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SENATE BILL 296

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Linda M. Lopez

AN ACT

RELATING TO PUBLIC SCHOOLS; PROHIBITING THE PUBLIC EDUCATION
DEPARTMENT FROM CONTINUING TO IMPLEMENT THE COMMON CORE
STANDARDS UNTIL CERTAIN REQUIREMENTS HAVE BEEN MET; PROVIDING
REQUIREMENTS FOR THE ADOPTION OR REVISION OF CURRICULAR
STANDARDS; REQUIRING THE STATE TO WITHDRAW FROM THE PARTNERSHIP
FOR ASSESSMENT OF READINESS FOR COLLEGE AND CAREERS;
PROHIBITING THE STATE FROM IMPLEMENTING ASSESSMENTS ALIGNED TO
COMMON CORE STANDARDS BY THE PARTNERSHIP; REQUIRING THE STATE
TO USE ASSESSMENTS IN PLACE BEFORE THE ADOPTION OF THE COMMON
CORE STANDARDS; PROHIBITING THE DEPARTMENT FROM ENTERING INTO
CERTAIN AGREEMENTS; REQUIRING PUBLIC HEARINGS AND A FISCAL
ANALYSIS ON IMPLEMENTATION OF COMMON CORE STANDARDS; MAKING
APPROPRIATIONS.

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

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1 SECTION 1. A new section of the Public School Code is
2 enacted to read:

3 "[NEW MATERIAL] COMMON CORE STANDARDS--CEASING CONTINUED
4 IMPLEMENTATION--PROVIDING FOR HEARINGS AND A STUDY--LIMITATIONS
5 ON SECRETARIAT POWER TO ENTER INTO CURRICULAR AGREEMENTS.--

6 A. Notwithstanding any other provision of law, the
7 department shall cease implementation of the common core
8 standards in English language arts and mathematics, which were
9 adopted by the state as part of the May 2009 memorandum of
10 agreement with the national governors association and the
11 council of chief state school officers, or any other subject
12 areas until the provisions of this section are met. School
13 districts shall continue to use New Mexico academic content and
14 performance standards and the New Mexico standards-based
15 assessments until the requirements of this section have been
16 met.

17 B. The department shall hold at least four public
18 hearings in each congressional district by November 1, 2014,
19 with the attendance of the secretary or the deputy secretary
20 for policy and programs, or a designee who is an appropriate
21 programmatic manager or director, and the director of the
22 legislative education study committee or the director's
23 designee. At the public hearings, the department shall explain
24 the state's decision to change from New Mexico academic content
25 and performance standards and the New Mexico standards-based

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1 assessments. Public testimony shall be taken on the
2 implementation of the common core standards and the process by
3 which the department entered into agreements that changed New
4 Mexico academic content and performance standards. The
5 hearings shall feature a nonbinding vote of the audience to
6 help demonstrate public sentiment on the topic. Hearings shall
7 be publicized through notices to staffs and parents in the
8 school districts in the congressional district in which the
9 hearing is being held and through public service announcements
10 and community organizations. Hearings shall be recorded and
11 available to the public for listening or viewing, as
12 applicable. Continuing reports of the hearings shall be
13 presented to the legislative education study committee at its
14 regularly scheduled meetings.

15 C. The legislative education study committee shall
16 contract with an independent entity with expertise in the
17 development, implementation and assessment of curricular
18 standards to conduct a fiscal analysis of the implementation of
19 common core standards in New Mexico. The analysis shall
20 include:

21 (1) the projected cost of implementing the
22 common core standards and providing necessary professional
23 development for teachers and principals;

24 (2) the projected cost of developing,
25 administering and grading assessments tied to the common core

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1 standards; and

2 (3) the cost of retaining the state's academic
3 content and performance standards and the standards-based
4 assessments.

5 D. Before adopting a system of curricular
6 standards, after July 1, 2015, the department shall compare
7 state standards with other nationally recognized standards of
8 student achievement, including common core, and shall consult
9 with school superintendents, in-state curricular experts and
10 others. After a fair and balanced study of state and national
11 standards, the department shall report to the legislature on
12 its findings and selections.

13 E. The department shall not enter into or renew any
14 agreement that cedes control over curricular standards or
15 assessments to an entity not under the absolute control of the
16 state. The department shall withdraw from the partnership for
17 assessment of readiness for college and careers while the
18 requirements of Subsections B and C of this section are being
19 conducted, and the department shall not implement the
20 assessments aligned to the common core standards by the
21 partnership."

22 SECTION 2. APPROPRIATIONS.--

23 A. Fifty thousand dollars (\$50,000) is appropriated
24 from the general fund to the public education department for
25 expenditure in fiscal year 2015 to fund public hearings on

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1 implementation of common core standards and the decision to
2 change from New Mexico academic content and performance
3 standards and the New Mexico standards-based assessments to the
4 common core standards and assessments. Any unexpended or
5 unencumbered balance remaining at the end of fiscal year 2015
6 shall revert to the general fund.

7 B. Fifty thousand dollars (\$50,000) is appropriated
8 from the general fund to the legislative education study
9 committee for expenditure in fiscal year 2015 to contract for a
10 fiscal analysis of adoption and implementation of the common
11 core standards and assessments. Any unexpended or unencumbered
12 balance remaining at the end of fiscal year 2015 shall revert
13 to the general fund.