



The Legislature
of the
State of New Mexico

49th Legislature, 2nd Session

LAWS 2010

CHAPTER III

HOUSE BILL 69, as amended

Introduced by

REPRESENTATIVE RICK MIERA

REPRESENTATIVE NORA ESPINOZA
REPRESENTATIVE JONI MARIE GUTIERREZ
REPRESENTATIVE DENNIS J. ROCH
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FOR THE LEGISLATIVE EDUCATION
STUDY COMMITTEE

Chapter III

AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING THE PUBLIC EDUCATION DEPARTMENT, SCHOOL DISTRICTS AND CHARTER SCHOOLS TO REPORT COHORT GRADUATION DATA.

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

Section 1. Section 22-2C-11 NMSA 1978 (being Laws 2003, Chapter 153, Section 20, as amended) is amended to read:

"22-2C-11. ASSESSMENT AND ACCOUNTABILITY SYSTEM REPORTING--PARENT SURVEY--DATA SYSTEM--FISCAL INFORMATION.--

A. The department shall:

(1) issue a state identification number for each public school student for use in the accountability data system;

(2) adopt the format for reporting individual student assessments to parents. The student assessments shall report each student's progress and academic needs as measured against state standards;

(3) adopt the format for reporting annual yearly progress of public schools, school districts, state-chartered charter schools and the department. A school district's report shall include reports of all locally chartered charter schools in the school district. If the department has adopted a state improving schools program, the annual accountability report shall include the results of that

1 program for each public school. The annual accountability
2 report format shall be clear, concise and understandable to
3 parents and the general public. All annual accountability
4 reports shall ensure that the privacy of individual students
5 is protected;

6 (4) require that when public schools, school
7 districts, state-chartered charter schools and the state
8 disaggregate and report school data for demographic subgroups,
9 they include data disaggregated by gender;

10 (5) report cohort graduation data annually
11 for the state, for each school district and for each state-
12 chartered charter school and each public high school, based on
13 information provided by all school districts and state-
14 chartered charter schools according to procedures established
15 by the department; provided that the report shall include the
16 number and percentage of students in a cohort who:

17 (a) have graduated by August 1 of the
18 fourth year after entering the ninth grade;

19 (b) have graduated in more than four
20 years, but by August 1 of the fifth year after entering ninth
21 grade;

22 (c) have received a state certificate
23 by exiting the school system at the end of grade twelve
24 without having satisfied the requirements for a high school
25 diploma as provided in Section 22-13-1.1 NMSA 1978 or

1 completed all course requirements but have not passed the
2 graduation assessment or portfolio of standards-based
3 indicators pursuant to Section 22-13-1.1 NMSA 1978;

4 (d) have dropped out or whose status is
5 unknown;

6 (e) have exited public school and
7 indicated an intent to pursue a general educational
8 development certificate; or

9 (f) are still enrolled in public
10 school;

11 (6) report annually, based on data provided
12 by school districts and state-chartered charter schools, the
13 number and percentage of public school students in each cohort
14 in the state in grades nine through twelve who have advanced
15 to the next grade or graduated on schedule, who remain
16 enrolled but have not advanced to the next grade on schedule,
17 who have dropped out or whose other educational outcomes are
18 known to the department; and

19 (7) establish technical criteria and
20 procedures to define which students are included or excluded
21 from a cohort.

22 B. Local school boards and governing boards of
23 charter schools may establish additional indicators through
24 which to measure the school district's or charter school's
25 performance in areas other than adequate yearly progress.

1 C. The school district's or state-chartered
2 charter school's annual accountability report shall include a
3 report of four- and five-year graduation rates for each public
4 high school in the school district or state-chartered charter
5 school. All annual accountability reports shall ensure that
6 the privacy of individual students is protected. As part of
7 the graduation rate data, the school district or state-
8 chartered charter school shall include data showing the number
9 and percentage of students in the cohort:

10 (1) who have received a state certificate by
11 exiting the school system at the end of grade twelve without
12 having satisfied the requirements for a high school diploma as
13 provided in Section 22-13-1.1 NMSA 1978 or completed all
14 course requirements but have not passed the graduation
15 assessment or portfolio of standards-based indicators pursuant
16 to Section 22-13-1.1 NMSA 1978;

17 (2) who have dropped out or whose status is
18 unknown;

19 (3) who have exited public school and
20 indicated an intent to pursue a general educational
21 development certificate;

22 (4) who are still enrolled; and

23 (5) whose other educational outcomes are
24 known to the school district.

25 D. The school district's or state-chartered

1 charter school's annual accountability report shall include
2 the results of a survey of parents' views of the quality of
3 their children's school. The survey shall be conducted each
4 year in time to include the results in the annual
5 accountability report. The survey shall compile the results
6 of a written questionnaire that shall be sent home with the
7 students to be given to their parents. The survey may be
8 completed anonymously. The survey shall be no more than one
9 page, shall be clearly and concisely written and shall include
10 not more than twenty questions that shall be answered with
11 options of a simple sliding scale ranging from "strongly
12 agree" to "strongly disagree" and shall include the optional
13 response "don't know". The survey shall also include a
14 request for optional written comments, which may be written on
15 the back of the questionnaire form. The questionnaire shall
16 include questions in the following areas:

- 17 (1) parent-teacher-school relationship and
18 communication;
- 19 (2) quality of educational and
20 extracurricular programs;
- 21 (3) instructional practices and techniques;
- 22 (4) resources;
- 23 (5) school employees, including the school
24 principal; and
- 25 (6) parents' views of teaching staff

1 expectations for the students.

2 E. The department shall develop no more than ten
3 of the survey questions, which shall be reviewed by the
4 legislative education study committee prior to implementation.
5 No more than five survey questions shall be developed by the
6 local school board or governing body of a state-chartered
7 charter school, and no more than five survey questions shall
8 be developed by the staff of each public school; provided that
9 at least one-half of those questions shall be developed by
10 teachers rather than school administrators, in order to gather
11 information that is specific to the particular community
12 surveyed. The questionnaires shall indicate the public school
13 site and shall be tabulated by the department within thirty
14 days of receipt and shall be returned to the respective
15 schools to be disseminated to all parents.

16 F. The school district's or state-chartered
17 charter school's annual accountability report shall be adopted
18 by the local school board or governing body of the state-
19 chartered charter school, shall be published no later than
20 November 15 of each year and shall be published at least once
21 each school year in a newspaper of general circulation in the
22 county where the school district or state-chartered charter
23 school is located. In publication, the report shall be titled
24 "The School District Report Card" or "The Charter School
25 Report Card" and disseminated in accordance with guidelines

1 established by the department to ensure effective
2 communication with parents, students, educators, local
3 policymakers and business and community organizations.

4 G. The annual accountability report shall include
5 the names of those members of the local school board or the
6 governing body of the charter school who failed to attend
7 annual mandatory training.

8 H. The annual accountability report shall include
9 data on expenditures for central office administration and
10 expenditures for the public schools of the school district or
11 charter school.

12 I. The department shall create an accountability
13 data system through which data from each public school and
14 each school district or state-chartered charter school may be
15 compiled and reviewed. The department shall provide the
16 resources to train school district and charter school
17 personnel in the use of the accountability data system.

18 J. The department shall verify data submitted by
19 the school districts and state-chartered charter schools.

20 K. At the end of fiscal year 2005, after the
21 budget approval cycle, the department shall produce a report
22 to the legislature that shows for all school districts using
23 performance-based program budgeting the relationship between
24 that portion of a school district's program cost generated by
25 each public school in the school district and the budgeted

1 expenditures for each public school in the school district as
2 reported in the district's performance-based program budget.
3 At the end of fiscal year 2006 and subsequent fiscal years,
4 after the budget approval cycle, the department shall report
5 on this relationship in all public schools in all school
6 districts in the state.

7 L. When all public schools are participating in
8 performance-based budgeting, the department shall recommend
9 annually to the legislature for inclusion in the general
10 appropriation act the maximum percentage of appropriations
11 that may be expended in each school district for central
12 office administration.

13 M. The department shall disseminate its statewide
14 accountability report to school districts and charter schools;
15 the governor, legislators and other policymakers; and business
16 and economic development organizations.

17 N. As used in this section, "cohort" means a group
18 of students who enter grade nine for the first time at the
19 same time, plus those students who transfer into the group in
20 later years and minus those students who leave the cohort for
21 documented excusable reasons." _____

