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HOUSE BILL 227

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Bill McCamley

AN ACT

RELATING TO PUBLIC SCHOOLS; LIMITING TO SEVEN DAYS THE
ADMINISTRATION OF STANDARDS-BASED ASSESSMENTS TO STUDENTS IN
GRADES THREE, EIGHT AND TEN; ELIMINATING STANDARDS-BASED
ASSESSMENTS FOR STUDENTS IN OTHER GRADES.

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 by Laws 2007, Chapter 306,
Section 1 and by Laws 2007, Chapter 307, Section 3 and also by
Laws 2007, Chapter 308, Section 3) 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

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1 assessment and accountability system that is aligned with the
2 state academic content and performance standards and that
3 measures adequate yearly progress for each public school and
4 school district. Adequate yearly progress shall be determined
5 primarily by student academic achievement, as demonstrated by
6 statewide standards-based assessments; however, the department
7 may include other indicators of adequate yearly progress,
8 including graduation rates for high schools and attendance for
9 elementary and middle schools.

10 B. The academic assessment program for adequate
11 yearly progress shall test student achievement as follows;
12 provided that the administration of all standards-based
13 assessments shall not exceed seven days in a school year:

14 (1) for grades three, [~~through~~] eight and [~~for~~
15 ~~grade eleven~~] ten, standards-based assessments in mathematics,
16 reading and language arts and social studies;

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

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

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

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1 based assessments.

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

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

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