

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** CS/HB 15

**52nd Legislature, 1st Session, 2015**

**Tracking Number:** .198778.1

**Short Title:** Limit School Days for Statewide Tests

**Sponsor(s):** Representative Bill McCamley

**Analyst:** Christina McCorquodale

**Date:** February 1, 2015

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**HOUSE EDUCATION COMMITTEE SUBSTITUTE FOR HOUSE BILL 15**

**Bill Summary:**

CS/HB 15 amends two sections of the *Assessment and Accountability Act* to require that the preparation and administration of adequate yearly progress (AYP) and college and workplace readiness assessments not exceed five days in both the fall and spring semester in any school year.

**Fiscal Impact:**

CS/HB 15 does not contain an appropriation.

**Substantive Issues:**

***AYP***

In current law, the provisions relating to the academic assessment program for AYP require the testing of student achievement:

- 1) for grades 3-8 and for grade 11, standards-based assessments in mathematics, reading and language arts, and social studies;
- 2) 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; and
- 3) for grades 3-5, for grades 6-8, and for grade 11, standards based assessments in science by school year 2007-2008.

***College and Workplace Readiness***

In current law, the provisions relating to the statewide college and workplace readiness system require the components to test:

- 1) 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;

- 2) 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
- 3) in grade 11, in the fall, one or more of the following chosen by the student:
  - ✓ a college placement assessment;
  - ✓ a readiness assessment; or
  - ✓ an alternative demonstration of competency using standards-based indicators.

### **New Mexico Statewide Assessment Program**

According to the New Mexico Statewide Assessment Program<sup>1</sup> 2014-2015 calendar, CS/HB 15 would require limitations on testing days in the spring semester, which is when most of the required assessments are administered. The calendar includes the following testing window dates for the required tests administered for each grade level:

- New Mexico High School Competency Exam Winter retest (grades H8 or higher, ninth graders in school year 2007-2008 or earlier): **January 19, 2015 through January 30, 2015**;
- End-of-Course Assessments for 2015 cohort primary demonstration of competency for social studies and writing; Alternative Demonstration of Competency for math, reading, and science (grades 9-12): **One week during first three weeks of spring semester**;
- ACCESS (English language proficiency assessment) for English language learners (grades K-12; only for current ELL students): **January 12, 2015 through February 27, 2015**;
- National Center and State Collaborative: English language arts and math for students with severe cognitive disabilities (grades 3-high school): **March 30, 2015 through May 15, 2015**;
- NM Alternate Performance Assessment: Science and Social Studies for students with severe cognitive disabilities (grades 3-high school): **to be announced by the department**;
- Alternate Assessment for High School Graduation (retakes for grade 12): **to be announced by the department**;
- Partnership for Assessment of Readiness for College and Careers (PARCC) performance-based assessment and End-of-Year assessment: English language arts and math (grades 3-high school): **March 2, 2015 through March 27, 2015 and April 13, 2015 through April 27, 2015**;
- Standards Based Assessment: science (grades 4, 7, and 11): **March 23, 2015 through April 10, 2015**;

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<sup>1</sup> New Mexico Statewide Assessment Program (NMSAP) is the assessment program that is approved by PED and designates the required standardized tests to be administered in New Mexico public school districts, charter schools, and state educational institutions [6.10.7.7 NMAC].

- National Assessment of Educational Progress (grades 4, 8, and 12): **January 26, 2015 through March 6, 2015**;
- Trends in International Mathematics and Science Study (grades 4, 8, and 12): **April 1, 2015 through May 29, 2015**; and
- End-of-Course Assessments: Use in Educator Evaluation System (EES); 2015 cohort primary demonstration of competency for social studies and writing; Alternative Demonstration of Competence (ADC) for math, reading, and science (department indicates “any”): **Two consecutive weeks in last three weeks of spring semester.**

### **Technical Issues:**

While CS/HB 15 proposes to limit the number of testing days, it is unclear whether the “day” considers provisions in current law relating to the length of a school day (Section 22-2-8.1 NMSA 1978):

- 1) kindergarten, for half-day programs: 2 and ½ hours per day or 450 hours per year, or for full-day programs: 5 and ½ hours per day or 990 hours per year;
- 2) grades 1-6: 5 and ½ hours per day or 990 hours per year; and
- 3) grades 7-12: 6 hours per day or 1,080 hours per year.

### **Background:**

#### *LESC 2014 Interim Statewide Testing Survey*

During the December meeting, LESC staff presented the results of a statewide testing survey. Reflecting responses from 55 of the state’s 89 school districts (including Albuquerque Public Schools) and considering all state- and district-mandated assessments (formative and summative alike),<sup>2</sup> the survey found that:

- the average testing times per student for these school grades are as follows:
  - in third grade, ELL students average 27.11 hours of testing and non-ELL students 21.64 hours;
  - in seventh grade, ELL students average 27.86 hours of testing and non-ELL students 22.69 hours; and
  - in grade 8, ELL students average 27.37 hours and non-ELL students 22.20;
- in grades K through 3, formative assessments represent half of the testing time for a given student;
- in grade 9, the proportion of formative assessments in relation to the total of assessments increases 75 percent; and

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<sup>2</sup> Formative assessments fall into the broad category of diagnostic testing. Typically administered several times throughout the year, these short-cycle assessments are used by teachers during the learning process in order to modify teaching and learning activities to improve student outcomes. Summative assessments evaluate a student’s development at a particular point in time. Because the focus is on the outcome of a program, each summative assessment is typically administered only one time each year, generally toward the end of the school year: New Mexico Standards-based Assessment, PARCC assessments, and End-of-Course exams.

- for other grades (grades 3 through 8 and grades 10 and 11), the proportion of formative assessments drops to 25 percent.

The LESC also noted that:

- at any of the grade levels, ELL students spend four to five more hours on testing than non-ELL students, partly because ELL students take additional language placement and language proficiency assessments; and
- it appears that grades 3, 7, and 8 are the most tested for both ELL and non-ELL students;

**Committee Referrals:**

HEC/HGEIC

**Related Bills:**

HB 129 *Clarify School Test Individual Choice* (Identical to SB 217)

HB 165 *Remove AYP References in School Code*

SB 217 *Individual Choice in Some School Tests* (Identical to HB 129)