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F I S C A L I M P A C T R E P O R T

SPONSOR	Stewart	ORIGINAL DATE	02/10/15	LAST UPDATED	02/25/15	HB	
SHORT TITLE	Development of End-of-Course Tests by Teacher	SB	127/aSEC/aSPAC				
		ANALYST	Gudgel				

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

SUMMARY

Synopsis of SPAC Amendment

SPAC Amendment to SB 127 as amended by SEC allows a school district or charter school to develop or select end of course final examinations in addition to the teacher of record.

Synopsis of SEC Amendment

SEC Amendment to Senate Bill 127 changes the term “final examination” to “end of course final examination,” and requires administration of an end of course final examination in all classes offered for credit that has been developed or selected by the teacher of record. The amendment strikes the insertion of the term “non-assessment” in the portfolio of non-assessment standards-based indicators required as an alternative means of demonstrating competency. The amendment inserts a new Section O that allows a student to submit a portfolio of standards-based indicators as an alternate demonstration of competency beginning with the 2015-2016 school year. The provision of O allow local school administrators to establish local procedures for determining whether the alternate demonstration of competency is complete and scorable; addresses appropriate academic content standards; and adequately shows competency.

Synopsis of Original Bill

Senate Bill 127 amends graduation requirements established in the Public School Code to require final examinations that are required for all courses offered for credit to be developed by the teacher of record. Additionally, the bill changes the required portfolio of standards-based indicators allowed as an alternative to a demonstration of competence in math, reading and language arts, writing, social studies, and science based on a standards-based assessment to a portfolio of non-assessment standards-based indicators.

FISCAL IMPLICATIONS

This bill does not have any significant fiscal implications for school districts or charter schools statewide.

SIGNIFICANT ISSUES

PED's analysis notes that final exams for all credit-bearing courses have been required by state law since 1986. The law has never specified who is responsible for developing final exams, and in practice, until the past several years, they were generally developed at the school or district level.

PED notes that requiring final exams to be developed by the teacher of record will disallow the use of common final exams. The department's analysis notes numerous school districts across New Mexico have used common finals to ensure equity and uniformity of course expectations. These assessments are developed by teams of New Mexico teachers and provide districts, teachers, and students with fair and comprehensive data which indicates student success in comparison to other students taking the same assessments across an individual district. Enacting SB127 would render the efforts of districts irrelevant.

PED concerns that state-developed end-of-course exams would not be allowed as final exams have been addressed by the Senate Education Committee amendments. PED's analysis also notes that EoCs are used as alternate demonstrations of competency for graduation and for use in the PED-implemented teacher and school leader evaluation system if a school district has chosen them. PED notes that disallowing them as a final exam could significantly increase the amount of testing, as students could be required to take a district-developed final exams and EoC if a school district has chosen to use the EoC in its evaluation system.

With respect to inclusion of the term “non-assessment” for the required portfolio of standards-based indicators, PED indicates the new non-assessment portfolio of standards-based indicators will be impossible to implement.

PED's analysis notes allowing teacher-developed or selected EoC final exams to serve as alternate demonstrations of competency for graduation introduces inequity across courses and districts. PED states the advantage of district- or state-developed EoC finals is that they ensure that all New Mexico students reach the same high level of achievement. State-developed EoCs are developed by groups of teachers who are trained in creating blueprints, writing items, understanding depth of knowledge (DOK) of standards, and test production. PED notes the process ensures that EoC exams – which are developed by New Mexico teachers—are of appropriate rigor and evaluations of current district-developed alternative demonstrations of competency indicate that districts and schools are not truly ensuring that students have reached a high level of understanding of the academic content standards to the rigor necessary for college

and career readiness. Removing PED's ability to review and monitor EoC final exams as alternative demonstrations of competency encourages lack of alignment, lower rigor, and inequity for graduation.

LFC staff notes PED has defined end of course examination as an exam administered to assess student content knowledge upon completion of a course. See 6.19.7.7 NMAC. Additionally, the ability to use an end of course examination as an alternative demonstration of competency is established in NMAC 6.19.7.10 (A) which states,

“Alternate demonstration of competency of high school exit requirements using standards-based indicators may include, but is not limited to the following:

- (1) results from post-secondary nationally-normed assessments;
- (2) results from workforce readiness assessments;
- (3) results from end-of-course examinations;**
- (4) school-based projects such as extended papers, themes, theses, or research projects;
- (5) performances or works of art that can be recorded in an electronic format; and
- (6) community-based projects such as internships, service learning, pre-apprenticeship, or after- school job performance.

If PED is concerned that changes in the bill allow for the use of EoC examinations, the department can amend its regulation to eliminate the ability to use an EoC or cold amend the definition in regulations to be an exam approved by the public education department that is administered to assess student content knowledge upon completion of a course. These changes are entirely in the control of the department and would address the departments above concerns about use of locally developed EoCs.

PERFORMANCE IMPLICATIONS

Requiring that final exams are created by the teacher of record would increase local testing time because students would potentially have to take both final exams and EoCs if a district has chosen to use the state EoCs for NMTEACH, instead of having one final exam that serves as both. It would also result in inconsistent expectations for students.

ADMINISTRATIVE IMPLICATIONS

PED notes the time and efforts districts have spent to develop uniform final exams would be rendered irrelevant.

RELATIONSHIP

HB 145, HB 165, HB 178, SB 14, SB 229, SB 328, and SB 357 all amend Section 22-13-1.1 NMSA 1978; however, none of these bills conflict SB127.