

1 HOUSE BILL 185

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Joanne J. Ferrary and Linda M. Trujillo and Christine Trujillo
5 and Nathan P. Small and Stephanie Garcia Richard
6
7
8
9

10 AN ACT

11 RELATING TO PUBLIC SCHOOLS; AMENDING THE PUBLIC SCHOOL CODE TO
12 LIMIT THE NUMBER OF DAYS PER SEMESTER THAT SCHOOL DISTRICTS AND
13 SCHOOLS SHALL ADMINISTER REQUIRED STATEWIDE ASSESSMENTS TO
14 STUDENTS AND TO LIMIT THE NUMBER OF ASSESSMENTS PER DAY.
15

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

17 SECTION 1. Section 22-2C-4 NMSA 1978 (being Laws 2003,
18 Chapter 153, Section 13, as amended) is amended to read:

19 "22-2C-4. STATEWIDE ASSESSMENT AND ACCOUNTABILITY
20 SYSTEM--INDICATORS--REQUIRED ASSESSMENTS--ALTERNATIVE
21 ASSESSMENTS--LIMITS ON ALTERNATIVES TO ENGLISH LANGUAGE READING
22 ASSESSMENTS.--

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

.205372.2

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 B. The academic assessment program shall test
2 student achievement as follows; provided that the total class
3 time to administer the assessments required in this section and
4 in Section 22-2C-4.1 NMSA 1978 shall not exceed five days in
5 the fall semester and five days in the spring semester in any
6 school year; and provided further that no student shall be
7 required to take more than one assessment per day without
8 regard for the source of the assessment, including school,
9 school district, state or federal assessments:

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

13 (2) for grades three through eight, 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

.205372.2

underscoring material = new
~~[bracketed material] = delete~~

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

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

24 "22-2C-4.1. STATEWIDE COLLEGE AND WORKPLACE READINESS
25 ASSESSMENT SYSTEM.--

.205372.2

underscored material = new
[bracketed material] = delete

1 A. The department shall establish a readiness
2 assessment system to measure the readiness of every New Mexico
3 high school student for success in higher education or a career
4 no later than the 2008-2009 school year. The department shall
5 ensure that the readiness assessment system is aligned with
6 state academic content and performance standards, college
7 placement tests and entry-level career skill requirements. The
8 readiness assessment system shall include, for grade eleven, in
9 the fall, one or more of the following components chosen by the
10 student:

- 11 (1) a college placement assessment;
12 (2) a workforce readiness assessment; or
13 (3) an alternative demonstration of competency
14 using standards-based indicators.

15 B. Students shall participate in the readiness
16 assessment system at no cost to the student.

17 C. The total class time to administer the
18 assessments required in this section and in Section 22-2C-4
19 NMSA 1978 shall not exceed five days in the fall semester and
20 five days in the spring semester in any school year; provided
21 that no student shall be required to take more than one
22 assessment per day without regard for the source of the
23 assessment, including school, school district, state or federal
24 assessments.

25 ~~[G-]~~ D. Reports of assessment results shall be

.205372.2

underscoring material = new
~~[bracketed material] = delete~~

1 provided to students and parents in writing whenever possible
2 but, if necessary, orally in the language best understood by
3 each student and parent.

4 ~~[D-]~~ E. The department shall adopt standards for
5 reasonable accommodations in the administration of readiness
6 assessments for students with disabilities and limited English
7 proficiency, including when and how accommodations may be
8 applied.

9 ~~[E-]~~ F. In developing, selecting or approving the
10 high school or college readiness assessments for school
11 district or charter school use, the department may adopt
12 commercially available standards-based assessments or approve a
13 school district's or charter school's short-cycle diagnostic
14 assessments that meet the requirements of this section. The
15 department shall involve appropriate licensed school employees
16 in the development or selection of readiness assessments."