

**MINUTES**  
**Legislative Education Study Committee**  
**New Mexico Institute of Mining and Technology**  
**Fidel Center, Room 302**  
**Socorro, New Mexico**  
**August 30 – September 1, 2021**

August 30, 2021

The following voting and advisory committee members were present: Voting: Chair William P. Soules, Vice Chair G. Andrés Romero, Representatives Alonzo Baldonado, T. Ryan Lane, and Susan K. Herrera, and Senators Gay Kernan, Harold Pope, Jr., and Mimi Stewart.

Advisory: Representatives Kelly K. Fajardo, Joanne J. Ferrary, Tara Lujan, Patricia Roybal Caballero, and Elizabeth “Liz” Thomson, and Senators Siah Correa Hemphill, and Shannon D. Pinto.

**Call to Order and Introductions.** Chair Soules called the meeting to order.

On a motion by Representative Lane and a second by Senator Kernan, the committee approved the August-September agenda and June and July minutes with no opposition.

**Welcome Remarks: New Mexico Tech.** Stephen G. Wells, Ph.D., president of New Mexico Institute of Mining and Technology (NMT), began by acknowledging a new partnership with New Mexico Math, Engineering, and Science Achievement (MESA), a pre-college program to prepare students for science, math, and engineering careers, and a new outreach program at NMT to connect with K-12 schools. Mr. Wells’ presentation covered three main topics: the current status of the NMT campus regarding Covid-19, student successes and challenges at the university, and an overview of the NMT campus and the university’s course offerings and performance.

In describing the NMT response to the pandemic, Mr. Wells stated masks must be worn in buildings, except when someone eats or drinks. Mr. Wells went on to note a 70 percent vaccination rate campus wide, highlighting that 80 percent of all staff are vaccinated and 65 percent of students are vaccinated. Staff and students who have not been vaccinated are given the choice of getting vaccinated or completing a weekly Covid-19 test. Since the beginning of the pandemic, New Mexico Tech (NMT) has had 87 Covid-19 cases. Mr. Wells noted the campus currently had six active cases among both employees and students, but has had no community spread at the campus during the pandemic.

Mr. Wells said while enrollment has declined at the university in recent years, it increased for the first time in the fall of 2021. He stated NMT had doubled its graduation rate in the past four years, crediting this to strategies such as, for the first time, offering needs-based scholarships, enhancing recruitment from two-year colleges, creating an academic affairs outreach program to connect NMT with K-12 education, and working to retain students through all four years of their college education. Mr. Wells noted

sponsored research activity generated about \$98 million in funding for NMT during the 2020 – 2021 school year and its state appropriation was about \$27 million for the same year. In its class of 2020, 86 percent of the students at NMT were from New Mexico; upon graduation, about 50 percent of undergraduates from NMT stay in New Mexico upon graduation.

**School District and Charter School Use of Federal Funds.** Sunny Liu, fiscal analyst, Legislative Finance Committee (LFC), discussed current federal stimulus aid for education, eligible expenditures and allocation requirements for federal stimulus funds, and budgeted expenditures, plans, and spending trends in New Mexico’s school districts and charter schools. Mr. Liu noted that in response to Covid-19, Congress established three major sub-funds of the Education Stabilization Fund (ESF) to support emergency education needs. These sub-funds include the Elementary and Secondary School Emergency Relief (ESSER) fund, the Higher Education Emergency Relief (HEER) fund, and the Governor’s Emergency Education Relief (GEER) fund.

New Mexico received three rounds of federal ESSER aid. The first round, received as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, totaled \$108.6 million. The second round, received as part of the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, totaled \$435.9 million. The third round, received as part of the American Rescue Plan (ARP), totaled \$979.1 million. In total, New Mexico schools have received \$1.5 billion in ESSER funds, which must be spent by schools relatively quickly. The CARES deadline is September 22, 2022, the CRRSA deadline is September 30, 2023, and the ARP deadline is September 30, 2024.

Mr. Liu stated that at least 90 percent of ESSER funds flow through the Public Education Department (PED) directly to school districts and charters based on federal Title I poverty rates. PED can withhold 9.5 percent of ESSER funds to reallocate for statewide needs and use 0.5 percent for overhead expenses. Only Roy Municipal Schools and Mosquero Municipal Schools do not receive Title I funding. These school districts are provided an allocation from PED’s 9.5 percent set-aside. Mr. Liu noted the maintenance of effort and equity provisions require New Mexico fund K-12 and higher education at similar levels, or more, than other state government functions to remain eligible for federal ESSER funds. Mr. Liu also stated that 20 percent of ARP funds (\$181 million) must be used to address learning loss, which may affect demand for K-5 Plus and extended learning time programs as schools create their own interventions.

Senator Kernan asked about the reporting of Title I data. Mr. Liu responded PED’s Title I calculation considers a number of factors and noted district concerns over the accuracy of how students eligible for Title I funding are being counted. Senator Kernan discussed reaching out to PED to ensure districts are getting the funding they are entitled to receive.

In response to a question from Representative Baldonado on the use of federal funds to improve school ventilation systems, Mr. Liu noted CRRSA funds and ARP funds are available for air quality improvements.

Vice Chairman Romero noted the first two rounds of federal stimulus money do not require school districts to address learning loss and asked how LFC defines learning loss. Mr. Liu responded PED and LFC are currently working on an evaluation to identify how the pandemic impacted academic outcomes. The evaluation is expected to be presented at LFC's September meeting.

Representative Herrera asked if federal money could be used for K-5 Plus and leave state funding of K-5 Plus in reserves to fund the program in future years. Mr. Liu noted districts are more likely to spend federal funding first and unspent K-5 Plus state funding reverts to the public education reform fund for use in future years.

Representative Lujan asked for clarification about the percentage of ARP funds that must be spent on learning loss. Mr. Liu responded 20 percent of the allocation of ARP funds to school districts and charter schools must be spent on evidence based interventions to address learning loss.

Senator Stewart referred to requirements of federal Covid-19 relief funds that mandated states to maintain funding levels to qualify for federal aid and asked if new programs, such as the family income index act, would count towards the per pupil funding amounts in those calculations. Mr. Liu noted states have flexibility in determining how that is calculated, provided the method is the same from year-to-year. He noted current appropriation levels will likely mean the state will meet the federal requirements.

Representative Lujan referred to the decline in New Mexico's birth rate and asked if LFC was studying the impact of this decline on budget. Mr. Liu noted school enrollment is the factor most impacted by the declining birth rate which could lead to an increase in the unit value.

Chairman Soules discussed PED's learning loss study and asked if the sample of students was representative of the overall student population, Mr. Liu noted this data is likely not representative of the entire state and may exclude students who did not have access to the assessments.

**FY22 and FY23 General Fund Revenue Estimates.** Stephanie Schardin Clarke, secretary, Taxation and Revenue Department provided macroeconomic indicators, discussing unemployment, oil and gas production and prices, and collections of gross receipts tax and other revenue sources. Debbie Romero, secretary, Department of Finance and Administration presented forecast totals, reporting recurring general fund revenue growth of 2.4 percent in FY21, with reserves of \$2.5 billion, or 34.1 percent of recurring general fund appropriations. She said the forecast projected year-over-year growth of 0.8 percent for FY22 and 9 percent for FY23. She said FY23 "new money"—a term for the difference between projected recurring revenues in the coming year and recurring appropriations in the current year—of \$1.39 billion. She said growth for FY23 was due to several legislative changes, such as changes to personal income tax, gross receipts tax and liquor taxes, as well as state and federal changes to the Working Families Tax Credit. Without these changes, growth in FY23 would have been 3 percent or 4 percent.

Dawn Iglesias, chief economist, Legislative Finance Committee (LFC), said increases to revenue projections were primarily due to higher than expected consumer spending and growth in mid-wage and high-wage employment. Additionally, higher oil prices and production levels were leading to increased revenue in the early childhood trust fund. She also said strong investment returns will lead to larger distributions from the land grant permanent fund. She also reviewed the consensus forecasting group's stress test scenarios, stating most of the revenue volatility in the forecast would not impact the general fund, but would rather impact transfers to the tax stabilization reserve or the early childhood trust fund.

In response to Senator Kernan, Ms. Iglesias said a production slowdown of one million barrels of oil would have approximately a \$4 million impact on revenue collections. Senator Kernan noted state regulations on methane emissions could remove production for low performing wells. Ms. Iglesias said a recent study indicated up to 13 percent of oil production and up to 23 percent of natural gas production could be impacted. Senator Kernan said the Legislature should take note of the state's reliance on oil and gas and that dollars could decrease over the next few years.

Representative Lujan asked how the state could reduce dependence on oil and gas. Ms. Iglesias said the state could look for ways to move oil and gas revenue out of the general fund and look for smart ways to invest those funds.

Representative Lane asked about inflation in FY23. Ms. Iglesias said inflationary pressure is expected as part of the forecast, which can have competing effects on state revenue collections. Representative Lane noted the forecast included a 4.2 percent inflation rate for FY22.

Senator Stewart raised concerns about the \$2.25 billion in reserves that cannot be appropriated by the Legislature, noting significant need to invest in state services. She said pay for public employees was too low to attract and retain the best employees. She said transfers to the tax stabilization reserve should be adjusted. Chairman Soules agreed with Senator Stewart's concerns, noting Moody's Investors Service has said states should be careful not to keep too much in reserves due to the economic impact of failing to invest in services. He noted a few years ago Moody's recommended between 12 percent and 18 percent reserves for New Mexico. Ms. Iglesias said Moody's does not test for the impact of low oil prices on New Mexico's revenues, something that is done with stress testing by the consensus revenue group. Chairman Soules also noted investments in education are not lost in economic downturns, while reserves invested in financial markets carry a risk of loss.

**Preparing Teachers for Deeper Learning.** Jeannie Oakes, senior fellow in residence, Learning Policy Institute (LPI), provided an overview of strategies to prepare future teachers to offer deeper learning opportunities for students. Ms. Oakes described two major problems with teacher preparation that public policy may address: 1) the short supply of prepared teachers; and 2) ensuring quality of teacher preparation to facilitate skill development that allows teachers to teach students in the 21<sup>st</sup> century. Ms. Oakes noted the Legislature has invested substantially in teacher preparation by funding

scholarships, support for instructional assistance, and residency programs, but it could take several years to see the payoff of their investments. Ms. Oakes stated teacher preparation today must be structured around what children need to know in the 21<sup>st</sup> century and teacher preparation needs to focus on deeper learning. Deeper learning helps students develop cooperation, communication, creative problem-solving, and critical thinking skills. Ms. Oakes described a LPI study that found high-quality teacher preparation programs share four features: 1) strong leadership, resources and partnerships; 2) direction and unity around program values, dispositions, and culture; 3) the provision of core candidate learning experiences that develop deeper learning competencies; and 4) strong systems capacity.

Cindy Gutierrez, director, Clinical Teacher Education and Office of Partnerships, School of Education and Human Development, University of Colorado Denver (CU Denver) described how CU Denver has had a residency program for over 30 years and in the past 10 years, has focused on creating customized residency pathways for future teachers. CU Denver serves nearly 400 students per year in both undergraduate and “career changer” teacher preparation programs. Ms. Gutierrez stated partnerships with schools are a key part of CU Denver’s model of teacher preparation. Partnerships are focused on co-constructing experiences rather than acting only as placements for students. Additional elements of CU Denver’s model of teacher preparation include asset-based approaches to equity and diversity, simultaneous renewal and continuous improvement, and context specific, collaborative preparation. Ms. Gutierrez stated CU Denver has invested in “grow your own” strategies through its NxtGEN Teacher Residency Program (NxtGEN) in addition to the university’s Partnership for Rural Educator Preparation (T-PREP). NxtGEN is a pathway focused on diversifying the workforce in urban settings and T-PREP offers programs for rural students to become educators.

Maria E. Hyler, director, Educator Preparation Laboratory, Learning Policy Institute (LPI) described how LPI created its EdPrepLab with a mission to transform educator preparation programs across the United States. Ms. Hyler stated 24 teacher preparation programs are currently participating in the EdPrepLab. The EdPrepLab supports programs and policymakers by offering research reports, briefs, and a repository of information. The LPI EdPrepLab also hosts a community of practice and facilitates cross-institutional research. Ms. Hyler noted ensuring equitable access to a strong, stable, and diverse teacher workforce requires both access to high-quality preparation and state systems to guide high-quality practice.

In response to Senator Kernan’s question about teacher licensure examination passage rates, Ms. Gutierrez discussed different interventions provided by her program including study groups, test preparation courses, and post-examination review. Vice Chair Romero asked about alternative licensure pathways in Colorado and strategies to support educators following an alternative licensure pathway. All panelists noted concerns about alternative licensure programs and provided examples of potential supports for alternatively licensed teachers. Ms. Hyler discussed a selective internship program at High Tech High School allowing new teachers who are obtaining their preliminary teaching credential to be employed as the teacher of record and simultaneously

enrolling in a teacher preparation program. Ms. Gutierrez suggested providing alternative licensure teachers with a virtual instructional coach to meet with regularly.

In response to Chairman Soules' question about scaling up teacher preparation programs to increase the enrollment of traditionally licensed educators, Ms. Gutierrez emphasized building partnerships with teacher preparation programs and high needs school districts to develop ways to defray costs. Chairman Soules concluded by noting LESC's emphasis on teacher preparation programs and Ms. Oakes stated she would provide copies of a teacher preparation book to committee members.

**Teacher Preparation Programs and the New Mexico Approval Process.** Chelsea Canada, senior policy analyst II, LESC, provided the committee with a staff brief that explains how state and national accreditation processes ensure educator preparation programs are high-quality and aligned with the expectations of the profession. In New Mexico, state accreditation through the Public Education Department (PED) is required to operate a teacher preparation program. Although not required by the state, eight of 13 educator preparation program providers also undergo some form of national accreditation.

Seana Flanagan, division director of educator quality and ethics, PED, said the purpose of educator preparation program site visits is to ensure every New Mexico student has access to well-prepared, well-supported, highly-effective educators who use culturally and linguistically responsive pedagogy to guide their learning and development. Site visits continued through the Covid-19 public health emergency. In June 2021, Director Flanagan shared that PED regulations changed to ensure programs are including culturally and linguistically responsive clinical experiences for pre-service educators. Ms. Flanagan shared areas which can be improved on from the perspective of stakeholders, including: strong leadership from PED staff, ensuring the site visit team is prepared, timely feedback, communication to partners is clear and concise, and site visit workload for educator preparation programs is monitored.

Dr. Virginia Vigil, outgoing chair of the Professional Practices and Standards Council (PPSC), shared the council makes recommendations to the PED secretary for educator preparation program approval. Ms. Vigil shared three key tasks the council undertook over the last three years to strengthen the process and make it more transparent for educator preparation programs. One of the tasks the council tackled was providing programs with clear criteria and creating an educator preparation program manual for applicants. Second, the council provided applicants presentation guidelines so applications are more consistent. Finally, the council developed a rubric with program expectations. The council required programs to provide a comprehensive application that looked at programmatic and candidate inputs and outputs that measured outcomes. Ms. Vigil said there are three program ratings and none of the programs during her tenure received an "unacceptable," the lowest rating. Ms. Vigil said the council ensured quality of programs through a variety of means within the approval process such as making sure all programs were aligned with PED regulations and Interstate Teacher Assessment and Support Consortium (InTASC) standards. At the conclusion of her remarks, Ms. Vigil shared that new members to the council and educator preparation

programs should receive training and that state and national accrediting processes should be aligned.

Debra Dirksen, associate dean of the school of education at Western New Mexico University said the feedback she was going to provide to the committee represents that of the deans and directors of colleges of education. Ms. Dirksen shared that the state accreditation process through the PPSC and PED is working. Because some programs participate in a national accreditation process in addition to the state process and elements of the process are similar, that while actionable feedback is welcome, there are some duplications with the state and national processes. She said a solution to duplication is for the state and national accrediting bodies to partner. Ms. Dirksen also said that programs think site visits should focus on agreed upon expectations, instead of current PED initiatives. She also shared that shifts within PED staff has made consistency difficult. Outside of this process, Ms. Dirksen shared some examples of initiatives the group of PED-approved educator preparation programs are undertaking to improve educator preparation, like articulation agreements between two- and four-year institutions. Additionally, PED, educator preparation program leaders, and the Silver Consolidated School District are working with the American Association of Colleges for Teacher Education (AACTE) to look at licensure requirements and barriers for underrepresented students.

Senator Kernan asked if all educator preparation programs were nationally accredited and Ms. Dirksen stated that all programs at four-year institutions, excluding Eastern New Mexico University, are nationally accredited. Chairman Soules asked if certification from a nationally accredited institution has benefits for teaching outside of the state and for transferring licenses into New Mexico. Ms. Flanagan stated that New Mexico considers both state and national accreditation for teachers coming into the state and that individual states handle reciprocity differently. Chairman Soules asked about ways in which the state ensures quality control when granting out-of-state teachers state licenses. Ms. Flanagan said the state approves licenses according to PED regulation: checking if preparation was completed at an approved program and ensuring the candidate has a current and valid license.

Chairman Soules asked how the state could elevate strong educator preparation programs and eliminate weak programs to ensure high quality teachers. Ms. Dirksen responded that it is not a matter of eliminating programs, but fostering collaboration among programs to share best practices to strengthen all programs in the state. Chairman Soules noted that he has observed teacher preparation programs changing their focuses based on faculty interest in lieu of training classroom teachers.

August 31, 2021

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Advisory: Representatives Joanne J. Ferrary and Patricia Roybal Caballero, and Senator Shannon D. Pinto.

**High School Graduation Requirements: An Analysis of State Options.** Jessica Hathaway, senior policy analyst I, LESC, provided the committee with a staff brief that analyzed state options in designing high school graduation requirements. She shared research that compared New Mexico high school graduation requirements with course requirements in the 15 highest ranked state education systems nationwide. The analysis found New Mexico requires students to complete more units than many top-performing states although there are similarities in total units required of students in core subject areas such as English and language arts, social studies, science, and math. Only two of the top-performing states require the completion of algebra II as New Mexico does. Ms. Hathaway also noted two of the highest ranked states allow graduation requirements to be determined by local school boards and three states require courses in state-specific history, similar to New Mexico. Ms. Hathaway cited findings from EdWeek, an independent nonprofit education news organization, that found high-performing education systems generally share five features—robust economic environments, high K-12 test scores and graduation rates, relatively high spending on schools, strong foundations in early childhood, and widespread postsecondary participation. Ms. Hathaway noted the committee may consider how statute is one mechanism that shapes the high school experience. Performance and content standards, administrative rule, classroom practices, and other factors also affect the quality and impact of courses mandated by law. During the panel, committee members also split into small groups twice to discuss guided questions about their most memorable high school experience, learning experiences they wish all high school students today could have, and reactions to how New Mexico’s graduation requirements both align with and differ from those in the highest ranked education systems in the United States.

Representative Romero asked Ms. Hathaway about findings related to foreign language requirements. Ms. Hathaway replied this was tracked in the analysis of graduation requirements and many states do not meet national research recommendations to require students completing two years of study in a foreign language. New Mexico does not require this of students and of the highest ranked states, only one meets this national recommendation.

**The Role of Middle School in Setting Students Up to Succeed.** Stacia Duarte, principal, Ernie Pyle Middle School, Albuquerque Public Schools (APS), described Ernie Pyle Middle School’s efforts to support the development of its students. Ms. Duarte noted middle school students often deeply value relationships and maintain an intense curiosity about the world as they are in a life stage where they are neither needing as much guidance as elementary school students, but also lack the capabilities of emerging adults. Ms. Duarte discussed Ernie Pyle Middle School’s efforts to prepare confident learners by focusing on three main strategies: active engagement of students and families, its function as a community school to support the whole child and family, and the development of relationships. Ms. Duarte described specific activities for each of the strategies. For example, to support active engagement of students and families, Ms. Duarte described



how the school employs a “one school, one book” literacy program where the entire school reads a book together and incorporates trivia and family activities into the program. Books are provided in both English and Spanish because the school is a dual language school. Ms. Duarte noted that, as a community school, Ernie Pyle completes a needs assessment of all families and works with community partners to provide additional support to families. The school also has a food pantry, clothing closet, laundry facilities, and offers programming tailored to adults such as parenting and financial literacy classes. In its third strategy to build relationships, Ms. Duarte noted how the school has embedded social emotional learning into its curriculum, uses restorative practices in place of traditional discipline, and offers Saturday school as an alternative to suspension. Ms. Duarte also noted how it’s important to the school to foster inclusion in its role as a dual language school, in its services to students with disabilities, and as a LGBTQ safe zone. Ms. Duarte closed by noting her view that middle school students benefit from having access to more than academic support and these strategies allow students to have structure to enable their academic success.

Joshua LaClair, assistant principal, Garfield STEM School (APS), described Garfield STEM School and how it is working to begin supporting career pathways of its middle school students. Mr. LaClair noted two critical areas to address are academic skills and people skills. Mr. LaClair noted Garfield STEM School’s motto is to create knowledgeable scholars and thoughtful and compassionate global citizens. Mr. LaClair noted Garfield STEM School is a Title I school and with that, has many students who may still be first-generation high school graduates. Garfield uses a shared design process across all content areas, uses a model called the “habits of mind,” and has a shared set of “wolf pack expectations” to foster both academic and people skill development of its students. Mr. LaClair also noted the school uses restorative practices as a way to help students learn what it looks like to be both respectful and responsible, resolve conflicts, repair relationships when mistakes are made, and form positive and collaborative relationships.

Stephanie Gurule-Leyba, 2017 New Mexico teacher of the year and educator with the junior biomedical career exploration program at Ortiz Middle School, Santa Fe Public Schools (SFPS), provided an overview of Ortiz Middle School and how she transitioned to developing the biomedical science programming at the middle school level after working as a high school teacher for 22 years. Ms. Gurule-Leyba noted programming offered at the middle school level is a strategy to ensure access to quality science, technology, engineering, and math (STEM) and healthcare education for all students, particularly those who may traditionally be underrepresented in such professions. Ms. Gurule-Leyba noted caring for diverse populations requires more than just living in such communities and also includes facets such as providing culturally competent care, understanding unique healthcare challenges and needs, and healthcare systems adapting to populations they are serving. Ms. Gurule-Leyba described three programs offered by SFPS that help to address this: Medical Sciences Academy at Capital High School for ninth through 12<sup>th</sup> grade students, Jr. Biomedical Sciences Career Exploration Program at Ortiz Middle School for sixth through eighth grade students, and “Scrub Club”—a summer STEM enrichment program for fourth through eighth grade students. Ms. Gurule-Leyba noted middle school can be an ideal time to offer career pathways and begin career exploration

and career readiness. She cited research showing that as early as middle school, student choices about pathways into science and health exploration are already occurring and student identity impacting achievement and career aspiration have also begun. Ms. Gurule-Leyba noted that of the Scrub Club “Original 55” student participants, 97 percent have graduated high school and 100 percent of those who graduated high school are enrolled in or have completed college, technical school, or a certification program.

Representative Trujillo expressed appreciation for the panel and asked how students are doing while transitioning back to the classroom after the pandemic. Ms. Duarte replied that students are grateful to be back, but the development of some students is a bit more immature than typically expected. Mr. LaClair noted his school’s eighth grade students need the most social-emotional support of all of their students because they were sixth graders when the pandemic began and spent all of their seventh grade year learning remotely—current eighth grade students are the student group least likely to have formed relationships at school and with one another. He also noted sixth graders are excited to be back in school and are forming strong relationships with the school. Seventh graders have also adjusted well. Ms. Gurule-Leyba noted her work publishing a blog post with students called the Post-Pandemic Classroom. She said students are in need of choices, socialization, and express some limited focus, but are excited to be back in school.

Representative Romero asked what can be done by legislators to help support restorative practices in schools and how school administrators can help teachers in using such practices. Mr. LaClair replied that at Garfield STEM School, a restorative practices coordinator was hired to help with this work. Mr. LaClair also noted the school established a restorative practices action crew of teachers who were passionate about the practices to allow the effort to grow from a grassroots model. APS supported this work at the school. Ms. Duarte noted that at Ernie Pyle Middle School, a change in discipline practices was coordinated schoolwide to shift teachers’ mindsets. Representative Romero also expressed appreciation for the dual language programming at Ernie Pyle Middle School and noted the importance of this in serving the needs of South Valley families in Albuquerque.

Representative Ferrary asked Ms. Gurule-Leyba if the Scrub Club program could be replicated in additional middle schools. Ms. Gurule-Leyba replied she developed the program for Ortiz Middle School, but felt it would be a possible to build such programs in additional schools. Representative Ferrary also expressed that this panel gave her hope and asked Mr. LaClair if its use of “habits of mind” and restorative practices were used widely in APS. Mr. LaClair replied APS has an Office of School Climate that might have additional information. Representative Ferrary also asked if teaching about restorative practices might be beneficial for educators in training. Mr. LaClair replied it could be helpful to begin teaching educators about these models earlier in their career so they might enter the career using such practices.

Senator Pinto asked Ms. Duarte to elaborate on the safe zones at Ernie Pyle Middle School. Ms. Duarte replied the LGBTQ safe zones are offered across APS and allow support and resources for students.

Senator Stewart expressed that this panel gave her a sense of hope for students today and for middle school practices being used.

**Strategic Initiatives of Local School Districts and Charter Schools.** District and charter school leaders from Socorro, Belen, and Magdalena presented information on district level initiatives to the LESC. Ron Hendrix, Socorro Public Schools superintendent, stated policies should be malleable enough to meet individual district needs. Mr. Hendrix noted the most important lesson from the Covid-19 pandemic was that closing schools was a big mistake as national research indicates every year of poor instruction requires three years to make-up. Lawrence Sanchez, superintendent of Belen Public Schools, explained student enrollment at the district has dropped by 19 percent, described difficulties hiring enough staff, and focused on strategies to attract future employees, including a suggestion to increase the pay of teachers in high need areas. Mr. Sanchez noted the district is interested in implementing a variety of PED initiatives including an elementary pilot program to add additional instruction hours and participating in programs provided through PED's Priority Schools Bureau to build the leadership capacity of school building administrators. Both Mr. Hendrix and Mr. Sanchez noted the high levels of learning loss experienced by their districts. Glenn Haven, superintendent of Magdalena Municipal Schools shared an overview of district priorities including meeting the social-emotional needs of students and staff. Mr. Haven also noted the unique needs of small school districts where superintendents have a variety of responsibilities. Shannon Aguilar, principal of Cottonwood Valley Charter School, noted 215 students are on a waiting list to enroll at Cottonwood Valley and the school has been the top performing school in the district since it opened in 2001.

Chairman Soules asked panelists their perspective on building the educator workforce. Mr. Hendrix responded that moving to a four-day school week was a boost to teacher morale, Mr. Haven noted the hiring of a wellness community director to support teachers and community members, and Mr. Sanchez noted the importance of listening to teacher requests for example, not returning to remote learning. Representative Romero asked about rates of Covid-19 infection among students. Mr. Sanchez responded that students who test positive for Covid-19 are provided with asynchronous remote instruction, while Ms. Aguilar stated there have been no positive Covid-19 cases at Cottonwood Valley Charter School. Chairman Soules asked about internet connectivity issues. All district and charter school leaders noted challenges with Mr. Hendrix stating Socorro Public Schools staggered class times to help with limited internet access, while Belen Public Schools and Cottonwood Valley Charter School provided paper packets for when internet was not available.

**Energetic Materials Research and Testing Center.** Energetic Materials Research and Testing Center (EMRTC) staff led committee members and staff on a tour of New Mexico Tech's EMRTC field laboratory.

**Walking Tour of New Mexico Institute of Mining and Technology.** Committee members and staff toured the New Mexico Tech campus.

### September 1, 2021

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Advisory: Representatives Kelly K. Fajardo and Joanne J. Ferrary.

**2021 New Mexico Teacher of the Year.** Alisa Cooper de Uribe, the 2021 New Mexico Teacher of the Year and current bilingual, first grade teacher at New Mexico International School in Albuquerque, discussed educational needs, bilingual education, and teacher recruitment and retention. Emily Hoxie and Eliza Williams, senior policy analysts I, LESC, led the panel asking Ms. Cooper de Uribe questions followed by questions from committee members. Ms. Cooper de Uribe said adequate school facilities were a pressing educational need in this state, as well as higher teacher salaries, creating greater levels of advancement for teachers, providing high quality early childhood education, and elevating the respect and value of the teaching profession. In response to a question about the benefits of bilingual education and who it benefits, Ms. Cooper de Uribe answered that it benefits everyone—even stakeholders. She said bilingual education teaches language is for communication and in turn, communication fosters community; it also is culturally affirming to students and families. Ms. Cooper de Uribe advocated for more robust recruitment of bilingual teachers, proposed making more scholarships available, and noted the costs required to obtain bilingual licensure deter some people from pursuing the path. She suggested actively promoting the profession as an attractive and valued career pathway in order to recruit teachers, as well as exposing middle and high school students to the career, and increasing access to teacher preparation programs. When asked about retention, Ms. Cooper de Uribe said higher salaries, mentoring programs, and a positive school culture—stemming from effective leadership—were all keys to supporting and retaining teachers. A best practice from her public charter school that could be implemented statewide is allowing teachers to incorporate their own creativity and critical thinking into their teaching, as opposed to pushing fidelity to a particular curriculum or educational program.

Representative Ferrary asked about the test results of students following an 80/20 model of bilingual instruction. Ms. Cooper de Uribe noted it takes five to seven years to gain language proficiency and in the early grades, most students are testing lower than their peers at English-only schools. However, by the time students enter fourth grade, they are testing at the same levels of proficiency. In response to a question from Representative Roybal Caballero about the relevancy of bilingual education to English speakers, Ms. Cooper de Uribe stated bilingual education allows all students to be more involved with their communities and bilingual programs are important to New Mexico's cultural identity. Representative Herrera asked about the socioeconomic status of parents at the New Mexico International School. Ms. Cooper de Uribe responded most students come from more financially stable families but there are students who do qualify for free and

*[\*] Chairman Soules was notified during the meeting that Representative Trujillo had resigned her seat as a voting member of the LESC. Speaker Egolf appointed Representative Roybal Caballero as a voting member to fill the vacancy.*

reduced lunch. In response to a question from Chairman Soules about the transition from a bilingual elementary school to a middle school with less bilingual supports, Ms. Cooper de Uribe noted the New Mexico International School expanded into middle school to meet that need and is working to develop relationships with local high schools. Chairman Soules also asked Ms. Cooper de Uribe to share ideas to expand the bilingual educator workforce. She discussed promoting bilingual education as a career option through teacher preparation program visits to high schools and the Educator Rising program. In response to Vice Chair Romero's question about the transition period between teacher licensure levels, Ms. Cooper de Uribe noted the requirements for transitioning between licenses were fair and straightforward for her but can be very challenging for teachers who teach in specialized fields. Additionally, Ms. Cooper de Uribe noted the need for an additional licensure level to allow teachers to continue to grow in their salary scales while staying in the classroom.

Vice Chair Romero moved the committee enter into executive session to include both voting members and advisory members of LESC. The motion was second by Representative Herrera. Chairman Soules said it was clear the executive session was for voting members.

Representative Roybal Caballero raised a point of order, stating there are no procedures or rules of authority that allow LESC to act in executive session. She stated according to the Committee Handbook for the New Mexico Legislature, published in 2012, executive sessions were not permitted by rules of the House of Representative or the Senate. She further stated that Senate Rule 9-5-6 states meetings must be open to the public. She noted Mason's Rules gives any member of a legislative body the right to be present at committee meetings.

Chairman Soules said he consulted with the director of the Legislative Council Service. Chairman Soules said the rules of the Senate do not apply to interim committees and state law was clear that LESC was made up of the ten voting members.

He stated that he overruled the point of order and that the executive committee is made up of the ten voting members. Representative Roybal Caballero said she opposed the act of the chair.

On the motion by Vice Chair Romero, Representative Herrera, Representative Lente, and Senator Pope voted in favor of the original motion. Representative Lane, Representative Baldonado, Senator Kernan, Senator Stewart, and Chairman Soules voted in the negative, therefore the motion failed.

Vice Chair Romero said the chair did not recognize Representative Roybal Caballero to vote on the motion and that she had been appointed by Speaker Egolf as a voting member of LESC. Chairman Soules stated he had not been informed of any changes to the membership of LESC. Representative Romero stated the director of the Legislative Council Service was supposed to be in contact with Chairman Soules who said he had been in contact but nothing had been provided to indicate a change in membership.

**Executive Session – Personnel Matters.** A motion to enter executive session was made by Senator Kernan and seconded by Representative Baldonado. Representative Herrera voted no. Representative Lane and Representative Baldonado voted yes. Representative Lente said it was embarrassing to be a part of the system. He said he understood why the committee was so separated and divisive and the actions of one individual and the actions of legislative leaders have trivialized this matter. Chairman Soules noted the committee was voting and called for Representative Lente’s vote. Representative Lente voted no. Representative Roybal Caballero stated Chairman Soules did not call for discussion on the motion. Chairman Soules said the request to speak was not made before voting began and it was inappropriate to make a comment during a vote. He said a statement could be made after the vote. Senator Kernan, Senator Stewart, and Senator Soules voted in the affirmative. Senator Pope and Vice Chair Romero voted in the negative. With five votes in the affirmative and four votes in the negative, the motion passed.

On Wednesday September 1, 2021 Representative Trujillo resigned her position on the LESC. Speaker Egolf appointed Representative Roybal Caballero to the LESC.

In the executive session the voting members accepted the resignation of director Rachel S. Gudgel, agreeing to keep her on payroll, using her accrued leave through February 18, 2022. The voting members appointed Vanessa K. Hawker as acting director with pay commensurate as the director through the end of the 2022 legislative session.

The meeting was adjourned at approximately 1:15 p.m.