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School Accountability: How Schools Meet Federal and State Requirements

Accountability is crucial to ensuring all parts of the educational system function effectively. It should ensure students have a safe, enriching educational experience, including learning to read, write, and have strong math skills. School accountability over the last two decades has focused largely on how students perform on standardized assessments, teachers' classroom performance, and various measures of school performance, including attendance and school climate. However, an effective accountability structure cannot be a one-way street. All parts of the system, from legislative policies and appropriations to executive agency implementation to local school board decisions, to school and classroom performance, must be explicitly linked to ensure all stakeholders are accountable to the constituencies they serve.

In New Mexico, the court's 2018 findings in the *Martinez-Yazzie* consolidated lawsuit illustrated clearly that while state-level officials were demanding accountability from students, school districts, and charter schools, the state, in its appropriations, implementation, and oversight, was not holding up its end of the bargain. Since then, the Legislature has appropriated more than \$1 billion in additional funding, the Public Education Department (PED) has implemented myriad new programs, and school districts have used an influx of federal funds to establish new initiatives aimed at improving student outcomes.

Among the many impacts of the Covid-19 pandemic, though, was the inability to accurately gauge multiple measures of the educational system's efficacy. From assessment performance and student attendance to school districts' ability to effectively and efficiently use funding, a lack of clear data and systems to analyze that data has made it difficult to determine whether schools are making progress. Recent data, however, including the latest results on the National Assessment of Educational Progress, point to a stagnation or decline in student outcomes.

This brief will lay out the current state of school accountability in New Mexico. It also will propose a path for future conversations that should focus on aligning and connecting the various components of a reciprocal accountability system that will ensure clear, reliable, valid and fair metrics for determining the health of the education system in New Mexico and make certain any demand for accountability is paired with relevant and effective supports and adequate resources.

Key Takeaways

An effective structure must establish reciprocal accountability between stakeholder groups.

Page 1

The Every Student Succeeds Act gave more autonomy to states to develop accountability systems.

Page 2

The state's accountability law aligns to federal requirements but is not being fully implemented.

Page 3

PED will provide oversight support to designated schools, including additional funding, monitoring and technical assistance.

Page 4

Federal and State Accountability

Federal accountability over the past two decades has been determined by two reauthorizations of the Elementary and Secondary Act (ESEA). Congress passed the first, the No Child Left Behind Act (NCLB), in 2002. NCLB mandated yearly student assessments in reading and mathematics and required states to work toward an eventual goal of 100 percent student proficiency in math and reading by 2014. In 2015, after it became clear that schools would not meet the 100 percent target, and after years of failing to reauthorize ESEA, Congress eventually passed the Every Student Succeeds Act (ESSA). ESSA includes broad requirements for school accountability and allows flexibility for a state to design a system that suits the needs of its students. The act, like NCLB before it, still requires states to identify low performing schools, but states have the ability to create their own accountability systems and determine their own metrics for underperformance.

The Every Student Succeeds Act, signed into law in 2015, replaced the No Child Left Behind Act as the federal government's main school accountability law.

ESSA also asks states to create and maintain data dashboards where communities can find information about schools in an effort to increase academic and fiscal transparency. The Public Education Department (PED) created New Mexico Vistas in 2019. For one year, the original site contained information about every school in the state and included demographics, data about academic performance from student assessment scores, survey data from parents and students, as well as attendance data. The site also displayed per-pupil expenditure information for every district and school. While aligned to federal requirements, New Mexico Vistas had not been updated since 2019. PED recently unveiled a new version of the dashboard. The new version contains assessment data, including student proficiency and student growth rates, graduation rates for high schools, and attendance data. It also includes school designations. It does not, however, include any fiscal information or survey data, nor information on state level metrics.

During the 2019-2020 school year, the U.S. Department of Education issued assessment waivers for all states due to the Covid-19 pandemic. Testing resumed during the 2020-2021, but participation rates in New Mexico were so low there was not enough data to determine how schools were doing. The data used to identify schools and posted to New Mexico Vistas was from the 2021-2022 data.

School Support and Accountability Act

The Legislature, in 2019, enacted the School Support and Accountability Act. The act outlines the components the state uses to rate schools. They include the following:

- Student proficiency on yearly standards-based assessments.
- Student growth on assessments.
- English learner progress toward English language proficiency.
- For high schools, the four-, five-, and six-year adjusted cohort graduation rates.
- Indicators of school quality, including chronic absenteeism, college, career, and civic readiness, and the educational climate of the school.

The accountability system must also include student data disaggregated by racial and ethnic groups, as well as by economically disadvantaged students, English learner status, children with disabilities, gender, and migrant status.



To comply with the federal requirement for a dashboard, the act also states “the department shall provide the technological platform for a dashboard for each school.” As previously noted, the original version of New Mexico Vistas met those requirements, but the most recent update leaves out key components and does not fully comply with federal or state law.

School Index Scores and Designations. PED recently adopted an emergency rule, 6.19.8 NMAC, under the authority of the School Support and Accountability Act further specifying the department’s methodology for calculating a school’s index score and for how it designates schools.

A newly adopted rule directs PED to “ensure that a local school board or governing body of a charter school is prioritizing resources of public schools identified for intervention.”

Elementary and middle schools can earn a maximum of 100 points based on the following:

- 25 points each for student proficiency in English language arts and mathematics;
- 10 points for science proficiency;
- 10 points each for improvement in student proficiency in English language arts and mathematics;
- 10 points for attendance; and
- 10 points for English learner progress.

High schools can earn a maximum of 100 points based on the following:

- 15 points for student proficiency in English language arts and mathematics;
- 10 points for science proficiency;
- Five points each for improvement in student proficiency in English language arts and mathematics;
- 10 points for attendance;
- Five points for college and career readiness;
- 30 points for graduation rate, calculated in the following manner:
 - 10 points for the four-year rate;
 - Eight points for the five-year rate;
 - Seven points for the six-year rate;
 - Five points for growth in the four-year rate; and
- Five points for English learner progress.

6.19.8.14 NMAC states that once designated as either in need of comprehensive support and improvement (CSI) or more rigorous intervention (MRI), the department may require school districts or charter schools to implement the use of department-approved, high-quality materials, best practices, and evidence-based programs; conduct department-approved district support and readiness assessments and publicly post summary findings; conduct department-approved school support and readiness assessments and publicly post findings; participate in department biannual monitoring and technical assistance visits; redirect or repurpose funds in accordance with their department-approved CSI or MRI plans; for MRI schools, require a department-approved transformational coach; and for MRI schools, require the restart or closure of an MRI school that has failed to exit MRI status within three years.

The rule does not specify how the department will decide whether to impose any of the described accountability provisions.

The chart below describes the identification and exit criteria for each of the four school designations.

	Identification Criteria	Exit Criteria
Comprehensive Support and Improvement (CSI)	<ul style="list-style-type: none"> - Title I schools performing in the lowest 5 percent of Title I schools - High schools with a graduation rate of less than 67 percent be identified as needing comprehensive support. - School previously identified as ATSI and not demonstrating sufficient improvement by next identification cycle. 	<ul style="list-style-type: none"> - Improving index score so that it is no longer in the lowest 5 percent of Title I schools. - Improve graduation rate above 67 percent for two out of three previous years. - Improve subgroup index score so is above the scores of lowest performing 5 percent of Title I schools.
Targeted Support and Improvement (TSI)	<ul style="list-style-type: none"> - A school with one or more subgroup meeting the state’s definition of consistently underperforming as defined by the department. 	<ul style="list-style-type: none"> - Improve subgroup index score so score is above the scores of lowest performing 5 percent of Title I schools.
Additional Targeted Support and Improvement (ATSI)	<ul style="list-style-type: none"> - A school with one or more subgroup with a subgroup index score at or below the index score of any of the lowest performing 5 percent of Title I schools. 	<ul style="list-style-type: none"> - Improve subgroup index score so score is above the scores of lowest performing 5 percent of Title I schools.
More Rigorous Intervention (MRI)	<ul style="list-style-type: none"> - A CSI school that has not exited CSI status by the next identification cycle after its initial CSI designation. - MRI schools shall identify and submit an intervention plan to significantly restructure and redesign the school. 	<ul style="list-style-type: none"> - Improve school index score so that it is no longer in the lowest performing 5 percent of Title I schools. - For high schools, improve four-year graduation rate to be about 67 percent for two out of the three previous years.

PED has identified 31 schools as needing More Rigorous Intervention, 27 because of graduation rates and four because they have continuously ranked in the lowest 5 percent of Title I schools. The department designated 74 schools as CSI, 27 because of graduation rates, 29 because of overall performance, and 18 because of the performance of one or more student subgroups.

Next Steps

New Mexico is on track to resume its traditional model of accountability, but it is unclear whether the system is using the right data or metrics to gauge the health of the system. Assessment data, for example, should be *one* indicator of success, but not the one on which we base most of our decisions.

Instead, a successful education system should provide students with a safe and enriching school experience while resulting in meaningful post-secondary experiences, represented by postsecondary completions, workforce participation, and taking part in the democratic process. The current system does not accurately measure those outcomes and only scratches the surface in helping state officials identify why “good” schools are doing well

and why “bad” schools are not. It identifies struggling schools, and provides additional resources for those schools, but it falls short in identifying meaningful ways to improve education as a whole.

Additionally, it does not make direct connections between state and local resources and how those resources contribute to meaningful outcomes. The state’s scattershot approach to fiscal accountability—educational plans, fiscal transparency dashboards, and myriad reporting requirements—has not provided sufficient clarity to determine whether recent investments are paying off.

Over the next few months, LESC staff is undertaking several projects that will help policy makers better understand the health of the system. It will work to identify more meaningful metrics on which to measure college and career readiness. It will conduct a funding formula review to determine whether the state is providing sufficient resources and whether those resources are being directed appropriately. And it will continue to track various data systems to look for ways to streamline and improve those systems.

If schools have not made sufficient progress over the last two decades, it has not been for a lack of trying. Recent investments may yet pay dividends in improved student outcomes. But the current accountability system may not be set up to accurately measure those outcomes or direct decision making if they do not.