

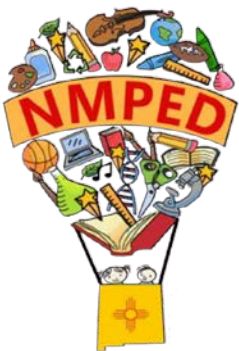
Update on Martinez and Yazzie Lawsuit Technology Ruling

Presented to the Legislative Education Study Committee

Chair: Sen. Bill Soules

Vice Chair: Rep. Andrés Romero

October 5, 2021



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Martinez/Yazzie Ruling

On May 18, 2021, Judge Wilson issued a ruling in the Martinez/Yazzie lawsuit ordering the state to immediately provide at-risk students and teachers of at-risk students in the 23 court-identified “focus districts” with:

1. Access to Digital Devices
2. Access to High-Speed Internet
3. Sufficient IT Staffing

The judge ruled that without these components, students in the 23 focus districts do not have access to their constitutionally guaranteed *sufficient* and *adequate* education.

Opportunities for Federal Funding

Emergency Broadband Benefit

- Internet subsidies for low income families.
 - Up to \$50 per month for low-income households.
 - Up to \$75 per month for households on tribal lands.
 - Up to \$100 toward a device.
- Applications are open now at [getemergencybroadband.org](https://www.getemergencybroadband.org)

Emergency Connectivity Fund

- Extension of the federal E-Rate program for schools and libraries.
- Provides hotspots, modems, routers, and devices.
- Initial applications closed on August 13.
- The FCC opened a second application window September 28, applications due by October 13

NM Student Connect Initiative

- Partnership between PED, CTC, and MAStrategies.
- Assist PED and New Mexico School districts by guiding district needs assessments and connecting districts to resources.
- Since the partnership began...



- Over **52 thousand** New Mexico families qualified for the Emergency Broadband Benefit. Low-income New Mexico families will receive **over \$2.6 million per month** in federal funding to subsidize internet subscriptions
- New Mexico school districts have applied for and will receive **\$66.7 million** from the ECF to provide devices and internet service to disconnected students. More applications are expected during the new application window.

Early Signs of Success

New Mexico is leveraging a greater proportion of the Emergency Broadband Benefit than its neighbors, BUT we can do more.

State	Population	Number of People Registered for EBB	Percent of Population Registered for EBB
New Mexico	2,117,522	54,220	2.56%
Texas	29,730,311	413,824	1.39%
Arizona	7,520,103	159,389	1.38%
Colorado	5,893,634	63,019	0.88%
Mississippi	2,961,279	63,173	2.13%
Kansas	2,937,880	35,158	1.20%
Nebraska	1,961,504	18,425	0.94%
Idaho	1,839,106	12,575	0.68%

Source: CTC

Figure 1: Locations of students without adequate internet access

Step 1: Identify disconnected students

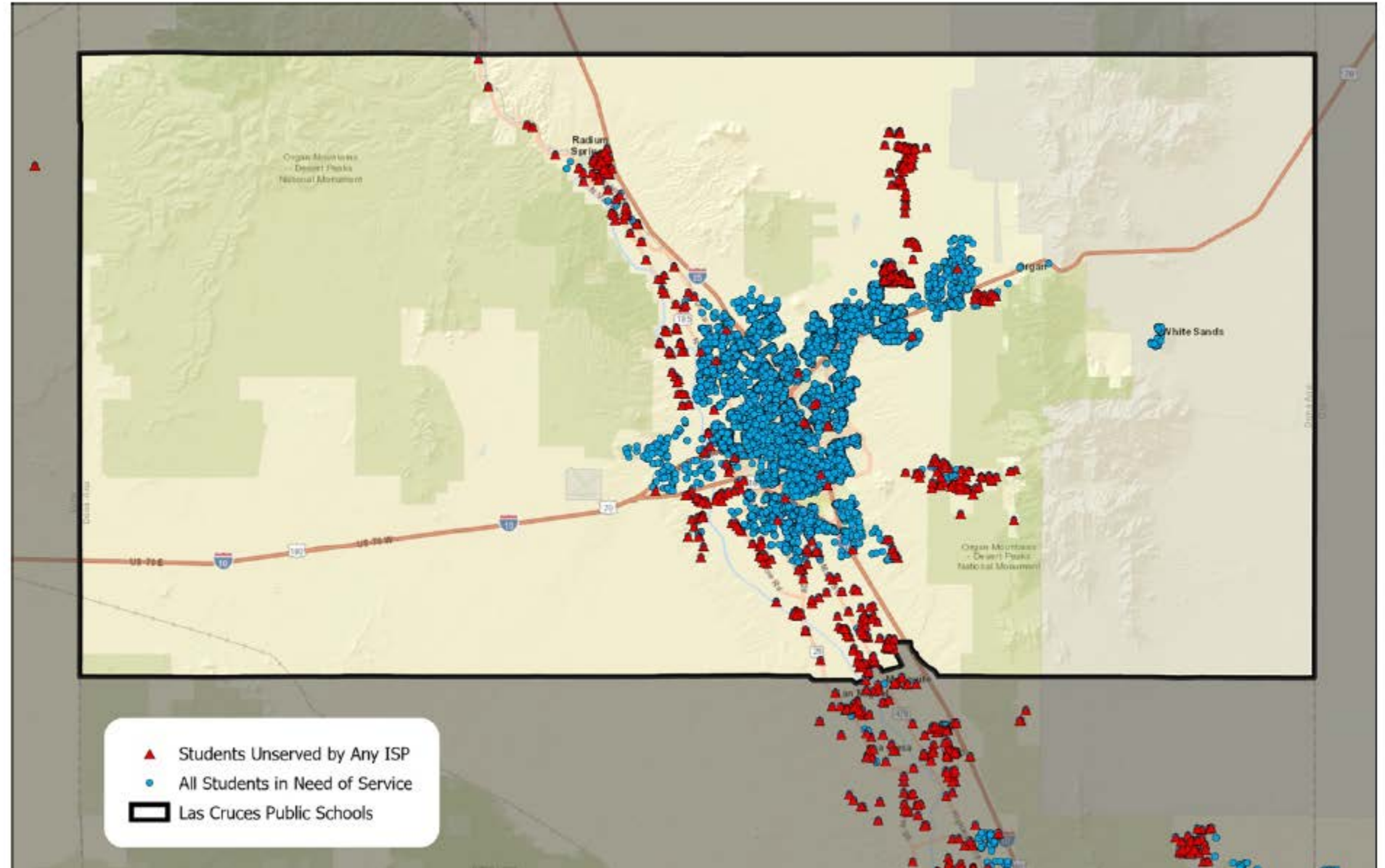
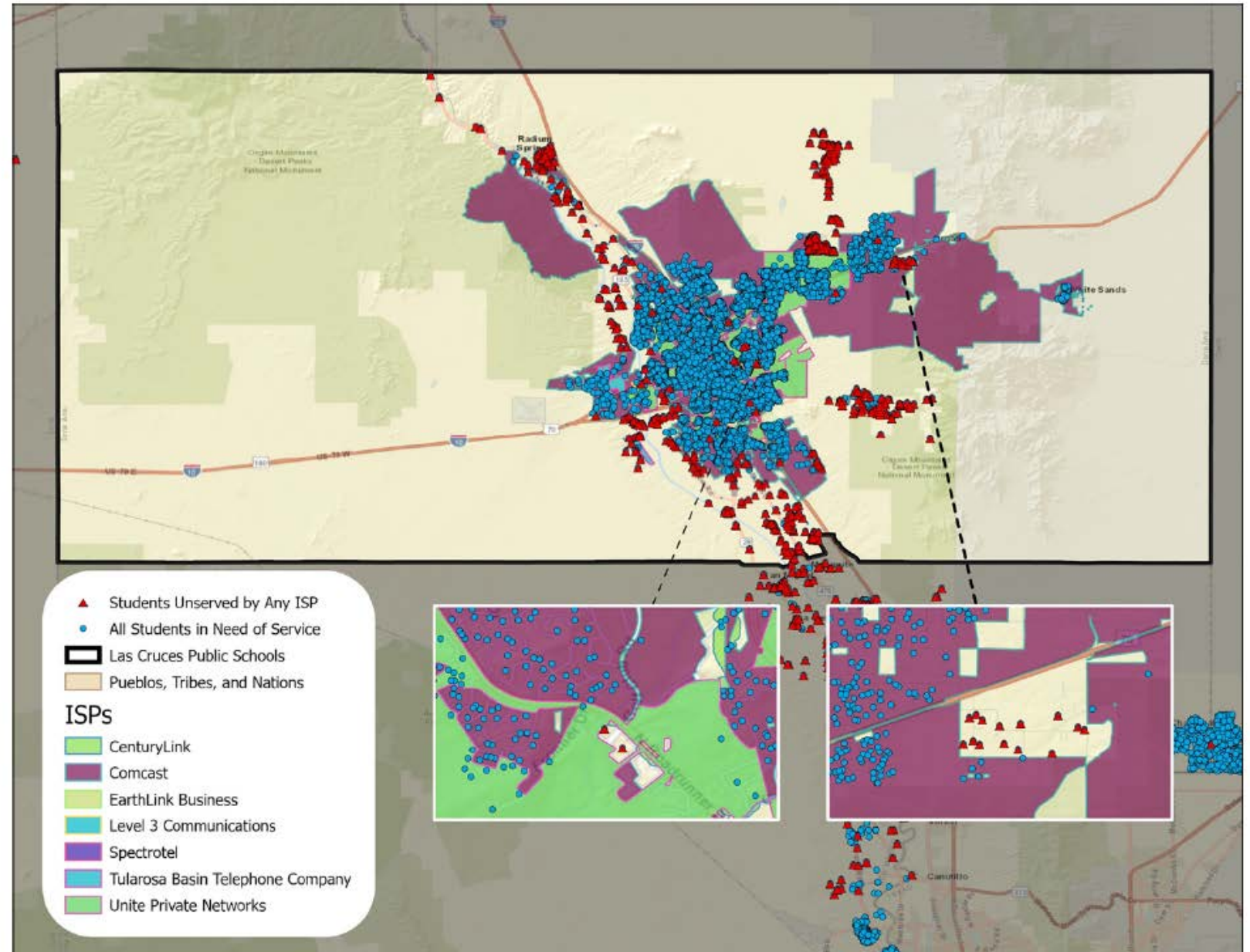


Figure 2: Internet service availability in proximity to students without adequate internet access

Step 2: Identify providers to connect disconnected students



Step 3: Create District-by-District Cost Estimates

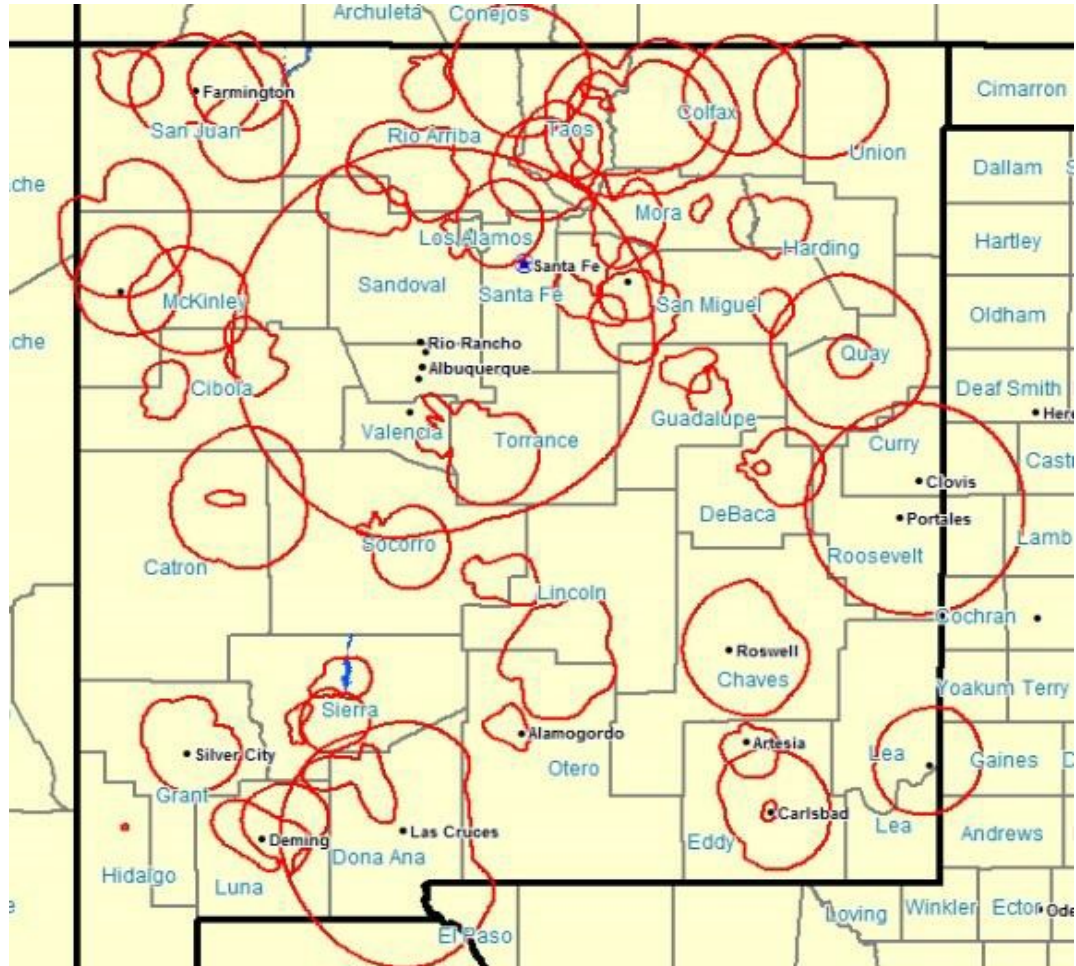
Sample cost estimates – Las Cruces Public Schools

Table 2: Estimated costs to close student internet access and device gaps

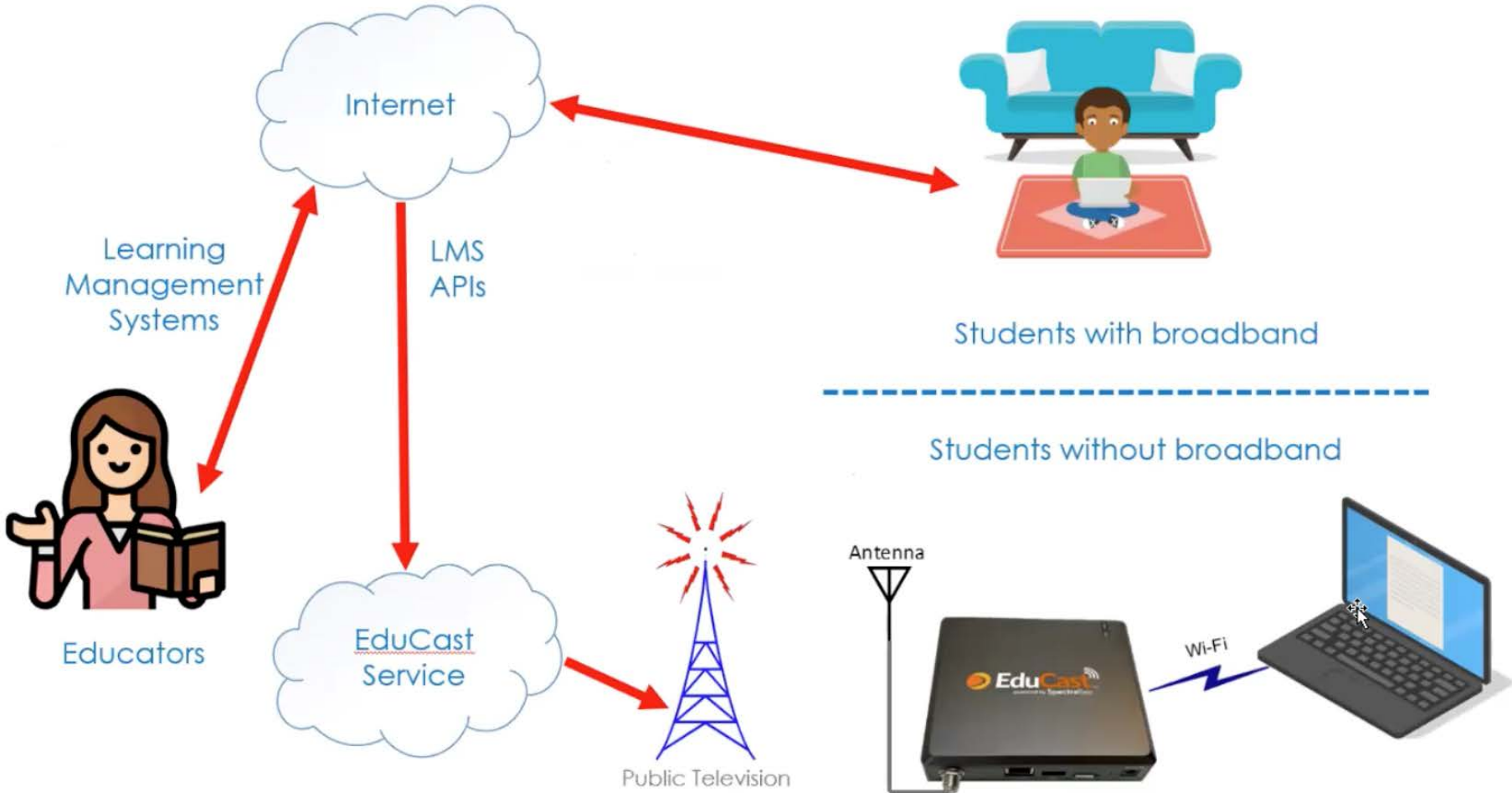
Product	Number of units	Equipment cost per unit	Total equipment cost	Monthly cost per unit	Service cost for 10 months	Total cost
Connectivity (Comcast)	16,198	\$0	\$0	\$10	\$1,619,800	\$1,619,800
Connectivity (hotspots) ²	3,156	\$60	\$189,360	\$15	\$473,400	\$662,760
Connectivity (Starlink)	1,189	\$500	\$594,500	\$100	\$1,189,000	\$1,783,500
Devices ³	11,500	\$400	\$4,600,000	\$0	\$0	\$4,600,000
Total			\$5,383,860		\$3,282,200	\$8,666,060

Another Solution: Datacasting

- Immediate solution for students without broadband access.
- Use Public Television signals to broadcast internet content.
- Currently piloting in 5 districts with 100 families each
 - Begin scaling to all 23 focus districts in October 2021
 - Begin scaling to *all districts* in March 2022.



Datacasting: How it Works



Preliminary IT Staffing Costs

- In-School IT Staffing
 - One IT staff per school $\$80,000 \times 867 \text{ schools} = \69.4M
 - One IT staff per district $\$150,000 \times 143 \text{ LEAs} = \21.5M
 - **Total Cost** = **\$90.9M**
- Regional Education Cooperative (REC) Consortium-Based Approach
 - Estimated costs at \$100 per student.
 - Use large school districts as IT staffing hubs - **Total Cost = \$31.3M**
- Blended Approach
 - Large districts staff IT in-school (~366 schools) = \$24.3M
 - Small districts collaborate in regional consortia = \$14.2M
 - **Total Cost** = **\$38.5M**

IT Staffing Opportunities

- We will have better data soon:
 - Connectivity needs were added to STARS data collection this year.
 - By December, we'll know more about district IT staffing patterns and needs.
- Skilled IT professionals are few and far between:
 - Districts and schools may have success building “grow your own” IT staff models – this is career technical education!
 - Partnerships with community colleges could help fill IT staff positions
 - The private sector and National Labs may see value in growing young IT staff.



Key Takeaways from Recent Legislative Hearings

- Statewide broadband is a collaborative **multi-agency effort**.
- PED fills a gap that other agencies cannot fill:
 - ✓ DoIT is focused on internet for state agencies
 - ✓ PSCOC and PSFA are focused on internet infrastructure
 - ✓ PED and the NM Student Connect partnership are helping school districts **immediately** address student connectivity at home
- New Mexico needs a **long-term strategy** to address student connectivity in the home.

Statutory Foundation

- In 1994, LESC endorsed and the Legislature passed the “Technology for Education Act”
 - Modeled after Instructional Materials Act
 - Provided for categorical distributions from an “educational technology fund”
 - Created an “educational technology bureau” at PED and an “educational technology council” of administrators, teachers, parents, and students
 - Required districts to develop “strategic, long-term plans” for using technology
 - Has not been enforced in many years, needs some clean-up.
- The Act may provide a strong foundation for educational technology distributions in the future.

Considerations for the Path Forward

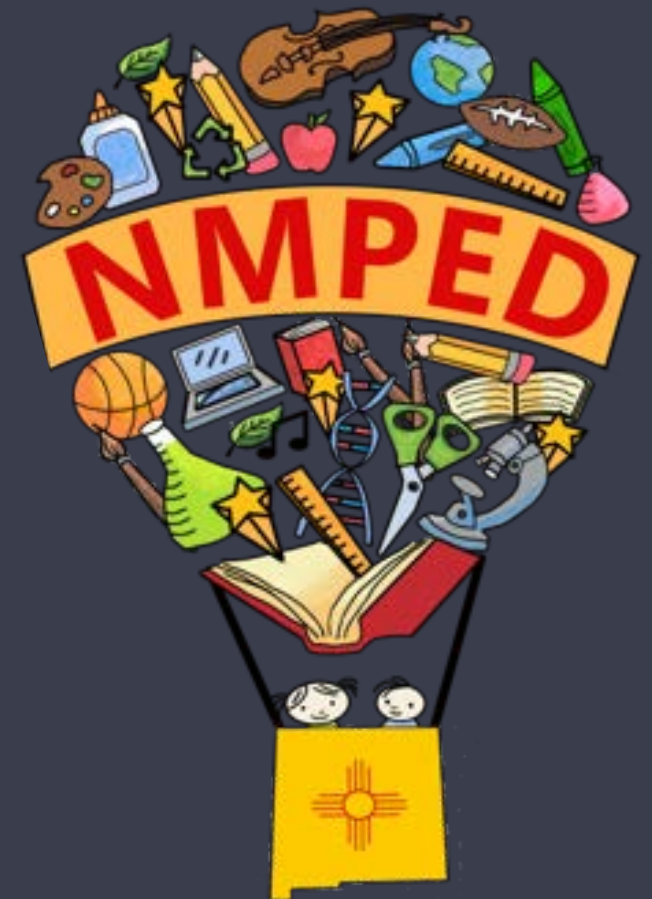
- ***Provide universal connectivity at home.*** Ensure every student and teacher has access to
 - ✓ A personal computing device;
 - ✓ High-speed internet; and
 - ✓ Sufficient IT staffing.
- ***Collect data on local needs.*** LEAs applying for funding will submit an application identifying students who are disconnected and detailing an IT staffing plan.
- ***Flexible funding.*** Grants to school districts should meet the individual and varied needs identified in each district's plan.

Considerations for the Path Forward (pt. 2)

- ***Empower other agencies.*** Once authored, district learning technology plans can become a powerful tool for long-term infrastructure awards from PSCOC or the NM Connect Council.
- ***Incentivize Effective Use of Technology.*** Districts should be able to demonstrate how technology will be used to improve student outcomes, including:
 - ✓ A description of how learning technology supports each school's educational program
 - ✓ Learning technology professional development for educators
 - ✓ Provide support for families to gain digital literacy

Thank you!

Q&A



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