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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/02/09

SPONSOR Campos LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Neuroscience-Driven Pilot Program SB 93

ANALYST Varela

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$2,000.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>		\$77.6	\$79.9	\$157.4	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Public Education (PED)

Department of Finance and Administration (DFA)

### SUMMARY

#### Synopsis of Bill

Senate Bill 93 appropriates \$2 million from the general fund for expenditure in fiscal years 2010 and 2011 to the Department of Public Education (PED) for providing an intensive neuroscience-driven language development and reading proficiency intervention pilot research program.

### FISCAL IMPLICATIONS

The appropriation of \$2 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of 2011 shall revert to the general fund.

According to PED, the major fiscal implications will depend on the scope of the request for proposals. For example, depending on the costs associated with professional development, data collection, progress monitoring, student tutoring, parent involvement, curriculum, etc., the cost per student and per school cannot be projected at the present time.

It is anticipated that the PED will need to employ one full-time Education Administrator-A to assist with the development, implementation, monitoring, and evaluation of the pilot program used within the identified schools. The cost of employment estimated by PED is \$77.6 thousand in FY10.

According to the December 2008 revenue estimate, FY10 recurring revenue will only support a base expenditure level that is \$293 million, or 2.6 percent, less than the FY09 appropriation. All appropriations outside of the general appropriation act will be viewed in this declining revenue context.

### **SIGNIFICANT ISSUES**

A significant issue not addressed in the bill is the process for determining who the participating schools are in the pilot. Recent history mandating certain programs in schools has not yielded positive results.

The time teachers spend in professional development makes a difference on successful implementation of new curriculum. Extended opportunities to better understand student learning, curriculum materials and instruction, and subject-matter content can boost the performance of both teachers and students. Therefore, a comprehensive training and coaching system must be built into the Request for Proposals (RFP) for implementation of a new curriculum. It is a common understanding that it takes 3-5 years with a new curriculum to show results.

PED will also be responsible for reporting on the results of the pilot in October 2011. Careful attention will need to be paid to data collection of progress made by individual students at each of the pilot schools. As with all school reform research, it is often difficult to isolate and show the specific impact of one intervention on student achievement when many interventions are utilized with students within a school environment.

This pilot will need to be aligned with the continuum of services used in the PED's School Improvement Framework. Current educational philosophy endorses a continuum of services to offer differing programs according to an individual student's needs.

### **PERFORMANCE IMPLICATIONS**

This bill impacts the public school performance measures regarding percent of elementary and middle school students who achieve the No Child Left Behind Act annual measurable objectives for proficiency or above in math, reading and language arts.

### **ADMINISTRATIVE IMPLICATIONS**

This legislation directs PED to adopt criteria for an application process and for the selection of schools to participate in this pilot program. PED is also directed to select a contractor to provide the participating schools with neuroscience-driven language development and reading

proficiency intervention for participating students. Therefore, PED would need to write, advertise and evaluate RFP of curriculum that would qualify as a neuroscience-driven language development and reading proficiency programs. PED would also write, advertise and evaluate RFPs from school districts to participate in the pilot program.

PED is required to present the Legislative Education Study Committee with a report describing the assessment of student progress from participation in the pilot program no later than October 1, 2011. The RFP will need to be specific about research methodology and the schools will need assistance with the data management and monitoring to assure fidelity.

### **TECHNICAL ISSUES**

According to PED, the word “research” used in the title of the bill conflicts with the “pilot project” nature of this legislation. It is unclear if the sponsor expects a research project on a specific reading intervention program or a pilot program of an existing research based curriculum.

The legislation does not identify if this pilot program would be for elementary, middle or high schools.

PED states that while this legislation directs the pilot program to use a neuroscience-driven language development reading intervention program, not all struggling learners will respond to this methodology. It is not a one size fits all. Instead, student needs should determine which intervention program and/or instructional strategies are to be utilized. In fact, offering a range of intervention programs is a best practice not recognized in this legislation. Through systematic screening of all students, classroom teachers identify those who are not mastering critical skills and provide differentiated intervention to small groups of students. Students’ responses to these interventions allow teachers to adjust and differentiate instruction accordingly. In addition, it allows teachers to identify students in need of additional targeted intervention(s).

Current best practices endorse the use of a continuum of programs, combined with flexible grouping, to allow students to meet with proficiency and then move to the next level of instruction or to exit interventions completely. This continuum of programs also ensures that students are matched with the most appropriate intervention that is designed to help those particular individuals make substantial gains. This is especially crucial for students with disabilities as these students are often many years below grade level in their reading ability. It is the responsibility of the IEP Team to determine what services the student needs and how these services are to be provided. If there is only one intervention program available, the student’s needs might not be properly met.

PED states that section C directs the department to consider the research from this pilot project for inclusion within the School Improvement Framework. Currently, the school improvement framework does not identify a specific curriculum, but allows each school to select scientifically based programs with guidelines tied to individual needs and instructional strategies.

### **OTHER SUBSTANTIVE ISSUES**

According to PED, the pilot program is directed to select schools with high-risk, English-language learners, special education students and below-proficient-reading students to participate

in the program. The legislation does not identify if this pilot program would be for elementary, middle or high schools.

The term neuroscience-driven language development is geared toward using multiple senses in directing instruction. For instance, the program would use the auditory, visual and language skills in tandem to direct instruction in literacy. These programs are designed to leverage neuroscience principles in order to increase student literacy by helping their brain more efficiently process information. In addition to building specific skills, these programs work with memory, attention, processing rate and sequencing. The idea is to re-wire the brains of struggling learners to establish new neuro-pathways in the brain.

The neuroscience-driven language development assumes the premise that the ability to process language is a prerequisite to learning content. Therefore, using a multi-sensory approach of visual and auditory techniques to enrich language development will assist struggling learners in achieving proficiency.

While a focus on curriculum is important, the research into successful schools has also provided insights into common practices in high-performing schools serving high-poverty student populations. The Center for Public Education synthesized relevant studies and found five consistently identified practices: (1) increased instructional time; (2) ongoing diagnostic assessment; (3) parents as partners in learning; (4) professional development to improve student achievement; and (5) collaboration among teachers and staff. Successful schools seem to differ from other schools mostly in terms of higher teacher quality (in aspects beyond their formal education and years of experience), higher control over the hiring of teachers, effective implementation of their curriculum using curriculum guides, data-driven decisions regarding instruction, and programs and/or interventions that complement the core curriculum.

A sampling of programs to assist students in the development of language and reading being implemented across the State of New Mexico include the following: Read 180, Readers & Writers Workshop, Success for All, Soar to Success, Wilson Reading, SRA, Linda Mood-Bell, High Point, Orton-Gillingham, Compass Learning, America's Choice, Foundations, Lexia, Sonday, Fast ForWord, Corrective Reading, Plato, and Ramp Up to Literacy. These interventions are used in elementary, middle and high schools around the State of New Mexico.

The Instructional Materials Bureau holds a yearly event for school districts to meet with vendors and review instructional programs. PED states that it is a long-standing policy at the department to not endorse any specific curriculum, rather to let the local learning communities select their own instructional model and intervention programs. This legislation may conflict with this policy by requiring PED to select one vendor and districts to use this one product with this appropriation.

## **ALTERNATIVES**

Continue to allow school districts to select their own instructional model and intervention programs with the resources allocated to the Instructional Materials Bureau of PED, the Priority Schools Bureau, the federal Reading First Program administered through the Early Childhood Bureau, and programs purchased with funds from the federal Title I program.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

According to PED, school districts will continue to use programs that are showing to have a positive impact on student performance and offered by the Priority Schools Bureau, the federal Reading First Program administered through the Early Childhood Bureau, programs purchased with funds from the federal Title I program and the Instructional Resources Bureau of PED.

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