

**STATE OF NEW MEXICO**  
**LEGISLATIVE EDUCATION STUDY COMMITTEE**

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Frances Ramírez-Maestas, Director  
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**MINUTES**  
**LESC MEETING**  
**September 24-25, 2015**

Representative Dennis J. Roch, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:07 a.m., on Thursday, September 24, 2015, at the J. Cloyd Miller Library, Western New Mexico University in Silver City, New Mexico.

The following voting members of the LESC were present:

Representatives Dennis J. Roch, Chair, Tomás E. Salazar, and Sheryl M. Williams Stapleton; and Senators John M. Sapien, Vice Chair, Craig W. Brandt, and Howie C. Morales.

The following voting members of the LESC were not present:

Representatives Nora Espinoza, Christine Trujillo, and Monica Youngblood; and Senator Gay G. Kernan.

The following advisory members of the LESC were present:

Representatives Alonzo Baldonado, Stephanie Garcia Richard, Jimmie C. Hall, and G. Andrés Romero; and Senators Lee S. Cotter, John Pinto, William P. Soules, and Mimi Stewart.

The following advisory members of the LESC were not present:

Representatives Jim Dines, David M. Gallegos, D. Wonda Johnson, Timothy D. Lewis, Patricia Roybal Caballero, James E. Smith, and James G. Townsend; and Senators Jacob R. Candelaria, Carlos R. Cisneros, Daniel A. Ivey-Soto, Linda M. Lopez, Michael Padilla, and Pat Woods.

Representative John L. Zimmerman was also in attendance.

The Chair explained that, the Speaker of the House and the President Pro Tempore of the Senate had appointed the following advisory members of the LESC as temporary voting members for the purpose of maintaining a quorum of voting members:

- Representatives Alonzo Baldonado, Stephanie Garcia Richard, and G. Andrés Romero; and
- Senator Lee S. Cotter.

On a motion by Senator Sapien, seconded by Senator Brandt, the committee approved the September meeting agenda.

### **WELCOME AND INTRODUCTIONS**

The Chair recognized the following individuals to welcome the LESC:

- Mr. Bruce Ashburn, President, Grant County Prospectors, who told the committee that his organization educates policymakers on legislative, business, and economic issues of importance to Grant County;
- Ms. Frances Vasquez, President, Board of Education, Silver Consolidated Schools (SCS), who introduced Mr. Mike McMillan, Vice Chair, Board of Education, SCS, and Mr. Lon Streib, Superintendent, SCS. She emphasized that SCS and the LESC share a common belief in free public education and noted that SCS was the first public school district in New Mexico; and
- Mr. Ralph Sepulveda, President, Board of Education, Cobre Consolidated School District (CCSD), who introduced Mr. Robert Mendoza, Superintendent, and Mr. Jose Carrillo, Associate Superintendent, CCSD, and thanked the LESC for its efforts on behalf of education.

The Chair also recognized several members in the audience representing Western New Mexico University's student government.

### **WESTERN NEW MEXICO UNIVERSITY (WNMU): STRATEGIC INITIATIVES FOR REMEDIATION**

The Chair recognized Dr. Joseph Shepard, President, Western New Mexico University (WNMU), to discuss strategic initiatives for remediation. In addition to his duties as president, Dr. Shepard stated that he teaches remedial math, which allows him to address the committee from the perspective of a faculty member.

Noting that New Mexico has a statewide system of seven universities, Dr. Shepard stressed the importance of looking for solutions rather than blame. Regarding WNMU, he said that the university:

- only requires a high school diploma or high school equivalency credential;
- does not require entry tests for admission;
- serves a diverse student population, 50 percent of whom are first generation students;

- educates remedial math students who are at fifth grade level or below; and
- has about 30 percent of its graduates go through remediation.

As for solutions to reduce the need for remediation, Dr. Shepard discussed a multipronged strategy to:

- look beyond K-12 and think in terms of birth to postgraduate level education;
- avoid being late when it comes to addressing a student's remedial needs;
- incorporate economic development; and
- plan for New Mexico's future.

### **Committee Discussion**

A committee member discussed the track record of Complete College America (CCA) in reducing remediation, which is a national problem. She noted that CCA wants to move away from remedial courses and develop opportunities for students in basic courses to take more labs and spend quality time to catch up without paying to take extra courses.

When a committee member asked Dr. Shepard to discuss WNMU's approach, he explained that WNMU connects a group of faculty with a group of students to apply the same math concepts in other science, technology, engineering and mathematics courses like Chemistry and Biology. This process, he emphasized, provides remedial students with more opportunities to seek help and do coursework in subject areas which they may be deficient.

Regarding a committee member's question on WNMU's plan to decrease the number of remedial students who drop out, which is currently at about 50 percent, Dr. Shepard explained that this figure includes students who may have transferred to another university or community college. The focus, he said, should be on retaining the students referred to as "stopouts," who permanently leave the education system for any number of reasons, which include:

- homesickness;
- being a working parent with multiple responsibilities; or
- simply not getting the proper level of attention.

In addition, the committee discussed:

- the tests used to determine whether remediation is needed (WNMU uses Compass, not ACT or SAT);
- teacher shortages and the lack of trained professionals in the classroom; and
- the need for a comprehensive education system that provides teachers with a balance of autonomy and oversight.

**NEW MEXICO STATE UNIVERSITY (NMSU)  
COLLEGE OF EDUCATION**

The Chair recognized Dr. Donald B. Pope-Davis, Dean, College of Education (CoE) and Dr. Karen Trujillo, Director, K-12 Outreach, CoE, New Mexico State University (NMSU), to provide the committee with an overview of CoE programs at NMSU. As the new dean, Dr. Pope-Davis emphasized that the CoE is reviewing its processes to determine what is working well and what needs improvement. He added that mediocrity is not acceptable and referred the committee to a handout card with CoE's core values in English and Spanish.

Dr. Pope-Davis then referred to a presentation, and commented that the NMSU CoE has a number of programs in addition to Teacher Preparation, including:

- Kinesiology and Dance;
- Counseling and Education Psychology;
- Educational Leadership;
- Speech and Audiology Clinic;
- Professional Development (PD);
- Community Outreach;
- Science, Technology, Engineering and Mathematics (STEM) Outreach for Students and Teachers;
- Myrna's Children's Village; and
- Research.

Next, Dr. Trujillo referred to a slide listing 60 school districts in the state that have been directly impacted by NMSU CoE outreach initiatives, and noted that:

- 3,000 in-service teachers and 347 administrators received PD training;
- 27,000 K-12 students were impacted;
- 2,000 parents participated in outreach; and
- the college recently awarded 86 masters and 36 doctorate degrees to education administrators serving in 15 public school districts around the state.

Regarding the key outreach programs, Dr. Trujillo highlighted that:

- STEM outreach includes PD for math and science teachers in 20 school districts;
- four districts have STEM after-school programs for students; and
- 34 districts received supplemental training in math and reading for K-3 teachers.

Dr. Pope-Davis continued with a discussion on opportunities for several CoE programs to develop reputations for excellence and distinction, including the:

- Bilingual Immersion Program: by attracting American students who currently go abroad to speak Spanish;
- STEM Institute: which needs to gain national visibility to bring the best minds to NMSU; and

- Hispanic Serving Institution (HSI) Leadership Program: NMSU is ideally situated as an HSI-designated university and should be developing more Hispanic leaders.

With regard to future collaboration and communication, Dr. Pope-Davis indicated that the CoE will strive to further the land grant mission of NMSU by working with school districts across the state. He also stressed the importance of highlighting what the CoE is doing right and providing avenues for input in areas that need improvement.

### **Committee Discussion**

A committee member asked why only 60 of the 89 school districts were impacted by CoE outreach programs, and Dr. Trujillo answered that programs like MC<sup>2</sup> for mathematics have been around for over 10 years and are well-known, but school districts are not required to collaborate with outreach programs. In reply, the committee member commented that all school districts should be encouraged to participate in various CoE outreach programs, and suggested that Dr. Pope-Davis should contact Dr. Salvador Hector Ochoa, Dean, CoE, University of New Mexico.

In regard to a committee member's request for details on how the NMSU CoE will further its mission, Dr. Trujillo explained that the CoE helps NMSU faculty to reach out to school districts and work with them in math and engineering. She also mentioned that the Computer Science Department has an outreach program for women.

In response to a committee member who asked about collaboration with other universities, Dr. Pope-Davis said that he will collaborate with other institutions of higher education and incorporate their input in a white paper that he is currently working on.

When a committee member asked him to discuss potential barriers, Dr. Pope-Davis listed four barriers: ignorance, hubris, self-complacency, and self-interest. He also stressed that excellence is about talking to people outside of peer groups, and discussed his plans to review the best practices of CoEs on a national level.

### **APPROACHES AND SOLUTIONS FOR AT-RISK AND HABITUALLY TRUANT STUDENTS**

The Chair recognized Judge J.C. Robinson, New Mexico Sixth Judicial District Court, and Ms. Margaret Flores-Begay, Adult Court Program Manager, New Mexico Sixth Judicial District Court; Ms. Bianca Padilla, Program Coordinator and Mr. James Graham, School Administrator, Juvenile Probation Office (JPO), Children, Youth and Families Department (CYFD), to discuss truancy prevention and intervention solutions for at-risk youth in Grant County.

Referring to a committee handout, Ms. Padilla addressed school, student, family, and community factors to be considered when addressing truancy and the long-term costs associated with high truancy rates. Citing a report from the Office of Juvenile Justice Delinquency Prevention, she referred to truancy as an early indicator of drug use, dropping out of school, suicidal thoughts and attempts, and early sexual behavior.

Ms. Padilla continued to explain that, the community-based truancy prevention program in Grant County uses early identification and graduated interventions by becoming involved at the earliest stages of truancy and prioritizing truancy referrals at the elementary level. A focus is also placed on the environment of the student, with emphasis on Maslow's hierarchy of needs, she said. In addition to truancy prevention and intervention, Ms. Padilla reported that Grant County has a JPO summer school and an alternative JPO school in order to ensure credit recovery and graduation attainment.

Specific programs available at all levels of the model include:

- an after-school tutoring program;
- the strengthening families program;
- community service and youth building;
- the personal responsibility program;
- individual and group counseling services;
- surveillance;
- summer youth recreational programs; and
- a wilderness program.

Referring to the committee handout, Ms. Padilla shared some outcomes and successes of the program, noting that:

- during the past five years in Grant County, the overall delinquency rate has been reduced by 57 percent;
- for school year 2014-2015:
  - 87 percent of students returned to regular school attendance after first contact;
  - after intervention, only 1.5 percent of students became habitually truant in Grant County; and
  - no students received a full expulsion at Silver Consolidated Schools (SCS); and
- as a result of the JPO summer school and JPO alternative school:
  - seven out of eight students who would have been retained were transitioned from middle school to high school;
  - 36 JPO summer school students recovered/maintained core credits;
  - all of the 13 expelled students who attended JPO schools maintained credit with a 3.28 grade point average; and
  - 69 short-term suspension students maintained credit.

Finally, Ms. Padilla shared a personal testimony, reflecting on the positive outcomes the program has had on a specific case she worked on in Grant County.

### **Committee Discussion**

Committee members commended the program's approach through behavior modification and alluded to the long-term cost effectiveness of diversion. In response to an inquiry from the Chair regarding what was needed to implement a similar program statewide, Mr. Graham answered

that behavior modification and community collaboration have been essential components in the program's success over the years.

After a committee member invited area superintendents to discuss the impact that the program has had on their districts, Mr. Lon Streib, Superintendent, Silver Consolidated Schools (SCS), emphasized the district's accomplishment of zero expulsions and observed overall less destructive behavior from students. Mr. Robert Mendoza, Associate Superintendent, Cobre Consolidated School District (CCSD), informed the committee about the district's increased attendance and graduation rates as a result of the truancy program.

A committee member inquired about the funding source for the truancy program in Grant County. In response, Ms. Padilla noted that funding is leveraged from different areas, including legislative appropriations, the Juvenile Justice Advisory Committee, CYFD, and county and city subsidies. Furthermore, she described that, although funding for employment of truancy coaches and social workers in middle schools exists through the Public Education Department Request for Applications, both CCSD and SCS did not meet the eligibility criteria requiring a district-level habitual truancy rate of 15 percent or higher. Mr. Mendoza also emphasized the need for funding as a means to sustain programs and reward districts who are making improvements.

### **2015 NATIONAL SPANISH SPELLING BEE CHAMPION**

The Chair recognized Mr. Andrés Arreola, a ninth grade student at Santa Teresa High School, Gadsden Independent School District (GISD), as the 2015 National Spanish Spelling Bee Champion. On behalf of the committee, the Chair presented Mr. Arreola with English and Spanish proclamations from the House and Senate in recognition of his achievements. The Chair also recognized Mr. José R. Reyes, District Bilingual Instructional Specialist, GISD, who referred to a handout containing the history of the National Spanish Spelling Bee and several news articles. He also discussed plans to expand participation in the spelling bee and move the event location from Albuquerque to San Antonio, Texas.

### **EARLY COLLEGE HIGH SCHOOL UPDATE**

The Chair recognized Mr. Efren Yturalde, Superintendent, Gadsden Independent School District (GISD); Ms. Rosa Hood, Principal and Ms. Gema Salcedo, Assistant Principal, Alta Vista Early College High School (AVECHS), GISD; Mr. Stan Rounds, Superintendent and Mr. Tim Hand, Chief of Staff, Las Cruces Public Schools (LCPS), to report on the successes and challenges for their respective early college high schools.

#### ***Alta Vista Early College High School***

Mr. Yturalde began by informing the committee that AVECHS opened in August 2012 with 20 students, two teachers, and a part-time administrator. The second year of operation included four teachers as well as an increase in students, and he noted that during the third year, the school moved to its current location and became the fourth high school in the district. Now in its fourth year of operation, Mr. Yturalde indicated that, AVECHS has received \$575,000 in funding from

the small school size adjustment units. He also mentioned that an annex was built onto the existing school building to accommodate the additional students.

Referring to a committee handout, Ms. Hood stated that AVECHS currently has seven licensed teachers and 150 students. The following, she said, depicts what a general day encompasses for each grade level at the school:

- grade 9: classes begin at 9:15 a.m. and end at 4:15 p.m., students take five semester classes for 75 minutes, including English, math, science, social studies, and employability skills/physical education;
- grade 10: classes begin at 9:15 a.m. and end at 4:15 p.m., students take four semester classes for 75 minutes, including English, math, science, and social studies, as well as a four-credit general core class at Doña Ana Community College (DACC), which is either a social science or humanities course;
- grade 11: classes begin at 9:15 a.m. and end at 4:15 p.m., students take two semester classes for 60 minutes, including math or science, and mentoring or becoming a student aide, as well as 10 general core class credits at DACC, which include English, math, humanities, and two electives; and
- grade 12: students do not have a set schedule, however, they take two semester classes, including a seminar and counselor course, as well as eight to 10 credits at DACC, which include science and three or four electives.

Ms. Hood also highlighted the following student achievements:

- high school credits earned: by grade 11, 98 percent of the students have passed all of their required core high school classes;
- attendance rate: students were in attendance 98 percent of the time;
- community college credit earned – students were successful in 97 percent of the classes they attempted;
- college-English and college-math readiness: students take the Compass exam after grade 9; and
- enrollment growth: in 2012, there were 20 students and two teachers, and currently there are 150 students and seven teachers.

To conclude, Ms. Hood noted that the lessons learned centered around flexibility, recruitment, and scheduling. She asked the committee for its assistance in determining the definition of “full-time status” in public schools and in higher education. She also reported difficulties with the alignment of course names.

### ***Arrowhead Park Early College High School***

Mr. Rounds informed the committee that 87 percent of the students at Arrowhead Park Early College High School (APECHS) have earned at least one associate degree in addition to their high school diploma upon graduation. He explained that this is based on two cohorts of students, but the second year of data is still being finalized. Based on the 2014 graduating class, Mr. Rounds stated that:

- there were 106 graduates;
- it had a 100 percent graduation rate;
- 44 graduates received honor status;
- 31 students graduated from DACC with Crimson Scholar status;
- there were 119 associate degrees in science, arts, pre-business, criminal justice, general studies, and creative media technology; and
- there were 91 certificates, including New Mexico Common Core, digital graphics and animation, business fundamentals, certified nursing assistants, emergency medical technicians, and computer technology.

Mr. Rounds noted this all totaled 7,000 credit hours of college work. Based on the New Mexico State University tuition of \$200 per credit hour, this totals \$1.4 million of college work completed by the students while they were in high school.

He also highlighted the three major strategies for success at APECHS:

1. creating a unique classroom design based on extensive research on the best classroom designs that work for students;
2. empowerment for teachers and school leadership to innovate; and
3. collaborative partnerships with schools, the community as a whole, and the business community.

In addition, Mr. Rounds discussed several policy challenges, including:

- credit and course articulation, which would allow for a seamless transition between both the public school and higher education systems;
- higher education standards for teacher qualifications; and
- dual credit funding, which deals specifically with the higher education funding formula.

Finally, Mr. Rounds noted the need to form an association of early college practitioners to collaborate and develop a common platform for others who wish to operate an early college high school.

Mr. Hand added that the early college high school process quantitatively works and allows students who were traditionally under prepared to succeed in obtaining a diploma and an associate degree.

### **Committee Discussion**

In reference to a committee member's inquiry on innovative teaching, Mr. Rounds stated that building a collaborative education model requires a high degree of leadership and organizational capacity. He noted that LCPS wants to build leadership capacity that enables and supports thinking outside of standard educational practices.

A committee member noted that HB 156a, *Innovations in Teaching Act* (2015), allowed teachers the opportunity and autonomy to participate in innovative teaching. Although this bill was vetoed, Mr. Rounds commented that it was an opportunity for continued dialogue on innovative teaching.

In reply to a committee member's question on testing, Mr. Hand stated that a student must attempt the state assessment three times before an alternative demonstration of competency can be used.

### **SUPERINTENDENT AND COMMUNITY INPUT**

For community input, the Chair recognized Dr. Trinidad Tolar, Assistant Professor and Director of Field Experience, Western New Mexico University.

Dr. Tolar reported that "law" was changed at the Public Education Department level so that persons seeking alternative licensure now have two years to complete the requirements, whereas previously they had had three years. This, combined with an increase in the number of such candidates, current staffing levels, and a requirement that school districts provide mentors to persons new to the education field who are seeking alternative licensure, has made the process burdensome to students, university faculty, and district mentoring programs. Dr. Tolar requested that the committee look into the issue. The Chair directed staff to look at the law and rules governing this issue, in order to see when the change had occurred, and if it requires further exploration.

### **CLOSED SESSION FOR MATTERS RELATING TO PERSONNEL**

The Chair entertained a motion to go into closed session. On a motion by Senator Sapien, seconded by Senator Brandt, and approved without objection, the committee went into closed session for the purpose of discussing personnel matters related to the applications for the position of director of the LESC.

Before entertaining a motion to conclude the closed session, the Chair stated that the committee discussed personnel matters related to the applications for the position of director of the LESC and did not discuss any other matter or take any formal action. On a motion by Senator Brandt, seconded by Senator Cotter, and approved without objection, the LESC returned to regular session.

There being no further business, the Chair with the consensus of the committee, recessed the LESC meeting at 5:01 p.m.

**MINUTES  
LESC MEETING  
September 25, 2015**

Representative Dennis J. Roch, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 8:10 a.m., on Friday, September 25, 2015, at the J. Cloyd Miller Library, Western New Mexico University in Silver City, New Mexico.

The following voting members of the LES C were present:

Representative Dennis J. Roch, Chair; and Senators John M. Sapien, Vice Chair, Craig W. Brandt, and Howie C. Morales.

The following voting members of the LES C were not present:

Representatives Nora Espinoza, Tomás E. Salazar, Sheryl M. Williams Stapleton, Christine Trujillo, and Monica Youngblood; and Senator Gay G. Kernan.

The following advisory members of the LES C were present:

Representatives Alonzo Baldonado, Jimmie C. Hall, and G. Andrés Romero; and Senators Lee S. Cotter, John Pinto, William P. Soules, and Mimi Stewart.

The following advisory members of the LES C were not present:

Representatives Jim Dines, David M. Gallegos, Stephanie Garcia Richard, D. Wonda Johnson, Timothy D. Lewis, Patricia Roybal Caballero, James E. Smith, and James G. Townsend; and Senators Jacob R. Candelaria, Carlos R. Cisneros, Daniel A. Ivey-Soto, Linda M. Lopez, Michael Padilla, and Pat Woods.

Representatives Kelly K. Fajardo, Bill McCamley, and John L. Zimmerman were also in attendance.

**NEW MEXICO HIGHER EDUCATION:  
“MAY YOU LIVE IN INTERESTING TIMES”**

The Chair recognized Dr. David A. Longanecker, President, Western Interstate Commission for Higher Education, to present on the status of higher education in New Mexico. Referring to his slides, Dr. Longanecker began by framing his discussion in the context of:

- competitiveness, both within the United States and internationally;
- demographics of college-aged populations by race and ethnicity;
- financing of public higher education, as split between appropriations and net tuition; and
- productivity in terms of six-year graduation rates and average cost per degree or certification.

With respect to international competitiveness as compared to other member nations of the Organisation for Economic Co-operation and Development (OECD), Dr. Longanecker referred to several tables and graphs in his slides illustrating that:

- compared to other OECD countries, the United States has:
  - relatively high percentages of populations aged 45 and older with an associate degree or higher;
  - a relatively low percentage of its population aged 25 to 34 with those degrees; but
  - a percentage of degree-holding adults that is relatively similar across age groups; and
- New Mexico's percentage of young adults attaining a degree is below the United States average and many other OECD countries.

With respect to the historical and projected demographics for public high school graduates in New Mexico, Dr. Longanecker referred to graphs illustrating how New Mexico had:

- shares of Hispanic and American Indian populations that were much larger than the national average;
- lower than average shares for White non-Hispanic, Black non-Hispanic, and Asian/Pacific Islander populations; and
- projected growth in the Hispanic demographic appearing to coincide with a decline in the White non-Hispanic demographic.

Referring to his slides, Dr. Longanecker highlighted that, while full-time equivalent enrollment at public institutions of higher education has been increasing, the inflation-adjusted total educational revenue per full-time student has remained relatively stable. However, his slides indicated that the amount of revenue attributable to net tuition had more than doubled over the last 25 years while appropriations had declined by more than 20 percent.

Compared to those national averages, financing of higher education in New Mexico displays:

- overall funding near the national average;
- a state tax effort equivalent to a 7.6 percent effective tax rate, which is the same as the national average; and
- a share of the state's tax effort dedicated to higher education at 12.1 percent, more than twice the national average of 5.8 percent.

For the productivity of higher education in New Mexico, the last contextual item described by Dr. Longanecker, he cited National Student Clearinghouse data for four-year institutions, which did not include community colleges, showing six-year graduation rates of:

- 69 percent nationally; and
- 46 percent in New Mexico.

However, in contrast to the lower graduation rates, Dr. Longanecker also presented various graphs showing how New Mexico remained relatively productive compared to the national

average in terms of the number of credentials and degrees awarded per \$100,000 of education and related expenditures.

Having placed New Mexico within those contexts, Dr. Longanecker described six current thrusts of what he termed “the Change Agenda” for higher education and New Mexico’s place within them, including:

1. the completion agenda, based on setting goals for college degree attainment to above 60 percent within five or 10 years with New Mexico being characterized as way behind but making significant progress;
2. expanding the concept of the student to incorporate more higher education pathways and better preparedness in high school, as well as focusing on opportunities for adults within New Mexico and recognizing that *workplace* is as important as *workforce*;
3. student learning outcomes through assessments and analytics that can support evidence-based practice in higher education with New Mexico characterized as being behind the curve;
4. competency-based education as the new coin of the realm with New Mexico’s efforts characterized as uncoordinated and having mixed results;
5. innovation and disruption through the advancement of alternative providers for degree programs, courses, and services, suggesting that New Mexico needs to embrace this innovation but beware seduction; and
6. a new normal for funding utilizing performance-based funding to move away from hyperinflationary models with New Mexico off to a very good start.

### **Committee Discussion**

Citing a recent experience at a conference for higher education funding attended by 10 states including a delegation from New Mexico, a committee member noted that New Mexico was the only state present without complete articulation between its colleges, universities, branch campuses, and community colleges. Dr. Longanecker suggested that, while many states, including New Mexico, have mandates for this cooperation, New Mexico’s unique governance structure might be a possible impediment toward that goal.

In response to a committee member’s question whether it was advisable for all students to be eligible for the state’s Legislative Lottery Scholarship, Dr. Longanecker suggested that the research, with which he was familiar, points toward prioritizing resources based on financial need. Because the lottery scholarship goes to high-income students who come out of high school meeting the scholarship’s requirements, it may not meet the needs of low-income students.

### **NEW MEXICO ASSESSMENT INVENTORY: DISTRICT EXPERIENCES**

Before recognizing presenters for this item, the Chair explained to the committee that the New Mexico Assessment Inventory (NMAI) was created out of concern over the amount of assessments used statewide for grades K-12. He further noted that legislation was introduced during the 2015 legislative session to address these issues but was not enacted. In lieu of

legislation, the Chair stated that the Legislature added language in CS/HB 2, *General Appropriation Act of 2015*, to require every district and charter school to conduct an assessment inventory of the:

- assessments given;
- amount of time it takes to administer the assessments; and
- purpose for the assessments.

The Chair continued, explaining that, the NMAI's purpose is to prevent duplication in assessments given and inform districts of their testing practices. He indicated that data collected from the inventory will be submitted to the Public Education Department (PED), as well as local school boards and governing bodies of charter schools to help make informed decisions on behalf of their constituents. For the October 2015 LESC meeting, PED is scheduled to report on its compiled data of assessment practices used statewide.

The Chair then recognized Mr. Lon Streib, Superintendent and Ms. Candy Milam, Associate Superintendent, Finance and Federal Programs, Silver Consolidated Schools (SCS); Mr. Bill Green, Superintendent and Ms. Cindy Shellhorn, Principal, Reserve High School, Reserve Independent Schools (RIS), to brief the committee on their experiences with the NMAI process.

Referencing the NMAI handouts from RIS and SCS, the committee took note that the following assessments were included in the inventory for:

- RIS:<sup>1</sup>
  - Partnership for Assessment of Readiness for College and Careers (PARCC);
  - New Mexico Standards-based Assessment in Science;
  - Dynamic Indicators of Basic Early Literacy Skills (DIBELS Next);
  - STAR Reading/Math;
  - New Mexico Alternate Performance Assessment in science and social studies for students with severe cognitive disabilities; and
  - National Center and State Collaborative assessment in English language arts and math for students with severe cognitive disabilities; and
- SCS:<sup>2</sup>
  - Discovery Education Assessment;
  - PARCC;
  - New Mexico Standards-based Assessment;
  - Lexia Reading Core5; and
  - Symphony Math.

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<sup>1</sup> Discovery Education Assessment and End of Course exam were inadvertently left out and will be provided in the updated version.

<sup>2</sup> ACCESS for English language learners was inadvertently left out and will be provided in the updated version, and DIBELS Next was not included because it is required for Reads to Lead! funding and the district felt it was not appropriate to include in Workbook inventory or make a recommendation for its use.

Ms. Shellhorn informed the committee that on August 4, 2015, the Secretary of Public Education sent a Memorandum to districts setting the NMAI completion deadline on September 11, 2015. Referring to a handout, she reviewed the timeline for completion of the NMAI to include:

- August 12, 2015: administrative staff participated in a webinar that provided more detail about the NMAI and committee members were chosen;
- August 18, 2015: first NMAI committee meeting was held and assignments were given to members for gathering data;
- August 25, 2015: second committee meeting was held to further discuss components of the NMAI Workbook and collected data;
- August 31, 2015: third committee meeting was held to analyze the completed Workbook and discuss recommendations;
- September 7, 2015: fourth committee meeting was held to discuss the development of actual “Evaluation Plan”; and
- September 9, 2015: District Evaluation Plan was presented to Reserve School Board for approval.

Referring to a PowerPoint presentation, Ms. Milam noted that as part of collecting data for the NMAI, the facilitation guide listed a process of five steps to follow as they completed the NMAI Workbook, and included the following examples of questions or objectives for each section:

1. reflect and plan:

- What are the objectives of the student assessment inventory?
- What would indicate to the district that the process was a success?
- Which individuals are responsible for the success of this process?
- How will results be communicated to district policymakers, school leaders, parents, students, and community?
- Who will collect the information needed?

2. conduct the NMAI:

- How will the district communicate to necessary parties that these individuals will be collecting this information?
- What individual or entity has the authority to act on the results of the inventory and who will make the recommendations?
- Are there other districts or organizations with whom it would be useful to collaborate with during this process?

3. analyze the NMAI:
  - develop a student-level perspective by looking across all the assessments students take, and then by particular student needs and characteristics;
  - identify assessments that the district will continue to administer, and clarify any needs or changes which may be necessary to ensure the assessments are helpful for intended uses;
  - identify the assessments that seem to be good candidates for elimination or significant changes; and
  - help districts build toward recommendations while reengaging with key stakeholders to review potential options and decision points;
4. make district recommendations to streamline and/or strengthen the assessment program; and
5. evaluate:
  - district teams should create an evaluation plan; and
  - this plan should ensure that these teams continue the process of examining their assessments on a regular basis to ensure assessments are providing quality information.

Ms. Milam explained that while conducting the inventory, SCS was instructed to follow two guidelines with a main focus on district assessments rather than classroom-based assessments. She added that they needed to provide key details of each assessment rather than classify them as formative, summative, or short-cycle.

Referring to some of the questions, Ms. Milam stated that the bulk of the questions did not pertain to the SCS assessments that are included in the inventory because they are state-mandated. She further noted that districts should not be in a position to judge any mandated assessments, especially when a district does not have the option to eliminate them.

In regard to evaluating and eliminating assessments, Ms. Shellhorn stated that RIS recommended eliminating PARCC from their assessment practices even though it is not a choice. She explained to the committee that based on the guidelines, RIS decided to put a caveat in the district recommendation and included the following rationale for elimination:

- PARCC results take approximately eight months to arrive;<sup>3</sup>
- the assessment is not considered to be used effectively to make timely decisions that drive instruction to improve students' academic progress; and
- data used for calculation of teacher evaluations, including the previous year's assessment data added together with the current year's teacher observations and other multiple measures, were deemed unviable.

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<sup>3</sup> According to PED, results have taken longer to calculate because it was a new test and the Secretary of Public Education had to meet with other education officials to determine what certain scores mean; goal for future release of results will be in July.

Referring to a handout, Ms. Shellhorn further stated that RIS recommended to continue the use of DIBELS Next, Discovery Education Assessment, end-of-course exams, and STAR Reading/Math assessments because results of these assessments are available immediately, or available within a couple of weeks. This, she said, allows for a timely review of data to make informative decisions regarding instructional practices and student academic progress.

Ms. Milam explained to the committee that SCS use the Discovery Education Assessment as their chosen formative assessment, and noted that formative assessments are required by the local school board and the state as a short-cycle assessment. She also informed the committee that while it was not mandated to use this assessment for all students, they choose to assess grades K-11 for the following reasons:

- the assessment is an allowable indicator for teacher evaluations equal to 15 percent of the 50 percent measure;
- the Discovery Education Assessment is aligned with Common Core State Standards;
- it measures student progress toward grade-level standards;
- it is used as a research-based evidence tool to identify ways to remediate and provide interventions for academic success through Response to Intervention and Student Assistance Teams; and
- the results are available immediately to track students' academic progress and inform teacher practice.

Regarding NMAI challenges, both Ms. Milam and Ms. Shellhorn agreed that:

- the time frame to complete the NMAI was short;
- some of the steps seemed irrelevant based on the assessments that are mandated;
- the deadline for a completion date was tied to district funding; and
- the time frame for NMAI feedback from PED is unknown;

In conclusion, Mr. Green stressed the importance of collecting and tracking data from assessments on students' academic progress to inform and drive instruction. However, he continued to state that sometimes irrelevant assessments are administered to students. Mr. Green emphasized that it is important to recognize which assessments are most effective and for what purpose they are used.

### **Committee Discussion**

Regarding state-mandated assessments versus district chosen assessments, Mr. Green explained to the committee that short-cycle assessments like Discovery, even though they are not mandated for all grades except grades 9-10, provide the opportunity to test students at the beginning, middle, and end of the year; the immediate results, he said, ensure we are on task to progress students' academic growth, as well as inform the progression of teacher practice. He continued to say that assessments like PARCC, which is the state-mandated standards-based assessment for grades 3-8 and 9-11, are one-time tests administered at the end of the year. The results for these assessments are available for the following school year, and it is too late to make the necessary changes in students' progress or teaching practices that should have occurred during that tested school year.

In response to a committee member's suggestion to give local educational agencies the choice to create their own assessment system, Mr. Streib indicated that SCS would prefer to give assessments that are administered during a class period and with immediate results to gauge student academic effectiveness. He further stated that teacher evaluations should be tied to the academic growth of current students over one year.

**OPTIONS TO REDUCE ASSESSMENT LOADS**  
**HB 539a (2015), *Eliminate Certain Grade 9 & 10 Assessments***

The Chair recognized Representative G. Andrés Romero to discuss HB 539a (2015), *Eliminate Certain Grade 9 & 10 Assessments*, with the committee. The Chair noted that HB 539a may be considered for an LESC endorsement for the upcoming 2016 legislative session and recommended that the committee review the bill for any possible changes.

Representative Romero explained that HB 539a amends the *Assessment and Accountability Act* to remove the ninth and tenth grade short-cycle diagnostic assessments in reading, language arts, and mathematics from the state's Readiness Assessment System.

Regarding provisions in current law, Representative Romero stated that the *Assessment and Accountability Act* requires the following assessments:

- for grades 3-8 and 11, standards-based assessments in mathematics, reading and language arts, and social studies;
- for grades 3-8, a standards-based writing assessment with the writing assessment scoring criteria applied to the extended response writing portions of the language arts standards-based assessments;
- for one of the grades 3-5, 6-8, and 11, standards-based assessments in science;
- in grade 9, a short-cycle diagnostic assessment in reading, language arts, and mathematics to be locally administered in the fall and at least two additional times during the year;
- in grade 10, a short-cycle diagnostic assessment in reading, language arts, and mathematics that also serves as an early indicator of college-readiness, to be locally administered at least three times during the year; and
- during the fall semester of grade 11, one or more of the following chosen by the student:
  - a college placement assessment;
  - a workforce readiness assessment; or
  - an alternative demonstration of competency using standards-based indicators.

Representative Romero explained to the committee that this legislation would remove the requirement to administer short-cycle diagnostic assessments for grades 9-10 but not prevent districts from administering them, if they wish to do so.

## **Committee Discussion**

With regard to a section of law in the *Assessment and Accountability Act* that HB 539a refers to, a committee member mentioned that by removing the requirement for grades 9-10, it appears that the requirement is moved to grade 11 that gives options for students to take:

- a college placement assessment;
- a workforce readiness assessment; or
- an alternative demonstration of competency using standards-based indicators.

The member continued to say that while it collapses this section some, and is headed in the right direction, it was suggested that perhaps repealing the whole section of statute would make it simpler.

With respect to repealing the whole section of statute and considering the pros and cons of that decision, Representative Romero explained that by grade 11, there has to be some sort of assessment for college-readiness. He added that students in grade 11 should be taking the ACT or SAT and that may be the intent for leaving that section in.

Referring to the Partnership for Assessment of Readiness for College and Careers (PARCC), a committee member suggested that since PARCC may already fulfill the requirement for grade 11 assessment, repealing the whole section will make presenting the bill easier.

Representative Romero explained that the original intent of the bill was to eliminate redundancy due to PARCC; however, in light of testimony regarding the New Mexico Assessment Inventory, he said it may be necessary to keep some of these short-cycle assessments as a way to gauge students' progress throughout the year.

In response to a committee member's question regarding whether there has been any collaboration between the Public Education Department (PED) and Representative Romero regarding HB 539a, Representative Romero stated that he intends to work on the bill with the LESC prior to meeting with PED.

In conclusion, a member offered to assist in coordinating efforts between PED and Representative Romero to discuss any possible changes for HB 539a.

## **DIRECTOR'S REPORT**

### ***a. Approval of August 2015 LESC Minutes***

On a motion by Senator Brandt, seconded by Representative Romero, the committee approved the minutes for the August 2015 interim meeting.

***b. Administrative Rulemaking***

Mr. Kevin Force, LESC staff, reported that:

- the August 28, 2015 issue of the *New Mexico Register* contained the final adoption of amendments to the rules governing optional full-day kindergarten with one minor change; and
- the September 15, 2015 issue of the *New Mexico Register* contained the final adoption of the proposed new rule for the administration of the Bilingualism-Biliteracy Seal on New Mexico Diplomas of Excellence.

***c. Informational Items***

Mr. Ian Kleats, LESC staff, reported that for the committee's review, the following items were included in the meeting materials for committee members:

- correspondence from the State Auditor, dated September 2, 2015, to the Chairs and Vice Chairs of the LESC and the Legislative Finance Committee (LFC), and to the Secretary of Public Education, asking for collaboration to resolve issues with special education funding, including the dispute with the federal government over maintenance of sufficient funding; and
- the September 2015 LESC Newsletter, which Mr. Kleats reported had been sent to all legislators and education stakeholders on the LESC email listing.

***d. LESC-LFC Ad Hoc Work Group: Progress Report***

Mr. Kleats indicated that the progress report is included in the committee notebooks and stated that the next scheduled work group meeting will be determined at a later date.

**LEGISLATIVE LOTTERY SCHOLARSHIP UPDATE**

The Chair recognized Dr. Harrison Rommel, Financial Aid Director, Higher Education Department (HED), to provide the committee with an update on the Legislative Lottery Scholarship. Dr. Rommel began the presentation by noting that the Legislative Lottery Scholarship is the state's largest financial aid program for higher education. By June 1 of each year, HED Cabinet Secretary sets the percentage of tuition that the Lottery Scholarship Fund will support, he said.

Dr. Rommel went on to explain that in 2014, an amendment to the *Legislative Lottery Tuition Scholarship Act* (\*CS/SB 347aa, *Lottery Tuition Scholarship Fund Solvency* (Laws 2014, Chapter 80)) made substantive changes to address the solvency of the Lottery Tuition Fund, including:

- a reduction in the number of eligible semesters from eight to seven;
- an increase in the credit hour requirement from 12 credit hours to 15 credit hours per semester at four-year institutions; and

- the decision to base scholarship awards on the average institution-sector tuition rates, and not on 100 percent of each institution's tuition.

According to Dr. Rommel, the Lottery Scholarship covered 95 percent of sector average tuition for last academic year, and will cover 90 percent of the tuition for fall 2015 and spring 2016. While lottery proceeds have remained stable at approximately \$40.0 million annually over the past several years, he noted that rising tuition costs and increased student demand have outpaced revenue into the fund. Dr. Rommel also spoke about factors affecting the percentage of tuition support, which include:

- enrollment changes, projected to decrease in academic year (AY) 2015-2016;
- tuition increases for AY 2015-2016;
- ticket revenue and other funding sources; and
- the impact of the 15 credit hours per semester requirement for lottery eligibility.

He also noted that:

- in FY 16 and FY 17 the Lottery Tuition Fund will be supplemented by Liquor Excise Tax revenue, estimated at \$19.0 million per year; and
- the Liquor Excise Tax revenue sunsets at the end of FY 17.

In regard to the percentage of students receiving the Legislative Lottery Scholarship within each of the higher education sectors, Dr. Rommel stated that from FY 09 through FY 15:

- 43 to 49 percent of students attending research universities received the lottery scholarship each fall;
- 17 to 21 percent of students attending comprehensive universities received the lottery scholarship each fall; and
- 6 to 8 percent of students attending community colleges received the lottery scholarship each fall.

Speaking to the future of the Lottery Tuition Fund, he explained that:

- tuition payments for FY 16 are estimated at approximately \$64.0 million;
- lottery ticket proceeds are likely to remain stable at approximately \$40.0 million annually;
- Liquor Excise Tax revenue will sunset at the end FY 17 and reduce tuition support in FY 18 by roughly 30 percent;
- barring additional changes, the fund can no longer support full tuition costs;
- cost savings enacted through the 2014 changes to student eligibility have been offset by tuition increases;
- legacy (exempt) students remain eligible for support through fall 2016; and
- enrollment trends will also affect future levels of tuition support.

In addition, Dr. Rommel updated the committee on HM 93, *Year-Round Legislative Lottery Scholarship* (2015), requesting that the Cabinet Secretary, HED, convene and chair a task force

to study the feasibility of implementing a year-round Legislative Lottery Tuition Scholarship program. He reported that:

- the task force convened September 18 with representatives from:
  - the Council of University Presidents;
  - New Mexico Independent Community Colleges;
  - the New Mexico Association of Community Colleges; and
  - student governing bodies;
- the cost to add summer semester tuition support to the Lottery Scholarship Fund is estimated at \$5.5 million and would reduce the fall and spring tuition support levels by 5.0 percent;
- no statutory changes are required for summer tuition support if students are not required to take summer classes but choose to enroll anyway; and
- a final report of the task force will be attached to the *Lottery Scholarship* annual report (due November 1).

To conclude, Dr. Rommel mentioned that the *Lottery Scholarship* annual report is due on November 1. He explained that the report contents include:

- tuition fund status;
- the numbers of qualified and legacy students who received tuition scholarships in the prior 12-month period;
- the total number of students, including qualified students and legacy students, enrolled in the prior 12-month period;
- for each semester, the amount of tuition scholarships funded and the amount of tuition costs that were not offset by the tuition scholarship;
- the number of qualified students and legacy students who graduated with degrees and, for each qualified student, the number of consecutive semesters and nonconsecutive semesters attended prior to graduation; and
- for 2015, a summary of the HM 93, *Year-Round Legislative Lottery Scholarship*, task force findings (year-round tuition support).

### **Committee Discussion**

In response to a committee member's question regarding the amount that should be in the corpus of the scholarship fund, Dr. Rommel responded that the corpus should be at a minimum of \$40.0 million to be sustainable.

Responding to a committee member's question relating to the change in distribution of freshmen to senior lottery scholarship participants and how the increase in completion is affected, Dr. Rommel said that the answer is a bit of an unknown. He did note that there are more students completing their degrees, but some are not finishing their degrees in eight semesters and therefore not receiving scholarship money as they complete school.

## AFFORDABILITY OF NEW MEXICO COLLEGES

The Chair again recognized Dr. Harrison Rommel, Financial Aid Director, Higher Education Department (HED), to present on the cost of higher education in New Mexico compared to other states in the western region of the United States. Citing recent data from the Western Interstate Commission for Higher Education (WICHE), he reported that:

- New Mexico's average tuition and fees were among the lowest of the western states in academic year (AY) 2014-2015; and
- New Mexico's tuition and fees were comparatively low for the western region across both four-year and two-year institutions of higher education (IHEs) in AY 2014-2015.

This data, according to Dr. Rommel, suggests that:

- higher education in New Mexico is relatively affordable when compared to the tuition and fee costs of other states;
- from AY 2009-2010 to AY 2014-2015, in-state tuition and fees at public four-year IHEs increased an average of 17 percent nationwide according to The College Board, Annual Survey of Colleges;
- over a similar time span, national median household income declined by 4.6 percent after adjusting for inflation based on US Census data; and
- the growing gap between college costs and family incomes will limit the accessibility and affordability of higher education nationally and in New Mexico.

Dr. Rommel also briefed the LESC on other factors impacting college affordability and explained that the Legislative Lottery Scholarship Fund:

- currently covers 90 percent of each higher education sector's average tuition for fall 2015 and spring 2016; and
- may cover a lower percentage of tuition based on factors such as lottery proceeds, enrollment levels, liquor excise taxes, and tuition increases.

In regard to tuition and total cost of attendance, he stated that:

- New Mexico's six-year graduation rate for four-year IHEs is roughly 46 percent, which is below the national average of 69 percent;
- students accumulate more tuition costs and debt when they take longer to graduate from college; and
- New Mexico's students could end up with a high total cost of attendance despite relatively low tuition and fees.

In regard to national trends, Dr. Rommel noted that:

- national data from the State Higher Education Executive Officers (SHEEO) Association show that state appropriations and tuition have historically been the two primary revenue sources for US public higher education;

- national data indicate that state appropriations for public higher education declined from 2008 through 2014 due to the economic downturn; and
- consequently, public higher education revenues increasingly came from tuition.

To conclude, Dr. Rommel stated that:

- in New Mexico, state General Fund support has nearly recovered to prerecession levels;
- tuition is only one factor that impacts college affordability, other factors include:
  - median income;
  - total cost of attendance; and
  - lottery scholarships; and
- policymakers and educational leaders should collaborate to ensure that New Mexico higher education remains affordable, especially if national trends continue to raise college costs.

**SUPERINTENDENT AND COMMUNITY INPUT**

The Chair recognized Ms. Debbie Maldonado, Director, Adult Education Services, Western New Mexico University and President, New Mexico Adult Education Association, who thanked the LESC for its service and noted that the committee affirms the saying that “it takes a village to raise a child.”

**ADJOURNMENT**

There being no further business, the Chair adjourned the LESC meeting at 2:13 p.m.

\_\_\_\_\_ Chair

\_\_\_\_\_ Date