

539

HOUSE BILL

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC EDUCATION; ELIMINATING HIGHER EDUCATION OR CAREER READINESS ASSESSMENT SYSTEM REQUIREMENTS FOR STUDENTS IN GRADES NINE AND TEN.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-2C-4.1 NMSA 1978 (being Laws 2007, Chapter 307, Section 4 and Laws 2007, Chapter 308, Section 4, as amended) is amended to read:

"22-2C-4.1. STATEWIDE COLLEGE AND WORKPLACE READINESS ASSESSMENT SYSTEM.--

A. The department shall establish a readiness assessment system to measure the readiness of every New Mexico high school student for success in higher education or a career no later than the 2008-2009 school year. The department shall ensure that the readiness assessment system is aligned with

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1 state academic content and performance standards, college
2 placement tests and entry-level career skill requirements. The
3 readiness assessment system shall include, ~~[the following~~
4 ~~components:~~

5 ~~(1) in grade nine, a short-cycle diagnostic~~
6 ~~assessment in reading, language arts and mathematics to be~~
7 ~~locally administered in the fall and at least two additional~~
8 ~~times during the year;~~

9 ~~(2) in grade ten, a short-cycle diagnostic~~
10 ~~assessment in reading, language arts and mathematics that also~~
11 ~~serves as an early indicator of college readiness, to be~~
12 ~~locally administered at least three times during the year; and~~

13 ~~(3) in] for grade eleven, in the fall, one or~~
14 ~~more of the following components chosen by the student:~~

15 ~~[(a)] (1) a college placement assessment;~~

16 ~~[(b)] (2) a [workforce] work force readiness~~
17 ~~assessment; or~~

18 ~~[(c)] (3) an alternative demonstration of~~
19 ~~competency using standards-based indicators.~~

20 B. ~~[All] Students [at the specified grade level]~~
21 ~~shall participate in the readiness assessment system at no cost~~
22 ~~to the student.~~

23 C. ~~[The department shall] ensure that results of~~
24 ~~performance on readiness assessments administered in grades~~
25 ~~nine and ten are reported to students, parents and public~~

.199916.1

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1 ~~schools no later than four weeks following the date on which~~
2 ~~the assessments are administered, in a form that is easily~~
3 ~~understandable and useful in the next-step planning process.]~~

4 Reports of assessment results shall be provided to students and
5 parents in writing whenever possible but, if necessary, orally
6 in the language best understood by each student and parent.

7 D. The department shall adopt standards for
8 reasonable accommodations in the administration of readiness
9 assessments for students with disabilities and limited English
10 proficiency, including when and how accommodations may be
11 applied.

12 E. In developing, selecting or approving the high
13 school or college readiness assessments for school district or
14 charter school use, the department may adopt commercially
15 available standards-based assessments or approve a school
16 district's or charter school's short-cycle diagnostic
17 assessments that meet the requirements of this section. The
18 department shall involve appropriate licensed school employees
19 in the development or selection of readiness assessments."

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 539

52nd Legislature, 1st Session, 2015

Tracking Number: .199916.1

Short Title: Eliminate Certain Grade 9 & 10 Assessments

Sponsor(s): Representative G. Andres Romero and Others

Analyst: Travis Dulany 

Date: March 16, 2015 (Revised)

Bill Summary:

HB 539 amends the *Assessment and Accountability Act* to remove the ninth and tenth grade short-cycle diagnostic assessments in reading, language arts, and mathematics from the state's Readiness Assessment System.

HB 539 also adds the word "diagnostic" to the language in Subsection E (page 3, line 16; see "**Substantive Issues**," below).

Fiscal Impact:

HB 539 does not contain an appropriation.

Fiscal Issues:

The Public Education Department (PED) indicates that eliminating requirements for short-cycle assessments in grades 9 and 10 will save school districts money, although the department does not indicate an exact amount.

Substantive Issues:

Provisions in current law require PED to include in the Readiness Assessment System short-cycle diagnostic assessments in reading, language arts, and mathematics to be locally administered:

- in grade 9, in the fall and at least two additional times during the year; and
- in grade 10, at least three times during the year.

According to the PED bill analysis, "elimination of the requirement to administer short-cycle assessments in grades 9 and 10 is logical and aligns with [the department's] current assessment system, which now requires summative testing of students in these grade levels."

PED states that:

- adding the word "diagnostic" to the phrase "short-cycle assessments" (see page 3, line 16) augments the use of short-cycle assessments for other purposes;

- short-cycle assessments are periodic (daily, weekly, bi-weekly, and/or monthly) assessments such as the Dynamic Indicators of Basic Early Literacy Skills test (commonly known as DIBELS), reading checks, learning logs, exit slips, or quizzes that provide regular feedback to teachers;
- results of short-cycle assessments help teachers ensure that students are learning and provide concrete feedback to help students improve their understanding and apply their knowledge; and
- only a subset of short-cycle assessments is used as a diagnostic tool.

The Western New Mexico University bill analysis states that “this bill would reduce repeated testing, but waiting until eleventh grade to assess student skills in these academic areas leaves little time for intervention.” Nevertheless, if HB 539 is enacted, nothing would prevent schools and districts from administering short-cycle assessments to students in grades 9 and 10, or any other grade for that matter.

Background:

Provisions in the *Assessment and Accountability Act* require assessment of students in certain grades “...to comply with federal accountability requirements; to provide the means whereby parents, students, public schools, and the public can assess the progress of students in learning and schools in teaching required academic content; and to institute a system in which public schools, school districts and the department are held accountable for ensuring student success.”

Among its provisions, the *Assessment and Accountability Act* requires the following assessments:

- for grades 3-8 and 11, standards-based assessments in mathematics, reading and language arts, and social studies;
- for grades 3-8, a standards-based writing assessment with the writing assessment scoring criteria applied to the extended response writing portions of the language arts standards-based assessments;
- for one of the grades 3-5, 6-8, and 11, standards-based assessments in science;
- in grade 9, a short-cycle diagnostic assessment in reading, language arts, and mathematics to be locally administered in the fall and at least two additional times during the year;
- in grade 10, a short-cycle diagnostic assessment in reading, language arts, and mathematics that also serves as an early indicator of college readiness, to be locally administered at least three times during the year; and
- during the fall semester of grade 11, one or more of the following chosen by the student:
 - a college placement assessment;
 - a workforce readiness assessment; or
 - an alternative demonstration of competency using standards-based indicators.

Additionally, provisions relating to graduation in the *Public School Code* require final examinations to be administered to all students in classes offered for high school credit.

Committee Referrals:

HEC

Related Bills:

HB 15 *Limit School Days for Statewide Tests*
HB 165 *Remove AYP References in School Code*
HB 176 *Limit School Assessments*
HB 177 *Common Core Implementation Standards*
HB 298 *In-State Educational Companies & Services*
HB 308a *School Workforce Assessment System*
*HB 315 *Audit Resources for Student Assessments*
HJM 3a *Standardized Test Contract Fund Reports*
SB 127aa *Development of End-of-Course Tests by Teacher*
SB 203a *Certain Students Tested in Native Language*
SB 328 *Graduation Standards to School Boards*
SB 390a *Align School Code with Assessment Practices*
*SB 457 *Audit Resources for Student Assessments*
SB 570 *Standards-based Content Standards & Delay*
SJM 9 *Standardized Test Contract Reporting*