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HOUSE BILL 279

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

INTRODUCED BY

James E. Smith and Daniel A. Ivey-Soto

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING THE PUBLIC SCHOOL CODE TO REQUIRE SCHOOL DISTRICTS AND STATE-CHARTERED CHARTER SCHOOLS TO PUBLISH THEIR RESPECTIVE ANNUAL REPORT CARDS ON THE WEBSITES OF THE PUBLIC EDUCATION DEPARTMENT AND THE SCHOOL DISTRICT OR STATE-CHARTERED CHARTER SCHOOL.

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

**SECTION 1.** Section 22-2C-11 NMSA 1978 (being Laws 2003, Chapter 153, Section 20, as amended by Laws 2015, Chapter 58, Section 11 and by Laws 2015, Chapter 122, Section 10) is amended to read:

"22-2C-11. ASSESSMENT AND ACCOUNTABILITY SYSTEM REPORTING--PARENT SURVEY--DATA SYSTEM--FISCAL INFORMATION.--

A. The department shall:

(1) issue a state identification number for

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1 each public school student for use in the accountability data  
2 system;

3 (2) adopt the format for reporting individual  
4 student assessments to parents. The student assessments shall  
5 report each student's progress and academic needs as measured  
6 against state standards;

7 (3) adopt the format for reporting annual  
8 progress of public schools, school districts, state-chartered  
9 charter schools and the department. A school district's report  
10 shall include reports of all locally chartered charter schools  
11 in the school district. If the department has adopted a state  
12 improving schools program, the annual accountability report  
13 shall include the results of that program for each public  
14 school. The annual accountability report format shall be  
15 clear, concise and understandable to parents and the general  
16 public. All annual accountability reports shall ensure that  
17 the privacy of individual students is protected;

18 (4) require that when public schools, school  
19 districts, state-chartered charter schools and the state  
20 disaggregate and report school data for demographic subgroups,  
21 they include data disaggregated by ethnicity, race, limited  
22 English proficiency, students with disabilities, poverty and  
23 gender; provided that ethnicity and race shall be reported  
24 using the following categories:

25 (a) Caucasian, non-Hispanic;

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- 1 (b) Hispanic;  
2 (c) African American;  
3 (d) American Indian or Alaska Native;  
4 (e) Native Hawaiian or other Pacific  
5 Islander;  
6 (f) Asian;  
7 (g) two or more races; and  
8 (h) other; provided that if the sample  
9 of students in any category enumerated in Subparagraphs  
10 (a) through (g) of this paragraph is so small that a student in  
11 the sample may be personally identifiable in violation of the  
12 federal Family Educational Rights and Privacy Act of 1974, the  
13 report may combine that sample into the "other" category;
- 14 (5) report cohort graduation data annually for  
15 the state, for each school district and for each  
16 state-chartered charter school and each public high school,  
17 based on information provided by all school districts and  
18 state-chartered charter schools according to procedures  
19 established by the department; provided that the report shall  
20 include the number and percentage of students in a cohort who:  
21 (a) have graduated by August 1 of the  
22 fourth year after entering the ninth grade;  
23 (b) have graduated in more than four  
24 years, but by August 1 of the fifth year after entering ninth  
25 grade;

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1 (c) have received a state certificate by  
2 exiting the school system at the end of grade twelve without  
3 having satisfied the requirements for a high school diploma as  
4 provided in Section 22-13-1.1 NMSA 1978 or completed all course  
5 requirements but have not passed the graduation assessment or  
6 portfolio of standards-based indicators pursuant to Section  
7 22-13-1.1 NMSA 1978;

8 (d) have dropped out or whose status is  
9 unknown;

10 (e) have exited public school and  
11 indicated an intent to pursue a high school equivalency  
12 credential; or

13 (f) are still enrolled in public school;

14 (6) report annually, based on data provided by  
15 school districts and state-chartered charter schools, the  
16 number and percentage of public school students in each cohort  
17 in the state in grades nine through twelve who have advanced to  
18 the next grade or graduated on schedule, who remain enrolled  
19 but have not advanced to the next grade on schedule, who have  
20 dropped out or whose other educational outcomes are known to  
21 the department; and

22 (7) establish technical criteria and  
23 procedures to define which students are included or excluded  
24 from a cohort.

25 B. Local school boards and governing boards of

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1 charter schools may establish additional indicators through  
2 which to measure the school district's or charter school's  
3 performance.

4 C. The school district's or state-chartered charter  
5 school's annual accountability report shall include a report of  
6 four- and five-year graduation rates for each public high  
7 school in the school district or state-chartered charter  
8 school. All annual accountability reports shall ensure that  
9 the privacy of individual students is protected. As part of  
10 the graduation rate data, the school district or state-  
11 chartered charter school shall include data showing the number  
12 and percentage of students in the cohort:

13 (1) who have received a state certificate by  
14 exiting the school system at the end of grade twelve without  
15 having satisfied the requirements for a high school diploma as  
16 provided in Section 22-13-1.1 NMSA 1978 or completed all course  
17 requirements but have not passed the graduation assessment or  
18 portfolio of standards-based indicators pursuant to Section  
19 22-13-1.1 NMSA 1978;

20 (2) who have dropped out or whose status is  
21 unknown;

22 (3) who have exited public school and  
23 indicated an intent to pursue a high school equivalency  
24 credential;

25 (4) who are still enrolled; and

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1 (5) whose other educational outcomes are known  
2 to the school district.

3 D. The school district's or state-chartered charter  
4 school's annual accountability report shall include the results  
5 of a survey of parents' views of the quality of their  
6 children's school. The survey shall be conducted each year in  
7 time to include the results in the annual accountability  
8 report. The survey shall compile the results of a written  
9 questionnaire that shall be sent home with the students to be  
10 given to their parents. The survey may be completed  
11 anonymously. The survey shall be no more than one page, shall  
12 be clearly and concisely written and shall include not more  
13 than twenty questions that shall be answered with options of a  
14 simple sliding scale ranging from "strongly agree" to "strongly  
15 disagree" and shall include the optional response "don't know".  
16 The survey shall also include a request for optional written  
17 comments, which may be written on the back of the questionnaire  
18 form. The questionnaire shall include questions in the  
19 following areas:

- 20 (1) parent-teacher-school relationship and  
21 communication;
- 22 (2) quality of educational and extracurricular  
23 programs;
- 24 (3) instructional practices and techniques;
- 25 (4) resources;

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1 (5) school employees, including the school  
2 principal; and

3 (6) parents' views of teaching staff  
4 expectations for the students.

5 E. The department shall develop no more than ten of  
6 the survey questions, which shall be reviewed by the  
7 legislative education study committee prior to implementation.  
8 No more than five survey questions shall be developed by the  
9 local school board or governing body of a state-chartered  
10 charter school, and no more than five survey questions shall be  
11 developed by the staff of each public school; provided that at  
12 least one-half of those questions shall be developed by  
13 teachers rather than school administrators, in order to gather  
14 information that is specific to the particular community  
15 surveyed. The questionnaires shall indicate the public school  
16 site and shall be tabulated by the department within thirty  
17 days of receipt and shall be returned to the respective schools  
18 to be disseminated to all parents.

19 F. The school district's or state-chartered charter  
20 school's annual accountability report shall be adopted by the  
21 local school board or governing body of the state-chartered  
22 charter school, shall be published no later than November 15 of  
23 each year and shall be published at least once each school year  
24 [~~in a newspaper of general circulation in the county where the~~  
25 ~~school district or state-chartered charter school is located~~]

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1 online on the department's website and on the website of the  
2 school district or state-chartered charter school. In  
3 publication, the report shall be titled "The School District  
4 Report Card" or "The Charter School Report Card" and  
5 disseminated in accordance with guidelines established by the  
6 department to ensure effective communication with parents,  
7 students, educators, local policymakers and business and  
8 community organizations.

9 G. The annual accountability report shall include  
10 the names of those members of the local school board or the  
11 governing body of the charter school who failed to attend  
12 annual mandatory training.

13 H. The annual accountability report shall include  
14 data on expenditures for central office administration and  
15 expenditures for the public schools of the school district or  
16 charter school.

17 I. The department shall create an accountability  
18 data system through which data from each public school and each  
19 school district or state-chartered charter school may be  
20 compiled and reviewed. The department shall provide the  
21 resources to train school district and charter school personnel  
22 in the use of the accountability data system.

23 J. The department shall verify data submitted by  
24 the school districts and state-chartered charter schools.

25 K. At the end of fiscal year 2005, after the budget

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1 approval cycle, the department shall produce a report to the  
2 legislature that shows for all school districts using  
3 performance-based program budgeting the relationship between  
4 that portion of a school district's program cost generated by  
5 each public school in the school district and the budgeted  
6 expenditures for each public school in the school district as  
7 reported in the district's performance-based program budget.  
8 At the end of fiscal year 2006 and subsequent fiscal years,  
9 after the budget approval cycle, the department shall report on  
10 this relationship in all public schools in all school districts  
11 in the state.

12 L. When all public schools are participating in  
13 performance-based budgeting, the department shall recommend  
14 annually to the legislature for inclusion in the general  
15 appropriation act the maximum percentage of appropriations that  
16 may be expended in each school district for central office  
17 administration.

18 M. The department shall disseminate its statewide  
19 accountability report to school districts and charter schools;  
20 the governor, legislators and other policymakers; and business  
21 and economic development organizations.

22 N. As used in this section, "cohort" means a group  
23 of students who enter grade nine for the first time at the same  
24 time, plus those students who transfer into the group in later  
25 years and minus those students who leave the cohort for

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1 documented excusable reasons."

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