

LFC Requester:	Sunny Liu
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**AGENCY BILL ANALYSIS
2017 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply: Date 3/6/2017
Original **Amendment** **Bill No:** SB209sfc
Correction **Substitute**

Sponsor: Senator John M. Sapien **Agency Code:** 924
Short ADDITIONAL STUDENT **Person Writing** Matt Pahl
Title: DATA REPORTING **Phone:** 470-9909 **Email** matt.pahl@state.nm.us

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY17	FY18	FY19		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SB209 as amended provides for school districts and state-chartered charter schools to provide a report, on a form developed by the department, to the secretary. The report will not include student-sensitive data, but will report the number of students who achieved proficiency, and the number of students who did not achieve proficiency in the next grade, and who were promoted and who were retained.

SB209 seeks to add a new section to the public school code that requires districts to provide specific, additional student data on student interventions and remediation as well as teacher professional development related to effective instructional methodologies and strategies to improve students’ reading and English language skills in the school districts’ respective annual reports and to require the PED to report to the LESC each interim on the data from the school district accountability reports. The amendment adds specific language what LEA’s will report to the department by June 30 after each school year.

FISCAL IMPLICATIONS

SB209 requires additional reporting to the PED but does not provide for any funding to support the review and analysis of this additional data.

SIGNIFICANT ISSUES

SB209 as amended provides for school districts to create a separate report, due June 30th to the PED every year. This amendment runs contrary to the explicit interest and action PED has taken to reduce reporting.

SB209 enhances PED’s ability to collect certain data, however it is unclear what use some of the data elements outlined in SB209 will provide. Many elements can lead to improved practice in the teaching of reading and English language skills for students in New Mexico.

SB209 requires PED to complete district and school analysis. To make informed decisions about teaching and learning, teachers must be responsible for the collection and analysis of data.

SB209 requires districts to send a detailed professional development plan to the PED each year to include proposals for the Professional Development (PD) that the district will require of teachers. Job embedded PD should be based on the most current data (summative, interim, and formative) to meet the specific needs to teachers to support students in their development.

In addition SB209 requires districts to provide additional reporting to PED. This additional request is contrary to PED's commitment to spend less time on testing and reporting.

PERFORMANCE IMPLICATIONS

Need for Early Literacy Skills: A student who cannot read on grade level by third grade is four times less likely to graduate by age 19 than a child who does read proficiently by that time. Add poverty to the mix, and a student is 13 times less likely to graduate on time than his or her proficient, wealthier peer (American Educational Research Association, 2011).

Third grade is a pivotal point, we teach reading for the first three grades and then after that children are not so much reading to learn but using their reading skills to learn other topics. If you are not proficient by 3rd grade, it is more difficult to intervene and remediate than it would have been in the previous grades.

New Mexico Promotion/Retention Statute: The legislature enacted Section 22-2C-6 NMSA 1978, governing the remediation and promotion of students, to ensure that students who are not proficient in reading receive timely intervention, and to ensure that they are not promoted without parental, teacher and administrative involvement and are provided the skills necessary to succeed at the next level.

ADMINISTRATIVE IMPLICATIONS

PED will need to take the following actions:

1. Develop and post an RFP
2. Establish criteria for review
3. Select outside reviewers
4. Establish a transparent review process
5. Complete the review process
6. Establish funding to support numbers 1-5
7. Establish connections to PED initiatives and identify a lead bureau to partner with Accountability and Assessment
8. Inform all stakeholders of requirements and institute guidance (1-year planning time)
9. Develop guidance and requirement for Districts
10. Develop training, technical assistance tools, monitoring and recording of data
11. Establish a platform for the collection and analysis of data
12. Establish a process for the reporting of data
13. Establish supports to ensure that the delivery of targeted, research based interventions are being provided to students in a timely manner to improve outcomes in Tier One instruction, to include a transparent progress monitoring and reporting structure for all stakeholders.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Current New Mexico Law: Section 22-2C-6 NMSA 1978

New Mexico has seen an average testing time reduction of 90 minutes per student per grade with the PARCC exam, and PED is committed to pressing for additional reductions in PARCC testing time while maintaining the high quality of the assessment.

PED also replaced the early childhood literacy assessment with Istation, this provides not only progress monitoring but also interim assessment data.

TECHNICAL ISSUES

SB209 would require PED to increase its infrastructure and capacity to collect, analyze, and distribute information to stakeholders regarding effective instructional methodologies and

strategies to improve students reading and English language skills in the school districts.

SB209 would also require an increase in FTE to support the collection, analyzing, and distribution of information to stakeholders regarding effective instructional methodologies and strategies to improve students reading and English language skills in the school districts.

OTHER SUBSTANTIVE ISSUES

Many NM districts do not have an assessment strategy that provides the foundation for identifying effective instruction and promising practices for school improvement. A comprehensive strategy includes assessments that indicate teacher effectiveness, progress monitoring of foundational skills, measuring student growth, and providing real-time feedback on the effectiveness of teaching and learning. Requiring the administration of an interim assessment without incorporating this into an assessment strategy is just adding “one more assessment.”

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS