HOUSE BILL 92

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Joanne J. Ferrary

AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING THE PUBLIC SCHOOL CODE TO LIMIT THE NUMBER OF HOURS PER SCHOOL YEAR AND MINUTES PER SCHOOL DAY THAT SCHOOL DISTRICTS AND SCHOOLS SHALL ADMINISTER REQUIRED STATE AND DISTRICT ASSESSMENTS TO STUDENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-2C-4 NMSA 1978 (being Laws 2003, Chapter 153, Section 13, as amended) is amended to read:

"22-2C-4. STATEWIDE ASSESSMENT AND ACCOUNTABILITY SYSTEM--INDICATORS--REQUIRED ASSESSMENTS--ALTERNATIVE ASSESSMENTS--LIMITS ON ALTERNATIVES TO ENGLISH LANGUAGE READING ASSESSMENTS.--

A. The department shall establish a statewide assessment and accountability system that is aligned with the state academic content and performance standards.

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B.   The academic assessment program shall test student achievement as follows; provided that the total class time to administer assessments required in this section, excluding individualized assessments for English language learners and special education students, as well as individual teacher-created and any non-mandated state and federal college and career readiness assessments, shall not exceed twenty-five hours in any school year; and provided further that no student shall be required to be assessed for more than one hundred eighty minutes per school day without regard for the source of the assessment, including school, school district, state or federal assessments:

(1)   for grades three through eight and for grade eleven, standards-based assessments in mathematics, reading and language arts;

(2)   for grades three through eight, a standards-based writing assessment with the writing assessment scoring criteria applied to the extended response writing portions of the language arts standards-based assessments; and

(3)   for one of grades three through five and six through eight and for grade eleven, standards-based assessments in science by the 2007-2008 school year.

C.   The department shall involve appropriate licensed school employees in the development of the standards-based assessments.

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D. Before August 5 of each year, the department shall provide student scores on all standards-based assessments taken during the prior school year and required in Subsection B of this section to students' respective school districts in order to make test score data available to assist school district staff with appropriate grade-level and other placement for the current school year.

E. All students shall participate in the academic assessment program. The department shall adopt standards for reasonable accommodations in standards-based assessments for students with disabilities and limited English proficiency, including when and how accommodations may be applied. The legislative education study committee shall review the standards prior to adoption by the department.

F. Students who have been determined to be limited English proficient may be allowed to take the standards-based assessment in their primary language. A student who has attended school for three consecutive years in the United States shall participate in the English language reading assessment unless granted a waiver by the department based on criteria established by the department. An English language reading assessment waiver may be granted only for a maximum of two additional years and only on a case-by-case basis."

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