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FISCAL IMPACT REPORT

ORIGINAL DATE 03/13/15
LAST UPDATED _____ **HB** _____

SPONSOR McSorley

SHORT TITLE Standards-Based Content Standards & Delay **SB** 570

ANALYST Gudgel

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		TBD				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Higher Education Department (HED)
 Central New Mexico Community College (CNM)

Responses Not Received From

Public Education Department (PED) as of 1:30pm March 13, 2015

SUMMARY

Synopsis of Bill

Senate Bill 570 enacts two new sections of the Public School Code.

Section 1 requires PED to provide professional development and resources for teachers, school principals and educational support providers related to the new state content standards (common core content standards), new standards-based assessments (the new SBA was developed by the Partnership for Assessment of Readiness for College and Careers or PARCC), and the use of education technology to take standards-based assessments. PED will be required to ensure sufficient educational technology and infrastructure is available for computer-based assessments, establish a student performance baseline from scores on the new standards-based assessment during the 2014-2015, 2015-2016, and 2016-2017 school years, provide support and time necessary to improve students' mean scores on the SBA, and develop and provide an alternative track for college and workplace readiness for 12th grade students who are unable to achieve competency on the SBA.

Section 2 of the bill prohibits PED from using or requiring the use of the SBA and the results of the SBA for making grade promotion decisions, assigning school grades, making employment or licensure decisions or other purposes under the School Personnel Act, or as a graduation requirement. Provisions of Section 2 would be repealed July 1, 2018.

FISCAL IMPLICATIONS

Significant investments have been made over the past 4 years to address new content standards and the implementation of a new computer-administered standards-based assessment (SBA) developed by PARCC.

Appropriations of \$1 million in 2012, \$1.5 million in 2013 and \$2.5 million in 2014 were made to PED to address implementation of content standards that were adopted in 2010. PED's analysis on another bill noted professional development on new content standards has been provided statewide over the last three years, including large and small scale conferences, specific content workshops, regional mentoring, and whole-school online courses utilized by many of the rural schools throughout the state. PED hosted four assessment workshops in various parts of the state, specifically focusing on technology readiness, instructional implications of the new standards-based assessment created by PARCC, assessment inventory and best practices, as well as creating a forum for open dialogue with educators about how the new SBA created by PARCC will take the place of the SBA used last school year in areas of promotion policies, school grading, teacher evaluations, and graduation requirements.

In addition to funding appropriated for direct support of educators, the Legislature has appropriated \$10.2 million dollars over the last two years to address education technology. Of that amount, \$5.2 million was appropriated during the 2013 legislative session for the purchase of devices and \$5 million was appropriated during the 2014 legislative session to address bandwidth and access. In addition to these appropriations, law was enacted in 2014 that established a five year, \$10 million broadband deficiency correction program funded through the Public School Capital Outlay Council. The program is currently being implemented.

SIGNIFICANT ISSUES

The bill defines “standards based assessment” as the standards-based assessment adopted by PED for implementation beginning with the 2014-2015 school year and aligned to state content standards (this references the PARCC-developed assessment).

The bill defines “state content standards” as the math and English language arts content standards adopted by PED in 2010 (this references the common core content standards).

As noted above, efforts are ongoing to ensure school districts, schools, educators, and students are prepared for new content standards and new standards-based assessments (SBA). PED's analysis on a similar bill noted the department currently provides multiple, voluntary training opportunities to district leadership, principals, instructional coaches and teachers. In many instances, PED noted the department is using a “train the trainer” model, where a limited number of educators are able to participate but then take what they learn back to their respective school districts and schools and share. PED stated this creates a cost-effective method to ensure systematic support is available to all educators.

PED noted that requiring PED to provide sufficient professional development and resources for each teacher, school principal, and educational support provider to meet the requirements of the bill would shift the role of PED and school districts significantly and would take away the autonomy of school districts and schools.

PED also noted placing a moratorium on the use of new SBAs developed by PARCC would bring New Mexico out of compliance with the Elementary and Secondary Education Act flexibility waiver (ESEA waiver). PED's analysis appeared to indicate that if a bill similar to this were enacted, it would result in the loss of hundreds of millions of federal dollars. However, if the state loses the ESEA waiver granted by the U.S. Department of Education, the state would not lose federal funding but would lose flexibility over certain funds. Additionally, the state would be required to comply with existing adequate yearly progress requirements, which was generally accepted as a flawed accountability system.

The bill does not provide for any substitute assessments to be used for the purposes of grade promotion decisions; calculating school grades; making school personnel or licensure decisions; or as a graduation requirement until July 1, 2018. The Legislature may want to consider establishing alternative assessments to be used for these purposes or establish the mechanism that should exist until July 1, 2018 for the purposes of grade promotion decisions; calculating school grades; making school personnel or licensure decisions; or as a graduation requirement.

For federal accountability purposes, the state is required to administer a standards-based assessment in certain grades and subjects. Administration of the new SBA developed by PARCC satisfies these requirements. The state will still need to continue administering these assessments for the purposes of compliance with the federal Elementary and Secondary Education Act, even though their use in some state programs is prohibited in this bill. If other standards-based assessments were required to comply with those state programs, implementation of the bill could result in increasing testing time.

ADMINISTRATIVE IMPLICATIONS

PED will be required to ensure professional development and supports are provided to each educator statewide. Additionally, if enacted, PED will likely be required to update regulations related to annual educator evaluations to ensure the state's standards-based assessment results are not included in evaluation over the next three years. Educator evaluations conducted during the 2014-2015 school year will not include results from the new standards-based assessment developed by PARCC and administered in 2014-2015 because test data included in annual evaluations is on a year lag.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill conflicts with SB 205 and HB 177 and is related to SB 138 and SB 196.

RSG/aml