Improving Education the New Mexico Way

Summary Report[1]

Jeannie Oakes, Daniel Espinoza, Linda Darling-Hammond,
Carmen Gonzales, Jennifer DePaoli, Tara Kini, Gary Hoachlander,
Dion Burns, Michael Griffith, and Melanie Leung

LEARNING POLICY INSTITUTE

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For more than a year, the Learning Policy Institute (LPI) conducted research in New Mexico, including interviews, site visits, document review, and new analyses of data provided by the New Mexico Department of Public Education (NMPED).[2] The purpose of the study was to provide New Mexico leaders a research perspective on the challenges facing education and identify evidence-based ways that state policy can address them. The central finding is that key to system improvement is recognizing that students who face barriers to school success— including poverty and systemic racism—are not exceptions in New Mexico; rather, they are the norm. Accordingly, the state must design a system that centers these students and builds the state and local capacity to meet their diverse needs. By capacity, we mean dollars, professional knowledge and expertise, administrative and oversight structures, and accountability processes that support improvement.

Prior to COVID-19, the state had taken promising steps toward such a system. In part, these steps were brought about by the 2018 decree in the consolidated *Martinez/Yazzie* litigation ruling that the state's education system was constitutionally insufficient, particularly for "at-risk" children.[3] But these steps also resulted from a new, proactive administration, a legislature disposed toward school improvement, and increased state revenues from an unexpected oil and gas boom. Together, the governor, the legislature, advocates, and educators began moving toward a stronger system—adding hundreds of millions of new dollars to increase teacher compensation; augment resources for students from low-income families, English learners, and mobile students; provide expanded learning time in high-poverty schools; launch a new community schools initiative; move toward a more supportive accountability system; and more. These are all moves in the right direction, but much remains to be done.

The pandemic now threatens this progress, and the most vulnerable children are experiencing the direst effects. Education improvement is never easy; even with abundant resources and good intentions, genuine reform is a hard-fought struggle. But this is not the time to settle for simply restarting the state's demonstrably inadequate education system. As implausible as it may sound amidst challenging economic headwinds, the state can act now to define the parameters of a more equitable and effective system to guide the legislature and administration as the economy recovers and as funds flow back into schools.

This report provides a road map to help New Mexico leaders focus on long-term improvement as the state recovers from the COVID-19 setbacks. It focuses on system changes at the state level that can enable and support local improvement across New Mexico's diverse communities and schools. Some ambitious recommendations will take longer to get underway, but even these recommendations should remain part of the state's long-term plan as the economy strengthens. For the near term, we identify what can be done without a large infusion of new funds. State policymakers, together with leaders from education, business, nonprofits, and tribal governments, can begin with these near-term steps as they work to create a coherent post-COVID-19 approach to deep and lasting improvement in New Mexico schools.

What Are Unique Considerations for Educating New Mexico's Students?

The fact is that educating children in New Mexico requires attention to unique characteristics that differentiate New Mexico from other states. This uniqueness has its roots both in the state's most valued attribute—extensive geographic, cultural, and linguistic diversity—and its most troubling one—an economy that perpetuates widespread poverty.

New Mexico spreads its relatively small number of students (approximately 336,000) across 121,697 square miles. Most attend 834 state-supported public schools that are governed by 89 districts and 49 state-authorized charters. Districts range in enrollment from to 38 students in Mosquero Municipal Schools in the northeast corner of the state to 91,110 students in Albuquerque Public Schools. Additionally, about 6,000 New Mexico students attend 44 schools on tribal land funded by the federal Bureau of Indian Education (BIE), including 22 tribally controlled schools and 22 schools operated by BIE itself. Most of these schools are elementary and middle schools; only 12 offer high school grades. Most students living on tribal land move between tribal and state-supported public schools at points in their k–12 trajectory.

Furthermore, approximately 77% of students attending New Mexico's 834 state-supported schools are students of color, and 16% are English learners. The 62% who are Hispanic include children of families who have lived in the state for 400 years and children who are recent immigrants. Approximately 10% of students in public schools identify as Native American. Across public and tribally controlled schools, Native students are enrolled members of or otherwise affiliated with over 100 Tribal Nations, including the 23 that are located wholly or partly in New Mexico. Thirty-five percent of New Mexicans older than 5 years live in homes in which languages other than English are spoken. English learners in the schools include those from Spanish-speaking homes, those from indigenous linguistic communities, and recent immigrants whose home languages are not English, Spanish, or indigenous languages. Districts differ greatly in their diversity; for example, 79% of Gallup-McKinley students are Native—predominately Navajo, Hopi, and Zuni; 73% of Los Alamos students are white. In 2019, Albuquerque students represented at least 26 different languages and 88 federally-recognized tribes.[4]

New Mexico's rich geographic, cultural, and linguistic diversity is a source of great pride. It has also made achieving a statewide system of effective and equitable schools extraordinarily complex, as a "one size fits all" approach simply will not work. The considerable diversity among New Mexico's districts, including those where tribal collaboration is required, makes some measure of local control necessary if education is to adapt to the local context. In fact, leaving decisions about how to provide education to local communities—local control—has been the overarching governance principle throughout the state's history.

Local control, however, requires considerable capacity to operate schools effectively—capacity that local districts, especially small ones, are unlikely to develop without state assistance. This is the case in both New Mexico's state-controlled and tribal and federal school systems. School boards, tribal governments, and educators need professional knowledge and skills to use their resources well. This includes being able to implement evidence-based practices in ways that recognize that students' learning experiences must build on their prior experiences, cultural knowledge, and linguistic capital. It also includes being able to take full advantage of opportunities for collaboration between districts and tribes, particularly where coherence between the parallel state- and tribal systems is crucial to the educational success of Native students. Building such local capacity is particularly important and challenging, given New Mexico schools' past role in cultural and linguistic assimilation.[5] Although attempts have been made, New Mexico's education system has never achieved the right balance of state direction/support and local control/capacity to educate all students effectively. This report proposes that developing state and local capacity should be a central focus of state policymakers and recommends policies and investments to do so.

At the same time, the state's distressed economy has brought challenges to the education system that no one celebrates. More New Mexico children are from low-income families and communities than in most other states. Additionally, nearly half (46%) of New Mexico schools serve large concentrations of students from low-income families—with 80% or more of students qualifying for federally subsidized meals. A total of 88% of the students in these schools are students of color.

Although it is widely understood that children from poor families perform less well in school (and particularly on standardized tests) than their better-off peers, research also makes clear that "concentrated poverty" makes matters worse.[6] Children living in high-poverty communities experience formidable barriers to learning and school success. These barriers can be mitigated, but only with resources and supports beyond what educating more advantaged children requires. Yet, because New Mexico's overall levels of revenue and income have been exceptionally low, the state has not provided sufficient opportunities, resources, and support to educate students who are most at risk.

Together, these features of New Mexico underlie the state's disappointing student outcomes as well as the state's falling at or near the bottom of national rankings of education quality and child well-being. They also informed the consolidated *Martinez/Yazzie* 2018 court decision, which held that the state's education system was constitutionally insufficient.

Education Reform Has Not Accounted Sufficiently for These Considerations

For at least 50 years, New Mexico policymakers have sought to improve education, and recent governors have mounted aggressive reforms. Some of these efforts improved student outcomes at moments in time (for example, the intensive professional development in early reading provided to teachers during the federally funded Reading First Initiative between 2003 and 2008) but were not sustained. Others were never implemented fully, such as adequate support for English learners and provisions of statutes requiring increased tribal control over the education of Native students.7 Implementation challenges could be expected, given the diversity and geographic spread of New Mexico's school districts, the state's long tradition of local control, and the movement of Native students across state- and tribally-controlled schools. Other significant constraints have come from the state's failure to deliver the additional supports and resources districts require to educate children from marginalized and low-income families and communities well.

Inadequacies in resources and opportunities, together with the failure to implement policies fully or effectively, underlie the state's persistently low outcomes. Notably, they were also the basis of the 2018 consolidated *Martinez/Yazzie* ruling, which held that the state violated at-risk students' constitutional right to a sufficient education.

What Can Be Done Now? Focus on Five Fundamental Elements of a High-Quality Education System

Although New Mexico has unique challenges that must be met, states and nations that have improved education effectively have strengthened five common and fundamental elements of their systems:8

1. Meaningful learning goals
2. Knowledgeable and skillful educators
3. Integrated student supports
4. High-quality early learning opportunities
5. Adequate and equitably distributed school funding

Making policy changes in all five is possible in New Mexico and could bring significant improvement. In this report, we focus on these essential areas in New Mexico's system. For each, we identify key goals, describe the current status, note where recent progress has been

made, and recommend evidence-based short- and long-term next steps that are tailored to New Mexico's unique context and priorities.

As necessary as policy changes in these five elements are, they are not enough to bring significant improvement. In addition to adopting productive policies, every high-performing system has developed a thoughtful accountability system that focuses attention on the right actions at the state and local levels by providing data on what matters for opportunity and outcomes and by developing capacity to implement policy well.[9] Accordingly, we suggest policies that provide the information and support that diverse school boards, educators, and tribal leaders need to implement evidence-based practices locally. Notably, inadequacies in these five system elements and in the state's approach to accountability were cited as findings of fact by the *Martinez/Yazzie* court case. The approach we suggest takes into consideration New Mexico's complex education landscape.

1. Meaningful 21st-Century Learning Goals

New Mexico has established a strong vision of what it means to offer a sufficient education by adopting rigorous academic standards and laws requiring the tailoring of instruction to students' cultural and linguistic backgrounds. However, that vision has not been resourced or implemented sufficiently to have a positive impact on students' learning opportunities and outcomes. Under the federal No Child Left Behind law (2002–15), the state's nearly exclusive focus on "high stakes" tests to measure and signal what matters most further limited the achievement of meaningful learning goals. In contrast, other, more authentic ways to measure learning have promise for better reflecting the achievements and potential of students from low-income backgrounds and students of color, responding to concerns raised by many stakeholders about racial and socioeconomic gaps in standardized test scores.

Key goals for meaningful learning. Both research and New Mexico stakeholders' local knowledge suggest that the state adopt four specific goals for meaningful learning:

1. Improve students' opportunities to develop **high-level cognitive skills in the core academic disciplines** by engaging in critical and creative thinking as they investigate scientific, social/historical, literary, artistic, and mathematical questions.[10]
2. Implement **culturally and linguistically responsive curriculum and instruction,** recognizing that students' learning must be grounded in their prior experiences, cultural knowledge, and linguistic background.[11]
3. Build **social and emotional learning** into the curriculum to help students develop self-regulation, collaboration, problem-solving, conflict resolution, perseverance, and resilience—skills that are also essential in 21st-century life and increasingly demanded by employers.[12]
4. Develop **high school pathways that integrate college and career preparation** to make high school more engaging and relevant.[13]

Context of meaningful learning goals in New Mexico. Despite the state's rigorous curriculum standards, students' learning outcomes have been disappointing. Although standardized tests scores reveal as much about students' socioeconomic status as they do about their academic learning, the fact that in 2018 only 31% of students demonstrated proficiency in English language arts and 22% demonstrated proficiency in mathematics is a clear indicator of insufficient learning opportunities and support. High school students participate unevenly in curriculum and instruction likely to emphasize higher-order cognitive skills. Of all students who enrolled in 9th grade in 2009–11 and remained enrolled for 4 years, only 54% at low-income schools completed at least one advanced course, compared to 71% at higher-income schools. Similarly, although state statutes require schools to educate in ways that incorporate the cultural and linguistic diversity of New Mexico's students, there has been inadequate attention and funding to support high-quality implementation of such practices. Moreover, in spite of New Mexico's extremely high rates of adverse childhood experiences (ACEs), the state has not adequately pursued social and emotional learning and trauma-informed practices. Lastly, few innovations in high schools have increased students' engagement and outcomes either in college preparation or in career and technical education.

The *Martinez/Yazzie* court was particularly concerned about the absence of a framework for districts to use in providing culturally and linguistically relevant education, the lack of services designed to support English learners, and weaknesses in the state's approach to college and career readiness for at-risk students.

At a more basic level, the COVID-19 school closures have highlighted inadequacies in students' access to technology needed to address the goals of meaningful learning. A recent national study estimated that 56% of the state's Native households with children under 18 (nearly 15,000 children) lack access to broadband required to make remote learning possible, and 34% of Native households with children under 18 (19,250 children) have no computer. The study also estimated that more than half of New Mexico households making less than $25,000 per year (with more than 59,000 children) lack sufficient internet, and 32% of such households (with more than 34,000 children) are without a computer.[14] In 2020, New Mexico ranked 49th among states in the percentage of households with sufficient broadband access.[15] Although the divide is felt more acutely during the pandemic, the lack of access to adequate digital capacity for learning will be a serious learning barrier long after COVID-19 is under control.

Progress toward meaningful learning goals. The state is replacing previous student achievement tests with measures it hopes will provide educators with diagnostic information during instruction and periodic checks on students' progress toward meeting curriculum standards. New provisions of the Indian Education Act now require that schools assess students' needs and develop frameworks to guide collaboration with tribes about culturally and linguistically responsive practice. However, these frameworks have not yet been implemented, and the state has allocated few resources to implement them rigorously. At the high school level, NMPED is examining career and technical education (CTE), and the legislature has provided

some initial funding for pilot projects exploring new approaches. Developing learning environments and school climates at all levels that support sound mental, behavioral, and emotional health has become a widely shared priority.

Next steps for meaningful learning goals. New Mexico could benefit enormously from adopting a whole-child approach that improves academic learning opportunities in the content disciplines, affirms all students' cultural and linguistic identities, and supports their social, emotional, and mental well-being. This would require adopting "deeper learning" instructional approaches, building assessments that reflect and support those practices, implementing cultural and linguistic responsiveness effectively, and infusing evidence-based social and emotional learning practices into schools and classrooms. It will also entail redesigning high schools to achieve all of these goals through high-quality pathways that integrate college and career preparation.

Immediate, relatively low-cost steps that could be taken during the COVID-19 recovery period include the following:

- Continue and expand efforts to close the digital divide by investing in computers and connectivity for students and professional learning for teachers. Using 2018 census data and 2020 survey data from the Public School Facilities Authority, the Legislative Finance Committee estimated in August 2020 that it would cost $7.2 million in one-time expenses to provide a laptop to all students currently lacking devices for remote learning and an additional $20 million annually to provide sufficient internet access for remote learning at home. Solving the broader infrastructure issues that leave swaths of the state without connectivity should be shared by state agencies beyond education.

- Establish a state online hub that provides access to resources for high-quality curriculum, instruction, and assessment in the disciplines that support deeper learning, are culturally and linguistically responsive, are trauma- and healing-informed, and are designed for both remote learning and reconfigured instruction as schools reopen. This should include dual-language programs, as well as curricula developed collaboratively with Native experts.

- Provide useful diagnostic measures and school climate surveys to schools for their own analysis of pupil needs. These should include the Native student needs assessments required by the 2019 amendment to the Indian Education Act.

- Convene a task force to develop a New Mexico College and Career Pathways framework and to establish quality standards that can guide the launch of demonstration pilots and the eventual design of the new system. Pilots provide much-needed concrete examples that support high-quality implementation, as the state seeks to bring bold new school designs to scale.

Longer-term steps that could be taken when funding recovers include the following:

- Invest in the development and adoption of high-quality curriculum frameworks, instructional materials, assessments, and professional development that support higher-order thinking and deeper learning in the disciplines, culturally and linguistically responsive curriculum and instruction, and integrated social and emotional learning. Assessments that measure complex thinking, problem-solving, and having students demonstrate how they can apply what they have learned will be particularly important, as assessments send a strong signal about what teaching and learning should emphasize. Such assessments can better reflect the achievements and potential of k–12 students than traditional standardized tests, in particular, of those students who are most at risk.

- Develop standards for social and emotional competencies and learning as well as academic learning, along with new approaches to school discipline that feature restorative practices in culturally and linguistically supportive contexts, supported by increased regional capacity for technical assistance and professional development.

- Establish a Pathways Trust as a public–private partnership among state government, the business sector, and philanthropic organizations to fund and implement a system of high-quality college and career pathways that integrate CTE and core academic curriculum, combine classroom and work-based learning, and align secondary and postsecondary programs.

2. Knowledgeable and Skillful Educators

A strong educator workforce is foundational to public education systems, yet New Mexico faces significant challenges in staffing all schools with a well-prepared, stable, and diverse educator workforce. Knowledgeable and skillful educators are the most important in-school influence on student learning and the most important element in closing the achievement gap. A significant body of national research demonstrates that teacher experience, preparation, and qualifications influence achievement, with the largest positive impact on the achievement of students of color and those from low-income families.[16] Principals are also a crucial school-level factor associated with student achievement—second only to teachers' classroom instruction. Both are essential to achieving the meaningful learning goals described above.

Key goals for creating a knowledgeable and skillful educator workforce. In order to ensure that New Mexico has a well-prepared, stable, and racially and ethnically diverse educator workforce and that every New Mexico public school student has access to excellent teaching and school leadership, a more comprehensive, long-term policy and investment approach is needed. Such an approach should use evidence-based strategies to achieve these three goals:

1. **Smart Recruitment:** Boost teacher supply in critical content areas and locations in ways that fill all positions with well-qualified teachers that reflect New Mexico's diversity.

2. **Stable Retention:** Reduce attrition by providing strong preparation, support, and mentoring, as well as competitive compensation.
3. **Greater Effectiveness:** Improve effectiveness with stronger preservice preparation and ongoing professional development.

Current status of the educator workforce in New Mexico. According to the latest data, New Mexico is experiencing sizable shortages in the number of certified teachers and teachers certified in critical subject areas, though recent salary increases may be helping. Large numbers of New Mexico teachers are both underprepared and inexperienced—conditions that exacerbate attrition and undermine effectiveness. Consequently, each year, approximately 15% of teachers—nearly twice the national average—leave the profession. Data also demonstrate that students in schools with the highest concentration of children from low-income families are almost twice as likely to be taught by inexperienced teachers. New Mexico's administrator workforce, though experienced, also has a high annual rate of individuals leaving the profession.

Finally, data point to a significant racial and ethnic diversity gap, whereby New Mexico's teacher workforce does not reflect the diversity of its students. This is especially the case in Native communities where, because of local shortages, many teachers are recruited from out of the country. Many of these teachers are on temporary visas, which also contributes to the staffing churn.

The court's findings in *Martinez/Yazzie* included numerous ways in which the educator workforce in 2018 fell short of what is needed to provide a sufficient education for at-risk students. In addition to low teacher pay and high turnover, the court found a lack of adequate training in colleges of education, insufficient funds to support teachers' professional development and collaborative learning opportunities, and minimal participation of schools in those programs that do exist.

Progress toward knowledgeable and skillful educators. During the past 2 years, New Mexico has passed important legislation to strengthen its educator workforce, including raising teachers' salaries; revising the State Equalization Guarantee (SEG) formula to distribute funding for teachers through a new teacher cost index; investing in high-retention pathways into teaching, including teacher residencies and other Grow-Your-Own programs; funding teacher mentoring for first-year teachers; and increasing its investments in principal professional learning, though some of these investments were scaled back in the 2020 special session in response to COVID-19.

Although New Mexico policymakers and stakeholders have called for improvements to teacher preparation, licensure, accountability, and professional development, and some initial moves have been made to strengthen these systems, much more needs to be done. The state needs to ensure that preparation programs across the state are developing educators' knowledge about the

science of learning and development and building their skills to embed learning opportunities in the context of students' cultural and linguistic backgrounds.

Next steps for knowledgeable and skillful educators. Immediate, low-cost steps to be taken during the COVID-19 recovery period that can improve teacher recruitment and retention include the following:

- Pilot Grow-Your-Own teacher pathways that begin earlier in a student's academic trajectory (e.g., high school and community college), underwriting training for those who will return to teach in their communities, with a particular focus on Native communities.
- Evaluate existing investments in high-retention pathways into teaching, such as residencies and Grow-Your-Own programs, to identify best practices and program implementation guidance that can inform future investments.
- Evaluate existing mentoring programs for first-year teachers to identify best practices that can guide ongoing program design and implementation.
- Evaluate implementation of the teacher cost index to assess the extent to which the new approach addresses inequities in the distribution of experienced teachers in the state.

Longer-term steps that could be taken when funding recovers include the following:

- Consolidate, redesign, and expand funding for existing service scholarship and teacher loan repayment programs.
- Invest in scaling successful high-retention pathways (residencies and Grow-Your-Own programs) and grow additional pathways that begin in high school and community college.
- Extend mentoring supports to all second-year teachers.
- Provide incentives to National Board–certified teachers to serve as mentors and teacher leaders in high-poverty schools.
- Expand efforts to support school and district leaders' ongoing professional learning.

Regarding increasing teacher effectiveness, immediate, low-cost steps that could be taken include the following:

- Convene a diverse, high-level task force to evaluate and recommend strategies for improving educator preparation, licensing, and accreditation statewide. The goal would be to ensure a coherent statewide system that focuses specifically on developing educators' knowledge of the science of learning and development and building their skills for applying that knowledge in the context of students' cultural and linguistic backgrounds.

Long term, the state could do the following:

- Undertake investments in educator preparation improvement, including implementing the new recommendations for preparation, licensing, and accreditation.

- Fund ongoing professional learning supports, including intensive study of new curriculum, teaching, and assessment strategies. Professional learning should be conducted in collaborative communities in which teachers can learn, see models, develop and try out plans, receive coaching, reflect on outcomes with colleagues, and continue a sustained cycle of learning. Given New Mexico's geography, regional centers could house this work.

3. Integrated Supports for Students in High-Poverty Schools

In New Mexico, poverty creates conditions that negatively impact school success and well-being for the majority of children. Although schools alone cannot "fix" poverty, evidence-based school interventions can provide supports and resources to mitigate these barriers to learning and create the opportunities and safety nets children need.[17]

Key goals for integrated supports. Community schools, an evidence-based approach for increasing the school success of students living in communities of poverty, should become the norm in New Mexico schools with concentrated poverty.[18] Community schools vary and are flexible in their design to reflect local conditions. However, they are built with four key pillars that meet community needs and take advantage of community assets: integrated supports, expanded learning time and opportunities, family and community engagement, and collaborative leadership. Community schools address the 2018 findings of the *Martinez/Yazzie* case about the need for and shortage of expanded learning time, including after-school programs and tutoring, and the lack of social and health services available to all at-risk students. Community schools are also promising sites for developing culturally and linguistically responsive programs collaboratively with tribal governments, given their close connections with communities.

Context of community schools and integrated supports in New Mexico. To address the harms of poverty on learning, Albuquerque, Las Cruces, and Santa Fe have created more than three dozen community schools. Community schools have also been created on tribal lands, including Kha'p'o Community School, Nenahnezad Community School and Haak'u Community Academy. Although some have been quite successful, consistent quality and sustainability require a stable infrastructure supported by public resources.

Progress toward community schools and integrated supports. In 2019, the New Mexico Legislature made funding available for every high-poverty elementary school to participate in the state's K–5 Plus initiative, which adds 25 days to the school year. It also allocated enough funding for a third of all schools to provide an equivalent of 10 additional days in extended learning through enrichment activities and after-school programs. Although the expanded K–5 Plus program faced initial implementation challenges, evidence from the state's earlier experience with the K–3 Plus program makes clear that well-implemented programs have a positive impact on student learning. Specifically, an independent scientific evaluation found that students enrolled in K–3 Plus the summer prior to kindergarten were more ready for school and

outperformed their peers. They continued to have higher levels of achievement four years later.[19] In response to COVID-19, however, NMPED canceled the K–5 Plus program for 2020 and the legislature eliminated its funding from the state budget.

The 2019 legislature also amended the unfunded Community Schools Act to establish a stronger implementation framework, provide $2 million for community school grants, and require NMPED to appoint a statewide Coalition for Community Schools to support implementation. Districts and schools responded enthusiastically, but the $2 million was sufficient to support only a fraction of the more than 100 applicants. The 2020 legislature doubled the community school allocation, which was then reduced to $3.3 million after COVID-19 budget cuts, severely limiting the program's expansion to additional schools.

The Community Schools Act encourages federal, state, local, and tribal governments to work with community-based organizations to improve the coordination, delivery, effectiveness, and efficiency of services provided to students and families. The grants program has also begun supporting some schools to develop integrated supports, culturally and linguistically responsive practices and collaborations with tribal governments (Cuba Independent School District's schools, for example).

Next steps for community schools and integrated supports. We recommend that the state create the capacity and infrastructure required to scale, over time, the community school strategy (including expanded learning time) to all schools in which at least 80% of students come from low-income families.

Immediate, low-cost steps that could be taken during the COVID-19 recovery period include the following:

- Support districts, tribally controlled schools, and BIE schools to blend and braid funds to support community schools, including state funding for at-risk students, expanded learning time, and state grants through the Indian Education Act, as well as federal 21st Century Community Learning Center grants and school improvement funding. This would include permitting combined applications, budgets, and reporting.
- Position community schools to become hubs for aligned and coordinated programs across agencies by providing leadership and guidance from a cross-agency body, such as the governor's Children's Cabinet and the Department of Indian Affairs. This approach would increase access, as well as create funding efficiencies by avoiding duplication of essential supports for children and families.
- Develop targeted educator professional development programs that teach the competencies required for managing successful community schools and expanded learning time, planning and implementing services and strategies in collaboration with communities and tribes, and blending and braiding funding.
- Require sufficient data to enable oversight of community schools and to inform ongoing school improvement. In addition to the comprehensive data required of all schools, the

state should collect leading indicators and process data to better understand the degree to which the community school framework is being implemented.

In the longer term, the state can adopt policies and make new investments that enable all of New Mexico's highest-poverty schools to become comprehensive community schools:

- Reinstate funding for K–5 Plus and expanded learning time programs and increase investments in community schools. These funds can be combined and supplemented with related state and federal funding (e.g., funds from the at-risk index in the state formula and federal Title 1 allocations) to ensure that every school in which at least 80% of students come from low-income families has a sustainable community schools infrastructure, including a full-time coordinator and funding for expanded learning.
- Establish regional capacity to offer technical assistance and professional development to help districts implement community schools and expanded learning effectively, including tribal collaboration where appropriate. This could be part of a larger state effort to increase the regional capacity of NMPED.

4. High-Quality Early Learning Opportunities

Although recommending specific policy directions in early childhood education (ECE) is beyond the purview of this project, we encourage the state to stay the course with its recent policy changes and investments aimed at improving the quality, access, and workforce—issues the new Department of Early Childhood Education and Care has identified as priorities. ECE represents a powerful, cost-effective lever for closing the achievement gap in later grades and supports other positive long-term outcomes.[20] For more than a decade, New Mexico has mounted ambitious efforts to improve access and quality in early learning. The state has now begun to tackle the need to strengthen the early childhood workforce, whose criticality has been highlighted during the coronavirus crisis. However, much work remains to be done to ensure all children, and particularly those in high-poverty and tribal communities, have sufficient access to high-quality, culturally and linguistically responsive ECE.

5. Adequate and Equitable Funding

Building a system with all four of the key elements described here—meaningful learning goals, a highly skilled workforce, additional supports in high-poverty schools, and high-quality ECE—requires adequate funding that is distributed effectively and equitably. Despite New Mexico's highly acclaimed 1974 reform of the school finance system to equalize funding, the state has resourced its schools inadequately. A major finding of the *Martinez/Yazzie* court was that the state's investments in the education system were insufficient to fund the programs necessary to provide an opportunity for all at-risk students to have an adequate education.

Significant funding increases in the 2019 and 2020 legislative sessions provided a good start toward remedying the ongoing shortfall. Those shifts moved New Mexico closer to the national average in per-pupil spending and increased resources for students identified as at risk.

Key goals for adequate and equitable funding. The national evidence base for greater and more equitable funding is increasingly strong. Recent studies demonstrate that when more money is spent educating students from low-income families, achievement and graduation rates improve. Research points to providing additional funding to support the needs of children whose learning needs are greater because of poverty, language, and disability as a key goal to achieve adequate and equitable schooling.[21] In general, this means making high-leverage strategic investments in the five key areas addressed in this report. It also requires, however, avoiding a proliferation of categorical ("below-the-line") programs that limit the flexibility of communities and districts to tailor their resource use to meet local needs.

Context of education funding in New Mexico. Historically, New Mexico's general levels of revenue and personal income have been exceptionally low, and they dropped precipitously following the Great Recession. That has meant the state has been unable to provide the capacity (opportunities, resources, and support) needed to sufficiently educate its diverse population. The *Martinez/Yazzie* litigation is the latest of a series of lawsuits challenging the inadequacies in the state's current approach (e.g., the 1998 *Zuni Capital Outlay* lawsuit and the unsuccessful 1999 *Gallup-McKinley and Zuni* lawsuit challenging federal impact aid being included in the SEG). In 2017, a joint study by the Legislative Finance Committee and the Legislative Education Study Committee concluded that "New Mexico still needs significant changes to its public education funding formula to more equitably direct resources to students who need them most."[22] Our stakeholder interviews echoed this conclusion. As we note in what follows, some of those changes have been made.

Progress in education funding. Significant funding increases in the 2019 and 2020 legislative sessions—a total increase of $672 million—provided a good start toward remedying the ongoing funding shortfall. As part of these increases, the legislature tripled the level of support to at-risk students in the funding formula. However, these increases are threatened by the current economic crisis. For example, the 3% reduction made to the public school budget in the COVID-19 special session will pare back these investments. Even so, appropriations after the 2020 special session brought New Mexico's total public school spending to approximately $12,107 per pupil compared with the national average of approximately $13,238 for fiscal year 2021. This represents significant progress as that gap was over $3,000 per pupil in 2018.

Next steps for education funding in New Mexico. Going forward, New Mexico needs to maintain its investments during the economic downturn and prepare to increase them when the economy recovers—particularly in schools serving students from low-income families and other vulnerable students. These new investments can be used to implement the evidence-based recommendations in this report—higher-quality curriculum and assessment; educator

recruitment, preparation, compensation, and professional development for a skilled workforce; extended learning and community school supports and interventions in high-poverty schools; and targeted state, regional, and local capacity building.

As New Mexico's funding increases, the state can phase in changes that will lead to a more adequate funding system for students in the state over time. Other states offer examples for revising funding formulas in the midst of an economic downturn.[23]

Immediate, low-cost steps that could be taken during the COVID-19 recovery period include the following:

- Leverage federal aid made available by the CARES Act and other federal pandemic relief legislation to augment local efforts to close the digital divide and provide educators training to deliver remote instruction effectively.

- Support districts to align and consolidate (blend and braid) the multiple federal and state funding sources intended to augment the resources and supports for at-risk students. This includes state funding through the formula, categorial programs, and programs from agencies beyond education. Districts could use these blended resources to support comprehensive, evidence-based approaches that distribute high-quality learning opportunities and support greater equity in their diverse locales. Community schools that integrate culturally and linguistically responsive instruction with expanded learning time and provide health and social supports is one example.

- Evaluate implementation of the teacher cost index and the rural adjustment into the SEG funding formula to assess the extent to which these approaches remedy inadequate levels of funding in low-wealth districts.

- Strengthen fiscal accountability and support districts' effective and equitable uses of funds by strengthening the data, expectations, and training for school boards and educators around budget planning, review, approval, and auditing.

- Appoint a high-level, multi-sector task force to develop strategies for generating additional state income, reducing the current volatility in revenues, and ensuring adequate funding for the education system.

Longer-term steps that could be taken when funding recovers include the following:

- Increase the state's investments in education toward adequacy of funding and set a long-term goal of, for example, reaching the per-pupil national funding average. This goal is reasonable given the cost of living in New Mexico. It may not require as high a level of spending to achieve a high-quality system as it does in states such as Connecticut, Massachusetts, and New Jersey. However, the state does need to spend considerably more than states without high levels of poverty. After the significant increase in 2019 and the more modest one in 2020, the state still falls below the national average by about $1,100 per pupil. Annual increases of 4.8% to 5.5% over each of the next few years would bring New Mexico to the projected national average within 5 to 8 years, even

accounting for likely increases by other states. Such annual increases would allow, for example, for the state's 1,054 vacant instructional positions to be filled; average teachers' salaries to be increased to above the regional average; and additional funding (between $90.5 million and $128 million) remaining each year to undertake other policy recommendations from this report.

- Increase equity in school resources by providing additional funding to high-poverty schools through the state's at-risk funding program (e.g., increase the formula weight for at-risk students, and add a concentration factor to target additional funding to those districts with the highest percentage of traditionally underserved students).

How Can State Leaders Promote Effective Implementation? Supportive Accountability That Builds State and Local Capacity for Improvement

Improvement in the five key elements of the education system discussed above requires substantial state and local capacity with differentiated support, given the unique considerations that New Mexico's education system must address. To build this capacity, the state can develop an accountability and improvement system that, in addition to enabling state monitoring and oversight, includes comprehensive data and processes that New Mexico's districts and schools can use regularly to inform and support educator learning, high-quality implementation, and continuous improvement, including, where appropriate, authentic collaboration with tribal governments. A supportive accountability system is key to providing the constructive balance among state leadership, local control, and tribal collaboration that New Mexico needs.

Key goals for accountability that supports improvement. Research makes clear that effective accountability and improvement strategies set expectations for performance, collect appropriate data, and provide support for improvement in three key, related domains: (1) meaningful learning enabled by (2) professionally skilled and committed educators and supported by (3) adequate and appropriate resources. Such strategies include mechanisms for continuous improvement informed by state and local data on student learning opportunities as well as outcomes; ongoing review and planning to meet student needs; supports for adult learning to improve practice; and shared ownership for improvement, informed by engagement with communities. Effective approaches also recognize the need for flexibility and responsiveness to particular school and community conditions.[24]

To achieve such a system, New Mexico needs a comprehensive set of measures that provide data for evaluating the state's and districts' progress toward providing every student with a sufficient

education—for example, offering a rich curriculum facilitated by qualified educators in a supportive, inclusive learning environment. Such data shed light on the extent to which resources are being used effectively to achieve important outcomes, including attendance, growth in achievement, completion of strong college- and career-ready programs, graduation, and post–high school success.

Also critical are accountability and auditing procedures, followed up with constructive assistance, to identify areas where districts are falling short on legal requirements for providing a sufficient education. In this way, the mechanisms used to implement supportive accountability are as important as the data the system collects and spotlights. In addition to an accessible and timely system of data collection and analysis, New Mexico needs to provide ongoing training for educators, school boards, and tribal partners on using data to pinpoint problems and inform changes in practice. It also needs to make technical assistance available regionally to support schools and communities to develop and evaluate data-based efforts to continuously improve in ways that are locally appropriate. In New Mexico that also means making the required state and tribal collaboration an integral part of accountability and improvement processes in Native-serving districts and schools.

Context of accountability in New Mexico. New Mexico's accountability and investment policies have shifted over the past 2 decades in ways that have influenced achievement. As required by the federal No Child Left Behind law, accountability after 2002 took the following form: The state set specific improvement targets for schools, measured student performance with standardized tests, and intervened in schools that failed to meet their targets. In 2003 the state established an Office of Educational Accountability to oversee a statewide database and conduct ongoing analyses to monitor school progress. Notably, between 2003 and 2008, the state also made considerable new investments in schools and teaching to support improvement. The strengthened Indian Education Act (2003) and the State-Tribal Collaboration Act (2009) required NMPED and districts with concentrations of Native students to collaborate with tribal governments in improving educational practices. Students' scores in reading and math on the National Assessment of Educational Progress improved in this era, likely as a result of these new investments and supports.

With the onset of the Great Recession and a change of administration in 2011, however, disinvestments in school funding were accompanied by a shift in accountability. Accountability strategies emphasized high-stakes standardized testing tied to sanctions associated with test-score targets for schools and teachers. The Office of Educational Accountability was disbanded. Public reporting and labeling of schools as "failing" and educators as "ineffective," together with the threat of state-initiated school closures, were expected to lead communities to demand improvement and spur schools and teachers to do better. Other support and improvement processes, such as legally required tribal collaboration and the development of culturally and linguistically responsive practices, received little attention.

The policy of high-stakes testing without investing in or supporting improvement did not have its intended impact. New Mexico 8th-grade reading and math score progress on the National Assessment of Educational Progress stalled, and some scores declined. At the same time, the increased pressure to raise scores diverted attention away from subjects that were not tested, and instruction in tested subjects tended to mimic the content and format of the tests themselves. The inadequacies of New Mexico's approach to accountability were cited in the *Martinez/Yazzie* litigation as central to the system's insufficiency in 2018.

Progress toward accountability that supports improvement. Governor Lujan Grisham's administration moved quickly to redesign the state's accountability policies by limiting testing and revamping educator evaluations, acting on the increased flexibility allowed by the new federal Every Student Succeeds Act (ESSA). The legislature eliminated the A–F school grades and adopted a combination of measures to evaluate school quality and student success, including indicators of students' opportunity to learn. The NMPED released a new school dashboard making more comprehensive data accessible and designed a new educator evaluation system focused on professional learning. The legislature's 2019 revisions of the Indian Education Act have prompted NMPED to take initial steps toward providing districts, charters, and tribes with tribal consultation training, guidance manuals, and on-site technical assistance regarding educating Native American students. Additionally, to monitor and support local districts to use funding effectively, the legislature also required the NMPED to develop and implement a more comprehensive online financial reporting system. These are all moves toward more effective accountability, but some changes have not been funded, and most have yet to be implemented.

Next steps toward accountability that supports improvement. Given the progress of the current administration and legislature toward more effective accountability, the following recommendations build on and extend existing policies consistent with research and seek to strengthen their implementation. These recommendations are informed, in part, by California's recent overhaul of its funding and accountability system, which changed the state's distribution of resources and has led to significant increases in graduation rates and achievement, particularly among children from low-income families.[25]

Immediate, low-cost steps that could be taken during the COVID-19 recovery period include the following:

- Make the state's expectations for learning clearer by developing a state "Profile of the New Mexico Graduate" that includes learning goals and other outcomes that go beyond standardized test scores.
- Further refine the state's new set of indicators, dashboard, and data system to include multiple measures of students' opportunities to learn (including opportunities mandated by the Indian Education Act and the Hispanic Education Act), as well as a broad range of outcomes identified in the Graduate Profile. Measured opportunities could include student participation in college- and career-ready curriculum, student access to culturally

and linguistically responsive instruction and multicultural education programs, positive climate, funding levels, and qualifications of staff. The dashboard might also present data on locally determined indicators required for the new Indian Education Act student needs assessments. To understand the schooling experiences of New Mexico's Native students who move between state-supported and other schools on tribal lands, develop memoranda of understanding between tribal governments and their departments of education and the NMPED and local districts for two-way data sharing agreements of student data covering both the state public education system and Bureau of Indian Education and tribally controlled schools.

- Require robust, community-engaged, local budget planning and accountability processes that use state data combined with local expertise to propose and evaluate local spending focused on community-appropriate, evidence-based strategies for increasing student learning opportunities and outcomes. These processes should include authentic collaboration with tribes in Native-serving districts, incorporating required framework and accountability tools.

- Monitor implementation of the new Indian Education Act needs assessments, systemic frameworks, and accountability tools for improving educational outcomes for Native students. State support may be particularly beneficial; for example, aggregating and sharing local best practices in conducting and using needs assessments.

In the longer term, the state could create and fund an infrastructure and processes that enable local policymakers and educators to use the system's accountability data in a well-defined process of continuous improvement. This could include the following:

- Invest in a research and accountability unit in NMPED.
- Build a stable infrastructure for professional development to enable educators to contribute to and use the multiple indicators system effectively.
- Provide regionalized technical assistance, learning opportunities, and school reviews to support districts, schools, teachers, and tribes. This could include support for authentic and meaningful government-to-government collaboration or community-engaged budget planning and accountability processes. Such expertise could be housed at regional education cooperatives, universities, or large districts and become an integral part of a larger state investment in increasing the regional capacity of NMPED.

How Can New Mexicans Move This Agenda Forward?

Education system improvement is not quick work. It takes comprehensive learning and change, championed by those both in and outside the current system. This is the case now more than ever as New Mexico confronts the challenges from the coronavirus pandemic. Ideally, as has been the case in several other states, a bipartisan and diverse cadre of leaders of New Mexico's public, private, nonprofit, and tribal sectors can be brought together as an independent statewide commission or task force to assume responsibility for articulating this agenda by setting specific goals and timelines for developing collective and sustained ownership and by leading the state toward a system that complies with the court order in *Martinez/Yazzie* because it works for all New Mexico children.

This is not a new idea in New Mexico. Most New Mexico stakeholders agree that a broad array of people should be involved in guiding education improvement. And, in fact, dozens of non-profits, tribal governments, and tribally-controlled schools are already actively engaged in reforming education in New Mexico. In the 2019 and 2020 legislative sessions, a bill was introduced that would create a state "commission on equity and excellence in education" to address long-term strategies to improve New Mexico public schools.

Next steps toward an independent statewide commission. To support fundamental education system change that can be sustained over political transitions, the state can fund, structure, and charge an independent statewide body of diverse and bipartisan leaders with developing a long-term plan and providing long-term guidance for education improvement in New Mexico. This plan and guidance could focus on strengthening the five essential elements of high-performing systems and building an accountability system that provides state direction and support balanced with local control and capacity.

Convening such a body would be a relatively low-cost strategy with a long-term payoff. The process of long-term planning by a commission will take time, compromise, and trust building. But the process can result in proposals that are substantively strong and politically viable, as well as potentially avoid expensive, drawn-out court battles. Without a strong plan rooted in consensus about long-term strategies, New Mexico risks many more years of frustration and disappointment over the failure to educate its children in ways that both they and the state deserve.

Appendix A: Acknowledgments

LPI thanks the New Mexico leaders and educators listed below for sharing their knowledge and experiences about education and policymaking in New Mexico during the course of this research. The New Mexico Public Education Department, the Legislative Education Study Committee, and the Legislative Finance Committee graciously provided us access to data and guidance about using it. Several community groups, including the United Way of Central New Mexico, the Deans and Directors of Teacher Education, and Transform Education New Mexico welcomed us to board meetings and public convenings. Although all of these interactions provided valuable and insights that informed the research, LPI remains responsible for the analyses and interpretation reported here.

Abenicio Baldonado, Policy Analyst, Public Education Department

Allison Briceño, Managing Director, Public Education Department

Allan Oliver, Executive Director, the *Thornburg Foundation*

Alvin Warren, Vice President of Career Pathways and Advocacy, Los Alamos National. Laboratory Foundation, Former New Mexico Cabinet Secretary for Indian Education

Andres Romero, Representative, Member, Legislative Education Study Committee, Atrisco Heritage Academy teacher

Angelo Gonzales, Chief Strategy Officer, United Way of Central New Mexico

Becky Kappus, Educator Preparation Program Manager, Public Education Department

Bill Soules, Senator, Chair Senate Education Committee

Brian Egolf, Representative, Speaker of the House

Candie Sweetser, Representative, Member, Legislative Finance Committee

Carlos Martinez, Data Analyst, Public Education Department

Carmen Lopez-Wilson, Deputy Cabinet Secretary, Higher Education Department

Charles Bowyer, State Executive Director, National Education Association

Charles Goodmacher, Director of Government Affairs, Transform Education NM, Former State Government and Media, National Education Association

Charles Sallee, Deputy Director-Budget, Legislative Finance Committee

Chelsea Canada, Senior Fiscal Analyst, Legislative Education Study Committee

Christine Sims, Professor, University of New Mexico

Christine Trujillo, Representative, Chair, Legislative Education Study Committee

Cynthia Nava, Executive Director, Teach for America New Mexico, Former Senator and Former Superintendent of Gadsden Independent School District

Danette Townsend, Executive Director, ABC Community School Partnership

David Abbey, Director, Legislative Finance Committee

David Greenburg, Director of Community Schools, Las Cruces Public Schools

Dawn Wink, Chair, Deans and Directors of Teacher Education

Deanna Creighton Cook, Community School Manager, ABC Community School Partnership

Deborah Dominguez-Clark, Special Education Bureau Director, Department of Public Education

Del Archuleta, Former State Board President, Businessman

Diane Torres Velasquez, Professor, University of New Mexico

Edward Tabet-Cubero, State Director to Senator Heinrich, Former Member, Transform Education NM

Elaine Perea, Director of College and Career Readiness, Public Education Department

Ellen Bernstein, President, Albuquerque American Federation of Teachers

Fred Nathan, Executive Director, Think New Mexico

Gay Kernan, Senator

Gayle Dine'Chacon, Executive Director, Native American Budget and Policy Institute

Gerry Carruthers, Former Governor

Gwen Perea Warniment, Deputy Secretary of Teaching, Learning and Assessment, Public Education Department

Hayes Lewis, Executive Director, A:shiwi College and Career Readiness Center

Howie Morales, Lieutenant Governor

Jasmine Yepa, Policy Analyst, Native American Budget and Policy Institute

Jeff Bingaman, Former U.S. Senator

Jennifer Parks, President and CEO, Los Alamos National Laboratory Foundation

Jessica Nojek, Executive Director, Mission: Graduate, United Way of Central New Mexico

John Arthur Smith, Senator, Chair of the Legislative Finance Committee and Senate Finance Committee

John Bingaman, Chief of Staff to the Governor

John Sena, Policy Director, Public Education Department

Joseph Simon, Senior Fiscal Analyst, Legislative Education Study Committee

Julia Bergen, Executive Director, New Mexico Communities in Schools

Kara Bobroff, Deputy Secretary of Identity, Equity and Transformation, Public Education Department

Karen Trujillo, Superintendent, Las Cruces Public Schools, Former Public Education Department Secretary

Kata Sandoval, Deputy Secretary of Academic Engagement and Student Success, Public Education Department

Kristina Fisher, Associate Director, Think New Mexico

Linda Trujillo, Representative, Member, Legislative Education Study Committee

Maria Jaramillo, Director, Regional Education Center

Mariana Padilla, Policy Analyst, Governor's Children's Cabinet

Marie Julienne, National Assessment of Educational Progress Coordinator, Public Education Department

Matt Pahl, Executive Director, New Mexico Coalition for Charter Schools

Michael Weinberg, Policy Officer, Thornburg Foundation

Mike Hyatt, Superintendent, Gallup McKinley County Schools

Mimi Stewart, Senator, Senate Majority Whip, Former Chair, Current Vice Chair Legislative Education Study Committee

Nicolas Kennedy, Fiscal Analyst, Legislative Education Study Committee

Othiamba Umi, Field Director, Think New Mexico

Patricia Jiménez-Latham, Project Manager, Transform Education NM

Pedro Noguera, Dean, Rossier School of Education, University of Southern California

Penny Bird, American Indian Language Policy Research and Teacher Training Center Program Manager, University of New Mexico

Peter Winograd, Professor, University of New Mexico, Former Director of the New Mexico Office of Educational Accountability

Peter Wirth, Senator, Senate Majority Leader

Rachel Gudgel, Director, Legislative Education Study Committee

Rebecca Blum-Martinez, Professor, University of New Mexico

Rebecca Reyes, Deputy Director for Indian Education, Public Education Department

Regis Pecos, Chief of Staff to the House of Representatives Majority Leader, Former Governor of Pueblo de Cochiti

Richard Trujillo, Acting Chief Information Officer, Public Education Department

Rob Black, Director, New Mexico Association of Commerce and Industry

Ryan Stewart, Secretary, Public Education Department

Scott Hindman, Executive Director, Excellent Schools New Mexico

Sharon Dogruel, Chief of Staff to Representative Stapleton

Stan Rounds, Executive Director, New Mexico Superintendents Association

Stephanie Gurule-Leyba, Teacher/Biomedical Sciences Pathway Coordinator, Santa Fe Public Schools

Stephanie Kean, Education Policy Advisor to the Governor

Stephanie Ly, State President, American Federation of Teachers

Steven Neville, Senator, Member, Legislative Finance Committee

Sunny Liu, Fiscal Analyst, Legislative Finance Committee

Susan Brown, Dean of Education, New Mexico State University

Tawnya Yates, Teacher/Reading Coach, Albuquerque Public Schools

Tim Bedeaux, Senior Policy Analyst, Legislative Education Study Committee

Tim Hand, Deputy Secretary of Policy, Strategy and Accountability, Public Education Department

TJ Parks, Superintendent, Hobbs Municipal School District

Tomas Salazar, Representative, Member, Legislative Education Study Committee

Trisha Moquino, Co-Founder, Keres Children Learning Center

Veronica Garcia, Superintendent, Santa Fe Public Schools, Former Cabinet Secretary of Education

Victor Reyes, Legislative Director to the Governor

Victoria Tafoya, Director, New Mexico Association for Bilingual Education, Spokesperson, Transform Education NM

Zhanna Galochkina, Statistician Supervisor, Public Education Department

Zoe Ann Alvarez, Teacher/Reading Coach, Albuquerque Public Schools

Endnotes

1 This document summarizes a longer report of the same name. That report includes more detailed analysis and recommendations. For copies of that report, please contact Jeannie Oakes at joakes@learningpolicyinstitute.org.

2 This research was supported by the Thornburg Foundation. Core operating support for the Learning Policy Institute is provided by the Sandler Foundation, the Ford Foundation, and the William and Flora Hewlett Foundation. We are grateful to them for their generous support. We are also grateful to the New Mexico leaders and educators listed in Appendix A for sharing their knowledge and experiences about education and policymaking in New Mexico during the course of this research. The ideas voiced here are those of the authors and not those of our funders or the participants in our study.

3 In January 2015, the New Mexico court consolidated two related education finance cases: *Martinez v. State of New Mexico* and *Yazzie v. State of New Mexico*. The consolidated case is also cited by the court as *Martinez v State*. However, the case is variously referred to as *Yazzie/Martinez*, *Yazzie, et al. v. State of New Mexico*, and/or *Martinez/Yazzie*. Although *Yazzie/Martinez* is used most often in print and public discourse, we refer to the case as *Martinez/Yazzie* as that is the order in which the court lists the consolidated case. In the context of the lawsuit, "at-risk" students refer to Native American students, English language learners, students with disabilities, and students from low-income backgrounds.

4 Albuquerque Public Schools, Indian Education. *https://www.aps.edu/indian-education/documents/aps-tribal-statistics-11.2019* (accessed 9/15/2020)

5 *Indian education: A national tragedy—A national challenge* (Kennedy Report). (1969). Report of The Committee on Labor and Public Welfare, United States Senate Made by its Special Subcommittee on Indian Education Pursuant to S. Res. 80. Washington, DC: Author.

6 Brazil, N. (2016). The effects of social context on youth outcomes: Studying neighborhoods and schools simultaneously. *Teachers College Record*, *118*(7), 1–30; Mickleson, R. A. (2018). *Research brief 14*: *Is there systematic meaningful evidence of school poverty thresholds?* Washington, DC: National Coalition on School Diversity; Rumberger, R. W., & Palardy, G. J. (2005). Does segregation still matter? The impact of student composition on academic achievement in high school. *Teachers College Record*, *107*(9), 1999–2045; Van Ewijk, R., & Sleegers, P. (2010). The effect of peer socioeconomic status on student achievement: A meta-analysis. *Educational Research Review*, *5*(2), 134–150.

7 In addition to state statutes--Indian Education Act (1972/2004) and the State-Tribal Collaboration Act (2009)—the federal Indian Self-Determination and Education Assistance Act (1975) and the Tribally Controlled Schools Act (1988) empahsize the participation of local tribes in the education of Native students.

8 These factors and the evidence base about how other states and nations have focused on these factors to achieve dramatic improvements are detailed in Darling-Hammond, L. (2019). *Investing for student success: Lessons from state school finance reforms*. Palo Alto, CA: Learning Policy Institute; Darling-Hammond, L. (2015). *The Flat World and Education: How America's Commitment to Equity Will Determine Our Future*. New York, NY: Teachers College Press.

9 Darling-Hammond, L. (2015). *The Flat World and Education: How America's Commitment to Equity Will Determine Our Future*. New York, NY: Teachers College Press.

10 American Institutes for Research. (2016). *Does deeper learning improve student outcomes? Results from the study of deeper learning: Opportunities and outcomes*. Washington, DC: Author; Zeiser, K. L., Taylor, J., Rickles, J., Garet, M. S., & Segeritz, M. (2014). *Evidence of deeper learning outcomes*. Washington, DC: American Institutes for Research; Bitter, C., Taylor, J., Zeiser, K. L., & Rickles, J. (2014). *Providing opportunities for deeper learning*.

Washington, DC: American Institutes for Research. See also: Hernández, L. E., Darling-Hammond, L., Adams, J., & Bradley, K. (with Duncan Grand, D., Roc, M., & Ross, P.). (2019). *Deeper learning networks: Taking student-centered learning and equity to scale*. Palo Alto, CA: Learning Policy Institute.

11 Gay, G. (2000). *Culturally Responsive Teaching: Theory, Research, and Practice.* New York, NY: Teachers College Press; Spencer, M. B., Swanson, D. P., & Harpalani, V. (2015). "Conceptualizing the Self: Contributions of Normative Human Processes, Diverse Contexts and Opportunity" in Lerner, R. M. (Ed.). *Handbook of Child Psychology and Developmental Science: Vol. 3. Socioemotional Processes* (7th ed., pp. 750–793).

12 Taylor, R., Oberle, E., Durlak, J. A., & Weissberg, R. (2017*). Promoting positive youth development through school-based social and emotional learning interventions: A meta-analysis of follow-up effects*. Chicago, IL: CASEL.

13 Warner, M., Caspary, K., Arshan, N., Stites, R., Padilla, C., Patel, D., McCracken, M., Harless, E., Park, C., Fahimuddin, L., & Adelman, N. (2016). *Taking stock of the California Linked Learning District Initiative. Seventh-year evaluation report.* Menlo Park, CA: SRI International.

14 Hyslop, A. (2020, July 24). Federal flash: Students of color caught in the homework gap [Blog post]. *Alliance for Excellent Education*. https://all4ed.org/federal-flash-students-of-color-caught-in-the-homework-gap/ (accessed 07/31/20).

15 Broadband Now. (2020). The state of broadband in New Mexico, 2020. https://broadbandnow.com/New-Mexico (accessed 07/31/20).

16 Kini, T., & Podolsky, A. (2016). *Does teaching experience increase teacher effectiveness? A review of the research.* Palo Alto, CA: Learning Policy Institute; Clotfelter, C. T., Ladd, H. F., & Vigdor, J. L. (2010). Teacher credentials and student achievement in high school: A cross-subject analysis with student fixed effects. *Journal of Human Resources, 45*(3), 655–681; Clotfelter, C. T., Ladd, H. F., & Vigdor, J. L. (2007). Teacher credentials and student achievement: Longitudinal analysis with student fixed effects. *Economics of Education Review, 26*(6), 673−682; Ingersoll, R., Merrill, L., & May, H. (2014). *What are the effects of teacher education and preparation on beginning teacher attrition?* [CBRE Research Report #RR-82]. Philadelphia, PA: Consortium for Policy Research in Education, University of Pennsylvania; Podolsky, A., Darling-Hammond, L., Doss, C., & Reardon, S. (2019). *California's positive outliers: Districts beating the odds.* Palo Alto, CA: Learning Policy Institute.

17 Ladd, H. F. (2012). Education and poverty: Confronting the evidence. *Journal of Policy and Management, 31*(2), 203–227.

18 Maier, A., Daniel, J., Oakes, J., & Lam, L. (2017). *Community schools as an effective school improvement strategy: A review of the evidence.* Palo Alto, CA: Learning Policy Institute.

19 Cann, D., Karakaplan, M., Lubke, M., & Rowland, C. (2015). *New Mexico StartSmart K–3 Plus validation study evaluator's report.* Logan, UT: Utah State University.

20 Meloy, B., Gardner, M., & Darling-Hammond, L. (2019). *Untangling the evidence on preschool effectiveness: Insights for policymakers*. Palo Alto, CA: Learning Policy Institute.

21 Darling-Hammond, L. (2019). *Investing for student success: Lessons from state school finance reforms*. Palo Alto, CA: Learning Policy Institute; Baker, B. D. (2017). *How money matters for schools*. Palo Alto, CA: Learning Policy Institute.

22 New Mexico Legislative Finance Committee & Legislative Education Study Committee. (2017). *Modernizing the public education funding formula*. Santa Fe, NM: Author.

23 Furger, R. C., Hernández, L. E., & Darling-Hammond, L. (2019). *The California Way: The Golden State's quest to build an equitable and excellent education system*. Palo Alto, CA: Learning Policy Institute.

24 Darling-Hammond, L., Wilhoit, G., & Pittenger, L. (2014). Accountability for college and career readiness: Developing a new paradigm. *Education Policy Analysis Archives, 22*(86), 1–38; Elmore, R. F. (2000). *Building a new structure for school leadership.* Washington, DC: Albert Shanker Institute; Adams, C. M., Ford, T. G., Forsyth, P. B., Ware, J. K., Olsen, J. J., Lepine, J. A., Barnes, L. L. B., Khojasteh, J., & Mwavita, M. (2017). *Next generation accountability: A vision for school improvement under ESSA*. Palo Alto, CA: Learning Policy Institute; Hargreaves, A., & Shirley, D. (2009). *The Fourth Way: The Inspiring Future for Educational Change*. Thousand Oaks, CA: Corwin Press; Fullan, M., Rincón-Gallardo, S., & Hargreaves, A. (2015). Professional capital as accountability. *Education Policy Analysis Archives, 23*(15), 1–22

25 Furger, R. C., Hernández, L. E., & Darling-Hammond, L. (2019). *The California Way: The Golden State's quest to build an equitable and excellent education system*. Palo Alto, CA: Learning Policy Institute.