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HOUSE BILL 69

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Rick Miera

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING THE PUBLIC EDUCATION DEPARTMENT, SCHOOL DISTRICTS AND CHARTER SCHOOLS TO REPORT COHORT GRADUATION DATA.

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

Section 1. Section 22-2C-11 NMSA 1978 (being Laws 2003, Chapter 153, Section 20, as amended) is amended to read:

"22-2C-11. ASSESSMENT AND ACCOUNTABILITY SYSTEM REPORTING--PARENT SURVEY--DATA SYSTEM--FISCAL INFORMATION.--

A. The department shall:

(1) issue a state identification number for each public school student for use in the accountability data system;

(2) adopt the format for reporting individual student assessments to parents. The student assessments shall

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1 report each student's progress and academic needs as measured
2 against state standards;

3 (3) adopt the format for reporting annual
4 yearly progress of public schools, school districts, state-
5 chartered charter schools and the department. A school
6 district's report shall include reports of all locally
7 chartered charter schools in the school district. If the
8 department has adopted a state improving schools program, the
9 annual accountability report shall include the results of that
10 program for each public school. The annual accountability
11 report format shall be clear, concise and understandable to
12 parents and the general public. All annual accountability
13 reports shall ensure that the privacy of individual students is
14 protected; [~~and~~]

15 (4) require that when public schools, school
16 districts, state-chartered charter schools and the state
17 disaggregate and report school data for demographic subgroups,
18 they include data disaggregated by gender;

19 (5) report cohort graduation data annually for
20 the state, for each school district and for each state-
21 chartered charter school and each public high school, based on
22 information provided by all school districts and charter
23 schools according to procedures established by the department;
24 provided that the report shall include the number and
25 percentage of students in a cohort who:

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1 (a) have graduated by August 1 of the
2 fourth year after entering the ninth grade;

3 (b) have graduated in more than four
4 years, but by August 1 of the fifth year after entering ninth
5 grade;

6 (c) have received a state certificate by
7 exiting the school system at the end of grade twelve without
8 having satisfied the requirements for a high school diploma as
9 provided in Section 22-13-1.1 NMSA 1978 or completed all course
10 requirements but have not passed the graduation assessment or
11 portfolio of standards-based indicators pursuant to Section
12 22-13-1.1 NMSA 1978;

13 (d) have dropped out or whose status is
14 unknown;

15 (e) have exited to a program that awards
16 a general educational development certificate, vocational
17 certificate or other secondary education credential that is not
18 part of the public school system; or

19 (f) are still enrolled in public school;

20 (6) report annually, based on data provided by
21 school districts and charter schools, the number and percentage
22 of public school students in each cohort in the state in grades
23 nine through twelve who have earned the units required to
24 advance to the next grade or graduate on schedule, who remain
25 enrolled but have not advanced to the next grade on schedule,

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1 who have dropped out or whose other educational outcomes are
2 known to the department; and

3 (7) establish technical criteria and
4 procedures to define which students are included or excluded
5 from a cohort.

6 B. Local school boards and governing boards of
7 charter schools may establish additional indicators through
8 which to measure the school district's or charter school's
9 performance in areas other than adequate yearly progress.

10 C. The school district's or state-chartered charter
11 school's annual accountability report shall include a report of
12 four- and five-year graduation rates for each public high
13 school in the school district or state-chartered charter
14 school. All annual accountability reports shall ensure that
15 the privacy of individual students is protected. As part of
16 the graduation rate data, the school district or state-
17 chartered charter school shall ~~[indicate contributing factors~~
18 ~~to nongraduation such as transfer out of the school district,~~
19 ~~pregnancy, dropout and other factors as known]~~ include data
20 showing the number and percentage of students in the cohort:

21 (1) who have received a state certificate by
22 exiting the school system at the end of grade twelve without
23 having satisfied the requirements for a high school diploma as
24 provided in Section 22-13-1.1 NMSA 1978 or completed all course
25 requirements but have not passed the graduation assessment or

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1 portfolio of standards-based indicators pursuant to Section
2 22-13-1.1 NMSA 1978;

3 (2) who have dropped out or whose status is
4 unknown;

5 (3) who have exited to a program that awards a
6 general educational development certificate, vocational
7 certificate or other secondary education credential that is not
8 part of the public school system;

9 (4) who are still enrolled; and

10 (5) whose other educational outcomes are known
11 to the school district.

12 D. The school district's or state-chartered charter
13 school's annual accountability report shall include the results
14 of a survey of parents' views of the quality of their
15 children's school. The survey shall be conducted each year in
16 time to include the results in the annual accountability
17 report. The survey shall compile the results of a written
18 questionnaire that shall be sent home with the students to be
19 given to their parents. The survey may be completed
20 anonymously. The survey shall be no more than one page, shall
21 be clearly and concisely written and shall include not more
22 than twenty questions that shall be answered with options of a
23 simple sliding scale ranging from "strongly agree" to "strongly
24 disagree" and shall include the optional response "don't know".
25 The survey shall also include a request for optional written

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1 comments, which may be written on the back of the questionnaire
2 form. The questionnaire shall include questions in the
3 following areas:

- 4 (1) parent-teacher-school relationship and
5 communication;
- 6 (2) quality of educational and extracurricular
7 programs;
- 8 (3) instructional practices and techniques;
- 9 (4) resources;
- 10 (5) school employees, including the school
11 principal; and
- 12 (6) parents' views of teaching staff
13 expectations for the students.

14 E. The department shall develop no more than ten of
15 the survey questions, which shall be reviewed by the
16 legislative education study committee prior to implementation.
17 No more than five survey questions shall be developed by the
18 local school board or governing body of a state-chartered
19 charter school, and no more than five survey questions shall be
20 developed by the [~~staffs~~] staff of each public school; provided
21 that at least one-half of those questions shall be developed by
22 teachers rather than school administrators, in order to gather
23 information that is specific to the particular community
24 surveyed. The questionnaires shall indicate the public school
25 site and shall be tabulated by the department within thirty

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1 days of receipt and shall be returned to the respective schools
2 to be disseminated to all parents.

3 F. The school district's or state-chartered charter
4 school's annual accountability report shall be adopted by the
5 local school board or governing body of the state-chartered
6 charter school, shall be published no later than November 15 of
7 each year and shall be published at least once each school year
8 in a newspaper of general circulation in the county where the
9 school district or state-chartered charter school is located.
10 In publication, the report shall be titled "The School District
11 Report Card" or "The Charter School Report Card" and
12 disseminated in accordance with guidelines established by the
13 department to ensure effective communication with parents,
14 students, educators, local policymakers and business and
15 community organizations.

16 G. The annual accountability report shall include
17 the names of those members of the local school board [~~members~~]
18 or charter school who failed to attend annual mandatory
19 training.

20 H. The annual accountability report shall include
21 data on expenditures for central office administration and
22 expenditures for the public schools of the school district or
23 state-chartered charter school.

24 I. The department shall create an accountability
25 data system through which data from each public school and each

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1 school district or state-chartered charter school may be
2 compiled and reviewed. The department shall provide the
3 resources to train school district and charter school personnel
4 in the use of the accountability data system.

5 J. The department shall verify data submitted by
6 the school districts and state-chartered charter schools.

7 K. At the end of fiscal year 2005, after the budget
8 approval cycle, the department shall produce a report to the
9 legislature that shows for all school districts using
10 performance-based program budgeting the relationship between
11 that portion of a school district's program cost generated by
12 each public school in the school district and the budgeted
13 expenditures for each public school in the school district as
14 reported in the district's performance-based program budget.
15 At the end of fiscal year 2006 and subsequent fiscal years,
16 after the budget approval cycle, the department shall report on
17 this relationship in all public schools in all school districts
18 in the state.

19 L. When all public schools are participating in
20 performance-based budgeting, the department shall recommend
21 annually to the legislature for inclusion in the general
22 appropriation act the maximum percentage of appropriations that
23 may be expended in each school district for central office
24 administration.

25 M. The department shall disseminate its statewide

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1 accountability report to school districts and charter schools;
2 the governor, legislators and other policymakers; and business
3 and economic development organizations.

4 N. As used in this section, "cohort" means a group
5 of students who enter grade nine for the first time at the same
6 time, plus those students who transfer into the group in later
7 years and minus those students who leave the cohort for
8 documented excusable reasons."