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SENATE BILL 570

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY

Cisco McSorley

AN ACT

RELATING TO PUBLIC EDUCATION; ENACTING STANDARDS FOR THE  
IMPLEMENTATION OF THE STATE CONTENT STANDARDS AND STANDARDS-  
BASED ASSESSMENT; PLACING A THREE-YEAR MORATORIUM ON THE USE OF  
THE STANDARDS-BASED ASSESSMENT FOR THE PURPOSES OF THE  
PROMOTION POLICIES IN THE ASSESSMENT AND ACCOUNTABILITY ACT,  
THE A-B-C-D-F SCHOOLS RATING ACT AND THE SCHOOL PERSONNEL ACT  
AND AS A GRADUATION REQUIREMENT.

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] IMPLEMENTATION OF STATE CONTENT STANDARDS  
AND STANDARDS-BASED ASSESSMENT.--

A. The department shall:

(1) provide sufficient professional

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1 development, pursuant to Section 22-10A-19.1 NMSA 1978, and  
2 resources for each teacher, school principal and educational  
3 support provider to successfully:

4 (a) ensure that all instruction is based  
5 on the state content standards;

6 (b) instruct students on understanding,  
7 analyzing and successfully performing the standards-based  
8 assessment tasks that require students to demonstrate their  
9 analytical processes using a computer-based testing format;

10 (c) instruct students on using  
11 educational technology to take the standards-based assessment;  
12 and

13 (d) align instruction on the state  
14 content standards with instruction on taking the standards-  
15 based assessment;

16 (2) ensure the sufficiency and availability of  
17 educational technology and educational technology  
18 infrastructure for computer-based assessment administration  
19 with the least amount of disruption to other instructional  
20 programs;

21 (3) establish a student performance baseline  
22 from scores received on the standards-based assessment  
23 administered during the 2014-2015, 2015-2016 and 2016-2017  
24 school years;

25 (4) provide support and the time necessary to

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1 achieve improvement of students' mean scores on the standards-  
2 based assessment; and

3 (5) develop and provide an alternative track  
4 for college and workplace readiness for students in grade  
5 twelve who do not attain a competent score on the standards-  
6 based assessment.

7 B. As used in this section:

8 (1) "standards-based assessment" means the  
9 standards-based assessment:

10 (a) adopted by the department for  
11 implementation beginning with the 2014-2015 school year; and

12 (b) aligned with the state content  
13 standards; and

14 (2) "state content standards" means any  
15 mathematics and English language arts content standards adopted  
16 by the department in 2010."

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

19 "[NEW MATERIAL] USE OF STANDARDS-BASED ASSESSMENT  
20 RESTRICTED.--

21 A. The department shall not use and shall not  
22 require the use of a standards-based assessment and the results  
23 of a standards-based assessment:

24 (1) for making grade promotion decisions  
25 pursuant to Section 22-2C-6 NMSA 1978;

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- 1 (2) for any purpose under the A-B-C-D-F  
2 Schools Rating Act;  
3 (3) for employment or licensure decisions or  
4 any other purpose under the School Personnel Act; or  
5 (4) as a graduation requirement pursuant to  
6 Section 22-13-1.1 NMSA 1978.

7 B. As used in this section:

8 (1) "standards-based assessment" means the  
9 standards-based assessment:

10 (a) adopted by the department for  
11 implementation beginning with the 2014-2015 school year; and

12 (b) aligned with the state content  
13 standards; and

14 (2) "state content standards" means any  
15 mathematics and English language arts content standards adopted  
16 by the department in 2010."

17 **SECTION 3. DELAYED REPEAL.**--Effective July 1, 2018,  
18 Section 2 of this act is repealed.

19 **SECTION 4. EFFECTIVE DATE.**--The effective date of the  
20 provisions of this act is July 1, 2015.