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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**53rd Legislature, 1st Session, 2017**

<b>Bill Number</b>	<u>SB40</u>	<b>Sponsor</b>	<u>Morales</u>
<b>Tracking Number</b>	<u>.205452.1</u>	<b>Committee Referrals</b>	<u>SEC/SRC/SFC</u>
<b>Short Title</b>	<u>State School Grades Council</u>		
<b>Analyst</b>	<u>Bedeaux</u>	<b>Original Date</b>	<u>1/28/17</u>
		<b>Last Updated</b>	<u>3/3/17</u>

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**BILL SUMMARY**

Synopsis of Bill

Senate Bill 40 (SB40) convenes a council to study the current school grading system and develop recommendations to the Legislative Education Study Committee (LESC) regarding a new school grading system. The bill repeals the current school grading system and replaces it with a similar system with newly weighted grading criteria for the duration of the work of the school grades council.

**FISCAL IMPACT**

The bill does not contain a formal appropriation, but for the duration of its study, the council is extended per diem and mileage reimbursement pursuant to the Per Diem and Mileage Act. The bill itself does not appropriate funding for this purpose.

**SUBSTANTIVE ISSUES**

The current school grading system is a product of the 2011 A-B-C-D-F Schools Rating Act. The act assigns a grade to schools based on student academic proficiency, student growth, growth of the school as a whole, and a host of other factors like attendance and student and parent surveys. The grading system has played a role in compliance with federal accountability standards.

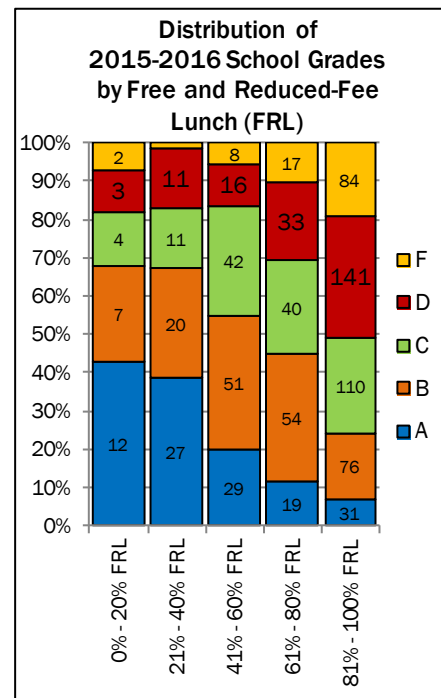
In an application for a state flexibility waiver under the Elementary and Secondary Education Act (ESEA), the Public Education Department (PED) cited the use of the A-F grading system as evidence of State-Developed Differentiated Recognition, Accountability, and Support. ESEA required that the state use a system that is designed to “improve student achievement and school performance, close achievement gaps, and increase the quality of instruction for students.” In the application, PED explained how the system was built around student achievement and growth. Since the Every Student Succeeds Act (ESSA) was signed, states are required to adopt a Statewide Accountability System that complies with certain conditions. ESSA requires that accountability systems

- “be the same for all public schools;
- “include valid, reliable, and comparable measures that are disaggregated by subgroup; and
- “measure each of the following: academic achievement; graduation rates for high schools and academic progress for elementary and middle schools; progress in attaining English language proficiency; and at least one state-selected indicator of school quality or student success (which may vary for schools in different grade spans).”

Often, the school grading system is criticized for two issues: a heavy reliance on proficiency, which tends to be lower in schools with high rates of poverty and the use of complicated value-added models to construct growth scores.

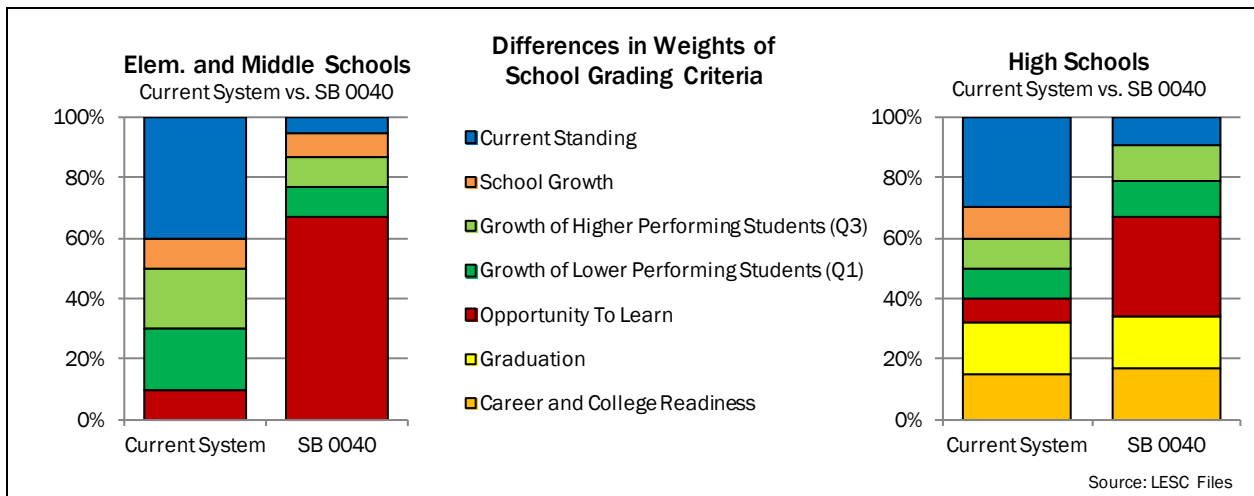
In the 2015-2106 school year, the flat percentage of students’ proficient accounts for 20 of the 100 possible points. The other 20 points in the “current standing” portion of the grade is school-wide growth in proficiency from one year to the next. The current standing portion of the grades is weighted equally to the growth of the highest performing and lowest performing students combined.

School grades currently measure the growth of students by comparing one student’s growth relative to her academic peers. Even with student growth being weighted more than flat proficiency, there is a strong correlation between the socioeconomic status of the school’s population and the school’s grade, as shown in the figure to the right. There is a higher proportion of A schools with a lower poverty levels, measured with percent of students eligible for free and reduced-fee lunch (FRL), than there are A schools with high poverty levels. The current school grading system fails to perfectly disentangle student growth from the social factors that influence proficiency.



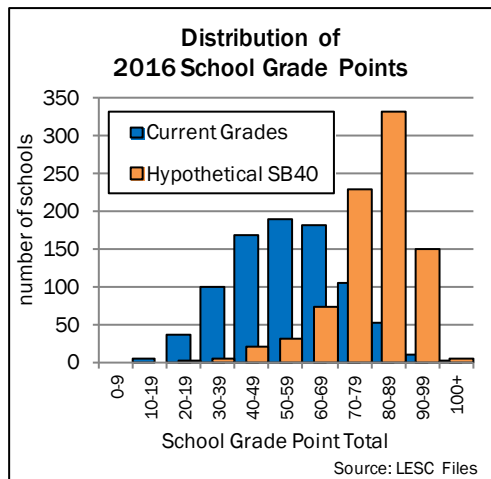
A primary function of a school grades council could be to determine whether school grades should focus on student outcomes, as they do now, or the school climate which creates student outcomes, as the temporary system in the bill measures. The findings of the council could inform a system that accounts for the wide range of factors that affect students’ growth and performance. However, in addition to pursuing an investigation of the grades, the bill also preemptively responds to the investigation by reducing the weight of proficiency-related portions of the school grades and simplifying the metrics used to measure growth.

The new weights proposed by SB40, shown in detail on Attachment A, remove focus from the “current standing” and “growth” portion of the grades and place new emphasis on “opportunity to learn.” The bill reduces the weight of current standing from 40 points to 5 points for elementary schools, and from 30 points to 9 points for high schools. For elementary schools, opportunity to learn increased from 10 points to 67 points, and for high schools, from 8 points to 33 points. The bill would also reduce the weight of student growth in both the highest and lowest performing student quartiles. In doing so, the bill strains the state’s compliance with



ESSA by continuing to measure all of the required student achievement metrics, but weighting them with less overall significance.

Weighting school grades in the manner that SB40 proposes increases the number of A schools in the state (the cutoff for an A grade is at 75 points). Furthermore, previously high performing schools that did not achieve a high proportion of their opportunity to learn points would fall from a grade of A to a grade of C or D. It should also be noted that the bill introduces new measurements within the opportunity to learn category which might make points easier for all schools to attain. Currently, opportunity to learn measures student attendance and participation in classroom surveys, but the bill modifies the category to include attendance, opportunities for students to participate in educational and extracurricular activities, and teacher training and experience.



Average Point Difference (Current Grade vs. Hypothetical SB40)	+ 23.6
Average Point Difference of Previously Low Performing Schools (Q1)	+ 35.1
Average Point Difference of Previously High Performing Schools (Q3)	+ 11.9

	Current Points	SB40 Points	Difference
<b>Largest Gains</b>			
Tony Quintana Elementary (Espanola)	20.4 F	71.9 B	+ 51.6
Mesilla Valley Alternative Middle (Las Cruces)	18.4 F	69.6 B	+ 51.2
Mesa Vista Middle (Mesa Vista)	22.1 F	72.6 B	+ 50.5
<b>Largest Drops</b>			
Explore Academy (State Charter)	82.2 A	40.7 F	- 41.5
Estancia Lower Elementary (Estancia)	86.6 A	63.8 C	- 22.8
Bloomfield Family School (Bloomfield)	81.0 A	59.5 C	- 21.5

Source: LESC Files

SB40 also includes a shift in methodology. While it removes the school growth portion of grades for high schools, it would apply the clustered peer-group approach to the entire school grade. Currently, school growth is determined by comparing clusters of high schools with similar historic academic achievement and demographic characteristics. SB40 would apply that methodology to the entirety of the school grade, essentially accounting for the effect of poverty by comparing similar schools. However, it is unclear whether this would be considered a uniform system under ESSA, as it may imply some schools should be held to separate standards.

The current school grades system does not measure extracurricular activities or teacher training and experience, factors that likely have a significant bearing on student outcomes. Until the school grades council conducts its study, there is no determination that these are “valid, reliable and comparable measures” of school climate. SB40 could potentially dock points from schools with high student achievement that reached that outcome without measurable opportunity to learn. Conversely, the system might reward a school that fails to show student growth, even if it has high attendance, varied extracurricular activities, and well-trained teachers.

### **TECHNICAL ISSUES**

The bill dissolves the current school grading system by repealing relevant statute. The temporary grading system the bill would create lasts for exactly two years. After that, it is assumed that recommendations by the council will create a new system, but if that system fails to pass into law, the state may be left with no accountability, and would fall out of compliance with ESSA.

Page 4, line 1 of the bill implies that a score that “has changed” should indicate growth. A score that declines from one year to the next should not indicate growth, even if the score has changed.

Page 5, line 22 of the bill posits that no single grade factor shall drop a public school’s grade by an entire letter grade. This is mathematically impossible to guarantee if the opportunity to learn factor is weighted two-thirds of the school’s grade. If this provision is enforced, it would result in even more A schools.

### **OTHER SIGNIFICANT ISSUES**

The definition of “growth” in Section 2 of the bill is similar to the current statutory definition of growth, with a few key differences aimed at simplicity. The definition in the bill focuses on the claim that improvement in proficiency, even by one point, is growth. While this is accurate based solely on the score, under the current grading system, a student’s growth is not currently considered growth if that student is falling behind their peers.

### **RELATED BILLS**

Related to SJM1, Student Assessment Policy Working Group  
Related to SB62/SFIS, School Rating Grading Point System

### **SOURCES OF INFORMATION**

- LESC Files
- Federal ESEA and ESSA standards.

**TCB/twh**

## Point Distribution of School Grades – Current System vs. SB40

### Elementary and Middle Schools

Current System		Change to SB40	SB40	
<b>Current Standing</b>	<b>40</b>	<b>-35</b>	<b>5</b>	<b>Current Standing</b>
Proficiency	20			
Growth in Proficiency	20			
<b>School Growth</b>	<b>10</b>	<b>-2</b>	<b>8</b>	<b>School Growth</b>
<b>Growth of Highest Performers</b>	<b>20</b>	<b>-10</b>	<b>10</b>	<b>Growth of Highest Performers</b>
<b>Growth of Lowest Performers</b>	<b>20</b>	<b>-10</b>	<b>10</b>	<b>Growth of Lowest Performers</b>
<b>Opportunity to Learn</b>	<b>10</b>	<b>57</b>	<b>67</b>	<b>Opportunity to Learn</b>
Attendance	5		22.3	Attendance
Parent/Student Surveys	5		22.3	Extra Curricular Activities
			22.3	Teacher Training and Experience
<b>Total Points</b>	<b>100</b>	<b>0</b>	<b>100</b>	<b>Total Points</b>
<b>Bonus Points</b>	<b>5</b>	<b>0</b>	<b>5</b>	<b>Bonus Points</b>
Student and Parent Engagement	5		5	Student and Parent Engagement

### High Schools

Current System		Change to SB40	SB40	
<b>Current Standing</b>	<b>30</b>	<b>-25</b>	<b>5</b>	<b>Current Standing</b>
Proficiency	15			
Growth in Proficiency	15			
<b>School Growth</b>	<b>10</b>	<b>-10</b>	<b>0</b>	<b>School Growth</b>
<b>Growth of Highest Performers</b>	<b>10</b>	<b>2</b>	<b>12</b>	<b>Growth of Highest Performers</b>
<b>Growth of Lowest Performers</b>	<b>10</b>	<b>2</b>	<b>12</b>	<b>Growth of Lowest Performers</b>
<b>Opportunity to Learn</b>	<b>8</b>	<b>25</b>	<b>33</b>	<b>Opportunity to Learn</b>
Attendance	3		11.3	Attendance
Parent/Student Surveys	5		11.3	Extra Curricular Activities
			11.3	Teacher Training and Experience
<b>Graduation</b>	<b>17</b>	<b>0</b>	<b>17</b>	<b>Graduation</b>
<b>Career and College Readiness</b>	<b>15</b>	<b>2</b>	<b>17</b>	<b>Career and College Readiness</b>
<b>Total Points</b>	<b>100</b>	<b>0</b>	<b>100</b>	<b>Total Points</b>
<b>Bonus Points</b>	<b>5</b>	<b>0</b>	<b>5</b>	<b>Bonus Points</b>
Student and Parent Engagement	5		5	Student and Parent Engagement