

AN ACT

RELATING TO EDUCATION; AMENDING A SECTION OF THE PUBLIC SCHOOL CODE TO REQUIRE THAT SCHOOL DISTRICTS ADMINISTER NORM-REFERENCED TESTS OR STANDARDS-BASED ASSESSMENTS; PROVIDING FOR THE REPORTING OF RESULTS.

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

Section 1. Section 22-1-6 NMSA 1978 (being Laws 1989, Chapter 308, Section 1, as amended by Laws 1997, Chapter 261, Section 1) is amended to read:

"22-1-6. ANNUAL SCHOOL DISTRICT ACCOUNTABILITY REPORT REQUIRED.--

A. School districts shall be required to publish an annual school district accountability report to provide district-wide data for the previous school year. The state board shall establish the format for the accountability reports and ensure that the relevant data is provided annually to parents, students, educators, policymakers, legislators, the governor and business and economic development organizations. The department of education shall establish the following five indices through which public school performance shall be measured and reported to school districts:

(1) student achievement as measured by a

nationally norm-referenced test approved by the department of education or through a performance-based instrument to measure proficiency;

- (2) school safety;
- (3) the dropout rate;
- (4) attendance; and
- (5) parent and community involvement.

The department of education shall establish the methodology for measuring each of the five indices.

B. Effective July 1, 1999, school districts shall annually administer a nationally norm-referenced test or a standards-based assessment to all students enrolled in a public school in grades three through nine. Only students with disabilities deemed incapable of taking the test as determined on their individual educational program shall be exempted from this requirement. Additionally, students who have been assessed as non-English or limited English proficient using state approved language assessments and meeting required thresholds shall be exempted from this test and provided an alternative norm-referenced or standards-based assessment in their primary language. School districts shall report the following to the department of education:

(1) the results of the norm-referenced test or standards-based assessment;

(2) the number of enrolled students who did

not take the test, the school in which they are enrolled and the reason for the exemption from the test; and

(3) separately and as part of the aggregate report, the results of assessments of students enrolled in special education class A, B, C and D programs who took the test and the school in which they are enrolled, except in cases where the number of students being reported is less than ten.

C. School districts shall set two-, four- and six-year benchmarks in each of the five indices for each public school. Local school boards may establish additional indices, if reviewed by the department of education, through which to measure the school district's performance in other areas.

D. The annual accountability report shall also include the results of a survey of parents' views of the quality of their children's school. The survey shall be conducted each year in time to include the results in the annual accountability report. The survey shall compile the results of a written questionnaire that shall be sent home with the students to be given to their parents. The survey may be completed anonymously. The survey shall be no more than one page, shall be clearly and concisely written and shall include not more than twenty questions that shall be answered with options of a simple sliding scale ranging from

"strongly agree" to "strongly disagree" and shall include the optional response "don't know". The survey shall also include a request for optional written comments, which may be written on the back of the questionnaire form. The questionnaire shall include questions in the following areas:

- (1) parent-teacher-school relationship and communication;
- (2) quality of educational and extracurricular programs;
- (3) instructional practices and techniques;
- (4) resources;
- (5) school personnel, including the school principal; and
- (6) parents' view of teaching staff expectations for the students.

The state board shall develop no more than ten of the questions which shall be reviewed by the legislative education study committee prior to implementation. No more than five questions shall be developed by the local school board and no more than five questions shall be developed by the staffs of each individual school site, provided that at least half of those questions are developed by teachers rather than administrators, in order to gather information that is specific to the particular community surveyed. The questionnaires shall indicate the public school site and

shall be tabulated by the department of education within thirty days of receipt and shall be returned to the respective schools to be disseminated to all parents.

E. The annual accountability report for each school district shall be adopted by the local school board, may be published no later than November 15 of each year and may be published at least once each school year in a newspaper of general circulation in the county where the school district is located. In publication, the report shall be titled "the school district report card" and disseminated in accordance with guidelines established by the state board to ensure effective communication with parents, students, educators, local policymakers and business and community organizations.

F. The department of education shall create an accountability data system through which data from each public school and each school district may be compiled and reviewed. The department of education shall provide the resources to train school district personnel in the use of the accountability data system.

G. The department of education shall verify data submitted by the school districts.

H. The state board shall measure the performance of every public school in New Mexico. Public schools achieving the highest level of performance shall be eligible

for supplemental incentive funding. The state board shall establish the corrective actions and interventions necessary for public schools whose performance level is low.

I. Appropriation is contingent upon inclusion of one million four hundred thirty three thousand dollars (\$1,433,000) in the General Appropriation Act to meet the provisions of this act." _____