




B i t e - S i z e

 The number of teacher vacancies in New Mexico has dropped 13 percent from last year, according to a research and policy group at New Mexico State University. School district job posting data indicated a need for 644 teachers and a total of 1,054 educators this year, compared with 740 and 1,123 last year. The report notes changes in the state testing and teacher evaluation systems might play a role in fewer vacancies. Both have been cited by retiring teachers as a reason for leaving.

 The Public Education Department, the University of New Mexico, and the Department of Health have launched an online portal for educators and families of students with autism spectrum disorder. The portal includes webinars and e-courses covering the needs of preschoolers with the disorder, data collection, assessments, and other topics. The portal was funded with revenue from the autism awareness license plate.

 The percentage gap in per-student funding between charter schools and district schools has dropped to a single digit for the first time in 12 years, data shows. Charter school per-student funding was 30 percent higher than that at school districts in FY09, but preliminary data shows it was 5 percent less in FY20. Much of the drop is attributable to a reduction in charter school use of the funding boost for small schools, aimed at rural schools but used outside of legislative intent by charter schools.



i n f o r m E D

a publication of the Legislative Education Study Committee

Representative Christine Trujillo, Chair / Senator Mimi Stewart, Vice Chair / Rachel S. Gudgel, Director / October 2019

From the Chairwoman

Quality Supervision

New Mexico schools, like schools throughout the nation, started as isolated, community-created services for local children. Despite New Mexico's current configuration of a state-level Public Education Department and centralized funding and the evolution of a matrix of state and federal education standards, local schools remain largely independent, governed by local school boards.

State authorities have mostly respected that independence, rarely stepping in without suspicion of corruption. But the district judge in the consolidated *Martinez* and *Yazzie* school sufficiency lawsuit found that hands-off approach has contributed to the inadequacy of New Mexico schools. The judge ruled the Public Education Department has failed to exercise its authority over school district spending, failed to ensure the implementation of multicultural education laws, failed to monitor services for English learners, and failed to provide school districts with needed technical assistance. The ruling makes it clear the state has the constitutional obligation to ensure students succeed, and the department has the authority to ensure local schools make that happen.

Though the mandate is clear, the department's ability to comply is less so. The department has fewer employees and a general fund smaller budget now than it did a decade ago, despite this year's 9 percent increase for administration, prompted both by the judge's concerns and the need to oversee a whopping half billion dollar increase for public school programs and operations.

In their budget request for FY21, department managers ask for 10 new positions. LESC analysis indicates the department needs a bigger staff, not only because of the court's command for more assertive oversight but because there is always risk for substantial waste when money is poured into a system.

A common complaint of increasing administrative funding is that it takes money from the classroom, but we must make sure the money in the classroom is being spent effectively and properly. Providing the department with adequate resources will help ensure that local schools are providing the best services for New Mexico's children.



Evaluations Should Support, Not Punish

Teachers, school administrators, and community leaders participating in statewide brainstorming sessions on a new teacher evaluation system emphasized a new system should focus on helping teachers grow and improve, not on punishment, a [report](#) from the Learning Policy Institute says.

The committee is scheduled to hear a status report on the new evaluation system from members of the Teacher Effectiveness Task Force at 10:30 a.m. October 24 during its meeting at Northern New Mexico College in Española.

The Learning Policy Institute, which, along with Collaborating for Outstanding Readiness in Education, is under contract with the Public Education Department to facilitate the development of the new system, identified five "key takeaways" from educational and community groups participating in 13 regional meetings held this summer.

In addition to wanting a system with clear and meaningful measures that provide teachers with "continuous, constructive feedback and coaching," stakeholders would like multiple measures of student growth instead of sole

reliance on testing, evaluations differentiated by teacher role and experience, and administrative supports that include training in the new evaluation system, a user-friendly interface, and an appeals process to resolve disagreements.

The report notes "lingering tension and distrust between teachers and administrators" and the department and recommends the department make rebuilding trust a part of the transition to the new system.

The department needs to ensure the process is transparent and includes adequate training, especially for the observation component, "the most important piece," the report says.

In addition, the new system will require "a mindset shift" away from thinking about the evaluations as punitive, it says.

The department earlier this year abandoned the NMTeach evaluation system, challenged in court for its methodology and criticized for its heavy reliance on test scores, and began using an interim evaluation while the new system is developed.

The interim approach assigns

continued on back

School Employees Likely to Pay Higher Premiums

Public school employees will likely pay more for their health insurance next year, but how much more and how it will affect take-home pay depends on where the employee works and how much the employee earns, LESC staff reports.

Ernestine Chavez of the Public School Insurance Authority, which covers all school districts but Albuquerque, 97 charter schools, and 26 other educational entities, [told the committee](#) the PSIA budget plan assumes a 7.4 per-

cent average increase in premiums for both employers and employees.

Mark Tyndall of Albuquerque Public Schools [reported to the committee](#) the school district is planning on raising premiums an average of 4.5 percent.

Although both APS and PSIA are part of the Interagency Benefits Advisory Committee, which contracts with providers for its members, plans are administered separately and have different cost structures.

School districts and charter schools

are required by law to cover at least 60 percent of employee health insurance premiums.

APS and some PSIA-covered employers pick up higher shares of the total premium for employees who earn less.

Subsidies for PSIA premium, which vary among districts, range from \$318 to \$1,300 per plan per month, with an average of 63 percent of the premium covered by the employer.

APS will start covering 80 percent of the premium for employees earning less than \$39,500 a year in January. However, Tyndall said a raise in the minimum pay for level 1 teachers will push about 1,000 teachers over that income threshold, their subsidy will shrink, and their take-home pay will suffer, although most will still get a raise.

APS plans to adjust the subsidy brackets to reflect the new minimum pay levels.

The [LESC hearing brief](#) says PSIA, with more employees in rural areas, typically faces higher healthcare costs, because fewer providers and less competition tends to make care more expensive.

Evaluations Under Study

continued from front

four performance levels to teachers: innovating, applying, developing, and not demonstrating. It provides teachers with feedback on their strengths and areas for improvement and assesses performance in four domains: planning and preparation, creating an environment for learning, teaching for learning, and professionalism.

NMTeach ranked teachers as ineffective, minimally effective, effective, highly effective, and exemplary and 40 percent of the score was dependent on student test results.

Existing statute does not dictate the parameters for teacher or school administrator evaluations, and the state Court of Appeals ruled in 2015 that the department has the discretion to develop the structure for evaluations as long as the evaluations are objective and uniform.

Also because of court action in 2015, the department was prevented from using NMTeach for employment, advancement, or licensure decisions, although it was still being used to award pay bonuses.

Legislative attempts during the 2019 session to change the system in law failed but a bill to limit the impact of teachers' absences on their scores was enacted.

Under NMTeach, teachers could miss no more than six days before absences affected their performance rating.

The new law prohibits the department from using up to 10 days of sick leave or any amount of personal leave to downgrade a teacher's performance.

PED Staff Down Over Decade

The number of employees at the Public Education Department, as well as the number of authorized positions, dropped significantly from FY09 to FY13 and has never recovered, budget data shows.

Budget shortfalls in FY13 prompted the department to ask for a 25 percent reduction in their general fund appropriation and led to a self-imposed "reduction in force," through which managers laid off 33 employees.

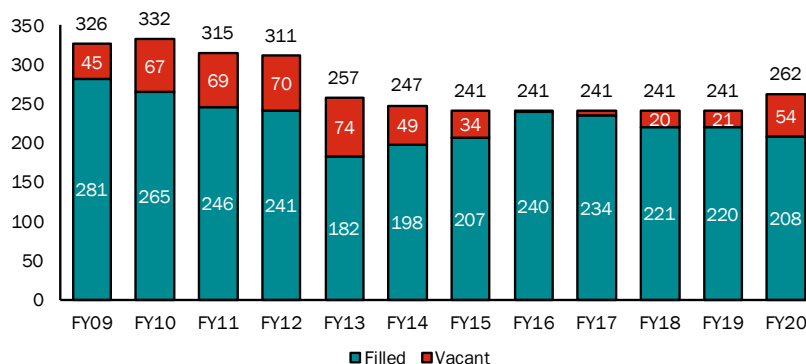
The number of filled positions decreased from an

average of 281 in FY09 to an average of 182 in FY13. The number of authorized positions dropped from 326 to 257, a 69 position, or 21 percent, decline.

While the number of employees and positions has improved since FY13, with vacancies largely eliminated in FY16 and FY17, the department still has fewer employees than before the recession.

More than one in five authorized positions were empty in August. The department has asked for 10 new positions for FY21.

Public Education Department Authorized Positions and Vacancies



Note: For FY09 through FY14, the total number of positions is the number authorized in the General Appropriation Act. For FY15 to FY19, the total is based on the LFC recommendation. For FY20, the total is based on the LFC recommendation, adjusted to account for the actual appropriations.

Source: LFC and PED

i n f o r m E D

October 2019

Published monthly in the interim by the
Legislative Education Study Committee
325 Don Gaspar, Suite 200
Santa Fe, NM 87501
(505) 986-4591 www.nmlegis.gov/lesc

Denise Terrazas, Staff Editor | Helen Gaussoin, Editor