

22-2C-4. Statewide assessment and accountability system; indicators; required assessments; alternative assessments; limits on alternatives to English language reading assessments.

Statute text

A. The department shall establish a statewide assessment and accountability system that is aligned with the state academic content and performance standards.

B. The academic assessment program shall test student achievement as follows:

(1) for grades three through eight and for grade eleven, standards-based assessments in mathematics, reading and language arts;

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

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

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

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

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

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

History
History: 1978 Comp., § [22-2A-4](#), enacted by Laws 2003, ch. [153](#), § [13](#); 2004, ch. [31](#), § [1](#); 2005, ch. [315](#), § [2](#); 2007 ch. [306](#), § [1](#); 2007, ch. [307](#), § [3](#); 2007, ch. [308](#), § [3](#); 2015, ch. [58](#), § [6](#).

Annotations

Compiler's notes. — Laws 2003, ch. [153](#), §§ [10](#) to [20](#) were enacted as [22-2A-1](#) to 22-2A-11 NMSA 1978, but were relocated due to the existing Article 2A.

The 2015 amendment, effective June 19, 2015, removed references to adequate yearly progress and removed the requirement to test student achievement in social studies for certain grades; in Subsection A, after "content and performance standards", deleted the remainder of the subsection relating to adequate yearly progress; in Subsection B, after "assessment program", deleted "for adequate yearly progress"; and in Subsection B, Paragraph (1), after "language arts", deleted "and social studies".

The 2007 amendment, effective July 1, 2007, in Subsection B, changed "grades three through nine" to "grades three through eight"; in Subsections A, B, C and E, changed "standards-based academic performance tests" to "standards-based assessments"; and in Subsection D, changed "academic testing" to "standards based assessments".

The 2005 amendment, effective April 7, 2005, deleted former Subsection B(1) which provided that the assessment program shall test achievement for grades kindergarten through two by diagnostic and standards based tests on reading that include phonemic awareness, phonics and comprehension by the 2003-2004 school year.

The 2004 amendment, effective May 19, 2004, revised Paragraph (3) of Subsection B to change the grades from "four, six, eight and eleven" to grades "three to nine" and to add after "writing" and before "tests", "assessment with the writing assessment scoring criteria applied to the extended response writing portions of the language arts criterion-referenced".