

MINUTES
Legislative Education Study
Committee Catherine A. Miller
Elementary School Church Rock
New Mexico
July 26-28, 2017

Wednesday, July 26

Senator Mimi Stewart, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:20 a.m., on Wednesday, July 26, 2017 at the Catherine A. Miller Elementary School, Church Rock, New Mexico.

The following LESL voting and advisory members were present: Voting: Senators Mimi Stewart, Chair, Craig W. Brandt, and William P. Soules; and Representatives Stephanie Garcia Richard, Vice Chair, Alonzo Baldonado, Tomás E. Salazar, James E. Smith, and Sheryl M. Williams Stapleton; Advisory: Senator Howie C. Morales; and Representatives G. Andrés Romero, Debra M. Sariñana, Elizabeth “Liz” Thomson, Christine Trujillo, and Jim R. Trujillo.

The following LESL voting and advisory members were not present: Voting: Senator Candace Gould and Representative Dennis J. Roch; Advisory: Senators Carlos R. Cisneros, Daniel A. Ivey-Soto, Gay G. Kernan, Linda M. Lopez, Michael Padilla, and John Pinto; and Representatives Joanne J. Ferrary, David M. Gallegos, Jimmie C. Hall, D. Wonda Johnson, Timothy D. Lewis, Rick Little, Patricia Roybal Caballero, Angelica Rubio, Patricio Ruiloba, Linda M. Trujillo, and Monica Youngblood.

The Chair noted that community input would be offered each day at the end of the meeting. Rachel S. Gudgel, Director, noted issues with audio equipment prevented the videoconference of Andreas Schliecher, Director for the Directorate of Education and Skills, Organisation for Economic Cooperation and Development and noted the agenda would need to be amended to reflect this. On a motion by Representative Smith with no objection, the committee approved the minutes for the June 2017 interim meeting and the amended agenda.

Strategic Initiatives of Local School Districts. Michael Hyatt, Superintendent, Gallup-McKinley County Schools (GMCS) welcomed the committee and opened the discussion by noting that the district central office historically used a top-down management approach rather than collaborating with district schools, and he has reorganized central office as a support office for teachers and principals.

Gerald Horacek, Assistant Superintendent of Curriculum and Instruction, GMCS, spoke about improvements in the district’s performance over the last several years, noting that between 2013 and 2017, school grades improved to where 80 percent of district schools had a grade of C or better. Additionally, between FY15 and FY17, GMCS has seen an increase of 5.6 percentage points in the number of students proficient in English language arts, compared with statewide growth of 2.2 percentage points, and 3.7 percentage points in math, compared with statewide growth of 2.3 percentage points. GMCS established a common curriculum based on the New Mexico common core standards that are aligned with the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment.

Pauletta White, Assistant Superintendent of Student Services, GMCS, noted the district created a cultural education department to integrate the cultural relevance of Native Americans and the Southwest region into the curriculum. Language programs now include Spanish, Zuni, and Navajo. The district also offers a parental education program to support student instruction.

Tim Bond, Assistant Superintendent of Support Services, GMCS, reviewed efforts to improve teacher recruitment and retention, noting GMCS currently has a teacher mobility rate of 13 to 18 percent – up to 170 teachers leave the district each year. He stated they often recruit teachers from nearby states with excess teachers. Signing bonuses of \$7,500, to be paid over two years, are offered to teachers in hard-to-staff areas such as special education, speech pathology, and occupational therapy. Smaller signing bonuses of \$5,000 are offered to teachers of gifted students, math teachers, and school counselors. Certified staff are given time off work weekly or monthly to pursue teaching degrees, and GMCS staff encourage local students to go into teaching in their home area by offering incentives and related activities such as tutoring. Currently, only about 10 percent of the district's new hires come from New Mexico colleges of education.

Jvanna Hanks, Assistant Superintendent of Business Services, GMCS, spoke of the district's efforts to use resources efficiently and effectively, working with staff to speed transactions through the system. GMCS tries to increase knowledge of grant opportunities and requirements, and work through processes transparently to provide accurate, timely information to the community. The district also tries to increase networking opportunities with Navajo chapter houses, and religious and community groups.

Marc Space, Superintendent, Grants-Cibola County Schools (GCCS), spoke of programs unique to the district, pointing out the "Team Indian Policies and Procedures" (TIPP) committee, comprising tribal representatives and school district officials, to review the implementation of Indian education policies and procedures. Dr. Space also mentioned partnership with the International Center for Leadership in Education to work on rigor, relevance, and engagement in schools. GCCS has also developed the Academic Return on Investment framework to focus on resource allocation, cost-benefit analysis, and benchmark performance goals to foster academic achievement with fiscal accountability.

Dr. Space noted the unfunded mandate imposed by the online PARCC assessment, which was not easily accommodated by some school districts due to technological constraints. GCCS imposed a \$1.1 million levy on local taxpayers to meet requirements, while the state contributed only \$38 thousand to GCCS's efforts. He noted the district could benefit from better communication with the Public Education Department (PED). He noted scores on the ACCESS 2.0 exam for English learners went down because cut scores were revised downward with little notice to school districts and PED replaced the DIBELS exam with Istation with no input from school districts. He also noted the district's bilingual program was ineffective and received no assistance from PED, resulting in the district suspending the program for a year to review, research, and retool the program.

Guy Archambeau, Board of Education member, GISD, highlighted the achievement gap for Native American and Hispanic students in the district, and noted the importance of growth analyses and disaggregated data to better show student achievement and growth. He also noted career-readiness is a crucial issue for tribes, and that Native American students need equal access to honors and advanced placement courses to be competitive.

Daniel Benavidez, Superintendent, Zuni Public Schools (ZPS), highlighted two innovative programs implemented by ZPS: the BEAR CLAWS-STE (Connecting Learning Areas with Specific Content) program and the Zuni Language Program, which originated in the Shiwi Ts'ana Elementary School. BEAR CLAWS-STE focuses on direct instruction and allows a single teacher to teach a single subject to students and rotate classes within the grade level. This allows the teacher to teach the subject they are content expert in and for which they have an endorsement. This method of instruction improves content delivery by allowing a teacher to only prepare lessons in a single subject, improves teachers' evaluation scores, and allows each teacher to better prepare students for exams.

The Zuni Language Program originally lacked rigor, demonstrated no measureable growth, and was not taught with fidelity. With the 2017-2018 school year, the program moved to a dual language model for all prekindergarten and first grade students. The teaching model addresses the high levels of English learners in the district and permits Zuni children to learn their native language. It focuses on academic standards, community, culture, and language development to improve academic achievement.

Mr. Benavidez indicated Zuni Middle School is struggling to improve their school grade. The academic program lacked rigor, parental involvement was also lacking, and there was little engagement and interest exhibited at the school. To combat these issues, the school moved to project-based learning with expeditionary learning protocols, which were initially implemented in 2016 with full implementation expected by 2019. Twin Buttes High School, which only has 44 students, seemed disconnected from the middle school, losing students to other school districts and private schools. ZPS is moving to transition Twin Buttes to a magnet virtual academy for ninth through 12th grades. At a later date, the academy will expand to include seventh and eighth grades.

Finally, Mr. Benavidez noted Zuni High School would not participate in the Zuni Language Program or BEAR CLAWS-STE for several years. He felt, however, that the foundation established by these two programs in elementary school will carry through high school, allowing the district to focus its resources on teacher training and professional development to both support teachers' professional goals and align with NMTEACH domains.

The Chair asked Dr. White for more information on GMCS's dual language program. Dr. White said the tribes prefer a program that is more than merely a language revitalizing program. The program is currently in a kindergarten and a first grade class, and they hope to see success enough to justify moving it to other schools. Dr. White noted all the program's teachers are PED-certified and bilingual endorsed, allowing for instruction in native languages.

When the Chair asked about GMCS's efforts to strengthen the workforce, Dr. White said they partner with Gallup businesses and work with Innovate Educate. They are working on expanding these programs to more rural areas, so they have better access to career-readiness training and mentoring.

In response to the Chair's question about the funding source for signing bonuses for GMCS teachers, Mr. Hyatt noted that they leverage federal dollars where possible, but also use district operational dollars. Mr. Hyatt said that, despite the bonuses, some teachers leave the district after receiving the bonus.

Senator Stewart suggested expanding opportunities for teacher collaboration in the district, where teachers currently get 90 minutes each week, noting that the successful countries that are the focus of the *No Time to Lose* report have 10 or more hours per week set aside for collaboration.

Representative Christine Trujillo asked Mr. Hyatt about past concerns about heavy recruitment of teachers from Teach for America (TFA), who answered that they have fewer TFA teachers than in the past, but that TFA teachers are comparable with other teachers in terms of teacher quality.

Representative Sariñana asked how new teachers are supported, to which Mr. Hyatt replied that the district has a mentoring program, but because distance from Gallup can make that program untenable for more rural teachers, they also offer workshops via skype or download, and include cultural sensitivity in the training.

Representative Smith noted the closing of the GMCS third grade proficiency gap, and asked about the effect of the Principals Pursuing Excellence program. Mr. Bond replied that the district had been part of the University of Virginia turnaround program for several years, which offers professional development that the district cannot, and that they align teacher training and classroom instruction with the program.

In response to Representative Salazar, Dr. White noted that they had applied for bilingual program funds for a heritage model program. She went on to indicate that the district is focused on providing professional development on English language development strategies and increasing the number of teachers in the district with TESL endorsements.

Senator Soules, referring to the sufficiency lawsuit, asked all three superintendents if they felt their districts were sufficiently funded, and if not, how they would spend any additional funds. Mr. Hyatt, acknowledging GMCS is a party to the suit, responded that they were not well funded, and that any additional money would be spent on teacher recruitment and retention, Indian education, expanded response to intervention, and small group instruction. Dr. Space indicated the district is also not well funded, but is open to discussing how to use any extra funds, though he would use some for facilities to cut down on the necessity for portable classrooms. Mr. Benavidez suggested all districts would experience different needs, but noted that ZPS is located entirely on federal land, so they would likely direct extra funds to facilities.

The Vice Chair asked GCCS staff about school board members also acting as instructional leaders. Dr. Archambeau noted that while many school board members are laypeople, they could still serve to help parents and other members of the community understand educational issues, as well as identify leadership functions, such as the formation of a district strategic plan.

Senator Morales asked whether GCCS works with other community groups to address truancy issues. Dr. Space replied that they work with the Juvenile Justice Advisory Group and social services, and have just been approved for a truancy coordinator.

Director's Report. Joseph Simon, Fiscal Analyst, LESC, reviewed proposed rulemaking from the Educational Retirement Board (ERB), which brings rules in line with Laws 2017, Chapter 21 (Senate Bill 28), makes changes to rules regarding administrative hearings and codifies procedures for paying for non-reported service credit. Chapter 21 made numerous changes to the Educational Retirement Act and removed most references to provisional members, updated statute to reflect current practices regarding the medical review of disability applicants, and made other technical and cleanup changes.

Mr. Simon said the changes involving non-reported service credit would require the ERB-covered employer to remit member and employer contributions plus interest when it was discovered that a person eligible to receive ERB service credit did not have contributions withheld from their paycheck and forwarded to ERB. Mr. Simon indicated that discussions with ERB staff and Albuquerque Public Schools (APS) revealed that currently, the employer is asked by ERB to remit the payment and the employer then seeks a refund for the member contribution from the employee. The proposal would place this procedure in rule. Mr. Simon said that ERB staff indicated nothing in the rule would prevent ERB-covered employers from seeking reimbursement for the employee contribution. Mr. Simon noted this proposed rule could create budget issues for some school districts and charter schools. He said ERB reported 43 cases of non-reported contributions in the previous two fiscal years; more than three-quarters involved less than \$10 thousand; however, one case involved over \$200 thousand. The Chair asked which ERB-employer had the large discrepancy, and Mr. Simon said ERB did not indicate that but he can follow up on it. If this rule were adopted, school districts would have to adjust their internal controls to ensure appropriate contributions are being made. ERB would need to ensure employers were aware of cases where a part-time employee becomes eligible for ERB membership because of service at another ERB-covered employer. Mr. Simon said ERB

indicated universal reporting requirements allow them to notify school districts when they have those situations. Mr. Simon said proposed rules to require administrative hearings be held in Santa Fe, allow parties to such hearings to appear via video or teleconference, and require that any counsel involved in hearings be a New Mexico licensed attorney were also being considered. The proposed rulemaking would also allow the chairman of a board committee to appoint a temporary member to achieve a quorum, and allow the ERB executive director to seek lead plaintiff status in federal securities class action litigation.

Heidi Macdonald, Senior Fiscal Analyst I, LESC, reviewed administrative rulemaking for 6.63.15 NMAC, Licensure for School Health Assistants, Prekindergarten to Grade 12; and 6.63.16 NMAC, Licensure for School Licensed Practical Nurses (LPNs). The proposed changes include repealing and replacing language to align the licensure requirements for both licenses, clarifying cardiopulmonary resuscitation (CPR) certification, requiring applicants for both licenses to provide valid certification in first-aid and to submit and clear a fingerprint-based background check per local school board or regional education cooperative policy, and combining two levels of licensure each for school health assistants and LPNs into one license. The public hearing on the proposed changes is set for August 1 in Santa Fe.

Christina McCorquodale, Senior Research Analyst I, LESC, provided an update on the rulemaking for the second draft of 6.32.2, Guidelines for Implementing Bilingual Multicultural Education Programs (BMEPs). Because of stakeholder concerns, the Public Education Department (PED) extended the public comment period to August 9, 2017 and submitted a second draft of the proposed rule. PED maintained many of the initial proposed changes, including approval of content areas required to be in a bilingual program and available program models, program evaluation and program renewal requirements; however, PED included some stakeholder input in the second. If adopted, the rule will take effect July 1, 2018.

In the second draft, PED defined “target language” as the home or heritage language or language other than English of a bilingual program. The second draft requires the signature of the school board president for a program to be approved by PED, in addition to other required signatures. PED indicated the signature of a school board president would align to statute and ensure alignment with the local bilingual program approval process. The second draft also requires evidence of tribal collaboration to satisfy requirements pursuant to the Indian Education Act for a program to be approved by PED. The draft restored the current requirement that public schools providing a Native American language program obtain approval from tribal councils or other appropriate tribal entities. The second draft requires English language development to be distinct from English language arts, and to develop English language proficiency of English language learners at their current level of language proficiency.

The second draft maintains the repeal of the maintenance and enrichment models. Stakeholders voiced concerns over PED’s lack of explanation regarding the elimination of the two models and its impact on students. PED indicated English learners that are fully and initially English proficient will be eligible to participate in the heritage or dual language immersion models and school districts and charter schools can continue to support the target language and English language development in a transitional model. PED also indicated Native American students and other heritage language learners will receive the support they need through other available models. The department changed language in the heritage and transition models to support students in revitalizing, developing, or maintaining their home or heritage language. The department wanted to clarify that language domains must be addressed during instruction within the available models that address non-applicable domains to some Native American languages, for example; reading and writing for oral languages for program evaluation and renewal.

In the second draft, PED eliminates language for the current evaluation and renewal sections

and combines the two sections to clarify expectations with a timeline that meets the goals of the Bilingual and Multicultural Education Act. The department also shortened the proposed evaluation period from four years to three years based on stakeholder input. Also, PED eliminated annual measurable objectives to determine the progress of English learners and replaced it with evidence of sufficient progress toward meeting state targets for English language and academic proficiency.

In response to Representative Garcia Richard's question about the intent of including target language as a new definition, Ms. McCorquodale said PED wanted to include a language other than English. Also, Ms. McCorquodale stated she would have to confirm with PED if schools were not allowed to apply for program approval immediately following discontinuation of a program.

Representative Christine Trujillo expressed concerns that PED did not provide sufficient time for stakeholder input and wanted clarification for PED's rationale for making changes. In response, Ms. McCorquodale outlined PED's purpose statement in the rulemaking, which states the rule was intended to realign the regulation with the Bilingual and Multicultural Education Act and program accountability for English language proficiency, which is required under the federal Every Student Succeeds Act. Ms. McCorquodale also noted PED wanted to do this for all students, not just English learners because the current rule uses language directly from the federal Title III grant that only includes English learners but does not include all students participating in a BMEP. Additionally, she noted PED wants to align approval of program instruction with local implementation.

The Chair encouraged members to attend the August 9 rulemaking or read through the changes PED made, especially with definitions for heritage and transitional programs. The Chair noted APS does not see this as an issue. In closing, the Chair noted LESC will continue to be informed about these changes.

Impact Aid Overview. Hipolito "Paul" Aguilar, Deputy Secretary, Finance and Administration, Public Education Department (PED), discussed the role that federal Impact Aid plays in New Mexico's public school funding formula. He noted that in 1974, both political parties came together to acknowledge that the way public schools were funded did not work for kids. He said at that time schools were locally funded. The funding formula, developed in 1974, was designed to equalize opportunity for students. Local school districts have the flexibility to spend state dollars as they see fit, but allocations to each school district are based on an equitable funding formula.

Mr. Aguilar stated the funding formula is based on two principals. The first is the "equal treatment of equals," or that students across the state would be funded at the same level. The second is the "unequal treatment of unequals," or that students with greater needs receive more funding. Because these principles form the basis of public school funding, New Mexico is one of five states with equalized funding. Mr. Aguilar noted the different sources of public school revenues, including the Land Grant Permanent Fund, Impact Aid, and the half mill levy. He said it was important to consider all revenue when determining how to provide for equalized funding.

Mr. Aguilar explained the public school program cost. He noted the funding formula determines the program cost amount for each school district and charter school and said every school district and charter school is guaranteed their program cost amount. Program cost is made up of the state equalization guarantee (SEG) distribution and 75 percent offsets for federal impact aid, forest reserve funds and the local half mill levy. Mr. Aguilar said school districts that receive Impact Aid keep all of their Impact Aid funds, but have a reduction to their SEG distribution to account for 75 percent of their Impact Aid receipts. He said the Legislature's appropriation accounts for the offsets from Impact Aid, forest reserve funds, and the half mill

levy.

Mr. Aguilar noted the four components of Impact Aid: basic support payments, payments for children with disabilities, construction payments, and payments for federal property. He noted the state does not take credit for payments for children with disabilities, construction, or the Indian education add-on. To be able to take credit for the 75 percent offset, the state must meet two requirements: the disparity calculation and proportionality calculation. He said the disparity calculations remove factors in the funding formula that provide “unequal” funding, for example special education funding, and then determines if per-student funding generally meets federal requirements for equalization. The proportionality requirements state that if the state takes credit for Impact Aid they must take credit for local tax dollars in the same proportion.

Mr. Aguilar noted school districts that receive Impact Aid actually receive more operational funding than school districts that do not receive Impact Aid. Because the funding formula only offsets 75 percent of the Impact Aid payments, a school district receiving Impact Aid receives the extra 25 percent on top of program cost. He noted that some Impact Aid school districts have said they would like no offset, which is at the discretion of the Legislature, but that would cost about \$59 million.

Senator Brandt asked how school districts with the ability to levy property taxes are allowed to use those funds. Mr. Aguilar noted that school districts are able to tax themselves to pay for general obligation bonds for capital outlay expenditures. School districts may not bond to provide additional resources for the operations of the district because that would create a disequalizing effect. He said they could issue bonds for things like after-school programs, although this was not a wise use of bond money. Senator Brandt asked if the 25 percent of Impact Aid for which no credit is taken could be used for operational purposes and Mr. Aguilar said yes. Senator Brandt said there was a funding disparity because school districts without Impact Aid have no way to raise additional operational dollars. Senator Brandt asked why the state did not decide to allow school districts to keep all of their Impact Aid, but those districts could only use Impact Aid dollars for capital outlay. Mr. Aguilar noted previous law did require schools to use the portion of Impact Aid for which no credit is taken for capital outlay, but at some point the law was changed. Mr. Aguilar noted that although school districts may use the funds for operational purposes, in many cases school districts use Impact Aid funds for nonoperational purposes such as teacherages or student transportation.

The Vice Chair asked if the offset for Impact Aid worked similar to the cash balance credit passed by the Legislature in 2017, where SEG distributions were reduced rather than a school district returning funds to the state. Mr. Aguilar said that was a correct analogy and noted the funding formula takes the same 75 percent offset for the half mill levy. The Vice Chair asked if that meant school districts were also receiving additional funds on top of program cost for the half mill levy and Mr. Aguilar said yes, but noted every school district is required to have a half mill levy.

Representative Thomson noted that although some of the entities that receive higher funding per student are small school districts, some charter schools also receive high funding per student. She asked Mr. Aguilar if he could explain, and he said some charter schools, such as the Albuquerque Sign Language Academy have high special needs populations. Representative Thomson said she understood in that particular case but that not all charter schools were in that situation. Mr. Aguilar said he would need to look at the SEG calculation for other schools to determine why they received high per-student funding. Rachel Gudgel, Director, LESC, noted many charter schools receive higher than average per-student funding because they are generating additional program units for size adjustments and enrollment growth.

The Chair asked if any members of the audience had any questions. Martin Romine, Chief Financial Officer, Zuni Public Schools, noted that most school districts had half mill tax levy

rates that are less than half mills. He said that he understood that to be because of yield control, which was passed after the funding formula was implemented. He noted some taxes are exempt from yield control and asked why the half mill levy for public schools was not exempt. Mr. Aguilar noted Mr. Romine was correct that the half mill levy was subject to yield control but he did not know why that choice was made. Mr. Romine said that his calculations indicate if all school districts levied a full half mill, school districts would receive an additional \$10 million to \$12 million annually.

Stan Rounds, Executive Director, New Mexico Coalition of Educational Leaders, told the committee that the concept of yield control was that property tax collections cannot grow larger than 5 percent. He said the county assessor sets the property tax rate. He noted that when school districts levy SB9 or HB33 taxes, they are also subject to yield control; however, when you have a new election for these taxes the rate is reset. He also noted the mill levy rate was 8.925 mills in the 1970s.

The Chair asked Mr. Rounds what he thought the effect of removing yield control from the half mill levy would be. Mr. Rounds said the concept of yield control would be changed because it would remove the tax containment aspect. Mr. Rounds noted the purpose of yield control was to reduce property taxes but that the Legislature could revisit the issue. Mr. Rounds noted that some in educational community have requested that public school taxes be removed from yield control.

FY17 and FY18 Reads to Lead Awards and Programs. Debbie Montoya, Director, Priority Schools Bureau, Public Education Department (PED), stated Reads to Lead (RtL) is a multi-tiered system of support for students reading below grade level. RtL provided professional development for principals and teachers and a formative assessment in reading for students in kindergarten through third grade. In FY17, 54 school districts and charter schools received funding and served 24,500 students. She added 25 regional reading specialists were hired to support school districts and charter schools. Ms. Montoya indicated more school districts and charter schools received awards in FY18 than in FY17 despite the decreased appropriation. PED awarded \$7.9 million to 62 school districts and charter schools in FY18. Ms. Montoya stated English language arts proficiency rates of students at participating schools increased by 2.3 percent in the 2016-2017 school year, or approximately 0.4 percent over the average of non-RtL schools.

Since January 2017, PED worked with superintendents to refine the state's approach for accessing RtL funding. She said superintendents recommended moving the cut score in the application process to the top third for reading growth and application score. Ms. Montoya said PED responded by funding the top 35 percent in reading growth and the top 45 percent in application score. She stated PED changed the weight from 10 percent to 32 percent based on superintendents' recommendations. Additionally, in response to superintendents, Ms. Montoya said PED reduced the number of state funded reading coaches from 25 to 10 so school districts and charter schools can select targeted supports that focus on results. Based on the collaboration, she said PED streamlined the application process that provides two pathways for RtL funding. Ms. Montoya explained local education agencies (LEAs) in Pathway 1 automatically received funding based on reading growth scores but still had to submit a plan and budget. She said 42 school districts and charter schools received funding pursuant to Pathway 1; LEAs were not obligated to accept the award. LEAs in Pathway 2 were required to submit a competitive application demonstrating a comprehensive plan to increase student reading growth and proficiency. Ms. Montoya stated the application review process for Pathway 2 included an external review committee that included one PED staff and eight experts from the field to objectively score plans. At least two review committee members scored each application using a rubric. Twenty out of 45 applying school districts and charter schools received awards pursuant to Pathway 2.

Steve Aguirre, Director, High Plains Regional Education Cooperative, stated REC 3 contracted with PED to hire regional reading specialists and a coordinator. He added REC 3 also paid the salary and benefits for each reading specialist and coordinator. REC 3 also ensured each regional reading specialist completed and submitted monthly logs to PED.

Bill Green, Superintendent, Reserve Independent Schools (RIS), introduced Terri Jamison, former Reading Specialist for RIS and is currently a Reading Specialist for Silver Consolidated Schools (SCS). He stated RtL worked well when Ms. Jamison came in and helped with implementing "Reading First" which improved one school grade from an F to an A. Mr. Green noted the program works well but concerns exist about the inconsistent funding methodology implemented by PED. He stated RIS was previously a recipient of a RtL award, but this year the school district did not receive funding. He noted RIS was able to maintain the program by hiring a different reading coach with a different funding source.

Ms. Jamison explained the application she developed for RIS included language similar to other funded applications and RIS implemented RtL with fidelity and used data-driven decisions to make improvements. Ms. Jamison stated a comparable school district that received \$100 thousand in RtL funding did not implement RtL with fidelity and did not use the program funds as intended. Ms. Jamison noted RIS worked with their reading specialist to improve student achievement while other school districts did not support the effort.

Kirk Carpenter, Superintendent, Aztec Municipal Schools (AMS), indicated the methodology PED implemented over the past few years to determine RtL awards has been inconsistent and makes it difficult for applicants to be successful with RtL. He noted a committee of superintendents, including himself, collaborated with PED to develop a more consistent system to determine awards annually. Mr. Carpenter said AMS received RtL funding for a number of years, but did not receive any funding in FY17; the district chose to use operational funds in FY17 to hire a reading coach, but he noted their reading coach did not have access to PED-provided professional development through the initiative. He emphasized the need to think about how the professional development could be provided to non-RtL funded reading coaches. He also recommended the Legislature consider a block grant system to build sustainability in a program like RtL.

In response to Senator Brandt's concern that only a portion of the RtL appropriation was distributed to school districts and charter schools, Ms. Montoya indicated the rest of the money was used to fund other reading initiatives that supported all school districts, including the kindergarten through third grade short-cycle reading assessment Istation, professional development, and the governor's books initiative.

Senator Soules stated it was very important to know whether RtL is effective because of the selection process, the additional funding, or the program itself. He asked if PED felt the 0.4 percent increase in reading proficiency was statistically significant and asked if a statistical analysis was conducted. Matt Pahl, Policy Director, PED, said PED has not done a statistical analysis of the results and does not know if they are statistically significant. Ms. Montoya added PED needed more information about what caused the changes because program requirements have been changed over the years. In response to Senator Soules, Mr. Green stated small, rural school districts like RIS that do not generate funding like larger school districts are unable to support programs like RtL with their own funding; he noted without RtL funding they will not be able to provide a reading coach or professional development.

Representative Stapleton indicated Albuquerque Public Schools (APS) is the largest school district in New Mexico with an urban environment and many at-risk students. She added she was surprised APS did not receive an FY18 award because they had received RtL funding in the past. APS applied under Pathway 2 and Mr. Aguilar noted APS's application score was well

below the cut off score of 85 points.

In response to Representative Thomson's concern that PED allocates funding to schools that are performing well but has eliminated funding for struggling school districts, Ms. Montoya stated PED needs to assess whether school districts have a literacy plan in place and are successfully implementing their reading plan to ensure the program is sustainable. Mr. Aguilar also noted prior funding practices that eliminate funding for school districts that improve eliminates the support that has helped them improve. Pathway 1 was intended to continue supporting successful schools and the department would like to move school districts in Pathway 2 into Pathway 1.

In response to Representative Romero's question regarding feedback on application status, Mr. Carpenter said feedback on the application status was not provided when awards were announced but school districts were able to request that information from PED.

In response to the Chair's question regarding clarification of REC 3's role, Mr. Aguirre explained the organization employed the reading coaches, provided health benefits, provided phones and computers, and ensured the reading coaches turned in their monthly time logs. He said REC 3 provided recruiting services for the reading coaches and sent the applications to PED. Mr. Aguirre said PED reviewed the applications, interviewed the prospective applicants, and sent the REC a list of people to hire. Mr. Aguilar added PED is charged with providing technical assistance to school districts and charter schools in the field of education. He said it decreases PED's capacity to support people in the field if the department has to spend money on hiring staff to do administrative things. Regarding the unfulfilled requests about intergovernmental agency contracts with the RECs, the Chair stated LESC will have a hearing this fall on PED's use of the RECs in administering initiatives.

In closing, the Chair highlighted her support for RtL because it provides high-quality professional development and instructional materials to school districts, but she is disappointed with PED's funding methodology. She also noted the inconsistency in criteria and the competitive process is damaging the program; to date \$77 million has been appropriated for RtL and the state has little to show for it. She added poor management by PED and limited legislative access to performance data raises significant questions about below-the-line initiative funding.

There being no further business, the Chair recessed the LESC meeting at 5:15 p.m.

Thursday, July 27

Senator Mimi Stewart, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:14 a.m., on Thursday, July 27, 2017 at the Catherine A. Miller Elementary School, Church Rock, New Mexico.

The following LESC voting and advisory members were present: Voting: Senators Mimi Stewart, Chair, Craig W. Brandt, and William P. Soules; and Representatives Stephanie Garcia Richard, Vice Chair, Alonzo Baldonado, Tomás E. Salazar, James E. Smith, and Sheryl M. Williams Stapleton; Advisory: Senator Linda M. Lopez; and Representatives D. Wonda Johnson, G. Andrés Romero, Debra M. Sariñana, Elizabeth "Liz" Thomson, Christine Trujillo, and Jim R. Trujillo.

The following LESC voting and advisory members were not present: Voting: Senator Candace Gould and Representative Dennis J. Roch; Advisory: Senators Carlos R. Cisneros, Daniel A. Ivey-Soto, Gay G. Kernan, Howie C. Morales, Michael Padilla, and John Pinto; and Representatives D. Lewis, Rick Little, Patricia Roybal Caballero, Angelica Rubio, Patricio Ruiloba, Linda M. Trujillo, and Monica Youngblood.

Senator George K. Munoz and Representative Patricia A. Lundstrom were also in attendance.

International Education Comparisons and Student Performance on the Programme for International Student Assessment (PISA). Michelle Exstrom, Education Program Director, National Conference of State Legislatures (NCSL), described phase one of NCSL's international education study group, which began studying the education systems of the top 10 performing countries three years ago. The *No Time to Lose: How to Build a World-Class Education System State by State* report, written by the international education study group, is a culmination of research and recommendations for states to follow to become world-class education leaders. Ms. Exstrom noted phase one of the project included 22 legislators (11 republicans and 11 democrats) and six legislative staff. The group was tasked with studying the top 10 performing countries and provinces, including Alberta, Ontario, Estonia, Finland, Hong Kong, Japan, Poland, Shanghai, Singapore, and Taiwan.

The United States has struggled to make progress on the Programme for International Student Assessment (PISA), which is a test taken by a select group of 15-year-old students in countries around the world every three years that tests students' knowledge in math, reading, and science. The assessment is an indication of not only what students know, but how students can apply their knowledge in math, reading, and science. The international education study group wanted to make comparisons based on the PISA test between the United States and the other countries that participate in the test. Based on the 2015 PISA results of 72 countries, students in the United States ranked 23rd in reading, 39th in math, and 25th in science. Generally, the United States ranks in the middle of all countries participating in the PISA test. Ms. Exstrom noted the United States is consistently looking for a silver bullet to improve student achievement and to compete with the rest of the world; however, long term planning in collaboration with all stakeholders will lead to the improvement of education in the United States.

Based on the *No Time to Lose* report, she said the top-performing countries have common elements that make them successful. The first common element is children in these top-performing countries come to school ready to learn, and extra support is given to struggling students so that all have the opportunity to achieve high standards. In the majority of these top-performing countries, it is viewed as a societal responsibility that children come to school ready to learn and have ongoing support once they enter school. The students who are struggling receive individualized and intensive support so they can keep up with their peers. The second common element is a world-class teaching profession that supports a world-class instructional system, where every student has access to highly effective teachers and is expected to succeed. Teachers in the top-performing countries often times go through a highly selective recruitment process, receive rigorous induction and mentoring, are better compensated, and have a professionalized working environment where they use self-reflection and only teach students 50 percent to 65 percent of the time. The third common element of the top-performing countries is a highly effective, intellectually rigorous system of career and technical education is available to students who prefer an applied education, and this system is just as stringent as college preparation programs. The fourth common element is individual reforms are connected and aligned as part of a clearly planned and carefully designed comprehensive system.

Ms. Exstrom noted there are potential action steps states can take to work toward a world-class education system, including: (1) building an inclusive team and setting priorities; (2) studying and learning from top education performers; (3) creating a shared statewide vision; (4) benchmarking policies; (5) starting on one piece at a time; and (6) investing the time. Finally, she stated the second phase of the international education study group will continue working over the next two years to determine how to integrate and implement the successful elements into a state's education system. The Chair and LESC director are part of the second phase of the study. Representative Lundstrom asked how much it would cost to restructure a state's education system, and Ms. Exstrom indicated she would forward cost information to the committee.

Representative Smith asked if state legislatures often look at long-term goals and how this could be done. Ms. Exstrom stated that many state legislatures do not look at long-term goals. All stakeholders should be invited to participate in determining long-term goals that can be successful, including the state department of education, state board of education (if applicable), local policymakers, teachers, and parents.

Senator Brandt asked if high-performing countries put the same emphasis on sports as schools in the United States. Ms. Exstrom noted each country is culturally different in what they decide to prioritize, and most countries do not put the same prioritization on sports as the United States does. The high-performing countries generally value education as opposed to sports.

Representative Romero inquired what top-performing countries teach teacher candidates in terms of pedagogy versus content understanding. Ms. Exstrom said there is a conflict in the United States about which is more important. Other countries focus on pedagogy and content knowledge. In high-performing countries, teacher candidates are screened to determine if they have an aptitude for teaching. Teacher candidates in these countries also learn the theory behind the subject and application of the subject, which is often referred to as knowledge application.

Education and the Economy. Marc S. Tucker, President and Chief Executive Officer, National Center on Education and the Economy (NCEE), stated from the mid-19th century to the 1970s, the United States outpaced the world in terms of educational attainment. Beginning in the 1970s in the United States, educational attainment growth stopped, productivity growth drastically slowed down, and family income remained steady. Additionally, the United States had low-wage, low-skill workers in manufacturing; whereas, there were people at every skill level in other parts of the world who were educated the same and could do similar work for much less money. Currently, in the United States, there are a lot of jobs lost to outsourcing and automation. Given these circumstances, states began to implement education reforms and increased spending on education; however, states did not receive a return on this investment as student test scores on the National Assessment of Educational Progress (NAEP) remained stagnant. Mr. Tucker noted high-performing countries choose for their citizens to engage in high value work that requires higher skills and to be paid with higher wages. All of these components will require each country to maintain a world-class educated workforce.

To enable such a world-class education system to exist in New Mexico, a system must be created based on the state's jobs market in partnership with the higher skills and standards needed to accomplish such a system. Mr. Tucker stated there are nine fundamental principles from high-performing countries that can be implemented to create and sustain a world-class education system. The first building block to creating a world-class education system is strong supports for children and their families, which includes comprehensive supports for families with young children; full, affordable daycare, preschools, and early childhood education; and additional services for low-income, vulnerable families. For instance, many countries provide free or affordable prekindergarten, which can significantly assist low-income families.

The second building block is to provide more resources for at-risk students. The United States is the only advanced country in which children of higher income families get more financial support than low-income children. Mr. Tucker stated this would require a state to hire more teachers and to require some of the best teachers to teach in schools serving disadvantaged students. The third building block is encouraging states to move in the direction of a world-class, highly coherent instructional system, which includes internationally benchmarked student performance standards, matching curriculum frameworks, using state course syllabi based on these frameworks, and using essay and open ended type exams based on the syllabi. He noted students' learning should focus on how to apply concepts and knowledge as opposed to memorizing materials for tests. He also recommended students should only be tested a maximum of three times in the student's academic career.

Mr. Tucker stated the fourth building block to creating a world-class state education system is to create qualification systems with multiple pathways for students, which require the end of each program to match up with the requirements for beginning the next stage. He recommended creating a qualification system that enabled opportunities to change directions or to combine qualifications. He also noted that many countries did not have high school diplomas, as students in other countries are not awarded for just showing up to school. The fifth building block requires each state to have an abundant supply of highly qualified teachers. Mr. Tucker recommended states should recruit most teachers from the upper segment of high school graduates. Additionally, states should move teacher preparation programs into research universities, and require more selective entrance requirements into these programs. The sixth building block requires schools to be organized and managed well to attract high-quality candidates to the teaching profession. Teachers should be given more time to work together in teams to improve school performance. This can be accomplished through a strong, continuous improvement system.

Mr. Tucker noted the seventh building block to creating a world-class education system is establishing an effective system of career and technical education (CTE) and training. CTE programs must be built on high levels of student academic performance with a strong apprentice component. It is important to build a partnership with local businesses and other qualified employers for the apprentice component. Highly qualified instructors are needed to lead the programs using modern equipment. He noted the eighth building block is to create a leadership development system that develops leaders who can manage such systems effectively. This is an opportunity for professional growth and mentoring for teachers. Finally, the ninth building block is having a coherent governance system capable of implementing effective systems at scale. He emphasized roles at each level need to be clear and complementary and people must be held accountable throughout the system.

To conclude, Mr. Tucker stated it is important to remember the following if a state wants to create and sustain a world-class state education system: (1) get highly effective teachers in front of every student; (2) set high expectations for all students and teachers; (3) create a first rate curriculum; (4) treat teachers like professionals; (5) give teachers good leadership and enough support; (6) establish effective incentives; and (7) spend money appropriately for maximum return.

Representative Thomson asked how the top-performing countries work with students with disabilities. Mr. Tucker stated, with the exception of Finland, students with special education needs are identified less in the top-performing countries. For instance, students with special education needs are identified at a rate of about 10 percent to 12 percent in the United States, whereas, special education students are identified at approximately 5 percent to 6 percent in high-performing countries. He noted the research suggests the United States has labeled some students with special education needs who should not have been labeled in this manner. He said the very act of labeling them as special education students far outweighs the benefits they receive with such a status. Betsy Brown Ruzzi, Vice President, NCEE, and Director, Center on International Education Benchmarking, stated students with special needs in high-performing countries tend to remain in mainstream classrooms. Additionally, teachers who teach students with special needs are required to meet additional prerequisites before they obtain their teaching license. Ms. Ruzzi noted Finland identifies 38 percent of its student population to receive some special education services. Mr. Tucker noted students in Finland do not have the stigma of being labeled as requiring special needs as U.S. students do.

Representative Salazar asked Mr. Tucker about his recommendation that teacher preparation programs should only be located in research universities, and Mr. Tucker noted to take this as a principle, and do not necessarily worry if the program is in a research university per se. It is more important to establish stronger admission requirements for teacher preparation programs.

For instance, Finland has a multi-step teacher admission process, including examination of the student's paper record, interviews conducted by teachers and a principal to establish if the teacher candidates have the compassion to be teachers, and finally each teacher candidate is put into a situation to see how they relate with students. If the teacher candidate cannot relate to the students, they are no longer a part of the program and will not become teachers.

Senator Soules asked if high-performing countries have school choice for their students, and Mr. Tucker stated school choice is an option in high-performing countries. The world leaders in school choice are the Netherlands, Belgium, New Zealand, and Sweden.

The Chair asked how states could best move forward to establish stronger CTE programs. Mr. Tucker noted NCEE and Maryland moved forward to strengthen the state's CTE programs. Ms. Ruzzi worked in collaboration with Maryland to conduct a gap analysis, which required the state to compare their current system with the nine building blocks mentioned during Mr. Tucker's presentation. Each building block was analyzed specifically, and Maryland's current system was also compared with the top-performing countries. Based on this analysis, Maryland was able to create and sustain an education model that best met its unique CTE needs.

The Chair thanked Mr. Tucker for his presentation, and noted the committee looked forward to working with him in the future. Finally, committee members were given the opportunity to meet in small groups to discuss Mr. Tucker's presentation and possible next steps in implementing his recommendations to creating a world-class state education system.

NACA Inspired Schools Network. Kara Bobroff, Principal, Native American Community Academy (NACA), and Executive Director, NACA Inspired Schools Network (NISN), began by sharing the origin of NACA, which is the indigenous-based charter school model used in NISN. She noted she would focus on the unique mission of NACA, history of the school, and how the establishment of the school inspired a network process to work with community members in tribal communities to establish other schools. NACA was created by a group of urban Native Americans in Albuquerque who were interested in serving Native American students better. Its mission is to engage students, educators, families, and the community in creating a school that will prepare its students to grow from early learning to adulthood and begin strengthening communities by developing strong leaders who are academically prepared, secure in their identity, and healthy. The school opened kindergarten and first grade in the 2016-2017 school year and will be serving kindergarten through second grade and sixth through 12th grade in the 2017-2018 school year.

Ms. Bobroff noted NACA serves students from 62 tribes and 18 ethnicities. Each student is assigned an advisor who works with the student on their goals and how they will progress through the school. NACA offers five tribal language programs. The curriculum includes a culture-based education focused on a holistic wellness philosophy and guided by community needs. In 2012, NACA had an overall graduation rate for all students at 54.1 percent; however, Native American males were significantly lower at 44.4 percent. Ms. Bobroff stated after seeing the low graduation rate for Native American males, NACA implemented a program that was centered on culture, experiential service learning, counseling, and advisement for these young men. After four years of the program, the graduation rates for Native American males increased to 64 percent in 2016.

NISN focuses on three priorities to expand its network, including sharing best practices and providing technical assistance, teacher training, and the NISN fellowship. The network created Growing Educators for Native American Communities (GENAC), in collaboration with Central New Mexico Community College (CNM), which is an alternative teacher preparation program. To date, NISN has had approximately 15 fellows in New Mexico, Oklahoma, and South Dakota. NISN trains and develops community leaders as fellows to engage their community in the process of indigenous education. Ms. Bobroff noted not every fellow opens a charter school.

Fellows also focus on charter school development, improving school design in an existing public school, or transitioning a school from Bureau of Indian Education-controlled to a tribally controlled school. During the two-year fellowship, fellows receive training in program development, leadership development, business operations, holistic wellness, and promoting culture and language.

Louella Poblano, Head Administrator, Dzil Ditl'ooi School of Empowerment, Action, and Perseverance (DEAP), stated DEAP was established to provide a rigorous, culturally relevant 21st century learning environment for students. DEAP's curriculum focuses on service learning for the community, project-based learning, and empowerment in culture for its 24 students. She discussed in detail student proficiency rates in math, reading, and language, where students are struggling to reach proficiency. Ms. Poblano mentioned there are mentors from the community who help students learn through traditional means. To conclude, she noted DEAP has challenges regarding low-student enrollment, development of facilities, and financial and business operations.

Tom Genné, Principal, Six Directions Indigenous School, stated the school is committed to a culturally relevant education and interdisciplinary project-based learning, including holistic wellness. He provided examples of student projects based on this curriculum, including traditional architecture, ecological changes due to uranium mining, and tribal language classes. Mr. Genné noted the school is focused on developing a family advisory committee. There are also additional challenges facing the school, including low-student enrollment, obtaining food services, and student transportation. The main goal of the school is to empower students academically and culturally on their unique needs.

The Vice Chair asked how NISN measures academic and cultural achievement of the students in its network schools. Ms. Bobroff noted charter schools in the Native American context are different from traditional charter schools because there is an aspect of tribal sovereignty that must be taken into account. Charter schools in NISN were developed based on each community's collective vision and mission. Culture-based education and curriculum can be measured using the Quad survey, which measures qualitative aspects of a student's education including perspectives on student achievement and culture. NISN uses the Quad survey, which includes 60 questions, focused on each school's specific mission. Once the survey data is collected, each charter school is given the results. After the schools receive the survey results, each school will develop an instructional plan that highlights their mission-specific goals and develop a year-long professional development plan using the understanding by design method.

The Vice Chair asked if NISN is in the beginning stages of promoting what a culture-based education for Native American students should be. Ms. Bobroff noted the network is aiming to continuously improve in every aspect of support it offers NISN charter schools. NISN has an indigenous hub, which all schools in the network have access to, and offers best practice models on culture-based education.

Representative Christine Trujillo asked if the Public Education Commission (PEC) is investigating one of the schools in NISN, and Ms. Bobroff noted the PEC will be reviewing DEAP, and the school has a hearing set for August 7. PEC will see how the school is progressing and if there has been any progress made regarding how the school business and fiscal management is functioning. DEAP hired a new business manager recently.

Chair Stewart asked Ms. Bobroff what her role is in the network. Ms. Bobroff noted the network has grown into its own entity. For two years, she has worked with the network and NACA. This coming school year, she will transition to the network full-time and lead a staff of seven who are working collectively on trainings, supporting current NISN fellows, and supportive current NISN schools. Ms. Bobroff noted NISN does not manage the schools in the network as each

charter school is its own independent entity.

The Chair asked if each school comes before the PEC alone or with NISN by its side. Ms. Bobroff noted typically each school stands alone before the PEC with their governing council chair and head administrator. However, NISN staff will be present at the PEC hearings if requested by the charter school.

There being no further business, the Chair recessed the LESC meeting at 4:51 p.m.

Friday, July 28

Senator Mimi Stewart, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:11 a.m., on Friday, July 28, 2017 at the Catherine A. Miller Elementary School, Church Rock, New Mexico.

The following LESC voting and advisory members were present: Voting: Senators Mimi Stewart, Chair, Craig W. Brandt, and William P. Soules; and Representatives Stephanie Garcia Richard, Vice Chair, and James E. Smith; Advisory: Senators Linda M. Lopez and John Pinto; and Representatives D. Wonda Johnson, G. Andrés Romero, Patricio Ruiloba, Elizabeth “Liz” Thomson, and Christine Trujillo.

The following LESC voting and advisory members were not present: Voting: Senator Candace Gould and Representatives Alonzo Baldonado, Dennis J. Roch Tomás E. Salazar, and Sheryl M. Williams Stapleton; Advisory: Senators Carlos R. Cisneros, Daniel A. Ivey-Soto, Gay G. Kernan, Howie C. Morales, and Michael Padilla; and Representatives Joanne J. Ferrary, David M. Gallegos, Jimmie C. Hall, Timothy D. Lewis, Rick Little, Patricia Roybal Caballero, Angelica Rubio, Debra M. Sariñana, Jim R. Trujillo, Linda M. Trujillo, and Monica Youngblood.

Representatives Derrick J. Lente (presenter) and Patricia A. Lundstrom were also in attendance.

Educating New Mexico’s Native American Students. Representative Derrick Lente, House District 65, presented an overview of House Bill 484 (HB484) from the 2017 regular legislative session. He stated HB484 amended the Indian Education Act to require historically defined Indian impacted school districts to conduct a needs assessment to determine what services are needed to assist Native American students in graduating and becoming college or career ready. HB484 also required these school districts to meet with local tribes to prioritize the needs of Native American students in closing the achievement gap by making Native American students’ needs a priority in the school district budget and required these school districts to develop and publish a systematic framework for improving the educational outcomes for Native American students. He stated HB484 is requesting accountability and transparency for Native American education. Although the governor vetoed HB484 as an unfunded mandate, Representative Lente stated he looks forward to reintroducing the bill again when the time is appropriate.

Ted S. Jojola, Professor, School of Architecture and Planning, University of New Mexico, stated the *Indian Education in New Mexico, 2025* study was conducted in 2007 and released to the public in 2010. The study used an indigenous protocol to begin meaningful and respectful conversations in tribal communities. Focus groups were conducted. The study focused on three distinct types of profiles including school districts with students from specific tribes, Native American charter schools, and schools with a high percentage of Native American students. The study was primarily focused on best practices for Native American students to receive a culturally responsive education. The study found that teaching and living experiences for Native American students are connected, and this provides a foundation where culturally relevant education can help Native American students succeed academically and culturally. Native American students prefer curriculum to be tied back to their community because they can relate to it. To conclude, Dr. Jojola noted some things have changed since the study was first released to the public, including the infusion of technology, more school choice options,

and the migration of Native Americans into urban areas.

Latifah Phillips, Assistant Secretary of Indian Education, Public Education Department (PED), stated the Indian Education Division's (IED) mission is to increase student academic and cultural achievement. IED conducted a year-long listening session with tribal communities to determine the priorities of the division, which included attendance and truancy, college and career readiness, cultural competency and culturally responsive education, maintenance of language and support for English learners (ELs), and systems alignment between public schools and Bureau of Indian Education schools. Ms. Phillips highlighted IED's college- and career-readiness initiatives. Specifically, IED revised the Native American educator pipeline to be statewide and not location-specific. The purpose of this initiative is to recruit and retain Native American teachers to come back and teach in their tribal communities. Additionally, IED is creating a social studies curriculum that integrates tribal history into secondary history standards and is in the process of developing cultural competency training for school-based staff across the state. IED has developed the Native American Research Alliance, in collaboration with other state Indian education offices, to continue the work to support Native American ELs.

Ms. Phillips noted PED included a requirement for tribal consultation at the local level when it submitted its final Title I state plan under the federal Every Student Succeeds Act to the U.S. Department of Education.

In conclusion, Ms. Phillips noted IED is working on making the process for grants from the Indian education fund better. Tribes, school districts, and charter schools can apply for a grant to support Native American students in any of the IED priority areas. Ms. Phillips noted the process was changed to a competitive process this year for better accountability. In previous years, some tribes, school districts, and charter schools did not meet the grant application deadlines and just submitted applications indicating how they wanted to spend the money. This created concerns in terms of accountability and a growing Indian Education Act fund balance. This year, IED focused on establishing outcomes for the grants. Next year, she noted the quality of the grants will increase and applicants will improve outcomes for Native American students.

Representative Lundstrom noted the Legislature has been funding the Indian Education Act for over 14 years and asked if IED could provide documentation regarding Native American academic success. Ms. Phillips was not able to offer documentation for improved Native American academic success. However, Ms. Phillips indicated there is a lot of work to do that can be accomplished through strengthening the local consultation processes. IED has conducted more training on data use for tribal departments of education. Representative Lundstrom noted accountability for the Indian Education Act would be on the Legislative Finance Committee's agenda in the future.

The Vice Chair noted the importance of accountability and tracking funds that are linked to something that can be measured. She also noted IED's listening session report did not include the dire urgency to improve Native American student academic achievement. She asked if IED had conversations during the listening session on Native American student proficiency rates. Ms. Phillips indicated the listening session report focuses on IED's current initiatives. This is a collaborative effort between IED, school districts, and tribes. Native American students are wondering why they attend school. They need to see a connection between their tribal community, their tribe, and the school district. This stronger local collaborative effort can help increase Native American academic success.

Senator Soules asked Ms. Phillips if she was aware of Educators Rising out of New Mexico State University. Ms. Phillips noted three school districts received funds this past school year to attend the Educators Rising training.

Senator Soules asked Ms. Phillips about what effective accountability measures are to justify the

grant funding for the Indian Education Act. Ms. Phillips noted it is difficult to adequately measure successful programs in a qualitative way. She stated this is something IED struggled with in the latest round of grants.

Rosalyn Carroll, Education Specialist, Jicarilla Apache Tribal Department of Education, provided an overview of how the Indian Education Act came into existence. The New Mexico Indian Education Act was enacted in 2003 and more than 14 years later, Native American students are still struggling academically. She noted there are concerns with the quality and collaboration between tribes and school districts. To identify a solution, the Jicarilla Apache developed an academic status report focused on student achievement rates for their tribal students enrolled in Dulce Independent Schools. The status report contains baseline student achievement data, which can be used to identify areas of strength and improvements needed to close the Native American achievement gap.

Shelly Chimoni, Education Coordinator, Zuni Education and Career Development Center, stated concerns with Native American education included student achievement gaps, lack of support for bilingual education, promoting culturally relevant curriculum, and a lack of college and career readiness for Native American students. She noted HB484 provided a great opportunity for tribal education departments and local school districts to partner and collaborate to improve Native American student academic success. This local partnership can also provide an opportunity to address additional needs of students outside of school.

Darrick Franklin, Education Program Manager, Navajo Nation Department of Diné Education, stated the Navajo Nation has a good working relationship with New Mexico school districts that enroll a significant number of Navajo students, including Gallup-McKinley County Schools (CMCS), Central Consolidated Schools (CCS), and Grants-Cibola County Schools. The Navajo Nation Department of Diné's number one priority is to improve Navajo students' academic achievement. As a result, the Navajo Nation submitted the Diné School Accountability Plan, and it was approved by the U.S. Department of Education in 2016. The plan includes Navajo Nation content standards and is currently being piloted in GMCS and CCS.

There being no further business, the Chair adjourned the LESC meeting at 12:39 p.m.