

SENATE BILL 229

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Mimi Stewart

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; ENACTING THE SCHOOL SUPPORT AND ACCOUNTABILITY ACT; REPEALING THE A-B-C-D-F SCHOOLS RATING ACT.

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

SECTION 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] SHORT TITLE.--This act may be cited as the "School Support and Accountability Act"."

SECTION 2. A new section of the Public School Code is enacted to read:

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"[NEW MATERIAL] DEFINITIONS.--As used in the School Support and Accountability Act:

A. "adjusted cohort graduation rate" means the graduation rate of first-time ninth grade students with a diploma of excellence in a particular school year adjusted by adding any students who transfer into the cohort after the ninth grade and subtracting any students who transfer out, emigrate to another country or die;

B. "chronic absenteeism" means the percentage of students missing ten percent or more of the school year for any reason, including excused absences, unexcused absences and out-of-school suspensions;

C. "college, career and civic HEC→~~experiences~~ means, ~~for high school students,~~←HEC HEC→readiness includes←HEC the completion of a college-ready course of study; the completion of a high-quality career technical education program; the completion of advanced courses such as advanced placement, international baccalaureate or dual credit; a seal of bilingualism-biliteracy on the student's diploma of excellence; demonstrating competency for college readiness or career certification; or the completion of a work-based learning experience; and for all students, includes the completion of a service-based learning experience, participation in a civic engagement experience or participation in a college or career exploration experience;

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HEC→~~D.~~ "college, career and civic readiness" means the percentage of students who complete college, career and civic experiences and the percentage of middle school and high school students who are on track to graduate;←HEC

HEC→~~E.~~ ~~D.~~←HEC "comprehensive support" means support for a school that performs at or below the support identification threshold, or has an adjusted cohort graduation rate of less than sixty-six and two-thirds percent, or fails to exit targeted support status after a number of years determined by the department;

HEC→~~F.~~ ~~E.~~←HEC "educational climate" means the percentage of school stakeholders who report that the school provides an appropriate climate for learning in the domains of student and staff engagement, social-emotional and physical safety and a school environment conducive to teaching and learning;

HEC→~~G.~~ ~~F.~~←HEC "English language proficiency" means the ability of students to use academic English to make and communicate meaning in spoken and written contexts in an assessment determined by the department;

HEC→~~H.~~ ~~G.~~←HEC "local school board" includes the governing body of a charter school;

HEC→~~I.~~ ~~H.~~←HEC "more rigorous intervention" means an intervention plan for a school that fails to exit comprehensive support status after a number of years determined by the department;

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HEC→~~J.~~ I.←HEC "on track to graduate" means data on each individual student that show the student's graduation status and potential predictors of dropout, such as student attendance, behavior, grades and test scores;

HEC→~~K.~~ J.←HEC "opportunity to learn standards" means a comprehensive view of the context in which learning takes place, including curriculum and instruction, educational resources and school staff competency;

HEC→~~L.~~ K.←HEC "school stakeholders" means students, parents, other family members, teachers, school staff and community partners who are part of a school's immediate environment;

HEC→~~M.~~ L.←HEC "student growth" means a measure, either norm-referenced to students with similar prior test scores or criterion-referenced to a specific standard, of students' academic progress within a specified time period;

HEC→~~N.~~ M.←HEC "student proficiency" means a measure demonstrating students' grade level mastery of the knowledge and skills determined by the New Mexico standards-based assessments;

HEC→~~O.~~ N.←HEC "support identification threshold" means a threshold set by the department using the metrics in the school support and accountability system to identify the lowest performing five percent of schools in the state receiving Title 1 funds;

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HEC→P. O.←HEC "system" means the school support and accountability system;

HEC→Q. P.←HEC "targeted support" means support for a school in which at least one subgroup of students, but not the entire school, performs at or below the support identification threshold; and

HEC→R. Q.←HEC "traditional support" means a school that is not designated for targeted support or comprehensive support or has exited more rigorous intervention status by surpassing the support identification threshold."

SECTION 3. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] SCHOOL SUPPORT AND ACCOUNTABILITY SYSTEM--
CREATED--ESTABLISHING A SCHOOL DASHBOARD--PRIORITIZING
RESOURCES FOR SCHOOLS RECEIVING ADDITIONAL SUPPORT.--

A. The "school support and accountability system" is created in the department. The department, in consultation with school districts, charter schools, school personnel HEC→, tribal nations←HEC and HEC→SEC→the legislative education study committee←SEC SEC→tribal nations←SEC←HEC HEC→the legislative education study committee←HEC, shall promulgate rules to carry out the provisions of the School Support and Accountability Act through the system.

B. The system shall:

(1) differentiate Title 1 support to public schools

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in the state using the metrics identified in Paragraphs (2) and (3) of this subsection to assign, for each public school, a designation of HEC→~~traditional support~~,←HEC targeted support, comprehensive support or more rigorous intervention to comply with the federal Elementary and Secondary Education Act of 1965;

(2) include indicators of academic achievement that shall be afforded substantial weight and, in the aggregate, much greater weight than the indicators described in Paragraph (3) of this subsection, including:

(a) student proficiency on the New Mexico standards-based assessments pursuant to Subsection B of Section 22-2C-4 NMSA 1978;

HEC→~~(b) progress of students toward a proficient scale score~~;←HEC

HEC→~~(e)~~ **(b)**←HEC student growth, which will comprise a substantial part of the weighting of academic achievement indicators both for all students at the public school and disaggregated by quartile on the New Mexico standards-based assessments;

HEC→~~(d)~~ **(c)**←HEC progress of English language learners toward English language proficiency as measured by an assessment determined by the department; and

HEC→~~(e)~~ **(d)**←HEC for high schools, the four-year, five-year and six-year adjusted cohort graduation rates; and

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(3) include indicators of school quality and student success that are valid, reliable, comparable and statewide, including:

- (a) chronic absenteeism;
- (b) college, career and civic readiness; and
- (c) the educational climate of the school.

C. The department shall include in the system student data disaggregated by each major racial and ethnic group, economically disadvantaged students, English learner status, children with disabilities, gender and migrant status; provided that ethnicity and race shall be reported using the following categories:

- (1) Caucasian, non-Hispanic;
- (2) Hispanic;
- (3) African American;
- (4) American Indian or Alaska Native;
- (5) Native Hawaiian or other Pacific Islander;
- (6) Asian;
- (7) two or more races; and
- (8) other; provided that if the sample of students

in any category enumerated in Paragraphs (1) through (7) of this subsection is so small that a student in the sample may be personally identifiable in violation of the federal Family Educational Rights and Privacy Act of 1974, the report may combine that sample into the "other" category.

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D. The department shall provide the technological platform for a dashboard for each public school. The dashboard shall provide school and student information to school stakeholders and policymakers in a transparent manner, including the following indicators:

(1) the results of each indicator included in Paragraphs (2) and (3) of Subsection B and in Subsection C of this section;

(2) designations of school quality and student success for any school meeting a specific standard set by the department for any indicator included in Paragraphs (2) and (3) of Subsection B of this section;

(3) designations of excellence for any school scoring in the ninetieth percentile for any indicator included in Paragraphs (2) and (3) of Subsection B of this section;

(4) designations of school quality and student success for any school meeting a specific standard set by the department for American Indian or Hispanic students for any indicator included in Paragraphs (2) and (3) of Subsection B of this section;

(5) designations of excellence for any school scoring in the ninetieth percentile for American Indian or Hispanic students for any indicator included in Paragraphs (2) and (3) of Subsection B of this section;

(6) the designation of support for schools that

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meet the criteria for traditional support, targeted support, comprehensive support or more rigorous intervention;

(7) the demographics of the students and staff of the school; and

(8) indicators of opportunity to learn standards, including:

(a) a survey of relevant and engaging curriculum and instruction;

(b) educational resources, including total school-level expenditures and total instructional expenditures per student; and

(c) qualified and competent school staff, including the percentage of teachers with three or more years of experience, the percentage of teachers who are fully licensed and endorsed in the field they teach, the types of degrees held by staff, information from the highly objective, uniform state standards of evaluation for teachers and the percentage of national board-certified teachers.

E. The dashboard shall include each school's mission, vision and goals and provide for optional comments from the local school board about the strengths, opportunities for improvement and programmatic offerings corresponding to any of the reported indicators in the dashboard. For local school boards that do not provide this information, the department shall populate this section of the dashboard with information

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from the public school's educational plan for student success.

F. The department shall ensure that a local school board prioritizes the resources of a public school that has received a designation of targeted support, comprehensive support or more rigorous intervention toward improving student performance using evidence-based programs and a continuous improvement plan based on the indicators in Paragraphs (2) and (3) of Subsection B of this section identified through a school-level needs assessment until the public school no longer holds that designation."

SECTION 4. REPEAL.--Sections 22-2E-1 through 22-2E-4 NMSA 1978 (being Laws 2011, Chapter 10, Sections 1 through 4, as amended) are repealed.

SECTION 5. APPLICABILITY.--This act applies to the 2019-2020 and succeeding school years.