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AN ACT

RELATING TO PUBLIC SCHOOLS; ENACTING THE SCHOOL SUPPORT AND
ACCOUNTABILITY ACT; REPEALING THE A-B-C-D-F SCHOOLS RATING
ACT.

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

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

"SHORT TITLE.--This act may be cited as the "School
Support and Accountability Act"."

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

"DEFINITIONS.--As used in the School Support and
Accountability Act:

A. "adjusted cohort graduation rate" means the
graduation rate of first-time ninth grade students with a
diploma of excellence in a particular school year adjusted by
adding any students who transfer into the cohort after the
ninth grade and subtracting any students who transfer out,
emigrate to another country or die;

B. "chronic absenteeism" means the percentage of
students missing ten percent or more of the school year for
any reason, including excused absences, unexcused absences
and out-of-school suspensions;

C. "college, career and civic readiness" includes

1 the completion of a college-ready course of study; the
2 completion of a high-quality career technical education
3 program; the completion of advanced courses such as advanced
4 placement, international baccalaureate or dual credit; a seal
5 of bilingualism-biliteracy on the student's diploma of
6 excellence; demonstrating competency for college readiness or
7 career certification; or the completion of a work-based
8 learning experience; and for all students, includes the
9 completion of a service-based learning experience,
10 participation in a civic engagement experience or
11 participation in a college or career exploration experience;

12 D. "comprehensive support" means support for a
13 school that performs at or below the support identification
14 threshold, or has an adjusted cohort graduation rate of less
15 than sixty-six and two-thirds percent, or fails to exit
16 targeted support status after a number of years determined by
17 the department;

18 E. "educational climate" means the percentage of
19 school stakeholders who report that the school provides an
20 appropriate climate for learning in the domains of student
21 and staff engagement, social-emotional and physical safety
22 and a school environment conducive to teaching and learning;

23 F. "English language proficiency" means the
24 ability of students to use academic English to make and
25 communicate meaning in spoken and written contexts in an

1 assessment determined by the department;

2 G. "local school board" includes the governing
3 body of a charter school;

4 H. "more rigorous intervention" means an
5 intervention plan for a school that fails to exit
6 comprehensive support status after a number of years
7 determined by the department;

8 I. "on track to graduate" means data on each
9 individual student that show the student's graduation status
10 and potential predictors of dropout, such as student
11 attendance, behavior, grades and test scores;

12 J. "opportunity to learn standards" means a
13 comprehensive view of the context in which learning takes
14 place, including curriculum and instruction, educational
15 resources and school staff competency;

16 K. "school stakeholders" means students, parents,
17 other family members, teachers, school staff and community
18 partners who are part of a school's immediate environment;

19 L. "student growth" means a measure, either norm-
20 referenced to students with similar prior test scores or
21 criterion-referenced to a specific standard, of students'
22 academic progress within a specified time period;

23 M. "student proficiency" means a measure
24 demonstrating students' grade level mastery of the knowledge
25 and skills determined by the New Mexico standards-based

1 assessments;

2 N. "support identification threshold" means a
3 threshold set by the department using the metrics in the
4 school support and accountability system to identify the
5 lowest performing five percent of schools in the state
6 receiving Title 1 funds;

7 O. "system" means the school support and
8 accountability system;

9 P. "targeted support" means support for a school
10 in which at least one subgroup of students, but not the
11 entire school, performs at or below the support
12 identification threshold; and

13 Q. "traditional support" means a school that is
14 not designated for targeted support or comprehensive support
15 or has exited more rigorous intervention status by surpassing
16 the support identification threshold."

17 SECTION 3. A new section of the Public School Code is
18 enacted to read:

19 "SCHOOL SUPPORT AND ACCOUNTABILITY SYSTEM--CREATED--
20 ESTABLISHING A SCHOOL DASHBOARD--PRIORITIZING RESOURCES FOR
21 SCHOOLS RECEIVING ADDITIONAL SUPPORT.--

22 A. The "school support and accountability system"
23 is created in the department. The department, in
24 consultation with school districts, charter schools, school
25 personnel, tribal nations and the legislative education study

1 committee, shall promulgate rules to carry out the provisions
2 of the School Support and Accountability Act through the
3 system.

4 B. The system shall:

5 (1) differentiate Title 1 support to public
6 schools in the state using the metrics identified in
7 Paragraphs (2) and (3) of this subsection to assign, for each
8 public school, a designation of targeted support,
9 comprehensive support or more rigorous intervention to comply
10 with the federal Elementary and Secondary Education Act of
11 1965;

12 (2) include indicators of academic
13 achievement that shall be afforded substantial weight and, in
14 the aggregate, much greater weight than the indicators
15 described in Paragraph (3) of this subsection, including:

16 (a) student proficiency on the New
17 Mexico standards-based assessments pursuant to Subsection B
18 of Section 22-2C-4 NMSA 1978;

19 (b) student growth, which will comprise
20 a substantial part of the weighting of academic achievement
21 indicators both for all students at the public school and
22 disaggregated by quartile on the New Mexico standards-based
23 assessments;

24 (c) progress of English language
25 learners toward English language proficiency as measured by

1 an assessment determined by the department; and

2 (d) for high schools, the four-year,
3 five-year and six-year adjusted cohort graduation rates; and

4 (3) include indicators of school quality and
5 student success that are valid, reliable, comparable and
6 statewide, including:

7 (a) chronic absenteeism;

8 (b) college, career and civic
9 readiness; and

10 (c) the educational climate of the
11 school.

12 C. The department shall include in the system
13 student data disaggregated by each major racial and ethnic
14 group, economically disadvantaged students, English learner
15 status, children with disabilities, gender and migrant
16 status; provided that ethnicity and race shall be reported
17 using the following categories:

18 (1) Caucasian, non-Hispanic;

19 (2) Hispanic;

20 (3) African American;

21 (4) American Indian or Alaska Native;

22 (5) Native Hawaiian or other Pacific
23 Islander;

24 (6) Asian;

25 (7) two or more races; and

1 (8) other; provided that if the sample of
2 students in any category enumerated in Paragraphs (1) through
3 (7) of this subsection is so small that a student in the
4 sample may be personally identifiable in violation of the
5 federal Family Educational Rights and Privacy Act of 1974,
6 the report may combine that sample into the "other" category.

7 D. The department shall provide the technological
8 platform for a dashboard for each public school. The
9 dashboard shall provide school and student information to
10 school stakeholders and policymakers in a transparent manner,
11 including the following indicators:

12 (1) the results of each indicator included
13 in Paragraphs (2) and (3) of Subsection B and in Subsection C
14 of this section;

15 (2) designations of school quality and
16 student success for any school meeting a specific standard
17 set by the department for any indicator included in
18 Paragraphs (2) and (3) of Subsection B of this section;

19 (3) designations of excellence for any
20 school scoring in the ninetieth percentile for any indicator
21 included in Paragraphs (2) and (3) of Subsection B of this
22 section;

23 (4) designations of school quality and
24 student success for any school meeting a specific standard
25 set by the department for American Indian or Hispanic

1 students for any indicator included in Paragraphs (2) and (3)
2 of Subsection B of this section;

3 (5) designations of excellence for any
4 school scoring in the ninetieth percentile for American
5 Indian or Hispanic students for any indicator included in
6 Paragraphs (2) and (3) of Subsection B of this section;

7 (6) the designation of support for schools
8 that meet the criteria for traditional support, targeted
9 support, comprehensive support or more rigorous intervention;

10 (7) the demographics of the students and
11 staff of the school; and

12 (8) indicators of opportunity to learn
13 standards, including:

14 (a) a survey of relevant and engaging
15 curriculum and instruction;

16 (b) educational resources, including
17 total school-level expenditures and total instructional
18 expenditures per student; and

19 (c) qualified and competent school
20 staff, including the percentage of teachers with three or
21 more years of experience, the percentage of teachers who are
22 fully licensed and endorsed in the field they teach, the
23 types of degrees held by staff, information from the highly
24 objective, uniform state standards of evaluation for teachers
25 and the percentage of national board-certified teachers.

1 E. The dashboard shall include each school's
2 mission, vision and goals and provide for optional comments
3 from the local school board about the strengths,
4 opportunities for improvement and programmatic offerings
5 corresponding to any of the reported indicators in the
6 dashboard. For local school boards that do not provide this
7 information, the department shall populate this section of
8 the dashboard with information from the public school's
9 educational plan for student success.

10 F. The department shall ensure that a local school
11 board prioritizes the resources of a public school that has
12 received a designation of targeted support, comprehensive
13 support or more rigorous intervention toward improving
14 student performance using evidence-based programs and a
15 continuous improvement plan based on the indicators in
16 Paragraphs (2) and (3) of Subsection B of this section
17 identified through a school-level needs assessment until the
18 public school no longer holds that designation."

19 SECTION 4. REPEAL.--Sections 22-2E-1 through 22-2E-4
20 NMSA 1978 (being Laws 2011, Chapter 10, Sections 1 through 4,
21 as amended) are repealed.

22 SECTION 5. APPLICABILITY.--This act applies to the
23 2019-2020 and succeeding school years. _____