpret the data in terms of the situation depicted by the graph.

(vii) Use various scales and formats to display the same data set.

(viii) Identify and explain the misleading representations of data.

(ix) Collect, organize and represent data sets that have one or more variables and identify relationships among variables within a data set.

(x) Compute the minimum, lower quartile, median, upper quartile and maximum of a data set.

(xi) Identify and explain the effects of scale and interval changes on graphs of whole number data sets.

(xii) Use and explain

sampling techniques (e.g., observations, surveys and random sampling) for gathering data.

(xiii) Analyze problems by identifying relationships, distinguishing relevant from irrelevant information, identifying missing information, and selecting, collecting and displaying appropriate data to address the problem.

(d) Grade 8 performance standards:

(i) Represent two numerical variables on a plot, describe how the data points are distributed, and identify relationships that exist between the two variables.

(ii) Generate, organize and interpret real numbers in a variety of situations.

(iii) Organize, analyze and display appropriate quantitative and qualitative data to address specific questions including: frequency distributions; plots; histograms; bar, line and pie graphs; diagram and pictorial displays; charts and tables.

(iv) Select the appropriate measure of central tendency to describe a set of data for a particular problem situation.

(v) Simulate an event selecting and using different models.

(vi) Develop an appropriate strategy using a variety of data from surveys, samplings, estimations and inferences to address a specific problem.

(2) Grades 5-8 benchmark 1: Select and use appropriate statistical methods to analyze data.

(a) Grade 5 performance standards:

(i) Organize and display single-variable data in appropriate graphs and representations and determine which types of graphs are appropriate for various data sets.

(ii) Use fractions and percentages to compare data sets of different sizes.

(iii) Correctly rank the values of a numerical data set containing simple fractions and decimals, identify maximum and minimum data values, and calculate the range for a data set.

(b) Grade 6 performance standards:

(i) Choose an appropriate graphical format to organize and represent data.

(ii) Describe the effects of missing or incorrect data.

(iii) Compute and analyze statistical measurements for data sets: understand how additional data added to data sets may affect the computations of central tendency; understand how the inclu-

sion or exclusion of outliers affects measures of central tendency; know why a specific measure of central tendency provides the most useful information in a given context.

(iv) Use data samples of a population and describe the characteristics and limitations of the sample.

(v) Identify different ways of selecting a sample (e.g., convenience sampling, responses to a survey, random sampling) and which method makes a sample more representative for a population.

(vi) Explain how the way a question is asked in a survey might influence the results obtained.

(vii) Identify data that represent sampling errors and explain why the sample and the display might be biased.

(viii) Identify claims based on statistical data and, in sample cases, evaluate the validity and usefulness of the claims.

(c) Grade 7 performance standards:

(i) Choose and justify appropriate measures of central tendencies (e.g., mean, median, mode, range) to describe given or derived data.

(ii) Know various ways to display data sets (e.g., stem and leaf plot, box and whisker plot, scatter plots) and use these forms to display a single set of data or to compare two sets of data.

(iii) Use the analysis of data to make convincing arguments.

(iv) Use appropriate technology to gather and display data sets and identify the relationships that exist among variables within the data set.

(v) Use data samples of a population and describe the characteristics and limitations of the sample.

(vi) Identify data that represent sampling errors and explain why the sample and the display might be biased.

(vii) Identify claims based on statistical data and evaluate the validity of the claims.

(d) Grade 8 performance standards:

(i) Use changes in scales, intervals or categories to help support a particular interpretation of data.

(ii) Generate, organize and interpret real number and other data in a variety of situations.

(iii) Analyze data to make decisions and to develop convincing arguments from data displayed in a variety of formats that include: plots, distributions, graphs, scatter plots, diagrams, pictorial displays, charts and tables, Venn diagrams.

(iv) Interpret and analyze data from graphical representations and

draw simple conclusions (e.g., line of best fit).

(v) Evaluate and defend the reasonableness of conclusions drawn from data analysis.

(vi) Use appropriate central tendency and spread as a means for effective decision-making in analyzing data and outliers.

(vii) Identify simple graphic misrepresentations and distortions of sets of data (e.g., unequal interval sizes, omission of parts of axis range, scaling).

(viii) Use appropriate technology to display data as lists, tables, matrices, graphs and plots and to analyze the relationships of variables in the data displayed.

(3) Grades 5-8 benchmark 3: Develop and evaluate inferences and predictions that are based on data.

(a) Grade 5 performance standards:

(i) Make and justify valid inferences, predictions and arguments based on statistical analysis.

(ii) Compare a given prediction with the results of an investigation.

(iii) Use counting strategies to determine all the possible outcomes of a particular familiar event.

(iv) Find all possible outcome sets involving four or more sets of objects.

(v) Evaluate the reasonableness of inferences that are based on data in the context of the original solution.

(vi) Identify the method used to make an inference or a prediction on a given data set and solve similar problems.

(vii) Determine the accuracy of a prediction or an inference based on the accuracy of the data in a given data set.

(viii) List all possible outcomes of simple events.

(b) Grade 6 performance standards:

(i) Identify claims based on statistical data and evaluate the validity of the claim.

(ii) Conduct observations, surveys, experiments and simulations, record the results in charts, tables or graphs, and use the results to draw conclusions and make predictions.

(iii) Find all possible combinations in a given set (e.g., the number of ways a set of books can be arranged on a shelf).

(iv) Compare expected results with actual results in a simple experiment.

(c) Grade 7 performance standards:

(i) Formulate and justify

mathematical conjectures based on data and a general description of the mathematical question or problem posed.

(ii) Analyze data to make accurate inferences, predictions and to develop convincing arguments from data displayed in a variety of forms.

(iii) Approximate a line of best fit for a data set in a scatter plot form and make predictions using the simple equation of that line.

(d) Grade 8 performance standards:

(i) Describe how changes in scale, intervals or categories influence arguments for a particular interpretation of the data.

(ii) Describe how reader bias, measurement errors and display distortion can affect the interpretation of data, predictions and inferences based on data.

(iii) Conduct simple experiments and simulations, record results in charts, tables or graphs, and use the results to draw conclusions and make predictions.

(iv) Compare expected results with experimental results and information used in predictions and inferences.

(4) Grades 5-8 benchmark 4: Understand and apply basic concepts of probability.

(a) Grade 5 performance standards:

(i) Determine probabilities through experiments and/or simulations and compare the results with mathematical expressions.

(ii) Make predictions from the results of student-generated experiments of single events.

(iii) Identify simple experiments where the probabilities of all outcomes are equal.

(iv) Describe and predict the results of a probability experiment.

(v) Use fractions to describe the results of an experiment.

(vi) Use probability to generalize from a simple pattern or set of examples and justify why the generalization is reasonable.

(b) Grade 6 performance standards:

(i) List all possible outcomes for a compound event composed of two independent events and recognize whether an outcome is certain, impossible, likely or unlikely.

(ii) Determine and compare experimental (empirical) and mathematical (theoretical) probabilities (e.g., flipping two color counters).

(iii) Determine theoretical and experimental probabilities and use them to make predictions about events.

(iv) Represent all possi-

ble outcomes for compound events in an organized way (e.g., tables, grids, tree diagrams) and express the theoretical probability of each outcome.

(v) Use data to estimate the probability of future events (e.g., batting averages).

(vi) Represent probabilities as ratios, proportions, decimals between 0 and 1, and percentages between 0 and 100 and verify that the probabilities computed are reasonable; know that if  $P$  is the probability of an event,  $1 - P$  is the probability of the event not occurring.

(vii) Describe the difference between independent and dependent events, and identify situations involving independent or dependent events.

(c) Grade 7 performance standards:

(i) Determine the probability of a compound event composed of two independent events.

(ii) Identify examples of events having the probability of one or zero.

(iii) Describe the probability of events using fractions, decimals and percents.

(iv) Express probability as a fraction, zero, or one.

(v) Use probability to generate convincing arguments, draw conclusions and make decisions in a variety of situations.

(vi) Make predictions based on theoretical probabilities of compound events.

(vii) Determine the probability of a simple event or a compound event composed of simple, independent events.

(d) Grade 8 performance standards:

(i) Calculate the odds of a desired outcome in a simple experiment.

(ii) Design and use an appropriate simulation to estimate the probability of a real-world event (e.g., disk toss, cube toss).

(iii) Explain the relationship between probability and odds and calculate the odds of a desired outcome in a simple experiment.

(iv) Use theoretical or experimental probability to make predictions about real-world events.

(v) Use probability to generate convincing arguments, draw conclusions and make decisions in a variety of situations.

(vi) Understand that the probability of two unrelated events occurring is the sum of the two individual possibilities and that the probability of one event following another, in independent trials, is the product of the two probabilities.

[6.29.7.9 NMAC - Rp, 6.30.2.14 NMAC, 6-30-2009]

**6.29.7.10 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR MATHEMATICS, Grades 9-12:** Note:

For this section, standards, benchmarks and performance standards are applicable to all grades (9-12).

A. Strand: Algebra, functions and graphs. Content standard 1: Students will demonstrate understanding of algebraic concepts and applications.

(1) Grades 9-12 benchmark 1-A: Represent and analyze mathematical situations and structures using algebraic symbols.

(a) Use the special symbols of mathematics correctly and precisely.

(b) Classify and use equivalent representations of natural, whole, integer, rational, irrational and complex numbers and choose which type of number is appropriate in a given context.

(c) Determine the relative position on the number line and the relative magnitude of integers, decimals, rationals, irrationals and numbers in scientific notation.

(d) Explain that the distance between two numbers on the number line is the absolute value of their difference.

(e) Use a variety of computational methods, recognize when an estimate or approximation is more appropriate than an exact answer and understand the limits on precision of approximations.

(f) Simplify numerical expressions using the order of operations, including integer exponents.

(g) Translate verbal statements into algebraic expressions or equations.

(h) Solve formulas for specified variables.

(i) Solve quadratic equations in one variable.

(j) Solve radical equations involving one radical.

(k) Describe the properties of rational exponents and apply these properties to simplify algebraic expressions.

(l) Explain and use equivalent representations for algebraic expressions (e.g., simplify using the distributive property).

(m) Simplify rational expressions by factoring and reducing to lowest terms.

(n) Evaluate polynomial, rational, radical and absolute value expressions for one or more variables.

(o) Compare and order polynomial expressions by degree.

(p) Factor polynomials of various types (e.g., difference of squares, perfect square trinomials, sum and difference of

cubes).

(q) Solve linear equations and inequalities in one variable, including those involving the absolute value of a linear function.

(r) Use the four basic operations (+, -,  $\times$ ,  $\div$ ) with linear, polynomial and rational expressions in contextual situations.

(s) Use the four basic operations (+, -,  $\times$ ,  $\div$ ) in contextual situations with numbers in scientific notation and express the results with the appropriate number of significant figures.

(2) Grades 9-12 benchmark 1-B: Demonstrate understanding of patterns, relations, functions and graphs.

(a) Distinguish between the concept of a relation and a function.

(b) Determine whether a relation defined by a graph, a set of ordered pairs, a table of values, an equation or a rule is a function.

(c) Translate among tabular, symbolic and graphical representations of functions and relations.

(d) Construct a linear function that represents a given graph.

(e) Explain and use function notation in both abstract and contextual situations and evaluate a function at a specific point in its domain.

(f) Graph a linear equation and demonstrate that it has a constant rate of change.

(g) Graph a linear inequality in two variables.

(h) Graph a quadratic function and understand the relationship between its real zeros and the x-intercepts of its graph.

(i) Graph exponential functions and identify their key characteristics as related to contextual situations.

(j) Identify and describe symmetries of graphs.

(k) Use the quadratic formula and factoring techniques to determine whether the graph of a quadratic function will intersect the x-axis in zero, one or two points (include quadratic functions that represent real phenomena).

(l) Explain the meaning of the real and complex roots of quadratic functions in contextual situations.

(m) Read information and draw conclusions from graphs, and identify properties of a graph that provide useful information about the original problem.

(n) Demonstrate understanding of the relationship between the coefficients of a linear equation and the slope and x- and y-intercepts of its graphs.

(o) Evaluate estimated rate of change in a contextual situation.

(3) Grades 9-12 benchmark 1-C: Use mathematical models to represent and understand quantitative relationships.

(a) Model real-world phenomena using linear equations and linear inequalities, interpret resulting solutions and use estimation to detect errors.

(b) Model real-world phenomena using quadratic equations, interpret resulting solutions and use estimation to detect errors.

(c) Model real-world phenomena using exponential equations, interpret resulting solutions and use estimation to detect errors.

(d) Solve systems of linear equations in two variables algebraically and graphically.

(e) Solve applications involving systems of two equations in two variables.

(f) Write an equation of the line that passes through two given points.

(g) Verify that a point lies on a line (given an equation of the line), and be able to derive linear equations given a point and a slope.

(h) Determine whether the graphs of two given linear equations are parallel, perpendicular, coincide or none of these.

B. Strand: Geometry and trigonometry. Content standard 2: Students will demonstrate understanding of geometric concepts and applications.

(1) Grades 9-12 benchmark 2-A: Analyze characteristics and properties of two- and three-dimensional geometric shapes and develop mathematical arguments about geometric relationships.

(a) Demonstrate understanding that numerical values associated with measurements of physical quantities must be assigned units of measurement or dimensions; apply such units correctly in expressions, equations and problem solutions that involve measurements; and convert a measurement (using one unit of measurement) to another unit of measurement.

(b) Find the area and perimeter of a geometric figure composed of a combination of two or more rectangles, triangles or semicircles with just edges in common.

(c) Draw three-dimensional objects and calculate the surface areas and volumes of these figures (e.g. prisms, cylinders, pyramids, cones, spheres) as well as figures constructed from unions of prisms with faces in common, given the formulas for these figures.

(d) Identify the hypothesis and conclusion in examples of conditional statements.

(e) Use definitions in making logical arguments.

(f) Use counter-examples to show that an assertion is false and recognize that a single counter-example is sufficient to refute a universal statement.

(g) Explain the difference between inductive and deductive reasoning

and provide examples of each.

(h) For inductive reasoning, explain why showing that a statement is true for a finite number of examples does not show it is true for all cases, unless the cases verified are all possible cases.

(i) Write geometric proofs, including proofs by contradiction, and perform and explain basic geometric constructions related to: theorems involving the properties of parallel and perpendicular lines, circles and polygons; theorems involving complementary, supplementary and congruent angles; theorems involving congruence and similarity; and the Pythagorean theorem.

(j) Recognize that there are geometries, other than Euclidean geometry, in which the parallel postulate is not true.

(2) Grades 9-12 benchmark 2-B: Specify locations and describe spatial relationships using coordinate geometry and other representational systems.

(a) Identify the origin, coordinate axes and four quadrants on the Cartesian coordinate plane, and draw and label them correctly.

(b) Determine the midpoint and distance between two points within a coordinate system and relate these ideas to geometric figures in the plane (e.g., find the center of a circle given two end points of a diameter of the circle).

(c) Use basic geometric ideas (e.g., the Pythagorean theorem, area and perimeter) in the context of the Cartesian Plane (e.g., calculate the perimeter of a rectangle with integer coordinates and with sides parallel to the coordinate axes, and of a rectangle with sides not parallel).

(3) Grades 9-12 benchmark 2-C: Apply transformations and use symmetry to analyze mathematical situations.

(a) Use rigid motions (compositions of reflections, translations and rotations) to determine whether two geometric figures are congruent in a coordinate plane.

(b) Sketch a planar figure that is the result of given transformations (i.e., translation, reflection, rotation or dilation).

(c) Identify similarity in terms of transformations.

(d) Determine the effects of transformations on linear and area measurements of the original planar figure.

(4) Grades 9-12 benchmark 2-D: Use visualization, spatial reasoning and geometric modeling to solve problems.

(a) Solve contextual problems using congruence and similarity relationships of triangles (e.g., find the height of a pole, given the length of its shadow).

(b) Solve problems involving complementary, supplementary and congruent angles.

(c) Know that the effect of a scale factor  $k$  on length, area and volume is to

multiply each by  $k$ ,  $k^2$  and  $k^3$ , respectively.

(d) Solve problems using the Pythagorean theorem.

(e) Demonstrate understanding of how similarity of right triangles allows the trigonometric functions (sine, cosine and tangent) to be defined as ratios of sides and be able to use these functions to solve problems.

(f) Apply basic trigonometric functions to solve right-triangle problems.

(g) Use angle and side relationships in problems with special right triangles (e.g., 30-60-90 and 45-45-90 degree triangles).

(h) Describe the intersections of a line and a plane, intersections of lines in the plane and in space, or of two planes in space.

C. Strand: Data analysis and probability. Content standard 3: Students will demonstrate understanding of how to formulate questions, analyze data and determine probabilities.

(1) Grades 9-12 benchmark 3-A: Formulate questions that can be addressed with data and collect, organize and display relevant data to answer them.

(a) Explain the differences between the various methods of data collection.

(b) Describe the characteristics of a well-designed and well-conducted survey by differentiating between sampling and census; and between a biased and an unbiased sample.

(c) Describe the characteristics of a well-designed and well-conducted experiment by differentiating between experiments and observational studies, and by recognizing sources of bias in poorly designed experiments.

(d) Explain the role of randomization in well-designed surveys and experiments.

(2) Grades 9-12 benchmark 3-B: Select and use appropriate statistical methods to analyze data and make predictions.

(a) Distinguish measurement data from categorical data, and define the term "variable."

(b) Explain the meaning of "univariate" and "bivariate" data.

(c) Display the distribution of univariate data, describe its shape using appropriate summary statistics and demonstrate understanding of the distinction between a statistic and a parameter.

(d) Calculate and apply measures of variability (e.g., standard deviation).

(e) Compare distributions of univariate data using back-to-back stem and leaf plots and parallel box and whisker plots.

(f) Describe the characteristics of a normal distribution.

(g) Compare and draw conclu-

sions between two or more sets of univariate data using basic data analysis techniques and summary statistics.

(h) Describe the shape of a scatterplot.

(i) Use linear patterns in data to make predictions.

(j) Use technological tools to find the line of best fit.

(k) Describe the relationship between two variables and determine its strength with and without technological tools.

(l) Explain why correlation does not imply a cause-and-effect relationship.

(m) Use the results of simulations to explore the variability of sample statistics from a known population and construct sampling distributions.

(n) Describe how sample statistics, including the law of large numbers, reflect the values of population parameters and use sampling distributions as the basis for informal inference.

(o) Evaluate published reports that are based on data by examining the design of the study, the appropriateness of the data analysis and the validity of conclusions.

(3) Grades 9-12 benchmark 3-C: Demonstrate understanding of and apply basic concepts of probability.

(a) Explain the concept of a random variable.

(b) Explain how the relative frequency of a specified outcome of an event can be used to estimate the probability of the outcome.

(c) Use the results of simulations to compute the expected value and probabilities of random variables in simple cases.

(d) Compute the probability of an event using the complement rule, addition rule for disjoint and joint events, multiplication rule for independent events, and rules for conditional probability.

[6.29.7.10 NMAC - Rp, 6.30.2.14 NMAC, 6-30-2009]

#### **HISTORY OF 6.29.7 NMAC:**

**Pre-NMAC HISTORY:** The material in this part is derived from that previously filed with the State Records Center:

SDE 74-17, (Certificate No. 74-17), Minimum Educational Standards for New Mexico Schools, filed April 16, 1975.

SDE 76-9, (Certificate No. 76-9), Minimum Education Standards for New Mexico Schools, filed July 7, 1976.

SDE 78-9, Minimum Education Standards for New Mexico Schools, filed August 17, 1978.

SBE 80-4, Educational Standards for New Mexico Schools, filed September 10, 1980.

SBE 81-4, Educational Standards for New Mexico Schools, filed July 27, 1981.

SBE 82-4, Educational Standards for New

Mexico Schools, Basic and Vocational Program Standards, filed November 16, 1982.

SBE Regulation No. 83-1, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed June 24, 1983.

SBE Regulation 84-7, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed August 27, 1984.

SBE Regulation 85-4, Educational Standards for New Mexico Schools, Basic, Special Education, and Vocational Programs, filed October 21, 1985.

SBE Regulation No. 86-7, Educational Standards for New Mexico Schools, filed September 2, 1986.

SBE Regulation No. 87-8, Educational Standards for New Mexico Schools, filed February 2, 1988.

SBE Regulation No. 88-9, Educational Standards for New Mexico Schools, filed October 28, 1988.

SBE Regulation No. 89-8, Educational Standards for New Mexico Schools, filed November 22, 1989.

SBE Regulation No. 90-2, Educational Standards for New Mexico Schools, filed September 7, 1990.

SBE Regulation No. 92-1, Standards for Excellence, filed January 3, 1992.

**History of Repealed Material:**

6.30.2 NMAC, Standards for Excellence, filed November 2, 2000 - Repealed effective June 30, 2009.

**NMAC History:**

6 NMAC 3.2, Standards for Excellence, filed October 17, 1996.

6.30.2 NMAC, Standards for Excellence, November 2, 2000, replaced by 6.29.1 NMAC, General Provisions; 6.29.2 NMAC, Arts Education; 6.29.3 NMAC, Career and Technical Education; 6.29.4 NMAC, English Language Arts; 6.29.5 NMAC, English Language Development; 6.29.6 NMAC, Health Education; 6.29.7 NMAC, Mathematics; 6.29.8 NMAC, Modern, Classical and Native Languages; 6.29.9 NMAC, Physical Education; 6.29.10 NMAC, Science; 6.29.11 NMAC, Social Studies; effective June 30, 2009.

**NEW MEXICO PUBLIC  
EDUCATION  
DEPARTMENT**

**TITLE 6 PRIMARY AND  
SECONDARY EDUCATION  
CHAPTER 29 STANDARDS FOR  
EXCELLENCE  
PART 8 MODERN, CLASSICAL AND NATIVE LANGUAGES**

**6.29.8.1 ISSUING AGENCY:** Public Education Department, hereinafter the department.  
[6.29.8.1 NMAC - N, 6-30-2009]

**6.29.8.2 SCOPE:** All public schools, state educational institutions and educational programs conducted in state institutions other than New Mexico military institute.  
[6.29.8.2 NMAC - N, 6-30-2009]

**6.29.8.3 STATUTORY AUTHORITY:**

A. Section 22-2-2 NMSA 1978 grants the authority and responsibility for the assessment and evaluation of public schools, state-supported educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

B. Section 22-2-2 NMSA 1978 directs the department to set graduation expectations and hold schools accountable. Section 22-2C-3 NMSA 1978 requires the department to adopt academic content and performance standards and to measure the performance of public schools in New Mexico.  
[6.29.8.3 NMAC - N, 6-30-2009]

**6.29.8.4 DURATION:** Permanent.  
[6.29.8.4 NMAC - N, 6-30-2009]

**6.29.8.5 EFFECTIVE DATE:** June 30, 2009, unless a later date is cited at the end of a section.  
[6.29.8.5 NMAC - N, 6-30-2009]

**6.29.8.6 OBJECTIVE:** In 1997, the content standards for modern, classical and native languages were adopted as regulation for grades K-8 and as elective courses in grades 9-12.  
[6.29.8.6 NMAC - N, 6-30-2009]

**6.29.8.7 DEFINITIONS:** [Reserved]

**6.29.8.8 MODERN, CLASSICAL AND NATIVE LANGUAGES CONTENT STANDARDS, Grades K-4:**

A. Standard 1: By speaking, writing or signing, students will express themselves in a culturally-appropriate manner for many purposes.

B. Standard 2: By listening, observing, reading and discussing, students will comprehend and interpret oral, written and visual messages on a variety of topics.

C. Standard 3: Students will understand the relationship between language and culture.

D. Standard 4: Students

will develop an understanding of other cultures, including such elements as their value systems, languages, traditions and individual perspectives.

E. Standard 5: Students will understand how language works.

F. Standard 6: Students will use the language studied to reinforce and expand knowledge of other disciplines.

G. Standard 7: Students will use the language studied for personal enjoyment, personal enrichment and employability.

[6.29.8.8 NMAC - Rp, 6.30.2.18 NMAC, 6-30-2009]

**6.29.8.9 MODERN, CLASSICAL AND NATIVE LANGUAGES CONTENT STANDARDS WITH BENCHMARKS, Grades 5-8:**

A. Standard 1: By speaking, writing or signing, students will express themselves in a culturally-appropriate manner for many purposes.

B. Standard 2: By listening, observing, reading and discussing, students will comprehend and interpret oral, written and visual messages on a variety of topics.

C. Standard 3: Students will understand the relationship between language and culture.

D. Standard 4: Students will develop an understanding of other cultures, including such elements as their value systems, languages, traditions and individual perspectives.

E. Standard 5: Students will understand how language works.

F. Standard 6: Students will use the language studied to reinforce and expand knowledge of other disciplines.

G. Standard 7: Students will use the language studied for personal enjoyment, personal enrichment and employability.

[6.29.8.9 NMAC - Rp, 6.30.2.18 NMAC, 6-30-2009]

**6.29.8.10 MODERN, CLASSICAL AND NATIVE LANGUAGES CONTENT STANDARDS WITH BENCHMARKS, Grades 9-12:**

A. Standard 1: By speaking, writing or signing, students will express themselves in a culturally-appropriate manner for many purposes.

B. Standard 2: By listening, observing, reading and discussing, students will comprehend and interpret oral, written and visual messages on a variety of topics.

C. Standard 3: Students will understand the relationship between language and culture.

D. Standard 4: Students

will develop an understanding of other cultures, including such elements as their value systems, languages, traditions and individual perspectives.

E. Standard 5: Students will understand how language works.

F. Standard 6: Students will use the language studied to reinforce and expand knowledge of other disciplines.

G. Standard 7: Students will use the language studied for personal enjoyment, personal enrichment and employability.

[6.29.8.10 NMAC - Rp, 6.30.2.18 NMAC, 6-30-2009]

#### **HISTORY OF 6.29.8 NMAC:**

**Pre-NMAC HISTORY:** The material in this part is derived from that previously filed with the State Records Center:

SDE 74-17, (Certificate No. 74-17), Minimum Educational Standards for New Mexico Schools, filed April 16, 1975.

SDE 76-9, (Certificate No. 76-9), Minimum Education Standards for New Mexico Schools, filed July 7, 1976.

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SBE 80-4, Educational Standards for New Mexico Schools, filed September 10, 1980.

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SBE 82-4, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed November 16, 1982.

SBE Regulation No. 83-1, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed June 24, 1983.

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SBE Regulation 85-4, Educational Standards for New Mexico Schools, Basic, Special Education, and Vocational Programs, filed October 21, 1985.

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SBE Regulation No. 87-8, Educational Standards for New Mexico Schools, filed February 2, 1988.

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SBE Regulation No. 89-8, Educational Standards for New Mexico Schools, filed November 22, 1989.

SBE Regulation No. 90-2, Educational Standards for New Mexico Schools, filed September 7, 1990.

SBE Regulation No. 92-1, Standards for Excellence, filed January 3, 1992.

#### **History of Repealed Material:**

6.30.2 NMAC, Standards for Excellence, filed November 2, 2000 - Repealed effective June 30, 2009.

#### **NMAC History:**

6 NMAC 3.2, Standards for Excellence, filed October 17, 1996.

6.30.2 NMAC, Standards for Excellence, November 2, 2000, replaced by 6.29.1 NMAC, General Provisions; 6.29.2 NMAC, Arts Education; 6.29.3 NMAC, Career and Technical Education; 6.29.4 NMAC, English Language Arts; 6.29.5 NMAC, English Language Development; 6.29.6 NMAC, Health Education; 6.29.7 NMAC, Mathematics; 6.29.8 NMAC, Modern, Classical and Native Languages; 6.29.9 NMAC, Physical Education; 6.29.10 NMAC, Science; 6.29.11 NMAC, Social Studies; effective June 30, 2009.

## **NEW MEXICO PUBLIC EDUCATION DEPARTMENT**

### **TITLE 6 PRIMARY AND SECONDARY EDUCATION CHAPTER 29 STANDARDS FOR EXCELLENCE PART 9 PHYSICAL EDUCATION**

**6.29.9.1 ISSUING AGENCY:** Public Education Department, hereinafter the department.  
[6.29.9.1 NMAC - N, 6-30-2009]

**6.29.9.2 SCOPE:** All public schools, state educational institutions and educational programs conducted in state institutions other than New Mexico military institute.  
[6.29.9.2 NMAC - N, 6-30-2009]

#### **6.29.9.3 STATUTORY AUTHORITY:**

A. Section 22-2-2 NMSA 1978 grants the authority and responsibility for the assessment and evaluation of public schools, state-supported educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

B. Section 22-2-2 NMSA 1978 directs the department to set graduation expectations and hold schools accountable. Section 22-2C-3 NMSA 1978 requires the department to adopt academic content and performance standards and to measure the performance of public schools in New Mexico.

[6.29.9.3 NMAC - N, 6-30-2009]

**6.29.9.4 DURATION:** Permanent.

[6.29.9.4 NMAC - N, 6-30-2009]

**6.29.9.5 EFFECTIVE DATE:** June 30, 2009, unless a later date is cited at the end of a section.

[6.29.9.5 NMAC - N, 6-30-2009]

**6.29.9.6 OBJECTIVE:** New Mexico content standards with benchmarks and performance standards for physical education are mandated for students in grades K-12. The New Mexico content standards with benchmarks for physical education were adopted in March 1997 as part of 6 NMAC 3.2; the benchmarks and performance standards were revised in June 2007.

[6.29.9.6 NMAC - N, 6-30-2009]

**6.29.9.7 DEFINITIONS:**  
[Reserved]

#### **6.29.9.8 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR PHYSICAL EDUCATION, Grades K-4:**

A. Content standard 1: Demonstrates competency in many movement forms and proficiency in a few movement forms. Students will:

(1) grades K-4 benchmark 1: demonstrate competency in selected motor skills;

(a) grades K-2 performance standards:

(i) travel in a variety of locomotor patterns (i.e., hop, skip, jump, gallop, slide, etc.) using mature form;

(ii) demonstrate skills of chasing, fleeing and dodging to avoid others;

(iii) demonstrate smooth transitions between sequential motor skills (i.e., running into a jump);

(b) grades 3- performance standards:

(i) demonstrate mature form in all locomotor patterns;

(ii) while traveling, avoid or catch an object or individual;

(iii) develop patterns and combinations of movements into repeatable sequences;

(2) grades K-4 benchmark 2: demonstrate competency in selected non-motor patterns;

(a) grades K-2 performance standards:

(i) roll sideways and forwards without hesitating or stopping using control;

(ii) balance demonstrating momentary stillness in symmetrical and asymmetrical shapes on a variety of body parts;

(iii) form round, narrow, wide and twisted body shapes alone

and with a partner;

(b) grades 3-4 performance standards:

(i) transfer weight from feet to hands using controlled movement;

(ii) balance with control on a variety of objects;

(iii) develop and refine a gymnastics sequence demonstrating smooth transitions;

(3) grades K-4 benchmark 3: demonstrate competency in selected skills utilizing age-appropriate equipment;

(a) grades K-2 performance standards:

(i) repeatedly jump a self-turned rope and a rope turned by others;

(ii) continuously dribble a ball, using hands or feet, without losing control;

(iii) receive and send an object in a continuous motion (i.e., throwing/catching, kicking/trapping, striking, volleying, etc.);

(b) grades 3-4 performance standards:

(i) travel into and out of a rope turned by others;

(ii) hand-dribble and foot-dribble a ball and maintain control while traveling within a group;

(iii) throw, catch and kick using mature motor patterns;

(iv) strike a softly-thrown lightweight ball using a bat, paddle or a variety of body parts.

B. Content standard 2: Applies movement concepts and principles to the learning and development of motor skills. Students will:

(1) grades K-4 benchmark 1: demonstrate concepts of body, effort, space and relationships in movement;

(a) grades K-2 performance standards:

(i) travel, changing speed, direction and pathway, quickly and safely without falling; travel while demonstrating a variety of relationships with objects (i.e., over, under, behind, alongside, through, etc.);

(ii) place a variety of body parts into high, medium and low levels;

(b) grades 3-4 performance standards:

(i) design and perform movement sequences that combine traveling, balancing and weight transfer into smooth sequences with intentional changes in direction (i.e., gymnastics, dance, etc.);

(ii) consistently receive and send an object in an intended direction and height;

(2) grades K-4 benchmark 2: demonstrate motor skills, motor behaviors

and motor learning concepts in increasingly complex movement situations;

(a) grades K-2 performance standards:

(i) use concepts of space awareness and relationships to others to run, hop and skip in different pathways and directions in a large group without bumping into others or falling;

(ii) recognize similar movement concepts in a variety of skills;

(b) grades 3-4 performance standards:

(i) adapt motor skills to the demands of a dynamic and unpredictable environment;

(ii) identify ways movement concepts can be used to refine movement skills;

(iii) explain how appropriate practice improves performance;

(3) grades K-4 benchmark 3: demonstrate critical elements of fundamental and specialized movement skills; grades K-4 performance standards:

(a) repeat cue words for selected motor skills and demonstrate/explain what is meant by each;

(b) refine movement errors in response to positive information and corrective information feedback;

(c) demonstrate the application of critical cues in selected motor skills;

(d) accurately recognize critical elements of selected skills made by a fellow student and provide positive information and corrective information feedback to that student.

C. Content standard 3: Exhibits knowledge and ability to participate in a physically active lifestyle. Students will:

(1) grades K-4 benchmark 1: select and participate regularly in health-related physical activities for enjoyment;

(a) grades K-2 performance standards:

(i) engage in moderate to vigorous physical activity most days of the week;

(ii) participate regularly in a variety of non-structured and minimally-organized physical activities outside of physical education class (i.e., ball play, tag, hide and seek, skipping, etc.);

(b) Grades 3-4 performance standards:

(i) participate in moderate to vigorous physical activity outside of physical education most days of the week;

(ii) use information from a variety of sources, internal and external, to regulate their activity participation;

(2) grades K-4 benchmark 2: identify the benefits gained from regular

physical activity;

(a) grades K-2 performance standard: experience and recognize different types of physical activities and their healthful benefits;

(b) grades 3-4 performance standard: describe how participation in physical activity affects health.

D. Content standard 4: Achieves and maintains a health-enhancing level of physical fitness. Students will:

(1) grades K-4 benchmark 1: match different types of physical activities with health-related physical fitness components;

(a) grades K-2 performance standards:

(i) recognize that health-related physical fitness consists of several components;

(ii) identify activities designed to improve health-related fitness components;

(b) grades 3-4 performance standard: select activities designed to improve and maintain levels of fitness in each component of health-related fitness;

(2) grades K-4 benchmark 2: participate in moderate to vigorous physical activities in a variety of settings;

(a) grades K-2 performance standards:

(i) participate in a variety of games and activities that increase respiration and heart rate;

(ii) demonstrate sufficient muscular strength to be able to bear body weight for climbing, hanging and momentary body support on the hands;

(iii) sustain activity for increasingly longer periods of time;

(b) grades 3-4 performance standard: participate in a variety of physical activities in order to improve each component of health-related fitness;

(3) grades K-4 benchmark 3: begin to interpret the results and demonstrate understanding of the significance of information provided by measures of physical fitness;

(a) grades K-2 performance standards:

(i) recognize physiological signs and benefits associated with participation in moderate to vigorous physical activity;

(ii) recognize personal strengths and weaknesses based on participation in various physical activities;

(b) grades 3-4 performance standards:

(i) explain the relationship of body weight, body composition and participation in regular physical activity;

(ii) develop strategies to show progress towards at least one per-

sonal fitness goal as determined by health-related fitness assessments.

E. Content standard 5: Demonstrates responsible personal and social behavior in physical activity settings. Students will:

(1) grades K-4 benchmark 1: utilize safety principles in physical activity settings;

(a) grades K-2 performance standards:

(i) use space and equipment safely and properly;

(ii) recognize that personal space and emotional safety will be protected;

(b) grades 3-4 performance standards:

(i) recognize importance of equipment placement and usage during physical education class;

(ii) initiate the appropriate use of space in game and activity settings;

(2) grades K-4 benchmark 2: work cooperatively and productively with a partner or small group;

(a) grades K-2 performance standards:

(i) invite a peer to take his turn at a piece of apparatus before repeating turn;

(ii) assist partner by sharing observations about skill performance during practice;

(b) grades 3-4 performance standards:

(i) work productively with a partner to improve selected motor skills by using the critical elements of the process;

(ii) demonstrate the ability to teach an activity or skill to a group of classmates;

(3) grades K-4 benchmark 3: recognize the influence of peer pressure and identify ways of resolving conflict;

(a) grades K-2 performance standards:

(i) demonstrate the elements of socially acceptable conflict resolution;

(ii) demonstrate effective communication skills;

(b) grades 3-4 performance standard: identify and avoid the negative influence of peers;

(4) grades K-4 benchmark 4: work independently and on-task for short periods of time;

(a) grades K-2 performance standard: demonstrate independent work habits during short-term activity;

(b) grades 3-4 performance standard: honestly report the results of independent work;

(5) grades K-4 benchmark 5: rec-

ognize classroom and activity rules; grades K-4 performance standards:

(a) consistently comply with the physical education classroom rules to ensure the physical and emotional safety for all;

(b) distinguish between compliance and non-compliance with game rules and fair play;

(c) accept consequences of personal choices.

F. Content standard 6: Demonstrates understanding and respect for differences among people in physical activity settings. Students will:

(1) grades K-4 benchmark 1: explore cultural/ethnic self-awareness through participation in physical activity; grades K-4 performance standard: articulate cultural/ethnic self awareness through written, oral or physical expression;

(2) grades K-4 benchmark 2: recognize the talents that individuals with differences can bring to group activities;

(a) grades K-2 performance standard: work productively with a variety of partners;

(b) grades 3-4 performance standard: recognize and value the role of each individual in a small group;

(3) grades K-4 benchmark 3: experience differences and similarities among people of different backgrounds by participating in activities of national, cultural and ethnic origins;

(a) grades K-2 performance standard: accept all playmates without regard to personal differences (i.e., age, race, ethnicity, gender, ability level, etc.);

(b) grades 3-4 performance standard: demonstrate the ability to successfully work in a variety of cultural or ethnic activities;

(4) grades K-4 benchmark 4: recognize how the media, particularly advertising, influences the perception of ideal body types;

(a) grades K-2 performance standard: identify the three human somatotypes (endomorph, ectomorph and mesomorph) and recognize own healthy body type;

(b) grades 3-4 performance standards:

(i) differentiate between body type presented in the media and own healthy body type;

(ii) identify lifestyle factors that can be controlled and their impact on health and wellness.

G. Content standard 7: Understands that physical activity provides opportunities for enjoyment, challenge, self-expression and social interaction. Students will:

(1) grades K-4 benchmark 1: identify physical activities that are enjoyable;

(a) grades K-2 performance standard: identify several individual and dual physical activities that they find personally enjoyable;

(b) grades 3-4 performance standard: explain the enjoyable characteristics of small group physical activities;

(2) grades K-4 benchmark 2: practice physical activities to increase skills;

(a) grades K-2 performance standards:

(i) willingly try new activities;

(ii) continue to participate when not successful on the first attempt;

(b) grades 3-4 performance standards:

(i) willingly try new activities;

(ii) voluntarily initiate skill practice to improve performance;

(3) grades K-4 benchmark 3: demonstrate interaction with others while participating in physical activities;

(a) grades K-2 performance standards:

(i) celebrate personal successes and achievements and those of others;

(ii) cooperate and share with partners in physical activities;

(b) grades 3-4 performance standards:

(i) celebrate personal successes and achievements and those of others;

(ii) interact with others by helping them successfully complete their small- group physical activity challenges;

(4) grades K-4 benchmark 4: use physical activity as a measure of self-expression;

(a) grades K-2 performance standard: create movement sequences that are personally interesting and satisfying;

(b) grades 3-4 performance standard: design a movement sequence/game that includes all members of the group in the success of the activity.

[6.29.9.8 NMAC - Rp, 6.30.2.20 NMAC, 6-30-2009]

#### **6.29.9.9 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR PHYSICAL EDUCATION, Grades 5-8:**

A. Content standard 1: Demonstrates competency in many movement forms and proficiency in a few movement forms. Students will:

(1) grades 5-8 benchmark 1: demonstrate proficiency in combining basic skills for participating in a variety of physical fitness activities: aquatics, dance, out-

door pursuits, individual activities/sports and team activities/sports;

(a) grades 5-6 performance standards:

(i) using basic team sport skills, students will reproduce sequences of combined skills in practice situations and modified games (i.e., basketball: pivot and shoot; receive a pass and dribble; soccer: receive and control; dribble and shoot; baseball/softball: run and slide; catch and throw, etc.);

(ii) using basic individual activity skills, students will reproduce sequences of combined skills in practice situations and modified activities (i.e., table tennis: stance, grip, serve, return-forehand/backhand; aerobic: in rhythm high step, squat step, boxes, grapevine, low march; roller blades: stand up, "V" push, turn, stop, etc.);

(b) grades 7-8 performance standards:

(i) using basic team sport skills, students will display a combination of skills in response to a variety of game situations (i.e., basketball: receive, pivot, dribble, shoot; soccer: receive, control, dribble, pass/shoot; baseball/softball: batting, base running, sliding, etc.);

(ii) using basic individual activity skills, students will display a combination of skills in response to a variety of activity situations (i.e., tennis: serve, center court, forehand; golf: drive, chip, pitch, putt determined by lay of the ball; wall climbing: "on belay," 3-point contact, climb with legs, stabilize with arms, etc.);

(2) grades 5-8 benchmark 2: demonstrate proficiency using basic offensive and defensive strategies while playing a modified version of a learned team and individual sport;

(a) grades 5-6 performance standards:

(i) for team sports, in a practice situation, defensive players will show and maintain proper position and techniques while offensive players use practiced plays and deception to attempt to move to open space;

(ii) for dual sports, during practice and game situations, students will reproduce sequences of basic techniques and skills consisting of: foot work, court position, offensive and defensive strokes, placement of projectile and court position in relation to partner;

(b) grades 7-8 performance standards:

(i) for team sports, in a game situation, defensive players will show and maintain proper position and techniques while offensive players use practiced plays and deception to move to open space;

(ii) for dual sports, dur-

ing game situations, students will reproduce sequences of basic techniques and skills consisting of: foot work, court position, offensive and defensive strokes, placement of projectile and court position in relation to partner.

B. Content standard 2: Applies movement concepts and principles to the learning and development of motor skills. Students will:

(1) grades 5-8 benchmark 1: demonstrate competency in the use of the concepts of body, effort, space and relationships in movement;

(a) grades 5-6 performance standard: describe how changing effort affects the outcome of a sport skill (i.e., tennis: smash versus lob; basketball: lay up versus three-point shot; track: long distance run versus sprint, etc.);

(b) grades 7-8 performance standard: describe how spatial relationships with other players affect outcomes during playing situations (i.e., badminton: up and back or side by side position; basketball: one on one or zone; soccer: outcomes of passing and receiving, etc.);

(2) grades 5-8 benchmark 2: demonstrate competency in the use of motor skills, motor behaviors and motor learning concepts in increasingly complex movement situations;

(a) grades 5-6 performance standard: use increasingly complex skills and movements to achieve the desired level of motor skill and performances (i.e., progress from dribbling without opposition to dribbling with opposition to dribbling in a game situation, etc.);

(b) grades 7-8 performance standards:

(i) detect and correct errors in personal performance, based on knowledge of results, while participating in selected activities;

(ii) analyze a task to identify movement skills, how they are sequenced and how they are applied to produce a desired outcome;

(3) grades 5-8 benchmark 3: demonstrate competency in the use of critical elements of fundamental and specialized movement skills; grades 5-8 performance standards:

(a) apply knowledge of results to correct and improve future performance;

(b) demonstrate ability to analyze a movement pattern by using knowledge of its critical elements (i.e., self-analysis and peer observation, etc.).

C. Content standard 3: Exhibits knowledge and ability to participate in a physically active lifestyle. Students will:

(1) grades 5-8 benchmark 1: be able to set personal physical activity goals

and participate in individualized programs of physical activity and exercise;

(a) grades 5-6 performance standards:

(i) list and describe the benefits of setting personal fitness goals;

(ii) maintain heart rate within the target heart rate zone (i.e., demonstrate proper technique of taking heart rate, explain target heart rate zone, etc.);

(iii) choose physical activities with the intent to improve and or maintain each of the following health-related fitness components: muscular strength (i.e., push-ups, thera-bands, weights, pull-ups, tumbling, etc.); endurance (i.e., running, aerobic activities, etc.); flexibility (i.e., stretching/warm-up, cool-down activities, tumbling, etc.); cardiovascular (i.e., running and aerobic activities, etc.); body composition (i.e., toning activities, aerobic/anaerobic activities, weight training, etc.);

(b) grades 7-8 performance standards:

(i) analyze and interpret personal fitness data in order to establish personal fitness/activity goals;

(ii) maintain heart rate within the target heart rate zone (i.e., apply personal target heart rate data into an individualized personal physical activity, etc.);

(iii) choose and record levels of participation in physical activities with the intent to improve and or maintain each of the following components of health-related fitness: muscular strength (i.e., push-ups, thera-bands, weights, pull-ups, tumbling, etc.); endurance (i.e., running, aerobic activities, etc.); flexibility (i.e., stretching/warm-up, cool-down activities, tumbling, etc.); cardiovascular (i.e., running and aerobic activities, etc.); body composition (i.e., toning activities, aerobic/anaerobic activities, weight training, etc.).

(2) grades 5-8 benchmark 2: determine long-term benefits that may result from regular participation in physical activity;

(a) grades 5-6 performance standards:

(i) comprehend the benefits of physical activity (i.e., list and describe the health risks associated with an inactive lifestyle, list and describe the benefits of active lifestyles, etc.);

(ii) recognize the difference between anaerobic and aerobic fitness activities;

(b) grades 7-8 performance standards:

(i) analyze and illustrate the benefits of physical activity (i.e., differentiate inactive versus active lifestyles;

(ii) outline the health risk factors associated with an inactive lifestyle versus an active lifestyle, etc.);

(iii) compare and contrast the difference between aerobic and anaerobic fitness activities.

D. Content standard 4: Achieves and maintains a health-enhancing level of physical fitness. Students will:

(1) grades 5-8 benchmark 1: participate in physical activities that address each health-related physical fitness component;

(a) grades 5-6 performance standards:

(i) engage in appropriate physical activity that results in the development of cardiovascular endurance;

(ii) select appropriate fitness activities that require muscular strength and muscular endurance;

(iii) comprehend the benefits of flexibility;

(iv) explain the benefits of a healthy body composition;

(b) grades 7-8 performance standards:

(i) analyze appropriate physical activities that result in the development of cardiovascular endurance;

(ii) demonstrate and identify fitness activities that require muscular strength and muscular endurance;

(iii) select appropriate flexibility activities;

(iv) identify the benefits of a healthy body composition versus the risks of an unhealthy body composition;

(2) grades 5-8 benchmark 2: assess personal fitness status within each health-related physical fitness component;

(a) grades 5-6 performance standard: comprehend personal fitness data and recognize individual strengths and weaknesses;

(b) grades 7-8 performance standard: analyze personal fitness data and evaluate individual strengths and weaknesses;

(3) grades 5-8 benchmark 3: interpret the results of physical fitness assessments and use this information to develop individualized physical fitness goals with guidance from the teacher;

(a) grades 5-6 performance standards:

(i) comprehend personal fitness data and recognize individual strengths and weaknesses;

(ii) choose appropriate physical activities to maintain and or improve strengths and weaknesses;

(b) grades 7-8 performance standards:

(i) analyze personal fitness data and evaluate individual strengths and weaknesses;

(ii) generate an appropriate physical fitness plan to maintain and or improve strengths and weaknesses;

(4) grades 5-8 benchmark 4: evaluate the effectiveness of exercise and other factors to obtain personal fitness goals;

(a) grades 5-6 performance standard: identify the components of a fitness program and apply them to personal fitness plans (i.e., include more aerobic activities, adjust sets and reps in strength programs, etc.);

(b) grades 7-8 performance standard: analyze the effectiveness of current fitness programs and revise physical fitness activities to meet fitness goals (i.e., include more aerobic activities, adjust sets and reps in strength programs, etc.).

E. Content standard 5: Demonstrates responsible personal and social behavior in physical activity settings. Students will:

(1) grades 5-8 benchmark 1: select and utilize safety principles in physical activity settings; grades 5-8 performance standards:

(a) use equipment appropriately (i.e., use specific equipment for intended purposes, proper care and management of equipment, etc.);

(b) follow general classroom and specific activity rules (i.e., treat each other with respect, honor specific boundaries, use appropriate personal contact, positive response to teachers' instruction/comments, distinguish between compliance and non-compliance with rules and regulations and apply agreed-upon consequences when officiating, etc.);

(c) follow established emergency procedures (i.e., first aid, fire drills, etc.); wear appropriate activity attire properly (i.e., shoes and socks, clothing specific to activity, clothing specific to school and district rules, no potentially harmful accessories, etc.);

(2) grades 5-8 benchmark 2: exhibit appropriate personal and group conduct while engaging in physical activity; grades 5-8 performance standards:

(a) identify a bullying situation and respond appropriately (i.e., refer to specific district "bully proofing" programs/parameters, go to a safe adult when in an unsafe situation, etc.);

(b) identify a sexual harassment situation and respond appropriately (i.e., refer to specific district regulations/policies, go to a safe adult when in an unsafe situation, demonstrate use of appropriate language and personal contact during physical activities, etc.);

(c) accept responsibility for own actions and modify behaviors accordingly (i.e., take self out of negative situation, go to a safe adult in an unsafe situation, etc.);

(3) grades 5-8 benchmark 3: recognize the influence of peer pressure and make appropriate decisions using problem-solving techniques to resolve conflict; grades 5-8 performance standards:

(a) identify/make positive choices in a variety of physical education settings (i.e., no teasing, name calling - use positive language, follow physical safety rules, follow all game/activity rules, etc.);

(b) recognize and ignore poor behavior choices of peers (i.e., identify bullying behaviors, identify sexual harassment behaviors, etc.);

(c) list coping skills for dealing with negative behaviors (i.e., bully proofing, sexual harassment awareness, peer mediation, conflict resolution, etc.);

(d) when in conflict, use appropriate problem-solving techniques (i.e., conflict mediation, cooperative discipline techniques, small group discussion/processing, etc.);

(e) identify and list components of sportsmanship (i.e., differentiate between positive and negative sportsmanship, fair play, respect referee's decision, understand importance of following rules, adhere to good sportsmanship concepts/ideas, etc.);

(f) demonstrate ability to apply concepts of good sportsmanship (i.e., as participant, as spectator, as referee, as coach, etc.);

(4) grades 5-8 benchmark 4: work cooperatively with a group to achieve group goals; grades 5-8 performance standards:

(a) explain aspects of cooperative activities;

(b) participate positively in team building/cooperative activities;

(c) apply listening skills;

(d) explain different styles of leadership skills;

(e) demonstrate importance of positive attitudes (i.e., communication, body language and listening skills, etc.);

(f) explain what it means to be a good team player;

(g) analyze cause and effect during physical activities.

F. Content standard 6: Demonstrates understanding and respect for differences among people in physical activity settings. Students will:

(1) grades 5-8 benchmark 1: identify the contribution that physical activity plays in multicultural/ethnic awareness and in the acceptance of all peers;

(a) grades 5-6 performance standards:

(i) identify/explain the role of games, sports and dance in getting to know and understand various cultures;

(ii) distinguish the differences between varying cultures and their "native" sports/activities;

(b) grades 7-8 performance standards:

(i) describe why certain sports/dances/activities are more prevalent in specific countries/cultures;

(ii) describe why "I" (student) participate in certain sports/dance/activities based on my culture;

(iii) research and present an unfamiliar game or dance from another country;

(2) grades 5-8 benchmark 2: acknowledge all people of different gender, culture, ethnicity and disability and seek to learn more about both similarities and differences; grades 5-8 performance standards:

(a) understand the need for game modifications to allow persons with special needs to participate;

(b) recognize the diverse attributes of age, race, ethnicity, gender and ability level and acknowledge how these differences can enhance group activities;

(c) participate in games/activities in which handicapping conditions are simulated (i.e., wheelchair basketball, etc.);

(d) describe the social dynamics that occur when peers participate with partners in cooperative activities;

(3) grades 5-8 benchmark 3: analyze how the media, particularly advertising, influences the perception of ideal body types; grades 5-8 performance standards:

(a) initiate discussion of media influences on behavior choices (i.e., print, radio, TV, etc.);

(b) explain/describe how media influences our consumer choices and personal/physical self-concept;

(c) describe differences between healthy bodies and media-generated bodies;

(d) produce a media advertisement that promotes the benefits of an active and healthy lifestyle.

G. Content standard 7: Understands that physical activity provides opportunities for enjoyment, challenge, self-expression and social interaction. Students will:

(1) grades 5-8 benchmark 1: participate in physical activity; grades 5-8 performance standards:

(a) identify a variety of physical activities that will provide satisfaction and lead to continued participation;

(b) choose to participate consistently in games, sports, dance and outdoor activities, both in and out of school, based on individual interests and capabilities (i.e., at school during self-selection times, after-school free time, teams, lessons, family recreation, etc.);

(c) identify benefits of participating in physical activities throughout one's lifetime (i.e., discussion, lists, outline, role playing, etc.);

(d) show a desire to improve one's own physical ability, fitness level and performance (i.e., fitness journals, activity calendars, fitness level assessments, etc);

(2) grades 5-8 benchmark 2: participate in new and challenging physical activities;

(a) grades 5-6 performance standards:

(i) identify opportunities in school and community that encourage/allow for regular participation in physical activity (i.e., community bulletin boards, online searches, class discussions, etc);

(ii) actively choose and join in on new activities in and out of the school environment (i.e., recess, self-selection times, after-school clubs, family recreation time, etc.);

(b) grades 7-8 performance standards:

(i) develop a matrix of available school and community physical activity resources;

(ii) demonstrate a willingness to try an unfamiliar position within the context of a practice or a game situation (i.e., offense versus defense, guard versus forward, catcher versus pitcher, etc.);

(3) grades 5-8 benchmark 3: identify the social benefits of participation in physical activity; grades 5-8 performance standards:

(a) identify basic ideals of fair play, acceptance of rules and group communication (i.e., give appropriate feedback to partners and teammates, etc.);

(b) appreciate the challenging aspects of competition with self and others (i.e., praise opponents, accept teammates' and opponents' contributions, enjoy physical activity for its own sake, etc.);

(c) sharing feelings of satisfaction felt as a result of physical activity (i.e., improved individual self-esteem, good feelings gained from being part of a team, activity journals, class discussions, etc.);

(4) grades 5-8 benchmark 4: practice and demonstrate physical activity as a vehicle for self-expression; grades 5-8 performance standards:

(a) identify and use a variety of physical activities and movements to communicate ideas and feelings (i.e., dance, sports, gymnastics, intensity levels, etc.);

(b) demonstrate aesthetic appreciation of skilled movement of the body (i.e., create body silhouettes, etc.);

(c) identify and describe personal feelings resulting from participation in physical activity (i.e., journals, activity calendars, peer mentoring, class discussions, etc.);

(d) exhibit appropriate protocol during dance, fine arts or other physical

activity events.

[6.29.9.9 NMAC - Rp, 6.30.2.20 NMAC, 6-30-2009]

### 6.29.9.10 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR PHYSICAL EDUCATION, Grades 9-12:

A. Content standard 1: Demonstrates competency in many movement forms and proficiency in a few movement forms. Students will: grades 9-12 benchmark: demonstrate proficiency in at least one activity from three of the six following categories of activities: aquatics, dance, outdoor pursuits, individual activities/sports and team activities/sports; grades 9-12 performance standards:

(1) identify the critical elements contained in the preparatory, action and follow-through phases of movement;

(2) analyze the critical elements contained in the preparatory, action and follow-through phases of movement;

(3) evaluate skill based on self, peer and teacher feedback while utilizing sound principles of biomechanics;

(4) modify and transition future skill performances based on self, peer and teacher feedback while utilizing sound principles of biomechanics to guide skill improvement.

B. Content standard 2: Applies movement concepts and principles to the learning and development of motor skills. Students will: grades 9-12 benchmark: apply scientific principles to learn and improve skills; grades 9-12 performance standards:

(1) explain and demonstrate motor learning cues to help regulate their physical performance;

(2) explain the principles of exercise science and demonstrate the understanding of physiological changes that occur to the body due to the efficiency of movement, training and the aging process;

(3) apply biomechanical concepts while identifying basic biomechanical principles of movement (i.e., leverage, torque, transfer of energy and angular velocity, mass and momentum, net joint torque, etc.);

(4) identify and utilize biomechanical, motor development, exercise physiology and motor learning concepts to learn and improve skills.

C. Content standard 3: Exhibits knowledge and ability to participate in a physically active lifestyle. Students will:

(1) grades 9-12 benchmark 1: participate in physical activities which contribute to the attainment of personal goals and the maintenance of wellness; grades 9-12 performance standards:

(a) identify realistic personal fit-

ness goals based on a pre-assessment;

(b) maintain a personal fitness program by using exercise strategies (i.e., goal statements, graphs, charts, software, log books, etc.);

(2) grades 9-12 benchmark 2: monitor exercise, eating and other behaviors related to a healthy lifestyle; grades 9-12 performance standard: demonstrate an understanding of chronic sedentary diseases and at-risk behaviors (i.e., smoking, alcohol consumption, drug use, etc.) as they pertain to health-related fitness (i.e., track, identify and draw conclusions about personal nutrition and physical activity and how it relates to one's personal health, etc.);

(3) grades 9-12 benchmark 3: understand how activity participation patterns are likely to change throughout life and identify strategies to deal with those changes; grades 9-12 performance standards:

(a) identify and explain the physiological challenges and metabolic changes that occur to the human body across the lifespan;

(b) create a physical activity and nutrition plan for the different stages of life based on personal health history, areas of interest and desired individual outcomes;

(4) grades 9-12 benchmark 4: use scientific knowledge to analyze personal characteristics that relate to participation in physical activities; grades 9-12 performance standards:

(a) use technology and scientific methods to collect data in order to analyze personal physical activity patterns (i.e., pedometers, heart rate monitors, activity-gram, etc.);

(b) analyze different physical activities to determine a well-balanced health-related fitness program to help enhance overall fitness (i.e., cardiovascular, muscular endurance, muscular strength, flexibility activities, etc.).

D. Content standard 4: Achieves and maintains a health-enhancing level of physical fitness. Students will:

(1) grades 9-12 benchmark 1: recognize the importance of participation in physical activity on a regular basis; grades 9-12 performance standard: maintain a personal fitness program by using exercise strategies (i.e., goal statements, graphs, charts, software, log books, etc.);

(2) grades 9-12 benchmark 2: demonstrate independence in assessing, achieving and maintaining personal health-related fitness goals; grades 9-12 performance standard: demonstrate the ability and knowledge to self-assess health-related fitness levels (i.e., resting heart rate, recovery heart rate, target heart rate, heart rate zone, muscular strength, endurance, flexibility, body composition, etc.) based upon health-related fitness criteria (i.e., develop strate-

gies for achieving and maintaining a personal fitness program);

(3) grades 9-12 benchmark 3: design personal fitness programs that encompass all health-related physical fitness components; grades 9-12 performance standards:

(a) provide rationale for the use of scientific concepts in the development of one's fitness program;

(b) provide rationale for the principles of frequency, intensity, time and type;

(c) demonstrate a knowledge base on training principles (i.e., progression, overload, specificity, etc.);

(d) create a scientifically-based personal fitness program that encompasses cardiovascular, muscular strength, muscular endurance, flexibility and body composition principles in the fitness plan.

E. Content standard 5: Demonstrates responsible personal and social behavior in physical activity settings. Students will:

(1) grades 9-12 benchmark 1: identify and evaluate risks and safety factors that may affect physical activity choices throughout the life cycle; grades 9-12 performance standards:

(a) adhere to the general classroom and specific activity rules as well as assisting with the care of the equipment and facilities;

(b) apply appropriate etiquette in all activities;

(2) grades 9-12 benchmark 2: initiate independent and responsible personal behavior in physical activity settings; grades 9-12 performance standard: follow general classroom and specific activity rules to insure physical and emotional safety;

(3) grades 9-12 benchmark 3: recognize the influence of peer pressure and exhibit appropriate strategies for conflict resolution; grades 9-12 performance standards:

(a) demonstrate the ability to make responsible decisions regardless of peer pressure;

(b) accept consequences of personal choices;

(c) openly discuss conflicts with the teacher and others involved while using conflict resolution skills;

(4) grades 9-12 benchmark 4: accept leadership responsibility and a willingness to follow, as appropriate, in order to accomplish group goals; grades 9-12 performance standard: distinguish between group member roles (e.g. leader, follower, etc.) and act accordingly to accomplish group goals.

F. Content standard 6: Demonstrates understanding and respect for differences among people in physical activity settings. Students will:

(1) grades 9-12 benchmark 1: identify the effects of age, gender, race, ethnicity, socioeconomic standing and culture upon physical activity choices and participation; grades 9-12 performance standards:

(a) discuss why social differences and other aspects keep young adults from participating in an active lifestyle;

(b) acknowledge the attributes that individuals with differences bring to a group;

(2) grades 9-12 benchmark 2: develop strategies for including persons of diverse backgrounds and abilities in physical activity; grades 9-12 performance standards:

(a) recognize the importance of working cooperatively with persons of diverse backgrounds and abilities during any activity;

(b) display a sensitive attitude and a willingness to participate with others in physical activities;

(3) grades 9-12 benchmark 3: evaluate how the media, particularly advertising, influence the perception of the ideal body types; grades 9-12 performance standards:

(a) recognize that media messages are trying to sell products;

(b) know that billboards, magazines and television will show idealistic body types;

(c) critically analyze advertising messages; create print ads endorsing healthy lifestyles.

G. Content standards 7: Understands that physical activity provides opportunities for enjoyment, challenge, self-expression and social interaction. Students will:

(1) grades 9-12 benchmark 1: Maintain and improve physical fitness, motor skills and knowledge about physical activity; grades 9-12 performance standards:

(a) select activities that are enjoyable and promote fitness;

(b) identify activities that best fit their individual needs;

(c) choose activities outside of school that provide challenges and social interaction;

(d) recognize intrinsic value of physical activity;

(2) grades 9-12 benchmark 2: evaluate the importance of physical activity and healthy nutrition as part of one's lifestyle; grades 9-12 performance standards:

(a) identify key reasons to develop and maintain physical activity and healthy eating habits;

(b) recognize the connections with lifestyle choices regarding activity and nutrition and the impact on health;

(3) grades 9-12 benchmark 3:

analyze time, cost and accessibility factors related to regular participation in physical activities; grades 9-12 performance standards:

(a) identify barriers and enablers to regular physical activity specific to his or her situation;

(b) create a time management plan to facilitate regular physical activity participation;

(4) grades 9-12 benchmark 4: recognize the feelings that result from physical activity participation; grades 9-12 performance standards:

(a) reflect on reasons for choosing to participate in selected physical activity;

(b) create self rewards for achieving personal fitness goals;

(c) experience the feeling of satisfaction about personal fitness accomplishments;

(d) evaluate the physical, social and psychological benefits of a healthy and active lifestyle.

[6.29.9.10 NMAC - Rp, 6.30.2.20 NMAC, 6-30-2009]

#### **HISTORY OF 6.29.9 NMAC:**

**Pre-NMAC HISTORY:** The material in this part is derived from that previously filed with the State Records Center:

SDE 74-17, (Certificate No. 74-17), Minimum Educational Standards for New Mexico Schools, filed April 16, 1975.

SDE 76-9, (Certificate No. 76-9), Minimum Education Standards for New Mexico Schools, filed July 7, 1976.

SDE 78-9, Minimum Education Standards for New Mexico Schools, filed August 17, 1978.

SBE 80-4, Educational Standards for New Mexico Schools, filed September 10, 1980.

SBE 81-4, Educational Standards for New Mexico Schools, filed July 27, 1981.

SBE 82-4, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed November 16, 1982.

SBE Regulation No. 83-1, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed June 24, 1983.

SBE Regulation 84-7, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed August 27, 1984.

SBE Regulation 85-4, Educational Standards for New Mexico Schools, Basic, Special Education, and Vocational Programs, filed October 21, 1985.

SBE Regulation No. 86-7, Educational Standards for New Mexico Schools, filed September 2, 1986.

SBE Regulation No. 87-8, Educational Standards for New Mexico Schools, filed February 2, 1988.

SBE Regulation No. 88-9, Educational Standards for New Mexico Schools, filed October 28, 1988.

SBE Regulation No. 89-8, Educational Standards for New Mexico Schools, filed November 22, 1989.

SBE Regulation No. 90-2, Educational Standards for New Mexico Schools, filed September 7, 1990.

SBE Regulation No. 92-1, Standards for Excellence, filed January 3, 1992.

#### **History of Repealed Material:**

6.30.2 NMAC, Standards for Excellence, filed November 2, 2000 - Repealed effective June 30, 2009.

#### **NMAC History:**

6 NMAC 3.2, Standards for Excellence, filed October 17, 1996.

6.30.2 NMAC, Standards for Excellence, November 2, 2000, replaced by 6.29.1 NMAC, General Provisions; 6.29.2 NMAC, Arts Education; 6.29.3 NMAC, Career and Technical Education; 6.29.4 NMAC, English Language Arts; 6.29.5 NMAC, English Language Development; 6.29.6 NMAC, Health Education; 6.29.7 NMAC, Mathematics; 6.29.8 NMAC, Modern, Classical and Native Languages; 6.29.9 NMAC, Physical Education; 6.29.10 NMAC, Science; 6.29.11 NMAC, Social Studies; effective June 30, 2009.

## **NEW MEXICO PUBLIC EDUCATION DEPARTMENT**

### **TITLE 6 PRIMARY AND SECONDARY EDUCATION CHAPTER 29 STANDARDS FOR EXCELLENCE PART 10 SCIENCE**

**6.29.10.1 ISSUING AGENCY:** Public Education Department, hereinafter the department.  
[6.29.10.1 NMAC - N, 6-30-2009]

**6.29.10.2 SCOPE:** All public schools, state educational institutions and educational programs conducted in state institutions other than New Mexico military institute.  
[6.29.10.2 NMAC - N, 6-30-2009]

#### **6.29.10.3 STATUTORY AUTHORITY:**

A. Section 22-2-2 NMSA 1978 grants the authority and responsibility for the assessment and evaluation of public schools, state-supported educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

B. Section 22-2-2 NMSA

1978 directs the department to set graduation expectations and hold schools accountable. Section 22-2C-3 NMSA 1978 requires the department to adopt academic content and performance standards and to measure the performance of public schools in New Mexico.

[6.29.10.3 NMAC - N, 6-30-2009]

**6.29.10.4 DURATION:** Permanent.

[6.29.10.4 NMAC - N, 6-30-2009]

**6.29.10.5 EFFECTIVE DATE:** June 30, 2009, unless a later date is cited at the end of a section.

[6.29.10.5 NMAC - N, 6-30-2009]

**6.29.10.6 OBJECTIVE:** The New Mexico content standards with benchmarks and performance standards for science provide a framework of required knowledge and skills in this field. The content standards with benchmarks and performance standards for science were adopted in 1996 as part of 6.32 NMAC; they were replaced in 2003. They are mandated for grades K-12. For grades 9-12, three units in science shall be required, one of which shall have a laboratory component.

[6.29.10.6 NMAC - N, 6-30-2009]

**6.29.10.7 DEFINITIONS:** [Reserved]

#### **6.29.10.8 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR SCIENCE, Grades K-4:**

A. Strand 1: Scientific thinking and practice. Content standard 1: Students will understand the processes of scientific investigations and use inquiry and scientific ways of observing, experimenting, predicting and validating in order to think critically. Students will:

(1) grades K-4 benchmark 1: use scientific methods to observe, collect, record, analyze, predict, interpret and determine reasonableness of data;

(a) grade K performance standards:

(i) use observation and questioning skills in science inquiry (e.g., "What happens when something is pushed or pulled?");

(ii) ask and answer questions about surroundings and share findings with classmates;

(iii) record observations and data with pictures, numbers and symbols;

(b) grade 1 performance standards:

(i) make observations, develop simple questions and make com-

parisons of familiar situations (e.g., “What does the seed look like when it starts to grow?”);

(ii) describe relationships between objects (e.g., above, next to, below) and predict the results of changing the relationships (e.g., “When that block moves, what will happen to the one next to it?”);

(c) grade 2 performance standards:

(i) conduct simple investigations (e.g., measure the sizes of plants of the same kind that are grown in sunlight and in shade);

(ii) use tools to provide information not directly available through only the senses (e.g., magnifiers, rulers, thermometers);

(iii) make predictions based on observed patterns as opposed to random guessing;

(iv) follow simple instructions for a scientific investigation;

(d) grade 3 performance standards:

(i) make new observations when discrepancies exist between two descriptions of the same object or phenomenon to improve accuracy;

(ii) recognize the difference between data and opinion;

(iii) use numerical data in describing and comparing objects, events and measurements;

(iv) collect data in an investigation and analyze those data;

(v) know that the same scientific laws govern investigations in different times and places (e.g., gravity, growing plants);

(e) grade 4 performance standards:

(i) use instruments to perform investigations (e.g., timers, balances) and communicate findings;

(ii) differentiate observation from interpretation and understand that a scientific explanation comes in part from what is observed and in part from how the observation is interpreted;

(iii) conduct multiple trials to test a prediction, draw logical conclusions and construct and interpret graphs from measurements;

(iv) collect data in an investigation using multiple techniques, including control groups, and analyze those data to determine what other investigations could be conducted to validate findings;

(2) grades K-4 benchmark 2: use scientific thinking and knowledge and communicate findings;

(a) grade K performance standard: communicate observations and answer questions about surroundings;

(b) grade 1 performance standard:

know that simple investigations do not always turn out as planned;

(c) grade 2 performance standards:

(i) understand that, in doing science, it is often helpful to work with a team and share findings;

(ii) make accurate observations and communicate findings about investigations;

(d) grade 3 performance standards:

(i) use a variety of methods to display data and present findings;

(ii) understand that predictions are based on observations, measurements and cause-and-effect relationships;

(e) grade 4 performance standards:

(i) communicate ideas and present findings about scientific investigations that are open to critique from others;

(ii) describe how scientific investigations may differ from one another (e.g., observations of nature, measurements of things changing over time);

(iii) understand how data are used to explain how a simple system functions (e.g., a thermometer to measure heat loss as water cools);

(3) grades K-4 benchmark 3: use mathematical skills and vocabulary to analyze data, describe patterns and relationships and communicate findings;

(a) grade K performance standard: observe and describe the relative sizes and characteristics of objects (e.g., bigger, brighter, louder, smellier);

(b) grade 1 performance standard: use numbers and mathematical language (e.g., “addition” instead of “add to,” “subtraction” instead of “take away”) to describe phenomena;

(c) grade 2 performance standards:

(i) record observations on simple charts or diagrams;

(ii) measure length, weight and temperature with appropriate tools and express those measurements in accurate mathematical language;

(d) grade 3 performance standards:

(i) use numerical data in describing and comparing objects, events and measurements;

(ii) pose a question of interest and present observations and measurements with accuracy;

(iii) use various methods to display data, present findings and communicate results in accurate mathematical language;

(e) grade 4 performance stan-

dards:

(i) conduct multiple trials using simple mathematical techniques to make and test predictions;

(ii) use mathematical equations to formulate and justify predictions based on cause-and-effect relationships;

(iii) identify simple mathematical relationships in a scientific investigation (e.g., the relationship of the density of materials that will or will not float in water to the density of water).

B. Strand 2: Content of science. Content standard 1. Physical science: Students will understand the structure and properties of matter, the characteristics of energy and the interactions between matter and energy. Students will:

(1) grades K-4 benchmark 1: recognize that matter has different forms and properties;

(a) grade K performance standards:

(i) observe that objects are made of different types of materials (e.g., metal, plastic, cloth, wood);

(ii) observe that different materials have different properties (e.g., color, odor);

(b) grade 1 performance standards:

(i) observe that the three states of matter (i.e., solids, liquids and gases) have different properties (e.g., water can be liquid, ice or steam);

(ii) describe simple properties of matter (e.g., hardness, flexibility, transparency);

(c) grade 2 performance standards:

(i) observe that properties of substances can change when they are mixed, cooled or heated (e.g., salt dissolves in water, ice melts);

(ii) describe the changes that occur when substances are heated or cooled and change from one state of matter to another (i.e., solid, liquid and gas);

(d) grade 3 performance standards:

(i) identify and compare properties of pure substances and mixtures (e.g., sugar, fruit juice);

(ii) separate mixtures based on properties (e.g., by size or by substance: rocks and sand, iron filings and sand, salt and sand);

(e) grade 4 performance standards:

(i) know that changes to matter may be chemical or physical, and when two or more substances are combined, a new substance may be formed with properties that are different from those of the original substances (e.g., white glue and

borax, cornstarch and water, vinegar and baking soda);

(ii) know that materials are made up of small particles (atoms and molecules) that are too small to see with the naked eye;

(iii) know that the mass of the same amount of material remains constant whether it is together, in parts or in a different state;

(2) grades K-4 benchmark 2: know that energy is needed to get things done and that energy has different forms;

(a) grade K performance standard: observe how energy does things (e.g., batteries, the sun, wind, electricity);

(b) grade 1 performance standard: observe and describe how energy produces changes (e.g., heat melts ice, gas makes car go uphill, electricity makes television work);

(c) grade 2 performance standards:

(i) describe how heat can be produced (e.g., burning, rubbing, mixing some substances);

(ii) know that heat moves more rapidly in thermal conductors (e.g., metal pan) than in insulators (e.g., plastic handle);

(iii) describe the usefulness of some forms of energy (e.g., electricity, sunlight, wind, sound) and how energy (e.g., heat, light) can affect common objects (e.g., sunlight warms dark objects, heat melts candles);

(iv) observe that sound is made by vibrating objects and describe it by its pitch and loudness;

(v) recognize that moving objects carry energy (kinetic energy);

(d) grade 3 performance standards:

(i) understand that light is a form of energy and can travel through a vacuum;

(ii) know that light travels in a straight line until it strikes an object and then it is reflected, refracted or absorbed;

(iii) measure energy and energy changes (e.g., temperature changes);

(iv) construct charts or diagrams that relate variables associated with energy changes (e.g., melting of ice over time);

(e) grade 4 performance standards:

(i) identify the characteristics of several different forms of energy and describe how energy can be converted from one form to another (e.g., light to heat, motion to heat, electricity to heat, light or motion);

(ii) recognize that ener-

gy can be stored in many ways (e.g., potential energy in gravity or springs, chemical energy in batteries);

(iii) describe how some waves move through materials (e.g., water, sound) and how others can move through a vacuum (e.g., x-ray, television, radio);

(iv) demonstrate how electricity flows through a simple circuit (e.g., by constructing one);

(3) grades K-4 benchmark 3: identify forces and describe the motion of objects;

(a) grade K performance standards:

(i) observe that things move in many different ways (e.g., straight line, vibration, circle);

(ii) know that pushing or pulling an object changes its position and motion (direction or speed);

(b) grade 1 performance standards:

(i) describe ways to make things move, what causes them to stop and what causes a change of speed or change of direction;

(ii) observe that gravity makes things fall to the ground unless something holds them up;

(c) grade 2 performance standards:

(i) describe how the strength of a push or pull affects the change in an object's motion (e.g., how a big or small push affects how high a swing rises);

(ii) observe that electrically-charged materials and magnets attract and repel each other, and observe their effects on other kinds of materials;

(d) grade 3 performance standards:

(i) recognize that magnets can produce motion by attracting some materials (e.g., steel) and have no effect on others (e.g., plastics);

(ii) describe how magnets have poles (N and S) and that like poles repel each other, while unlike poles attract;

(iii) observe that some forces produce motion without objects touching (e.g., magnetic force on nails);

(iv) describe motion on different time scales (e.g., the slow motion of a plant toward light, the fast motion of a tuning fork);

(e) grade 4 performance standards:

(i) know that energy can be carried from one place to another by waves (e.g., water waves, sound waves), by electric currents and by moving objects;

(ii) describe the motion of an object by measuring its change of position over a period of time;

(iii) describe how grav-

ity exerts more force on objects with greater mass (e.g., it takes more force to hold up a heavy object than a lighter one);

(iv) describe how some forces act on contact and other forces act at a distance (e.g., a person pushing a rock versus gravity acting on a rock).

C. Strand 2: Content of science. Content standard 2. Life science: Students will understand the properties, structures and processes of living things and the interdependence of living things and their environments. Students will:

(1) grades K-4 benchmark 1: know that living things have diverse forms, structures, functions and habitats;

(a) grade K performance standards:

(i) identify major structures of common living organisms (e.g., stems, leaves and roots of plants; arms, wings and legs of animals);

(ii) Observe that differences exist among individual living organisms (e.g., plants, animals) of the same kind;

(b) grade 1 performance standards:

(i) know that living organisms (e.g., plants, animals) have needs (e.g., water, air, food, sunlight);

(ii) know that living organisms (e.g., plants, animals) inhabit various environments and have various external features to help them satisfy their needs (e.g., leaves, legs, claws);

(iii) describe the differences and similarities among living organisms (e.g., plants, animals);

(iv) observe that living organisms (e.g., plants, animals) have predictable but varied life cycles;

(c) grade 2 performance standards:

(i) observe that diversity exists among individuals within a population;

(ii) observe and describe various shapes of fungi;

(iii) know that bacteria and viruses are germs;

(d) grade 3 performance standards:

(i) know that an adaptation in physical structure or behavior can improve an organism's chance for survival (e.g., horned toads, chameleons, cacti, mushrooms);

(ii) observe that plants and animals have structures that serve different functions (e.g., shape of animals' teeth);

(iii) classify common animals according to their observable characteristics (e.g., body coverings, structure);

(iv) classify plants

according to their characteristics (e.g., tree leaves, flowers, seeds);

(e) grade 4 performance standards:

(i) explain that different living organisms have distinctive structures and body systems that serve specific functions (e.g., walking, flying, swimming);

(ii) know that humans and other living things have senses to help them detect stimuli, and that sensations (e.g., hunger) and stimuli (e.g., changes in the environment) influence the behavior of organisms;

(iii) describe how roots are associated with the intake of water and soil nutrients, and how green leaves are associated with making food from sunlight (photosynthesis);

(iv) describe the components of and relationships among organisms in a food chain (e.g., plants are the primary source of energy for living systems);

(v) describe how all living things are made up of smaller units that are called cells;

(2) grades K-4 benchmark 2: know that living things have similarities and differences, and that living things change over time;

(a) grade K performance standards:

(i) observe and describe similarities and differences in the appearance and behaviors of living organisms (e.g., plants, animals);

(ii) observe that living organisms (e.g., plants, animals) closely resemble their parents;

(b) grade 1 performance standards:

(i) identify differences between living and non-living things;

(ii) recognize the differences between mature and immature plants and animals (e.g., trees/seedlings, dogs/puppies, cats/kittens);

(c) grade 2 performance standards:

(i) explain that stages of the life cycle are different for different animals (e.g., mouse, cat, horse, butterfly, frog);

(ii) observe that many characteristics of the offspring of living organisms (e.g., plants, animals) are inherited from their parents;

(iii) observe how the environment influences some characteristics of living things (e.g., amount of sunlight required for plant growth);

(d) grade 3 performance standards:

(i) identify how living things cause changes to the environments in which they live, and that some of these changes are detrimental to the organism and

some are beneficial;

(ii) know that some kinds of organisms that once lived on earth have become extinct (e.g., dinosaurs) and that others resemble those that are alive today (e.g., alligators, sharks);

(e) grade 4 performance standards:

(i) know that, in any particular environment, some kinds of plants and animals survive well, some survive less well and others cannot survive at all;

(ii) know that a change in physical structure or behavior can improve an organism's chance of survival (e.g., a chameleon changes color, a turtle pulls its head into its shell, a plant bends toward the light);

(iii) describe how some living organisms have developed characteristics from generation to generation to improve chances of survival (e.g., spines on cacti, long beaks on hummingbirds, good eyesight on hawks);

(3) grades K-4 benchmark 3: know the parts of the human body and their functions;

(a) grade K performance standards:

(i) use the senses (e.g., sight, hearing, smell, taste, touch) to observe surroundings and describe the observations;

(ii) identify the parts of the human body (e.g., legs, arms, head, hands) and the functions of these parts;

(b) grade 1 performance standards:

(i) describe simple body functions (e.g., breathing, eating);

(ii) describe the basic food requirements for humans;

(iii) describe how some parts of human bodies differ from similar parts of other animals (e.g., hands and feet or paws, ears);

(c) grade 2 performance standards:

(i) identify a variety of human organs (e.g., lungs, heart, stomach, brain);

(ii) know that various nutrients are required for specific parts and functions of the body (e.g., milk for bones and teeth, protein for muscles, sugar for energy);

(iii) identify the functions of human systems (e.g., respiratory, circulatory, digestive);

(d) grade 3 performance standards:

(i) know that bacteria and viruses are germs that affect the human body;

(ii) describe the nutrients needed by the human body;

(e) grade 4 performance standards:

(i) know that the human body has many parts that interact to function as systems (e.g., skeletal, muscular) and describe the parts and their specific functions in selected systems (e.g., the nose, lungs and diaphragm in the respiratory system);

(ii) recognize that the human body is organized from cells, to tissues, to organs, to systems, to the organism.

D. Strand 2: Content of science. Content standard 3. Earth and space science: Students will understand the structure of earth, the solar system and the universe, the interconnections among them and the processes and interactions of earth's systems. Students will:

(1) grades K-4 benchmark 1: know the structure of the solar system and the objects in the universe;

(a) grade K performance standards:

(i) observe that there are many objects in the night sky and that some are brighter than others;

(ii) describe the location and movements of objects in the sky (e.g., stars, sun, moon);

(b) grade 1 performance standards:

(i) observe the changes that occur in the sky as day changes into night and night into day;

(ii) describe the basic patterns of objects as they move through the sky (e.g., sun appears in the day, moon appears at night but can sometimes be seen during the day, sun and moon appear to move across the sky, moon appears to change shape over the course of a month);

(iii) recognize that the sun, moon and stars all appear to move slowly across the sky;

(c) grade 2 performance standards:

(i) observe that the phase of the moon appears a little different every day, but looks the same again after about four weeks;

(ii) observe that some objects in the night sky are brighter than others;

(iii) know that the sun is a star;

(d) grade 3 performance standards:

(i) describe the objects in the solar system (e.g., sun, earth and other planets, moon) and their features (e.g., size, temperature);

(ii) describe the relationships among the objects in the solar system (e.g., relative distances, orbital motions);

(iii) know that the pat-

tern of stars stays the same as they appear to move across the sky nightly;

(iv) observe that different constellations can be seen in different seasons;

(v) know that telescopes enhance the appearance of some distant objects in the sky (e.g., the moon, planets);

(e) grade 4 performance standards:

(i) understand that the number of stars visible through a telescope is much greater than the number visible to the naked eye;

(ii) know that there are various types of telescopes that use different forms of light to observe distant objects in the sky;

(iii) know that the pattern of stars (e.g., constellations) stays the same although they appear to move across the sky nightly, due to earth's rotation;

(2) grades K-4 benchmark 2: know the structure and formation of earth and its atmosphere and the processes that shape them;

(a) grade K performance standards:

(i) observe that changes in weather occur from day to day and season to season;

(ii) observe that the sun warms the land and water and they warm the air;

(b) grade 1 performance standards:

(i) know that simple tools can be used to measure weather conditions (e.g., thermometer, wind sock, handheld anemometer, rain gauge) and describe how measurements can be recorded from day to day and across seasons;

(ii) know that there are different climates (e.g., desert, arctic, rain forest);

(c) grade 2 performance standards:

(i) know that rocks have different shapes and sizes (e.g., boulders, pebbles, sand) and that smaller rocks result from the breaking and weathering of larger rocks;

(ii) understand that rocks are made of materials with distinct properties;

(iii) know that soil is made up of weathered rock and organic materials, and how soils differ in their capacity to support the growth of plants;

(iv) recognize the characteristics of the seasons;

(d) grade 3 performance standards:

(i) know that earth's features are constantly changed by a combi-

nation of slow and rapid processes that include the action of volcanoes, earthquakes, mountain building, biological changes, erosion and weathering;

(ii) know that fossils are evidence of earlier life and provide data about plants and animals that lived long ago;

(iii) know that air takes up space, is colorless, tasteless and odorless, and exerts a force;

(iv) identify how water exists in the air in different forms (e.g., in clouds and fog as tiny droplets, in rain, snow and hail) and changes from one form to another through various processes (e.g., freezing, condensation, precipitation, evaporation);

(e) grade 4 performance standards:

(i) know that the properties of rocks and minerals reflect the processes that shaped them (e.g., igneous, metamorphic and sedimentary rocks);

(ii) describe how weather patterns generally move from west to east in the United States;

(iii) know that local weather information describes patterns of change over a period of time (e.g., temperature, precipitation symbols, cloud conditions, wind speed/direction).

E. Strand 3: Science and society. Content standard 1: Students will understand how scientific discoveries, inventions, practices and knowledge influence and are influenced by individuals and societies. Students will:

(1) grades K-4 benchmark 1: describe how science influences decisions made by individuals and societies;

(a) grade K performance standards:

(i) recognize that germs exist and may cause disease;

(ii) describe how scientists help to provide products we use every day (e.g., gasoline for cars; electricity for lights, refrigerators, televisions; gas or electricity for heating and cooking);

(b) grade 1 performance standards:

(i) know that germs can be transmitted by touching, breathing and coughing, and that washing hands helps prevent the spread of germs;

(ii) describe how science has assisted in creating tools (e.g., plows, knives, telephones, cell phones, computers) to make life easier and more efficient;

(iii) describe how tools and machines can be helpful, harmful or both (e.g., bicycles, cars, scissors, stoves);

(iv) know that men and women of all ethnic and social backgrounds

practice science and technology;

(c) grade 2 performance standards:

(i) describe ways to prevent the spread of germs (e.g., soap, bleach, cooking);

(ii) know that science has ways to help living things avoid sickness or recover from sickness (e.g., vaccinations, medicine) and explain why adult supervision is needed to administer them;

(iii) know that some materials are better than others for making particular things (e.g., paper, cardboard, plastic, metal, fiberglass, wood);

(iv) understand that everybody can do science, invent things and formulate ideas;

(v) know that science has discovered many things about objects, events and nature, and that there are many more questions to be answered;

(d) grade 3 performance standards:

(i) describe how food packaging (e.g., airtight containers, date) and preparation (heating, cooling, salting, smoking, drying) extend food life and the safety of foods (e.g., elimination of bacteria);

(ii) know that science produces information for the manufacture and recycling of materials (e.g., materials that can be recycled - aluminum, paper, plastic - and others that cannot be recycled - gasoline);

(iii) know that naturally-occurring materials (e.g., wood, clay, cotton, animal skins) may be processed or combined with other materials to change their properties;

(iv) know that using poisons can reduce the damage to crops caused by rodents, weeds and insects, but their use may also harm other plants, animals or the environment;

(e) grade 4 performance standards:

(i) know that science has identified substances called pollutants that get into the environment and can be harmful to living things;

(ii) know that, through science and technology, a wide variety of materials not appearing in nature have become available (e.g., steel, plastic, nylon, fiber optics);

(iii) know that science has created ways to store and retrieve information (e.g., paper and ink, printing press, computers, CD-ROMs) but that these are not perfect (e.g., faulty programming, defective hardware);

(iv) know that both men and women of all races and social backgrounds choose science as a career.

[6.29.10.8 NMAC - Rp, 6.30.2.15 NMAC, 6-30-2009]

**6.29.10.9 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR SCIENCE, Grades 5-8:**

A. Strand 1: Scientific thinking and practice. Content standard 1: Students will understand the processes of scientific investigations and use inquiry and scientific ways of observing, experimenting, predicting and validating in order to think critically. Students will:

(1) grades 5-8 benchmark 1: use scientific methods to develop questions, design and conduct experiments using appropriate technologies, analyze and evaluate results, make predictions and communicate findings;

(a) grade 5 performance standards:

(i) plan and conduct investigations, including: formulating testable questions, making systematic observations, developing logical conclusions and communicating findings;

(ii) use appropriate technologies (e.g., calculators, computers, balances, spring scales, microscopes, etc.) to perform scientific tests and to collect and display data;

(iii) use graphic representations (e.g., charts, graphs, tables, labeled diagrams) to present data and produce explanations for investigations;

(iv) describe how credible scientific investigations use reproducible elements including single variables, controls and appropriate sample sizes to produce valid scientific results;

(v) communicate the steps and results of a scientific investigation;

(b) grade 6 performance standards:

(i) construct appropriate graphs from data and develop qualitative and quantitative statements about the relationships between variables being investigated;

(ii) examine the reasonableness of data supporting a proposed scientific explanation;

(iii) justify predictions and conclusions based on data;

(c) grade 7 performance standards:

(i) use a variety of print and web resources to collect information, inform investigations and answer a scientific question or hypothesis;

(ii) use models to explain the relationships between variables being investigated.

(d) grade 8 performance standards:

(i) evaluate the accuracy and reproducibility of data and observations;

(ii) use a variety of technologies to gather, analyze and interpret scientific data;

(iii) know how to recognize and explain anomalous data;

(2) grades 5-8 benchmark 2: understand the processes of scientific investigation and how scientific inquiry results in scientific knowledge;

(a) grade 5 performance standards:

(i) understand that different kinds of investigations are used to answer different kinds of questions (e.g., observations, data collection, controlled experiments);

(ii) understand that scientific conclusions are subject to peer and public review;

(b) grade 6 performance standards:

(i) understand that scientific knowledge is continually reviewed, critiqued and revised as new data become available;

(ii) understand that scientific investigations use common processes that include the collection of relevant data and observations, accurate measurements, the identification and control of variables and logical reasoning to formulate hypotheses and explanations;

(iii) understand that not all investigations result in defensible scientific explanations;

(c) grade 7 performance standards:

(i) describe how bias can affect scientific investigation and conclusions;

(ii) critique procedures used to investigate an hypothesis;

(iii) analyze and evaluate scientific explanations;

(d) grade 8 performance standards:

(i) examine alternative explanations for observations;

(ii) describe ways in which science differs from other ways of knowing and from other bodies of knowledge (e.g., experimentation, logical arguments, skepticism);

(iii) know that scientific knowledge is built on questions posed as testable hypotheses, which are tested until the results are accepted by peers;

(3) grades 5-8 benchmark 3: use mathematical ideas, tools and techniques to understand scientific knowledge;

(a) grade 5 performance standards:

(i) use appropriate units to make precise and varied measurements;

(ii) use mathematical skills to analyze data;

(iii) make predictions based on analyses of data, observations and explanations;

(iv) understand the attributes to be measured in a scientific investigation and describe the units, systems and processes for making the measurement;

(b) grade 6 performance standards:

(i) evaluate the usefulness and relevance of data to an investigation;

(ii) use probabilities, patterns and relationships to explain data and observations;

(c) grade 7 performance standards:

(i) understand that the number of data (sample size) influences the reliability of a prediction;

(ii) use mathematical expressions to represent data and observations collected in scientific investigations;

(iii) select and use an appropriate model to examine a phenomenon;

(d) grade 8 performance standards:

(i) use mathematical expressions and techniques to explain data and observations and to communicate findings (e.g., formulas and equations, significant figures, graphing, sampling, estimation, mean);

(ii) create models to describe phenomena.

B. Strand 2: Content of science. Content standard 1. Physical science: Students will understand the structure and properties of matter, the characteristics of energy and the interactions between matter and energy. Students will:

(1) grades 5-8 benchmark 1: know the forms and properties of matter and how matter interacts;

(a) grade 5 performance standards:

(i) describe properties (e.g., relative volume, ability to flow) of the three states of matter;

(ii) describe how matter changes from one phase to another (e.g., condensation, evaporation);

(iii) know that matter is made up of particles (atoms) that can combine to form molecules and that these particles are too small to see with the naked eye;

(iv) know that the periodic table is a chart of the pure elements that make up all matter;

(v) describe the relative location and motion of the particles (atoms and molecules) in each state of matter;

(vi) explain the rela-

tionship between temperature and the motion of particles in each state of matter;

(b) grade 6 performance standards:

(i) understand that substances have characteristic properties and identify the properties of various substances (e.g., density, boiling point, solubility, chemical reactivity);

(ii) use properties to identify substances (e.g., for minerals: hardness, streak, color, reactivity to acid, cleavage, fracture);

(iii) know that there are about 100 known elements that combine to produce compounds in living organisms and non-living substances;

(iv) know the differences between chemical and physical properties and how these properties can influence the interactions of matter;

(c) grade 7 performance standards:

(i) explain how matter is transferred from one organism to another and between organisms and their environment (e.g., consumption, the water cycle, the carbon cycle, the nitrogen cycle);

(ii) know that the total amount of matter (mass) remains constant although its form, location and properties may change (e.g., matter in the food web);

(iii) identify characteristics of radioactivity, including: decay in time of some elements to others, release of energy, damage to cells;

(iv) describe how substances react chemically in characteristic ways to form new substances (compounds) with different properties (e.g., carbon and oxygen combine to form carbon dioxide in respiration);

(v) know that chemical reactions are essential to life processes;

(d) grade 8 performance standards on properties of matter:

(i) know how to use density, boiling point, freezing point, conductivity and color to identify various substances;

(ii) distinguish between metals and non-metals;

(iii) understand the differences among elements, compounds and mixtures by: classification of materials as elements, compounds or mixtures, interpretation of chemical formulas, separation of mixtures into compounds by methods including evaporation, filtration, screening and magnetism;

(e) grade 8 performance standards on structures of matter:

(i) identify the protons, neutrons and electrons within an atom and describe their locations (i.e., in the nucleus or in motion outside the nucleus);

(ii) explain that elements are organized in the periodic table according to their properties;

(iii) know that compounds are made of two or more elements, but not all sets of elements can combine to form compounds;

(f) grade 8 performance standards on changes in matter:

(i) know that phase changes are physical changes that can be reversed (e.g., evaporation, condensation, melting);

(ii) describe various familiar physical and chemical changes that occur naturally (e.g., snow melting, photosynthesis, rusting, burning);

(iii) identify factors that influence the rate at which chemical reactions occur (e.g., temperature, concentration);

(iv) know that chemical reactions can absorb energy (endothermic reactions) or release energy (exothermic reactions);

(2) grades 5-8 benchmark 2: explain the physical processes involved in the transfer, change and conservation of energy;

(a) grade 5 performance standards:

(i) know that heat is transferred from hotter to cooler materials or regions until both reach the same temperature;

(ii) know that heat is often produced as a by-product when one form of energy is converted to another form (e.g., when machines or organisms convert stored energy into motion);

(iii) know that there are different forms of energy;

(iv) describe how energy can be stored and converted to a different form of energy (e.g., springs, gravity) and know that machines and living things convert stored energy to motion and heat;

(b) grade 6 performance standards:

(i) identify various types of energy (e.g., heat, light, mechanical, electrical, chemical, nuclear);

(ii) understand that heat energy can be transferred through conduction, radiation and convection;

(iii) know that there are many forms of energy transfer, but the total amount of energy is conserved (i.e., that energy is neither created nor destroyed);

(iv) understand that some energy travels as waves (e.g., seismic, light, sound) including: the sun as source of energy for many processes on earth, different wavelengths of sunlight (e.g., visible, ultraviolet, infrared), vibrations of matter (e.g., sound, earthquakes), different speeds

through different materials;

(c) grade 7 performance standards: know how various forms of energy are transformed through organisms and ecosystems, including: sunlight and photosynthesis, energy transformation in living systems (e.g., cellular processes changing chemical energy to heat and motion), effect of mankind's use of energy and other activities on living systems (e.g., global warming, water quality);

(d) grade 8 performance standards on energy transformation:

(i) know that energy exists in many forms and that, when energy is transformed, some energy is usually converted to heat;

(ii) know that kinetic energy is a measure of the energy of an object in motion and potential energy is a measure of an object's position or composition, including transformation of gravitational potential energy of position into kinetic energy of motion by a falling object;

(iii) distinguish between renewable and non-renewable sources of energy;

(iv) know that electrical energy is the flow of electrons through electrical conductors that connect sources of electrical energy to points of use, including: electrical current paths through parallel and series circuits, production of electricity by fossil-fueled and nuclear power plants, wind generators, geothermal plants and solar cells, use of electricity by appliances and equipment (e.g., calculators, hair dryers, light bulbs, motors);

(e) grade 8 performance standards on waves:

(i) understand how light and radio waves carry energy through vacuum or matter by: straight-line travel unless an object is encountered, reflection by a mirror, refraction by a lens, absorption by a dark object, separation of white light into different wave lengths by prisms, visibility of objects due to light emission or scattering;

(ii) understand that vibrations of matter (e.g., sound, earthquakes, water waves) carry wave energy, including: sound transmission through solids, liquids and gases; relationship of pitch and loudness of sound to rate and distance (amplitude) of vibration; ripples made by objects dropped in water;

(3) grades 5-8 benchmark 3: describe and explain forces that produce motion in objects;

(a) grade 5 performance standards:

(i) understand how the rate of change of position is the velocity of an object in motion;

(ii) recognize that

acceleration is the change in velocity with time;

(iii) identify forces in nature (e.g., gravity, magnetism, electricity, friction);

(iv) understand that, when a force (e.g., gravity, friction) acts on an object, the object speeds up, slows down or goes in a different direction;

(v) identify simple machines and describe how they give advantage to users (e.g., levers, pulleys, wheels and axles, inclined planes, screws, wedges);

(b) grade 6 performance standards:

(i) know that every object exerts gravitational force on every other object, dependent on the masses and distance of separation (e.g., motions of celestial objects, tides);

(ii) know that gravitational force is hard to detect unless one of the objects (e.g., earth) has a lot of mass;

(c) grade 7 performance standards: know that forces cause motion in living systems, including the principle of a lever and how it gives mechanical advantage to a muscular/skeletal system to lift objects, and forces in specific systems in the human body (e.g., how the heart generates blood pressure, how muscles contract and expand to produce motion);

(d) grade 8 performance standards on forces:

(i) know that there are fundamental forces in nature (e.g., gravity, electromagnetic forces, nuclear forces);

(ii) know that a force has both magnitude and direction;

(iii) analyze the separate forces acting on an object at rest or in motion (e.g., gravity, elastic forces, friction), including how multiple forces reinforce or cancel one another to result in a net force that acts on an object;

(iv) know that electric charge produces electrical fields and magnets produce magnetic fields;

(v) know how a moving magnetic field can produce an electric current (generator) and how an electric current can produce a magnetic field (electromagnet);

(vi) know that earth has a magnetic field;

(e) grade 8 performance standards on motion:

(i) know that an object's motion is always described relative to some other object or point (i.e., frame of reference);

(ii) understand and apply Newton's laws of motion: objects in motion will continue in motion, and objects at rest will remain at rest, unless acted upon by an unbalanced force (inertia). If a

greater force is applied to an object, a proportionally greater acceleration will occur; if an object has more mass, the effect of an applied force is proportionally less.

C. Strand 2: Content of science. Content standard 2. Life science: Students will understand the properties, structures and processes of living things and the interdependence of living things and their environments. Students will:

(1) grades 5-8 benchmark 1: explain the diverse structures and functions of living things and the complex relationships between living things and their environments;

(a) grade 5 performance standards:

(i) identify the components of habitats and ecosystems (producers, consumers, decomposers, predators);

(ii) understand how food webs depict relationships between different organisms;

(iii) know that changes in the environment can have different effects on different organisms (e.g., some organisms move, some survive, some reproduce, some die);

(iv) describe how human activity impacts the environment;

(b) grade 6 performance standards:

(i) understand how organisms interact with their physical environments to meet their needs (i.e., food, water, air) and how the water cycle is essential to most living systems;

(ii) describe how weather and geologic events (e.g., volcanoes, earthquakes) affect the function of living systems;

(iii) describe how organisms have adapted to various environmental conditions;

(c) grade 7 performance standards on populations and ecosystems:

(i) identify the living and non-living parts of an ecosystem and describe the relationships among these components;

(ii) explain biomes (i.e., aquatic, desert, rainforest, grasslands, tundra) and describe the New Mexico biome;

(iii) explain how individuals of species that exist together interact with their environment to create an ecosystem (e.g., populations, communities, niches, habitats, food webs);

(iv) explain the conditions and resources needed to sustain life in specific ecosystems;

(v) describe how the availability of resources and physical factors limit growth (e.g., quantity of light and water, range of temperature, composition of soil) and how the water, carbon and nitrogen cycles contribute to the availability of

those resources to support living systems;

(d) grade 7 performance standards on biodiversity:

(i) understand how diverse species fill all niches in an ecosystem;

(ii) know how to classify organisms into domain, kingdom, phylum, class, order, family, genus, species;

(e) grade 8 performance standards:

(i) describe how matter moves through ecosystems (e.g., water cycle, carbon cycle);

(ii) describe how energy flows through ecosystems (e.g., sunlight, green plants, food for animals);

(iii) explain how a change in the flow of energy can impact an ecosystem (e.g., the amount of sunlight available for plant growth, global climate change);

(2) grades 5-8 benchmark 2: understand how traits are passed from one generation to the next and how species evolve;

(a) grade 5 performance standards:

(i) know that plants and animals have life cycles that include birth, growth and development, reproduction and death, and that these cycles differ for different organisms;

(ii) identify characteristics of an organism that are inherited from its parents (e.g., eye color in humans, flower color in plants) and other characteristics that are learned or result from interactions with the environment;

(iii) understand that heredity is the process by which traits are passed from one generation to another;

(b) grade 6 performance standards:

(i) understand that the fossil record provides data for how living organisms have evolved;

(ii) describe how species have responded to changing environmental conditions over time (e.g., extinction, adaptation);

(c) grade 7 performance standards on reproduction:

(i) know that reproduction is a characteristic of all living things and is essential to the continuation of a species;

(ii) identify the differences between sexual and asexual reproduction;

(iii) know that, in sexual reproduction, an egg and sperm unite to begin the development of a new individual;

(iv) know that organisms that sexually reproduce fertile offspring are members of the same species;

(d) grade 7 performance stan-

dards on heredity:

(i) understand that some characteristics are passed from parent to offspring as inherited traits and others are acquired from interactions with the environment;

(ii) know that hereditary information is contained in genes that are located in chromosomes, including: determination of traits by genes, traits determined by one or many genes, more than one trait sometimes influenced by a single gene;

(e) grade 7 performance standards on biological evolution:

(i) describe how typical traits may change from generation to generation due to environmental influences (e.g., color of skin, shape of eyes, camouflage, shape of beak);

(ii) explain that diversity within a species is developed by gradual changes over many generations;

(iii) know that organisms can acquire unique characteristics through naturally occurring genetic variations;

(iv) identify adaptations that favor the survival of organisms in their environments (e.g., camouflage, shape of beak);

(v) understand the process of natural selection;

(vi) explain how species adapt to changes in the environment or become extinct, and that extinction of species is common in the history of living things;

(vii) know that the fossil record documents the appearance, diversification and extinction of many life forms;

(f) grade 8 performance standards:

(i) understand that living organisms are made mostly of molecules consisting of a limited number of elements (e.g., carbon, hydrogen, nitrogen, oxygen);

(ii) identify DNA as the chemical compound involved in heredity in living organisms;

(iii) describe the widespread role of carbon in the chemistry of living systems;

(3) grades 5-8 benchmark 3: understand the structure of organisms and the function of cells in living systems;

(a) grade 5 performance standards:

(i) understand that all living organisms are composed of cells from one to many trillions, and that cells are usually only visible through a microscope;

(ii) know that some organisms are made of a collection of similar cells that cooperate (e.g., algae) while other organisms are made of cells that are

different in appearance and function (e.g., corn, birds);

(iii) describe the relationships among cells, tissues, organs, organ systems, whole organisms and ecosystems;

(b) grade 6 performance standards:

(i) explain how fossil fuels were formed from animal and plant cells;

(ii) describe the differences between substances that were produced by living organisms (e.g., fossil fuels) and substances that result from non-living processes (e.g., igneous rocks);

(c) grade 7 performance standards on the structure of organisms:

(i) understand that organisms are composed of cells and identify unicellular and multi-cellular organisms;

(ii) explain how organs are composed of tissues of different types of cells (e.g., skin, bone, muscle, heart, intestines);

(d) grade 7 performance standards on the function of cells:

(i) understand that many basic functions of organisms are carried out in cells, including: growth and division to produce more cells (mitosis) and specialized functions of cells (e.g., reproduction, nerve-signal transmission, digestion, excretion, movement, transport of oxygen);

(ii) compare the structure and processes of plant cells and animal cells;

(iii) describe how some cells respond to stimuli (e.g., light, heat, pressure, gravity);

(iv) describe how factors (radiation, UV light, drugs) can damage cellular structure or function;

(e) grade 8 performance standards:

(i) describe how cells use chemical energy obtained from food to conduct cellular functions (i.e., respiration);

(ii) explain that photosynthesis in green plants captures the energy from the sun and stores it chemically;

(iii) describe how chemical substances can influence cellular activity (e.g., pH).

D. Strand 2: Content of science. Content standard 3. Earth and space science: Students will understand the structure of earth, the solar system and the universe, the interconnections among them and the processes and interactions of earth's systems. Students will:

(1) grades 5-8 benchmark 1: describe how the concepts of energy, matter and force can be used to explain the observed behavior of the solar system, the universe and their structures;

(a) grade 5 performance standards:

(i) know that many objects in the universe are huge and are separated from one another by vast distances (e.g., many stars are larger than the sun, but so distant that they look like points of light);

(ii) understand that earth is part of a larger solar system, which is part of an even larger galaxy (milky way), which is one of many galaxies;

(iii) know that there have been manned and unmanned journeys to space and to the moon;

(b) grade 6 performance standards on the universe: describe the objects in the universe, including billions of galaxies, each containing billions of stars, and different sizes, temperatures and colors of stars in the milky way galaxy;

(c) Grade 6 performance standards on the solar system:

(i) Locate the solar system in the milky way galaxy;

(ii) identify the components of the solar system and describe their defining characteristics and motions in space, including: sun as a medium-sized star, sun's composition (i.e., hydrogen, helium) and energy production, and nine planets, their moons, asteroids;

(iii) know that the regular and predictable motions of the earth-moon-sun system explain phenomena on earth, including: earth's motion in relation to a year, a day, the seasons, the phases of the moon, eclipses, tides and shadows, and moon's orbit around earth once in 28 days in relation to the phases of the moon;

(d) grade 7 performance standards:

(i) explain why earth is unique in our solar system in its ability to support life;

(ii) explain how energy from the sun supports life on earth;

(e) grade 8 performance standards:

(i) understand how energy from the sun and other stars, in the form of light, travels long distances to reach earth;

(ii) explain how the properties of light (e.g., emission, reflection, refraction) emitted from the sun and stars are used to learn about the universe, including: distances in the solar system and the universe, and temperatures of different stars;

(iii) understand how gravitational force acts on objects in the solar system and the universe, including similar action on masses on earth and on other objects in the solar system; and explain the orbits of the planets around the sun;

(2) grades 5-8 benchmark 2: describe the structure of earth and its atmosphere, and explain how energy, matter and forces shape earth's systems;

(a) grade 5 performance standards:

(i) understand that water and air relate to earth's processes, including: how the water cycle relates to weather, and how clouds are made of tiny droplets of water, like fog or steam;

(ii) know that air is a substance that surrounds earth (atmosphere), takes up space and moves, and that temperature fluctuations and other factors produce wind currents;

(iii) know that most of earth's surface is covered by water, that most of that water is salt water in oceans, and that fresh water is found in rivers, lakes, underground sources and glaciers;

(iv) recognize that the seasons are caused by earth's motion around the sun and the tilt of earth's axis of rotation;

(b) grade 6 performance standards on the structure of earth:

(i) know that earth is composed of layers that include crust, mantle and core;

(ii) know that earth's crust is divided into plates that move very slowly in response to movements in the mantle;

(iii) know that sedimentary, igneous and metamorphic rocks contain evidence of the materials, temperatures and forces that created them;

(c) grade 6 performance standards on weather and climate:

(i) describe the composition (i.e., nitrogen, oxygen, water vapor) and strata of earth's atmosphere and differences between the atmosphere of earth and those of other planets;

(ii) understand factors that create and influence weather and climate, including: heat, air movement, pressure, humidity, oceans, how clouds form by condensation of water vapor, how weather patterns are related to atmospheric pressure, global patterns of atmospheric movement (e.g., El Niño) and factors that can impact earth's climate (e.g., volcanic eruptions, impacts of asteroids, glaciers);

(iii) understand how to use weather maps and data (e.g., barometric pressure, wind speeds, humidity) to predict weather;

(d) grade 6 performance standards on changes to earth:

(i) know that land forms are created and change through a combination of constructive and destructive forces, including: weathering of rock and soil, transportation, deposition of sediment and tectonic activity; similarities and differ-

ences between current and past processes on earth's surface (e.g., erosion, plate tectonics, changes in atmospheric composition) and impact of volcanoes and faults on New Mexico geology;

(ii) understand the history of earth and how information about it comes from layers of sedimentary rock, including: sediments and fossils as a record of a very slowly changing world and evidence of asteroid impact, volcanic and glacial activity;

(e) grade 7 performance standards:

(i) understand how the remains of living things give us information about the history of earth, including: layers of sedimentary rock, the fossil record and radioactive dating, showing that life has been present on earth for more than 3.5 billion years;

(ii) understand how living organisms have played many roles in changes of earth's systems through time (e.g., atmospheric composition, creation of soil, impact on earth's surface);

(iii) know that changes to ecosystems sometimes decrease the capacity of the environment to support some life forms and are difficult and costly to remediate;

(f) grade 8 performance standards:

(i) describe the role of pressure and heat in the rock cycle;

(ii) understand the unique role that water plays on earth, including its ability to remain liquid at most earth temperatures, properties of water related to processes in the water cycle (evaporation, condensation, precipitation, surface run-off, percolation, dissolving of minerals and gases and transport to the oceans, fresh and salt water in oceans, rivers, lakes and glaciers, and reactant in photosynthesis);

(iii) understand the geologic conditions that have resulted in energy resources (e.g., oil, coal, natural gas) available in New Mexico.

E. Strand 3: Science and society. Content standard 1: Understand how scientific discoveries, inventions, practices and knowledge influence, and are influenced by, individuals and societies. Students will: grades 5-8 benchmark 1: explain how scientific discoveries and inventions have changed individuals and societies;

(1) grade 5 performance standards:

(a) describe the contributions of science to understanding local or current issues (e.g., watershed and community decisions regarding water use);

(b) describe how various technologies have affected the lives of individu-

als (e.g., transportation, entertainment, health);

(2) grade 6 performance standards:

(a) examine the role of scientific knowledge in decisions (e.g., space exploration, what to eat, preventive medicine and medical treatment);

(b) describe the technologies responsible for revolutionizing information processing and communications (e.g., computers, cellular phones, internet);

(3) grade 7 performance standards:

(a) analyze the contributions of science to health as they relate to personal decisions about smoking, drugs, alcohol and sexual activity;

(b) analyze how technologies have been responsible for advances in medicine (e.g., vaccines, antibiotics, microscopes, DNA technologies);

(c) describe how scientific information can help individuals and communities respond to health emergencies (e.g., CPR, epidemics, HIV, bio-terrorism);

(4) grade 8 performance standards:

(a) analyze the interrelationship between science and technology (e.g., germ theory, vaccines);

(b) describe how scientific information can help to explain environmental phenomena (e.g., floods, earthquakes, volcanoes, fire, extreme weather);

(c) describe how technological revolutions have significantly influenced societies (e.g., energy production, warfare, space exploration);

(d) critically analyze risks and benefits associated with technologies related to energy production.

[6.29.10.9 NMAC - Rp, 6.30.2.15 NMAC, 6-30-2009]

#### **6.29.10.10 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR SCIENCE, Grades 9-12:**

A. Strand 1: Scientific thinking and practice. Content standard 1: Students will understand the processes of scientific investigations and use inquiry and scientific ways of observing, experimenting, predicting and validating in order to think critically. Students will:

(1) grades 9-12 benchmark 1: use accepted scientific methods to collect, analyze and interpret data and observations, to design and conduct scientific investigations and communicate results; grades 9-12 performance standards:

(a) describe the essential components of an investigation, including appropriate methodologies, proper equipment and safety precautions;

(b) design and conduct scientific

investigations that include: testable hypotheses, controls and variables; methods to collect, analyze and interpret data; results that address hypotheses being investigated; predictions based on results; re-evaluation of hypotheses and additional experimentation as necessary; and error analysis;

(c) use appropriate technologies to collect, analyze and communicate scientific data (e.g., computers, calculators, balances, microscopes);

(d) convey results of investigations using scientific concepts, methodologies and expressions, including: scientific language and symbols, diagrams, charts and other data displays, mathematical expressions and processes (e.g., mean, median, slope, proportionality); clear, logical and concise communication and reasoned arguments;

(e) understand how scientific theories are used to explain and predict natural phenomena (e.g., plate tectonics, ocean currents, structure of atom);

(2) grades 9-12 benchmark 2: understand that scientific processes produce scientific knowledge that is continually evaluated, validated, revised or rejected; grade 9-12 performance standards:

(a) understand how scientific processes produce valid, reliable results, including: consistency of explanations with data and observations, openness to peer review, full disclosure and examination of assumptions, testability of hypotheses, repeatability of experiments and reproducibility of results;

(b) use scientific reasoning and valid logic to identify: faulty logic, cause and effect, the difference between observation and unsubstantiated inferences, conclusions and potential bias;

(c) understand how new data and observations can result in new scientific knowledge;

(d) critically analyze an accepted explanation by reviewing current scientific knowledge;

(e) examine investigations of current interest in science (e.g., superconductivity, molecular machines, age of the universe);

(f) examine the scientific processes and logic used in: investigations of past events (e.g., using data from crime scenes, fossils), investigations that can be planned in advance but are only done once (e.g., expensive or time-consuming experiments, such as medical clinical trials), and investigations of phenomena that can be repeated easily and frequently;

(3) grades 9-12 benchmark 3: use mathematical concepts, principles and expressions to analyze data, develop models, understand patterns and relationships, evaluate findings and draw conclusions;

grades 9-12 performance standards:

(a) create multiple displays of data to analyze and explain the relationships in scientific investigations;

(b) use mathematical models to describe, explain and predict natural phenomena;

(c) use technologies to quantify relationships in scientific hypotheses (e.g., calculators, computer spreadsheets and databases, graphing software, simulations, modeling);

(d) identify and apply measurement techniques and consider possible effects of measurement errors;

(e) use mathematics to express and establish scientific relationships (e.g., scientific notation, vectors, dimensional analysis).

B. Strand 2: Content of science. Content standard 1. Physical science: Understand the structure and properties of matter, the characteristics of energy and the interactions between matter and energy. Students will:

(1) grades 9-12 benchmark 1: understand the properties underlying structure and reactions of matter;

(a) grades 9-12 performance standards on properties of matter:

(i) classify matter in a variety of ways (e.g., element, compound, mixture; solid, liquid, gas; acidic, basic, neutral);

(ii) identify, measure and use a variety of physical and chemical properties (e.g., electrical conductivity, density, viscosity, chemical reactivity, pH, melting point);

(iii) know how to use properties to separate mixtures into pure substances (e.g., distillation, chromatography, solubility);

(iv) describe trends in properties (e.g., ionization energy or reactivity as a function of location on the periodic table and the boiling points of organic liquids as a function of molecular weight);

(b) grades 9-12 performance standards on structure of matter:

(i) understand that matter is made of atoms and that atoms are made of subatomic particles;

(ii) understand atomic structure, including: most space occupied by electrons, nucleus made of protons and neutrons, isotopes of an element, mass of proton and neutrons 2000 times greater than mass of electron, and atoms held together by proton-electron electrical forces;

(iii) explain how electrons determine the properties of substances by: interactions between atoms through transferring or sharing valence electrons, ionic and covalent bonds, and the ability of carbon to form a diverse array of organic

structures;

(iv) make predictions about elements using the periodic table (e.g., number of valence electrons, metallic character, reactivity, conductivity, type of bond between elements);

(v) understand how the type and arrangement of atoms and their bonds determine macroscopic properties (e.g., boiling point, electrical conductivity, hardness of minerals);

(vi) know that states of matter (i.e., solid, liquid, gas) depend on the arrangement of atoms and molecules and on their freedom of motion;

(vii) know that some atomic nuclei can change, including: spontaneous decay, half-life of isotopes, fission, fusion (e.g., the sun), alpha, beta and gamma radiation;

(c) grades 9-12 performance standards on chemical reactions:

(i) know that chemical reactions involve the rearrangement of atoms and that they occur on many time scales (e.g., picoseconds to millennia);

(ii) understand types of chemical reactions (e.g., synthesis, decomposition, combustion, redox, neutralization) and identify them as exothermic or endothermic;

(iii) know how to express chemical reactions with balanced equations that show conservation of mass and products of common reactions;

(iv) describe how the rate of chemical reactions depends on many factors that include temperature, concentration and the presence of catalysts;

(2) grades 9-12 benchmark 2: understand the transformation and transmission of energy and how energy and matter interact;

(a) grades 9-12 performance standards on energy transformation and transfer:

(i) identify different forms of energy, including kinetic, gravitational (potential), chemical, thermal, nuclear and electromagnetic;

(ii) explain how thermal energy (heat) consists of the random motion and vibrations of atoms and molecules, and is measured by temperature;

(iii) understand that energy can change from one form to another (e.g., changes in kinetic and potential energy in a gravitational field, heats of reaction, hydroelectric dams) and know that energy is conserved in these changes;

(iv) understand how heat can be transferred by conduction, convection and radiation, and how heat conduction differs in conductors and insulators;

(v) explain how heat flows in terms of the transfer of vibrational

motion of atoms and molecules from hotter to colder regions;

(vi) understand that the ability of energy to do something useful (work) tends to decrease (and never increases) as energy is converted from one form to another;

(b) grades 9-12 performance standards on interactions of energy and matter:

(i) understand that electromagnetic waves carry energy that can be transferred when they interact with matter;

(ii) describe the characteristics of electromagnetic waves (e.g., visible light, radio, microwave, X-ray, ultraviolet, gamma) and other waves (e.g., sound, seismic waves, water waves), including origin and potential hazards of various forms of electromagnetic radiation, and energy of electromagnetic waves carried in discrete energy packets (photons) whose energy is inversely proportional to wavelength;

(iii) know that each kind of atom or molecule can gain or lose energy only in discrete amounts;

(iv) explain how wavelengths of electromagnetic radiation can be used to identify atoms, molecules and the composition of stars;

(v) understand the concept of equilibrium (i.e., thermal, mechanical and chemical);

(3) grades 9-12 benchmark 3: students will understand the motion of objects and waves and the forces that cause them.

(a) grades 9-12 performance standards on forces:

(i) know that there are four fundamental forces in nature: gravitation, electromagnetism, weak nuclear force and strong nuclear force;

(ii) know that every object exerts gravitational force on every other object and describe how this force depends on the masses of the objects and the distance between them;

(iii) know that materials containing equal amounts of positive and negative charges are electrically neutral, but that a small excess or deficit of negative charges produces significant electrical forces;

(iv) understand the relationship between force and pressure and how the pressure of a volume of gas depends on the temperature and the amount of gas;

(v) explain how electric currents cause magnetism and how changing magnetic fields produces electricity (e.g., electric motors, generators);

(vi) represent the magnitude and direction of forces by vector diagrams;

(vii) know that, when one object exerts a force on a second object,

the second object exerts a force of equal magnitude and in the opposite direction on the first object (i.e., Newton's third law);

(b) grades 9-12 performance standards on motion:

(i) apply Newton's laws to describe and analyze the behavior of moving objects, including: displacement, velocity and acceleration of a moving object, Newton's second law ( $F = ma$ ), e.g., momentum and its conservation, the motion of an object falling under gravity, the independence of a falling object's motion on mass); circular motion and centripetal force;

(ii) describe relative motion using frames of reference;

(iii) describe wave propagation using amplitude, wavelength, frequency and speed;

(iv) explain how the interactions of waves can result in interference, reflection and refraction;

(v) describe how waves are used for practical purposes (e.g., seismic data, acoustic effects, Doppler effect).

C. Strand 2: Content of science. Content standard 2. Life science: Students will understand the properties, structures and processes of living things and the interdependence of living things and their environments. Students will:

(1) grades 9-12 benchmark 1: understand how the survival of species depends on biodiversity and on complex interactions, including the cycling of matter and the flow of energy;

(a) grades 9-12 performance standards on ecosystems:

(i) know that an ecosystem is complex and may exhibit fluctuations around a steady state or may evolve over time;

(ii) describe how organisms cooperate and compete in ecosystems (e.g., producers, decomposers, herbivores, carnivores, omnivores, predator-prey, symbiosis, mutualism);

(iii) understand and describe how available resources limit the amount of life an ecosystem can support (e.g., energy, water, oxygen, nutrients);

(iv) critically analyze how humans modify and change ecosystems (e.g., harvesting, pollution, population growth, technology);

(b) grades 9-12 performance standards on energy flow in the environment:

(i) explain how matter and energy flow through biological systems (e.g., organisms, communities, ecosystems) and how the total amount of matter and energy is conserved, but some energy is always released as heat to the environment;

(ii) describe how energy flows from the sun through plants to herbivores to carnivores and decomposers;

(iii) understand and

explain the principles of photosynthesis (i.e., chloroplasts in plants convert light energy, carbon dioxide and water into chemical energy);

(c) grades 9-12 performance standards on biodiversity:

(i) understand and explain the hierarchical classification scheme (i.e., domain, kingdom, phylum, class, order, family, genus, species) including: classification of an organism into a category, similarity inferred from molecular structure (DNA) closely matching classification based on anatomical similarities, and similarities of organisms reflecting evolutionary relationships;

(ii) understand variation within and among species, including: mutations and genetic drift, factors affecting the survival of an organism and natural selection;

(2) grades 9-12 benchmark 2: understand the genetic basis for inheritance and the basic concepts of biological evolution;

(a) grades 9-12 performance standards on genetics:

(i) know how DNA carries all genetic information in the units of heredity called genes, including: the structure of DNA (e.g., sub-units A, G, C, T), information-preserving replication of DNA and alteration of genes by inserting, deleting or substituting parts of DNA;

(ii) use appropriate vocabulary to describe inheritable traits (i.e., genotype, phenotype);

(iii) explain the concepts of segregation, independent assortment and dominant/recessive alleles;

(iv) identify traits that can and cannot be inherited;

(v) know how genetic variability results from the recombination and mutation of genes, including: sorting and recombination of genes in sexual reproduction resulting in a change in DNA that is passed on to offspring; radiation or chemical substances that can cause mutations in cells, resulting in a permanent change in DNA;

(vi) understand the principles of sexual and asexual reproduction, including meiosis and mitosis;

(vii) know that most cells in the human body contain 23 pairs of chromosomes, including one pair that determines sex; and that human females have two X chromosomes, while human males have an X and a Y chromosome;

(b) grades 9-12 performance standards on biological evolution:

(i) describe the evidence for the first appearance of life on earth as one-celled organisms over 3.5 billion years ago, and for the later appearance of a diversity of multicellular organisms

over millions of years;

(ii) critically analyze the data and observations supporting the conclusion that the species living on earth today are related by descent from the ancestral one-celled organisms;

(iii) understand the data, observations and logic supporting the conclusion that species today evolved from earlier, distinctly different species, originating from the ancestral one-celled organisms;

(iv) understand that evolution is a consequence of many factors, including the ability of organisms to reproduce, genetic variability, the effect of limited resources and natural selection;

(v) explain how natural selection favors individuals who are better able to survive, reproduce and leave offspring;

(vi) analyze how evolution by natural selection and other mechanisms explains many phenomena, including the fossil record of ancient life forms and similarities (both physical and molecular) among different species;

(3) grades 9-12 benchmark 3: students will understand the characteristics, structures and functions of cells;

(a) grade 9-12 performance standards on structure and function:

(i) know that cells are made of proteins composed of combinations of amino acids;

(ii) know that specialized structures inside cells in most organisms carry out different functions, including: parts of a cell and their functions (e.g., nucleus, chromosomes, plasma and mitochondria), storage of genetic material in DNA, similarities and differences between plant and animal cells, and prokaryotic and eukaryotic cells;

(iii) describe the mechanisms for cellular processes (e.g., energy production and storage, transport of molecules, waste disposal, synthesis of new molecules);

(iv) know how the cell membrane controls which ions and molecules enter and leave the cell, based on membrane permeability and transport (i.e., osmosis, diffusion, active transport and passive transport);

(v) explain how cells differentiate and specialize during the growth of an organism, including: differentiation regulated through the selected expression of different genes and specialized cells, response to stimuli (e.g., nerve cells, sense organs);

(vi) know that DNA directs protein building (e.g., role of RNA);

(b) grades 9-12 performance standards on biochemical mechanisms:

describe how most cell functions involve chemical reactions, including promotion or inhibition of biochemical reactions by enzymes, processes of respiration (e.g., energy production, ATP) and communication from cell to cell by secretion of a variety of chemicals (e.g., hormones).

D. Strand 2: Content of science. Content standard 3. Earth and space science: Students will understand the structure of earth, the solar system and the universe, the interconnections among them and the processes and interactions of earth's systems. Students will:

(1) grades 9-12 benchmark 1: examine the scientific theories of the origin, structure, contents and evolution of the solar system and the universe and their interconnections; grades 9-12 performance standards:

(a) understand the scale and contents of the universe, including: range of structures from atoms through astronomical objects to the universe, and objects in the universe, such as: planets, stars, galaxies and nebulae;

(b) predict changes in the positions and appearances of objects in the sky (e.g., moon, sun) based on knowledge of current positions and patterns of movements (e.g., lunar cycles, seasons);

(c) understand how knowledge about the universe comes from evidence collected from advanced technology (e.g., telescopes, satellites, images, computer models);

(d) describe the key observations that led to the acceptance of the big bang theory and that the age of the universe is over 10 billion years;

(e) explain how objects in the universe emit different electromagnetic radiation and how this information is used;

(f) describe how stars are powered by nuclear fusion, how luminosity and temperature indicate their age, and how stellar processes create heavier and stable elements that are found throughout the universe;

(g) examine the role that New Mexico research facilities play in current space exploration (e.g., very large array, Goddard space center);

(2) grades 9-12 benchmark 2: examine the scientific theories of the origin, structure, energy and evolution of earth and its atmosphere and their interconnections;

(a) grade 9-12 performance standards on characteristics and evolution of earth:

(i) describe the characteristics and the evolution of earth in terms of the geosphere, the hydrosphere, the atmosphere and the biosphere;

(ii) recognize that radiometric data indicate that earth is at

least 4 billion years old and that earth has changed during that period;

(iii) describe the internal structure of earth (e.g., core, mantle, crust) and the structure of earth's plates;

(iv) understand the changes in earth's past and the investigative methods used to determine geologic time, including: rock sequences, relative dating, fossil correlation and radiometric dating, geologic time scales, historic changes in life forms and the evidence for absolute ages (e.g., radiometric methods, tree rings, paleomagnetism);

(v) explain plate tectonic theory and describe the evidence that supports it;

(b) grade 9-12 performance standards on energy in earth's system:

(i) know that earth's systems are driven by internal (e.g., radioactive decay and gravitational energy) and external (e.g., the sun) sources of energy;

(ii) describe convection as the mechanism for moving heat energy from deep within earth to the surface and discuss how this process results in plate tectonics, including: geological manifestations (e.g., earthquakes, volcanoes, mountain building) that occur at plate boundaries, and impact of plate motions on societies and the environment (e.g., earthquakes, volcanoes);

(iii) describe the patterns and relationships in the circulation of air and water driven by the sun's radiant energy, including: patterns in weather systems related to the transfer of energy, differences between climate and weather global climate, global warming and the greenhouse effect, and El Niño, La Niña and other climatic trends;

(c) grades 9-12 performance standards on geochemical cycles:

(i) know that earth's system contains a fixed amount of natural resources that cycle among land, water, the atmosphere and living things (e.g., carbon and nitrogen cycles, rock cycle, water cycle, ground water, aquifers);

(ii) describe the composition and structure of earth's materials, including: the major rock types (i.e., sedimentary, igneous, metamorphic) and their formation, and natural resources (e.g., minerals, petroleum) and their formation;

(iii) explain how layers of the atmosphere (e.g., ozone, ionosphere) change naturally and artificially;

(iv) explain how the availability of ground water through aquifers can fluctuate based on multiple factors (i.e., rate of use, rate of replenishment, surface changes and changes in temperature).

E. Strand 3: Science and

society. Content standard 1: Students will understand how scientific discoveries, inventions, practices and knowledge influence and are influenced by individuals and societies. Students will:

(1) grades 9-12 benchmark 1: examine and analyze how scientific discoveries and their applications affect the world and explain how societies influence scientific investigations and applications;

(a) grades 9-12 performance standards on science and technology:

(i) know how science enables technology but also constrains it, and describe the difference between real technology and science fiction (e.g., rockets vs. antigravity machines; nuclear reactors vs. perpetual-motion machines; medical x-rays vs. Star-Trek tricorders);

(ii) understand how advances in technology enable further advances in science (e.g., microscopes and cellular structure, telescopes and understanding of the universe);

(iii) evaluate the influences of technology on society (e.g., communications, petroleum, transportation, nuclear energy, computers, medicine, genetic engineering) including both desired and undesired effects and including some historical examples (e.g., the wheel, the plow, the printing press, the lightning rod);

(iv) understand the scientific foundations of common technologies (e.g., kitchen appliances, radio, television, aircraft, rockets, computers, medical x-rays, selective breeding, fertilizers and pesticides, agricultural equipment);

(v) understand that applications of genetics can meet human needs and can create new problems (e.g., agriculture, medicine, cloning);

(vi) analyze the impact of digital technologies on the availability, creation and dissemination of information;

(vii) describe how human activities have affected ozone in the upper atmosphere and how it affects human health and the environment;

(viii) describe uses of radioactivity (e.g., nuclear power, nuclear medicine, radiometric dating);

(b) grades 9-12 performance standards on science and society:

(i) describe how scientific knowledge helps decision makers with local, national and global challenges (e.g., the waste isolation pilot project -WIPP, mining, drought, population growth, alternative energy, climate change);

(ii) describe major historical changes in scientific perspectives (e.g., atomic theory, germs, cosmology, relativity, plate tectonics, evolution) and the experimental observations that triggered them;

(iii) know that societal

factors can promote or constrain scientific discovery (e.g., government funding, laws and regulations about human cloning and genetically modified organisms, gender and ethnic biases, AIDS research, alternative-energy research);

(iv) explain how societies can change ecosystems and how these changes can be reversible or irreversible;

(v) describe how environmental, economic and political interests impact resource management and use in New Mexico;

(vi) describe New Mexico's role in nuclear science (e.g., Manhattan project, WIPP, national laboratories);

(c) grades 9-12 performance standards on science and individuals:

(i) identify how science has produced knowledge that is relevant to individual health and material prosperity;

(ii) know that reasonable people may disagree about some issues that are of interest to both science and religion (e.g., the origin of life on earth, the cause of the big bang, the future of earth);

(iii) identify important questions that scientists cannot answer (e.g., questions that are beyond today's science, decisions that science can only help to make, and questions that are inherently outside of the realm of science);

(iv) understand that scientists have characteristics in common with other individuals (e.g., employment and career needs, curiosity, desire to perform public service, greed, preconceptions and biases, temptation to be unethical, core values including honesty and openness);

(v) know that science plays a role in many different kinds of careers and activities (e.g., public service, volunteers, public office holders, researchers, teachers, doctors, nurses, technicians, farmers, ranchers).

[6.29.10.10 NMAC - Rp, 6.30.2.15 NMAC, 6-30-2009]

#### **HISTORY OF 6.29.10 NMAC:**

**Pre-NMAC HISTORY:** The material in this part is derived from that previously filed with the State Records Center:

SDE 74-17, (Certificate No. 74-17), Minimum Educational Standards for New Mexico Schools, filed April 16, 1975.

SDE 76-9, (Certificate No. 76-9), Minimum Education Standards for New Mexico Schools, filed July 7, 1976.

SDE 78-9, Minimum Education Standards for New Mexico Schools, filed August 17, 1978.

SBE 80-4, Educational Standards for New Mexico Schools, filed September 10, 1980.

SBE 81-4, Educational Standards for New Mexico Schools, filed July 27, 1981.

SBE 82-4, Educational Standards for New

Mexico Schools, Basic and Vocational Program Standards, filed November 16, 1982.

SBE Regulation No. 83-1, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed June 24, 1983.

SBE Regulation 84-7, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed August 27, 1984.

SBE Regulation 85-4, Educational Standards for New Mexico Schools, Basic, Special Education, and Vocational Programs, filed October 21, 1985.

SBE Regulation No. 86-7, Educational Standards for New Mexico Schools, filed September 2, 1986.

SBE Regulation No. 87-8, Educational Standards for New Mexico Schools, filed February 2, 1988.

SBE Regulation No. 88-9, Educational Standards for New Mexico Schools, filed October 28, 1988.

SBE Regulation No. 89-8, Educational Standards for New Mexico Schools, filed November 22, 1989.

SBE Regulation No. 90-2, Educational Standards for New Mexico Schools, filed September 7, 1990.

SBE Regulation No. 92-1, Standards for Excellence, filed January 3, 1992.

#### **History of Repealed Material:**

6.30.2 NMAC, Standards for Excellence, filed November 2, 2000 - Repealed effective June 30, 2009.

#### **NMAC History:**

6 NMAC 3.2, Standards for Excellence, filed October 17, 1996.

6.30.2 NMAC, Standards for Excellence, November 2, 2000, replaced by 6.29.1 NMAC, General Provisions; 6.29.2 NMAC, Arts Education; 6.29.3 NMAC, Career and Technical Education; 6.29.4 NMAC, English Language Arts; 6.29.5 NMAC, English Language Development; 6.29.6 NMAC, Health Education; 6.29.7 NMAC, Mathematics; 6.29.8 NMAC, Modern, Classical and Native Languages; 6.29.9 NMAC, Physical Education; 6.29.10 NMAC, Science; 6.29.11 NMAC, Social Studies; effective June 30, 2009.

**NEW MEXICO PUBLIC  
EDUCATION  
DEPARTMENT**

**TITLE 6 PRIMARY AND  
SECONDARY EDUCATION  
CHAPTER 29 STANDARDS FOR  
EXCELLENCE  
PART 11 SOCIAL STUDIES**

**6.29.11.1 ISSUING AGENCY:**  
Public Education Department, hereinafter  
the department.  
[6.29.11.1 NMAC - N, 6-30-2009]

**6.29.11.2 SCOPE:** All public  
schools, state educational institutions and  
educational programs conducted in state  
institutions other than New Mexico military  
institute.  
[6.29.11.2 NMAC - N, 6-30-2009]

**6.29.11.3 STATUTORY  
AUTHORITY:**  
A. Section 22-2-2 NMSA  
1978 grants the authority and responsibility  
for the assessment and evaluation of public  
schools, state-supported educational institu-  
tions and educational programs conducted  
in state institutions other than New Mexico  
military institute.  
B. Section 22-2-2 NMSA  
1978 directs the department to set gradu-  
ation expectations and hold schools account-  
able. Section 22-2C-3 NMSA 1978  
requires the department to adopt academic  
content and performance standards and to  
measure the performance of public schools  
in New Mexico.  
[6.29.11.3 NMAC - N, 6-30-2009]

**6.29.11.4 DURATION :**  
Permanent.  
[6.29.11.4 NMAC - N, 6-30-2009]

**6.29.11.5 EFFECTIVE DATE:**  
June 30, 2009, unless a later date is cited at  
the end of a section.  
[6.29.11.5 NMAC - N, 6-30-2009]

**6.29.11.6 OBJECTIVE:** New  
Mexico content standards with benchmarks  
and performance standards for social stud-  
ies are mandated for students in grades K-  
12. The four strand content areas included  
in social studies are: (1) history, (2) geogra-  
phy, (3) civics and government, and (4) eco-  
nomics. (The New Mexico content stan-  
dards with benchmarks for the social studies  
were adopted in March 1997 as part of 6  
NMAC 3.2; the benchmarks and perform-  
ance standards were revised in 2001.)  
[6.29.11.6 NMAC - N, 6-30-2009]

**6.29.11.7 DEFINITIONS :**

[Reserved.]

**6.29.11.8 CONTENT STAND-  
ARDS WITH BENCHMARKS AND  
PERFORMANCE STANDARDS FOR  
SOCIAL STUDIES, Grades K-4:**

A. Strand 1: History.  
Content standard 1: Students are able to  
identify important people and events in  
order to analyze significant patterns, rela-  
tionships, themes, ideas, beliefs and turning  
points in New Mexico, United States and  
world history, in order to understand the  
complexity of the human experience.  
Students will:

(1) grades K-4 benchmark 1-A.  
New Mexico: describe how contemporary  
and historical people and events have influ-  
enced New Mexico communities and  
regions;

(a) grade K performance stan-  
dard: identify the customs, celebrations and  
holidays of various cultures in New  
Mexico;

(b) grade 1 performance stan-  
dard: identify common attributes of people  
living in New Mexico today;

(c) grade 2 performance stan-  
dard: describe how historical people, groups  
and events have influenced the local commu-  
nity;

(d) grade 3 performance stan-  
dard: describe how the lives and contribu-  
tions of people of New Mexico influenced  
local communities and regions;

(e) grade 4 performance stan-  
dards:

(i) identify important  
issues, events and individuals from New  
Mexico's pre-history to the present;

(ii) describe the role of  
contemporary figures and how their contri-  
butions and perspectives are creating an  
impact in New Mexico;

(2) grades K-4 benchmark 1-B.  
United States: understand connections  
among historical events, people and sym-  
bols significant to United States history  
and cultures;

(a) grade K performance stan-  
dard: demonstrate an awareness of commu-  
nity leaders;

(b) grade 1 performance stan-  
dards:

(i) identify the signifi-  
cance of United States historical events  
and symbols (e.g., Martin Luther King, Jr.  
Day; Memorial Day; Independence Day;  
Labor Day; Veterans Day; United States  
flag; bald eagle);

(ii) identify and recog-  
nize major political and social figures in  
the United States;

(c) grade 2 performance stan-  
dard: describe the cultural diversity of  
individuals and groups and their contribu-  
tions to United

States history (e.g., George Washington,  
Ben Franklin, César Chávez, Rosa Parks,  
the national association for advancement  
of colored people, tribal leaders, American  
Indian movement);

(d) grade 3 performance stan-  
dard: describe local events and their con-  
nections to state history;

(e) grade 4 performance stan-  
dard: describe local events and their con-  
nections and relationships to national  
history;

(3) grades K-4 benchmark 1-C.  
World: identify and describe similar his-  
torical characteristics of the United States  
and its neighboring countries;

(a) grade K performance stan-  
dard: identify the local, state and national  
symbols (e.g., flag, bird, song);

(b) grade 1 performance stan-  
dard: identify and compare celebra-  
tions and events from the United States,  
Mexico and Canada;

(c) grade 2 performance stan-  
dard: describe and compare similarities  
of the history of peoples in North Amer-  
ica through literature (e.g., storytelling,  
fables, folktales, fairy tales);

(d) grade 3 performance stan-  
dard: identify and compare components  
that create a community in the United  
States and its neighboring countries;

(e) grade 4 performance stan-  
dard: explain how historical events, peo-  
ple and culture influence present-day  
Canada, Mexico and the United States  
(e.g., food, art, shelter, language);

(4) grades K-4 benchmark 1-D.  
Skills: understand time passage and  
chronology;

(a) grade K performance stan-  
dard: understand the concept of past  
and present;

(b) grade 1 performance stan-  
dard: demonstrate the use of timelines  
in order to show events in relation to  
one another;

(c) grade 2 performance stan-  
dard: correctly sequence historical events;

(d) grade 3 performance stan-  
dard: interpret information from multi-  
ple resources and contexts to determine  
chronological relationships;

(e) grade 4 performance stan-  
dard: describe and explain how histo-  
rians and archaeologists provide infor-  
mation about people in different time  
periods.

B. Strand 2: Geography -  
Content standard 2: Students understand  
how physical, natural and cultural pro-  
cesses influence where people live, the  
ways in which people live and how soci-  
eties interact with one another and their  
environments.  
Students will:

(1) grades K-4 benchmark 2-A:  
understand the concept of location by  
using and constructing maps, globes  
and other geographic tools to identify  
and derive

information about people, places and environments;

(a) grade K performance standards:

(i) define relative location of items in the physical environment in terms of over, under, near, far, up and down;

(ii) define personal direction of front, back, left and right;

(b) grade 1 performance standards:

(i) understand maps and globes as representations of places and phenomena;

(ii) identify and use the four cardinal directions to locate places in community, state and tribal districts;

(iii) create, use and describe simple maps to identify locations within familiar places (e.g., classroom, school, community, state);

(c) grade 2 performance standards:

(i) use a variety of maps to locate specific places and regions;

(ii) identify major land forms, bodies of water and other places of significance in selected countries, continents and oceans;

(d) grade 3 performance standard: identify and use the mapping tools of scale, compass rose, grid, symbols and mental mapping to locate and draw places on maps and globes;

(e) grade 4 performance standards:

(i) apply geographic tools of title, grid system, legends, symbols, scale and compass rose to construct and interpret maps;

(ii) translate geographic information into a variety of formats such as graphs, maps, diagrams and charts;

(iii) draw conclusions and make generalizations from geographic information and inquiry;

(2) grades K-4 benchmark 2-B: distinguish between natural and human characteristics of places and use this knowledge to define regions, their relationships with other regions and patterns of change;

(a) grade K performance standard: identify natural characteristics of places (e.g., climate, topography);

(b) grade 1 performance standards:

(i) identify and classify characteristics of places as human or natural;

(ii) identify how traditional tribal and local folklore attempt to explain weather, characteristics of places and human origins and relationships;

(c) grade 2 performance standards:

(i) describe how climate, natural resources and natural hazards

affect activities and settlement patterns;

(ii) explain how people depend on the environment and its resources to satisfy their basic needs;

(d) grade 3 performance standards:

(i) describe how human and natural processes can sometimes work together to shape the appearance of places (e.g., post-fire reforestation);

(ii) explore examples of environmental and social changes in various regions;

(e) grade 4 performance standards:

(i) identify a region as an area with unifying characteristics (e.g., human, weather, agriculture, industry, natural characteristics);

(ii) describe the regions of New Mexico, the United States and the western hemisphere;

(iii) identify ways in which different individuals and groups of people view and relate to places and regions;

(3) grades K-4 benchmark 2-C: be familiar with aspects of human behavior and man-made and natural environments, in order to recognize their impact on the past and present;

(a) grade K performance standards:

(i) identify family customs and traditions and explain their importance;

(ii) describe the natural characteristics of places (e.g., land forms, bodies of water, natural resources and weather);

(b) grade 1 performance standards:

(i) identify examples of and uses for natural resources in the community, state and nation;

(ii) describe the human characteristics of places, such as housing types and professions;

(c) grade 2 performance standard: identify ways in which people depend on natural and man-made environments, including natural resources to meet basic needs;

(d) grade 3 performance standards:

(i) identify personal behaviors that can affect community planning;

(ii) identify ways in which people have modified their environments (e.g., building roads, clearing land for development, mining and constructing towns and cities);

(iii) describe the consequences of human modification of the natural environment (e.g., use of irrigation to improve crop yields, highways);

(e) grade 4 performance standards:

(i) explain how geographic factors have influenced people, including settlement patterns and population distribution in New Mexico, past and present;

(ii) describe how environments, both natural and man-made, have influenced people and events over time and describe how places change;

(iii) understand how visual data (e.g., maps, graphs, diagrams, tables, charts) organize and present geographic information;

(4) grades K-4 benchmark 2-D: understand how physical processes shape the earth's surface patterns and biosystems;

(a) grade K performance standard: describe the earth's physical characteristics;

(b) grade 1 performance standard: describe the earth-sun relationship and how it affects living conditions on earth;

(c) grade 2 performance standards:

(i) describe the physical processes that affect the earth's features (e.g., weather, erosion);

(ii) identify characteristics of physical systems (e.g., water cycle);

(d) grade 3 performance standards:

(i) identify the components of the earth's biosystems and their makeup (e.g., air, land, water, plants, and animals);

(ii) describe how physical processes shape features on the earth's surface;

(e) grade 4 performance standards:

(i) explain how the earth-sun relationships produce day and night, seasons and major climatic variations and cause the need for time zones;

(ii) describe the four provinces (plains, mountains, plateau, and basin and range) that make up New Mexico's land surface (geographic conditions);

(5) grades K-4 benchmark 2-E: describe how economic, political, cultural and social processes interact to shape patterns of human populations and their interdependence, cooperation and conflict;

(a) grade K performance standard: identify classroom population;

(b) grade 1 performance standard: identify characteristics of culture (e.g., language, customs, religion, shelter);

(c) grade 2 performance standard: describe how characteristics of culture affect behaviors and lifestyles;

(d) grade 3 performance standards:

(i) describe how pat-

terns of culture vary geographically;

(ii) describe how transportation and communication networks are used in daily life;

(iii) describe how cooperation and conflict affect neighborhoods and communities;

(e) grade 4 performance standards:

(i) describe how cultures change;

(ii) describe how geographic factors influence the location and distribution of economic activities;

(iii) describe types and patterns of settlements;

(iv) identify the causes of human migration;

(v) describe how and why people create boundaries and describe types of boundaries;

(6) grades K-4 benchmark 2-F: describe how natural and man-made changes affect the meaning, use, distribution and value of resources;

(a) grade K performance standard: identify natural resources;

(b) grade 1 performance standards:

(i) describe the role of resources in daily life;

(ii) describe ways that humans depend upon, adapt to and affect the physical environment;

(c) grade 2 performance standard: describe ways that people and groups can conserve and replenish natural resources;

(d) grade 3 performance standard: identify the characteristics of renewable and nonrenewable resources;

(e) grade 4 performance standard: identify the distributions of natural and man-made resources in New Mexico, the southwest and the United States.

C. Strand 3: Civics and government. Content standard 3: Students understand the ideals, rights and responsibilities of citizenship and understand the content and history of the founding documents of the United States, with particular emphasis on the United States and New Mexico constitutions, and how governments function at local, state, tribal and national levels. Students will:

(1) grades K-4 benchmark 3-A: know the fundamental purposes, concepts, structures and functions of local, state, tribal and national governments;

(a) grade K performance standard: identify authority figures and describe their roles (e.g., parents, teachers, principal, superintendent, police, public officials);

(b) grade 1 performance standards:

(i) understand the pur-

pose of rules, identify examples of rules and the consequences of breaking them;

(ii) describe different groups and rules that apply to them (e.g., families, classrooms, communities);

(c) grade 2 performance standards:

(i) understand the purposes of government;

(ii) describe and compare class rules made by direct democracy (entire class votes on the rules) and by representative democracy (class elects a smaller group to make the rules);

(d) grade 3 performance standards:

(i) explain the basic structure and functions of local governments;

(ii) describe and give examples of "public good;"

(iii) explain how New Mexico helps to form a nation with other states;

(e) grade 4 performance standards:

(i) explain how the organization of New Mexico's government changed during its early history;

(ii) compare how the state of New Mexico serves national interests and the interests of New Mexicans;

(iii) explain the difference between making laws, carrying out the laws and determining if the laws have been broken; and identify the government bodies that perform these functions at the local, state, tribal and national levels;

(2) grades K-4 benchmark 3-B: identify and describe the symbols, icons, songs, traditions and leaders of local, state, tribal and national levels that exemplify ideals and provide continuity and a sense of community across time;

(a) grade K performance standards:

(i) recognize and name symbols and activities of the United States, New Mexico and tribes, to include: United States symbols (to include the flag, bald eagle, monuments), New Mexico symbols (to include the flag, Smokey Bear, state bird, chile), tribal symbols and activities (to include feast days, pottery, arts, storytelling);

(ii) recognize patriotic activities, including "The Pledge of Allegiance," "The Star Spangled Banner," salute to the New Mexico flag and New Mexico state songs;

(b) grade 1 performance standards:

(i) identify the president of the United States and the governor of New Mexico;

(ii) describe how local,

state, tribal and national leaders exemplify the ideals of the communities they represent;

(c) grade 2 performance standard: identify local governing officials and explain how their roles reflect their community;

(d) grade 3 performance standard: explain how symbols, songs, icons and traditions combine to reflect various cultures over time;

(e) grade 4 performance standard: describe various cultures and the communities they represent and explain how they have evolved over time;

(3) grades K-4 benchmark 3-C: become familiar with the basic purposes of government in New Mexico and the United States;

(a) grade K performance standard: describe and provide examples of fairness;

(b) grade 1 performance standard: describe different ways to determine a decision; e.g., majority rule, consensus, authoritarian (e.g., parent, teacher, principal);

(c) grade 2 performance standard: describe the concept of "public good" and identify local examples of systems that support the "public good;"

(d) grade 3 performance standards:

(i) describe how the majority protects the rights of the minority;

(ii) explain how rules/laws are made and compare different processes used by local, state, tribal and national governments to determine rules/laws;

(e) grade 4 performance standard: compare and contrast how the various governments have applied rules/laws, majority rule, "public good" and protections of the minority in different periods of New Mexico's history;

(4) grades K-4 benchmark 3-D: understand rights and responsibilities of "good citizenship" as members of a family, school and community;

(a) grade K performance standards:

(i) describe what is meant by citizenship;

(ii) explain what is meant by "good citizenship," to include: (e.g., taking turns and sharing, taking responsibility for own actions, assignments and personal belongings within the classroom, and respecting the property of others);

(b) grade 1 performance standards:

(i) identify examples of honesty, courage, fairness, loyalty, patriotism and other character traits seen in American history;

(ii) explain and apply “good citizenship” traits within the school and community using the elements of fair play, good sportsmanship, the idea of treating others the way you want to be treated, and being trustworthy;

(c) grade 2 performance standards:

(i) understand characteristics of “good citizenship” as exemplified by historic and ordinary people;

(ii) explain the responsibilities of being a member of various groups (e.g., family, school, community);

(d) grade 3 performance standards:

(i) explain the significance of participation and cooperation in a classroom and community;

(ii) understand the impact of individual and group decisions on communities in a democratic society;

(iii) explain the significance and process of voting;

(e) grade 4 performance standards:

(i) explain the difference between rights and responsibilities, why we have rules and laws, and the role of citizenship in promoting them;

(ii) examine issues of human rights.

D. Strand 4: Economics. Content standard 4: Students understand basic economic principles and use economic reasoning skills to analyze the impact of economic systems (including the market economy) on individuals, families, businesses, communities and governments. Students will:

(1) grades K-4 benchmark 4-A: understand that individuals, households, businesses, governments and societies make decisions that affect the distribution of resources, and that these decisions are influenced by incentives (both economic and intrinsic);

(a) grade K performance standard: understand that basic human needs are met in many ways;

(b) grade 1 performance standards:

(i) understand how resources are limited and varied in meeting human needs;

(ii) define and differentiate between needs and wants;

(c) grade 2 performance standard: identify economic decisions made by individuals and households, and explain how resources are distributed;

(d) grade 3 performance standards:

(i) explain that people want more goods and services than is possible to produce;

(ii) define and categorize

resources (e.g., human, financial, natural);

(iii) identify a variety of products that use similar resources;

(e) grade 4 performance standards:

(i) understand when choices are made that those choices impose “opportunity costs;”

(ii) describe different economic, public and community incentives (wages, business profits, amenities rights for property owners and renters);

(iii) illustrate how resources can be used in alternative ways and sometimes allocated to different users;

(iv) explain why there may be unequal distribution of resources (e.g., among people, communities, states, nations);

(v) understand and explain how conflict may arise between private and public incentives (e.g., new parks, parking structures);

(2) grades K-4 benchmark 4-B: understand that economic systems impact the way individuals, households, businesses, governments and societies make decisions about goods and services;

(a) grade K performance standards:

(i) understand the concept of product (something produced by human, mechanical, or natural process);

(ii) understand the importance of jobs;

(b) grade 1 performance standards:

(i) understand the concept of goods and services;

(ii) understand the condition of not being able to have all of the goods and services one wants;

(iii) understand the value of work;

(c) grade 2 performance standards:

(i) understand the roles of producers and consumers in the production of goods and services;

(ii) explain the role of the worker in the local economy;

(d) grade 3 performance standards:

(i) recognize that a market system exists whenever buyers and sellers exchange goods and services;

(ii) understand how businesses operate in the United States’ free-enterprise system;

(iii) identify examples of economic systems;

(e) grade 4 performance standards:

(i) understand how the characteristics and benefits of the free enterprise system in New Mexico compares to

other economic systems in New Mexico (e.g., acequia systems);

(ii) explain that the government raises money by taxing and borrowing to pay for the goods and services it provides;

(3) grades K-4 benchmark 4-C: understand the patterns and results of trade and exchange among individuals, households, businesses, governments and societies and their interdependent qualities;

(a) grade K performance standard: describe trade (e.g., buying and selling, bartering, simple exchange);

(b) grade 1 performance standard: define the simplest form of exchange (e.g., the barter system, being the direct trading of goods and services between people);

(c) grade 2 performance standard: understand that money is the generally accepted medium of exchange in most societies, and that different countries use different currencies;

(d) grade 3 performance standards:

(i) understand the purposes of spending and saving money;

(ii) identify currency, credit, debit and checks as the basic mediums of exchange in western society;

(e) grade 4 performance standards:

(i) identify patterns of work and economic activity in New Mexico and their sustainability over time (e.g., farming, ranching, mining, retail, transportation, manufacturing, tourism, high tech);

(ii) explain how New Mexico, the United States and other parts of the world are economically interdependent;

(iii) explain that banks handle currency and other forms of money and serve as intermediaries between savers and borrowers;

(iv) explain that money can be used to express the “market value” of goods and services in the form of prices;

(v) use data to explain an economic pattern.

[6.29.11.8 NMAC - Rp, 6.30.2.16 NMAC, 6-30-2009]

#### **6.29.11.9 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR THE SOCIAL STUDIES, Grades 5-8:**

A. Strand 1: History. Content standard 1: Students are able to identify important people and events in order to analyze significant patterns, relationships, themes, ideas, beliefs and turning points in New Mexico, United States and world history in order to understand the complexity of the human experience. Students will:

(1) grades 5-8 benchmark 1-A.

New Mexico: explore and explain how people and events have influenced the development of New Mexico up to the present day;

(a) grade 5 performance standards:

(i) describe changes of governance of New Mexico (e.g., indigenous, Spanish, Mexican, French, Texan, confederate, United States);

(ii) explain the reasons for European exploration of the Americas;

(b) grade 6 performance standard: describe the relationships among ancient civilizations of the world (e.g., scientific discoveries, architecture, politics, cultures and religious systems) and their connection to the early development of New Mexico;

(c) grade 7 performance standards:

(i) compare and contrast the contributions of the civilizations of the western hemisphere (e.g., Aztecs, Mayas, Toltecs, mound builders) with the early civilizations of the eastern hemisphere (e.g., Sumerians, Babylonians, Hebrews, Egyptians) and their impact upon societies, to include: effect on world economies and trade; roles of people, class structures, language; religious traditions and forms of government; and cultural and scientific contributions (e.g., advances in astronomy, mathematics, agriculture, architecture, artistic and oral traditions, development of writing systems and calendars);

(ii) describe the characteristics of other indigenous peoples that had an effect upon New Mexico's development (e.g., pueblo farmers, great plains horse culture, nomadic bands, etc. - noting their development of tools, trading routes, adaptation to environments, social structure, domestication of plants and animals);

(iii) explain the significance of trails and trade routes within the region (e.g., Spanish trail, Camino Real, Santa Fe trail);

(iv) describe how important individuals, groups and events impacted the development of New Mexico from 16th century to the present (e.g., Don Juan de Oñate, Don Diego de Vargas, pueblo revolt, Popé, 1837 revolt, 1848 rebellion, treaty of Guadalupe Hildago, William Becknell and the Santa Fe trail, buffalo soldiers, Lincoln county war, Navajo long walk, Theodore Roosevelt and the rough riders, Robert Goddard, J. Robert Oppenheimer, Smokey Bear, Dennis Chavez, Manuel Lujan, Manhattan project, Harrison Schmitt, Albuquerque international balloon fiesta);

(v) explain how New Mexicans have adapted to their physical environments to meet their needs over time (e.g., living in the desert, control over water

resources, pueblo structure, highway system, use of natural resources);

(vi) explain the impact of New Mexico on the development of the American west up to the present, to include: availability of land (e.g., individual, government, railroad, tribal, etc.); government land grants/treaties; transportation (e.g., wagons, railroads, automobile); identification and use of natural and human resources; population growth and economic patterns; and cultural interactions among indigenous and arriving populations and the resulting changes;

(d) grade 8 performance standards:

(i) compare and contrast the settlement patterns of the American southwest with other regions of the United States;

(ii) analyze New Mexico's role and impact on the outcome of the civil war (e.g., strategic geographic location, significance of the battle of Glorieta Pass, trade routes to California, native allegiances);

(iii) explain the role New Mexico played in the United States participation in the Spanish American war;

(2) grades 5-8 benchmark 1-B. United States: analyze and interpret major eras, events and individuals from the periods of exploration and colonization through the civil war and reconstruction in United States history;

(a) grade 5 performance standards:

(i) explain the motivations for the European exploration of the Americas (e.g., Leif Ericson, Christopher Columbus, John Cabot, Hernán Cortez, Jacques Cartier, Henry Hudson);

(ii) describe and explain the reasons for colonization, to include: religious freedom, desire for land, economic opportunity, a new way of life, including the roles and views of key individuals who founded colonies (e.g., John Smith, William Penn, Lord Baltimore);

(iii) explain the significance of major historical documents (e.g., the Mayflower compact, the declaration of independence, the federalist papers, United States constitution, bill of rights, the Gettysburg address);

(iv) identify the interactions between American Indians and European settlers, including agriculture, cultural exchanges, alliances and conflicts (e.g., the first Thanksgiving, the pueblo revolt, French and Indian war);

(v) describe how the introduction of slavery into the Americas, and especially the United States, laid a foundation for conflict;

(vi) explain early repre-

sentative government and identify democratic practices that emerged (e.g., Iroquois nation model, town meetings, assemblies);

(b) grade 6 performance standard: explain and describe the origins, obstacles and impact of the age of exploration, to include: improvements in technology (e.g., the clock, the sextant, work of Prince Henry the navigator), voyages of Columbus to the new world and the later searches for the northwest passage, introduction of disease and the resulting population decline (especially among indigenous peoples), exchanges of technology, ideas, agricultural products and practices;

(c) grade 7 performance standard: analyze United States political policies on expansion of the United States into the southwest (e.g., Mexican cession, Gadsden purchase, broken treaties, long walk of the Navajos);

(d) grade 8 performance standards:

(i) describe, evaluate and interpret the economic and political reasons for the American revolution, to include: attempts to regulate colonial trade through passage of Tea Act, Stamp Act and Intolerable Acts; colonists' reaction to British policy (e.g., boycotts, the sons of liberty, petitions, appeals to parliament); the ideas expressed in the declaration of independence, including the preamble;

(ii) describe the aspirations, ideals and events that served as the foundation for the creation of a new national government, to include: articles of confederation, the constitution and the success of each in implementing the ideals of the declaration of independence; major debates of the constitutional convention and their resolution (e.g., the federalist papers), contributions and roles of major individuals in the writing and ratification of the constitution (e.g., George Washington, James Madison, Alexander Hamilton, Thomas Jefferson, James Monroe, John Jay); struggles over ratification of the constitution and the creation of the bill of rights;

(iii) describe and explain the actions taken to build one nation from thirteen states, to include: precedents established by George Washington (e.g., cabinet, two-term presidency); Alexander Hamilton's financial plan (e.g., the national bank, payment of debts); creation of political parties (democratic republicans and the federalists);

(iv) describe the successes and failures of the reforms during the age of Jackson, to include: extension of franchise to all white men; Indian removal, the trail of tears, the long walk; abolition movement (e.g., Quakers, Harriet Tubman, underground railroad);

(v) describe, explain

and analyze the aims and impact of western expansion and the settlement of the United States, to include: American belief in manifest destiny and how it led to the Mexican war and its consequences; comparison of African American and Native American slavery; westward migration of peoples (e.g., Oregon, California, Mormons and southwest); origins and early history of the women's movement;

(vi) explain how sectionalism led to the civil war, to include: different economies that developed in the north, south and west; addition of new states to the union and the balance of power in the United States senate (Missouri and 1850 compromises); extension of slavery into the territories (e.g., Dred Scott decision, Kansas-Nebraska Act, Frederick Douglass, John Brown); presidential election of 1860, Lincoln's victory and the south's secession;

(vii) explain the course and consequences of the civil war and how it divided people in the United States, to include: contributions and significance of key figures (e.g., Abraham Lincoln, Jefferson Davis, Robert E. Lee, William Tecumseh Sherman, Ulysses S. Grant); major turning points in the civil war, including Gettysburg; unique nature of the civil war (e.g., impact of Americans fighting Americans, high casualties caused by disease and type of warfare, widespread destruction of American property); role of African Americans; purpose and effect of the emancipation proclamation;

(viii) analyze the character and lasting consequences of reconstruction, to include: reconstruction plans; impact of Lincoln's assassination and the impeachment of Andrew Johnson; attempts to protect the rights and enhance the opportunities for freedmen by the 13th, 14th and 15th amendments to the United States constitution; post-civil war segregation policies and their resulting impact on racial issues in the United States;

(3) grades 5-8 benchmark 1-C. World: compare and contrast major historical eras, events and figures from ancient civilizations to the age of exploration;

(a) grade 5 performance standards:

(i) describe the characteristics of early societies, including the development of tools and adaptation to environments;

(ii) identify, describe and explain the political, religious, economic and social conditions in Europe that led to the era of colonization;

(iii) identify the European countries that colonized the North American continent and their areas of settlement;

(iv) describe the devel-

opment of slavery as a widespread practice that limits human freedoms and potentials;

(b) grade 6 performance standards:

(i) describe and compare the characteristics of the ancient civilizations of Egypt, Mesopotamia and China and explain the importance of their contributions to later civilizations, to include: significance of river valleys; early irrigation and its impact on agriculture; forms of government (e.g., the theocracies in Egypt, dynasties in China); effect on world economies and trade; key historical figures; religious traditions, cultural, and scientific contributions (e.g., writing systems, calendars, building of monuments such as the pyramids);

(ii) describe and analyze the geographic, political, economic, religious and social structures of early civilizations of India, to include: location and description of the river systems and other topographical features that supported the rise of this civilization; significance of the Aryan invasions; structure and function of the caste system; important aesthetic and intellectual traditions (e.g., Sanskrit literature, medicine, metallurgy, mathematics including Hindu-Arabic numerals and the number zero);

(iii) describe and analyze the geographic, political, economic, religious and social structures of the early civilizations in China, to include: location and description of the origins of Chinese civilization in the Huang-He valley, Shang dynasty, geographical features of China that made governance and movement of ideas and goods difficult and served to isolate the country; life of Confucius and the fundamental teachings of Confucianism and Taoism; rule by dynasties (e.g., Shang, Qin, Han, Tang, and Ming); historical influence of China on other parts of the world (e.g., tea, paper, wood-block printing, compass, gunpowder);

(iv) describe major religions of the world to include Hinduism, Buddhism, Judaism, Christianity and Islam (e.g., founding leaders, traditions, customs, beliefs);

(v) compare and contrast the geographic, political, economic, and social characteristics of the ancient Greek, ancient Roman, Ottoman, Indian, Arabic, African and middle eastern civilizations and their enduring impacts on later civilizations, to include: influence of Mediterranean geography on the development and expansion of the civilizations; development of concepts of government and citizenship (e.g., democracy, republic, codification of laws, Code of Hammurabi); scientific and cultural advancements (e.g., networks of roads, aqueducts, art, architecture, literature, theater, philosophy); contri-

butions and roles of key figures (e.g., Socrates, Plato, Aristotle, Alexander the Great, Julius Caesar, Augustus);

(vi) compare and contrast the political and economic events and the social and geographic characteristics of medieval European life and their enduring impacts on later civilizations, to include: creation and expansion of the Byzantine empire; reasons for the fall of the Roman Empire; new forms of government, feudalism and the beginning of limited government with the Magna Carta; role of the roman catholic church and its monasteries; causes, course and effects of the Crusades; impact of the black plague; contributions and roles of key figures (e.g., Charlemagne, Joan of Arc, Marco Polo);

(c) grade 7 performance standard: compare and contrast the influence of Spain on the western hemisphere from colonization to the present;

(d) grade 8 performance standards:

(i) describe and explain the significance of the line of demarcation on the colonization of the new world;

(ii) compare and contrast the influence of European countries (e.g., England, France, Holland) on the development of colonies in the new world;

(iii) describe and explain the impact of the American revolution on France and the French revolution;

(4) grades 5-8 benchmark 1-D. skills: research historical events and people from a variety of perspectives;

(a) grade 5 performance standards:

(i) differentiate between, locate and use primary and secondary sources (e.g., computer software, interviews, biographies, oral histories, print, visual material, artifacts) to acquire information;

(ii) use resources for historical information (e.g., libraries, museums, historical societies, courthouse, worldwide web, family records, elders);

(iii) gather, organize and interpret information using a variety of media and technology;

(iv) show the relationship between social contexts and events;

(v) use effective communication skills and strategies to share research findings;

(b) grade 6 performance standards:

(i) organize information by sequencing, categorizing, identifying cause-and-effect relationships, comparing and contrasting, finding the main idea, summarizing, making generalizations and predictions, drawing inferences and conclusions;

(ii) identify different

points of view about an issue or topic;

(iii) use a decision-making process to identify a situation that requires a solution; gather information, identify options, predict consequences and take action to implement that solution;

(c) grade 7 performance standards:

(i) analyze and evaluate information by developing and applying criteria for selecting appropriate information and use it to answer critical questions;

(ii) demonstrate the ability to examine history from the perspectives of the participants;

(iii) use the problem-solving process to identify a problem; gather information, list and consider advantages and disadvantages, choose and implement a solution and evaluate the effectiveness of the solution using technology to present findings;

(d) grade 8 performance standard: demonstrate understanding and apply problem-solving skills for historical research, to include: use of primary and secondary sources; sequencing, posing questions to be answered by historical inquiry; collecting, interpreting and applying information; gathering and validating materials that present a variety of perspectives.

B. Strand 2: Geography. Content standard 2: Students understand how physical, natural and cultural processes influence where people live, the ways in which people live, and how societies interact with one another and their environments. Students will:

(1) grades 5-8 benchmark 2-A: analyze and evaluate the characteristics and purposes of geographic tools, knowledge, skills and perspectives and apply them to explain the past, present and future in terms of patterns, events and issues;

(a) grade 5 performance standards:

(i) make and use different kinds of maps, globes, charts and databases;

(ii) demonstrate how different areas of the United States are organized and interconnected;

(iii) identify and locate each of the fifty states and capitols of the United States;

(iv) identify tribal territories within states;

(v) employ fundamental geographic vocabulary (e.g., latitude, longitude, interdependence, accessibility, connections);

(vi) demonstrate a relational understanding of time zones;

(vii) use spatial organization to communicate information;

(viii) identify and

locate natural and man-made features of local, regional, state, national and international locales;

(b) grade 6 performance standards:

(i) identify the location of places using latitude and longitude;

(ii) draw complex and accurate maps from memory and interpret them to answer questions about the location of physical features;

(c) grade 7 performance standards:

(i) describe ways that mental maps reflect attitudes about places;

(ii) describe factors affecting location of human activities, including land-use patterns in urban, suburban and rural areas;

(d) grade 8 performance standards:

(i) describe patterns and processes of migration and diffusion;

(ii) provide a historic overview of patterns of population expansion into the west by the many diverse groups of people (e.g., Native Americans, European Americans and others) to include movement into the southwest along established settlement, trade and rail routes;

(2) grades 5-8 benchmark 2-B: explain the physical and human characteristics of places and use this knowledge to define regions, their relationships with other regions, and their patterns of change;

(a) grade 5 performance standards:

(i) describe human and natural characteristics of places;

(ii) describe similarities and differences among regions of the globe and their patterns of change;

(b) grade 6 performance standards:

(i) explain how places change due to human activity;

(ii) explain how places and regions serve as cultural symbols and explore the influences and effects of regional symbols;

(iii) identify a region by its formal, functional or perceived characteristics;

(c) grade 7 performance standards:

(i) select and explore a region by its distinguishing characteristics;

(ii) describe the role of technology in shaping the characteristics of places;

(iii) explain how and why regions change, using global examples;

(iv) describe geographically-based pathways of inter-regional interaction (e.g., the Camino Real's role in establishing a major trade and communica-

tion route in the new world, the significance of waterways);

(d) grade 8 performance standards:

(i) describe how individual and cultural characteristics affect perceptions of locales and regions;

(ii) describe political, population and economic regions that result from patterns of human activity, using New Mexico as an example;

(3) grades 5-8 benchmark 2-C: understand how human behavior impacts man-made and natural environments, recognize past and present results and predict potential changes;

(a) grade 5 performance standards:

(i) describe how man-made and natural environments have influenced conditions in the past;

(ii) identify and define geographic issues and problems from accounts of current events;

(b) grade 6 performance standard: compare and contrast the influences of man-made and natural environments upon ancient civilizations;

(c) grade 7 performance standards:

(i) explain how differing perceptions of places, people and resources have affected events and conditions in the past;

(ii) interpret and analyze geographic information obtained from a variety of sources (e.g., maps, directly witnessed and surveillanced photographic and digital data, personal documents and interviews, symbolic representations - graphs, charts, diagrams, tables, etc.);

(iii) recognize geographic questions and explain how to plan and execute an inquiry to answer them;

(iv) explain a contemporary issue using geographic knowledge, tools and perspectives;

(d) grade 8 performance standard: explain and evaluate how changing perceptions of place and the natural environment have affected human behavior;

(4) grades 5-8 benchmark 2-D: explain how physical processes shape the earth's surface patterns and biosystems;

(a) grade 5 performance standard: explain how the four provinces of New Mexico's land surface (plains, mountains, plateau, basin and range) support life;

(b) grade 6 performance standard: describe how physical processes shape the environmental patterns of air, land, water, plants and animals;

(c) grade 7 performance standards:

(i) explain how physical processes influence the formation and

location of resources;

(ii) use data to interpret changing patterns of air, land, water, plants and animals;

(iii) explain how ecosystems influence settlements and societies;

(d) grade 8 performance standard: explain how human activities and physical processes influence change in ecosystems;

(5) grades 5-8 benchmark 2-E: explain how economic, political, cultural and social processes interact to shape patterns of human populations and their interdependence, cooperation and conflict;

(a) grade 5 performance standards: explain how physical features influenced the expansion of the United States;

(b) grade 6 performance standards:

(i) explain how human migration impacts places, societies and civilizations;

(ii) describe, locate and compare different settlement patterns throughout the world;

(iii) explain how cultures create a cultural landscape, locally and throughout the world, and how these landscapes change over time;

(c) grade 7 performance standards:

(i) analyze New Mexico settlement patterns and their impact on current issues;

(ii) describe and analyze how the study of geography is used to improve our quality of life, including urban and environmental planning;

(iii) explain the accessibility to the New Mexico territory via the Santa Fe trail and the railroad, conflicts with indigenous peoples and the resulting development of New Mexico;

(d) grade 8 performance standard: explain and describe how movement of people impacted and shaped western settlements;

(6) grades 5-8 benchmark 2-F: understand the effects of interactions between human and natural systems in terms of changes in meaning, use, distribution and relative importance of resources;

(a) grade 5 performance standard: understand how resources impact daily life;

(b) grade 6 performance standard: describe how human modifications to physical environments and use of resources in one place often lead to changes in other places;

(c) grade 7 performance standards:

(i) describe and evaluate the use and distribution of resources and their impact on countries throughout the world;

(ii) describe how envi-

ronmental events (e.g., hurricanes, tornadoes, floods) affect human activities and resources;

(d) grade 8 performance standard: describe the differing viewpoints that individuals and groups have with respect to the use of resources.

C. Strand 3: Civics and government. Content standard 3: Students understand the ideals, rights, and responsibilities of citizenship and understand the content and history of the founding documents of the United States, with particular emphasis on the United States and New Mexico constitutions and how governments function at local, state, tribal and national levels. Students will:

(1) grades 5-8 Benchmark 3-A: demonstrate understanding of the structure, functions and powers of government (local, state, tribal and national);

(a) grade 5 performance standards:

(i) explain how the three branches of national government function and explain how they are defined in the United States constitution;

(ii) identify the fundamental ideals and principles of our republican form of government (e.g., inalienable rights such as "life, liberty, and the pursuit of happiness," the rule of law, justice, equality under the law);

(iii) identify and describe the significance of American symbols, landmarks and essential documents (e.g., declaration of independence; United States constitution; bill of rights; the federalist papers; Washington, D.C.; liberty bell; Gettysburg address; statue of liberty; government to government accords; treaty of Guadalupe Hildago; Gadsden purchase);

(iv) compare and contrast the basic government sovereignty of local, state, tribal and national governments;

(b) grade 6 performance standards:

(i) describe the concept of democracy as developed by the Greeks and compare the evolution of democracies throughout the world;

(ii) describe the concept of republic as developed by the Romans and compare to other republican governments;

(c) grade 7 performance standards:

(i) explain the structure and functions of New Mexico's state government as expressed in the New Mexico constitution, to include: roles and methods of initiative, referendum and recall processes; function of multiple executive offices; election process (e.g., primaries and general elections); criminal justice system (e.g., juvenile justice);

(ii) explain the roles

and relationships of different levels of the legislative process, to include: structure of New Mexico legislative districts (e.g., number of districts, students' legislative districts, representatives and senators of the students' districts); the structure of the New Mexico legislature and leaders of the legislature during the current session (e.g., bicameral, house of representatives and senate, speaker of the house of representatives, senate pro tem);

(iii) compare the structure and functions of the New Mexico legislature with that of the state's tribal governments (e.g., pueblo Indian council; Navajo, Apache and Hopi nations).

(d) grade 8 performance standards:

(i) explain the structure and functions of the national government as expressed in the United States constitution, and explain the powers granted to the three branches of government and those reserved to the people, states and tribes, to include: the federal system (dividing sovereignty between the states and the federal government and their supporting bureaucracies); the sovereignty of Native American tribes in relation to state and federal governments (and government to government relationships); bill of rights, amendments to constitution; the primacy of individual liberty; constitution designed to secure our liberty by both empowering and limiting central government; struggles over the creation of the bill of rights and its ratification; separation of powers through the development of differing branches; John Marshall's role in judicial review, including *Marbury v. Madison*;

(ii) identify and describe a citizen's fundamental constitutional rights, to include: freedom of religion, expression, assembly and press; right to a fair trial; equal protection and due process;

(iii) describe the contributions of Native Americans in providing a model that was utilized in forming the United States government (Iroquois league);

(iv) explain and describe how water rights and energy issues cross state and national boundaries;

(2) grades 5-8 benchmark 3-B: explain the significance of symbols, icons, songs, traditions and leaders of New Mexico and the United States that exemplify ideals and provide continuity and a sense of unity;

(a) grade 5 performance standards:

(i) explain the significance and importance of American customs, symbols, landmarks and celebrations;

(ii) identify and summarize contributions of various racial, eth-

nic and religious groups to national identity;

(iii) describe selected ethnic and religious customs and celebrations that enhance local, state, tribal and national identities;

(b) grade 6 performance standard: describe the significance of leadership in democratic societies and provide examples of local, national and international leadership, to include: qualities of leadership; names and contributions of New Mexico leaders; names and contributions of national leaders;

(c) grade 7 performance standards:

(i) explain the concept of diversity and its significance within the political and social unity of New Mexico;

(ii) describe ways in which different groups maintain their cultural heritage;

(iii) explain how New Mexico's state legislature and other state legislatures identify symbols representative of a state;

(iv) identify official and unofficial public symbols of various cultures and describe how they are or are not exemplary of enduring elements of those cultures;

(d) grade 8 performance standards:

(i) explain how the development of symbols, songs, traditions and concepts of leadership reflect American beliefs and principles;

(ii) explain the importance of point of view and its relationship to freedom of speech and press;

(3) grades 5-8 benchmark 3-C: compare political philosophies and concepts of government that became the foundation for the American revolution and the United States government;

(a) grade 5 performance standards:

(i) describe the narrative of the people and events associated with the development of the United States constitution, and describe its significance to the foundation of the American republic, to include: colonists' and Native Americans' shared sense of individualism, independence and religious freedom that developed before the revolution; articles of confederation; purpose of the constitutional convention; natural rights expressed in the declaration of independence;

(ii) describe the contributions and roles of major individuals, including George Washington, James Madison and Benjamin Franklin;

(b) grade 6 performance standards:

(i) explain how Greek and Roman societies expanded and

advanced the role of citizen;

(ii) identify historical origins of democratic forms of government (e.g., early civilizations, Native American governments);

(c) grade 7 performance standards:

(i) compare and contrast New Mexico's entry into the United States with that of the original thirteen colonies;

(ii) understand the structure and function of New Mexico government as created by the New Mexico constitution and how it supports local, tribal and federal governments;

(d) grade 8 performance standards:

(i) describe political philosophies and concepts of government that became the foundation for the American revolution and the United States government, to include: ideas of the nature of government and rights of the individuals expressed in the declaration of independence with its roots in English philosophers (e.g., John Locke); concept of limited government and the rule of law established in the Magna Carta and the English bill of rights; social covenant established in the Mayflower compact; characteristics of representative governments; anti-federalist and federalist arguments towards the new constitution, including those expressed in the federalist papers; concepts of federalism, democracy, bicameralism, separation of powers, and checks and balances;

(ii) explain the concept and practice of separation of powers among the U.S. congress, the president and the supreme court;

(iii) understand the fundamental principles of American constitutional democracy, including how the government derives its power from the people;

(4) grades 5-8 benchmark 3-D: explain how individuals have rights and responsibilities as members of social groups, families, schools, communities, states, tribes and countries;

(a) grade 5 performance standard: explain the meaning of the American creed that calls on citizens to safeguard the liberty of individual Americans within a unified nation, to respect the rule of law and to preserve the constitutions of local, state, tribal and federal governments;

(b) grade 6 performance standard: understand that the nature of citizenship varies among societies;

(c) grade 7 performance standards:

(i) explain the obligations and responsibilities of citizenship (e.g., the obligations of upholding the constitution, obeying the law, paying taxes, jury

duty);

(ii) explain the roles of citizens in political decision-making (e.g., voting, petitioning public officials, analyzing issues);

(d) grade 8 performance standards:

(i) explain basic law-making processes and how the design of the United States constitution provides numerous opportunities for citizens to participate in the political process and to monitor and influence government (e.g., elections, political parties, interest groups);

(ii) understand the multiplicity and complexity of human rights issues.

D. Strand 4: Economics.  
Content standard 4: Students understand basic economic principles and use economic reasoning skills to analyze the impact of economic systems (including the market economy) on individuals, families, businesses, communities and governments. Students will:

(1) grades 5-8 benchmark 4-A: explain and describe how individuals, households, businesses, governments and societies make decisions, are influenced by incentives (economic as well as intrinsic) and the availability and use of scarce resources, and that their choices involve costs and varying ways of allocating;

(a) grade 5 performance standards:

(i) understand the impact of supply and demand on consumers and producers in a free-enterprise system;

(ii) understand the patterns of work and economic activities in New Mexico and the United States (e.g., farming, ranching, oil and gas production, high tech, manufacturing, medicine);

(iii) describe the aspects of trade;

(iv) explain how voluntary trade is not coercive;

(b) grade 6 performance standard: explain and predict how people respond to economic and intrinsic incentives;

(c) grade 7 performance standards:

(i) explain how economic and intrinsic incentives influence how individuals, households, businesses, governments and societies allocate and use their scarce resources;

(ii) explain why cooperation can yield higher benefits;

(d) grade 8 performance standards:

(i) explain and provide examples of economic goals;

(ii) analyze the full costs and benefits of alternative uses of resources that will lead to productive use of

resources today and in the future;

(iii) explain that tension between individuals, groups and countries is often based upon differential access to resources;

(2) grades 5-8 benchmark 4-B: explain how economic systems impact the way individuals, households, businesses, governments and societies make decisions about resources and the production and distribution of goods and services;

(a) grade 5 performance standards:

(i) explain how all economic systems must consider the following: What will be produced? How will it be produced? For whom will it be produced?

(ii) identify the influence of bordering countries (Canada and Mexico) on United States commerce;

(b) grade 6 performance standards:

(i) describe the characteristics of traditional, command, market and mixed economic systems;

(ii) explain how different economic systems affect the allocation of resources;

(iii) understand the role that "factors of production" play in a society's economy (e.g., natural resources, labor, capital, entrepreneurs);

(c) grade 7 performance standards:

(i) identify governmental activities that affect local, state, tribal and national economies;

(ii) analyze the impact of taxing and spending decisions upon individuals, organizations, businesses and various government entities;

(iii) explain the relationship of New Mexico with tribal governments regarding compact issues (e.g., taxes, gambling revenue, rights of way);

(d) grade 8 performance standards:

(i) describe the relationships among supply, demand and price and their roles in the United States market system;

(ii) identify how fundamental characteristics of the United States' economic system influence economic decision making (e.g., private property, profits, competition) at local, state, tribal and national levels;

(iii) explain changing economic activities in the United States and New Mexico and the role of technology in those changes;

(iv) identify situations in which price and value diverge;

(v) describe the use of money over time (e.g., college funds beginning in elementary years, saving accounts, 401K accounts);

(3) grade 5-8 benchmark 4-C: describe the patterns of trade and exchange in early societies and civilizations and explore the extent of their continuation in today's world;

(a) grade 5 performance standards:

(i) explain basic economic patterns of early societies (e.g., hunter-gathers, early farming, trade);

(ii) explain the economic motivation of exploration and colonization by colonial powers;

(b) grade 6 performance standards:

(i) compare and contrast the trade patterns of early civilizations;

(ii) analyze the impact of the Neolithic agricultural revolution on mankind, and the impact of technological changes in the bronze age and the iron age;

(c) grade 7 performance standards:

(i) explain how specialization leads to interdependence and describe ways most Americans depend on people in other households, communities and nations for some of the goods they consume;

(ii) understand the interdependencies between the economies of New Mexico, the United States and the world;

(iii) understand the factors that currently limit New Mexico from becoming an urban state, including: the availability and allocation of water, and the extent to which New Mexico relies upon traditional economic forms (e.g., the acequia systems, localized agricultural markets);

(iv) describe the relationship between New Mexico, tribal and United States economic systems;

(v) compare and contrast New Mexico commerce with that of other states' commerce;

(d) grade 8 performance standards:

(i) understand why various sections of the early United States developed different patterns of economic activity, and explore why and to what extent those differences remain today;

(ii) understand how various economic forces resulted in the industrial revolution in the 19th century;

(iii) explain how economic interdependence between countries around the world can improve the standard of living;

(iv) explain the exchange rate as the price of a nation's currency;

(v) describe the role of technology in economic development, historically and in the contemporary world;

(vi) describe how "cost/benefits" are determined by individuals, groups, societies and nations in capitalist systems.

[6.29.11.9 NMAC - Rp, 6.30.2.16 NMAC, 6-30-2009]

### 6.29.11.10 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR THE SOCIAL STUDIES, Grades 9-12:

A. Strand 1: History.  
Content standard 1: Students are able to identify important people and events in order to analyze significant patterns, relationships, themes, ideas, beliefs and turning points in New Mexico, United States and world history, in order to understand the complexity of the human experience. Students will:

(1) grades 9-12 benchmark 1-A. New Mexico: analyze how people and events of New Mexico have influenced United States and world history since statehood;

(a) compare and contrast the relationships over time of Native American tribes in New Mexico with other cultures;

(b) analyze the geographic, economic, social and political factors of New Mexico that impact United States and world history, to include: land grant and treaty issues unresolved to present day and continuing to impact relations between and among citizens at the state, tribal and federal government levels; role of water issues as they relate to development of industry, population growth, historical issues and current acequia systems/water organizations; urban development; role of the federal government (e.g., military bases, national laboratories, national parks, Indian reservations, transportation systems, water projects); unique role of New Mexico in the 21st century as a "minority majority" state;

(c) analyze the role and impact of New Mexico and New Mexicans in World War II (e.g., Navajo code talkers, New Mexico national guard, internment camps, Manhattan project, Bataan death march);

(d) analyze the impact of the arts, sciences and technology of New Mexico since World War II (e.g., artists, cultural artifacts, nuclear weapons, the arms race, technological advances, scientific developments, high-tech industries, federal laboratories);

(e) explain how New Mexico history represents a framework of knowledge and skills within which to understand the complexity of the human experience, to include: analyze perspectives that have shaped the structures of historical knowledge; describe ways historians study the past; explain connections made between the past and the present and their impact;

(2) grades 9-12 benchmark 1-B.

United States: analyze and evaluate the impact of major eras, events and individuals in United States history since the civil war and reconstruction;

(a) analyze the impact and changes that reconstruction had on the historical, political and social development of the United States;

(b) analyze the transformation of the American economy and the changing social and political conditions in the United States in response to the industrial revolution, including: innovations in technology, evolution of marketing techniques, changes to the standard of living and the rise of consumer culture; rise of business leaders and their companies as major forces in America (e.g., John D. Rockefeller, Andrew Carnegie); development of monopolies and their impact on economic and political policies (e.g., laissez-faire economics, trusts, trust busting); growth of cities (e.g., influx of immigrants, rural-to-urban migrations, racial and ethnic conflicts that resulted); efforts of workers to improve working conditions (e.g., organizing labor unions, strikes, strike breakers); rise and effect of reform movements (e.g., Populists, William Jennings Bryan, Jane Addams, muckrakers); conservation of natural resources (e.g., the Grand Canyon, Yellowstone, Anasazi ruins at Mesa Verde, Colorado, National Reclamation Act of 1902); progressive reforms (e.g., the national income tax, direct election of senators, women's suffrage, prohibition);

(c) analyze the United States' expanding role in the world during the late 19th and 20th centuries, to include: causes for a change in foreign policy from isolationism to interventionism; causes and consequences of the Spanish American war; expanding influence in the western hemisphere (e.g., the Panama canal, Roosevelt corollary added to the Monroe doctrine, the "big stick" policy, "dollar diplomacy"); events that led to the United States' involvement in World War I; United States' rationale for entry into World War I and impact on military process, public opinion and policy; United States' mobilization in World War I (e.g., its impact on politics, economics and society); United States' impact on the outcome of World War I; United States' role in settling the peace (e.g., Woodrow Wilson, treaty of Versailles, league of nations, Senator Henry Cabot Lodge, Sr.);

(d) analyze the major political, economic and social developments that occurred between World War I and World War II, to include: social liberation and conservative reaction during the 1920s (e.g., flappers, prohibition, the Scopes trial, the red scare); causes of the great depression (e.g., over production, under consumption, credit structure); rise of youth culture

in the "jazz age"; development of mass/popular culture (e.g., rise of radio, movies, professional sports, popular literature); human and natural crises of the great depression, (e.g., unemployment, food lines, the dust bowl, western migration of midwest farmers); changes in policies, role of government and issues that emerged from the new deal (e.g., the works programs, social security, challenges to the supreme court); role of changing demographics on traditional communities and social structures;

(e) analyze the role of the United States in World War II, to include: reasons the United States moved from a policy of isolationism to involvement after the bombing of Pearl Harbor; events on the home front to support the war effort (e.g., war bond drives, mobilization of the war industry, women and minorities in the work force); major turning points in the war (e.g., the battle of Midway, D-Day invasion, dropping of atomic bombs on Japan);

(f) analyze the development of voting and civil rights for all groups in the United States following reconstruction, to include: intent and impact of the 13th, 14th and 15th Amendments to the constitution; segregation as enforced by Jim Crow laws following reconstruction; key court cases (e.g., Plessy v. Ferguson, Brown v. Board of Education of Topeka, Roe v. Wade); roles and methods of civil rights advocates (e.g., Martin Luther King, Jr., Malcolm X, Rosa Parks, Russell Means, César Chávez); the passage and effect of the voting rights legislation on minorities (e.g., 19th amendment, role of Arizona supreme court decision on Native Americans, their disenfranchisement under Arizona constitution and subsequent changes made in other state constitutions regarding Native American voting rights - such as New Mexico, 1962, 1964 Civil Rights Act, Voting Act of 1965, 24th Amendment); impact and reaction to the efforts to pass the Equal Rights Amendment, rise of black power, brown power, American Indian movement, united farm workers;

(g) analyze the impact of World War II and the cold war on United States' foreign and domestic policy, to include: origins, dynamics and consequences of the cold war tensions between the United States and the Soviet Union; new role of the United States as a world leader (e.g., Marshall plan, NATO); need for, establishment and support of the united nations; implementation of the foreign policy of containment, including the Truman doctrine; Red Scare (e.g., McCarthyism, House Un-American Activities Committee, nuclear weapons, arms race); external confrontations with communism (e.g., the Berlin blockade, Berlin wall, Bay of Pigs, Cuban missile crisis, Korea, Vietnam war);

Sputnik and the space race; image of 1950s affluent society; political protests of Vietnam war); counterculture in the 1960s;

(h) analyze the impact of the post-cold war Era on United States' foreign policy, to include: role of the United States in supporting democracy in eastern Europe following the collapse of the Berlin wall; new allegiances in defining the new world order; role of technology in the information age;

(i) explain how United States history represents a framework of knowledge and skills within which to understand the complexity of the human experience, to include: analyze perspectives that have shaped the structures of historical knowledge; describe ways historians study the past; explain connections made between the past and the present and their impact;

(3) grades 9-12 benchmark 1-C. World: analyze and interpret the major eras and important turning points in world history from the age of enlightenment to the present, to develop an understanding of the complexity of the human experience;

(a) describe and explain how the renaissance and reformation influenced education, art, religion and government in Europe, to include: development of renaissance artistic and literary traditions (e.g., Michelangelo, Leonardo da Vinci, Shakespeare); development of protestantism (e.g., Martin Luther, John Calvin); religious conflict and persecutions (e.g., Spanish inquisition);

(b) analyze and evaluate the actions of competing European nations for colonies around the world and the impact on indigenous populations;

(c) explain and analyze revolutions (e.g., democratic, scientific, technological, social) as they evolved throughout the enlightenment and their enduring effects on political, economic and cultural institutions, to include: Copernican view of the universe and Newton's natural laws; tension and cooperation between religion and new scientific discoveries; impact of Galileo's ideas and the introduction of the scientific method as a means of understanding the universe; events and ideas that led to parliamentary government (English civil war, glorious revolution); enlightenment philosophies used to support events leading to American and French revolutions; Napoleonic era (e.g., codification of law); Latin America's wars of independence;

(d) analyze the pattern of historical change as evidenced by the industrial revolution, to include: conditions that promoted industrialization; how scientific and technological innovations brought about change; impact of population changes (e.g., population growth, rural-to-urban migrations, growth of industrial cities, emigration

out of Europe); evolution of work/business and the role of labor (e.g., the demise of slavery, division of labor, union movement, impact of immigration); political and economic theories of capitalism and socialism (e.g., Adam Smith, Karl Marx); status and roles of women and minorities;

(e) analyze and evaluate the impact of 19th century imperialism from varied perspectives, to include: clash of cultures; British empire expands around the world; nationalism (e.g., competition and conflict between European nations for raw materials and markets, acquisition of colonies in Africa and Asia, impact on indigenous populations);

(f) describe and analyze the geographic, political, economic, religious and social structures of the civilizations of east Asia;

(g) analyze and evaluate the causes, events and effects of World War I, to include: rise of nationalism (e.g., unification of Germany, Otto Von Bismarck's leadership); rise of ethnic and ideological conflicts (e.g., the Balkans, Austria-Hungary, decline of the Ottoman empire); major turning points and the importance of geographic, military and political factors in decisions and outcomes; human costs of the mechanization of war (e.g., machine-gun, airplane, poison gas, submarine, trench warfare, tanks); effects of loss of human potential through devastation of populations and their successive generations; effects of the Russian revolution and the implementation of communist rule;

(h) analyze and evaluate the causes, events and impacts of World War II from various perspectives, to include: failures and successes of the treaty of Versailles and the league of nations; rise of totalitarianism (e.g., Nazi Germany's policies of European domination, holocaust); political, diplomatic and military leadership (e.g., Winston Churchill, Joseph Stalin, Franklin Roosevelt, Emperor Hirohito, Adolf Hitler, Benito Mussolini, Francisco Franco); principal theaters of battle, major turning points and geographic factors in military decisions and outcomes (e.g., Pearl Harbor, "island-hopping," D-Day invasion, Stalingrad, atomic bombs dropped on Japan);

(i) analyze and evaluate international developments following World War II, the cold war and post-cold war, to include: war crime trials; creation of the state of Israel and resulting conflicts in the middle east; rebuilding of western Europe (e.g., Marshall Plan, NATO); Soviet control of eastern Europe (e.g., Warsaw pact, Hungarian revolt); creation and role of the united nations; Mao Zedong and the Chinese revolution (e.g., long march, Taiwan, cultural revolution); national security in the changing world order; technology's role in ending the cold war; fluidity of

political alliances; new threats to peace; reasons for the collapse of the Soviet Union and the end of the cold war; use of technology in the information age;

(j) evaluate the ideologies and outcomes of independence movements in the emerging third world to include: French Indochina and the Vietnam war (e.g., the role of Ho Chi Minh); Mohandas Gandhi's non-violence movement for India's independence; apartheid in South Africa and evolution from white minority government (e.g., Nelson Mandela, Desmond Tutu); middle east conflicts (Israel, Palestine, Egypt);

(k) analyze historical and modern-day policies of the western hemisphere, with emphasis on Mexico and Canada, to include: expansion of democracy in western hemisphere; immigration and migration issues; changes in foreign policy brings spiraling impact on each nation and international relations, trade;

(l) explain how world history presents a framework of knowledge and skills within which to understand the complexity of the human experience, to include: analyze perspectives that have shaped the structures of historical knowledge; describe ways historians study the past; explain connections made between the past and the present and their impact;

(4) grades 9-12 benchmark 1-D. Skills: use critical thinking skills to understand and communicate perspectives of individuals, groups and societies from multiple contexts;

(a) understand how to use the skills of historical analysis to apply to current social, political, geographic and economic issues;

(b) apply chronological and spatial thinking to understand the importance of events;

(c) describe primary and secondary sources and their uses in research;

(d) explain how to use a variety of historical research methods and documents to interpret and understand social issues (e.g., the friction among societies, the diffusion of ideas);

(e) distinguish "facts" from authors' opinions and evaluate an author's implicit and explicit philosophical assumptions, beliefs or biases about the subject;

(f) interpret events and issues based upon the historical, economic, political, social and geographic context of the participants;

(g) analyze the evolution of particular historical and contemporary perspectives;

(h) explain how to use technological tools to research data, verify facts and information, and communicate findings.

B. Strand 2: Geography.  
Content standard 2: Students understand

how physical, natural, and cultural processes influence where people live, the ways in which people live and how societies interact with one another and their environments. Students will:

(1) grades 9-12 benchmark 2-A: analyze and evaluate the characteristics and purposes of geographic tools, knowledge, skills, and perspectives and apply them to explain the past, present and future in terms of patterns, events and issues;

(a) evaluate and select appropriate geographic representations to analyze and explain natural and man-made issues and problems;

(b) understand the vocabulary and concepts of spatial interaction, including an analysis of population distributions and settlement patterns;

(2) grades 9-12 benchmark 2-B: analyze natural and man-made characteristics of worldwide locales; describe regions, their interrelationships and patterns of change;

(a) analyze the interrelationships among natural and human processes that shape the geographic connections and characteristics of regions, including connections among economic development, urbanization, population growth and environmental change;

(b) analyze how the character and meaning of a place is related to its economic, social and cultural characteristics, and why diverse groups in society view places and regions differently;

(c) analyze and evaluate changes in regions and recognize the patterns and causes of those changes (e.g., mining, tourism);

(d) analyze and evaluate why places and regions are important to human identity (e.g., sacred tribal grounds, culturally unified neighborhoods);

(3) grades 9-12 benchmark I2-C: analyze the impact of people, places and natural environments upon the past and present in terms of our ability to plan for the future;

(a) analyze the fundamental role that geography has played in human history (e.g., the Russian winter on the defeat of Napoleon's army and the same effect in World War II);

(b) compare and contrast how different viewpoints influence policy regarding the use and management of natural resources;

(c) analyze the role that spatial relationships have played in effecting historic events;

(d) analyze the use of and effectiveness of technology in the study of geography;

(4) grades 9-12 benchmark 2-D: analyze how physical processes shape the earth's surface patterns and biosystems;

(a) analyze how the earth's physical processes are dynamic and interactive;

(b) analyze the importance of ecosystems in understanding environments;

(c) explain and analyze how water is a scarce resource in New Mexico, both in quantity and quality;

(d) explain the dynamics of the four basic components of the earth's physical systems (atmosphere, biosphere, lithosphere and hydrosphere);

(5) grades 9-12 benchmark 2-E: analyze and evaluate how economic, political, cultural and social processes interact to shape patterns of human populations and their interdependence, cooperation and conflict;

(a) analyze the factors influencing economic activities (e.g., mining, ranching, agriculture, tribal gaming, tourism, high tech) that have resulted in New Mexico's population growth;

(b) analyze the effects of geographic factors on major events in United States and world history;

(c) analyze the interrelationships among settlement, migration, population-distribution patterns, land forms and climates in developing and developed countries;

(d) analyze how cooperation and conflict are involved in shaping the distribution of political, social and economic factors in New Mexico, United States and throughout the world (e.g., land grants, border issues, United States territories, Israel and the middle east, the former Soviet Union, and Sub-Saharan Africa);

(e) Analyze how cultures shape characteristics of a region;

(f) analyze how differing points of view and self-interest play a role in conflict over territory and resources (e.g., impact of culture, politics, strategic locations, resources);

(g) evaluate the effects of technology on the developments, changes to, and interactions of cultures;

(6) grades 9-12 benchmark 2-F: analyze and evaluate the effects of human and natural interactions in terms of changes in the meaning, use, distribution and importance of resources in order to predict our global capacity to support human activity;

(a) compare the ways man-made and natural processes modify the environment and how these modifications impact resource allocations;

(b) analyze how environmental changes bring about and impact resources;

(c) analyze the geographic factors that influence the major world patterns of economic activity, economic connections among different regions, changing alignments in world trade partners and the potential redistribution of resources based on

changing patterns and alignments.

C. Strand 3: Civics and government. Content standard 3: Students demonstrate understanding of the ideals, rights and responsibilities of citizenship; demonstrate understanding of the content and history of the founding documents of the United States, with particular emphasis on the United States and New Mexico constitutions and how governments function at local, state, tribal, and national levels. Students will:

(1) grades 9-12 benchmark 3-A: compare and analyze the structure, power and purpose of government at the local, state, tribal and national levels as set forth in their respective constitutions or governance documents;

(a) analyze the structure, powers and role of the legislative branch of the United States government, to include: specific powers delegated in Article I of the constitution; checks and balances described in the federalist papers, Number 51; law-making process; role of leadership within congress; federalist and anti-federalist positions;

(b) analyze the structure, powers and role of the executive branch of the United States government, to include: specific powers delegated in Article II of the constitution; checks and balances; development of the cabinet and federal bureaucracy; roles and duties of the presidency, including those acquired over time such as "head of state" and "head of a political party;"

(c) examine the election of the president through the nomination process, national conventions and electoral college;

(d) analyze the structure, powers and role of the judicial branch of the United States government, including landmark United States supreme court decisions, to include: specific powers delegated by the Constitution in Article III and described in the federalist papers, Numbers 78-83; checks and balances; judicial review as developed in *Marbury v. Madison*; issues raised in *McCulloch v. Maryland*; dual court system of state and federal governments, including their organization and jurisdiction;

(e) analyze the rights, protections, limits and freedoms included within the United States constitution and bill of rights, to include: constitutional mandates such as the right of habeas corpus, no bill of attainder and the prohibition of the ex post facto laws; 1st Amendment guarantees freedom of religion, speech, press, assembly, and petition; 4th, 5th and 6th Amendments address search and seizure, rights of the accused, right to a fair and speedy trial, and other legal protections; 14th Amendment protection of due process and equal protec-

tion under the law; conflicts which occur between rights, including tensions between the right to a fair trial and freedom of the press and between majority rule and individual rights; expansion of voting rights, limitation of presidential terms, etc;

(f) compare and contrast the structure and powers of New Mexico's government as expressed in the New Mexico constitution with that of the United States constitution, to include: direct democracy in the initiative, referendum and recall process; impeachment process; process of voter registration and voting; role of primary elections to nominate candidates; how a bill becomes a law; executive officers and their respective powers; New Mexico courts, appointment of judges, and election and retainment processes for judges; organization of county and municipal governments;

(g) describe and analyze the powers and responsibilities (including the concept of legitimate power) of local, state, tribal and national governments;

(2) grades 9-12 benchmark 3-B: analyze how the symbols, icons, songs, traditions and leaders of New Mexico and the United States exemplify ideals and provide continuity and a sense of unity;

(a) analyze the qualities of effective leadership;

(b) evaluate the impact of United States political, tribal and social leaders on New Mexico and the nation;

(c) analyze the contributions of symbols, songs and traditions toward promoting a sense of unity at the state and national levels;

(d) evaluate the role of New Mexico and United States symbols, icons, songs and traditions in providing continuity over time;

(3) grades 9-12 benchmark 3-C: compare and contrast the philosophical foundations of the United States' political system in terms of the purpose of government, including its historical sources and ideals, with those of other governments in the world;

(a) analyze the structure, function and powers of the federal government (e.g., legislative, executive, and judicial branches);

(b) analyze and explain the philosophical foundations of the American political system in terms of the inalienable rights of people and the purpose of government, to include: Iroquois league and its organizational structure for effective governance; basic philosophical principles of John Locke expressed in the second treatise of government (nature, equality, and dissolution of government); foundation principles of laws by William Blackstone (laws in general and absolute rights of individuals);

importance of the founders of the rights of Englishmen, the Magna Carta and representative government in England;

(c) analyze the fundamental principles in the declaration of independence;

(d) analyze the historical sources and ideals of the structure of the United States government, to include: principles of democracy; essential principles of a republican form of government; code of law put forth in the Code of Hammurabi; separation of powers as expressed by the Baron of Montesquieu; checks and balances as expressed by Thomas Hobbs; ideas of individual rights developed in the English bill of rights; role of philosophers in supporting changes in governments in the 18th and 19th centuries (e.g., Locke, Rousseau, Voltaire);

(e) compare and contrast the concepts of courts and justice from Henry II of England to the court system of today;

(f) compare and contrast the unitary, confederal and federal systems;

(g) analyze the ways powers are distributed and shared in a parliamentary system;

(h) compare and contrast the different philosophies, structures and institutions of democratic versus totalitarian systems of government;

(i) analyze and evaluate the concept of limited government and the rule of law;

(j) compare and contrast the characteristics of representative governments;

(k) compare and contrast characteristics of Native American governments with early United States government;

(l) compare and contrast the philosophical foundations of forms of government to understand the purpose of the corresponding political systems (e.g., socialism, capitalism, secular, theocratic, totalitarian);

(m) analyze the role that the United States has played as a constitutional republican government for nations around the world;

(4) grades 9-12 benchmark 3-D: understand how to exercise rights and responsibilities as citizens by participating in civic life and using skills that include interacting, monitoring and influencing;

(a) describe and analyze the influence of the non-elected (e.g., staff, lobbyists, interest groups);

(b) analyze the rights and obligations of citizens in the United States, to include: connections between self-interest, the common good and the essential element of civic virtue, as described in the federalist papers, Numbers 5 and 49; obeying the law, serving on juries, paying taxes, voting, registering for selective service and military service.;

(c) demonstrate the skills needed

to participate in government at all levels, including: analyze public issues and the political system; evaluate candidates and their positions; debate current issues;

(d) analyze factors that influence the formation of public opinion (e.g., media, print, advertising, news broadcasts, magazines, radio);

(e) evaluate standards, conflicts and issues related to universal human rights and their impact on public policy.

D. Strand 4: Economics.

Content standard 4: Students understand basic economic principles and use economic reasoning skills to analyze the impact of economic systems (including the market economy) on individuals, families, businesses, communities and governments. Students will:

(1) grades 9-12 benchmark 4-A: analyze the ways individuals, households, businesses, governments and societies make decisions, are influenced by incentives (economic and intrinsic) and the availability and use of scarce resources, and that their choices involve costs and varying ways of allocating;

(a) analyze "opportunity costs" as a factor resulting from the process of decision making;

(b) understand how socioeconomic stratification (SES) arises and how it affects human motivation, using data;

(c) understand the relationship between socioeconomic stratification and cultural values;

(d) analyze and evaluate the impact of economic choices on the allocation of scarce resources;

(e) describe and analyze how economic incentives allow individuals, households, businesses, governments and societies to use scarce human, financial and natural resources more efficiently to meet economic goals;

(f) evaluate present and future economic costs and economic risks in the use of productive resources associated with investments;

(g) understand labor markets and how they work;

(h) describe and analyze the three major divisions of economics: macro-, micro- and consumer;

(i) understand the relationship between essential learning skills and workforce requirements (e.g., school to work initiatives, service learning) as they relate to supply and demand in the labor market;

(j) use quantitative data to analyze economic information;

(k) analyze various investment strategies available when meeting personal and business goals;

(l) understand the basis of supply and demand and marginal productivity;

(m) understand personal financ-

ing (e.g., banking, credit, debit, lending institutions);

(2) grades 9-12 benchmark 4-B: analyze and evaluate how economic systems impact the way individuals, households, businesses, governments and societies make decisions about resources and the production and distribution of goods and services;

(a) analyze the historic origins of the economic systems of capitalism, socialism and communism;

(b) compare the relationships between and among contemporary countries with differing economic systems;

(c) understand the distribution and characteristics of economic systems throughout the world, to include: (e.g., characteristics of command, market, and traditional economies; how command, market and traditional economies operate in specific countries; comparison of the ways that people satisfy their basic needs through the production of goods and services);

(d) analyze the importance of, and issues related to the location and management of the factors of production;

(e) describe how changes in technology, transportation and communication affect the location and patterns of economic activities in New Mexico and the United States;

(f) analyze the roles played by local, state, tribal and national governments in both public and private sectors of the United States system;

(g) understand the relationship between the United States' governmental policies and international trade;

(h) evaluate economic systems by their ability to achieve broad societal goals (e.g., efficiency, equity, security, employment, stability, economic growth);

(i) explain how businesses (e.g., sole proprietorships, partnerships, corporations, franchises) are organized and financed in the United States economy;

(j) interpret measurements of inflation and unemployment and relate them to the general economic "health" of the national economy;

(k) analyze the impact of fiscal policy on an economic system (e.g., deficit, surplus, inflation);

(l) compare and contrast different types of taxes (e.g., progressive, regressive, proportional);

(m) analyze the effects of specific government regulations on different economically-designated groups (e.g., consumers, employees, businesses);

(n) compare, analyze and evaluate the positive and negative aspects of American capitalism in relationship to other economic systems;

(o) describe and evaluate how the United States economy moved from being

manufacturing-based to information-driven;

(p) analyze the reasons for uneven economic growth-based changes (e.g., demographic, political, economic);

(q) analyze the economic ramifications of entrepreneurship;

(3) grades 9-12 benchmark 4-C: analyze and evaluate the patterns and results of trade, exchange and interdependence between the United States and the world since 1900;

(a) analyze foreign and domestic issues related to United States economic growth since 1900;

(b) analyze significant economic developments between World War I and World War II, to include: economic growth and prosperity of the 1920s; causes of the great depression and the effects on United States economy and government; new deal measures enacted to counter the great depression; expansion of government under new deal;

(c) analyze the effects of World War II, the cold war and post-cold war on contemporary society, to include: economic effects of World War II on the home front; United States prosperity of the 1950s; impact of the cold war on business cycle and defense spending; recession of 1980s; technology boom and consequent economic slow-down of 2000;

(d) describe the relationship between the United States' international trade policies and its economic system;

(e) identify and analyze the international differences in resources, productivity and prices that are a basis for international trade;

(f) explain the comparative advantage of a nation when it can produce a product at a lower "opportunity cost" than its trading partner;

(g) evaluate the effect on international trade of domestic policies that either encourage or discourage exchange of goods and services and investments abroad;

(h) analyze and evaluate how domestic policies can affect the balance of trade between nations;

(i) explain and describe how the federal reserve system and monetary policies (e.g., open market, discount rate, change in reserve requirements) are used to promote price stability, maximum employment, and economic growth;

(j) identify how monetary policies can affect exchange rates and international trade;

(k) analyze and evaluate the use of technology affecting economic development;

(l) describe and analyze multinational entities (e.g., NAFTA, European Union) in economic and social terms.

[6.29.11.10 NMAC - Rp, 6.30.2.16 NMAC,

6-30-2009]

#### **HISTORY OF 6.29.11 NMAC:**

**Pre-NMAC HISTORY:** The material in this part is derived from that previously filed with the State Records Center:

SDE 74-17, (Certificate No. 74-17), Minimum Educational Standards for New Mexico Schools, filed April 16, 1975.

SDE 76-9, (Certificate No. 76-9), Minimum Education Standards for New Mexico Schools, filed July 7, 1976.

SDE 78-9, Minimum Education Standards for New Mexico Schools, filed August 17, 1978.

SBE 80-4, Educational Standards for New Mexico Schools, filed September 10, 1980.

SBE 81-4, Educational Standards for New Mexico Schools, filed July 27, 1981.

SBE 82-4, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed November 16, 1982.

SBE Regulation No. 83-1, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed June 24, 1983.

SBE Regulation 84-7, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed August 27, 1984.

SBE Regulation 85-4, Educational Standards for New Mexico Schools, Basic, Special Education, and Vocational Programs, filed October 21, 1985.

SBE Regulation No. 86-7, Educational Standards for New Mexico Schools, filed September 2, 1986.

SBE Regulation No. 87-8, Educational Standards for New Mexico Schools, filed February 2, 1988.

SBE Regulation No. 88-9, Educational Standards for New Mexico Schools, filed October 28, 1988.

SBE Regulation No. 89-8, Educational Standards for New Mexico Schools, filed November 22, 1989.

SBE Regulation No. 90-2, Educational Standards for New Mexico Schools, filed September 7, 1990.

SBE Regulation No. 92-1, Standards for Excellence, filed January 3, 1992.

#### **History of Repealed Material:**

6.30.2 NMAC, Standards for Excellence, filed November 2, 2000 - Repealed effective June 30, 2009.

#### **NMAC History:**

6 NMAC 3.2, Standards for Excellence, filed October 17, 1996.

6.30.2 NMAC, Standards for Excellence, November 2, 2000, replaced by 6.29.1 NMAC, General Provisions; 6.29.2 NMAC, Arts Education; 6.29.3 NMAC, Career and Technical Education; 6.29.4 NMAC,

English Language Arts; 6.29.5 NMAC, English Language Development; 6.29.6 NMAC, Health Education; 6.29.7 NMAC, Mathematics; 6.29.8 NMAC, Modern, Classical and Native Languages; 6.29.9 NMAC, Physical Education; 6.29.10 NMAC, Science; 6.29.11 NMAC, Social Studies; effective June 30, 2009.

## **NEW MEXICO PUBLIC EDUCATION DEPARTMENT**

This is an amendment to 6.60.3 NMAC, Sections 2, 7, and 9 through 11, effective 06-15-09.

**6.60.3.2 SCOPE:** This rule establishes ~~[a path]~~ alternative pathways to teacher licensure in early childhood education, elementary education, middle level education, pre K-12 specialty area education, secondary education, or special education for persons who have earned at least a baccalaureate degree from a regionally accredited college or university but have never completed an educator preparation program and for persons who hold a post-baccalaureate degree and have teaching experience at the post-secondary level ~~[but in neither case have ever completed an educator preparation program]~~. This rule also establishes ~~[a path for alternative licensure]~~ an alternative licensure pathway in administration for persons who hold a post-baccalaureate degree and have administration experience at the post-secondary level ~~[but have never completed an administrator preparation program]~~. The ~~[procedures]~~ alternative pathways to teaching licensure in this rule may also be used by teachers employed in New Mexico public schools, charter schools, accredited or private schools who hold standard teaching licensure, to obtain additional licensure at the same level as their existing license or licenses.

[6.60.3.2 NMAC - Rp, 6.60.3.2 NMAC, 10-31-07; A, 06-15-09]

#### **6.60.3.7 DEFINITIONS:**

A. "Particular field" means the license ~~[and/or]~~ or endorsement area being sought.

B. "Appertains and corresponds to the subject area of instruction and level of instruction" means:

(1) that for early childhood licensure, the degree, including the credit hours, shall be related to early childhood education, birth through grade 3;

(2) that for elementary licensure, the degree, including the credit hours, shall include completed course work in any combination of the subject areas of language

arts, mathematics, science, social studies, history, fine or performing arts and foreign language;

(3) that for middle level, secondary, and pre K-12 specialty area licensure the degree, including the credit hours, shall be in the license ~~and/or~~ or endorsement area being sought; and,

(4) that for special education licensure, the degree, including the credit hours, shall include completed course work in any combination of the subject areas of language arts, mathematics, science, social studies, history, fine or performing arts and foreign language, or shall be related to special education (such as general elementary or secondary education, special education, psychology, child development, reading education).

C. "A program approved by the PED" means that the same program approval standards and procedures used by the PED for approving university preparatory programs shall be applied to alternative programs in New Mexico.

D. "Core academic subjects" means English, language arts, reading, mathematics, science, the arts, including music and visual arts, and social studies, which includes civics, government, economics, history, and geography, and modern and classical languages, except for the modern and classical Native American languages and cultures of New Mexico tribes or pueblos.

E. "A highly qualified, beginning early childhood, elementary, middle level, secondary, pre K-12 specialty area" teacher, under this rule, means a teacher who is fully qualified to teach the core academic subjects, who is new to the profession, who has pursued an alternative route to licensure and who:

(1) meets the requirements for alternative licensure in 6.60.3.8 NMAC; and

(2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason; and

(3) has passed all applicable teacher testing requirements for the level of licensure under 6.60.5.8 NMAC.

F. "A highly qualified beginning middle or junior high school teacher holding alternative elementary K-8 licensure", under this rule, means a teacher who is fully qualified to teach the core academic subjects in a public middle or junior high school, and who is new to the profession and has pursued an alternative route to licensure, and who:

(1) meets the requirements for alternative elementary K-8 licensure in 6.60.3.8 NMAC; and

(2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason; and

(3) has passed all applicable teacher testing requirements for elementary K-8 licensure in 6.60.5.8 NMAC; and

(4) if the teacher is new to the profession after June 30, 2006, or if the teacher was hired after the first day of school of the 2002-2003 school year and assigned to work in a title I targeted assistance program or a title I school-wide program:

(a) has passed the content knowledge test(s) of the New Mexico teacher assessments or comparable licensure tests from another state in each subject area the teacher teaches; or

(b) has successfully completed an undergraduate academic major or coursework equivalent to an undergraduate major, or a graduate degree, in each core academic subject the teacher teaches.

G. "A highly qualified beginning pre K-12 special education teacher," under this rule, means a teacher who is new to the profession and who has pursued an alternative route to licensure and who is fully qualified to teach special education students by either providing access for those students to a regular education classroom where instruction in the core academic subjects is delivered by a highly qualified regular education teacher, by being fully qualified to teach each core academic subject the special education teacher teaches, or by being fully qualified to teach either language arts or mathematics or science and becoming fully qualified to teach any other core academic subjects which the teacher teaches within two years after the date of initial employment and who:

(1) meets the requirements for pre K-12 special education licensure in Subsections A or B in 6.61.6.8 NMAC; and

(2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason; and

(3) has passed all applicable teacher testing requirements for licensure in 6.60.5.8 NMAC.

H. "A highly qualified teacher candidate for level 1 alternative licensure" means a person participating in an alternative route to licensure, who meets all of the following requirements:

(1) has fulfilled the degree requirements set forth in Subsection A of 6.60.3.8 NMAC; and

(2) receives high-quality professional development that is sustained, intensive, and classroom-focused, and includes classroom management and lesson planning for teaching New Mexico's diverse student population, both before and while teaching; and

(3) participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring pro-

gram; and

(4) assumes duties as a teacher of record for a period of at least one full school year under the internship license not to exceed three years, and

(5) demonstrates satisfactory progress toward full alternative licensure by completing at least nine semester hours per year in an alternative licensure program or successfully demonstrating competency by way of portfolio assessment or by way of local evaluations for two full school years in an approved school district alternative program.

I. "Internship license" means a three-year ~~non-renewable~~ certificate or license issued by the PED authorizing a candidate to teach where the candidate does not yet meet the requirements for a level 1 alternative license but is satisfactorily participating in an alternative route to licensure under 6.60.3 NMAC, or a three-year ~~non-renewable~~ administrator certificate or license authorizing the candidate to work as an administrator where the person does not yet meet the requirements for a level 3B alternative administrator license but is participating in an alternative route to licensure under Subsection D of 6.60.3.8 NMAC.

J. "Undergraduate academic major", under this rule, means thirty (30) semester hours in a subject area.

K. "Full school year" means a minimum of 160 instructional days or equivalent number of days in schools or school districts on alternative schedules over multiple school years of full-time or part-time teaching during which the teacher is the teacher of record or serves as an instructional coach or resource teacher in at least one class each school year while holding a standard teaching license. An equivalent number of instructional hours may be accepted for those teachers who do not teach every day. Instructional days may include teaching in summer school or similar educational setting.

L. "Teacher of record" is the person named in the standard teaching contract who will be covering the class and teaching the students in that classroom the majority of the time. This is the contracted individual who will plan the lessons, assign grades, meet with parents and other duties of the regular class room teacher according to the standard teaching contract.

[6.60.3.7 NMAC - Rp, 6.60.3.7 NMAC, 10-31-07; A, 06-15-09]

**6.60.3.9 REQUIREMENTS FOR ALTERNATIVE ADMINISTRATOR LICENSURE:** Professional administrator education requirements - An applicant for alternative administrator licensure who has earned a post-baccalaureate degree and has at least six years administrator

experience at the post-secondary level ~~but has never completed an administrator preparation program~~ must complete an internship of at least one full school year while holding an administrator internship license and working as an administrator in a school district, charter school, private school or state agency education program. Upon completion of the internship the candidate for alternative administrator licensure who has met PED-approved administrator competencies as verified to the PED by the candidate's employer will be issued an alternative level 3-B administrator license [6.60.3.9 NMAC - N, 10-31-07; A, 06-15-09]

#### 6.60.3.10 REQUIREMENTS FOR INTERNSHIP TEACHER LICENSURE:

A. A candidate for alternative licensure may be permitted to assume the functions of a teacher prior to completion of licensure requirements and be issued a three-year ~~non-renewable~~ internship license, if the candidate is a highly qualified teacher candidate for level 1 alternative licensure, as defined in this rule.

(1) Such a candidate may be issued a three-year ~~non-renewable~~ internship license to allow time to complete the teacher testing requirements of 6.60.5.8 NMAC, the reading coursework requirement set forth in Paragraphs (1) or (2) of Subsection B of 6.60.3.8, NMAC, the requirement to be the teacher of record for at least one full school year and to pass portfolio submission process or be evaluated for competency by a local school district.

(2) At the time of internship licensure application, the candidate must:

(a) present proof of registration for a New Mexico teacher assessment at the next available testing date, and

(b) present proof of enrollment in the required coursework for the teaching of reading or proof of having completed the required coursework.

(3) If a candidate for this licensure is not successful in demonstrating competency by way of portfolio assessment or by way of local public school district evaluations, the candidate may still proceed by way of the alternative route set forth in this subsection although the three-year ~~non-renewable~~ license issued under Paragraph (1) of Subsection B of 6.60.3.10 NMAC shall not be extended or renewed in order to provide additional time to complete an alternative licensure program.

B. A candidate enrolled in a PED approved post-baccalaureate teacher preparation program or advanced degree program with a teacher preparation component may be considered to be participating

in an alternative route to licensure and be issued an internship license under Subsection A of 6.60.3.10 NMAC. Upon the completion of the approved teacher traditional preparation program requirements, and the testing requirements the candidate may be issued a standard level 1 alternative license if, in addition, the candidate meets the requirements for standard licensure within the three-year period allowed to complete an alternative route to licensure.

C. After June 30, 2003, the time that a person provides services under an internship license shall not be counted toward or considered for advancement to level 2, or level 3 licensure.

[6.60.3.10 NMAC - Rp, 6.60.3.9 NMAC, 10-31-07; A, 06-15-09]

#### 6.60.3.11 REQUIREMENTS FOR ADMINISTRATOR INTERNSHIP LICENSURE:

A three-year, ~~non-renewable~~ internship license in educational administration may be issued to any candidate who holds at least a master's degree and has at least six full school years of experience in administration at the post-secondary level.

[6.60.3.11 NMAC - N, 10-31-07; A, 06-15-09]

## NEW MEXICO PUBLIC EDUCATION DEPARTMENT

This is an amendment to 6.60.4 NMAC, Sections 7, 8, and 13, effective 06-15-09.

#### 6.60.4.7 DEFINITIONS:

A. "Core academic subjects" means English, language arts, reading, mathematics, science, modern and classical languages, except the modern and classical Native American languages and cultures of New Mexico tribes and pueblos, the arts, including music and visual arts, and social studies, which includes civics, government, economics, history, and geography.

B. "Academic major," under this rule, means twenty-four (24) to thirty-six (36) semester hours in a core academic subject area, twelve hours of which must be upper division for secondary 7-12, middle level 5-9, and pre-K-12 specialty area licenses.

C. "Full school year" means a minimum of 160 instructional days in a school year or 480 instructional days or equivalent number of days in schools or school districts on alternative schedules over multiple school years of full-time or part-time teaching during which the teacher is the teacher of record or serves as an instructional coach or resource teacher in at

least one class each school year while holding a standard teaching license. An equivalent number of instructional hours may be accepted for those teachers who do not teach every day. Instructional days may include teaching in summer school or similar educational setting.

[6.60.4.7 NMAC - N, 10-14-04; A, 10-31-07; A, 06-15-09]

#### 6.60.4.8 REQUIREMENTS:

A. Persons seeking a reciprocal level 1 license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-12, or grade pre K-12 specialty area, or grade pre K-12 blind and visually impaired, through reciprocity, shall meet the following requirements:

(1) hold a bachelor's degree or higher degree from a regionally accredited or ~~(PED)~~ PED approved college or university; and

(2) hold and provide a copy of at least one current valid teaching license issued by a state education agency, including PED or department of defense dependent schools or foreign country that is comparable to the license they are seeking; and

(3) have completed a standard or alternative teacher preparation program approved in another state or accepted by the PED; and

(4) provide copies of test scores for exams that were required to receive the license; and

(5) if applying for:

(a) early childhood birth-grade 3 or k-8 elementary licensure, provide evidence of having passed a content knowledge or professional knowledge test on the basic early childhood or elementary school curriculum and on any additional core academic endorsement areas or have completed 24 lower or upper division credit hours across the elementary education core academic subjects of language arts, social studies, mathematics, and science with at least six credit hours in each core area;

(b) secondary or secondary vocational and technical 7-12, middle level 5-9, or grades pre K-12 specialty area licensure in the core academic areas, provide evidence of having passed a content knowledge test in each of the core academic subjects in which the applicant seeks licensure or having completed an academic major, a graduate degree, or coursework equivalent to an academic major in each of the core academic subjects in which the applicant seeks licensure;

(c) licensure in non-core academic subjects, special education pre K-12, or blind and visually impaired pre K-12 licensure, have, on a form acceptable to the PED,

provided evidence of having satisfactorily taught under their out of state license or licenses or have passed the applicable New Mexico teacher assessment ("NMTA") and

(6) have, on a form acceptable to the professional licensure bureau ("PLB") of the PED, provided evidence of having satisfactorily taught ~~[under their out of state licenses; or combination of valid licenses for fewer than three full school years; and] in any state or foreign country or combination of other states or countries other than New Mexico for fewer than three (3) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach or combination of any of the aforementioned licenses or authorizations, and~~

(7) submit to and satisfactorily clear a fingerprint-based background check pursuant to Section 22-10A-5, NMSA 1978.

B. Persons seeking a level 2 license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-12, or grade preK-12 specialty area, or grade pre K-12 blind and visually impaired, through reciprocity, shall meet the following requirements:

(1) hold a bachelor's degree or higher degree from a regionally accredited or state approved college or university; and either

(2) hold a valid certificate issued by the national board for professional teaching standards; or

(3) hold and provide a copy of a valid teaching license or licenses issued by a state education agency, including PED or department of defense dependent schools or foreign country that is comparable to the license they are seeking; and

(4) have completed a standard or alternative teacher preparation program approved in another state or accepted by the PED; and

(5) have, on a form acceptable to the PED, provided evidence of having satisfactorily taught ~~[under their out of state license for at least three full school years at any time preceding their application for licensure; and] in any state or foreign country or combination of other states or countries other than New Mexico for at least three (3) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach or combination of any of the aforementioned licenses or authorizations, and~~

(6) provide copies of test scores for exams required to receive the license and have ~~[the credit hours or have passed] either the required credit hours or have~~

~~passed a license~~ test for endorsement areas; and

(7) submit to and satisfactorily clear a fingerprint-based background check pursuant to Section 22-10-3.3, NMSA 1978.

C. Persons seeking a level 3-A license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-12 or grade pre K-12 specialty area, or grade pre K-12 blind and visually impaired, through reciprocity, shall meet the following requirements:

(1) hold a master's degree or higher from a regionally accredited or state approved college or university; or

(2) hold a valid certificate issued by the national board for professional teaching standards; and

(3) hold and provide a copy of a valid teaching license or licenses issued by a state education agency, including PED or department of defense dependent schools or foreign country that is comparable to the license they are seeking; and

(4) have completed a standard or alternative teacher preparation program approved in another state, or accepted by the PED and

(5) have, on a form acceptable to the PED, provided evidence of having satisfactorily taught ~~[under their out of state license or licenses for at least six full school years at any time preceding their application for licensure; and] in any state or foreign country or combination of other states or countries other than New Mexico for at least six (6) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach or combination of any of the aforementioned licenses or authorizations; and~~

(6) provide copies of test scores for exams required to receive the license and have ~~[completed the credit hours or passed the test for the] either the required credit hours or have passed a licensure~~ test for endorsement areas; and

(7) submit to and satisfactorily clear a fingerprint-based background check pursuant to section 22-10A-5, NMSA 1978.

D. A teacher who is granted level 3-A licensure under this rule who does not demonstrate competency at level 3-A indicators in Subsection D of 6.69.4.12 NMAC for a given school year may have the license suspended under Subsection F of 6.69.4.10 NMAC.

E. Persons seeking reciprocal administrative licensure shall meet the following requirements:

(1) hold a master's degree or higher degree from a regionally accredited or PED approved college or university; and

(2) hold a valid administrator's

license or licenses issued by a state education agency or department of defense dependent schools or foreign country;

(3) have completed a regionally accredited college or university education administrator preparation program approved in another state or accepted by the PED;

~~[(4) hold and provide a copy of a valid teaching license or licenses issued by a state education agency; department of defense dependent schools or foreign country;]~~

~~[(5)] (4) provide on a form acceptable to the PED, evidence of having satisfactorily worked [under their out of state teaching or administrative license or licenses for at least seven full years at any time preceding their application for New Mexico licensure in education administration] for at least seven (7) full school years as a teacher at any time preceding their application for New Mexico licensure in education administration, or having worked for seven (7) full school years either as a teacher or administrator with at least three (3) full schools of experience as a teacher at any time preceding their application for New Mexico licensure in education administration.~~

F. Persons holding a valid education administration license from another state or department of defense dependent schools or foreign country who are seeking reciprocal education administration licensure in New Mexico shall be exempt from satisfying the requirements of Paragraph ~~[(5)] (4)~~ of Subsection E of 6.60.4.8 NMAC above, provided that they began their administrator preparation program prior to April 4, 2003.

[6.60.4.8 NMAC - Rp 6 NMAC 4.2.2.3.8, 07-01-01; A, 06-01-02; A, 08-30-02; A, 10-14-04; A, 10-31-07; A, 06-15-09]

#### **6.60.4.13 FOREIGN COUNTRY LICENSURE RECIPROCITY:**

A. Foreign country teachers seeking a reciprocal level 1 license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-2, or grade pre K-12 specialty area, or grade pre K-12 blind and visually impaired who are licensed or hold authorization to teach in a country outside of the United States of America here after referred to as United States shall meet the following requirements:

(1) hold a bachelor's degree from a United States regionally accredited college or university or an equivalent to a bachelor's degree from another country as verified by an official translation and evaluation from a PED accepted agency as posted on www.ped.state.nm.us; and,

(2) hold and provide a copy of a

valid teaching license or authorization to teach in another country or countries that is comparable to the New Mexico license they are seeking; and,

(3) have completed a standard or alternative [~~college or university~~] teacher preparation program approved in another state or country or accepted by the PED; and,

(4) if applying for:

(a) early childhood birth-grade 3 or k-8 elementary licensure, have passed the applicable New Mexico teacher assessments ("NMTA") or other teacher competency test(s) satisfying requirements for teacher licensure in another state or country, or have completed 24 lower or upper division credit hours across the elementary education core academic subjects of language arts, social studies, mathematics, and science with at least six credit hours in each core area;

(b) secondary or secondary vocational technical 7-12, middle level 5-9, and grades pre K-12 specialty area licensure in the core academic areas, provide evidence of having completed an academic major, a graduate degree, or coursework equivalent to an academic major in each of the core academic subjects in which the applicant seeks licensure, or having passed the applicable New Mexico teacher assessments ("NMTA") or other teacher competency test(s) satisfying requirements for teacher licensure in another state or country;

(c) licensure in non-core academic subjects, special education pre K-12, or blind and visually impaired pre K-12 licensure, have, on a form acceptable to the PED, provided evidence of having satisfactorily taught under their foreign country licensure or authorization, or have passed the applicable New Mexico teacher assessments ("NMTA") or other teacher competency test(s) satisfying requirements for teacher licensure in another state or country; and,

(5) have, on a form acceptable to the PED, provided evidence of having satisfactorily taught [~~under their out of country license(s) or authorization(s) for fewer than three full school years at any time preceding their application for licensure; and~~] in any state or foreign country or combination of other states or countries other than New Mexico for fewer than three (3) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach or combination of any of the aforementioned licenses or authorizations; and

(6) submit to and satisfactorily clear a fingerprint-based background check pursuant to Section 22-10A-5, NMSA 1978 or provide proof of a criminal history background clearance from their country of residence.

idence.

B. Persons seeking a level 2 license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-12, or grade pre K-12 specialty area, or grade pre K-12 blind and visually impaired, through reciprocity, shall meet the following requirements:

(1) hold a bachelor's degree or equivalent from a college or university, which if located in the United States must be regionally accredited; and either

(2) hold a valid certificate issued by the national board for professional teaching standards; or

(3) hold and provide a copy of a valid teaching license or authorization to teach in another country or countries that is comparable to the New Mexico license they are seeking; and

(4) provide a valid translation and evaluation of transcripts and other documentation from outside of the United States; and

(5) have completed a standard or alternative [~~college or university~~] teacher preparation program approved in another state or country or accepted by the PED; and

(6) meet the requirements of Paragraph (4) of Subsection A of 6.60.4.13, NMAC; and

(7) have, on a form acceptable to the PED, provided evidence of having satisfactorily taught in any state or foreign country or combination of other states or countries other than New Mexico for at least three (3) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach or combination of any of the aforementioned licenses or authorizations; and

~~(7)~~ (8) submit to and satisfactorily clear a fingerprint-based background check pursuant to section 22-10A-5, NMSA 1978 or provide proof of a criminal history background clearance from their country of residence.

C. Persons seeking a level 3 license for elementary k-8, early childhood birth-grade 3, secondary or secondary vocational technical 7-12, middle level 5-9, special education pre K-12, or grade pre K-12 specialty area, or pre K-12 blind and visually impaired, through reciprocity, shall meet the following requirements:

(1) hold a master's degree or higher degree or equivalent from a college or university, which if located in the United States must be regionally accredited; and either

(2) hold a valid certificate issued by the national board for professional teaching standards; or

ing standards; or

(3) hold and provide a copy of a valid teaching license or authorization to teach in another country or countries that is comparable to the New Mexico license they are seeking; and

(4) have completed a standard or alternative [~~college or university~~] teacher preparation program approved in another state or country or accepted by the PED; and

(5) provide a valid translation of transcripts and other documentation; and

(6) meet the requirements of ~~Paragraphs (4) and (5)~~ Paragraph 4 of Subsection A of 6.60.4.13 NMAC; and

(7) have, on a form acceptable to the PED, provided evidence of having satisfactorily taught [~~under their out of country license or authorization for at least six full school years at any time preceding their application for licensure and~~] in any state or foreign country or combination of other states or countries other than New Mexico for at least six (6) full school years at any time preceding their application for licensure while holding at least one standard out-of-state or New Mexico teaching license or foreign country authorization to teach or combination of any of the aforementioned licenses or authorizations; and

(8) submit to and satisfactorily clear a fingerprint-based background check pursuant to section 22-10A-5, NMSA 1978 or provide proof of a criminal history background clearance from their country of residence.

D. A teacher who is granted level 3-A licensure under this rule who does not demonstrate competency at level 3-A indicators of Subsection D of 6.69.4.12 for a given school year may have the license suspended under Subsection F of 6.69.4.10 NMAC.

[6.60.4.13 NMAC - N, 06-01-02; A, 08-15-03; A, 10-14-04; A, 10-31-07; A, 06-15-09]

## NEW MEXICO PUBLIC EDUCATION DEPARTMENT

This is an amendment to 6.60.5 NMAC, Sections 1, 8, 10 and 13, effective 06-15-09.

**6.60.5.1 ISSUING AGENCY:**  
Public Education Department (PED)  
[12-31-98, 07-30-99; 6.60.5.1 NMAC - Rn, 6 NMAC 4.2.2.2.1, 10-13-00; A, 04-29-05; A, 06-15-09]

**6.60.5.8 REQUIREMENTS:**  
The NMTA consists of two generic categories of assessments. The first category is the basic skills and competency assessments identified at Subsection A of 6.60.5.8

NMAC below. The second category is the content knowledge assessments, sometimes called content tests, identified at Subsection B of 6.60.5.8 NMAC below.

A. Beginning July 30, 1999 except for those individuals covered by Subsection C of 6.60.5.8 NMAC, below all applicants for initial licensure in addition to meeting all other licensure and background check requirements of the PED, are required to take the basic skills and competency assessments of the New Mexico teacher assessments, which consist of the following tests and obtaining the following passing scores:

(1) assessment of teacher basic skills: passing score = 240; and

(2) either:

(a) assessment of teacher competency, elementary level (for those seeking elementary K-8 licensure, middle level 5-9, special education pre K-12 licensure or grade pre K-12 licensure): passing score = 240; or

(b) assessment of teacher competency, secondary level (for those seeking secondary 7-12 licensure including special education pre K-12 licensure, middle level 5-9 or grade pre K-12, or special education pre K-12): passing score = 240; or

(c) assessment of teacher competency, early childhood level (for those seeking early childhood birth-grade 3 licensure beginning with the testing date in September, 2004): passing score = 240.

B. In addition to the testing requirement above, all applicants for initial teacher licensure must take and pass a test in their content area subject according to the following schedule:

(1) Beginning with the September, 2002, administration of the PED's content testing, if applicants are seeking licensure in elementary K-8, they shall take and pass the PED's content knowledge assessment in elementary education prior to issuance of that license except as provided in Paragraph (6) of Subsection B of 6.60.5.8 NMAC.

(2) Beginning with the September, 2002, administration of the PED's content testing, if applicants are applying for licensure in early childhood birth-grade 3 or elementary K-8 and are also seeking an endorsement in reading, they shall take and pass the PED's content knowledge assessment in that content area prior to issuance of that endorsement.

(3) Beginning with the September, 2004, administration of the PED's content testing, if applicants are applying for licensure in early childhood birth-grade 3, elementary K-8, secondary 7-12, middle level 5-9, special education pre K-12 ~~and/or~~ or grade pre K-12, and are also seeking an endorsement in the arts (music or visual arts) or modern, classical

and native languages (Spanish, French, or German) they must take and pass the PED's content knowledge assessment(s) in the respective content area prior to issuance of the endorsement(s).

(4) Beginning with the September, 2002, administration of the PED's content testing, if they are applying for licensure in secondary 7-12, middle level 5-9 ~~and/or~~ or grade pre K-12 and are also seeking endorsement in language arts, reading, mathematics, science or social studies, or any combination thereof, they shall take and pass the PED's content knowledge assessment in that content area prior to issuance of that license.

(5) Beginning with the September, 2006, administration of the PED's content testing if they are applying for licensure in early childhood birth-grade 3, elementary K-8, secondary 7-12, middle level 5-9, special education pre K-12 ~~and/or~~ or grade pre K-12, and are also seeking an endorsement in the health, physical education, library/media, teaching English to speakers of other languages (TESOL), or family and consumer sciences, they must take and pass the PED's content knowledge assessment(s) in the respective content area prior to issuance of the endorsement(s).

(6) An elementary K-8 licensed teacher who is new to the profession and who will be teaching language arts, social studies, mathematics, or science in a middle school or junior high school must either:

(a) take and pass the PED's middle level content knowledge assessment(s) in each core subject area the teacher will be teaching; or

(b) complete twenty-four semester hours of coursework, at least ~~[+2]~~ 6 hours of which ~~[+5]~~ are upper division, in each core academic subject the teacher will teach and take and pass the content knowledge assessment in elementary education.

(7) If they currently hold a license and seek to add an endorsement in language arts, reading, mathematics, science, social studies, the arts (music or visual arts), modern, classical and native languages (Spanish, French, or German), health, physical education, library/media, teaching English to speakers of other languages (TESOL), or family and consumer sciences, they may be issued an endorsement in the content area upon passage of the PED's content knowledge assessment(s) in the respective content area except that a candidate who has passed the Prueba de Español para la Certificación Bilingüe must also complete required coursework in order to add an endorsement in modern, classical and native languages (Spanish).

(8) Beginning with the September, 2007, administration of PED's teacher testing if applicants are applying for

licensure in special education pre K-12, they shall take and pass the PED's teacher content assessment in special education prior to issuance of that license.

(9) Beginning with the September, 2007, administration of PED's specialty area examinations, if they are applying for licensure as a school counselor, educational diagnostician or administrator, grades pre K-12, they shall take and pass the PED's specialty area examinations ~~[in those fields]~~ as provided in PED rules governing those licenses prior to the issuance of those licenses.

C. Applicants for an initial Spanish/English bilingual endorsement to a teaching license must, in addition to meeting all other PED requirements for the endorsement, pass Prueba de Español para la Certificación Bilingüe by obtaining a score of 2 or higher on any 12 of the 15 subsections. Applicants seeking this endorsement through licensure reciprocity should consult 6.60.4 NMAC for guidance.

[12-31-98, 07-30-99, 02-14-00; 6.60.5.8 NMAC - Rn, 6 NMAC 4.2.2.2.8 & A, 10-13-00; A, 07-15-02; A, 02-14-03; A, 06-30-03; A, 04-29-05; A, 03-15-06; A 05-31-06; A, 10-31-07; A, 06-15-09]

#### 6.60.5.10 SAVINGS CLAUSE:

A. Applicants described in 6.60.5.8 NMAC applying for licensure after July 30, 1999, who have taken the professional knowledge, or communications skills tests of the core battery of the national teachers examination that correspond with portions of the NMTA as indicated below, will be exempt from taking the same portions of the NMTA provided they have obtained the following minimum scaled score that correspond with each test of the core battery of the national teachers examination:

(1) professional knowledge 630  
corresponds with NMTA-teacher competency 240

(2) communication skills 644  
corresponds with NMTA basic skills 240

B. Those applicants not applying for licensure under reciprocity but presenting ~~[test scores from out of state may be excused from taking]~~ passing test scores on comparable basic skills, teacher competency or a content area tests from out of state may be excused from taking the corresponding NMTA basic skills, teacher competency or a content area test. For any single test to be deemed to be passing, scores must show a correct response rate of at least 70 percent, regardless of the raw test scores. PED may require the applicant to provide evidence of having met the 70 percent correct response rate.

[07-30-99; 6.60.5.10 NMAC - Rn, 6 NMAC 4.2.2.2.10 & A, 10-13-00; A, 07-15-02; A, 02-14-03; A, 04-29-05; A, 05-31-06, A, 10-

31-07; A, 06-15-09]

**6.60.5.13 LIMITED DISCOVERY RIGHTS:** The NMTA is the primary PED-approved teacher test for the state of New Mexico. It was developed by the test administrator under contract with the PED to help identify candidates for educator licensure who have demonstrated the level of knowledge and skills necessary for performing the duties of a teacher in New Mexico's public schools. The PED holds the exclusive copyright on the NMTA. As such, the PED must safeguard not only the copyright but also the confidentiality of the NMTA. Any testing applicant who timely requests a meeting or a hearing as permitted by this rule shall have only limited access to the questions and answers of the applicant's NMTA ~~and/or~~ or related materials.

A. Given the proprietary nature of the NMTA ~~and/or~~ or related materials, under no circumstance shall a testing applicant's disputed or undisputed NMTA be released to a testing applicant, attorney, representative, or the general public.

B. Upon request made to the director, a testing applicant, and an attorney, or representative shall be given as much access to the applicant's disputed or undisputed NMTA ~~and/or~~ or related materials as is deemed reasonably necessary by the director, or hearing officer as the case may be, to prepare for pending meeting or hearing.

C. Anyone given permission to view a testing applicant's disputed or undisputed NMTA ~~and/or~~ or related materials, must sign a confidentiality agreement offered by the PED. An NMTA ~~and/or~~ or related materials may only be viewed during routine office hours of the PED under supervision of a PED employee and on the PED premises. No NMTA ~~and/or~~ or related materials may be written on, marked, electronically copied, hand-duplicated, or otherwise removed from the premises of the PED. The form, subject matter, substance and wording of any NMTA test question or answer may also not be removed from the premises of the PED nor may they be further disclosed in any other way. A person granted permission to review the materials covered by this section may not bring any manual or electronic copying devices to the location where the materials are offered. Such copying devices referred to in the preceding sentence shall include but not be limited to cameras, camcorders, tape recorders, writing utensils, hand-held computers, paper, briefcases, etc. The said confidentiality agreement shall accomplish this as well as other test-security goals. Anyone who enters the PED premises to review the materials covered by this section and who

violates or attempts to violate any protected security measure may, at the discretion of the PED, be removed from the premises and be considered to have forfeited any additional access to an applicant's disputed or undisputed NMTA ~~and/or~~ or related materials.

D. The original or copy of any NMTA ~~and/or~~ or related materials used as evidence at any meeting or hearing shall also be subject to confidentiality by all attendees and participants. Accordingly, all such meetings or hearings shall be closed to the public.

[6.60.5.13 NMAC - N, 07-01-01; A, 04-29-05; A, 10-31-07; A, 06-15-09]

## NEW MEXICO PUBLIC EDUCATION DEPARTMENT

This is an amendment to 6.60.6 NMAC, Sections 7, 9, 11 and 12, effective 06-15-09.

### 6.60.6.7 DEFINITIONS:

A. "Level 1 teaching license" means a provisional teaching license issued for the first five years of teaching that gives a beginning teacher the opportunity, through a formal mentorship program, for additional preparation to be a quality teacher.

B. "Level 2 teaching license" means a professional teaching license given to a teacher who is a fully qualified professional who is primarily responsible for ensuring that students meet and exceed ~~(PED)~~ PED academic content and performance standards; a teacher may choose to remain at level 2 for the remainder of that teacher's career.

C. "Level 3-A teaching license" means a master teaching license and is the highest level of teaching competence for those teachers who choose to advance as instructional leaders in the teaching profession and undertake greater responsibilities such as curriculum development, peer intervention, and mentoring.

D. "Full school year" means a minimum of 160 instructional days in a school year or 480 instructional days or equivalent number of days in schools or school districts on alternative schedules over multiple school years of full-time or part-time teaching during which the teacher is the teacher of record or serves as an instructional coach or resource teacher in at least one class each school year while holding a standard teaching license. An equivalent number of instructional hours may be accepted for those teachers who do not teach every day. Instructional days may include teaching in summer school or similar educational setting.

[6.60.6.7 NMAC - N, 09-30-03; A, 04-29-05; A, 05-31-06; A, 10-31-07; A, 06-15-09]

### 6.60.6.9 REQUIREMENTS FOR ADVANCEMENT AND RENEWAL OF TEACHING LICENSES:

A. A teacher holding a valid level 1 license and seeking a level 2 license pursuant to the provisions of this rule shall meet the following requirements, which may not be waived or substituted by any other experience:

(1) complete three full school years of teaching experience as the teacher of record at standard level 1 New Mexico licensure with successful annual evaluations, except that a teacher who has completed two full school years of teaching experience while holding standard teaching licensure in New Mexico or in another state or country or has obtained level 1 New Mexico teaching licensure through reciprocity in 6.60.4 NMAC and is seeking advancement to level 2 may be required by a local New Mexico school district to complete up to two full years of teaching experience in New Mexico before being eligible for licensure advancement to level 2 except that a person who has completed one full school year of teaching in another state or country must teach for two full school years under standard level 1 New Mexico licensure; and

(2) submit, in a form acceptable to the director, a completed licensure application and either a professional development dossier (PDD), as provided in 6.69.4.11 NMAC ~~[only between February 1<sup>st</sup> and March 1<sup>st</sup>, June 1<sup>st</sup> and July 1<sup>st</sup>, and October 15<sup>th</sup> and November 15<sup>th</sup> of any year]~~ or certification from the national board for professional teaching standards, and beginning in 2005, where the PDD may be submitted up to three months in advance of the completion of the requirement in Paragraph (1) of Subsection A of 6.60.6.9 NMAC with final PDD approval dependent upon the completion of three full years of teaching experience at level 1 licensure. ~~[Administrators will have until April 15<sup>th</sup>, August 11<sup>th</sup>, and December 27<sup>th</sup> respectively to complete strands D and E.]~~ Dossiers may be submitted only between the following dates:

(a) for school year 2009/2010, October 15, 2009 and March 31, 2010;

(b) for school year 2010/2011, July 15, 2010 and March 31, 2011;

(c) for all subsequent years, July 15 and March 31;

(3) complete the mentorship requirement for beginning teachers in 6.60.10 NMAC.

B. A teacher holding a valid level 2 license and seeking a level 3-A license pursuant to the provisions of this

rule shall meet the following requirements, which may not be waived or substituted by any other experience:

(1) complete three full school years of teaching experience as the teacher of record at standard level 2 New Mexico licensure with successful annual evaluations, except that a teacher who has four or more full school years of teaching experience while holding standard teaching licensure in New Mexico or in another state or country or has obtained level 2 New Mexico teaching licensure through reciprocity in 6.60.4 NMAC and who is seeking advancement to level 3-A may be required by a local New Mexico school district to complete up to two full years of teaching experience in New Mexico before being eligible for licensure advancement to level 3-A; and

(2) hold a post-baccalaureate degree from a regionally accredited college or university or hold certification from the national board for professional teaching standards; and

(3) submit, in a form acceptable to the director, a completed licensure application and either a professional development dossier (PDD), as provided in 6.69.4.11 NMAC [~~only between February 1st and March 1st, June 1st and July 1st, and October 15th and November 15th of any year~~] or certification from the national board for professional teaching standards, and beginning in 2005, where the PDD may be submitted up to three months in advance of the completion of the requirement in Paragraph (1) of Subsection B of 6.60.6.9 NMAC with final PDD approval dependent upon the completion of three full years of teaching experience at level 2 licensure. [~~Administrators will have until April 15th, August 11th and December 27th respectively to complete strands D and E.~~] Dossiers may be submitted only between the following dates:

(a) for school year 2009/2010, October 15, 2009 and March 31, 2010;

(b) for school year 2010/2011, July 15, 2010 and March 31, 2011;

(c) for all subsequent years, July 15 and March 31.

C. A teacher holding a valid level 2 or level 3-A teaching license and seeking licensure renewal at the same level as the current license shall meet the requirements of either (1) or (2) below:

(1) If renewing a license through the [~~(PED)~~] PED, submit, along with the fee specified in 6.60.7.8 NMAC, a completed application for licensure renewal to the director and verification from the superintendent of the local school district or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure renewal, that the applicant has

satisfactorily demonstrated the competencies for the current level of licensure and has met other requirements of the high objective uniform standard of evaluation for the current level of licensure as evidenced by the teacher's annual evaluations.

(2) If renewing a license through a local New Mexico school district, state institution, charter school, or private school, complete the PED's application for licensure renewal. The employing school district, charter school, state institution, or private school shall attach to the application the PED's verification by the superintendent of the local school district or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure renewal, that the applicant has satisfactorily demonstrated the competencies for the level of licensure sought and has met other requirements of the high objective uniform standard of evaluation for the level of licensure as is evidenced by the teacher's annual evaluations. These documents will be maintained on file in the teacher's personnel file in the local school district, state institution, charter school, or private school. The superintendent or the superintendent's designee will authorize the PED to issue the renewal of licensure through electronic notification procedures established by the PED when the PED determines such an electronic system is viable and operational. The license shall be printed by, and mailed to the license holder from, the PED. Under no circumstances will local school districts directly issue or print a New Mexico educator license. The PED shall determine how or if renewal fees authorized in 6.60.7.8 NMAC shall be paid by an applicant who renews the license under Paragraph (2) of Subsection C of 6.60.6.9 NMAC.

(3) If a teacher does not satisfactorily demonstrate the competencies for the level of licensure or other requirements of the high objective uniform standard of evaluation for licensure renewal, the applicant, depending on the outcome of any due process proceeding under the Uniform Licensing Act, sections 61-1-1 through 61-1-31, NMSA 1978, might not be issued a license.

D. A person holding a valid level 3-A license may choose not to renew the level 3-A license and apply for a level 2 license. The superintendent of the local school district or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure must submit to the director a verification that the applicant has satisfactorily met the high objective uniform standard of evaluation for level 2 license as is evidenced by

the teacher's annual evaluations.

E. If a level 3-A teacher does not satisfactorily meet the high objective uniform standard of evaluation for level 3-A licensure renewal, the applicant, depending on the outcome of any due process proceeding under the Uniform Licensing Act, sections 61-1-1 through 61-1-3-1, NMSA 1978, might not be issued a level 3-A license. In that case, the applicant may be issued a level 2 license if the superintendent of the local school district or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure renewal, submits to the director a verification that the applicant has satisfactorily met the high objective uniform standards of evaluation for level 2 licensure as is evidenced by the teacher's annual evaluations.

E. A teacher who has taught in New Mexico under a standard teaching license for one full school year and who subsequently teaches under a standard teaching license in another state or authorization to teach in another country and has met the total amount of years for advancement required in Paragraph (1) of Subsection A of 6.60.6.9 NMAC or Paragraph (1) of Subsection B of 6.60.6.9 NMAC may advance to the next higher licensure level without presenting a dossier as required in Paragraph (2) of Subsection A of 6.60.6.9 NMAC, or Paragraph (3) of Subsection B of 6.60.6.9 NMAC.

[6.60.6.9 NMAC - N, 09-30-03; A, 08-31-04; A, 04-29-05; A, 05-31-06; A, 10-31-07; A, 06-15-09]

#### **6.60.6.11 EXCEPTIONS:**

A. Exceptions for "exigent circumstances":

(1) The provisions of this paragraph shall apply to an individual holding a valid New Mexico license who, in exigent circumstances, is unable to secure a verification of the required competencies for licensure renewal.

(2) As used in this paragraph, "exigent circumstance" means:

(a) the non-availability of the superintendent of the local school district, charter school administrator or of an authorized representative of the state institution, charter school, or private school by which the applicant has been most recently employed; or

(b) the licensed individual has not been employed in elementary or secondary education during the term of the license(s); or

(c) when [~~is~~] an intern or level 1 teacher has not been employed as the teacher of record in a New Mexico or out-of-state public school district, charter

school or combination of public school districts or charter schools for the total number of years authorized by the license.

(3) A person seeking to renew the current level of licensure who, in exigent circumstances, is unable to secure verification of the required competencies shall submit a sworn statement asserting the exigent circumstance(s). In the situation of Subparagraphs (a) - (b) of Paragraph (2) of Subsection A of 6.60.6.11 NMAC the applicant may be granted a five-year level 1 license. In the situations in ~~Subparagraphs (b) - (e)~~ Subparagraph (c) of Paragraph (2) of Subsection A of 6.60.6.11 NMAC, ~~[an applicant may be granted a one-time level 1 license renewal with an effective period equal to five years less the amount of time of non-employment, except that any period of non-employment less than a full school year shall be rounded up to the next higher number of years. Persons who remain unemployed through the period of this one-time license]~~ an intern applicant may be granted a one-time license renewal and a level 1 teacher may be granted no more than three level 1 licensure renewals, in both cases with effective periods equal to the amount of time of non-employment, except that any period of non-employment less than a full school year, but more than ninety (90) days shall constitute a full school year. Level 1 teachers who remain unemployed after their last level 1 license renewal may renew subsequent licenses at level 1 following Subparagraph (b) of Paragraph (2) of Subsection A of 6.60.6.11 NMAC, but any previous years of teaching experience counted toward advancement to level 2 licensure become void.

B. Exceptions for persons unable to demonstrate "exigent circumstances": ~~[A]~~ Except for individuals who held only an internship license, a person seeking licensure renewal pursuant to this rule and who cannot show exigent circumstances for the lack of verification of the satisfactory demonstration of the competencies required by the PED or whose level 1 license has expired or lapsed may, upon the expiration of a period of three years from the date of expiration of the valid New Mexico license, apply to the director for a level 1 license. Level 1 licenses granted pursuant to this paragraph shall be subject to advancement at level 2 in the same manner as other such licenses.

C. A person seeking level 2, 3-A, or 3-B licensure renewal pursuant to this rule who has worked in education but not in an elementary or secondary school setting or who has retired from or has not continued to work in elementary and secondary education under a New Mexico license during the effective period of the license shall submit a sworn statement

asserting that the person has not worked in an elementary or secondary school setting during the effective period of the license, and may renew the license at the current level held.

[6.60.6.11 NMAC - Rp 6.60.6.9 NMAC, 09-30-03; A, 08-31-04; A, 04-29-05; A, 05-31-06; A, 10-31-07; A, 06-15-09]

**6.60.6.12 IMPLEMENTATION:** Persons meeting these requirements may obtain a license at the level and for the duration as adopted by the PED.

A. Absent the exceptions provided in ~~[6.60.6.11, a level 1 license shall not be renewed.]~~

Subparagraphs (b)-(c), of Paragraph (2), of Subsection (A) of 6.60.6.11 NMAC, a level 1 teaching license shall not be renewed and shall be deemed to have lapsed upon the date of expiration, immediately terminating authorization to work as a teacher in New Mexico public and charter schools.

B. Continuing level 2 and level 3-A licenses granted pursuant to 6.60.6.8 NMAC of this rule shall be granted for nine years.

C. Applications and requirements for level 2 or level 3A licensure advancement or renewal must be ~~[completed]~~ submitted no later than June 30 of the year following expiration of the license. After that date the license is deemed to have lapsed.

D. A level 2, level 3 or level 3A license that has lapsed may be renewed at the same level of the lapsed license if the applicant submits evidence of having satisfactorily carried out the duties as previously authorized by the lapsed license for five complete school years and submits a verification from the superintendent of the local school district or the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed as of the date of the application for licensure renewal, that the applicant has satisfactorily demonstrated the competencies for the level of lapsed licensure as evidenced by annual evaluations. If the applicant cannot provide both the verification of five years experience and competency from the superintendent of the local school district, the governing authority of the state institution, charter school, or private school by which the applicant has been most recently employed, the applicant shall be issued only a level 1 license.

[6.60.6.12 NMAC - Rp 6.60.6.11 NMAC, 09-30-03; A, 08-31-04; A, 04-29-05; A, 05-31-06; A, 10-31-07; A, 06-15-09]

## NEW MEXICO PUBLIC EDUCATION DEPARTMENT

This is an amendment to 6.61.3 NMAC, Sections 7 and 8, effective 06-15-09.

### 6.61.3.7 DEFINITIONS:

A. "Advisory" - means a middle level arrangement intended to insure that each student is part of a small peer group with an adult advisor or mentor where communication within the group is open and non-threatening.

B. "Early adolescence" - means the developmental period that encompasses ages 10 through 15, or ~~[grades five through nine]~~ grades 5-9.

C. "Integrative curriculum" - means a curriculum model which coordinates or blends the interests of the learner into a unified whole, utilizing a variety of disciplines for investigating a central question.

D. "Interdisciplinary curriculum" - means a curriculum model designed to incorporate knowledge from two or more academic, scientific, or artistic disciplines.

E. "License" - means the professional certificate or credential which is issued upon completion of specified requirements and which designates the grade level(s) at which the holder is authorized to teach ~~[and/or]~~ or administer.

F. "Middle level" - means ~~[grades five through nine]~~ grades 5-9.

G. "National board for professional teaching standards" - means a nonprofit, nongovernmental organization which operates a voluntary assessment system to grant national teacher certification to persons who meet an established set of national standards.

H. "Young adolescent" - means a student in ~~[grades five through nine]~~ grades 5-9.

I. "Core academic subjects" means English, language arts, reading, mathematics, science, modern and classical languages, except the modern and classical Native American languages and cultures of New Mexico tribes or pueblos, the arts, including music and visual arts, and social studies, which includes civics, government, economics, history, and geography.

J. "A highly qualified beginning middle level teacher" under this rule means a teacher who is fully qualified to teach the core academic subjects in grades 5-9, is new to the profession, has pursued a standard path to licensure, and:

(1) meets the requirements for middle level licensure in Subsections A, or

C in 6.61.3.8 NMAC,

(2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason, and

(3) has passed all applicable teacher testing requirements for licensure in 6.60.5.8 NMAC.

[09-30-96; 6.61.3.7 NMAC - Rn, 6 NMAC 4.2.3.3.7, 10-31-01; A, 06-30-03; A, 05-13-05; A, 06-15-09]

### 6.61.3.8 REQUIREMENTS:

A. persons seeking a teaching license or licensure endorsements pursuant to the provisions of this rule shall meet the following requirements of Subsection A, Paragraph (1) of 6.61.3.8 NMAC, or Subsection B of 6.61.3.8 NMAC, or Subsection C of 6.61.3.8 NMAC.

(1) bachelor's degree from a regionally accredited college or university and including, for those students first entering a college or university beginning in the fall of 1986, the following:

(a) twelve (12) semester hours in English;

(b) twelve (12) semester hours in history including American history and western civilization;

(c) six (6) semester hours in mathematics;

(d) six (6) semester hours in government, economics, or sociology;

(e) twelve (12) semester hours in science, including biology, chemistry, physics, geology, zoology, or botany;

(f) six (6) semester hours in fine arts; and

(2) thirty - thirty-six (30-36) semester hours of professional education in a middle level education program approved by the ~~[(PED)]~~ PED, including completion of the PED's New Mexico middle level teacher competencies and a mandatory student teaching experience; and

(3) twenty-four (24) semester hours in at least one (1) teaching field such as mathematics, science(s), language arts, reading, and social studies (or other content related areas), ~~[twelve (12) semester hours of which must be in upper division courses as defined by the college or university]~~ six (6) semester hours of which must be in upper division courses; individuals must also complete the PED's approved competencies in the teaching field; and

(4) in addition to the requirements specified in Subsection A, Paragraphs (1), (3) and (5) of 6.61.3.8 NMAC, three (3) hours in the teaching of reading in subject matter content for those who have first entered any college or university on or after August 1, 2001 regardless of when they graduate or earn their degree; and

(5) passage of all applicable portions of the current PED-approved teacher

test; and

(6) satisfy the requirements of a highly qualified beginning middle level teacher, or

B. persons holding a standard New Mexico license in K-8 elementary education, 7-12 secondary education pre K-12 specialty area education, or pre K-12 special education, and

(1) five years (5) of documented, successful teaching experience at the middle school level during the ten-year period immediately preceding the date of application for middle level education licensure; and

(2) has demonstrated competency in the academic subjects the teacher teaches by:

(a) passing the content knowledge test(s) of the New Mexico teacher assessments or predecessor New Mexico teacher licensure examinations, or accepted comparable licensure tests from another state in each subject the teacher teaches; or

(b) successfully completing an undergraduate academic major (24-36 semester hours), six (6) semester hours of which must be in upper division courses or coursework equivalent to an undergraduate major, or a graduate degree in each subject area the teacher teaches; or

C. possess a valid certificate issued by the national board for professional teaching standards for the appropriate grade level and type.

[09-30-96; 6.61.3.8 NMAC - Rn, 6 NMAC 4.2.3.3.8, 10-31-01; A, 06-01-02; A, 06-30-03; A, 05-13-05; A, 10-31-07; A, 06-15-09]

## NEW MEXICO PUBLIC EDUCATION DEPARTMENT

This is an amendment to 6.63.3 NMAC, Sections 7 through 11, effective 06-15-09.

### 6.63.3.7 DEFINITIONS:

A. "Instructional support providers" formerly referred to as related service or ancillary providers, shall mean anyone who provides services for a public school or state institution as an educational assistant, school counselor, school social worker, school nurse, speech-language pathologist, psychologist, physical therapist, physical therapy assistant, occupational therapist, occupational therapy assistant, recreational therapist, signed language interpreter, educational, alcohol and drug abuse counselor, substance abuse associate and other service providers who are employed to support the instructional program of a school district or charter school.

B. "Full school year" in this rule means a minimum of 160 service days in a school year or 480 service days or

equivalent number of days in schools or school districts on alternative schedules over multiple school years of full-time or part-time service while holding a standard instructional support provider license in the provider's service area. An equivalent number of service hours may be accepted for those providers who do not work every day. Service days may include working in summer school or similar educational settings.

[6.63.3.7 NMAC - N, 08-31-04; A, 06-30-06; A, 10-31-07; A, 06-15-09]

### 6.63.3.8 REQUIREMENTS:

All persons who perform any duties as instructional support provider identified in Subsections A through H of this section in public schools, including charter schools, or in those special state-supported schools within state agencies, must hold valid licensure issued by the ~~[public education department ("PED")]~~ PED. A person seeking an initial, instructional support provider license shall file a completed application for an initial license with the professional licensure bureau (PLB) of the PED, and shall provide a copy of their current license from their respective licensing authority or a copy of any optional certification listed below, and an official transcript of their coursework. A person seeking instructional support provider licensure shall hold the licensure or certification issued by the named authority as follows:

A. Interpreter for the deaf:

(1) Professional interpreter

(a) obtain certification from the national registry for interpreters for the deaf; or

(b) obtain certification from the national association for the deaf national interpreter certification at ~~[levels III, IV, or V]~~ levels 3, 4, or 5.

(2) Education interpreter: Attain educational interpreter performance assessment levels 3.5 or above.

B. Orientation and mobility specialists:

(1) obtain certification from the association for education and rehabilitation of the blind and visually impaired, or

(2) obtain certification from the academy for certification of vision rehabilitation and education professionals.

C. Physical therapist: Obtain licensure from the New Mexico physical therapy licensing board.

D. Occupational therapist:

(1) obtain licensure from the New Mexico occupational therapy licensing board; or

(2) obtain certification from the American occupational therapy certification board.

E. Certified occupational therapy assistant:

(1) obtain licensure from the New Mexico occupational therapy licensing board; or

(2) obtain certification from the American occupational therapy certification board.

F. Physical therapy assistant: obtain licensure from the New Mexico physical therapists licensing board.

G. Recreational therapist: obtain national council for therapeutic recreation certification.

H. Speech language pathologist: obtain licensure from the New Mexico speech language pathology and audiology board.

I. Alcohol abuse counselor: obtain licensure from the New Mexico counseling and therapy practices board.

J. Drug abuse counselor: obtain licensure from the New Mexico counseling and therapy practices board.

K. Alcohol and drug abuse counselor: obtain licensure from the New Mexico counseling and therapy practices board.

L. Substance abuse associate: obtain licensure from the New Mexico counseling and therapy practices board. [11-14-98; 6.63.3.8 NMAC - Rn, 6 NMAC 4.2.3.8.8 & A, 03-31-01; A, 08-15-03; A, 08-31-04; A, 06-30-06; A, 10-31-07; A, 06-15-09]

**6.63.3.9 IMPLEMENTATION:** ~~[All persons holding a valid New Mexico license in those areas covered in this rule on or after June 30, 1989 shall be entitled to licensure in the respective instructional support provider area. Licenses for instructional support providers shall be issued at level 1, provisional licensure, for those providers with fewer than three years of school experience, level 2, professional licensure, for those providers with three to five years of school experience, and at level 3, instructional support leader, for those with six or more years of school experience. Such licensure may be further continued pursuant to rule(s) as established by the secretary of education.]~~ Endorsements in bilingual education and teaching English to speakers of other languages may be added to the speech language pathologist license if the candidate meets the requirements for those endorsements.

[11-14-98; 6.63.3.9 NMAC - Rn, 6 NMAC 4.2.3.8.9 & A, 03-31-01; A, 08-31-04; A, 06-30-06; A, 06-15-09]

**6.63.3.10 LEVELS AND DURATION OF LICENSURE:**

A. ~~[All initial licenses shall be level 1 licenses and shall be valid~~

~~for three (3) years.]~~ Licensure levels for instructional support provider applicants covered by this rule shall be issued as follows:

(1) level 1, three-year provisional licensure for those providers with fewer than three full school years of school experience in the service area of the license;

(2) level 2, nine-year professional licensure for those providers with three to five full school years of school experience in the service area of the license; and

(3) level 3, nine-year instructional support leader, for those providers with six or more full years of school experience in the service area of the license.

B. All renewed licenses shall be level 2 or 3 licenses and shall be valid for nine (9) years.

C. Regardless of their level, all instructional support provider licenses shall commence on July 1st in the year of issuance and expire June 30th in the year of their expiration.

[6.63.3.10 NMAC - N, 03-31-01; A, 08-31-04; A, 06-15-09]

**6.63.3.11 NOTIFICATION REQUIREMENT:**

All persons issued an instructional support provider license by the secretary who are also required to hold a valid license or certificate issued by ~~his/her~~ their respective licensing or certifying authority, shall continuously hold such underlying licensure or certification for so long as they hold licensure issued by the secretary.

A. Should this underlying professional license or certificate expire, be suspended, or revoked, or its renewed or initial issuance denied, a person seeking or holding instructional service provider licensure from the secretary shall notify the local school superintendent and ~~[professional licensure]~~ PLB in writing within fourteen (14) calendar days of such suspension, revocation, denial, or expiration.

B. Suspension, revocation, denial or expiration of an underlying professional license or certificate shall constitute just cause for discharge or termination from employment, and for suspension, revocation or denial of renewed or initial issuance of an instructional support provider license.

[6.63.3.11 NMAC - N, 08-31-04; A, 06-15-09]

**NEW MEXICO PUBLIC EDUCATION DEPARTMENT**

This is an amendment to 6.63.4 NMAC, Sections 1, and 7 through 11, effective 06-15-09.

**6.63.4.1 ISSUING AGENCY:** Public Education Department (PED) [6.63.4.1 NMAC - Rp, 6.63.4.1 NMAC, 11-30-05; A, 06-15-09]

**6.63.4.7 DEFINITIONS:**

A. "Level ~~[one]~~ 1 licensure" means a provisional license in educational diagnosis granted for five (5) years. The license is nonrenewable unless the license holder verifies to the ~~[public education department (PED) that he/she has]~~ PED that they have not worked using the license during its effective dates and provides evidence of current employment as an educational diagnostician.

B. "Level ~~[two]~~ 2 licensure" means a renewable nine (9) year license in educational diagnosis awarded after successful completion of at least three (3) full school years at level ~~[one]~~ 1 educational diagnostician licensure and including documentation of professional development requirements and verification by the superintendent or the governing authority of a private school or state institution that the individual is meeting level ~~[one]~~ 1 competencies and is capable of demonstrating the competencies at level ~~[two]~~ 2.

C. "Level ~~[three]~~ 3 licensure" means a renewable nine (9) year license in educational diagnosis awarded after successful completion of at least three (3) full school years at level ~~[two]~~ 2 educational diagnostician licensure and including documentation of completion of supervised experience requirements and verification by the superintendent or the governing authority of a private school or state institution that the individual is meeting level ~~[two]~~ 2 competencies and is capable of demonstrating the competencies at level ~~[three]~~ 3.

D. "Supervision for an entry-level educational diagnostician" means a level ~~[one]~~ 1 educational diagnostician will be required to have a minimum of one-hour per week individual supervision with a level ~~[three]~~ 3 licensed educational diagnostician.

E. Satisfactory experience means the individual has:

- (1) satisfactorily carried out the duties and responsibilities of the position as verified by the superintendent or the governing authority of a private school or state institution, and
- (2) satisfactorily met the quality

of the practice of educational diagnosis and professional responsibilities as reported by the supervising educational diagnostician.

F. "New Mexico diagnostician examination" means a comprehensive examination that evaluates the knowledge and competencies which must be passed no later than the end of the first year of level ~~[one]~~ 1 licensure.

G. "Full school year" means a minimum of 160 days in a school year or 480 days over multiple school years or equivalent number of days in school districts on alternative schedules of full-time or part-time educational diagnostician work, including summer work in a variety of educational settings. An equivalent number of hours may be accepted for those educational diagnosticians who do not work every day.

[6.63.4.7 NMAC - Rp, 6.63.4.7 NMAC, 11-30-05; A, 06-30-06; A, 06-15-09]

#### 6.63.4.8 REQUIREMENTS FOR PERSONS SEEKING LEVEL ~~[ONE]~~ 1 EDUCATIONAL DIAGNOSIS LICENSURE:

All persons who perform services in educational diagnosis in public schools or in those special state-supported schools within state agencies, must hold a valid, educational diagnosis licensure issued by the PED. Persons seeking level ~~[one]~~ 1 licensure in educational diagnosis pursuant to the provisions of this rule shall meet the following requirements:

A. bachelor's degree and master's degree from a regionally accredited college or university; and

B. 30 graduate hours, which may be completed as a part of the master's degree program or in addition to the master's, meeting the applicable program requirements as follows:

(1) the 30 graduate hours, if awarded by a New Mexico college or university, must be from an educational diagnostic or school psychology program approved by the PED and include an internship as follows:

(a) 240 hours, if the applicant began a program in education diagnosis prior to July 1, 2006;

(b) 300 hours, if the applicant began a program in education diagnosis on or after July 1, 2006; or

(2) the 30 graduate hours awarded by a college or university outside New Mexico must be from an educational diagnostic or school psychology program accepted by the PED and include an internship as provided in Paragraph (1) of Subsection B of 6.63.4.8 NMAC; and

(3) all persons previously licensed as educational diagnosticians or special education teachers may substitute two years of verified, successful employment as educational diagnosticians or spe-

cial education teachers for these requirements if a diagnostic internship was not part of their educational program; and

C. background experience to be met by:

(1) holding a valid New Mexico teaching license, counseling license, or professional licensure in another area of instructional support; or

(2) demonstrating three (3) years of documented, verified satisfactory experience in one or a combination of the following areas: work in community-based programs serving children or adults with special needs or developmental disabilities; mental health work related to educational diagnosis; clinical practice related to educational diagnosis; vocational evaluation; or teaching; and

D. ~~[testing: on or after September 1, 2007, applicants for level one licensure in educational diagnosis must pass any licensure examination specified for the license required in 6.60.5 NMAC or hold national certification from the national association of school psychologists (NASP) or from the council for educational diagnostician services (CEDS)]~~ a candidate who applies for licensure as an educational diagnostician on or after the September, 2007 administration of the PED's specialty area licensure examinations shall take and pass the content knowledge assessment for educational diagnostician as stated in 6.60.5.8 NMAC, or hold national certification from the national association of school psychologists (NASP) or from the council for educational diagnostician services (CEDS) prior to the issuance of the license.

[6.63.4.8 NMAC - Rp, 6.63.4.8 NMAC, 11-30-05; A, 06-30-06; A, 06-15-09]

#### 6.63.4.9 REQUIREMENTS FOR PERSONS SEEKING LEVEL ~~[TWO]~~ 2 EDUCATIONAL DIAGNOSIS LICENSURE:

Persons seeking level ~~[two]~~ 2 educational diagnosis licensure shall meet the following requirements:

A. hold a valid level ~~[one]~~ 1 license in education diagnosis for at least three (3) full school years; and

B. demonstrate the educational diagnostician competencies as verified by the superintendent or the governing authority of a private school or state institution; and

C. satisfactory completion of 1200 hours of supervised experience as an educational diagnostician (i.e., minimum of 400 internship hours and 800 post internship supervised hours in a school-related setting).

[6.63.4.9 NMAC - Rp, 6.63.4.9 NMAC, 11-30-05; A, 06-15-09]

#### 6.63.4.10 REQUIREMENTS FOR PERSONS SEEKING LEVEL

~~[THREE]~~ 3 EDUCATIONAL DIAGNOSIS LICENSURE: Persons seeking level ~~[three]~~ 3 educational diagnosis licensure shall meet the following requirements:

A. hold a valid level ~~[two]~~ 2 license in education diagnosis for at least three (3) full school years; and

B. demonstrate the educational diagnostician competencies as verified by the superintendent or the governing authority of a private school or state institution;

C. successfully complete 600 hours of mentorship in educational diagnosis in a school-related setting.

[6.63.4.10 NMAC - N, 11-30-05; A, 06-15-09]

#### 6.63.4.11 REFERENCED MATERIAL: Competencies for educational diagnosticians

A. Professional knowledge required for the preparation of educational diagnosticians for all licensure levels:

(1) Professional demeanor:

(a) demonstrate knowledge of models and strategies of consultation and collaboration;

(b) demonstrate knowledge of roles of individuals with exceptional learning needs, families, and school, community personnel in planning of an individualized program;

(c) describe issues and problems faced by parents of exceptional children;

(d) demonstrate knowledge of culturally responsive factors that promote effective communication and collaboration with individuals with exceptional learning needs, families, and school personnel, and community members;

(e) demonstrate knowledge of common service delivery models;

(f) demonstrate knowledge of state rules and federal regulations and ability to communicate these rules and regulations and due process rights to parents, teachers, and other professionals (eg., IDEA, Individuals With Disabilities Education Act), Section 504 of the Rehabilitation Act; New Mexico Standards for Excellence, and the No Child Left Behind Act;

(g) demonstrate knowledge of community resources available to parents;

(h) demonstrate knowledge of and ability to describe rationale for least restrictive environment considerations;

(i) demonstrate knowledge of and need for related services and related service delivery options;

(j) demonstrate skill in making recommendations to facilitate integration into the general education curriculum.

(2) Development and characteristic of learners:

(a) demonstrate knowledge of

exceptionalities and ability to define/discuss them:

(i) exceptionalities and eligibility criteria as delineated in federal, state, and local regulations;

(ii) general nature and etiology of disabilities and learning styles of students with various disabilities;

(b) demonstrate knowledge of the range of individual abilities within categories of exceptionalities and:

(i) typical and atypical human growth and development in the areas of motor, language, social-emotional, and cognitive development;

(ii) educational implications of characteristics of various exceptionalities;

(iii) describe current theories of learning;

(c) demonstrate awareness of the following medical variables:

(i) common medical syndromes (and their characteristics) that impact learning;

(ii) etiology of common medical syndromes;

(iii) effects of various medications on individuals with exceptional learning needs.

(3) Culturally and linguistically diverse populations:

(a) demonstrate knowledge and sensitivity to address linguistic, cultural, social, and ethnic values and attitudes of diverse populations;

(b) identify characteristics and needs as related to cultural and linguistic differences;

(c) demonstrate skills in selecting and administering appropriate assessment instruments;

(d) demonstrate skill in utilizing language background, language dominance and language proficiency in the assessment process;

(e) demonstrate understanding of the impact of acculturation on learning and language acquisition;

(f) demonstrate knowledge of variations in beliefs, traditions, and values across and within cultures and their effects on relationships among individuals with exceptional learning needs, family, and schooling;

(g) demonstrate knowledge of teaching strategies addressing learning styles and learning needs of children from culturally and linguistically diverse backgrounds.

(4) Assessment/evaluation:

(a) demonstrate skills and knowledge in the screening, referral, and evaluation process for preschool through post-secondary levels;

(b) demonstrate skills in select-

ing, administering, scoring and interpreting a variety of assessments in the following areas: cognitive, achievement, processing, creativity/divergent thinking, critical thinking/problem solving, language, social-emotional behavior, adaptive behavior, and vocational aptitude, ability and interests;

(c) demonstrate skills in formal and informal observational techniques of data collection.

(5) Demonstrate knowledge and application of psychometric theory and descriptive statistics necessary for interpretation of psycho-educational measures to include: reliability, validity, standardization, error of measurement, and test bias.

(6) Demonstrate ability to keep accurate and detailed records of assessment and related proceedings.

(7) Demonstrate ability to select or modify appropriate assessment procedures and instruments to ensure non-biased results:

(8) Demonstrate ability to use assessment results in making recommendations for eligibility, instruction, accommodations and transition as part of IEP development.

(9) Demonstrate skill in considering assessment information for exiting from special education services.

(10) Psycho-educational diagnostic report:

(a) demonstrate ability to prepare professional, understandable reports consistent with acceptable professional standards and official guidelines;

(b) demonstrate skill in preparing and presenting comprehensive report information keyed to the individual student's needs and parent's level of understanding including:

(i) background information which includes developmental history, educational/school history, language proficiency, and screening results;

(ii) assessment information including past evaluations, current test information, any variation from test administration and or standardization, and summaries of strengths and weaknesses;

(iii) related services evaluations, results, and recommendations;

(iv) individualized recommendations for eligibility, instruction, accommodations, and transition, based on assessment results;

(v) provision of explanation and copy of the psycho-educational diagnostic report to the parent/guardian;

(vi) use of multidisciplinary team processes in development of individual education plans.

B. professional and ethical practice for levels [~~one, two and three~~] 1, 2, and 3 educational diagnosticians:

(1) maintain a professional demeanor as defined in local education agency policy;

(2) maintain professional codes of conduct and ethics;

(3) demonstrate knowledge of the scope and role of an educational diagnostician;

(4) demonstrate knowledge of organizations and publications relevant to the field of educational diagnosis;

(5) demonstrate knowledge of confidentiality issues and rules.

C. Multicultural competencies for levels [~~one, two and three~~] 1, 2, and 3 educational diagnosticians:

(1) demonstrate knowledge of cultural and linguistic issues in evaluation, assessment, and intervention techniques;

(2) demonstrate skills in interpreting and communicating evaluation results within a cultural and linguistic context;

(3) exhibit knowledge of the techniques in multicultural assessment and interventions.

[6.63.4.11 NMAC - Rp, 6.63.4.11 NMAC, 11-30-05; A, 06-30-06; A, 06-15-09]

## NEW MEXICO PUBLIC EDUCATION DEPARTMENT

This is an amendment to 6.63.6 NMAC, Sections 1 and 8, effective 06-15-09.

**6.63.6.1 ISSUING AGENCY:**  
Public Education Department. (PED)

[6.63.6.1 NMAC - Rp 6 NMAC 4.2.3.12.1, 02-14-03; A, 06-30-06; A, 06-15-09]

**6.63.6.8 REQUIREMENTS:**  
Applicants may meet this requirement by meeting requirements of Subsections A or B or C of 6.63.6.8 NMAC:

A. national certified school counselor credential issued by the national board for certified counselors;

B. licensed professional mental health counselor (LPC) or licensed professional clinical mental health counselor (LPCC) credential issued by the New Mexico counseling and therapy practice board and a minimum of six (6) semester hours of graduate credit in school counseling coursework;

C. master's degree from a regionally accredited college or university; the master's degree requirement shall be satisfied by meeting the requirements of Paragraphs (1) and (2) of Subsection C of 6.63.6.8 NMAC:

(1) master's degree in school counseling from a regionally accredited college or university and meeting the applicable program requirements as follows:

(a) A master's degree awarded by

a New Mexico college or university must incorporate the New Mexico ~~public education department~~ (“PED”) PED approved competencies in the area of school counseling.

(b) A master’s degree awarded by a college or university outside of New Mexico must be for a school counseling program approved by the PED.

(2) master’s degree in a discipline other than school counseling and 36-42 graduate hours in school counseling, (which may be completed as a part of the master’s degree program or in addition to the master’s) meeting the applicable program requirements as follows:

(a) The 36-42 graduate hours awarded by a New Mexico college or university must incorporate the PED approved competencies in the area of school counseling and include a 300 hour practicum or internship in a school setting.

(b) The 36-42 graduate hours awarded by a college or university outside of New Mexico must be for a school counseling program approved by the PED and include a practicum in a school setting;

D. a candidate who applies for licensure as a school counselor on or after the September, 2007 administration of the PED’s specialty area licensure examinations shall take and pass the content knowledge assessment for school counselor as stated in 6.60.5.8 NMAC, prior to the issuance of the license.

[6.63.6.8 NMAC - Rp 6 NMAC 4.2.3.12.8, 02-14-03; A, 09-30-03; A, 06-30-06; A, 06-15-09]

## NEW MEXICO PUBLIC EDUCATION DEPARTMENT

This is an amendment to 6.64.11 NMAC, Section 8, effective 06-15-09.

### 6.64.11.8 REQUIREMENTS:

A. Beginning teachers seeking an endorsement in TESOL to an initial level 1 New Mexico teaching license must satisfy all of the requirements of the license as provided in [~~(PED)~~ PED rule for that license, which includes, ~~[among other requirements,~~] 24-36 semester hours in TESOL.

B. Teachers seeking to add an endorsement in TESOL to an existing New Mexico teaching license of any level shall meet ~~[one of the following requirements:]~~ the requirements of Paragraphs (1)-(2) of Subsection B of 6.64.11.8 NMAC, or the requirements of Paragraph (3) of Subsection B of 6.64.11.8 NMAC:

(1) pass the content knowledge test(s) of the New Mexico teacher assess-

ments [~~#~~] provided in Subsection B of 6.60.5.8 NMAC, or predecessor New Mexico teacher licensure examination or accepted comparable licensure test(s) from another state in TESOL; ~~[or]~~ and

(2) successfully complete ~~[an undergraduate academic major (24-36 semester hours), or coursework equivalent to an undergraduate major or a graduate degree in TESOL; or]~~ at least twelve (12) credit hours in TESOL preparation, six (6) hours of which must be in a language other than English and six (6) hours of which must be upper division or post baccalaureate credits that address the competencies in Subsection C through F of 6.64.11.9 NMAC, except that the credit hours in a language other than English may be waived if the candidate has passed the language proficiency examination for bilingual education in Spanish or the Navajo language proficiency test;

(3) ~~[obtain certification in TESOL for the appropriate grade level of New Mexico licensure from the national board for professional teaching standards.]~~ satisfy all of the requirements of the license as provided in PED rule for the appropriate license, which includes, (among other requirements), 24-36 semester hours in TESOL.

C. Beginning teachers seeking an endorsement in TESOL, or teachers seeking to add an endorsement in TESOL to an existing New Mexico license may obtain the endorsement by providing evidence of certification in TESOL for the appropriate grade level of New Mexico licensure from the national board for professional teaching standards.

[6.64.11.8 NMAC - N, 09-29-00; A, 09-30-03; A, 06-30-06; A, 10-31-07; A, 06-15-09]

## NEW MEXICO PUBLIC EDUCATION DEPARTMENT

This is an amendment to 6.69.4 NMAC, Section 7, effective 06-15-09.

### 6.69.4.7 DEFINITIONS:

A. “Core academic subjects” means English, language arts, reading, mathematics, science, the arts, including music and visual arts, and social studies, which includes civics, government, economics, history, and geography, and modern and classical languages, Native American languages and cultures of New Mexico tribes and pueblos.

B. “A highly qualified early childhood birth-grade 3 or elementary teacher (K-8)”, under this rule, means a teacher who is fully qualified for teaching birth-grade 3 and grades K-8, and who:

(1) meets the requirements for the license; and

(2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason; and

(3) has demonstrated competency in the core academic subjects the teacher teaches by:

(a) passing the elementary teacher competency or the elementary content knowledge test of the New Mexico teacher assessments or comparable predecessor New Mexico teacher licensure examinations, or accepted comparable licensure test(s) from another state; or

(b) holding national board for professional teaching standards certification for the appropriate grade level and type; or

(c) demonstrating competence in all of the core academic subjects the teacher teaches based on the state’s high objective uniform standard of evaluation for subject area competence as provided in 6.69.4.9 NMAC.

C. “A highly qualified middle or junior high school teacher holding elementary K-8 licensure”, under this rule, means a teacher who is fully qualified to teach the core academic subjects in a public middle or junior high school, and who:

(1) meets all of the requirements for elementary K-8 licensure; and

(2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason; and

(3) has demonstrated competency in each of the core academic subjects the teacher teaches by either:

(a) passing the content knowledge test(s) of the New Mexico teacher assessments or predecessor New Mexico teacher licensure examinations, or accepted comparable licensure tests from another state in each subject area the teacher teaches; or

(b) successfully completing an undergraduate academic major (24-36 semester hours), or coursework equivalent to an undergraduate major, or a graduate degree in each subject area the teacher teaches, or

(c) obtaining advanced credentials, which means certification by the national board for professional teaching standards for the appropriate grade level and type; or

(d) demonstrating competence in all of the core academic subjects the teacher teaches based on the state’s high objective uniform standard of evaluation for subject area competence as provided in 6.69.4.9 NMAC.

D. “A highly qualified middle level (5-9), secondary (7-12), or pre K-12 specialty area teacher,” under this rule, means a teacher who is fully qualified to teach the core academic subjects, and

who:

(1) meets all of the requirements for the license; and

(2) has no licensure requirements waived on an emergency or temporary basis, or for any other reason; and

(3) has demonstrated competency in the core academic subjects the teacher teaches by:

(a) passing the content knowledge test(s) of the New Mexico teacher assessments or predecessor New Mexico teacher licensure examinations, or accepted comparable licensure tests from another state in each subject area the teacher teaches; or

(b) successfully completing an undergraduate academic major (24-36 semester hours), or coursework equivalent to an undergraduate major, or a graduate degree in each subject area the teacher teaches; or

(c) obtaining advanced credentials, which means certification by the national board for professional teaching standards for the appropriate grade level and type; or

(d) demonstrating competence in all of the core academic subjects the teacher teaches based on the state's high objective uniform standard of evaluation for subject area competence as provided in 6.69.4.9 NMAC.

E. "A highly qualified pre K-12 special education teacher," under this rule, means a teacher who is fully qualified to teach special education students by either providing access for those students to a regular education classroom where instruction in the core academic subjects is delivered by a highly qualified regular education teacher, and where the special education teacher shall meet the requirements of Paragraphs (1) and (2) below; or, if the special education teacher teaches the core academic subjects to special education students who are assessed under regular education standards, and is fully qualified to teach each core academic subject the teacher teaches, and where that teacher also meets the requirements of Paragraphs (1) and (2) and (3) below; or if the special education teacher teaches the core academic subjects exclusively to children who are assessed against alternate achievement standards and where the teacher also meets the requirements of Paragraphs (1) and (2) and either (3) or (4):

(1) the teacher meets the requirements for the special education license;

(2) the teacher has no special education licensure requirements waived on an emergency or temporary basis, or for any other reason;

(3) the teacher has demonstrated competency in any core academic subjects the teacher teaches by:

(a) passing the elementary teacher competency or the elementary content knowledge test of the New Mexico teacher assessments or predecessor New Mexico teacher licensure examinations, or accepted comparable licensure tests offered in New Mexico or in another state, if the special education teacher teaches in an elementary school; or

(b) by passing the content knowledge test(s) of the New Mexico teacher assessments or predecessor New Mexico teacher licensure examinations, or accepted comparable licensure tests from another state in each subject area the teacher teaches if the teacher teaches in a middle or high school; or

(c) successfully completing an undergraduate academic major (24-36 semester hours), or coursework equivalent to an undergraduate major, or a graduate degree in each subject area the teacher teaches; or

(d) obtaining advanced credentials, which means content area or special education certification by the national board for professional teaching standards for the appropriate grade level and type; or

(e) demonstrating competence in all of the core academic subjects the teacher teaches based on the state's high objective uniform standard of evaluation for subject area competence as provided in 6.69.4.9 NMAC.

(4) the teacher has demonstrated competency in the core academic subjects, regardless of the grade level taught, by passing the elementary or secondary teacher competency test, or the elementary content knowledge test, or any one of the middle level or secondary level content knowledge tests in the core academic areas of the New Mexico teacher assessments or comparable predecessor New Mexico teacher licensure examinations, or accepted comparable licensure test(s) from another state.

F. "Full school year" means a minimum of 160 instructional days in a school year or 480 instructional days or equivalent number of days in schools or school districts on alternative schedules over multiple school years of full-time or part-time teaching during which the teacher is the teacher of record or serves as an instructional coach or resource teacher in at least one class each school year while holding a standard teaching license. An equivalent number of instructional hours may be accepted for those teachers who do not teach every day. Instructional days may include teaching in summer school or similar educational setting.

[6.69.4.7 NMAC - N, 09-30-03; A, 10-14-04; A, 05-13-05; A, 10-31-06; A, 10-31-07; A, 06-15-09]

**NEW MEXICO PUBLIC  
REGULATION  
COMMISSION  
INSURANCE DIVISION**

**TITLE 13 INSURANCE  
CHAPTER 10 HEALTH INSURANCE  
PART 24 GENETIC INFORMATION NONDISCRIMINATION -  
MEDICARE SUPPLEMENT PLANS**

**13.10.24.1 ISSUING AGENCY:** New Mexico Public Regulation Commission Insurance Division.  
[13.10.24.1 NMAC - N/E, 05/26/09]

**13.10.24.2 SCOPE:** This rule applies to all insurers issuing or delivering in the state of New Mexico medicare supplement policies, certificates or contracts with policy years beginning on or after May 21, 2009.  
[13.10.24.2 NMAC - N/E, 05/26/09]

**13.10.24.3 STATUTORY AUTHORITY:** Sections 59A-2-9 and 59A-24A-1 et seq. NMSA 1978.  
[13.10.24.3 NMAC - N/E, 05/26/09]

**13.10.24.4 DURATION:** Permanent.  
[13.10.24.4 NMAC - N/E, 05/26/09]

**13.10.24.5 EFFECTIVE DATE:** May 26, 2009, unless a later date is cited at the end of a section.  
[13.10.24.5 NMAC - N/E, 05/26/09]

**13.10.24.6 OBJECTIVE:** The purpose of this rule is to provide for nondiscrimination based on genetic information in the issuance and pricing of medicare supplement policies or certificates of coverage, and to generally prohibit insurers' requests for genetic testing except for limited use in determining payment for treatment and for genetic testing when used as part of certain scientific research using human subjects.  
[13.10.24.6 NMAC - N/E, 05/26/09]

**13.10.24.7 DEFINITIONS:** As used in this rule:

A. "certificate" means any certificate delivered or issued for delivery in this state under a group medicare supplement policy;

B. "family member" means, with respect to an individual, any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual;

C. "genetic information" means, with respect to any individual, information about such individual's genetic tests, the genetic tests of family members of such

individual, and the manifestation of a disease or disorder in family members of such individual; such term includes, with respect to any individual, any request for, or receipt of, genetic services, or participation in clinical research which includes genetic services, by such individual or any family member of such individual; any reference to genetic information concerning an individual or family member of an individual who is a pregnant woman, includes genetic information of any fetus carried by such pregnant woman, or with respect to an individual or family member utilizing reproductive technology, includes genetic information of any embryo legally held by an individual or family member; the term "genetic information" does not include information about the sex or age of any individual;

D. "genetic services" means a genetic test, genetic counseling (including obtaining, interpreting, or assessing genetic information), or genetic education;

E. "genetic test" means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detect genotypes, mutations, or chromosomal changes; the term "genetic test" does not mean an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes; or an analysis of proteins or metabolites that is directly related to a manifested disease, disorder, or pathological condition that could reasonably be detected by a health care professional with appropriate training and expertise in the field of medicine involved;

F. "issuer of a medicare supplement policy or certificate" includes insurance companies, fraternal benefit societies, nonprofit health care plans, health maintenance organizations and any other entity delivering or issuing for delivery in this state medicare supplement policies or certificates, and includes a third-party administrator, or other person acting for or on behalf of such issuer;

G. "medicare" means the "Health Insurance for the Aged Act," Title XVIII of the Social Security Amendments of 1965, as then constituted or later amended;

H. "medicare supplement policy" means a group or individual policy of insurance or a subscriber contract other than a policy issued pursuant to a contract under Section 1876 of the federal Social Security Act (42 U.S.C. Section 1395 et seq.) or an issued policy under a demonstration project specified in 42 U.S.C. Section 1395ss(g)(1), which is advertised, marketed or designed primarily as a supplement to reimbursements under medicare for the hospital, medical or surgical expenses of persons eligible for medicare; "medicare supplement policy" does not include medicare

advantage plans established under medicare part C, outpatient prescription drug plans established under medicare part D, or any health care prepayment plan (HCPP) that provides benefits pursuant to an agreement under Section 1833(a)(1)(A) of the Social Security Act;

I. "secretary" means the secretary of the United States department of health and human services;

J. "underwriting purposes" means:

(1) rules for, or determination of, eligibility (including enrollment and continued eligibility) for benefits under the policy;

(2) the computation of premium or contribution amounts under the policy;

(3) the application of any pre-existing condition exclusion under the policy; and

(4) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.

[13.10.24.7 NMAC - N/E, 05/26/09]

### 13.10.24.8 NONDISCLOSURE REQUIREMENTS AND EXCEPTIONS:

A. An issuer of a medicare supplement policy or certificate:

(1) shall not deny or condition the issuance or effectiveness of the policy or certificate (including the imposition of any exclusion of benefits under the policy based on a pre-existing condition) on the basis of the genetic information with respect to such individual; and

(2) shall not discriminate in the pricing of the policy or certificate (including the adjustment of premium rates) of an individual on the basis of the genetic information with respect to such individual.

B. Nothing in Subsection A of 13.10.24.8 NMAC shall be construed to limit the ability of an issuer, to the extent otherwise permitted by law, from:

(1) denying or conditioning the issuance or effectiveness of the policy or certificate or increasing the premium for a group based on the manifestation of a disease or disorder of an insured or applicant; or

(2) increasing the premium for any policy issued to an individual based on the manifestation of a disease or disorder of an individual who is covered under the policy (in such case, the manifestation of a disease or disorder in one individual cannot also be used as genetic information about other group members and to further increase the premium for the group).

C. An issuer of a medicare supplement policy or certificate shall not request or require an individual or a family member of such individual to undergo a genetic test.

D. Subsection C of

13.10.24.8 NMAC shall not be construed to preclude an issuer of a medicare supplement policy or certificate from obtaining and using the results of a genetic test in making a determination regarding payment.

(1) Payment shall be defined as for the purposes of applying the regulations promulgated under part C of title XI and section 264 of the Health Insurance Portability and Accountability Act of 1996, as may be revised from time to time) and consistent with Subsection A of 13.10.24.8 NMAC.

(2) An issuer of a medicare supplement policy or certificate may request only the minimum amount of information necessary to accomplish the intended purpose of this subsection.

E. Notwithstanding Subsection C of 13.10.24.8 NMAC, an issuer of a medicare supplement policy may request, but not require, that an individual or a family member of such individual undergo a genetic test if each of the following conditions is met:

(1) the request is made pursuant to research that complies with part 46 of title 45, code of federal regulations (CFR), or equivalent federal regulations, and any applicable state or local law or regulations for the protection of human subjects in research;

(2) the issuer clearly indicates to each individual, or in the case of a minor child, to the legal guardian of such child, to whom the request is made that compliance with the request is voluntary, and non-compliance will have no effect on enrollment status or premium or contribution amounts;

(3) the genetic information collected or acquired under this subsection shall not be used for underwriting, determination of eligibility to enroll or maintain enrollment status, premium rates, or the issuance, renewal, or replacement of a policy or certificate;

(4) the issuer notifies the secretary in writing that the issuer is conducting activities pursuant to the exception provided for under this subsection, including a description of the activities conducted; and

(5) the issuer complies with such other conditions as the secretary may by regulation require for activities conducted under this subsection.

F. An issuer of a medicare supplement policy or certificate shall not request, require, or purchase genetic information for underwriting purposes.

G. An issuer of a medicare supplement policy or certificate shall not request, require, or purchase genetic information with respect to any individual prior to such individual's enrollment under the policy in connection with such enrollment.

H. If an issuer of a medicare supplement policy or certificate

obtains genetic information incidental to the requesting, requiring, or purchasing of other information concerning any individual, such request, requirement, or purchase shall not be considered a violation of Subsection G of 13.10.24.8 NMAC if such request, requirement, or purchase is not in violation of Subsection F of 13.10.24.8 NMAC. [13.10.24.8 NMAC - N/E, 05/26/09]

**13.10.24.9 PENALTIES:** In addition to any applicable suspension, revocation or refusal to continue any certificate of authority or license under the insurance code, a penalty for any material violation of this rule may be imposed against a health care insurer by the superintendent in accordance with Sections 59A-1-18 NMSA 1978. [13.10.24.9 NMAC - N/E, 05/26/09]

**13.10.24.10 SEVERABILITY:** If any section of this rule, or the applicability of any section to any person or circumstance, is for any reason held invalid by a court of competent jurisdiction, the remainder of the rule, or the applicability of such provisions to other persons or circumstances, shall not be affected. [13.10.24.10 NMAC - N/E, 05/26/09]

**HISTORY OF 13.10.24 NMAC:**  
[RESERVED]

## NEW MEXICO RACING COMMISSION

This is an amendment to Subsection F of 15.2.3.8 NMAC, effective 06/15/09.

### 15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:

#### A. Racing Officials:

Officials at a race meeting include the following: assistant racing secretary; chief of security; director of racing, or similar position; clerk of scales; clocker; general manager; handicapper; horse identifier; horsemen's bookkeeper; jockey room custodian; official veterinarian; paddock judge; pari mutuel manager; patrol judge, absent video replay equipment; placing judge, if duty not performed by stewards; racing secretary; racing veterinarian; stable superintendent; starter; stewards; timer; track superintendent; any other person designated by the commission.

**(1) Eligibility:** To qualify as a racing official, the applicant shall: be of good character and reputation; demonstrate experience in flat racing; be familiar with the duties of the position and with the commission's rules of flat racing and show an ability to fulfill the requirements of the position.

#### (2) Approval and Licensing:

The commission, in its sole discretion, may determine the eligibility of a racing official and, in its sole discretion, may approve or disapprove any such official for licensing. An association shall submit to the commission its request for approval of racing officials sixty (60) days prior to the first day of the race meet.

**(3) Prohibited Practices:** While serving in an official capacity, racing officials and their assistants shall not: participate in the sale or purchase, or ownership of any horse racing at the meeting; sell or solicit horse insurance on any horse racing at the meeting; be licensed in any other capacity without permission of the commission, or in case of an emergency, the permission of the stewards; wager on the outcome of any race under the jurisdiction of the commission; consume or be under the influence of alcohol or any prohibited substances while performing official duties.

**(4) Report of Violations:** Racing officials and their assistants shall report immediately to the stewards every observed violation of these rules and of the laws of this state governing racing.

**(5) Complaints Against Officials:** Complaints against any steward shall be made in writing to the commission and signed by the complainant.

**(a)** Any complaint against a racing official other than a steward shall be made to the stewards in writing and signed by the complainant. All such complaints shall be reported to the commission by the stewards, together with a report of the action taken or the recommendation of the stewards.

**(b)** A racing official may be held responsible by the stewards or the commission for their actions, and the actions of their assistants and/or employees.

#### (6) Appointment:

**(a)** A person shall not be appointed to more than one racing official position at a meeting unless specifically approved by the commission.

**(b)** The commission shall appoint or approve the stewards at each race meeting.

#### (7) Appointment of Substitute

**Officials:** Where an emergency vacancy exists among racing officials (except for stewards), the stewards or the association, with the stewards' approval, shall fill the vacancy immediately. Such appointment shall be reported to the commission and shall be effective until the vacancy is filled in accordance with these rules.

#### (8) Appointment of Substitute

**Steward:** Should any steward be absent at race time, and no approved alternate steward be available, the remaining stewards shall appoint a substitute for the absent steward. If a substitute steward is appointed,

the commission and the association shall be notified by the stewards. The following are prohibited from serving as a substitute steward: director, deputy director, or racing commissioner.

#### B. Stewards

**(1) General Authority:** The stewards for each meeting shall be responsible to the commission for the conduct of the race meeting in accordance with the laws of this state and these rules.

**(a)** The stewards shall enforce these rules and the racing laws of this state.

**(b)** The stewards' authority includes supervision of all racing officials, track management, licensed personnel, other persons responsible for the conduct of racing, and patrons, as necessary to insure compliance with the act and these rules.

**(c)** The stewards shall have authority to resolve conflicts or disputes related to racing and to discipline violators in accordance with the provisions of these rules.

**(d)** The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

**(2) Period of Authority:** The stewards' period of authority shall commence up to ten days prior to the beginning of each meeting and shall terminate with the completion of their business pertaining to the meeting. Following the completion of the stewards' business, the agency director shall carry out the duties of the stewards as described in this chapter.

**(3) Disciplinary Action:** The stewards shall take notice of alleged misconduct or rule violations and initiate investigations into the matters.

**(a)** The stewards shall have authority to charge any licensee for a violation of these rules, to conduct hearings and to impose disciplinary action in accordance with these rules.

**(b)** The stewards may compel the attendance of witnesses and the submission of documents or potential evidence related to any investigation or hearing.

**(c)** The stewards may at any time inspect license documents, registration papers, and other documents related to racing.

**(d)** The stewards have the power to administer oaths and examine witnesses.

**(e)** The stewards shall consult with the official veterinarian to determine the nature and seriousness of a laboratory

finding or an alleged medication violation.

(f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

(g) The stewards may order that a person be ineligible for licensing; or they may deny a license to an applicant on grounds set forth in the act or these rules.

(h) The stewards shall submit a written report to the commission of every inquiry and hearing.

(i) A stewards' ruling shall not prevent the commission from imposing a more severe penalty.

(j) The stewards may refer any matter to the commission and may include recommendations for disposition. The absence of a steward's referral shall not preclude commission action in any matter.

(k) Purses, prizes, awards, and trophies shall be redistributed if the stewards or commission order a change in the official order of finish.

(l) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

**(4) Protests, Objections, and Complaints:** The stewards shall investigate promptly and render a decision in every protest, objection and complaint made to them. They shall maintain a record of all protests, objections and complaints. The stewards shall file daily with the commission a copy of each protest, objection or complaint and any related ruling.

**(5) Stewards' Presence:** Three stewards shall be present in the stewards' stand during the running of each race.

**(6) Order of Finish for Pari-Mutuel Wagering:**

(a) The stewards shall determine the official order of finish for each race in accordance with 15.2.5 NMAC.

(b) The decision of the stewards as to the official order of finish, including the disqualification of a horse or horses as a result of any event occurring during the running of the race, shall be final for purposes of distribution of the pari-mutuel wagering pool.

**(7) Cancel Wagering:** The stewards have the authority to cancel wagering on an individual betting interest or on an entire race and also have the authority to cancel a pari-mutuel pool for a race or races, if such action is necessary to protect the integrity of pari-mutuel wagering.

**(8) Records and Reports:**

(a) The stewards shall prepare a

daily report, on a form approved by the commission, detailing their actions and observations made during each day's race program. The report shall contain the name of the racetrack, the date, the weather and track conditions, claims, inquiries, and objections and any unusual circumstances or conditions. The report shall be signed by each steward and be filed with the commission not later than 24 hours after the end of each race day.

(b) The stewards shall maintain a detailed log of the stewards' official activities. The log shall describe all questions, disputes, protests, complaints, or objections brought to the attention of the stewards and all interviews, investigations and rulings made by the stewards. The log shall be available at all times for inspection by the commission or its designee.

(c) Not later than seven days after the last day of a race meeting, the stewards shall submit to the commission a written report regarding the race meeting. The report shall contain: the stewards' observations and comments regarding the conduct of the race meeting and the overall conditions of the association grounds during the race meeting; any recommendations for improvement by the association or action by the commission.

**(9) Stewards' List:**

(a) The stewards shall maintain a stewards' list of the horses which are ineligible to be entered in a race because of poor or inconsistent performance or behavior on the racetrack that endangers the health or safety of other participants in racing.

(b) The stewards may place a horse on the stewards' list when there exists a question as to the exact identification or ownership of said horse.

(c) A horse which has been placed on the stewards' list because of inconsistent performance or behavior, may be removed from the stewards' list when, in the opinion of the stewards, the horse can satisfactorily perform competitively in a race without endangering the health or safety of other participants in racing.

(d) A horse which has been placed on the stewards' list because of questions as to the exact identification or ownership of said horse, may be removed from the stewards' list when, in the opinion of the stewards, proof of exact identification and/or ownership has been established.

**C. Racing Secretary:**

**(1) General Authority:** The racing secretary shall be responsible for the programming of races during the race meeting, compiling and publishing condition books, assigning weights for handicap races, and shall receive all entries, subscriptions, declarations and scratches.

**(2) Foal, Health and Other Eligibility Certificates:** The racing secre-

tary shall be responsible for receiving, inspecting and safeguarding the foal and health certificates and other documents of eligibility for all horses competing at the track or stabled on the grounds.

**(3) Allocation of Stalls:**

(a) The racing secretary shall assign stall applicants such stabling as is deemed proper and maintain a record of arrivals and departures of all horses stabled on association grounds.

(b) Stall approvals shall be determined by: each track's screening rule as approved by the New Mexico racing commission; consideration given to stables with a balanced application; and, New Mexico bred on each application shall have preference over horses of comparable quality.

**(4) Conditions:**

(a) The racing secretary shall establish the conditions and eligibility for entering races and cause them to be published to owners, trainers and the commission and be posted in the racing secretary's office.

(b) For the purpose of establishing conditions, winnings shall be considered to include all monies won up to the time of the start of a race.

(c) Winnings during the year shall be calculated by the racing secretary from the preceding January 1.

(d) A minimum of two (2) races, one for quarter horses and one for thoroughbreds restricted to registered New Mexico bred horses, shall be offered daily in the condition book excluding trials.

**(5) Listing of Horses:** The racing secretary shall: examine all entry blanks and declarations to verify information as set forth therein; select the horses to start and the also eligible horses on the declarations in accordance with these rules.

**(6) Posting of Entries:** Upon completion of the draw each day, the racing secretary shall post a list of entries in a conspicuous location in his/her office and make the list available to the media. If the racing secretary declares a race off, the names of entrants in that race shall be posted on the official bulletin board that day, identifying the race by number as it appears in the condition book.

**(7) Daily Program:** The racing secretary shall publish the official daily program, ensuring the accuracy therein of the following information: sequence of races to be run and post time for the first race; purse, conditions and distance for each race, and current track record for such distance; the name of licensed owners of each horse, indicated as leased, if applicable, and description of racing colors to be carried; the name of the trainer and the name of the jockey named for each horse together with the weight to be carried; the post position and saddle cloth number or designation for

each horse if there is a variance with the saddle cloth designation; identification of each horse by name, color, sex, age, sire and dam; such other information as may be requested by the association or the commission.

**(8) Nominations and Declarations:** The racing secretary shall examine nominations and declarations and early closing events, late closing events and stakes events to verify the eligibility of all declarations and nominations and compile lists thereof for publication.

**(9) Stakes and Entrance Money Records:** The racing secretary shall be caretaker of the permanent records of all stakes and shall verify that all entrance monies due are paid prior to entry for races conducted at the meeting.

**D. Horsemen's Bookkeeper:**

**(1) General Authority:** The horsemen's bookkeeper shall maintain the records and accounts and perform the duties described herein and maintain such other records and accounts and perform such other duties as the association and commission may prescribe.

**(2) Records:**

**(a)** The records shall include the name, mailing address, social security number or federal tax identification number, and the state or country of residence of each horse owner, trainer or jockey participating at the race meeting who has funds due or on deposit in the horsemen's account.

**(b)** The records shall include a file of all required statements of partnerships, syndicates, corporations, assignments of interest, lease agreements and registrations of authorized agents.

**(c)** All records of the horsemen's bookkeeper shall be kept separate and apart from the records of the association.

**(d)** All records of the horsemen's bookkeeper including records of accounts and monies and funds kept on deposit are subject to inspection by the commission at any time.

**(e)** The association licensee is subject to disciplinary action by the commission for any violations of or non-compliance with the provisions of this rule.

**(3) Monies and Funds on Account:**

**(a)** All monies and funds on account with the horsemen's bookkeeper shall be maintained: separate and apart from monies and funds of the association; in a trust account designed as "Horsemen's Trust Account"; in an account insured by the Federal Deposit and Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

**(b)** The horsemen's bookkeeper shall be bonded in accordance with com-

mission stipulations.

**(4) Payment of Purses:**

**(a)** The horsemen's bookkeeper shall receive, maintain and disburse the purses of each race and all stakes, entrance money, jockey fees, purchase money in claiming races, along with all applicable taxes and other monies that properly come into his/her possession in accordance with the provision of commission rules.

**(b)** The horsemen's bookkeeper may accept monies due belonging to other organizations or recognized meetings, provided prompt return is made to the organization to which the money is due.

**(c)** The horsemen's bookkeeper shall disburse the purse of each race and all stakes, entrance money, jockey fees and purchase money in claiming races, along with all applicable taxes, upon request, within 48 hours of the completion of the race with respect to all horses not tested and when no timely appeal has been filed, and where a horse been tested within forty-eight (48) hours of receipt of notification that all tests with respect to such races have cleared the drug testing laboratory(ies) as reported by the stewards or the commission, except that minimum jockey mount fees may be disbursed prior to notification that the tests have cleared the testing laboratory(ies).

**(d)** Absent a prior request, the horsemen's bookkeeper shall disburse monies to the persons entitled to receive same within fifteen (15) days after the last race day of the race meeting, including purses for official races, provided that all tests with respect to such races have cleared the drug testing laboratory(ies) as reported by the stewards, and provided further that no protest or appeal has been filed with the stewards or the commission.

**(e)** In the event a protest or appeal has been filed with the stewards or the commission, the horsemen's bookkeeper shall disburse the purse within forty-eight (48) hours of receipt of dismissal or a final non-appealable order disposing of such protest or appeal.

**E. Paddock Judge:**

**(1) General Authority:** The paddock judge shall: supervise the assembly of horses in the paddock before the scheduled post time for each race; maintain a written record of all equipment, inspect all equipment of each saddled and report any change thereof to the stewards; prohibit any change of equipment without the approval of the stewards; ensure that the saddling of all horses is orderly, open to public view, free from public interference, and that horses are mounted at the same time, and leave the paddock for the post in proper sequence; supervise paddock schooling of all horses approved for such by the stewards; report to the stewards any observed cruelty to a

horse; ensure that only properly authorized persons are permitted in the paddock; report to the stewards any unusual or illegal activities.

**(2) Paddock Judge's List:**

**(a)** The paddock judge shall maintain a list of horses which shall not be entered in a race because of poor or inconsistent behavior in the paddock that endangers the health or safety of other participants in racing.

**(b)** At the end of each race day, the paddock judge shall provide a copy of the list to the stewards.

**(c)** To be removed from the paddock judge's list, a horse must be schooled in the paddock and demonstrate to the satisfaction of the paddock judge and the stewards that the horse is capable of performing safely in the paddock.

**F. Horse Identifier:**

**(1) General Authority:** The horse identifier shall: when required, ensure the safekeeping of registration certificates and racing permits for horses stabled and/or racing on association grounds; inspect documents of ownership, eligibility, registration or breeding necessary to ensure the proper identification of each horse scheduled to compete at a race meeting; examine every starter in the paddock for sex, color, markings and lip tattoo or other approved method of positive identification, for comparison with its registration certificate to verify the horse's identity; supervise the tattooing, branding or other approved method of positive identification, for identification of any horse located on association grounds. Positive identification may include verification that the breed registration certificate has been submitted for correction or verification that the tattooing process has been initiated.

**(2) Report Violations:** The horse identifier shall report to the stewards any horse not properly identified or whose registration certificate is not in conformity with these rules.

**G. Clerk of Scales:** The clerk of scales shall: verify the presence of all jockeys in the jockeys' room at the appointed time; verify that all such jockeys have a current jockey's license issued by the commission; verify the correct weight of each jockey at the time of weighing out and weighing in and report any discrepancies to the stewards immediately; oversee the security of the jockeys' room including the conduct of the jockeys and their attendants; promptly report to the stewards any infraction of the rules with respect to weight, weighing, riding equipment or conduct; record all required data on the scale sheet and submit that data to the horsemen's bookkeeper at the end of each race day; maintain the record of applicable winning

aces on all apprentice certificates at the meeting; release apprentice jockey certificates, upon the jockey's departure or upon the conclusion of the race meet; assume the duties of the jockey room custodian in the absence of such employee.

#### H. Jockey Room

**Custodian:** The jockey room custodian shall: supervise the conduct of the jockeys and their attendants while they are in the jockey room; keep the jockey room clean and safe for all jockeys; ensure all jockeys are in the correct colors before leaving the jockey room to prepare for mounting their horses; keep a daily film list as displayed in plain view for all jockeys; keep a daily program displayed in plain view for the jockeys so they may have ready access to mounts that may become available; allow only authorized or licensed persons access to the jockey room; for the purposes of this subsection, authorized persons are jockeys, jockey attendants, jockey room employees, starting gate personnel, track physician, stewards, commissioners and their duly authorized representatives, and such other persons who in the determination of the stewards have a legitimate purpose or need related to the conduct of racing that requires that they have access to the jockey room; report to the stewards any unusual occurrences in the jockey room; and, ensure all jockey's whips are in compliance with Paragraph (1) of Subsection A of 15.2.5.13 NMAC.

#### I. Starter:

**(1) General Authority:** The starter shall: have complete jurisdiction over the starting gate, the starting of horses and the authority to give orders not in conflict with the rules as may be required to ensure all participants an equal opportunity to a fair start; appoint and supervise assistant starters who have demonstrated they are adequately trained to safely handle horses in the starting gate; in emergency situations, the starter may appoint qualified individuals to act as substitute assistant starters; assign the starting gate stall positions to assistant starters by lot and notify the assistant starters prior to post time for the first race of their respective stall positions which will remain that assistant starter's position throughout the day; there shall be no changes except with permission of the stewards; assess the ability of each person applying for a jockey's license in breaking from the starting gate and working a horse in the company of other horses, and shall make said assessment known to the stewards; load horses into the gate in any order deemed necessary to ensure a safe and fair start.

**(2) Assistant Starters:** With respect to an official race, the assistant starters shall not: handle or take charge of any horse in the starting gate without the expressed permission of the starter; impede

the start of a race; apply any device, without the approval of the stewards to assist in loading a horse into the starting gate; slap, boot or otherwise dispatch a horse from the starting gate; strike or use abusive language to a jockey; accept or solicit any gratuity or payment other than his/her regular salary, directly or indirectly, for services in starting a race.

**(3) Starter's List:** No horse shall be permitted to start in a race unless approval is given by the starter. The starter shall maintain a starter's list of all horses which are ineligible to be entered in any race because of poor or inconsistent behavior or performance in the starting gate. Such horse shall be refused entry until it has demonstrated to the starter that it has been satisfactorily schooled in the gate and can be removed from the starter's list. Schooling shall be under the supervision of the starter.

**(4) Report Violations:** The starter and assistant starter shall report all unauthorized activities to the stewards.

#### J. Timer/Clocker:

##### (1) General Authority (Timer):

**(a)** The timer shall accurately record the time elapsed between the start and finish of each race.

**(b)** The time shall be recorded from the instant that the first horse leaves the point from which the distance is measured until the first horse reaches the finish line.

**(c)** At the end of a race, the timer shall post the official running time on the infield totalisator board on instruction by the stewards.

**(d)** At a racetrack equipped with an appropriate infield totalisator board, the timer shall post the quarter times (splits) for thoroughbred races in fractions as a race is being run. For quarter horse races, the timer shall post the official times in hundredths of a second.

**(e)** For back-up purposes, the timer shall also use a stopwatch to time all races. In time trials, the timer shall ensure that three stopwatches are used by the stewards or their designees.

**(f)** The timer shall maintain a written record of fractional and finish times of each race and have same available for inspection by the stewards or the commission on request.

##### (2) General Authority (Clocker):

**(a)** The clocker shall be present during training hours at each track on association grounds, which is open for training, to identify each horse working out and to accurately record the distances and times of each horse's workout.

**(b)** Each day, the clocker shall prepare a list of workouts that describes the name of each horse which worked along

with the distance and time of each horse's workout.

**(c)** At the conclusion of training hours, the clocker shall deliver a copy of the list of workouts to the stewards and the racing secretary.

**K. Patrol Judge:** The patrol judge, when utilized, is responsible for observing the race and reporting information concerning the race to the stewards. If the track's video replay system is deemed adequate, use of patrol judges is optional.

**L. Gate Judge:** The commission may require each track to employ a gate judge whose duties shall include being present at the starting gate just prior to the running of each race to observe and report any violations of the rules to the stewards, and to otherwise assist the stewards as they may so order.

#### M. Placing Judge:

**(1) General Authority:** The placing judges shall determine the order of finish in a race as the horses pass the finish line, and with the approval of the stewards, may display the results of the totalisator board.

##### (2) Photo Finish:

**(a)** In the event the placing judges or the stewards request a photo of the finish, the photo finish shall be posted on the totalisator board.

**(b)** Following their review of the photo finish film strip, the placing judges shall, with the approval of the stewards, determine the exact order of finish for all horses participating in the race, and shall immediately post the numbers of the first four finishers on the totalisator board.

**(c)** In the event a photo was requested, the placing judges shall cause a photographic print of said finish to be produced. The finish photograph shall, when needed, be used by the placing judges as an aid in determining the correct order of finish.

**(d)** Upon determination of the correct order of finish of a race in which the placing judges have utilized a photographic print to determine the first four finishers, the stewards shall cause prints of said photograph to be displayed publicly in the grandstand and clubhouse areas of the racetrack.

##### (3) Dead Heats:

**(a)** In the event the placing judges determine that two or more horses finished the race simultaneously and cannot be separated as to their order of finish, a dead heat shall, with the approval of the stewards, be declared.

**(b)** In the event one or more of the first four finishers of a race are involved in a dead heat, the placing judges shall post the dead heat sign on the totalisator board and cause the numbers of the horse or horses involved to blink on the totalisator board.

**N. Official Veterinarian:**

The official veterinarian shall:

- (1) be employed by the commission;
- (2) be a graduate veterinarian and be licensed to practice in the state;
- (3) recommend to the stewards any horse deemed unsafe to be raced, or a horse that it would be inhumane to allow to race;
- (4) supervise the taking of all specimens for testing according to procedures approved by the commission;
- (5) provide proper safeguards in the handling of all laboratory specimens to prevent tampering, confusion or contamination;
- (6) have the authority and jurisdiction to supervise the practicing licensed veterinarians within the enclosure;
- (7) report to the commission the names of all horses humanely destroyed or which otherwise expire at the meeting and the reasons therefore;
- (8) refuse employment or payment, directly or indirectly, from any horse owner or trainer of a horse racing or intending to race in this jurisdiction while employed as the official veterinarian for the commission;
- (9) place horses on the bleeder list and remove horses from the bleeder list; and
- (10) be authorized to humanely destroy any horse deemed to be so seriously injured that it is in the best interests of racing the horse to so act.

**O. Racing Veterinarian:**

(1) **General Authority:** At the discretion of the commission, the racing veterinarian may be an employee of the commission. At the discretion of the commission, the duties of the racing veterinarian may be assumed by the official veterinarian.

- (2) The association may employ an additional racing veterinarian in order to further ensure the safety of racing.
- (3) The racing veterinarian shall:
  - (a) be directly responsible to the official veterinarian;
  - (b) be a graduate veterinarian and be licensed to practice in the state;
  - (c) be available to the racing secretary and/or the stewards prior to scratch time each racing day, at a time designated by the stewards, to inspect any horses and report on their condition as may be requested by the stewards;
  - (d) be present in the paddock during saddling, on the racetrack during the post parade and at the starting gate until the horses are dispatched from the gate for the race;
  - (e) inspect any horse when there is a question as to the physical condition of such horse;

(f) recommend scratching a horse to the stewards if, in the opinion of the racing veterinarian, the horse is physically incapable of exerting its best effort to win;

(g) inspect any horse which appears in physical distress during the race or at the finish of the race; and shall report such horse together with his/her opinion as to the cause of the distress to the stewards and to the official veterinarian;

(h) refuse employment or payment, directly or indirectly, from any horse owner or trainer of a horse racing or intending to race in this jurisdiction while employed as the official veterinarian for the commission;

(i) refrain from directly treating or prescribing for any horse scheduled to participate during his/her term of appointment at any recognized meeting except in cases of emergency, accident or injury;

(j) be authorized to humanely destroy any horse deemed to be so seriously injured that it is in the best interests of racing to so act;

(k) conduct soundness inspections on horses participating in races at the meeting; and

(l) with approval of the official veterinarian, place horses on the bleeders list.

(4) The racing veterinarian shall place horses on the veterinarian's list, when necessary, and may remove from the list those horses which are, in the racing veterinarian's opinion, able to satisfactorily compete in a race.

(5) The racing veterinarian shall be present at the office of the racing secretary and/or stewards prior to scratch time each racing day at a time designated by the stewards, to inspect any horses and report on their condition as may be requested by the stewards.

**(6) Veterinarian's List:**

(a) The racing veterinarian shall maintain a list of all horses which are determined to be unfit to compete in a race due to physical distress, unsoundness, infirmity or medical condition.

(b) A horse may be removed from the veterinarian's list when, in the opinion of the racing veterinarian, the horse has satisfactorily recovered the capability of performing in a race.

**P. Any Other Person Designated by The Commission:** The commission may create additional racing official positions, as needed. Persons selected for these positions shall be considered racing officials and shall be subject to the general eligibility requirements outlined in Subsection A of 15.2.3 NMAC.

[15.2.3.8 NMAC - Rp, 15 NMAC 2.3.8, 04/13/2001; A, 11/15/2001; A, 08/30/2007; A, 06/15/09]

**NEW MEXICO RACING COMMISSION**

This is an amendment to Subsection B of 15.2.4.8 NMAC to include a claiming option entry. Effective June 15, 2009. The subsequent subsections were renumbered only to accommodate for the new rule material being placed into Subsection B.

**15.2.4.8 CLAIMING RACES: GENERAL PROVISIONS:**

(1) A person entering a horse in a claiming race warrants that the title to said horse is free and clear of any existing claim or lien, either as security interest mortgage, bill of sale, or lien of any kind; unless before entering such horse, the written consent of the holder of the claim or lien has been filed with the stewards and the racing secretary and its entry approved by the stewards. A transfer of ownership arising from a recognized claiming race will terminate any existing prior lease for that horse.

(2) A filly or mare that has been bred is ineligible to enter into a claiming race unless a licensed veterinarian's certificate dated at least 25 days after the last breeding of that mare is on file with racing secretary's office stating that the mare or filly is not in foal. However, an in-foal filly or mare shall be eligible to enter into a claiming race if the following conditions are fulfilled:

(a) full disclosure of such fact is on file with the racing secretary and such information is posted in his/her office;

(b) the stallion service certificate has been deposited with the racing secretary's office (although all information obtained on such certificate shall remain confidential);

(c) all payments due for the service in question and for any live progeny resulting from that service are paid in full;

(d) the release of the stallion service certificate to the successful claimant at the time of claim is guaranteed.

(3) The stewards may set aside and order recession of a claim for any horse from a claiming race run in this jurisdiction upon a showing that any party to the claim committed a prohibited action, as specified in Subsection D of 15.2.4 NMAC with respect to the making of the claim, or that the owner of the horse at the time of entry in the claiming race failed to comply with any requirement of these rules regarding claiming races. Should the stewards order a recession of a claim, they may also, in their discretion, make a further order for the costs of maintenance and care of the horse as they may deem appropriate.

**B. CLAIMING OPTION**

**ENTRY:**

(1) At the time of entry into a claiming race, the owner may opt to declare a horse ineligible to be claimed provided:

(a) the horse has been laid off and has not started for a minimum of 120 days since its last race, and;

(b) the horse is entered for a claiming price equal to or greater than the price at which it last started.

(2) Failure to declare the horse ineligible at the time of entry may not be remedied.

(3) Ineligibility shall apply only to the first start following each such layoff.

**[B] C. CLAIMING OF HORSES:**

(1) Any horse in a race for claiming may not wear into the paddock anything it will not race in except for a blanket, rain sheet or halter and lead shank for control.

(2) Any horse starting in a claiming race is subject to be claimed for its entered price by any: licensed owner; holder of a valid claim certificate; licensed authorized agent acting on behalf of an eligible claimant.

(3) Every horse claimed shall race for the account of the original owner, but title to the horse shall be transferred to the claimant from the time the horse enters the track to the post. The successful claimant shall become the owner of the horse regardless of whether it is alive or dead, sound or unsound, or injured during the race or after it.

**[C] D. CLAIM CERTIFICATE:**

(1) An applicant for a claim certificate shall submit to the commission: an application for an owner's license and the required fee; the name of a licensed trainer, or person eligible to be a licensed trainer, who will assume the care and responsibility for any horse claimed.

(2) The stewards shall issue a claim certificate upon satisfactory evidence that the applicant is eligible for an owner's license.

(3) The claim certificate shall expire 30 days after the date of issuance, or upon the claim of a horse, or upon issuance or denial of an owner's license, whichever comes first.

(4) A claim certificate may be renewed by the stewards during the same year.

**[D] E. PROHIBITIONS:**

(1) A person shall not claim a horse in which the person has a financial or beneficial interest as an owner or trainer.

(2) A person shall not cause another person to claim a horse for the purpose of obtaining or retaining an undisclosed financial or beneficial interest in the horse.

(3) A person shall not enter into

an agreement for the purpose of preventing another person from obtaining a horse in a claiming race.

(4) A person shall not claim a horse, or enter into any agreement to have a horse claimed, on behalf of an ineligible or undisclosed person.

**[E] F. PROCEDURE FOR CLAIMING:**

(1) To make a valid claim for a horse, an eligible person shall:

(a) have on deposit with the horsemen's bookkeeper an amount equal to the amount of the claim, plus all transfer fees and applicable taxes;

(b) complete a written claim including information that the claimant holds a current valid license on a form furnished by the association and approved by the commission;

(c) identify the horse to be claimed by the spelling of its name on the certificate of registration or as spelled on the official program;

(d) place the completed claim form inside a sealed envelope furnished by the association and approved by the commission;

(e) have the time of day that the claim is entered recorded on the envelope;

(f) have the envelope deposited in the claim box no later than 10 minutes prior to post time of the race for which the claim is entered.

(2) After a claim has been deposited in the claim box, it is irrevocable and shall not be withdrawn from the claim box.

(3) Officials and employees of the association shall not provide any information as to the filing of claims until after the horses have entered the track to post.

(4) If more than one claim is filed on a horse, the successful claim shall be determined by lot conducted by the stewards or their representatives.

(5) Notwithstanding any designation of sex or age appearing in the racing program or in any racing publication, the claimant of a horse shall be solely responsible for the determination of the sex or age of any horse claimed.

**[F] G. TRANSFER OF CLAIMED HORSES:**

(1) Upon successful claim, the stewards shall issue, upon forms approved by the commission, an authorization of transfer of the horse from the original owner to the claimant. Copies of the transfer authorization shall be forwarded to and maintained by the stewards and the racing secretary. Upon notification by the stewards, the horsemen's bookkeeper shall immediately debit the claimant's account for the claiming price, applicable taxes and transfer fees.

(2) A person shall not refuse to

deliver a properly claimed horse to the successful claimant.

(3) Transfer of possession of a claimed horse shall take place immediately after the race has been run unless otherwise directed by the stewards. If the horse is required to be taken to the testbarn for post-race testing, the original trainer or his/her representative shall maintain physical custody of the claimed horse and shall observe the testing procedure and sign the test sample tag. The successful claimant or his/her representative shall also accompany the horse to the testbarn.

(4) When a horse is claimed out of a claiming race, the horse's engagements are transferred, with the horse, to the claimant.

(5) Ownership interest in any horse claimed from a race shall not be resold or transferred for 30 days after such horse was claimed, except by claim from a subsequent race.

(6) A claimed horse shall not race elsewhere, except within state, or out of state stake races for a period of thirty days (30) or the end of the meet, whichever occurs first.

(7) A claimed horse shall not remain in the same stable or under the control or management of its former owner.

[15.2.4.8 NMAC - Rp, 15 NMAC 2.4.8, 03/15/2001; A, 10/31/2006; A, 06/15/2009]

**NEW MEXICO RACING COMMISSION**

This is an amendment to Paragraphs (1) and (3) of Subsection B of 15.2.5.11 NMAC and amendment to Subsections B and C of 15.2.5.12 NMAC, effective 06/15/09. Paragraphs in 15.2.5.12 NMAC were also corrected to Subsections to conform to required NMAC style and format requirements.

**15.2.5.11 WORKOUTS: REQUIREMENTS:**

(1) A non-starter must have had within sixty (60) days of entry at least two (2) workouts recorded at a pari mutuel or commission recognized facility and posted with the racing secretary prior to entry, one (1) of the two (2) workouts shall be from the starting gate, and be gate approved. It shall be the trainer's responsibility to establish validity as to workouts and gate approvals.

(2) Any horse which has started, but not within six (6) months, must have one (1) official workout from the starting gate or must have proof of standing the horse at least one (1) time within a sixty (60) day period. Any horse which has started, but not within sixty (60) days, must have at least one (1) workout within sixty (60) days prior to entry. Horses that have not

started within six (6) months of entry must have at least two (2) approved workouts within the sixty (60) days.

**B. IDENTIFICATION:**

(1) ~~[Unless otherwise prescribed by the stewards or the commission, the official lip tattoo must have been affixed to a horse's upper lip]~~ Each horse must be properly identified prior to its participation in an official timed workout.

(2) The trainer or exercise rider shall bring each horse scheduled for an official workout to be identified by the clocker or clocker's assistant immediately prior to the workout.

(3) A horse may be properly identified by its lip tattoo immediately prior to participating in an official timed workout. A horse may also be properly identified by other approved methods of positive identification as described in Subsection F of 15.2.3.8 NMAC.

(4) The owner, trainer or rider shall be required to identify the distance the horse is to be worked and the point on the track where the workout will start.

**C. INFORMATION**

**DISSEMINATION:** Information regarding a horse's approved timed workout(s) shall be furnished to the public prior to the start of the race for which the horse has been entered.

**D. RESTRICTIONS:**

A horse shall not be taken onto the track for training or a workout except during hours designated by the association.

[15.2.5.11 NMAC - Rp, 15 NMAC 2.5.11, 03/15/2001; A, 03/30/2007; A, 06/15/09]

**15.2.5.12 HORSES INELIGIBLE:** A horse shall be ineligible to start in a race when:

(1) **A.** it is not stabled on the grounds of the association or present by the time established by the commission;

(2) **B.** its breed registration certificate is not on file with the racing secretary or horse identifier; ~~unless [the racing secretary has submitted the certificate]~~ it has been verified that the certificate has been submitted to the appropriate breed registry for correction; [or when the stewards are satisfied the horse has been properly identified;]

(3) **C.** it is not fully identified and tattooed on the inside of the upper lip or fully identified by other approved methods of positive identification as described in Subsection F of 15.2.3.8 NMAC;

(4) **D.** it has been fraudulently entered or raced in any jurisdiction under a different name, with an altered registration certificate or altered lip tattoo;

(5) **E.** it is wholly or partially owned by a disqualified person or a horse is under the direct or indirect training or man-

agement of a disqualified person;

(6) **F.** it is wholly or partially owned by the spouse of a disqualified person or a horse is under the direct or indirect management of the spouse of a disqualified person, in such cases, it being presumed that the disqualified person and spouse constitute a single financial entity with respect to the horse, which presumption may be rebutted;

(7) **G.** the stakes or entrance money for the horse has not been paid, in accordance with the conditions of the race;

(8) **H.** the losing jockey mount fee is not on deposit with the horsemen's bookkeeper;

(9) **L.** its name appears on the starter's list, stewards' list or veterinarian's list;

(10) **J.** it is a first time starter and has not been approved to start by the starter;

(11) **K.** it is owned in whole or in part by an undisclosed person or interest;

(12) **L.** it lacks sufficient official published workouts or race past performance(s);

(13) **M.** it has been entered in a stakes race and has subsequently been transferred with its engagements, unless the racing secretary has been notified of such prior to the start;

(14) **N.** it is subject to a lien which has not been approved by the stewards and filed with the horsemen's bookkeeper;

(15) **O.** it is subject to a lease not filed with the stewards;

(16) **P.** it is not in sound racing condition;

(17) **Q.** it has had a surgical neurectomy performed on a heel nerve, which has not been approved by the official veterinarian;

(18) **R.** it has been trachea tubed to artificially assist breathing;

(19) **S.** it has been blocked with alcohol or otherwise drugged or surgically denerved to desensitize the nerves above the ankle;

(20) **T.** it has impaired eyesight in both eyes;

(21) **U.** it is barred or suspended in any recognized jurisdiction;

(22) **V.** it does not meet the eligibility conditions of the race;

(23) **W.** its owner or lessor is in arrears for any stakes fees, except with approval of the racing secretary;

(24) **X.** its owner(s), lessor(s) and/or trainer have not completed the licensing procedures required by the commission;

(25) **Y.** it is by an unknown sire or out of an unknown mare;

(26) **Z.** there is no current neg-

ative test certificate for equine infectious anemia attached to its breed registration certificate, as required by the commission.

[15.2.5.12 NMAC - Rp, 15 NMAC 2.5.12, 03/15/2001; A, 07/15/2002; A; 08/30/2007; A, 06/15/09]

## NEW MEXICO RACING COMMISSION

Explanatory Paragraph: This is an amendment to Subsection C of Section 9 of 15.2.6 NMAC allowing the use of fourteen different drug substances, their metabolites or analogs to the list of prohibited medications and to establish the levels and the penalties for violations of such. In addition, amending Subparagraphs (b), (i) and (j) and adding Subparagraphs (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w), and (x) of Paragraph (4) of Subsection C of 15.2.6.9 NMAC to establish levels and confirmations, effective 06/15/2009. There have been no amendments to Subsections A, B, D, and E of 15.2.6.9 NMAC.

### 15.2.6.9 MEDICATIONS AND PROHIBITED SUBSTANCES:

...

#### C. MEDICATION RESTRICTIONS:

...

(4) The official urine test sample may contain one of the following drug substances, their metabolites or analogs, in any amount that does not exceed the specified levels.

...

(b) **Albuterol:** The use of albuterol shall be permitted under the following conditions: Any horse to which albuterol has been administered shall be subject to having a blood and ~~urine~~ urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of albuterol shall not exceed 1 nanogram per milliliter of urine, or its blood equivalent. If albuterol is detected in the urine, it must be confirmed in the blood to be a violation.

...

(i) **Clenbuterol:** The use of clenbuterol shall be permitted under the following conditions: Any horse to which clenbuterol has been administered shall be subject to having a blood and ~~urine~~ urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of clenbuterol shall be administered in

such dosage amount that the official test sample shall not exceed 5 nanograms per milliliter of urine, or its blood equivalent. If clenbuterol is detected in the urine it must be confirmed in the blood to be a violation.

**(j) Androgenic-Anabolic Steroids.**

**(i)** No AAS shall be permitted in test sample collected from racing horses except for residues of the major metabolite of **stanozolol**, **nandrolone**, and the naturally occurring substances **boldenone** and testosterone at concentrations less than the indicated thresholds.

**(ii)** Concentrations of these AAS shall not exceed the following urine threshold concentrations for total (*i.e.*, free drug or metabolite and drug or metabolite liberated from its conjugates): a) 16B-hydroxystanozolol (metabolite of stanozolol (Winstrol) - 1 ng/ml in urine for all horses regardless of sex; b) boldenone (Equipose ® is the undecylenate ester of boldenone) in male horses other than geldings - 15 ng/ml in urine; no boldenone shall be permitted in geldings or female horses; c) nandrolone (Durabolin ® is the phenylpropionate ester and Deca-Durabolin ® is the decanoate ester) (in geldings - 1 ng/ml in urine, in fillies and mares - 1 ng/ml in urine); in male horses other than geldings- 45 ng/ml of metabolite, 5 alpha oestrane-3 beta, 17 alpha - diol in urine; d) testosterone (in geldings - 20 ng/ml in urine, in fillies and mares - 55 ng/ml in urine).

**(iii)** Any other anabolic steroids are prohibited in racing horses.

**(iv)** The presence of more than one of the four AAS identified in Item (ii) of this subparagraph at concentrations greater than the individual thresholds indicated above shall not be permitted.

**(v)** Post-race urine samples collected from intact males must be identified to the laboratory.

**(vi)** Any horse to which an anabolic steroid has been administered in order to assist in the recovery from illness or injury may be placed on the veterinarian's list in order to monitor the concentration of the drug or metabolite in urine. After the concentration has fallen below the designated threshold for the administered AAS, the horse is eligible to be removed from the list.

**(k) Butorphanol:** The use of butorphanol shall be permitted under the following conditions: Any horse to which butorphanol has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of butorphanol shall be administered in such dosage amount that the official test

sample shall not exceed 10 nanograms per milliliter of urine, or its blood equivalent.

**(l) Detomidine:** The use of detomidine shall be permitted under the following conditions: Any horse to which detomidine has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of detomidine shall be administered in such dosage amount that the official test sample shall not exceed 100 nanograms per milliliter of urine, or its blood equivalent.

**(m) Dexamethasone:** The use of dexamethasone shall be permitted under the following conditions: Any horse to which dexamethasone has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of dexamethasone shall be administered in such dosage amount that the official test sample shall not exceed 100 nanograms per milliliter of urine, or its blood equivalent.

**(n) Diclofenac:** The use of diclofenac shall be permitted under the following conditions: Any horse to which diclofenac has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of diclofenac shall be administered in such dosage amount that the official test sample shall not exceed 500 nanograms per milliliter of urine, or its blood equivalent.

**(o) Dipyrone:** The use of dipyrone shall be permitted under the following conditions: Any horse to which dipyrone has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of dipyrone shall be administered in such dosage amount that the official test sample shall not exceed 1000 nanograms per milliliter of urine, or its blood equivalent.

**(p) DMSO:** The use of DMSO shall be permitted under the following conditions: Any horse to which DMSO has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be

present in the blood or urine sample. The permitted quantitative test level of DMSO shall be administered in such dosage amount that the official test sample shall not exceed 10,000 nanograms per milliliter of urine, or its blood equivalent.

**(q) Flucort:** The use of flumethasone shall be permitted under the following conditions: Any horse to which flucort has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of flumethasone shall be administered in such dosage amount that the official test sample shall not exceed 10 nanograms per milliliter of urine, or its blood equivalent.

**(r) Isoxsuprine:** The use of isoxsuprine shall be permitted under the following conditions: Any horse to which isoxsuprine has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of isoxsuprine shall be administered in such dosage amount that the official test sample shall not exceed 1000 nanograms per milliliter of urine, or its blood equivalent.

**(s) Methocarbamol:** The use of methocarbamol shall be permitted under the following conditions: Any horse to which methocarbamol has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of methocarbamol shall be administered in such dosage amount that the official test sample shall not exceed 1000 nanograms per milliliter of urine, or its blood equivalent.

**(t) Naproxen:** The use of naproxen shall be permitted under the following conditions: Any horse to which naproxen has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of naproxen shall be administered in such dosage amount that the official test sample shall not exceed 5000 nanograms per milliliter of urine, or its blood equivalent.

**(u) Pentoxifylline:** The use of pentoxifylline shall be permitted under the

following conditions: Any horse to which pentoxifylline has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of pentoxifylline shall be administered in such dosage amount that the official test sample shall not exceed 50 nanograms per milliliter of urine, or its blood equivalent.

**(v) Pyrilamine:** The use of pyrilamine shall be permitted under the following conditions: Any horse to which pyrilamine has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of pyrilamine shall be administered in such dosage amount that the official test sample shall not exceed 50 nanograms per milliliter of urine, or its blood equivalent.

**(w) Triamcinalone:** The use of triamcinalone shall be permitted under the following conditions: Any horse to which triamcinalone has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of the official veterinarian to determine the quantitative level(s) and/or the presence of other drugs, which may be present in the blood or urine sample. The permitted quantitative test level of triamcinalone shall be administered in such dosage amount that the official test sample shall not exceed 2 nanograms per milliliter of urine, or its blood equivalent.

**(x) Ulcer medications, i.e., cimetidine, sucralfate, rantidine:** The use of ulcer medications shall be permitted until further notice.

[15.2.6.9 NMAC - Rp, 15 NMAC 2.6.9, 04/13/2001; A, 08/30/2001; A, 07/15/2002; A, 08/15/2002; A, 09/29/2006; A, 10/31/2006; A, 08/30/2007; A, 01/31/2008; A, 03/01/2009; A, 06/15/09]

## NEW MEXICO RACING COMMISSION

Explanatory paragraph: This is an amendment to 15.2.7 NMAC Section 12 adding new rule material to Subsection M, which details the procedures for a Pentafecta (Super HI-5) wager and will become effective June 15, 2009. The subsequent subsections were renumbered only to accommodate for the new rule material being placed into Subsection M.

## PAYOUTS AND DISTRIBUTION OF POOLS:

...

### M. PENTAFACTA(SUPER HI-5):

**(1)** The pentafecta (super hi-5) requires the selection of the first five finishers, in their exact order, for a single contest.

**(2)** An association may elect to conduct a pentafecta (super hi-5) in the carryover method as provided in subsection (7) below. If an association elects to offer the carryover method, a notice shall be made in the daily program explaining that there is a carryover provision and the percentages applying to the jackpot pool and the minor pool. All pentafectas (super hi-5) not conducted in the carryover method shall be conducted in the non-carryover method as provided in subsection (3) below.

**(3)** The net non-carryover pentafecta (super hi-5) pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

**(a)** as a single price pool to those whose combination finished in exact order as the first five betting interests, if there are no such wagers;

**(b)** as a single price pool to those whose combination included, in exact order, the first four betting interests, if there are no such wagers;

**(c)** as a single price pool to those whose combination included, in exact order, the first three betting interests, if there are no such wagers;

**(d)** as a single price pool to those whose combination included, in exact order, the first two betting interests, if there are no such wagers;

**(e)** as a single price pool to those whose combination correctly selected the first place betting interest only, if there are no such wagers;

**(f)** the entire pentafecta (super hi-5) pool shall be refunded for that contest.

**(4)** If less than five betting interests finish and the contest is declared official, payouts will be made based upon the order of finish of those betting interests completing the contest.

**(5)** If there is a dead heat in any of the finishing positions, all wagers selecting either of the dead-heated positions with the correct non-dead-heated positions shall be winners and share in the specified payout pool. For example, the results 1/2 -3-4-5-6 with a dead heat in the win position involving numbers 1 and 2 would produce the following winning combinations: 1-2-3-4-5 and 2-1-3-4-5. Payouts will be calculated by splitting the pool equally between each winning combination, then dividing each portion by the number of winning tickets (a "profit split"). As such, a dead heat will

produce separate and distinct payouts associated with the distinct winning combinations.

**(6)** In the event that more than one component of a coupled entry or mutual field finishes within the first five positions, the first member of the coupled entry or field to finish shall determine the position of the single betting interest. The net pool shall be distributed to those whose selection included the coupled entry or mutual field and each of the other four betting interests.

**(7)** The net carryover pentafecta (super hi-5) pool shall be distributed to winning wagers in the following order of finish:

**(a)** if tickets are sold on the winning combination of the pentafecta (super hi-5), the net pool shall have added to it any carryover monies from previous pentafecta (super hi-5) contests, and shall then be equally divided among those ticket holders;

**(b)** if no tickets are sold on the winning combination of the pentafecta (super hi-5), then the net pool shall be divided into two separate pools. The major pool of the net pool shall be paid as a carryover pool into the next scheduled pentafecta (super hi-5) race. The remaining minor pool shall be paid as a pentafecta (super hi-5) consolation pool, which will be equally divided among those tickets holders who correctly selected the first four betting interests; but if there is no such wager then;

**(c)** the pentafecta (super hi-5) consolation pool will be divided among those ticket holders who correctly select the first three interests; but if there are no such wagers, then;

**(d)** the pentafecta (super hi-5) consolation pool will be divided among those ticket holders who correctly select the first two interests; but if there are no such wagers, then;

**(e)** the pentafecta (super hi-5) consolation pool will be divided among those ticket holders who correctly select the first betting interest; but if there are no such wagers, then;

**(f)** the entire net pool shall become a carryover pool into the next regularly scheduled pentafecta (super hi-5) race.

**(g)** If the pentafecta (super hi-5) gross pool is refunded in accordance with the above-described rules, then all monies carried over, if any, shall be carried over to the next regularly scheduled pentafecta (super hi-5).

**(h)** If less than five betting interests finish and the contest is declared official, payoffs will be made based on the order of finish of those betting interests completing the contest. In this event, payouts will be calculated as consolation payouts and the remaining net pool will be handled as a jackpot carryover.

**(i)** In the event the accumulated

jackpot carryover has not been distributed prior to the final contest of the performance, then the accumulated jackpot carryover and the net pool in the final pentafecta (super hi-5) contest of the performance will be added to the first pentafecta (super hi-5) contest of the next performance.

(1) All dead heat provisions of Paragraphs (5), (6), (7), (8), (9) of this subsection and coupled entry of mutuel field provisions of Paragraph (6) of this subsection apply to the net carryover pentafecta (super hi-5) pool distributions.

(8) The minimum number of betting interests required to start in a contest in which pentafecta (super hi-5) wagering is offered shall be seven.

(9) Associations electing to offer the net carryover pentafecta (super hi-5) pool may, prior to offering the wager designate the jackpot carryover amount at any given percentage of the net pool; the remaining percentages will be the minor pool portion, if any. This elected percentage may not be changed during the performance on which the pentafecta (super hi-5) is conducted in the carryover method.

(10) At the association's discretion, the pentafecta (super hi-5) wager may be discontinued and there will be a final distribution of any jackpot carryover combined with the final net pool of the final pentafecta (super hi-5) race and priced as a single price pool as described in Paragraph (3) of this subsection.

(11) Each association conducting the pentafecta (super hi-5) pool of any type, must notify the wagering public via a statement in the official program or by prominently displaying on each level of the facility, a declaration of whether the standard version or the carryover version of the pool is being conducted.

(12) Different methods of conduct of this pool may not be combined for the pentafecta (super hi-5) between intertrack or simulcast wagering hosts and guests.

## NEW MEXICO RACING COMMISSION

This is an amendment to 16.47.1 NMAC Sections 8 and 12, effective 06/15/2009.

### 16.47.1.8 GENERAL PROVISIONS:

**A. LICENSES REQUIRED:** A person as defined by Subsection P, Paragraph (7) of 15.2.1.7 NMAC shall not participate in pari mutuel racing under the jurisdiction of the commission, or be employed by an association who is a gaming operator, without a valid license issued by the commission.

(1) License categories shall include the following and others as may be established by the commission: **GROUP A** - racing participants eligible for an optional annual or triennial year license to include owners, trainers, veterinarians, jockeys, and stable name registrations. **GROUP B** - associations, racing professionals, concession operators, contractors, and managerial racing officials. **GROUP C** - supervisory racing officials. **GROUP D** - persons employed by the association, or employed by a person or concern contracting with the association, to provide a service or commodity, which requires their presence in a restricted area, or anywhere on association grounds while pari mutuel wagering is being conducted. **GROUP E** - racetrack employees and authorized agents.

(2) Persons required to be licensed shall submit a completed application on forms furnished by the commission and accompanied by the required fee. The following fees are assessed for the issuance of the specified licenses. In addition to license fees listed herein, \$20.00 is assessed for each identification picture and badge.

Announcer	\$55.00
Assistant General Manager	\$80.00
Assistant Racing Secretary	\$15.00
Association	\$80.00
Auditor, Official	\$55.00
Authorized Agent	\$ 5.00
Clerk of Scales	\$15.00
Clocker	\$15.00
Club, Racetrack	\$80.00
Concession Employee	\$ 5.00
Concession Operator	\$80.00
Custodian of Jockey Room	\$15.00
Director or Corporate Officer	\$80.00
Director of Operations	\$55.00
Director of Racing	\$55.00
Exercise Person	\$15.00
General Manager	\$80.00
Groom	\$ 5.00
Horseman's Bookkeeper	\$15.00
Identifier (Horse)	\$15.00
Janitor	\$ 5.00
Jockey (3 year)	\$100.00
Jockey (1 year)	\$80.00
Jockey (Apprentice) (3 year)	\$100.00
Jockey Apprentice) (1 year)	\$80.00
Jockey Agent	\$55.00
Jockey Valet	\$ 5.00
Laborer	\$ 5.00

Official Personnel (specify position)	\$ 5.00
Official Veterinarian (3 year)	\$100.00
Official Veterinarian (1 year)	\$80.00
Outrider	\$15.00
Owner (3 year)	\$100.00
Owner (1 year)	\$80.00
Paddock Judge	\$15.00
Pari Mutuel Employee	\$ 5.00
Pari Mutuel Manager	\$55.00
Placing Judge	\$15.00
Photo Employee	\$ 5.00
Plater	\$80.00
Pony Person	\$ 5.00
Private Barns	\$ 80.00
Racing Secretary-Handicapper	\$55.00
Security Chief	\$55.00
Security Staff	\$ 5.00
Simulcast Company Employee	\$ 5.00
Simulcast Coordinator	\$55.00
Simulcast Operator	\$80.00
Special Event, 1 or 2 day	\$100.00
Stable Name (3 year)	\$100.00
Stable Name (1 year)	\$80.00
Stable Superintendent	\$55.00
Starter	\$55.00
Starter Assistant	\$15.00
Ticket Seller (Admissions)	\$ 5.00
Timer	\$15.00
Totalisator Employee	\$ 5.00
Totalisator Operator	\$80.00
Track Maintenance, Employee	\$ 5.00
Track Physician	\$80.00
Track Superintendent	\$55.00
Trainer (3 year)	\$100.00
Trainer (1 year)	\$80.00
Trainer Assistant	\$15.00
Veterinarian Assistant	\$15.00
Veterinarian, Practicing (3 year)	\$100.00
Veterinarian, Practicing (1 year)	\$80.00
Veterinarian, Racing (3 year)	\$100.00
Veterinarian, Racing (1 year)	\$80.00
Watchman	\$ 5.00

(3) License applicants may be required to furnish to the commission a set(s) of fingerprints and a recent photograph and may be required to be re-fingerprinted or re-photographed periodically as determined by the commission. The requirements for fingerprints may be fulfilled by submission of prints or verification of such, accepted by a member jurisdiction of the racing commissioners' international, and obtained within two years for annual licenses and four years for three-year licenses. License applicants for owner, trainer or jockey will only need to be fingerprinted upon first application, or if there is a break of three years or more in license continuity. If the commission determines it is necessary, reprinting will be undertaken on the basis of alleged criminal activity on the part of the owner, trainer or jockey.

(4) License applicants for groom, watchman, exercise and pony persons must submit to a drug (controlled substances) and alcohol-screening test when making application for license.

**B. MULTI-STATE LICENSING INFORMATION:** Applicants may be permitted to submit an association of racing commissioners international, inc. (RCI) or north American pari mutuel regulators association (NAPRA) multi-state license information form and RCI fingerprint card and thereby obtain a criminal records check that can be used in other jurisdictions.

**C. AGE REQUIREMENT:**

(1) Applicants for licensing, except owners, must be a minimum of 14 years of age, but no one under the age of 16 may be licensed as a pony person or exercise person and no one under the age of 18 may be licensed as an authorized agent or jockey agent.

(2) A licensee must be a minimum of 14 years of age to handle a horse in the paddock.

**D. CONSENT TO INVESTIGATION:** The filing of an application for license shall authorize the commission to investigate criminal and employment records, to engage in interviews to determine applicant's character and qualifications, and to verify information provided by the applicant.

**E. CONSENT TO SEARCH AND SEIZURE:** By acceptance of a license, a licensee consents to search and inspection by the commission or its agents and to the seizure of any prohibited medication, drugs, paraphernalia or devices in accordance with state and federal law.

**F. APPROVAL OR RECOMMENDATIONS BY STEWARDS:** The commission may designate categories of licenses, which shall require stewards' prior approval or recommendation. Prior approval will include exercise riders, pony riders, and apprentice jockeys.

**G. EMPLOYER RESPONSIBILITY:**

(1) The employment of any unlicensed person under the jurisdiction of the commission is prohibited.

(2) Every employer shall report the discharge of any licensed employee in writing to the stewards, including the person's name and occupation.

**H. EMPLOYER ENDORSEMENT OF LICENSE APPLICATIONS:** The license application of an employee must be signed by the employer.

**I. FINANCIAL RESPONSIBILITY:**

(1) All persons engaged in racing shall maintain financial responsibility in matters pertaining to racing and the Parental Responsibility Act.

(2) Any person licensed by the commission may file a financial responsibility complaint against another licensee. Any financial responsibility complaint against a licensee shall be in writing, signed by the complainant, and accompanied by documentation of the services, supplies or fees alleged to be due in connection with his/her operations as a licensee. A judgment from a civil court, which has been issued within one year of the date of the complaint, may be honored by the stewards as long as at least the defendant is a licensee.

**J. LICENSE REFUSAL:** The commission may refuse to issue a license and give the applicant the option of withdrawal of an application without prejudice. If an applicant is refused, the applicant may reapply for a license.

**K. LICENSE DENIAL:**

(1) The commission may formally deny an application in accordance with these rules.

(2) An application denied, if requested by the applicant, shall be reported

in writing to the applicant denied stating the reasons for denial, and the date when a reapplication may be submitted.

(3) An application denied may be reported to the association of racing commissioners international, inc. and north American pari mutuel regulators association whereby other racing jurisdictions shall be advised.

**L. GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF LICENSE:**

(1) The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant:

(a) has been convicted of a felony;

(b) has been convicted of violating any law regarding gambling or a controlled dangerous substance;

(c) who is unqualified, by experience or otherwise, to perform the activities for which a license is required, or who fails to pass an examination prescribed by the commission;

(d) has failed to disclose or falsely states any information required in the application;

(e) has been found in violation of rules governing racing in this state or other jurisdictions;

(f) has been or is currently excluded from association grounds by a recognized racing jurisdiction;

(g) has had a license denied, suspended, or revoked by any racing jurisdiction;

(h) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule;

(i) demonstrates a lack of financial responsibility by accumulating unpaid obligations, defaulting on obligations or issuing drafts or checks that are dishonored, or payment refused; for the purpose of this sub-section, non-compliance with the Parental Responsibility Act shall be considered grounds for refusal, denial, suspension, or revocation of a license; the application, or license as applicable, shall be reinstated if within thirty (30) days of the date of the notice, the applicant provides the commission with a certified statement from the department that he/she is in compliance with a judgment and order for support;

(j) is ineligible for employment pursuant to federal or state law concerning

age or citizenship.

(2) A license suspension or revocation shall be reported in writing to the applicant and the association of racing commissioners international, inc., whereby other racing jurisdictions shall be advised.

(3) Any license denied, suspended or revoked by the commission pursuant to these rules shall state the time period for the effect of its ruling. When the action is taken for a misdemeanor or felony conviction, the time period shall be the period of the licensee's or applicant's imprisonment; or if not imprisoned, the period of probation, deferral, unless the person can satisfy the commission of sufficient rehabilitation. This rule shall also apply to licensees who voluntarily turn in their license because of, or in anticipation of, a conviction.

**M. DURATION OF LICENSE:**

(1) All annual licenses, with the exception of the authorized agent, issued by the commission expire one year from the last day of the month issued. All triennial licenses expire three years from the last day of the month issued.

(2) A license is valid only under the condition that the licensee remains eligible to hold such license.

**N. CHANGES IN APPLICATION INFORMATION:**

(1) During the period for which a license has been issued, the licensee shall report to the commission changes in information provided on the license applications as to current legal name, marital status, permanent address, criminal convictions, license suspension of 10 days or more and license revocations in other jurisdictions.

(2) A child or spouse pass, a change in current legal name, or badge replacement, requires a completed application and payment of a photo badge fee.

**O. TEMPORARY LICENSES:**

(1) The commission may establish provisions for temporary licenses, or may permit applicants to participate in racing pending action on an application. No person may engage in horse racing or be employed on the licensee's premises unless he has been licensed by the commission with the exception of casino employees and also food concession employees who work in non-restricted areas.

(2) The commission may grant an association, who is not conducting a live horse race meeting, a grace period of thirty (30) days to obtain the required licenses for its simulcast employees. An association shall provide to the commission each month, an employment roster for all simulcast employees.

**P. MORE THAN ONE LICENSE:** More than one license to participate in horse racing may be granted

except when prohibited by these rules due to a potential conflict of interest.

**Q. CONFLICT OF INTEREST:**

(1) The commission may refuse, deny, suspend or revoke the license of a person whose spouse holds a license and which the commission or stewards find to be a conflict of interest.

(2) A racing official who is an owner of either the sire or dam of a horse entered to race shall not act as an official with respect to that race.

(3) A person who is licensed as an owner or trainer in a horse registered for racing at a race meeting in this jurisdiction shall not be employed or licensed as a jockey, apprentice jockey; jockey agent; racing official; assistant starter; track maintenance supervisor; jockey room custodian; valet; outrider; racing chemist, testing laboratory employee, or security personnel.

**R. LICENSE PRESENTATION:**

(1) A person must present an appropriate license or other authorization issued by the commission to enter a restricted area. The commission may issue authorization to the spouse or child of a licensed owner, trainer or jockey to enter a restricted area.

(2) The stewards may require visible display of a license while the licensee is engaged in the duty for which he/she is licensed and on the association grounds unless the licensee is mounted on a horse.

(3) A license may only be used by the person to whom it is issued.

**S. TEMPORARY ACCESS AUTHORITY:** Track security may authorize unlicensed persons temporary access to restricted areas. Such person shall be identified and their purpose and credentials verified and approved in writing by track security. Such authorization or credential may only be used by the person to whom it is issued.

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

**U. PROTECTION OF HORSES:**

(1) Each person licensed by the commission shall do all that is reasonable and within his/her power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

(2) No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under

his/her control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care.

#### V. RESTRICTIONS:

Beginning one hour before post time, the use of cellular telephones will be prohibited in the paddock~~[ ]~~ and on the racetrack surface ~~[and winner's circle]~~ until the last race is official. Cellular telephone use will also be prohibited behind the starting gate during ~~[training and]~~ racing hours. The association shall be responsible for posting notices of the prohibition in these restricted areas.

[16.47.1.8 NMAC - Rp, 16 NMAC 47.1.8, 03/15/2001, A, 08/30/2001; A, 11/15/2001; A, 12/14/2001; A, 02/14/2002; A, 11/14/2002; A, 03/31/2003; A, 07/15/2003; A, 09/29/2006; A, 03/30/2007; A, 08/14/2008; A, 06/15/09]

#### 16.47.1.12 JOCKEYS

##### A. ELIGIBILITY:

(1) A jockey must pass a physical examination given within the previous twelve months by a licensed physician affirming fitness to participate as a jockey. The stewards may require that any jockey be reexamined and may refuse to allow any jockey to ride pending completion of such examination.

(2) An applicant must demonstrate by prior licensing, ~~[or]~~ and the demonstration of riding ability ~~[and temporary]~~ which may include participation in up to five races with the stewards' prior approval and the consideration of the recommendations from the starter, the head outrider, and the designated representatives of the jockeys and the horsemen at the track. The demonstration of riding competence and ability is defined as a minimum of:

(a) breaking a horse in company from the starting gate;

(b) working a horse in company from the starting gate;

(c) switching the whip from one hand to the other while maintaining control of the horse in a stretch drive; and

(d) causing the horse to switch leads coming out of a turn.

(3) The stewards may authorize a temporary license to ascertain the applicant's riding competence and ability.

~~(3)~~(4) A jockey shall not be an owner or trainer of any horse competing at the race meeting where the jockey is riding.

##### B. APPRENTICE JOCKEYS:

(1) An apprentice jockey must be 16 years of age and if less than the age of 18, a parent or guardian must sign the license application assuming full financial responsibility for the applicant.

(2) An applicant for an apprentice jockey license shall provide a certified copy of the applicant's birth certificate or other satisfactory evidence of date of birth.

(3) An apprentice jockey license does not apply to quarter horse racing.

(4) An applicant with an approved apprentice certificate may be licensed as an apprentice jockey.

(5) An apprentice certificate may be obtained from the stewards on a form provided by the commission.

(6) An apprentice jockey shall ride with a five pound weight allowance beginning with his/her first mount and for one full year from the date of his/her fifth winning mount. If after riding one year from the date of his/her fifth winning mount, the apprentice jockey has failed to ride a total of forty winners, he/she shall continue to ride with a five pound weight allowance for one more year from the date of his/her fifth winning mount or until he/she has ridden forty winners, whichever comes first. In no event may a weight allowance be claimed for more than two years from the date of the fifth winning mount unless an apprentice jockey is unable to ride for a period of seven consecutive days or more after the date of his/her fifth winning mount because of service in national armed forces, enrollment in high school or an institution of secondary education, or because of physical disablement, or restriction on racing or other valid reasons, the commission may extend the time during which such apprentice weight allowance may be claimed for a period not to exceed the period such apprentice jockey was unable to ride. The stewards or commission may issue apprentice extensions with proper documentation.

(7) An apprentice jockey must meet the conditions set forth in Subsection A of 16.47.1.12 NMAC.

C. FOREIGN JOCKEYS: Whenever a jockey from a foreign country rides in this jurisdiction, the jockey must declare that he/she is a holder of a valid license in his/her country and currently not under suspension. To facilitate this process, the jockey shall present a declaration sheet in a language recognized in this jurisdiction to the commission. The jockey must complete a license application and be fingerprinted to be maintained in the files of the commission.

##### D. JOCKEYS RESPONSIBILITY:

(1) A jockey shall not have a valet-attendant except one provided and compensated by the association.

(2) No person other than the licensed contract employer, or a licensed jockey agent, may make riding engagements for a rider, except that a jockey not

represented by a jockey agent may make his own riding engagements.

(3) A jockey shall have no more than one jockey agent

(4) No revocation of a jockey agent's authority is effective until the jockey notifies the stewards in writing of the revocation of the jockey agent's authority.

##### E. JOCKEY BETTING:

No jockey shall be allowed to bet before or during any live racing program.

[16.47.1.12 NMAC - Rp, 16 NMAC 47.1.12, 03/15/2001; A, 08/31/2004; A, 10/31/2006; A, 06/15/09]

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## End of Adopted Rules Section

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## SUBMITTAL DEADLINES AND PUBLICATION DATES

### 2009

<b>Volume XX</b>	<b>Submittal Deadline</b>	<b>Publication Date</b>
Issue Number 1	January 2	January 15
Issue Number 2	January 16	January 30
Issue Number 3	February 2	February 13
Issue Number 4	February 16	February 27
Issue Number 5	March 2	March 16
Issue Number 6	March 17	March 31
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Issue Number 20	October 16	October 30
Issue Number 21	November 2	November 13
Issue Number 22	November 16	December 1
Issue Number 23	December 2	December 15
Issue Number 24	December 16	December 31

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