

April 5, 2001

**SENATE EXECUTIVE MESSAGE NO. 66**

The Honorable Richard Romero and  
Members of the Senate  
Executive-Legislative Building  
Santa Fe, New Mexico 87503

Honorable President and Members of the Senate:

I have this day VETOED and am returning SENATE BILL 660, as amended, enacted by the Forty-Fifth Legislature, First Session, 2001.

This legislation would have dramatically changed the requirements of the Annual School District Accountability Report by altering the type of testing instrument to be used in all of our public schools. After only one year of use, the State Board of Education's choice of CTBS5/TerraNova standardized testing in grades three through nine would be disrupted.

This bill allows great latitude for choosing an assessment tool that measures student academic performance grades four through nine utilizing either a norm-referenced test, a criterion test, or a performance-based test.

It would cost over ten million dollars for Criterion-Referenced Tests to be developed and implemented for every regular, special education, Title I, or Limited English Proficiency student. Excluding certain student samples, the development and implementation of individual performance-based tests for the each of the estimated 63,000 special education students and 137,000 Title I students alone would be fiscally unrealistic.

While compliance with federal law is an issue, the administration believes that using the norm-referenced testing instrument measuring all students regardless of their label, will provide the state and federal governments with academic data depicting a true picture of student academic performance in New Mexico compared to other students in each of the United States.

This bill does not dramatically improve the assessment of students. To move from one test to a choice of three tests provides no child with an educational service.

Sincerely,

Gary E. Johnson  
Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR:

Time: \_\_\_\_\_

By: \_\_\_\_\_

Secretary of State

Date \_\_\_\_\_

Time: \_\_\_\_\_

By: \_\_\_\_\_

Chief Clerk of the Senate

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Date \_\_\_\_\_