

Best Practices for Results Focused Government

Results-Focused Leadership

- Articulating a results-focused strategy
- Asking for evidence
- Acting on evidence

Evidence Related Strategies

- Developing learning agendas
- Creating an evaluation policy
- Using rapid experimentation
- Making contracts and grants results focused

Performance Management

- Using performance information
- Implementing strategic planning
- Weaving a performance focus into budgeting
- Collaborating within government

Using Data

- Data sharing

Background

The purpose of the Accountability in Government Act (AGA) is to provide for more cost-effective and responsive government services by using the state budget process and defined outputs, outcomes and performance measures to annually evaluate the performance of state government programs. The AGA traded budget flexibility for information about how state agencies economically, efficiently, and effectively carry out their responsibilities and provide services. Prior to the AGA, agency appropriations were tightly controlled by the Legislature with attention paid to individual budget line items and incremental spending of salaries, office supplies, travel, etc. After the AGA, the focus switched to results as measured by performance (inputs, outputs, outcomes, etc.). To facilitate reviews of agency performance, the Legislative Finance Committee (LFC) staff developed a dashboard report, a report card, to add emphasis and clarity to the reporting process and focus budget discussions on evidence-based initiatives and programming. Report cards and associated analysis of performance has continued to serve policymakers and the public well on how New Mexico state government delivers services. Performance reports serve as a key linchpin in the Legislative Finance Committee's overall "Legislating for Results" policy and budgeting framework. However, agencies have not widely adopted practices for "Managing for Results" and thus sometimes struggle to effectively implement evidence-based programs funded by the Legislature or operate services effectively and efficiently.

The LFC has long held hearings on performance reports, inviting agencies to present on their performance results and action plans for improvement, or staff led presentations on the state's performance overall. While informative, the meetings are often driven by an agency narrative that may not effectively answer legislative priorities. A meeting on state performance overall provides a significant amount of information that helps inform future decision making but the hearing is not set up to directly influence agency management practices.

LegisSTAT

LFC staff are proposing to build on the existing Legislating for Results framework through a first of its kind legislatively driven performance improvement hearing process called LegisSTAT. PerformanceSTAT meetings are a longstanding tool used by leadership to drive performance improvements at the federal, state, and local levels. Often, the STAT meetings are held by executive leadership and focus on high priority performance challenges. The meetings take a subset of specific performance metrics and focus on specific actions managers can, and do, take to make improvement until performance improves to a satisfactory level.

A couple of key differences exist between LFC's performance hearings and STAT meetings – a STAT meeting is more collaborative and less "agency-driven", there is a greater emphasis on action plans and reporting actions taken from the last meeting, and there is a regular schedule of meetings. Typically, in an executive setting, STAT meetings occur frequently, either weekly or monthly, neither of which is realistic, nor desirable, for a legislative hearing schedule. The legislature cannot, nor should it, attempt to manage agency day to day operations. But, the legislature and its committees can and should exercise its oversight responsibilities in a manner that produces better results.

The “Five Whys”

The “five whys” is an investigatory method used to determine the root cause of an issue. Rather than the traditional five “W” questions to simply gather information (who, what, when, where, and why), the five whys allow a questioning legislator to uncover core causes of performance problems and illuminate potential solutions.

Elements of a Good Action Plan

A key element of the LegisSTAT process is asking an agency to articulate its plan to address key performance trends. An agency can do this by building a quality action plan for its quarterly AGA data reporting. A quality action plan includes:

- Measurable goals and timelines
- Specific language and detailed actions for improvement
- A responsible party named for each goal
- Actionable goals logically connected to larger agency mission

The proposed LegisSTAT process seeks to have regularly scheduled time to focus on a key set of LFC priority performance issues, starting with economic recovery coming out of the COVID-19 public health emergency, and collaborate with agencies in a way to drive performance improvements for New Mexicans. The LegisSTAT process would focus on a core set of performance metrics, hold regular time slots for performance discussion with agency leadership (at least quarterly), follow up on action items from the last meeting, and review results for improvement. The discussions could lead to policy or budget recommendations to aid in improvement.

Key hearing questions for each LegisSTAT meeting could include:

- What do we know about the trends?
- What is the agency doing to proactively tackle this issue or challenge?
- What could we expect by the next meeting?
- The “five whys” (see sidebar)

Other examples of the STAT process

The PerformanceSTAT process originates from New York City Police Department’s CompSTAT, Baltimore’s CitiSTAT, and Maryland’s StateSTAT, but PerformanceSTAT has since spread into all types of federal, state, and local governments.

- Colorado’s Department of Human Services uses a PerformanceStat approach, called C-Stat, to examine data on a monthly basis in C-Stat meetings. Together, departmental executive leadership and staff identify positive trends and opportunities for improvement. Divisions determine strategies for improvement and implement these strategies, while executive leadership helps reduce barriers to the divisions’ success.
- Wisconsin’s Department of Children and Families run KidSTAT as the department’s performance management approach. Data-driven reports and information are shared at KidSTAT meetings where department leadership and program staff hold each other accountable for program outcomes.
- The federal Department of Housing and Urban Development runs HUDSTAT performance management process, which is comprised of a series of executive-level meetings at which granular data from across the department are examined and progress towards the achievement of a particular performance goal is analyzed.

Public Education

Background Information

Math and reading proficiency rates have long been key measures of student academic success. In the *Martinez-Yazzie* education lawsuit, the court used these two measures as primary indicators for educational sufficiency. Prior to FY20, the Public Education Department’s (PED) use of PARCC reading and math tests for school and teacher accountability faced opposition due to the lack of timely and meaningful feedback on results and use of test scores for personnel decisions. Although the court used PARCC scores as a key measure of sufficiency, PED switched to a new test called MSSA in FY20—interrupting the continuity of performance measurement. School closures and federal waivers in FY20 and FY21 delayed implementation of the MSSA test, resulting in two years of no standardized academic data during a period of significant investment in public schools and lost instructional time.

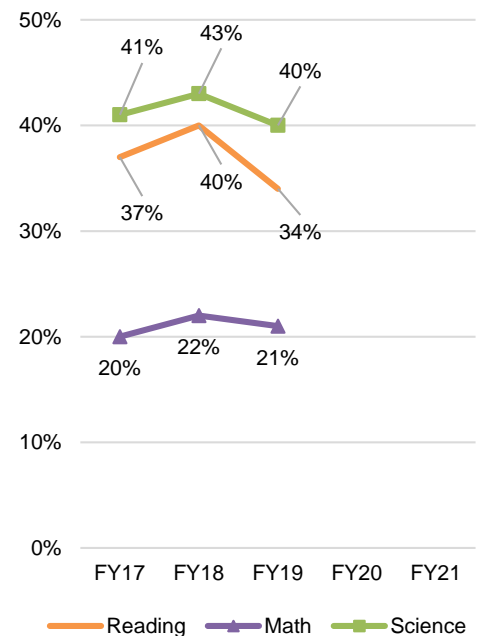
Problem Statement

Student Performance Data. Despite significant expansion in education technology for testing during the pandemic and new capabilities with MSSA to deliver quick results and interim testing, PED has not required assessments as schools return to in-person instruction. Preliminary data from other states and some New Mexico data suggests overall student academic achievement has worsened over the pandemic, increasing the urgency to help students recover lost instructional time.

The Legislature, PED, and public lack regular information throughout the school year on student academic performance. Even more now, PED needs to ensure schools are serving at-risk students with appropriate interventions, such as extended instructional time, and measuring academic progress regularly to make informed decisions on how to improve student outcomes.

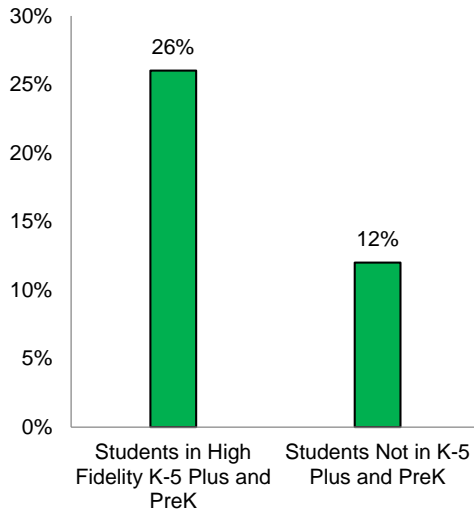
Extended Learning. New Mexico’s key legislative interventions to make up lost instructional time, K-5 Plus and Extended Learning Time Programs (ELTP), remain underutilized. Court findings in the *Martinez-Yazzie* lawsuit highlighted the lack of funding for these programs to close the achievement gap. After making enough funding for all at-risk students to participate, however, schools chose not to enroll in the programs, citing teacher and community pushback on a longer year.

Student Proficiency Rates

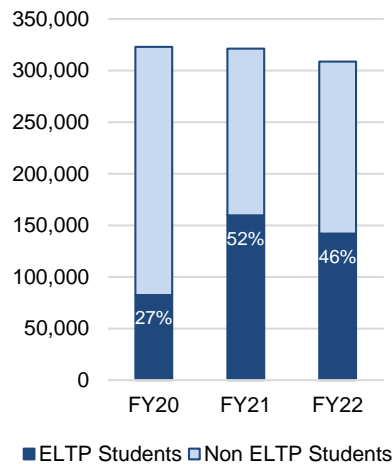


Near-Term Leading Indicators

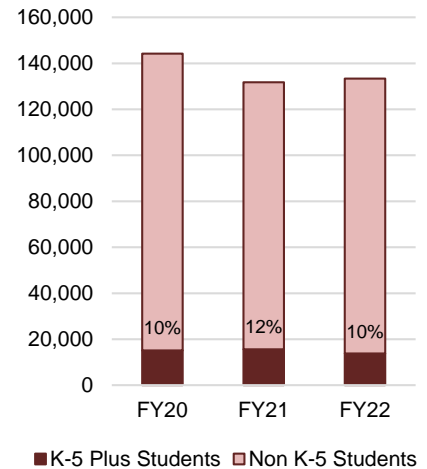
Economically Disadvantaged Student Reading Proficiency Rates



Extended Learning Time Program Participation (all students)

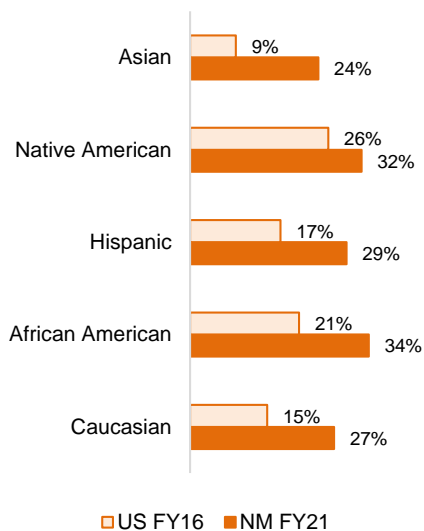


K-5 Plus Participation (K-5 students only)



Chronic Absenteeism Rates

(Students missing 10% days)



Performance Trends:

- **Student Performance Data.** Nearly all education performance metrics are reported annually (often lagged one year), leaving no time for meaningful or proactive corrective action.
- Economically-disadvantaged students are more likely to be absent from school and historically perform worse on all academic metrics.
- **Extended Learning.** Participation in K-5 Plus continues to fall, with only 10 percent of elementary school students projected to be enrolled for FY22.
- At-risk students in evidence-based programs like prekindergarten and K-5 Plus show better academic gains than nonparticipating peers, with stronger improvements for those participating in both programs.

Suggested Questions:

- **Student Performance Data.** When will the department start requiring interim assessment using the MSSA test?
- What metrics of student success can the department use other than math and reading scores and how frequently can these metrics be reported?
- **Extended Learning.** What is the department doing to increase the number of schools participating in K-5 Plus or Extended Learning Time Programs?
- How is the department supporting schools in their use of federal American Rescue Plan funding to address learning loss?
- How is the department addressing student chronic absenteeism, particularly for at-risk students?

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Performance Management

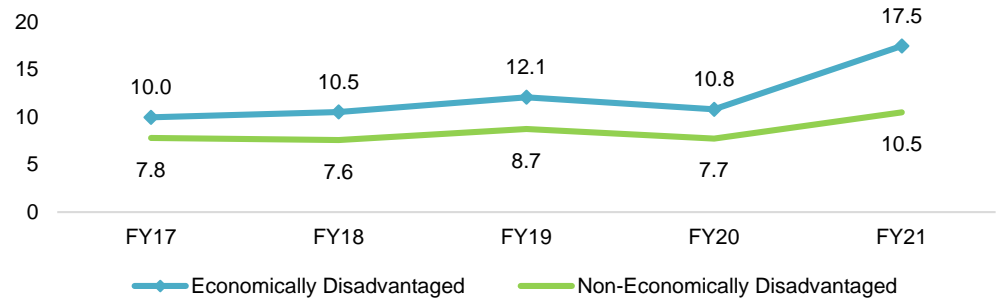
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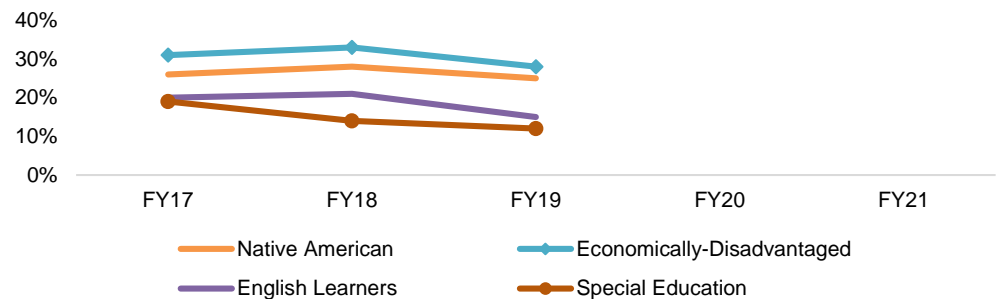
- Data sharing

Long-Term Outcomes

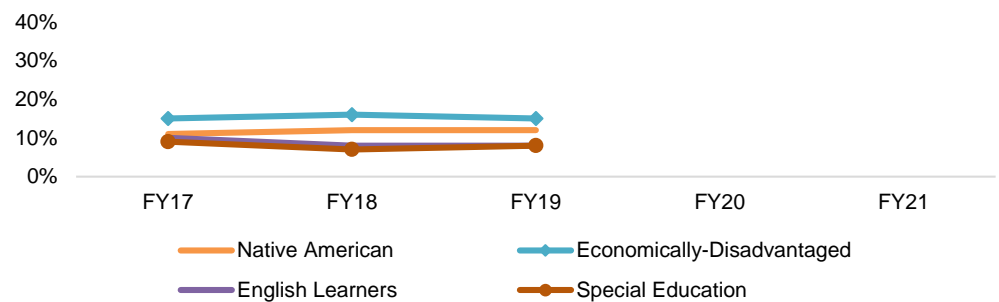
Average Number of Days Students are Absent Each Year



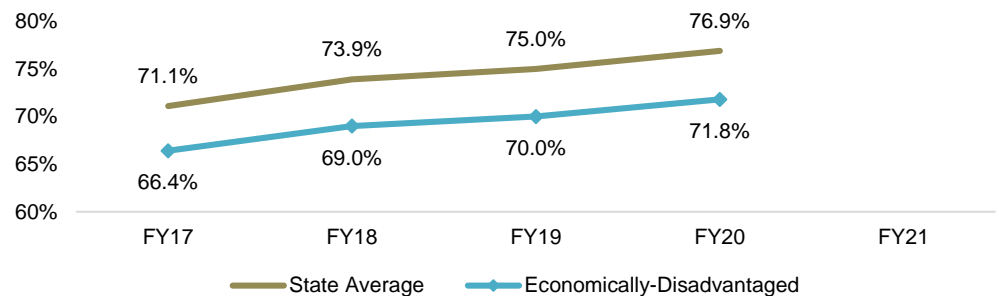
Reading Proficiency Rates for At-Risk Students

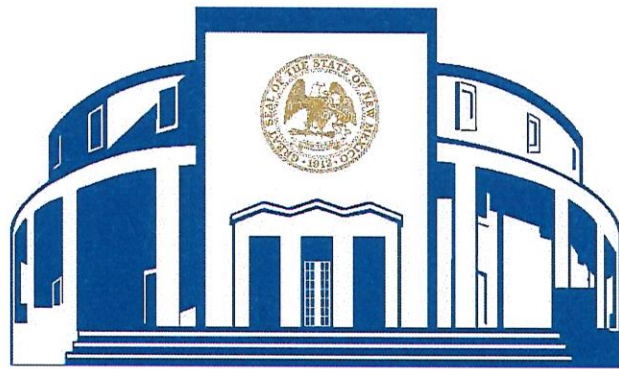


Math Proficiency Rates for At-Risk Students



4-Year High School Graduation Rates





NEW MEXICO
LEGISLATIVE
FINANCE
COMMITTEE

Public Education Subcommittee

Accountability and Flexibility for At-Risk Interventions and Additional Instructional Time

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Overview

- **At-Risk Interventions**
 - Court Findings and Order
 - Current Practices: NMDASH, At-Risk Personnel
 - Considerations
- **Additional Instructional Time**
 - Current Practices: K-5 Plus
 - RAND Study
 - Considerations



Court Orders At-Risk Interventions

Martinez-Yazzie Lawsuit Findings:

The state has failed to provide at-risk students:

- Adequate funding through at-risk index formula and federal Title I dollars
- Prekindergarten, K-3 Plus, and extended school year programs
- Highly effective teachers
- Counselors, social workers, or staff to address student social and health needs
- Sufficient programming for English learners
- Adequate instructional materials
- Monitoring and oversight by PED to ensure money is allocated for at-risk programs
- Digital devices, internet, and IT staff for remote learning during closures

Court Order:

“...every public school in New Mexico would have the resources, including instructional materials, properly trained staff, and curricular offerings, necessary for providing the opportunity for a sufficient education for all at-risk students.

The new scheme should include a system of accountability to measure whether the programs and services actually provide the opportunity for a sound basic education and to assure that the local districts are spending the funds provided in a way that efficiently and effectively meets the needs of at-risk students.”



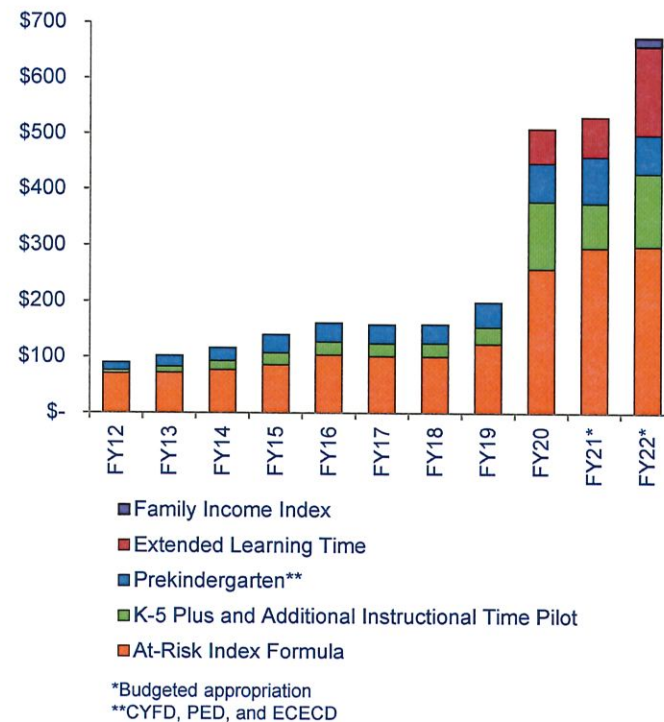
Legislature Invests in At-Risk Students

At-Risk Funding Uses

- case management, tutoring, reading interventions and after-school programs that are delivered by social workers, counselors, teachers or other professional staff;
- culturally relevant professional and curriculum development, including those necessary to support language acquisition, bilingual and multicultural education;
- additional compensation strategies for high-need schools;
- whole school interventions, including school-based health centers and community schools;
- educational programming intended to improve career and college readiness of at-risk students, including dual or concurrent enrollment, career and technical education, guidance counseling services and coordination with post-secondary institutions; and
- services to engage and support parents and families in the education of students.

\$300 Million For These Services At Local Discretion

At-Risk Student Program Funding
(in millions)



Source: LFC Files



At-Risk Spending is not Targeted

Plaintiffs' Witness, Dr. Stephen Barro:

Testimony noted at-risk funding is...

- Treated as general purpose revenue, not a targeted resource for at-risk students
- Reported broadly but not audited by PED to ensure proper use
- Allocated indirectly, rather than directly, to at-risk students (as defined by the court)
- Generated based on district-level poverty rather than school-level poverty rates

Key Suggested Questions:

- Which specific at-risk students were served?
- How many such students were served?
- What specific services were provided?
- How much service did the students receive?
- Who were the service providers and how much were they paid?
- What other costs were incurred?
- What were the total costs and costs per student served? What were the net extra costs of the services?



At-Risk Plans for Largest Districts are Mixed

Primary FY20 At-Risk Budget Uses

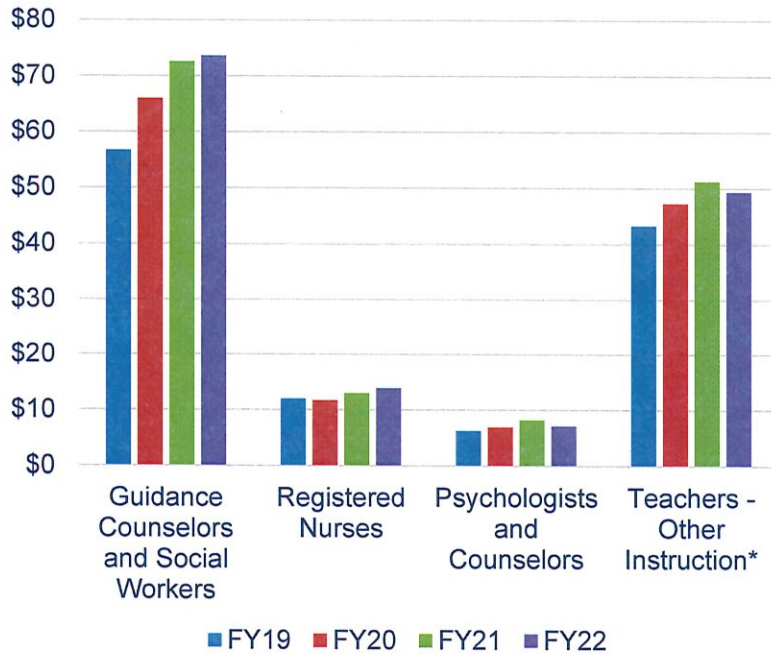
- **Albuquerque:** Social and health services personnel, special education, resource teachers, reading and math interventionists, assistant principals, and deans of students
- **Las Cruces:** Bilingual education staff and programs
- **Gadsden:** Bilingual teachers and special education instructional assistants
- **Gallup:** Early childhood teachers and instructional assistants
- **Santa Fe:** Nurses, counselors, social workers, and teachers
- **Farmington:** Social workers, nurses, and culturally and linguistically responsive training
- **Roswell:** Direct classroom instruction
- **Rio Rancho:** Special education teachers and staff
- **Hobbs:** Special education, afterschool programs, bilingual teachers, and social workers
- **Clovis:** Career technical education, counselors, bilingual teachers, social workers, principals, and alternative learning

District	FY20 At-Risk Funding
ALBUQUERQUE	\$64,649,039
LAS CRUCES	\$17,172,206
GADSDEN	\$15,618,807
GALLUP	\$14,409,671
SANTA FE	\$8,951,144
FARMINGTON	\$8,123,761
ROSWELL	\$7,837,339
RIO RANCHO	\$7,573,408
HOBBS	\$7,348,168
CLOVIS	\$6,186,873



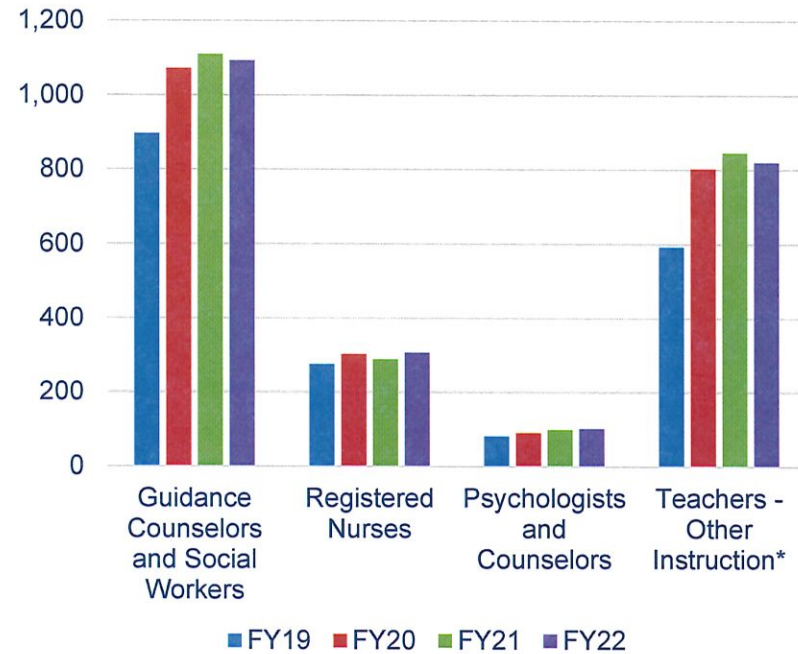
At-Risk Staffing Levels have Increased

New Mexico School Salary Expenditures
(in millions)



*Bilingual/TESOL and Alternative (At-Risk) teachers.
Source: OBMS

New Mexico School FTE



*Bilingual/TESOL and Alternative (At-Risk) teachers.
Source: PED Worksheets 4 and 5



State Lacks Strong Oversight Mechanisms

PED and schools use the NMDASH system for reporting on educational and school improvement plans

- Department lacks capacity to conduct timely on-site audits or provide meaningful assistance to all schools
- Reviews are typically compliance-oriented
- Data and performance metrics are not comparable across the last 3 fiscal years
- PED and schools are currently working on definitions for the universal chart of accounts to track data in a uniform way

The screenshot displays the NMDASH interface for reporting on educational and school improvement plans. The interface shows a sidebar with navigation options: Plan, Monitor, Reports, Files, Resources, and Learning Modules. The main content area displays 'Reports' for 'All Schools - Current 90-Day Plans'. A dropdown menu is open for 'A Montoya Elementary' (August 11, 2021 - December 17, 2021). Under 'FOCUS AREAS', 'Layer 1 (core) Instruction (per NMI/MLSS guidance) - ELA, Math' is selected. A table shows progress for 'Critical School' (Completed 3 of 4, Overall 0). The table has columns for DATE, PROGRESS, and ADJUSTMENTS & SUPPORTS NEEDED. Two rows are visible: one for 09/15/2021 and one for 10/20/2021. The 10/20/2021 row includes a link for 'Data-driven instruction (DDI) - ELA, Math'.



Policy and Budget Considerations

1. **Expand PED capacity to review, audit, and evaluate budgets and plans**

- a) PED's FY23 request includes \$754 thousand for budget and evaluation staffing

2. **Earmark at-risk funding for restricted uses**

- a) New appropriations for at-risk students can be targeted to specific staffing (e.g. counselors, nurses, etc.) or programs (e.g. tutoring, attendance coaching, etc.)
- b) State can consider requiring a local match to ensure sustainability

3. **Simplify reporting to focus on the most important data**

- a) GAA 2021 contains eight additional PED and school reporting requirements that could be removed or consolidated



Instructional Time Requirements are Mixed

New Mexico has unequal learning time across schools.

- Average FY22 base instructional days:
 - 5-day school week districts: 176.6 days
 - 4-day school week districts: 149.9 days
 - State and local charter schools: 167.2 days
- K-5 Plus and Extended Learning Time Program, add calendar days to the year; however statute requirements are in hours rather than days and participation is mixed
- A loophole in the K-5 Plus and instructional hour statute has allowed some districts to provide less learning time but still generate additional funding

Section 22-2-8.1 NMSA 1978

Instructional hour requirements (excludes lunch):

- **Grades K-6:** 5.5 hours per day or 990 hours per year
- **Grades 7-12:** 6 hours per day or 1,080 hours per year
- Can count home visits or parent-teacher conferences as instructional time (K: 33 hours, Grades 1-6: 22 hours, Grades 7-12: 12 hours)
- Requirements waived for charter schools



State has many Extended Learning Options

K-5 Plus

+20 days to 25 days for Elementary Schools

- 13,778 students (13 districts, 8 charters), or 10% participation

K-5 Plus 140 pilot

+140 hours for Elementary Schools

- 6,378 students (4 districts)

Extended Learning Time Program

+8 days to 10 days for All Schools

+80 hours of professional development

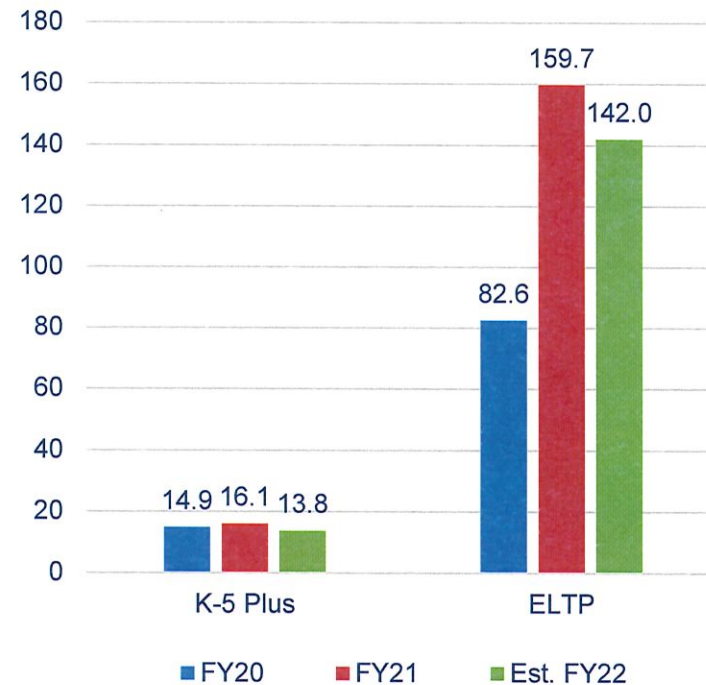
+Afterschool programs

- 141,999 students (45 districts, 73 charters), or 52% participation

Federal ESSER 20% ARP initiatives

- Summer learning or enrichment, extended day, afterschool program, or extend school year

Estimated Student Participation
(in thousands)

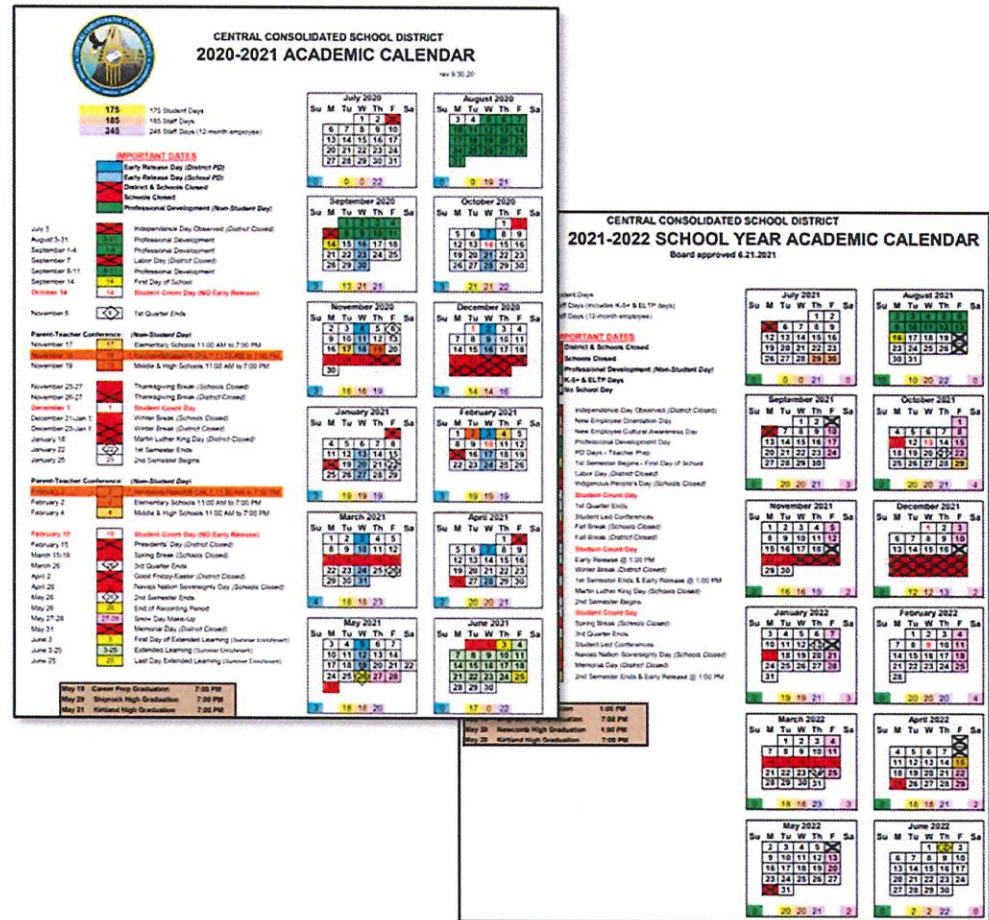


Source: PED, LFC Files



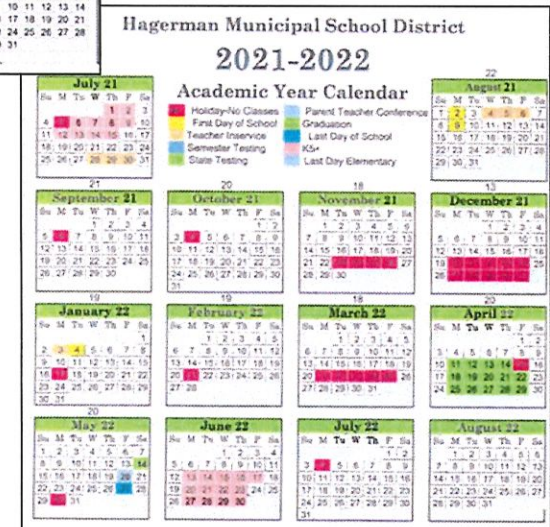
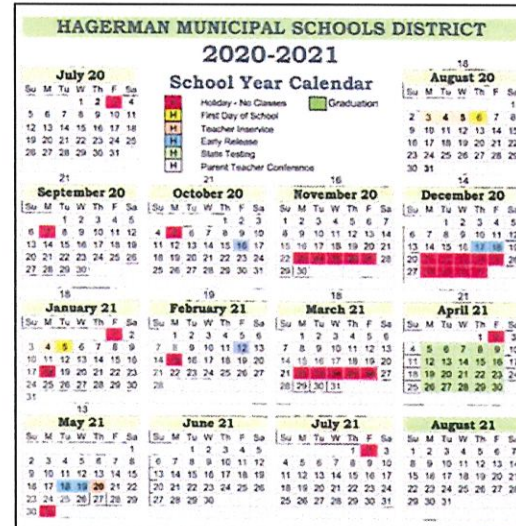
K-5 Plus Implementation at Central

- In FY21, Central Consolidated School District (CCSD) had a 5-day school week and provided **175 days**
 - 175 base instructional days
 - 6.5 hours per day
 - 1,138 total hours
- In FY22, CCSD switched to a 4-day school week, applied for K-5 Plus, and provided **175 days**
 - 150 base instructional days
 - 25 K-5 Plus days
 - 7 hours per day
 - 1,217 total hours
- Difference is **77.7** more hours but **5 fewer** days; **1 less** summer week



An FY22 Exemplar: K-5 Plus Implementation at Hagerman

- In FY21, Hagerman Municipal School District (HMSD) had a 5-day school week and provided **179 days**
 - 179 base instructional days
 - 6.7 hours per day
 - 1,199 total hours
- In FY22, HMSD stayed with a 5-day school week, applied for K-5 Plus, and provided **205 days**
 - 180 base instructional days
 - 25 K-5 Plus days
 - 6.7 hours per day
 - 1,374 total hours
- Difference is **175 more hours** and **26 more days**; **5 fewer summer weeks**



2021 RAND Study on 4-Day Week

- Recent study of four-day school week (4dsw) districts in New Mexico and other states shows a disconnect between perceived and actual benefits
- Overall, communities supported 4dsw, and families reported more time with students at home
- Student achievement trends were mixed, but generally negative; achievement would have grown more if schools had maintained 5dsw
- Schools had no significant difference in attendance rates, behavior and emotional well-being, or cost savings.

Summary of Findings for Factors Playing a Role in Policy Decisions Regarding the Four-Day School Week

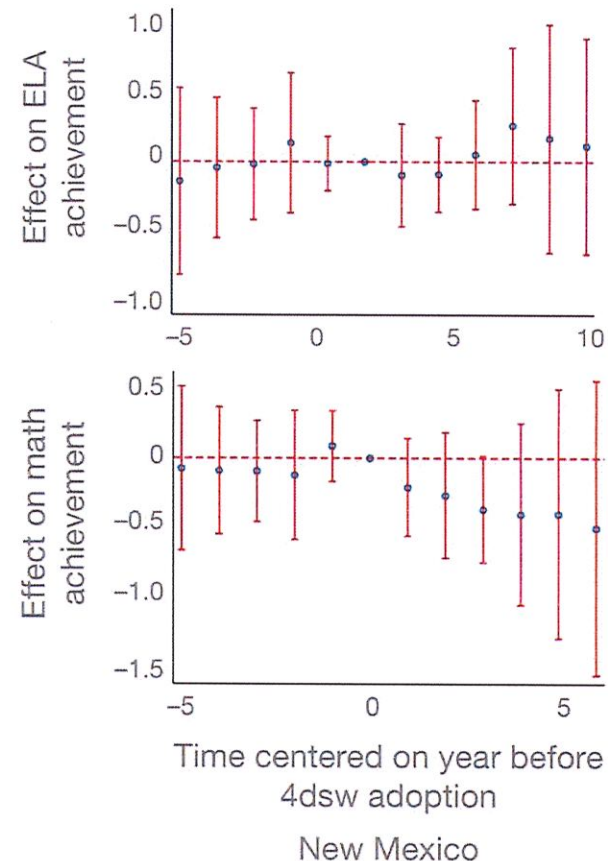
Factor	Qualitative Finding	Quantitative Finding
Districts save money/reallocate funds (small amount)	Positive	N/A
Recruit and retain teachers	Positive	N/A
Teacher attendance	Positive	N/A
Satisfaction with the 4dsw	Positive	Positive
Students have additional time to spend with family	Positive	Positive
Student attendance	Positive	No difference
Behavioral and emotional well-being	Positive	No difference
Parent stress	Positive	No difference
School climate	Positive	No difference
Sleep and fatigue	Positive/negative ^a	Positive/no difference ^b
Student achievement	Positive/no difference/negative ^a	Negative/no difference ^c
Food insecurity	No difference	No difference
Family resources	No difference	No difference
Student enrollment	No difference	No difference
Physical activity	N/A	No difference



2021 RAND Study on 4-Day Week

- Overall, after 3 years of adopting the 4dsw, districts saw:
 - **0.040** to **0.096** standard deviations* **lower** English language arts (ELA) achievement
 - **0.069** to **0.140** standard deviations **lower** math achievement
 - Achievement trends in future years continued to decline
- New Mexico students in 4dsw districts saw inconclusive changes in ELA achievement and lower performance in math achievement

*A standard deviation of 0 is generally equal to the national average of performance for all students in that grade



Policy and Budget Considerations

- 1. Increase the annual instructional hour requirement over 3 years and reinstate moratorium on 4dsw**
 - a) Increase the instructional hour requirement to the equivalent of universal ELTP in FY23 and expand to the equivalent of K-5 Plus by FY25
 - b) Prohibit schools from switching to a 4-day school week
 - c) Sunset K-5 Plus and ELTP in FY25 and adjust minimum salary levels accordingly

- 2. Cap instructional hours per day with some exceptions**
 - a) Limit instructional hours each day to ensure optimal learning periods for students and sufficient time for afterschool programming and educator collaboration
 - b) Authorize PED to waive hour requirements for high-performing schools (highest proficiency percentiles and narrow achievement gaps for at-risk students)
 - c) Allow ELTP provided by pueblos, tribes, and nations to count toward hour requirements

- 3. Provide additional instructional time support**
 - a) Allow PED to increase formula weight for ELTP for smaller districts
 - b) Extra stipends to educators for planning, preparation, and transition to new calendars



Thank You

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More LFC Budget and Policy Documents can be found at:
<https://www.nmlegis.gov/Entity/LFC/Default>

