

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HJM 30

51st Legislature, 1st Session, 2013

Tracking Number: .191962.1

Short Title: Study Uses of Standardized Test Scores

Sponsor(s): Representative Mimi Stewart and Others

Analyst: LaNysha Adams

Date: February 15, 2013

Bill Summary:

HJM 30 requests that the Legislative Education Study Committee (LESC) convene a work group to study the validity of using standards-based assessments for other purposes, namely teacher and school administrator effectiveness, and school grading; and that the work group report to the LESC by October 1, 2013.

Fiscal Impact:

Legislative memorials do not carry an appropriation.

House Bill 3, as amended by the House Education Committee, includes \$1.0 million in for a New Teacher Evaluation System for FY 14.

Substantive Issues:

According to the bill analysis by the Public Education Department (PED), HJM 30 would duplicate the effort of the New Mexico Teacher Evaluation Advisory Council (NMTEACH) (see “Background,” below).

The PED bill analysis also states that student assessment scores “are a fundamental component of effectiveness evaluation systems, and research has found that student gains on standardized assessments are meaningfully related to more challenging achievement assessments, student perception surveys, expert observations of instructional practice, and assessments of teachers’ content knowledge.”

However, other research identifies some cautions in the use of standardized student assessments in evaluating teachers.

- In 2010, the Economic Policy Institute (EPI) published Problems with the *Use of Student Test Scores to Evaluate Teachers*, a briefing paper which concluded that:
 - student test scores “should be only one element among many considered in teacher profiles. Some states are now considering plans that would give as much as 50 percent of the weight in teacher evaluation and compensation decisions to scores on existing poor-quality tests of basic skills in math and reading. Based on the evidence we have reviewed above, we consider this unwise. If the quality, coverage, and

- design of standardized tests were to improve, some concerns would be addressed, but the serious problems of attribution and nonrandom assignment of students, as well as the practical problems described above, would still argue for serious limits on the use of test scores for teacher evaluation”; and
- standards-based evaluations of teaching practice have been implemented in some districts and have provided more useful evidence about teaching practice. Furthermore, research indicates associations of standards-based evaluations for teachers with student achievement gains.
- In January 2013, the Bill and Melinda Gates Foundation released the results of their three-year-long study on teacher effectiveness; the Measures of Effective Teaching (MET) Project. For the final report, *Have We Identified Effective Teachers? Validating Measures of Effective Teaching Using Random Assignment*, the MET Project:
 - used the data collected during school year 2009-2010 to build a composite measure of teaching effectiveness, combining the following three measures to predict a teacher’s impact on another group of students:
 - student surveys;
 - classroom observations; and
 - a teacher’s track record of student achievement gains on state tests;
 - randomly assigned a classroom of students to each teacher and tracked his or her students’ achievement during school year 2010-2011; and
 - compared the predicted student outcomes to the actual differences that emerged by the end of school year 2010-2011.

Findings from the MET Project’s final report include:

- the measures of effectiveness from school year 2009-2010 identified teachers who produced higher average student achievement following random assignment;
- as a group, the teachers identified as more effective produced greater student achievement growth than other teachers in the same school, grade, and subject;
- even though the three measures used to evaluate teacher effectiveness were collected before random assignment, these measures generated predictions of teachers’ impact on students after random assignment; and
- reliable measures to identify effective teachers can be developed and that “a more balanced approach – which incorporates the student survey data and classroom observations – has two important advantages: ratings are less likely to fluctuate from year to year, and the combination is more likely to identify teachers with better outcomes on assessments other than the state tests.”

Finally, the MET Foundation cautions:

- a prediction can be correct on average but still be subject to prediction error;
- anyone using these measures for high-stakes decisions should be cognizant of the possibility of error for individual teachers; and
- that they did not randomly assign students or teachers to a different school; therefore, the findings should not be used for gauging differences across schools because the process of

student sorting across schools could be different than sorting between classrooms in the same school.

Background:

In 2011, the Legislature considered, but did not pass, legislation that would have implemented a new system for evaluating teachers and principals. Through executive order in the 2011 interim, the Governor created the New Mexico Effective Teaching Task Force, whose charge was to provide recommendations to the Governor regarding how best to measure the effectiveness of teachers and school leaders based on specific parameters. Those recommendations led to legislation introduced in the 2012 session, which the Legislature considered, but did not pass.

In April 2012, the Governor issued a press release directing PED to formulate a new teacher and principal evaluation system. According to the press release, the development of a framework for a new evaluation system was one of the conditions for the *Elementary and Secondary Act* (ESEA) Flexibility Waiver from the federal *No Child Left Behind Act*, which PED had recently obtained; and the new evaluation system will incorporate many of the measures that were part of the 2012 legislation. In addition, this press release prescribed components of the system; assigned values, or weights, to those components; and presented a timeline for the development and implementation of the new evaluation system.

In May 2012, PED requested nominations for 18 people to serve two-year terms on the New Mexico Teacher Evaluation Advisory Council (NMTEACH) in order to develop the details of a new teacher and school leader evaluation system based on student achievement. In June 2012, NMTEACH held its first meeting. In July 2012, PED held a public hearing to solicit public comment on draft provisions of the new “Teacher and School Leader Effectiveness” rule. In August 2012, PED published the final draft of the “Teacher and School Leader Effectiveness” rule in the *New Mexico Register* (6.69.8 NMAC). The final rules contained several changes from the original version.

Throughout the 2012 interim, the LESC heard testimony about the evaluation of teachers and principals. This testimony raised questions about the alignment between the proposed rule and evaluation provisions already in law and about the use of student assessments, including standardized assessments, in the evaluation of teachers and principals.

Committee Referrals:

HEC

Related Bills:

HB 111 *Education Dept. Pays for Standards Tests*
HB 276 *Teacher Licensing & Performance Ratings*
HB 481 *Evidence of Teacher Competency*
SB 316 *Teacher Licensing & Performance Ratings*
SB 475 *Evidence of Teacher Competency*