

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 19 PUBLIC SCHOOL ACCOUNTABILITY
PART 7 DEMONSTRATION OF COMPETENCY FOR HIGH SCHOOL GRADUATION

6.19.7.1 ISSUING AGENCY: Public Education Department, herein after the department.
[6.19.7.1 NMAC - Rp, 6.19.7.1 NMAC, 7/24/2018]

6.19.7.2 SCOPE: This rule shall apply to public schools, state educational institutions, and state agencies enrolling high school students except for institutions of higher education and the New Mexico military institute. The rule shall apply beginning with the graduating class of 2022. If any part or application of this rule is held invalid, the remainder of the rule or its application in other situations shall not be affected.
[6.19.7.2 NMAC – Rp, 6.19.7.2 NMAC, 7/24/2018]

6.19.7.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2, 22-2C-4.1, and 22-13-1.1 NMSA 1978.
[6.19.7.3 NMAC – Rp, 6.19.7.3 NMAC, 7/24/2018]

6.19.7.4 DURATION: Permanent.
[6.19.7.4 NMAC - Rp, 6.19.7.4 NMAC, 7/24/2018]

6.19.7.5 EFFECTIVE DATE: July 24, 2018, unless a later date is cited at the end of a section.
[6.19.7.5 NMAC - Rp, 6.19.7.5 NMAC, 7/24/2018]

6.19.7.6 OBJECTIVE: The objective of this rule is to establish pathways for demonstrating competency in mathematics, reading, writing, science, and social studies for high school graduation. This rule defines eligibility requirements, establishes appropriate assessment options, and outlines requirements for standards-based portfolios.
[6.19.7.6 NMAC - Rp, 6.19.7.6 NMAC, 7/24/2018]

6.19.7.7 DEFINITIONS:

A. “Alternative assessment” means a department-approved assessment such as a college placement assessment, end-of-course exam, or diagnostic assessment used to demonstrate competency for high school graduation. Assessments shall be published in the department’s graduation manual and include only nationally and statewide-normed standardized assessments.

B. “Alternative demonstration of competency” or “ADC” means a department-approved, alternative option used to demonstrate competency in mathematics, reading, writing, science, or social studies for high school graduation, specifically an end of course exam, alternative assessment, or competency-based alternative as defined in Subsections A, E, and H of 6.19.7.7 NMAC.

C. “Artifacts” means independently-created student work that demonstrates competency in the core content areas. Artifacts may include work from as early as grade 10.

D. “College placement assessment” means a department-approved assessment measuring the readiness of a high school student for success in higher education. College placement assessments shall include nationally-normed standardized assessments used for college admissions, international baccalaureate assessments, or advanced placement exams. Assessments shall be published in the department’s graduation manual.

E. “Competency-based alternative” means department-approved options such as industry-recognized credentials or certificates, programs of study, dual enrollment credits, or standards-based portfolios used to demonstrate competency of state standards for high school graduation.

F. “Core content areas” means mathematics, reading, writing, science, and social studies.

G. “Diagnostic assessment” means a department-approved assessment that measures the accurate placement of students in postsecondary courses.

H. “End-of-course exam” or “EOC” means the department-approved exam administered to assess student content knowledge upon completion of a course.

I. “Local Education Agency” or “LEA” means a local school district or state-chartered charter school.

J. “Primary demonstration of competency” means the primary assessment adopted by the state to serve as the first and preferred indicator of student competency in each core content area.

K. “Program of study” means a progressive continuum of courses that may be offered across grades nine through 12 to provide technical training, training to prepare for employment, and training to prepare for entry into postsecondary education.

L. “Standards-based portfolio” means the collection of artifacts that demonstrate a student’s mastery of state standards in writing, science, or social studies.

M. “Workforce readiness assessment” means a department-approved assessment developed for the purpose of measuring the readiness of a high school student for success in a career. Workforce readiness assessments may include department-approved standardized assessments or industry-recognized certifications or credentials.

[6.19.7.7 NMAC - Rp, 6.19.7.7 NMAC, 7/24/2018]

6.19.7.8 GENERAL REQUIREMENTS FOR DEMONSTRATIONS OF COMPETENCY:

A. In accordance with 6.19.7 NMAC, the department shall annually develop and publish a graduation manual for each graduating class starting with the class of 2022. The manual shall be published on the department’s website or available upon request. The graduation manual shall include information on graduation requirements, primary demonstrations of competency, alternative assessments, and competency-based alternatives.

B. Students may demonstrate competency in each of the core content areas through the primary demonstration of competency, alternative assessments, or competency-based alternatives as outlined in Sections 10 through 14 of 6.19.7 NMAC.

(1) Standards-based portfolio. Portfolios may be used as a demonstration of competency in writing, science, or social studies. Portfolio artifacts may include student work from as early as grade 10.

(2) Insufficient indicators. Alternative demonstrations of competency of state standards for high school graduation shall not include the following:

- (a)** artifacts which are not the product of the student's independent work;
- (b)** collaborations in which an individual student's contributions cannot be distinguished;
- (c)** teacher or employer recommendations;
- (d)** artifacts that are not related to content areas required for graduation;
- (e)** letters of acceptance from higher education institutions;
- (f)** assessments not included in the graduation manual; or
- (g)** assessments developed by LEAs, schools, or individual teachers.

C. LEAs shall offer the opportunity to make an additional attempt on the primary demonstration of competency to any student who does not demonstrate competency on their first attempt.

D. LEAs and school boards may offer all or some of the ADCs outlined in 6.19.7 NMAC with the exception of assessments required by the state. LEAs and school boards shall not provide options that are not outlined by the department.

E. If at the end of grade twelve a student has not demonstrated competency of state standards in the core content areas, the student shall be issued a certificate indicating course credits earned and grade level completed. Students issued a certificate may provide alternative demonstrations of competency within five years of exiting a public school or state educational institution in order to satisfy competency in required core content areas and earn a New Mexico diploma of excellence.

F. Students with an IEP that provides for individualized graduation indicators shall adhere to the expectations for either the modified or ability option outlined in the graduation manual. Students shall attempt the assessments defined in their IEP as the primary demonstration of competency before leveraging an ADC. Individualized passing scores on primary and alternative assessments, as well as appropriate modifications to the competency-based alternatives, shall be determined by the IEP team. Individualized passing scores may be subject to department review. Students following the requirements for the modified or ability option who meet the competency requirements established in their IEP on the primary demonstration of competency, an alternative assessment, or a competency-based alternative shall earn a New Mexico diploma of excellence.

G. Schools shall ensure that all grade 11 students participate in the readiness assessment system pursuant to 22-2C-4.1 NMSA 1978. Students shall select and participate in one or more of the following as defined by the department at no cost to the student:

- (1)** a college placement assessment;
- (2)** a workforce readiness assessment; or

- (3) an alternative demonstration of competency.

[6.19.7.8 NMAC - Rp, 6.19.7.8 NMAC, 7/24/2018]

6.19.7.9 DATA REPORTING AND GRADUATION RATES:

A. Data reporting. LEAs shall provide data documenting the use of ADCs on a timeline and in a format that is in alignment with end of year data reporting requirements. LEAs shall report the percentage of students having graduated under the following categories, disaggregated by the federally required subgroups of students:

- (1) recipients of the New Mexico diploma of excellence who did not utilize an ADC; and
- (2) recipients of the New Mexico diploma of excellence who utilized at least one ADC to

demonstrate competency for high school graduation, disaggregated by the type of ADC used and the core content area.

B. Department audits. The department may conduct annual, randomized audits at the school and LEA level to monitor the implementation of 6.19.7 NMAC. LEAs shall cooperate with department audits. Audits may include review and analysis of any of the following:

- (1) standards-based portfolios;
- (2) scoring of completed standards-based portfolios;
- (3) student records indicating graduation pathways; or
- (4) other information or materials deemed necessary by the department.

C. Recordkeeping. Electronic records of alternative demonstrations of competency shall be kept by LEAs for no fewer than five years and in accordance with federal and state requirements.

[6.19.7.9 NMAC - Rp, 6.19.7.9 NMAC, 7/24/2018]

6.19.7.10 DEMONSTRATION OF COMPETENCY IN MATHEMATICS:

A. Primary demonstration of competency in mathematics. Students shall attempt to demonstrate competency in mathematics using the primary demonstration of competency in one or more of the following: algebra II, geometry, or integrated mathematics II or III.

B. Alternative assessments in mathematics. A student who does not demonstrate competency on the primary demonstration of competency may leverage an alternative assessment.

- (1) If a student has made one attempt on the primary demonstration of competency in mathematics, the student shall be eligible to use any of the following assessments to demonstrate competency:
 - (a) EOC in algebra II, geometry, pre-calculus, or integrated mathematics II or III; or
 - (b) alternative assessments in mathematics as defined in the graduation manual.
- (2) Passing scores to qualify for demonstration of competency using an alternative assessment shall be determined by the department and provided in the graduation manual.

C. Competency-based alternatives in mathematics. A student who does not demonstrate competency after making at least one attempt on the primary demonstration of competency in mathematics may leverage a competency-based alternative.

(1) Students leveraging competency-based alternatives shall accomplish at least one of the following in addition to completing one of the competency-based alternatives outlined in Paragraph (2) of Subsection C of 6.19.7.10 NMAC:

- (a) earn a grade of at least 3.0 on a 4.0 scale in the coursework required for graduation in algebra II, geometry, or integrated mathematics II or III;
- (b) meet the performance level of “approaches expectations” on the primary demonstration of competency for algebra II, geometry, integrated mathematics II or III;
- (c) enroll in and pass no fewer than four courses over the duration of grade 12, including a course in algebra II, geometry, or integrated mathematics II or III;
- (d) earn an offer letter from a branch of the United States military for full-time enlistment;

- (e) earn acceptance into an apprenticeship; or
- (f) complete a department-approved internship for credit.

(2) A competency-based alternative in mathematics shall be one of the following:

- (a) attainment of a department-approved, industry-recognized certificate or credential in an area that incorporates skills in mathematics, as determined by the department;
- (b) completion of a program of study with courses that integrate state standards for mathematics, as determined by the department, with a minimum grade point average of 3.0 on a 4.0 scale; or

(c) attainment of at least one dual enrollment credit with a minimum grade of 3.0 on a 4.0 scale in a mathematics course approved by the department.
[6.19.7.10 NMAC - Rp, 6.19.7.10 NMAC, 7/24/2018]

6.19.7.11 DEMONSTRATION OF COMPETENCY IN READING:

A. Primary demonstration of competency in reading. Students shall attempt to demonstrate competency in reading using the primary demonstration of competency in grade eleven English language arts.

B. Alternative assessments in reading. A student who does not demonstrate competency in reading on the primary demonstration of competency may leverage an alternative assessment.

(1) If a student has made one attempt on the primary demonstration of competency in reading, the student shall be eligible to use any of the following assessments to demonstrate competency:

(a) EOC in grade 11 or 12 reading; or

(b) alternative assessments in reading as defined in the graduation manual.

(2) Passing scores to qualify for demonstration of competency using an alternative assessment shall be determined by the department and provided in the graduation manual.

C. Competency-based alternatives in reading. A student who does not demonstrate competency in reading after making at least one attempt on the primary demonstration of competency in reading may leverage a competency-based alternative.

(1) Students leveraging competency-based alternatives shall accomplish at least one of the following in addition to completing one of the competency-based alternatives outlined in Paragraph (2) of Subsection C of 6.19.7.11 NMAC:

(a) earn a grade of at least 3.0 or higher on a 4.0 scale in the coursework required for graduation in grade eleven or twelve English language arts;

(b) meet the performance level of “approaches expectations” on the primary demonstration of competency for grade eleven English language arts;

(c) enroll in and pass no fewer than four courses over the duration of grade twelve including a course in grade twelve English language arts;

(d) earn an offer letter from a branch of the United States military for full-time enlistment;

(e) earn acceptance into an apprenticeship; or

(f) complete a department-approved internship for credit.

(2) A competency-based alternative in reading shall be one of the following:

(a) attainment of a department-approved, industry-recognized certificate or credential in an area that incorporates skills in grade 11 or 12 reading, as determined by the department;

(b) completion of a program of study with courses that integrate state standards for reading, as determined by the department, with a minimum grade point average of 3.0 on a 4.0 scale; or

(c) attainment of at least one dual enrollment credit with a minimum grade of 3.0 on a 4.0 scale in an English language arts course approved by the department.

[6.19.7.11 NMAC - Rp, 6.19.7.11 NMAC, 7/24/2018]

6.19.7.12 DEMONSTRATION OF COMPETENCY IN WRITING:

A. Primary demonstration of competency in writing. Students shall attempt to demonstrate competency in writing using the primary demonstration of competency in grade 11 English language arts.

B. Alternative assessments in writing. A student who does not demonstrate competency in writing on the primary demonstration of competency may leverage an alternative assessment.

(1) If a student has made one attempt on the primary demonstration of competency in writing, the student shall be eligible to use any of the following assessments to demonstrate competency:

(a) EOC in grade 11 or 12 writing; or

(b) alternative assessments in writing as defined in the graduation manual.

(2) Passing scores to qualify for demonstration of competency using an alternative assessment shall be determined by the department and provided in the graduation manual.

C. Competency-based alternatives in writing. A student who does not demonstrate competency in writing after making at least one attempt on the primary demonstration of competency in writing may leverage a competency-based alternative.

(1) Students leveraging competency-based alternatives shall accomplish at least one of the following in addition to completing one of the competency-based alternatives outlined in Paragraph (2) of Subsection C of 6.19.7.12 NMAC:

- (a) earn a grade point average of at least 3.0 on a 4.0 scale in the coursework required for graduation in grade 11 or 12 English language arts;
- (b) meet the performance level of “approaches expectations” on the primary demonstration of competency for grade 11 English language arts;
- (c) enroll in and pass no fewer than four courses over the duration of grade 12 including a course in grade 12 English language arts;
- (d) earn an offer letter from a branch of the United States military for full-time enlistment;
- (e) earn acceptance into an apprenticeship; or
- (f) complete a department-approved internship for credit.

(2) A competency-based alternative in writing shall be one of the following:

- (a) attainment of a department-approved, industry-recognized certificate or credential in an area that incorporates skills in grade 11 or 12 writing, as determined by the department;
- (b) completion of a program of study with courses that integrate state standards for writing, as determined by the department, with a minimum grade point average of 3.0 on a 4.0 scale;
- (c) attainment of at least one dual enrollment credit with a minimum grade of 3.0 on a 4.0 scale in an English language arts course approved by the department; or
- (d) completion of a standards-based portfolio demonstrating mastery of grade eleven or twelve state writing standards.

(3) A student leveraging a standards-based portfolio to demonstrate competency in writing shall provide artifacts that demonstrate the student’s ability to apply the knowledge and skills articulated in grade 11 or 12 writing state standards. Portfolio artifacts shall demonstrate the student’s ability to produce clear and coherent writing in which the development, organization, and style are appropriate to the task, purpose, and audience.
[6.19.7.12 NMAC - N, 7/24/2018]

6.19.7.13 DEMONSTRATION OF COMPETENCY IN SCIENCE:

A. Primary demonstration of competency in science. Students shall attempt to demonstrate competency in science using the primary demonstration of competency in grade 11 science.

B. Alternative assessments in science. A student who does not demonstrate competency in science on the primary demonstration of competency in grade 11 science may leverage an alternative assessment.

(1) If a student has made one attempt on the primary demonstration of competency in science, the student shall be eligible to use any of the following assessments to demonstrate competency:

- (a) EOC in high school level science; or
- (b) alternative assessments in science as defined by the graduation manual.

(2) Passing scores to qualify for demonstration of competency using an alternative assessment shall be determined by the department and provided in the graduation manual.

C. Competency-based alternatives in science. A student who does not demonstrate competency in science after making at least one attempt on the primary demonstration of competency in science may leverage a competency-based alternative.

(1) Students leveraging competency-based alternatives shall accomplish at least one of the following in addition to completing one of the competency-based alternatives outlined in Paragraph (2) of Subsection C of 6.19.7.13 NMAC:

- (a) earn a grade of at least 3.0 on a 4.0 scale in the coursework required for graduation in high school science;
- (b) meet the performance level of “approaches expectations” on the primary demonstration of competency in grade 11 science;
- (c) enroll in and pass no fewer than four courses over the duration of grade 12 including a course in high school science;
- (d) earn an offer letter from a branch of the United States military for full-time enlistment;
- (e) earn acceptance into an apprenticeship; or
- (f) complete a department-approved internship for credit.

(2) A competency-based alternative in science shall be one of the following:

- (a) attainment of a department-approved, industry-recognized certificate or credential in an area that incorporates skills in science, as determined by the department;
 - (b) completion of a program of study with courses that integrate state standards for science, as determined by the department, with a minimum grade point average of 3.0 on a 4.0 scale;
 - (c) attainment of at least one dual enrollment credit with a minimum grade of 3.0 on a 4.0 scale in a science course approved by the department; or
 - (d) completion of a standards-based portfolio demonstrating mastery of state standards for high school science.
- (3) A student leveraging a standards-based portfolio to demonstrate competency in science shall provide artifacts that demonstrate the student's ability to apply the knowledge and skills articulated in the state standards for high school science.
[6.19.7.13 NMAC - N, 7/24/2018]

6.19.7.14 DEMONSTRATION OF COMPETENCY IN SOCIAL STUDIES:

A. Primary demonstration of competency in social studies. Students shall attempt to demonstrate competency in social studies using the primary demonstration of competency in one or more of the following: New Mexico history, U.S. history and geography, world history and geography, U.S. government, or economics.

B. Alternative assessments in social studies. A student who does not demonstrate competency in social studies on the primary demonstration of competency may leverage an alternative assessment.

(1) If a student has made one attempt on the primary demonstration of competency in social studies, the student shall be eligible to use an alternative assessment in social studies, as defined in the graduation manual.

(2) Passing scores to qualify for demonstration of competency using an alternative assessment shall be determined by the department and provided in the graduation manual.

C. Competency-based alternatives in social studies. A student who does not demonstrate competency in social studies after making at least one attempt on the primary demonstration of competency in social studies may leverage a competency-based alternative.

(1) Students leveraging competency-based alternatives shall accomplish at least one of the following in addition to completing one of the competency-based alternatives outlined in Paragraph (2) of Subsection C of 6.19.7.14 NMAC:

(a) earn a grade of at least 3.0 on a 4.0 scale in the coursework required for graduation in New Mexico history, U.S. history and geography, world history and geography, U.S. government, or economics;

(b) meet the performance level of "approaches expectations" on the primary demonstration of competency in New Mexico history, U.S. history and geography, world history and geography, U.S. government, or economics;

(d) enroll in and pass no fewer than four courses over the duration of grade 12 including a course in New Mexico history, U.S. history and geography, world history and geography, U.S. government, or economics;

(d) earn an offer letter from a branch of the United States military for full-time enlistment;

(e) earn acceptance into an apprenticeship; or

(f) complete a department-approved internship for credit.

(2) A competency-based alternative in social studies shall be one of the following:

(a) attainment of a department-approved, industry-recognized certificate or credential in an area that incorporates skills in social studies, as determined by the department;

(b) completion of a program of study with courses that integrate state standards for social studies, as determined by the department, with a minimum grade point average of 3.0 on a 4.0 scale;

(c) attainment of at least one dual enrollment credit with a minimum grade of 3.0 on a 4.0 scale in a social studies course approved by the department; or

(d) completion of a standards-based portfolio demonstrating mastery in U.S. government or economics.

(3) A student leveraging a standards-based portfolio to demonstrate competency in social studies shall provide artifacts that demonstrate the student's ability to apply the knowledge and skills articulated in the state standards for U.S. government or economics.
[6.19.7.14 NMAC - N, 7/24/2018]

6.19.7.15 STANDARDS-BASED PORTFOLIO: Standards-based portfolio projects may be developed by LEAs.

- A.** Completion and scoring shall be based on the following:
- (1) state standards for specific core content areas; and
 - (2) department-approved scoring rubrics.

B. Under the guidance of the school administrator, standards-based portfolios shall be submitted to a local review team no later 30 days prior to the graduation date.

C. LEAs and charters shall establish a local review team to score portfolios. Local review teams shall complete annual, department-approved rubric training. Required trainings shall be completed prior to the review of any portfolios.

- (1) The review team shall include, at a minimum:
 - (a) a highly effective or exemplary high school teacher as measured by the NMTEACH evaluation system as defined in 6.69.8 NMAC;
 - (b) a district level employee or school administrator;
 - (c) tribal leadership or a designee, if needed, as determined through tribal consultation; and
 - (d) the student's IEP case manager, if applicable.
- (2) The review team may include:
 - (a) a representative from a partnering postsecondary institution;
 - (b) a member of the business community; or
 - (c) a member of the local school board or governing body.

[6.19.7.15 NMAC - N, 7/24/2018]

HISTORY OF 6.19.7 NMAC:

6.19.7 NMAC - High School Readiness Assessment System for Career and College, filed 1/30/2009 was repealed and replaced by 6.19.7 NMAC - Demonstration of Competency for High School Graduation, effective 7/24/2018.