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SENATE BILL 390

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

INTRODUCED BY

William P. Soules

AN ACT

RELATING TO EDUCATION; AMENDING THE PUBLIC SCHOOL CODE TO
REFLECT CURRENT PUBLIC SCHOOL ASSESSMENT PRACTICES.

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

SECTION 1. Section 22-2C-4 NMSA 1978 (being Laws 2003,
Chapter 153, Section 13, as amended by Laws 2007, Chapter 306,
Section 1 and by Laws 2007, Chapter 307, Section 3 and also by
Laws 2007, Chapter 308, Section 3) is amended to read:

"22-2C-4. STATEWIDE ASSESSMENT AND ACCOUNTABILITY
SYSTEM--INDICATORS--REQUIRED ASSESSMENTS--ALTERNATIVE
ASSESSMENTS--LIMITS ON ALTERNATIVES TO ENGLISH LANGUAGE READING
ASSESSMENTS.--

A. The department shall establish a statewide
assessment and accountability system that is aligned with the
state academic content and performance standards and that

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1 measures adequate yearly progress for each public school and
2 school district. Adequate yearly progress shall be determined
3 primarily by student academic achievement, as demonstrated by
4 statewide standards-based assessments; however, the department
5 may include other indicators of adequate yearly progress,
6 including graduation rates for high schools and attendance for
7 elementary and middle schools.

8 B. The academic assessment program for adequate
9 yearly progress shall test student achievement ~~[as follows:~~

10 ~~(1) for grades three through eight and for~~
11 ~~grade eleven, standards-based assessments in mathematics,~~
12 ~~reading and language arts and social studies;~~

13 ~~(2)]~~ for grades three through eight with a
14 standards-based writing assessment with the writing assessment
15 scoring criteria applied to the extended response writing
16 portions of the language arts standards-based assessments ~~[and~~

17 ~~(3) for one of grades three through five and~~
18 ~~six through eight and for grade eleven, standards-based~~
19 ~~assessments in science by the 2007-2008 school year].~~

20 C. The department shall involve appropriate
21 licensed school employees in the development of the standards-
22 based assessments.

23 D. Before August 5 of each year, the department
24 shall provide student scores on all standards-based assessments
25 taken during the prior school year and required in Subsection B

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1 of this section to students' respective school districts in
2 order to make test score data available to assist school
3 district staff with appropriate grade-level and other placement
4 for the current school year.

5 E. All students shall participate in the academic
6 assessment program. The department shall adopt standards for
7 reasonable accommodations in standards-based assessments for
8 students with disabilities and limited English proficiency,
9 including when and how accommodations may be applied. The
10 legislative education study committee shall review the
11 standards prior to adoption by the department.

12 F. The department may allow students enrolled in an
13 alternative, school-to-work setting to demonstrate competency
14 in reading and mathematics using a national career readiness
15 assessment or an armed forces vocational aptitude assessment.

16 G. Students who have been determined to be limited
17 English proficient may be allowed to take the standards-based
18 assessment in their primary language. A student who has
19 attended school for three consecutive years in the United
20 States shall participate in the English language reading
21 assessment unless granted a waiver by the department based on
22 criteria established by the department. An English language
23 reading assessment waiver may be granted only for a maximum of
24 two additional years and only on a case-by-case basis."

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

3 "22-2C-4.1. STATEWIDE COLLEGE AND WORKPLACE READINESS
4 ASSESSMENT SYSTEM.--

5 A. The department shall establish a readiness
6 assessment system to measure the readiness of every New Mexico
7 high school student for success in higher education or a career
8 no later than the 2008-2009 school year. The department shall
9 ensure that the readiness assessment system is aligned with
10 state academic content and performance standards, college
11 placement tests and entry-level career skill requirements. The
12 readiness assessment system shall include ~~[the following~~
13 ~~components:~~

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

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

22 ~~(3)]~~ in grade eleven, in the fall, one or more
23 of the following chosen by the student:

- 24 ~~{a)}~~ (1) a college placement assessment;
25 ~~{b)}~~ (2) a workforce readiness assessment; or

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1 [~~e~~] (3) an alternative demonstration of
2 competency using standards-based indicators.

3 B. All students [~~at the specified~~] in grade [~~level~~]
4 eleven shall participate in the readiness assessment system at
5 no cost to the student.

6 C. The department shall ensure that results of
7 performance on readiness assessments [~~administered in grades~~
8 ~~nine and ten~~] are reported to students, parents and public
9 schools no later than four weeks following the date on which
10 the assessments are administered, in a form that is easily
11 understandable and useful in the next-step planning process.
12 Reports of assessment results shall be provided to students and
13 parents in writing whenever possible, but, if necessary, orally
14 in the language best understood by each student and parent.

15 D. The department shall adopt standards for
16 reasonable accommodations in the administration of readiness
17 assessments for students with disabilities and limited English
18 proficiency, including when and how accommodations may be
19 applied.

20 E. In developing, selecting or approving the high
21 school or college readiness assessments for school district or
22 charter school use, the department may adopt commercially
23 available standards-based assessments or approve a school
24 district's or charter school's short-cycle diagnostic
25 assessments that meet the requirements of this section. The

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1 department shall involve appropriate licensed school employees
2 in the development or selection of readiness assessments."

3 SECTION 3. EFFECTIVE DATE.--The effective date of
4 provisions of this act is July 1, 2015.