

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: SB 156a

49th Legislature, 1st Session, 2009

Short Title: Alternative School Accountability Pilot

Sponsor(s): Senators Cynthia Nava and Mary Jane M. García

Analyst: Pamela Herman

Date: March 5, 2009

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AS AMENDED

The Senate Finance Committee amendment strikes the requirement for an external evaluation of the alternative school accountability pilot program from funds made available by the Legislature.

Original Bill Summary:

SB 156 adds a new section to the *Public School Code* to create the “alternative school accountability system,” a six-year pilot project based on a student growth model for grades 4 through 8 that is separate from but complementary to the existing school accountability system. The pilot is to be administered by the Public Education Department (PED) and phased-in over two years.

The bill states that the pilot will provide a voluntary opportunity for public school districts and charter schools to participate in an accountability system, aligned with state standards, that demonstrates the usefulness of a student growth model of accountability for purposes of:

- targeting resources to improve elementary and middle schools most in need; and
- recognizing elementary and middle schools that make the greatest progress in increasing student academic performance.

Among its provisions, SB 156 requires that the alternative accountability system:

- be based on:
 - a growth model that measures change in academic proficiency as demonstrated on state standards-based assessments from year to year, for all students in grades 4 through 8 in participating districts and charter schools;
 - proficiency of students with disabilities as demonstrated on the assessments required in their Individualized Education Programs, without regard to any predetermined number or percentage of students that may be counted as proficient based on alternative assessments proficiency; and
 - achievement of English language proficiency for English language learners (ELLs) as demonstrated on the New Mexico English Language Proficiency Assessment

(NMELPA) within a period to be specified by PED based on current scientific research;

- require that annual reports for participating schools be easily understood, include results for all students and for major demographic subgroups, and address relative improvement in academic achievement in schools with similar levels of students at risk because of high mobility, poverty, and limited English proficiency; and
- be phased in over two years to require that:
 - during year one, PED convene an assessment and accountability work group to design a uniform alternative accountability system that includes:
 - the use of a value table based on four levels of academic proficiency that compares the achievement level of a student from one year to the next and assigns a numerical value to the change;
 - a methodology for establishing peer groups based on levels of student mobility, poverty, and percentage of ELLs for reporting purposes;
 - a timetable and criteria for annual reporting purposes; and
 - application requirements.

During years two through six, if funds are available, SB 156 requires PED:

- to make awards to pilot school districts and charter schools for school improvement activities; and
- to provide for an external evaluation of the alternative accountability system to determine if the project provides the state, school districts, and charter schools a cost-effective way to use the results of standards-based assessments to improve student achievement.

Finally, the bill requires PED to establish reporting and evaluation requirements for pilot districts and charter schools and to provide reports to the Legislature and the Governor on the implementation and effectiveness of the pilot project.

Fiscal Impact:

SB 156 does not contain an appropriation.

Issues:

- In 2008, the Legislature passed SJM 43, *Study School Accountability Targets*. The memorial requested that the Legislative Education Study Committee (LESC), in collaboration with PED, the Legislative Council Service, public school superintendents, directors of special education, directors of bilingual education, and other appropriate educators, form a study group to meet during the 2008 interim:
 - to discuss the possible use of short-cycle assessments as an indicator of student progress;
 - to recommend an accountability mechanism for specific subpopulations based on a growth model;
 - to study the impact of using the federal Office of Special Education targets in lieu of New Mexico accountability targets;

- to examine opportunity-to-learn factors as a companion to New Mexico accountability targets; and
- to report its findings to the appropriate interim committee of the Legislature by December 2008.
- In response to the memorial, the LESC assembled a 23-member LESC Assessment and Accountability Work Group that met four times in the interim, with technical assistance from the nonprofit National Center for the Improvement of Educational Assessment.
- In December 2008, the group provided its report to the LESC, with a recommendation that PED develop the alternative accountability system proposed in SB 156 and conduct a limited, voluntary pilot project to determine if the system can provide information to evaluate and improve the performance of public schools.
- In 2006, the US Department of Education (USDE) announced a growth-model pilot program that invited state proposals to use accountability models that give schools credit for student improvement over time by tracking individual achievement from one year to the next.
 - As of January 2009, 15 states' growth models had been approved: North Carolina, Tennessee, Alaska, Arizona, Arkansas, Delaware, Florida, Iowa, Ohio, Michigan, Missouri, Colorado, Minnesota, Pennsylvania, and Texas.
 - PED submitted a growth model proposal to USDE in 2008 that was not accepted; however, the department has indicated it intends to continue seeking approval for a growth model.

Related Bills:

HB 237a *Change Report Card Publication Date*

CS/HB 349 *Eliminate Certain Standardized School Tests*

SJM 47 *Short-Cycle Educational Assessments*