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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**53rd Legislature, 1st Session, 2017**

<b>Bill Number</b>	<u>SJM1</u>	<b>Sponsor</b>	<u>Senator Padilla</u>
<b>Tracking Number</b>	<u>.204683.1</u>	<b>Committee Referrals</b>	<u>SRC/SEC</u>
<b>Short Title</b>	<u>Student Assessment Policy Working Group</u>		
<b>Analyst</b>	<u>Herz</u>	<b>Original Date</b>	<u>1/26/2017</u>
		<b>Last Updated</b>	<u></u>

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**BILL SUMMARY**

Synopsis of Bill

Senate Joint Memorial 1 (SJM1) requests the Public Education Department (PED) and Legislative Education Study Committee (LESC) to convene a working group of education representatives and researchers to develop recommendations for a new student assessment policy aligned with the alternative assessment models allowed by the federal Every Student Succeeds Act (ESSA).

**FISCAL IMPACT**

Memorials do not appropriate funds. Depending on the location of working group meetings, members of the group may generate transportation costs, which could be paid by the member's organization.

**SUBSTANTIVE ISSUES**

SJM1 establishes a working group to examine the state's student assessment practices and identify opportunities granted to states through ESSA. Through ESSA, the federal government is easing regulation on the types of standardized testing and assessment states may use, granting states more flexibility in measuring student academic outcomes. A small number of other states have convened similar working groups to examine this issue. This bill brings together education practitioners, researchers, community, tribal, and civic leaders, union members, industry and higher education representatives, and others who have an interest in developing an alternative assessment model.

ESSA is intended to support the needs of every student through local innovation and "place-based interventions." ESSA presents an opportunity to consider how students in New Mexico should be assessed, as evidenced in the Innovative Assessment Pilot, through piloting an assessment framework that accurately and holistically measures student outcomes. Since the federal No Child Left Behind Act was passed, assessment results have become increasingly important. Retention decisions are often based on state assessment results, teacher evaluations

across the nation now include growth in student achievement on state assessments as a central element, and in New Mexico, schools are graded in large part based on student performance on the state assessment. In order to receive some federal title funds, a certain percentage of students attempting the state assessment is required. For these reasons, it is important that standardized tests are an accurate representation of both the student and the teacher.

ESSA allows the U.S. Department of Education (ED) secretary to give “innovative assessment demonstration authority” (IADA) in the first three years of ESSA to up to seven participating state educational agencies. IADA gives flexibility to develop a new innovative assessment system (IAS) to test student progress toward challenging state academic standards. After statewide implementation, states must submit the IAS for federal peer review. This review determines if the IAS may be used to meet federal Title I, Part A requirements for statewide assessments and accountability. IAS must generate results that are valid, reliable, and comparable for all students and subgroups of students.

The ED also offers a grant for Enhanced Assessment Instruments. The grant has been offered nearly every year since 2002; ED is currently accepting applications for this year. In 2015 and 2016, seven states received funding under the grant (see Table 1). Applicants are generally partnerships between state departments of education and research centers. The partners submit a proposal to ED which is evaluated on its potential to improve the quality, validity, and reliability of state assessments.

**Table 1: Enhanced Assessment Instrument Awards**

State	Year	Award Amount	Description
Maryland	2016	\$3,843,805	Maximize science achievement and progress for students not meeting grade-level standards and students with cognitive disabilities.
Nebraska	2016	\$3,984,395	Build enhanced science assessments to be shared across the state.
Arizona	2015	\$1,977,086	Develop English proficiency exam to track growth of English learners with cognitive disabilities.
California	2015	\$2,690,672	Index results of assessments to include measurements of career readiness.
Kansas	2015	\$5,816,159	Use learning maps to link curriculum, instruction, and assessment.
Michigan	2015	\$4,341,835	Develop set of technology-interactive assessment tools aligned with next-generation science standards.
Minnesota	2015	\$2,961,888	Use classroom progress data to evaluate individual accessibility needs of students.

Source: United States Department of Education

In July 2016, PED contended in a presentation to LESC that New Mexico’s standards are currently largely in compliance or close to compliance with the requirements of ESSA. Still, many LESC members expressed their intention to use ESSA as an opportunity to evaluate and revolutionize those areas of the state’s education system that are failing. As part of ongoing efforts surrounding ESSA reforms, PED has held regular stakeholder engagement meetings throughout the 2016 interim to gather input from those who are directly affected by changes to education policy. PED developed a work group including LESC staff to discuss alternative demonstrations of competency and their use in New Mexico. The findings of the work group will be reported to LESC by November 2017.

**OTHER SIGNIFICANT ISSUES**

Because standardized test outcomes are included in the school grading and teacher evaluation systems, numerous bills proposed during current and recent legislative session have proposed altering the state’s assessment framework. Additionally, a group of teachers, legislators, and union representatives have challenged the state’s use of standardized testing data in teaching evaluations in a lawsuit filed in 2015. The lawsuit has not been resolved, with hearings scheduled to resume in October 2017.

**SOURCES OF INFORMATION**

- U.S. Department of Education
- LESC Files

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