

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: HB 21

49th Legislature, 1st Special Session, 2009

Short Title: Suspend Certain School Assessments

Sponsor(s): Representative Nathan P. Cote

Analyst: Pamela Herman

Date: October 21, 2009

Bill Summary:

HB 21 states a legislative finding that the current fiscal crisis requires extraordinary measures to ensure fiscal solvency for FY 10 and FY 11.

For school years 2009-2010 (FY 10) and 2010-2011 (FY 11), the bill *permits* but does not require school districts to suspend the administration of all required state assessments, except as follows:

- assessments required by the federal *No Child Left Behind Act of 2001* (NCLB);
- short-cycle assessments;
- high school graduation assessments;
- assessments required for certain New Mexico early childhood programs; and
- short-cycle diagnostic assessments required for students in grades 9 and 10, except that the number of tests in a school year may be determined by the school district.

Fiscal Impact:

The costs associated with educational assessments are both nonrecurring and recurring. Nonrecurring costs, which the Public Education Department (PED) generally pays, include initial test development and periodic updating of assessments. Recurring costs include school district administrative costs such as printing, distribution, scoring, and reporting.

According to PED estimates, the maximum potential savings to school districts from enactment of HB 21, if all districts suspended all non-required assessments, are as follows:

- For FY 10, up to \$3.0 million:
 - \$2.3 million for standards-based assessments in social studies and writing at all grade levels and science in four grade levels;
 - \$700,000 for the college placement/workplace readiness assessments in grade 11; and
 - an unknown amount for fewer than three administrations of short-cycle assessments in grades 9 and 10 (PED indicates that three administrations of these assessments costs districts approximately \$11 per student); and
- For FY 11, up to \$3.1 million:
 - \$2.4 million for standards-based assessments in social studies and writing at all grade levels and science in four grade levels;
 - \$700,000 for the college placement/workplace readiness assessments in grade 11; and

- an unknown amount for fewer than three administrations of short-cycle assessments in grades 9 and 10 (PED indicates that three administrations of these assessments costs districts approximately \$11 per student).

Issues:

Assessments are required in both state and federal law for three main purposes: (1) to hold schools accountable for how well their students are learning; (2) to diagnose student academic progress; and (3) to hold students accountable for acquiring the skills and knowledge expected for high school graduation.

- The federal NCLB requires states to maintain a uniform system of standards-based assessments for all schools for accountability purposes in the areas of reading and mathematics in grades 3-8 and one high school grade; and in science in one grade in each of three grade spans. The percent of students in each school, and in significant demographic subgroups in each school, who score at the proficient level or above on these assessments are the main determinant of whether a school, and a school district, make “adequate yearly progress” (AYP) or not, in which case they are subject to certain sanctions. The assessment system includes alternative assessments for students with the most profound cognitive impairments, and English-language placement and proficiency assessments for students who are English-language learners.
- State law establishes a similar but not identical system of assessments for school accountability (see Table 1, below).
- In 2007, in response to reports that about half of all recent public school graduates who enrolled in public postsecondary programs were required to take remedial coursework, as well as input from employers about the low level of basic skills of entry school graduates in entry-level positions, the Legislature established a system of college and workplace readiness assessments in grades 9-11. Implementation of the system began in school year 2008-2009 and was scheduled to continue in school year 2009-2010.
- Since 1986, high school students have been required to demonstrate competence in certain subject areas on a state graduation test in order to receive a high school diploma. In 2007 and 2008, an LESC-endorsed measure was enacted to change the existing high school competency exam to a standards-based measure, and as permitted in statute, PED indicated that it would use the 11th grade standards-based assessment also used for accountability, eliminating one assessment.
- In addition, certain assessments are required in state law or PED rule, for diagnostic and evaluation purposes, for some early childhood education programs such as full-day kindergarten, K-3 Plus, and New Mexico PreK.
- The following table compares the assessments required in state law and by NCLB.

Table 1: Assessments Requirements in New Mexico

Subject	Federal requirement	State requirement	PED requirement
<i>Standards-based Assessments Required for School Accountability</i>			
Reading/Language Arts	Grades 3-8, and once in high school	Grades 3-8 and 11	Grades 3-8 and 11
		Required for graduation	Required for graduation
Math	Grades 3-8 and once in high school	Grades 3-8 and 11	Grades 3-8 and 11
		Required for graduation	Required for graduation
Science	Once in grades 3-5, grades 6-8, and high school	Once in grades 3-5, grades 6-8 and grade 11	Grades 3-8 and 11
		Required for graduation	Required for graduation
Social Studies		Once in grades 3-5, grades 6-8 and grade 11	Grade 11
		Required for graduation	Required for graduation
Writing		Grades 3-8	Grades 3-8 and 11
		Required for graduation	Required for graduation
<i>College and Workplace Readiness Assessments</i>			
Short-cycle diagnostic assessments in Reading, Language Arts and Math		Grades 9 and 10 3 times annually	Grades 9 and 10 3 times annually
<i>Early Childhood Program Diagnostic Assessments</i>			
Age-appropriate placement assessment		Full-day kindergarten	Age-appropriate literacy-specific screening assessment measures twice annually
Dynamic Indicators of Basic Early Literacy (DIBELS)	Was required for Reading First programs	K-3 Plus programs	Same
Selected indicators of learning outcomes			New Mexico PreK program standards

SOURCE: LESC

Related Bills:

*HB 10 *School District Solvency*

HB 18 *Suspend Certain School Assessments* (identical)

HB 20 *Use School Assessments for State Tests*