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HOUSE BILL 111

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Dennis J. Roch

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO EDUCATION; REQUIRING THE PUBLIC EDUCATION DEPARTMENT TO PAY THE COSTS OF STANDARDS-BASED ASSESSMENTS; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2007.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-2C-4 NMSA 1978 (being Laws 2003, Chapter 153, Section 13, as amended by Laws 2007, Chapter 306, Section 1 and by Laws 2007, Chapter 307, Section 3 and also by Laws 2007, Chapter 308, Section 3) is amended to read:

"22-2C-4. STATEWIDE ASSESSMENT AND ACCOUNTABILITY SYSTEM--INDICATORS--REQUIRED ASSESSMENTS--ALTERNATIVE ASSESSMENTS--LIMITS ON ALTERNATIVES TO ENGLISH LANGUAGE READING ASSESSMENTS.--

A. The department shall establish a statewide

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1 assessment and accountability system that is aligned with the
2 state academic content and performance standards and that
3 measures adequate yearly progress for each public school and
4 school district. Adequate yearly progress shall be determined
5 primarily by student academic achievement, as demonstrated by
6 statewide standards-based assessments; however, the department
7 may include other indicators of adequate yearly progress,
8 including graduation rates for high schools and attendance for
9 elementary and middle schools.

10 B. The academic assessment program for adequate
11 yearly progress shall test student achievement as follows:

12 (1) for grades three through eight and for
13 grade eleven, standards-based assessments in mathematics,
14 reading and language arts and social studies;

15 (2) for grades three through eight, ~~[a]~~
16 standards-based ~~[writing assessment]~~ assessments in writing
17 with the writing assessment scoring criteria applied to the
18 extended response writing portions of the language arts
19 standards-based assessments; and

20 (3) for one of grades three through five and
21 six through eight and for grade eleven, standards-based
22 assessments in science by the 2007-2008 school year.

23 C. The department shall involve appropriate
24 licensed school employees in the development of the standards-
25 based assessments.

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1 D. Before August 5 of each school year, the
2 department shall provide student scores on all standards-based
3 assessments taken during the prior school year and required in
4 Subsection B of this section to students' respective school
5 districts in order to make test score data available to assist
6 school district staff with appropriate grade-level and other
7 placement for the current school year.

8 E. All students shall participate in the academic
9 assessment program. The department shall adopt standards for
10 reasonable accommodations in standards-based assessments for
11 students with disabilities and limited English proficiency,
12 including when and how accommodations may be applied. The
13 legislative education study committee shall review the
14 standards prior to adoption by the department.

15 F. Students who have been determined to be limited
16 English proficient may be allowed to take the standards-based
17 assessment in their primary language. A student who has
18 attended school for three consecutive years in the United
19 States shall participate in the English language reading
20 assessment unless granted a waiver by the department based on
21 criteria established by the department. An English language
22 reading assessment waiver may be granted only for a maximum of
23 two additional years and only on a case-by-case basis.

24 G. The costs of developing, administering, scoring
25 and evaluating standards-based assessments and the costs of

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1 reviewing, compiling, distributing and publishing the results
2 of standards-based assessments shall be paid by the department.

3 H. For the purposes of this section, "standards-
4 based assessments" means any assessments administered to
5 students as part of the statewide assessment and accountability
6 system and academic assessment program and the transition to
7 and implementation of common core state standards, including
8 any assessments used to measure students' academic proficiency
9 or to evaluate a school, school principal, head administrator
10 or teacher."