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## FISCAL IMPACT REPORT

SPONSOR Ferrary ORIGINAL DATE 1/21/19  
LAST UPDATED \_\_\_\_\_ HB 92  
SHORT TITLE Limit School Testing Time SB \_\_\_\_\_  
ANALYST Liu/Eckberg

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		See Fiscal Implications				

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to SB 110

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Public Education Department (PED)

Regional Education Cooperatives (REC)

### SUMMARY

#### Synopsis of Bill

House Bill 92 amends the Public School Code to limit total testing in schools to 25 hours per school year and 180 minutes per school day for all assessments. This excludes individualized assessments for English language learners and special education students, as well as teacher-created and non-mandated college and career readiness assessments.

### FISCAL IMPLICATIONS

PED notes this bill has no immediate fiscal implications, as the total time required to administer assessments is currently below 25 hours at all grade levels. While 11 percent of surveyed teachers reported to LFC that testing times exceeded 25 hours per year, it is unclear if this is due to administrative inefficiencies or fiscal reasons. Additionally, the transition away from PARCC testing may impact testing times if a new test is administered in FY20. Testing times may decrease if assessment content is shortened. Likewise, testing times may be longer as schools adjust to a new test or deal with potential technical difficulties. Costs for ensuring provisions of this bill are met will primarily be incurred by PED in administering its assessments.

The executive FY20 budget recommendation for public schools includes a \$2 million, nonrecurring appropriation to PED for standards-based assessment research and development.

## **SIGNIFICANT ISSUES**

According to PED, current mandated assessments, excluding end-of-course exams (EOC), take 16.5 hours of seat time for students in grades seven and 11 to complete. Testing times are lower for students in other grades because the science standards-based assessment, which takes three hours, is administered only in grades four, seven, and 11. Students below grade four do not take EOCs, and students below grade three do not take the spring 2019 transition standards-based assessment in mathematics and English language arts (ELA), which takes six hours (math and ELA combined) to complete. Students below grade three take the Istation assessment, which takes four hours over the course of the year.

PED notes this time estimate does not include breaks between units, reading directions, distribution of materials, and other administrative actions. The times calculated are for seat time to take assessments. On average, a student will take three EOCs, with a few students taking up to seven EOCs. Altogether, assessment time could reach up to 19.5 hours or 23.5 hours. If “total classroom time” is defined to include breaks between units of an assessment, time students travel between classrooms for the purpose of taking assessments, the reading of directions and distribution of materials and preparation of technology, then total assessment times in grades would be greater. However, PED notes that testing times rarely exceed 25 hours in grades seven and 11, and for students taking more EOCs than usual.

According to a study published by the Council of the Great City Schools, 25 hours is the average amount of time students spend testing per year in the United States. The LFC program evaluation “*Time-on-Task and Efforts to Extend Learning Time*” found that 43 percent of surveyed elementary teachers in New Mexico reported spending 10 hours on PARCC. However, 11 percent of teachers reported PARCC testing time taking 25 or more hours per year. Teachers also noted that additional non-instructional time is spent after taking PARCC in activities such as extended recess, watching movies, and playing games. U.S. Department of Education testing guidelines recommend a cap of 2 percent for standardized testing which would be 21 hours, or almost four instructional days, in New Mexico.

## **RELATIONSHIP**

This bill relates to Senate Bill 110, which prohibits PED from requiring schools to administer or use the PARCC test.

## **OTHER SUBSTANTIVE ISSUES**

The court ruling on the *Yazzie* and *Martinez* case found New Mexico failed to provide a sufficient education based on evidence of inadequate inputs (e.g. instructional materials, professional development, etc.) and poor educational outputs: low student reading and math proficiency test scores, significant disparities in test score performance between student groups, low high school graduation rates, and high college remediation rates. Evidence of low student academic performance was based in large part on PARCC test schools. On January 3, 2019, executive orders 2019-001 and 2019-002 directed PED to transition away from use of the PARCC test, which was the mandated standards-based assessment in place between 2015 and

2018. Changes to the statewide assessment will require PED to develop or seek another test, which may create administrative burdens on the agency and potentially impact testing times.

New Meridian, a nonprofit test developer, currently owns the PARCC test question bank and partners with PARCC states to redesign their assessments. According to the nonprofit, as long as 25 percent of questions on a new assessment come from the PARCC test bank, states can maintain comparability with their former PARCC assessment. So far, 11 states have signed up for New Meridian's content – particularly to avoid technical problems, which Tennessee experienced after leaving PARCC and spending \$30 million to develop its own test.

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