

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** HJM 2

**50th Legislature, 2nd Session, 2012**

**Tracking Number:** .188441.1

**Short Title:** Study 3<sup>rd</sup> Grade Retention Issues

**Sponsor(s):** Representative Ray Begaye

**Analyst:** Travis Dulany

**Date:** January 20, 2012

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**Bill Summary:**

HJM 2 requests that the Legislative Education Study Committee (LESC), in cooperation with the Legislative Finance Committee (LFC), the Public Education Department (PED), and the Higher Education Department (HED), appoint a work group “of educational experts with significant experience” in:

- language arts;
- mathematics;
- science;
- social studies or history;
- psychology;
- elementary school education, with at least 10 years of in-class teaching experience; and
- special education.

Additionally, the work group includes a member of the LESC.

Taking into consideration those for whom English may not be the only language spoken in the household and for whom oral language may be a stronger tradition than written language, HJM 2 requests that the work group study, determine, or recommend:

- screening assessments for reading skills for public school students in grades kindergarten through 3;
- guidelines to PED for use in making grade retention and promotion decisions and appropriate and effective remediation programs for retained students;
- appropriate tools school districts may use in evaluating retained students;
- whether the PED-approved norm-referenced standardized assessment and approved criterion-referenced standardized assessment are accurate measures of academic proficiency;
- an alternative assessment to the standards-based assessment;
- the implementation of policies and procedures that encourage regular, meaningful family member involvement in the student’s education, which take into account the cultural and ethnic backgrounds of the families;
- standards for competency to teach reading; and

- training courses for currently licensed teachers and prospective teachers to take when the competency-to-teach-reading assessment shows that the teacher falls below the standards for competency to teach reading, as well as the opportunity for currently licensed and prospective teachers to retake the competency-to-teach-reading assessment upon completion of the training course.

Other provisions of the joint memorial request the work group to study, determine or recommend:

- the specific content standards for a certain grade level to be included in the academic improvement plan written by the student assistance team;
- the appropriateness and accuracy of the standards-based assessment;
- remediation programs with proven success;
- the intervals at which screening assessments for reading skills should be administered;
- baseline assessment data on reading proficiency for students in grades 3, 5, and 8;
- alternative programs to be used for all students who do not demonstrate academic proficiency for two consecutive years; and
- guidelines to PED for use in determining different levels of disability of students in special education and structuring each student's individualized education program according to the level of disability and individual need.

Finally, HJM 2 requests the work group to report its findings and recommendations to the Legislature and governor before the 2013 Legislature.

**Fiscal Impact:**

Legislative memorials do not carry an appropriation.

**Fiscal Issues:**

Based on the composition of the work group and specific areas to be studied, HJM 2 may require an appropriation to provide for certain costs, including:

- compensation and travel for the educational experts; and
- per diem and travel for the LESC member.