

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: CS/HB 513

51st Legislature, 1st Session, 2013

Tracking Number: .193695.1

Short Title: Certain School Tests as Competence

Sponsor(s): Representative Mimi Stewart and Others

Analyst: Travis Dulany

Date: February 28, 2013

Bill Summary:

CS/HB 513 amends graduation requirements in the *Public School Code*:

- Regarding students seeking to graduate with a diploma of excellence before or during school year 2013-2014, the bill requires:
 - students to demonstrate competence on a standards-based assessment or portfolio of standards-based indicators in order to receive a New Mexico diploma of excellence; and
 - the Public Education Department (PED) to provide specific requirements for the assessment or portfolio no less than one year before the requirements take effect.
- Regarding students seeking to graduate from high school during or after school year 2014-2015, the bill:
 - requires students to demonstrate competence based ACT or SAT scores or end-of-course (EOC) exams in the subject areas of:
 - mathematics;
 - reading and language arts;
 - writing;
 - science; and
 - social studies, including a section on the constitutions of the United States and New Mexico;
 - provides that students who exit the school system at the end of grade 12 without having satisfied demonstration of competence requirements will receive an appropriate state certificate indicating the number of credits earned and the grade completed;
 - provides that students may receive a diploma of excellence if they satisfy the demonstration of competence requirements within five years after exiting the school system; and

- adds the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment as an option for demonstrating competence for those students graduating with a diploma of excellence upon the adoption of that assessment.

Fiscal Impact:

CS/HB 513 does not contain an appropriation.

Substantive Issues:

On March 20, 2012, PED staff issued notice stating that the spring 2012 administration of the New Mexico Standards-based Assessment would, for the first time, serve as the exit exam for students graduating in 2013 and beyond. Later, on August 31, 2012, PED issued additional guidance that specified two options available for students graduating in 2013:

- Traditional demonstration of competence (standards-based assessment):
 - for math and reading, students must achieve a certain score¹ on the standards-based assessment, with neither individual score below the “nearing proficient” proficiency level;
 - for science, students must achieve a certain score on the science² standards-based assessment taken during the junior year; and
 - for social studies and writing, students must demonstrate competence by passing the appropriate US History and English course.
- Alternative demonstration of competence (portfolio of standards-based indicators):
 - for each subject area that has a related college readiness/placement exam, a student can demonstrate competence by meeting the appropriate cut score in one of the following:
 - the advanced placement exam;
 - the ACT, SAT, or PSAT;
 - the Accuplacer; or
 - International Baccalaureate curriculum;
 - for math, students may demonstrate competence by passing the appropriate math course:
 - Algebra II;
 - Integrated Math 3; or
 - the corresponding existing district EOC exam to either Algebra II or Integrated Math 3;
 - for reading and writing, students can demonstrate competence by passing English 3 or its corresponding district EOC exam;

¹ As determined by PED, the composite score required is 2273.

² As determined by PED, the composite score required is 38 for the science portion of the standards-based assessment.

- for science, students may demonstrate competence by passing an appropriate science course – Biology or Chemistry – or that course’s existing district EOC exam; and
- for social studies, students may demonstrate competence by passing an appropriate US History course or that course’s district EOC exam.

Additionally, PED guidance documents specify that students must exhaust all opportunities to show competence on the standards-based assessment before alternative demonstration of competence can be considered.

Finally, as noted in the March 20, 2012 memorandum cited previously, PED states that requirements for demonstration of competence “will be reviewed once [the department has] transitioned to the PARCC assessments in 2014-2015.”

Background:

Since 1986, to graduate from high school in New Mexico, students had been required by statute to pass the New Mexico High School Competency Exam (NMHSCE) in certain required subjects. In testimony during the 2006 interim about college- and career-readiness of New Mexico high school students, the Legislative Education Study Committee (LESC) heard from representatives from PED and other sources that the NMHSCE:

- tested skills only at the eighth grade level; and
- was not aligned with state high school standards.

In 2007, LESC-endorsed legislation was enacted to require that, beginning in school year 2010-2011, in order to graduate from high school with a diploma of excellence, a student must demonstrate competence:

- in required subject areas on a standards-based assessment or assessments; or
- by means of a portfolio of standards-based indicators established by PED.

Other provisions require students who exit the school system at the end of grade 12 without having demonstrated competence on a standards-based assessment or by means of a portfolio of standards-based indicators to receive an appropriate state certificate indicating the number of credits earned and the grade completed. The provisions also allowed students who demonstrate competence on a standards-based assessment or portfolio of standards-based indicators within five years of exiting the school system to receive a New Mexico diploma of excellence.

Until spring 2009, high school students took the NMHSCE in their sophomore year, had five additional opportunities to retake the exam and pass it before they were scheduled to graduate, and had five years after they completed the course requirements for graduation to successfully complete all six portions of the exam to earn a diploma.

Because statute still requires that students be given five years after they exit high school to pass the test, versions of the NMHSCE may still be required to be administered by some school districts until as late as school year 2017-2018 for some students.

During the 2011 regular session, LESC-endorsed legislation was enacted to temporarily suspend, for school year 2011-2012, requirements to administer the following assessments:

- in grade 11, a standards-based assessment in social studies;
- in grades 4, 5, 7, and 11, a standards-based writing assessment;
- in grades 9 and 10, a short-cycle diagnostic assessment in reading, language arts, and mathematics; and
- in grade 11, a college placement assessment or a workforce readiness assessment.

Additional provisions of the 2011 legislation permitted students graduating in school year 2011-2012 to graduate high school without demonstrating competence in required subject areas on standards-based assessments or indicators.

Committee Referrals:

HEC

Related Bills:

HB 111 *Education Dept. Pays for Standards Tests*

SB 580 *Study Standardized Test Costs & Effectiveness*