Improving Educational Outcomes and New Mexico’s Response to *Yazzie and Martinez v. New Mexico* Decision

Charles Sallee, Deputy Director, LFC
Presentation for LFC
August 28, 2020
Legislating for Results Framework: AGA Performance Report Cards

- AGA report cards hold state entities accountable to their set performance targets.
- AGA report cards inform policymakers and stakeholders about performance levels and improvements.
- Available performance data becomes a driver of state budget and policy discussions.

Public Schools

<table>
<thead>
<tr>
<th>Budget: $3,198,572.9</th>
<th>FTE: N/A</th>
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</table>

<table>
<thead>
<tr>
<th>Fourth grade reading proficiency</th>
<th>FY18 Actual</th>
<th>FY19 Actual</th>
<th>FY20 Target</th>
<th>FY20 Actual</th>
<th>Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>29.1%</td>
<td>30%</td>
<td>30%</td>
<td>Not reported</td>
<td>R</td>
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</table>

<table>
<thead>
<tr>
<th>Fourth grade math proficiency</th>
<th>FY18 Actual</th>
<th>FY19 Actual</th>
<th>FY20 Target</th>
<th>FY20 Actual</th>
<th>Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>25.6%</td>
<td>27%</td>
<td>30%</td>
<td>Not reported</td>
<td>R</td>
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<table>
<thead>
<tr>
<th>Eighth grade reading proficiency</th>
<th>FY18 Actual</th>
<th>FY19 Actual</th>
<th>FY20 Target</th>
<th>FY20 Actual</th>
<th>Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>29%</td>
<td>31%</td>
<td>30%</td>
<td>Not reported</td>
<td>R</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Eighth grade math proficiency</th>
<th>FY18 Actual</th>
<th>FY19 Actual</th>
<th>FY20 Target</th>
<th>FY20 Actual</th>
<th>Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20.8%</td>
<td>20%</td>
<td>30%</td>
<td>Not reported</td>
<td>R</td>
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</table>

<table>
<thead>
<tr>
<th>Four-year high school graduation</th>
<th>FY18 Actual</th>
<th>FY19 Actual</th>
<th>FY20 Target</th>
<th>FY20 Actual</th>
<th>Rating</th>
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<tbody>
<tr>
<td></td>
<td>73.9%</td>
<td>74.9%</td>
<td>75%</td>
<td>N/A</td>
<td>Y</td>
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</table>

<table>
<thead>
<tr>
<th>Chronic absenteeism</th>
<th>FY18 Actual</th>
<th>FY19 Actual</th>
<th>FY20 Target</th>
<th>FY20 Actual</th>
<th>Rating</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>New</td>
<td>New</td>
<td>&lt;10%</td>
<td>Not reported</td>
<td>R</td>
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</table>

<table>
<thead>
<tr>
<th>Large school district budget for instruction</th>
<th>FY18 Actual</th>
<th>FY19 Actual</th>
<th>FY20 Target</th>
<th>FY20 Actual</th>
<th>Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>73%</td>
<td>Not reported</td>
<td>75%</td>
<td>Not reported</td>
<td>R</td>
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</tbody>
</table>

Program Rating: Y Y R

*Measure is classified as explanatory and does not have a target.
Performance Outcomes

- PARCC reading and math proficiencies have improved marginally

- Achievement gaps remain for at-risk students

- No testing in FY20 due to COVID-19; new assessment for FY21
Performance Outcomes

- Graduation rates have improved
  - Nearly 10 percentage point increase for Native American students

- HED/PED no longer reporting on college remediation rates
  - Replacing with postsecondary pathway completion

![Statewide Graduation Rates](image)
Targeting Resources

- PED can use data to focus efforts in high need districts.

- New Mexico schools would need to graduate 2,600 more students to reach national graduation rate.

Source: PED Files and LFC Analysis
Change in At-Risk Funding and Outcomes
3rd Grade Reading Improvements

3rd Grade Reading Proficiency Rates

- All Students
- Economically Disadvantaged
- English Language Learners
- Students with Disabilities
Differences in Outcomes
How to Target Resources to Need
New Mexico Education Sufficiency Lawsuit: *Martinez and Yazzie v. State of New Mexico*

- The plaintiffs alleged that New Mexico is not meeting its constitutional obligation to provide sufficient funding and programming for at-risk public school students.

- In 2019, the District Court ruled that:
  1) Outputs are “dismal” and therefore…
  2) Inputs (funding/programming) must be insufficient; and
  3) Oversight over public education should be enhanced.
National Student Average Test Scores, Grades 3-8, 2009-2016 (Green = Positive, Blue = Negative)

Source: The Educational Opportunity Project at Stanford University
National Student Average Test Score Growth, Grades 3-8, 2009-2016 (Green = Positive, Blue = Negative)

Source: The Educational Opportunity Project at Stanford University
Findings from NM Longitudinal Data: Students Generally Gain a Year’s Worth of Learning Each Year

Grade Level Proficiency in State Reading Exam from Third through Eighth Grade, SY08-SY13 (N = 20,210 Students)

Source: LFC (2017) Longitudinal Student Performance Analysis, p.8

Note: Average state reading scores for each year were divided by 40 (the proficiency threshold score) and then multiplied by the grade level number. A score of 40 in third grade would be a value of three in this chart.
New Findings from NM Longitudinal Data: Students Gaining a Year’s Worth of Learning Each Year & Improve Proficiency

Reading Proficiency on PARCC Test from Fifth through Eighth Grade, SY15-SY18 (N = 23,696 Students)

<table>
<thead>
<tr>
<th>Year</th>
<th>Grade</th>
<th>Proficiency Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>SY15</td>
<td>5th</td>
<td>23.7%</td>
</tr>
<tr>
<td>SY16</td>
<td>6th</td>
<td>24.2%</td>
</tr>
<tr>
<td>SY17</td>
<td>7th</td>
<td>26.1%</td>
</tr>
<tr>
<td>SY18</td>
<td>8th</td>
<td>29.0%</td>
</tr>
</tbody>
</table>

Proficiency Rate
New Findings from NM Longitudinal Data: Students Gaining a Year’s Worth of Learning Each Year & Improve Proficiency

Reading Proficiency on PARCC Test from Fifth through Eighth Grade By Attendance Rate
SY15-SY18 (N = 23,453 Students)
PED Dashboard: NM Vistas

New Mexico

About the State Academic performance Learning Environment Accountability System

Overall student Improvement
This container shows the breakdown for both reading and math subjects, for each of the three groups of growth levels.

- Below 25: Less than a year of improvement
- 25-74: Expected Improvement
- 75 and up: More than a year of improvement

Students are measured on their progress year-over-year. The values have been grouped into the three categories of less than a year, expected, and more than a year.

Low Performing Students

Reading

<table>
<thead>
<tr>
<th>Grade</th>
<th>1</th>
<th>99</th>
</tr>
</thead>
<tbody>
<tr>
<td>Math</td>
<td>50</td>
<td>99</td>
</tr>
</tbody>
</table>

Middle Performing Students

<table>
<thead>
<tr>
<th>Grade</th>
<th>1</th>
<th>99</th>
</tr>
</thead>
<tbody>
<tr>
<td>Math</td>
<td>50</td>
<td>99</td>
</tr>
</tbody>
</table>

High Performing Students

<table>
<thead>
<tr>
<th>Grade</th>
<th>1</th>
<th>99</th>
</tr>
</thead>
<tbody>
<tr>
<td>Math</td>
<td>50</td>
<td>99</td>
</tr>
</tbody>
</table>

What does this mean?
Each student's previous test scores are used to predict how well they can be expected to perform this year on state tests. Low performing students are those who previously performed below average on the state reading or math test. This measure shows how much progress students who are low performers have made in reading or math as compared to other low performing students.
Longitudinal Data: Student Mobility affects Student Academic Achievement

Percent of Students Proficient on SY16 PARCC by Number of School Changes, SY13-SY16

- **Third Graders**
  - Reading: No Moves (40%), One Move (30%), Two Moves (20%), Three Moves (10%), Four Moves (0%)
  - Math: No Moves (45%), One Move (35%), Two Moves (20%), Three Moves (15%), Four Moves (10%)

- **Sixth Graders**
  - Reading: No Moves (35%), One Move (30%), Two Moves (25%), Three Moves (15%), Four Moves (5%)
  - Math: No Moves (30%), One Move (25%), Two Moves (20%), Three Moves (15%), Four Moves (10%)

- **Tenth Graders**
  - Reading: No Moves (30%), One Move (25%), Two Moves (20%), Three Moves (15%), Four Moves (10%)
  - Math: No Moves (25%), One Move (20%), Two Moves (15%), Three Moves (10%), Four Moves (5%)

Longitudinal Data: Attendance Lagging Statewide Across All Grades, SY08-SY19
LFC education budget recommendations are:

- informed by national and state research, and
- developed in conversation with the LESC and educational stakeholders.
### Cost-Benefit Analysis: Examining What Works

**Summary of Teacher Quality Interventions.**

<table>
<thead>
<tr>
<th>Intervention</th>
<th>Evidence of Positive Impact</th>
<th>Benefit-to-Cost-Ratio</th>
<th>Chance Benefits Will Exceed Cost</th>
<th>Effect Size on Test Scores</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teacher professional development</td>
<td>Strong (depends on model)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use of data to guide instruction</td>
<td></td>
<td>$132</td>
<td>98%</td>
<td>0.117</td>
</tr>
<tr>
<td>Targeted</td>
<td></td>
<td>$38</td>
<td>79%</td>
<td>0.071</td>
</tr>
<tr>
<td>Online, targeted</td>
<td></td>
<td>$9</td>
<td>61%</td>
<td>0.020</td>
</tr>
<tr>
<td>Induction/mentoring</td>
<td></td>
<td>$0</td>
<td>38%</td>
<td>0.046</td>
</tr>
<tr>
<td>Not targeted</td>
<td></td>
<td>$6</td>
<td>60%</td>
<td>0.000</td>
</tr>
<tr>
<td>Teacher coaches/consultant teachers</td>
<td>Strong (depends on model)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Content-focused coaching</td>
<td></td>
<td>$190</td>
<td>94%</td>
<td>0.107</td>
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<tr>
<td>Online coaching</td>
<td></td>
<td>$93</td>
<td>92%</td>
<td>0.082</td>
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<tr>
<td>Literacy collaborative</td>
<td></td>
<td>$32</td>
<td>99%</td>
<td>0.428</td>
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<tr>
<td>Coaching</td>
<td></td>
<td>$28</td>
<td>81%</td>
<td>0.067</td>
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<tr>
<td>Teacher experience</td>
<td>Strong</td>
<td>$13</td>
<td>99%</td>
<td>0.058</td>
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<tr>
<td>Teacher performance pay</td>
<td>Strong</td>
<td>$22</td>
<td>87%</td>
<td>0.019</td>
</tr>
<tr>
<td>Incentives for hard to staff subjects/schools</td>
<td>Strong</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teacher evaluation systems</td>
<td>Promising</td>
<td></td>
<td>Not ln RF</td>
<td></td>
</tr>
<tr>
<td>Teacher residency programs</td>
<td>Promising</td>
<td></td>
<td>Not ln RF</td>
<td></td>
</tr>
<tr>
<td>National Board Certification</td>
<td>Mixed or Inconclusive*</td>
<td></td>
<td>Not ln RF</td>
<td></td>
</tr>
<tr>
<td>Grow Your Own programs</td>
<td>Mixed or Inconclusive*</td>
<td></td>
<td>Not ln RF</td>
<td></td>
</tr>
<tr>
<td>Teacher graduate degrees</td>
<td>No Effect</td>
<td>$0</td>
<td>7%</td>
<td>0.000</td>
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* Indicates that program is included in a social policy clearinghouse

Source: LFC (2019) Results First: Education Initiatives. p.15
Reform Framework Informs Funding, FY20-FY21

- **High Quality Teaching and School Leadership**
  - Significant salary increases; funding for recruiting, induction programs, mentorship and ongoing evidence-based professional development

- **Extended Learning Opportunities**
  - Increased funding for services to students learning English or from low-income families; K5 Plus, longer regular school year, afterschool and enrichment programs

- **Responsive and Appropriate Curriculum**
  - Culturally and linguistically responsive curriculum and instructional material development, interim standards-based assessments, flexibility for instructional materials

- **Effective Oversight and Accountability**
  - Performance-based budgets, PED and regional supports have expanded capacity for oversight and assistance
High Quality Teaching & School Leadership

- Upgraded Three Tiered Salary Minimum Salaries
- Significant salary increases
- Funding for recruiting, induction programs, mentorship and ongoing evidence-based professional development
- Teacher College Affordability Financial Aid and Loan Repayment Reforms and Funding
- Expanded Principals Pursuing Excellence professional development

Next Steps to Consider
- Effective implementation of reforms, develop and monitor leading performance indicators
- Compensation and other strategies to reduce shortage areas for teachers in high poverty schools, bilingual and special education programs.
- Additional work on teacher preparation reforms and expand mentorship programs.
Extended Learning Opportunities, Focused on At-Risk Students

- At-risk index and funding increased to about $350 million, with new guidance on how schools should use the funding and tracking spending. Funds can support social workers, counselors; evidence-based interventions such as tutoring, afterschool programming, community schools among others.

- Expanded funding for more students to receive bilingual programs (LEAs served less however).

- Extended learning opportunities expanded
  - Expanded PreK – additional funding for 3 year olds, continued expansion of full day programs. About 80 percent of four year olds funded for some type of publicly funded services – not all of equal quality
  - Extending learning program – provides additional ten days of instruction, afterschool/enrichment services; teacher professional development. When combined with K5 Plus and At-Risk funding would provide robust funding stream for Community Schools models
  - K5 Plus – Provided funding for every student in every high poverty school. Low LEA take up rates; COVID creates additional implementation challenges and $40 million in funding pulled back.

- Evidence-based early literacy program funding and professional development

Next Steps to Consider

- Implementation of interventions and developing a set of leading indicators for performance monitoring

- Expanding extended learning programs statewide or to some agreed target, including community schools
Responsive and Appropriate Curriculum

- Expanded instructional materials funding and provided more flexible use
- Specific funding for cultural and linguistically responsive curriculum development and dissemination, including working with Indian Affairs Dept and tribal governments
- Modified standards-based assessments

Next Steps to Consider

- Effective implementation of reforms, develop and monitor leading performance indicators
- PED and LEAs domain primarily, compliance with legislative Acts, practice-based strategies, coordination with communities, dissemination of curriculum and other materials, and use of existing resources to support effective implementation
Effective Oversight and Accountability

- Performance-based budgeting at LEA level
- At-risk funding accounting and reporting
- PED Implementation of new school and LEA shared supports accountability system – NM Vistas. [www.newmexicoschools.com](http://www.newmexicoschools.com)
- PED expanding use of regional supports

Next Steps to Consider

- Effective implementation of reforms, develop and monitor leading performance indicators
Significant State Actions

- Funding has remained steady through three economic downturns and increased since the 2019 ruling

- Implementation of key reforms is mixed or not reported timely
Next Steps and Considerations

- School closures in FY20 and remote learning are expected to exacerbate summer learning loss (i.e. COVID slide)

- Participation in key reforms (K-5 Plus and prekindergarten) is expected to decline

- Proliferation of small initiatives limits PED oversight capacity; new initiatives may have mixed implementation
Next Steps and Considerations

- Changes to accountability systems will interrupt longitudinal analyses and change oversight mechanisms

- Technology expansions will create an opportunity for improved performance monitoring and blended learning
Possible Leading Indicators for an NMEdStat

- Money in the classroom; money budgeted for at-risk supports
- Teacher/Principal Spring-Fall Turnover
- Teacher Prep enrollment and students on track to graduate
- Improvement due to PED led professional development
- Classrooms with Fully Certified and Qualified Teachers
- Student Attendance per 9 weeks
- LEAs implementing whole school/district Extended Learning Programs (ELTP, K5 Plus, Community Schools)
- Interim Short Cycle student achievement results (Fall, Winter)
- High School students on track for on-time degree completion
Questions

- What are the key outcome measures that show the state is providing a sufficient and uniform education to all students?

- What is PED’s action plan to improve these key outcomes?

- How is the department progressing toward this goal?

- Do any challenges or barriers to achieving this goal exist? How can the Legislature address these issues?
Appendix: Significant State Actions

### Court Finding and Plaintiff Platform
- Provide at-risk students 25% - 50% more funding
- Provide culturally responsive curriculum and materials and evidenced-based ELL programs
- Increase instructional material funding and oversight

### Legislative Action
- Increased at-risk index from 0.106 to 0.30 ($188 million R)
- BMEP SEG appropriation ($7 million R), PED appropriation ($4.6 million R), development ($9 million NR)
- Instructional materials SEG appropriation ($30 million R, $26.5 million NR)

### PED Action
- New at-risk reporting requirements, new performance measure on at-risk expenditures
- TBD, No FY19 BMEP report
- New instructional material reporting requirements, continued adoption cycle reviews

### School Action
- Spent at-risk funding on salary increases
- Fewer BMEP units generated
- Budgeted $16.9 million for textbooks
Significant State Actions

### Court Finding and Plaintiff Platform
- Implement Indian Education Act
- Provide access to K-3 Plus programs
- Provide access to extended learning time programs (ELTP)

### Legislative Action
- Indian Education Fund ($5.3 million R), PED appropriation ($1 million R)
  Student needs assessment
- K-5 Plus SEG appropriation ($44 - $79 million R or 22% - 39% coverage)
- ELTP SEG appropriation ($71 - $106 million R or 43% - 65% coverage)

### PED Action
- TBD, Provided FY19 TES report
- Hosted K-5 Plus/ELTP conference, required assurances for FY21
- Hosted K-5 Plus/ELTP conference, required assurances for FY21

### School Action
- Indigenous curriculum development
- FY20 participation: 10.7%
  FY21 projected participation: 3%
- FY20 participation: 25.8%
  FY21 projected participation: 26.4%
Significant State Actions

**Court Finding and Plaintiff Platform**
- Improve teacher pay
- Improve teacher quality
- Provide access to support staff

**Legislative Action**
- New salary minimums ($40 million R)
- Additional compensation ($77 million R)
- Scholarships and loan repayment
- Mentorship and PD SEG appropriation ($11 million R)
- PED appropriation ($2.9 million R), residency pilot
- Additional compensation ($38 million R)

**PED Action**
- New budget approval requirements
- Revised teacher evaluation system, professional development conferences, funded alternative licensure programs
- PED appropriation ($11 million R), residency pilot
- Additional compensation ($38 million R)

**School Action**
- 16% budgeted increase for instruction expenses
- Reduced teacher vacancies 13%
- 10% - 24% budgeted increases for operations, student support, and administrative expenses
### Significant State Actions

#### Court Finding and Plaintiff Platform
- Provide access to prekindergarten
- Provide access to reading programs
- Increase funding for transportation and technology

#### Legislative Action
- Increased appropriations ($36.1 million), new ECECD
- Early literacy appropriations ($9.7 million R)
- Transportation funding ($10.4 million), IT systems ($6 million)

#### PED Action
- Increased provider reimbursement rate
- Online literacy trainings and professional development
- CARES funding for digital divide ($1 million), LMS ($3.5 million)

#### School Action
- FY19: 9,757 children
- FY20: 10,885 children
- TBD
- CARES funding for digital divide ($43.7 million)
### Significant State Actions

<table>
<thead>
<tr>
<th>Court Finding and Plaintiff Platform</th>
<th>Legislative Action</th>
<th>PED Action</th>
<th>School Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address formula inefficiencies</td>
<td>Phased changes to T&amp;E, TCI, size adjustment, and rural population units</td>
<td>TBD, Report due in 2021</td>
<td>TBD</td>
</tr>
<tr>
<td>Increase accountability and PED oversight</td>
<td>Assessments ($1.3 million R, $2 million NR), PED Opbud ($3 million R), regional accountability ($1 million R)</td>
<td>Changed assessment (Cognia/SAT), replaced grading system with dashboard (NM Vistas)</td>
<td>TBD</td>
</tr>
<tr>
<td>Provide special education staff and services</td>
<td>Staffing differential bill (died), special education convening ($750 thousand NR)</td>
<td>Developed MLSS policies</td>
<td>TBD</td>
</tr>
</tbody>
</table>
For More Information

  - Session Publications – Budgets
  - Performance Report Cards
  - Program Evaluations

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