

DRAFT DUAL CREDIT RULE CHANGE UPDATE

AGENCY: Public Education Department (PED) and Higher Education Department (HED)

DATE: December 15, 2016

PURPOSE OF HEARING: To provide an update on the proposed dual credit draft regulations from PED and HED.

WITNESS: Matt Pahl, Director of Policy, PED; Dr. Barbara Damron, Secretary, HED

PREPARED BY: Marit Rogne

EXPECTED OUTCOME: Increased understanding of the proposed dual credit draft regulations from PED and HED as well as potential next steps.

Possible Timeline

Date	
December 1, 2016	Pre-rule meeting
January 2017	Pre-rule revision of proposals
January 2017	Invitation for feedback from stakeholders
April/May 2017	Public Hearing
July/August 2017	Finalize administrative code and manual
Fall 2018	Implementation

Source: PED/HED

The dual credit program in New Mexico has expanded rapidly, growing from 9,951 unique students enrolled in a dual credit course in FY09 to 20,213 unique students enrolled in a dual credit course in FY16. The Dual Credit Council, an advisory committee established by 6.30.7 NMAC, is working to develop updated draft dual credit regulations and a procedures manual. These draft regulations and procedures are a work in progress, and the Dual Credit Council continues to meet to address ongoing issues. LESC members raised several concerns with potential changes when staff presented on the potential rule change during the November meeting. This brief will provide an update on the proposed rule changes as well as potential next steps.

Pre-Rule Meeting. HED and PED held a pre-rule meeting on December 1, 2016 for dual credit stakeholders. Staff provided clarifications and justifications regarding the proposed draft rule to clarify misconceptions. The remainder of the time was devoted to a structured forum for open discussion, providing an opportunity for feedback on the recommended changes. Feedback will be considered and revisions will be released for a second round of feedback in January 2017.

HED and PED are currently in a pre-rule process; however, drafts of the new dual credit guidelines have been circulated for comment. Prior to the meeting, HED and PED solicited feedback from stakeholders and identified key areas of concern. To participate in open discussion, stakeholders signed up according to areas of concern. These areas of concern were identified from the solicited feedback. HED and PED also compiled feedback into a spreadsheet they distributed at the meeting (see **Attachment**). All stakeholders present were allowed to make public comments about the proposed draft rule according to areas of concern identified by HED and PED.

Stakeholder Feedback. The five key areas of concern identified by stakeholders were: the programs of study requirement, credit hour limits, student eligibility requirements, effects on small rural districts, and early college high schools.

Programs of Study. The proposed rules require students to choose a meta-major, major, or certificate pathway as their program of study for dual credit courses. Each meta-major represents a broad cluster of majors, and includes basic courses that lay the foundation for all majors in the cluster. Most meta-major courses are part of the general

Students choose one of the following pathways as a program of study:

- Certificate
- AAS/AS/AA
- BAS/BS/BA
- Meta-major

The most common type of course provisions relate to subject matter. For example, many states explicitly prohibit remedial coursework, such as Massachusetts and Georgia.

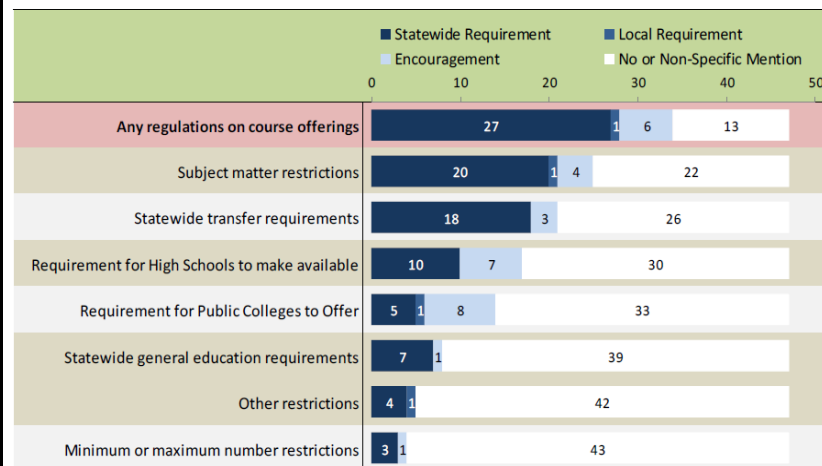
education curriculum. Students can change their program of study after speaking with an advisor. Students may also pursue a second program of study after completing the first.

Several stakeholders expressed concerns related to the programs of study requirement during the December 1st dual credit meeting. The primary concern regarding the program of study requirement was that it was too limiting and required students to choose a career too early. Although some stakeholders agreed it is critical to have well-defined pathways, others were concerned it would hold back New Mexico's best students. Other stakeholders were opposed to the meta-major pathway in general.

There was also concern among stakeholders from postsecondary institutions regarding the cost of dual credit. Some expressed concern that postsecondary institutions were providing the bulk of coursework for high school seniors and were not properly reimbursed via the current performance-based higher education funding formula.

The Higher Learning Commission's, *Dual Credit in U.S. Higher Education: A Study of State Policy and Quality Assurance Practices*, reviewed the 47 states with a dual credit policy in 2013. A slim majority of states have requirements on the types of courses that can be offered in dual credit programs.

State Policy Provisions Related to Course Offerings



Source: Higher Learning Commission

Dual Credit Student Credit Hours (CH)

Semester	Fall 13	Spring 14	Fall 14	Spring 15	Fall 15	Spring 16
Average CH	4.65	4.76	4.66	4.78	4.92	5.02
CH min/max	1:23	0.5:23	0.5:25	0:26	1:26	0:27
# of students	9,028	9,537	9,924	10,401	11,449	11,852

Source: PED and HED

Credit Hour Limits. The proposed regulations limit college and career pathway dual credit students to a maximum of six credit hours per semester. HED and PED relied on statutory requirements that require high school students to be regularly enrolled in at least half time

Section 21-1-1.2(B) NMSA 1978

To be eligible to participate in a dual credit program, the student shall be a school-age person as that term is defined in the Public School Code and:

1. Except as provided in Subsection C of this section, be enrolled in a school district, charter school or state-supported school in one-half or more of the minimum course requirements approved by the public education department for public school students or, if a student in a bureau of Indian education school, private school or home school, be receiving at least one-half of the student's high school.

A staff member from Southwest Aeronautics, Mathematics and Science Academy (SAMS Academy) noted their charter school offers the only aviation high school in the country, and this would disrupt their entire program.

Of the 56 dual credit stakeholders surveyed prior to the December 1st meeting, the 3.0 GPA minimum was the largest concern, with 42 opposed to the requirement. Also, 36 of 56 stakeholders opposed the college and career pathway limitation to upperclassman only.

courses to justify limiting dual credit course hours to six per semester. However, it appears HED and PED interpreted this statute to mean the high school student is taking at least half of those credit hours on the campus of a high school. Also, the average dual credit enrollment is about five credit hours per semester.

Of the 56 dual credit stakeholders surveyed prior to the December 1st meeting, 39 opposed the six credit hours per semester maximum. Many stakeholders also expressed concern the credit hour limit would negatively impact career and technical education (CTE) programs. Several CTE courses would be eliminated by the credit hour limits, and stakeholders expressed concern this would limit student access to these career paths. Stakeholders emphasized many CTE programs are inadequate at the high school level, while postsecondary institutions have labs built to industry standards.

According to the Higher Learning Commission's *Dual Credit in U.S. Higher Education: A Study of State Policy and Quality Assurance Practices*, 14 states have credit hour limits, but limits vary widely.

Placement Standards. The proposed dual credit regulations require students to participate either through the early college high school (ECHS) pathway or the college and career pathway, which is limited to 11th and 12th grade students. The draft procedures manual states ECHS eligibility is established locally. Students on the college and career pathway must have a weighted grade point average (GPA) of 3.0; demonstrate readiness on an assessment or placement test; and have received information outlining program requirements. Each postsecondary institution will develop a placement policy specifying which placement tests they will accept and what cut scores are required for each program they offer. Not all students will have to achieve the same level of readiness – there will be separate proficiency cut scores for each program. To maintain eligibility, students must continue to make progress toward high school graduation, be enrolled half-time at the high school, and maintain a 2.0 GPA in college coursework.

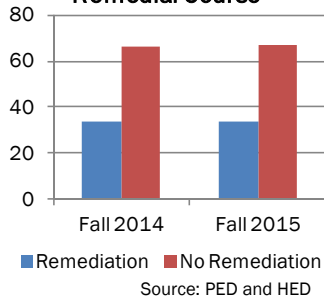
There were many stakeholder concerns related to placement standards. Stakeholders were concerned the GPA requirement would eliminate opportunities for underrepresented and underserved students. Several stakeholders shared anecdotes about students who were not succeeding in a traditional high school setting that went on to succeed in dual credit courses. The proposed

Section 22-13-1.1(H) NMSA 1978

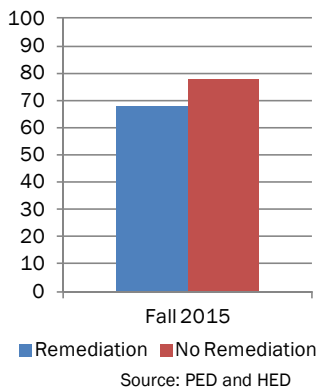
For students entering the ninth grade beginning in the 2009-2010 school year, at least one of the units required for graduation shall be earned as an advanced placement or honors course, a dual-credit course offered in cooperation with an institution of higher education or a distance learning course.

The committee endorsed legislation to eliminate this requirement for 9th grade students entering in the 2017-2018 school year.

Percentage of Prior Dual Credit Students Enrolled as First-Time Freshman Taking at Least One Remedial Course



Retention Percentage for Fall 2014 First-Time Freshman Previously Enrolled in Dual Credit



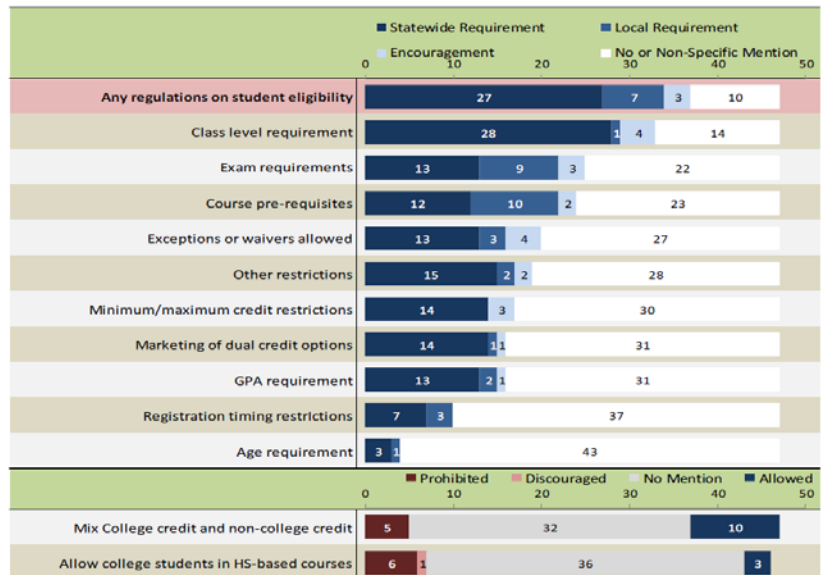
GPA requirement would limit access to dual credit courses for these students. Stakeholders worried the 3.0 GPA requirement would adversely impact CTE students in particular.

Stakeholders are concerned this requirement will lead to a decreased high school graduation rate. To graduate from high school in New Mexico, students are required to take an online, advanced placement, honors, or dual credit course. Limiting dual credit participation to students with a 3.0 GPA would force many students into an online, advanced placement, or honors course. Course offerings vary by high school and if the dual credit option is eliminated, the remaining options may not be appropriate for all students.

Stakeholders also questioned the motivation for the GPA requirement since no postsecondary institution in New Mexico requires a 3.0 GPA for admission. Staff from tribal colleges also expressed concern the 3.0 GPA requirement would interfere with their college mission of access for Native American students. Tribal colleges provide dual credit students access to culturally relevant coursework not offered at the high school level. Stakeholders emphasized the importance of not limiting access to students who could benefit from dual credit courses.

Dual credit student placement standards are fairly common in state policies. The Higher Learning Commission found student eligibility provisions in 79 percent of the states studied. Fewer than half of the states that have student eligibility requirements include GPA among these restrictions.

State Policy Provisions Related to Student Eligibility



Source: Higher Learning Commission

Why are ECHS students getting special provisions?

- The design of the ECHS, including the partnerships with IHE and industry, focus students on a limited number of pathways.
- Each ECHS/IHE partnership needs flexibility to provide students with an opportunity to receive both a high school diploma and a college credential.
- Highly structured college experiences for younger high school students prepare them for full immersion in the college experience by the time they are upperclassman in high school.

Small Rural School Districts. Several stakeholders expressed concern the proposed rule change would negatively impact small rural school districts. Many small schools utilize dual credit to provide students opportunities to access coursework not offered by the school district, particularly CTE courses. Some stakeholders expressed concern student placement standards disproportionately affect small rural school districts by limiting student access to coursework not offered at small schools. One shared sentiment was the belief that the proposed rule changes were not cognizant of the effects on small schools, and thus, small communities. If students cannot receive the CTE training they need to pursue these career paths, small towns may suffer from a lack of these professionals as a result.

Early College High Schools (ECHS). The ECHS model focuses specifically on underserved and first generation students. Each ECHS partners with a postsecondary institution or a business community partner to provide students an opportunity to earn both a high school diploma and a college credential (certificate or degree). During the December 1st meeting, PED reported receiving calls from school districts that want to implement the ECHS model. PED emphasized they welcome the growth of the ECHS model.

ECHS students receive special provisions under the proposed rule change, such as allowing student placement standards to be established locally. However, several stakeholders expressed concern regarding flexibility only allowed to ECHS pathway students. Of the 56 dual credit stakeholders surveyed prior to the December 1st meeting, 24 reported they believe ECHS models discriminate. These stakeholders believe creating such disparate guidelines between the two models of dual credit delivery discriminates against students who do not have access to the ECHS pathway.

A representative from the Bridge of Southern New Mexico, a nonprofit organization in Doña Ana County, spoke in support of the flexibility afforded to the ECHS model. The representative reported the first ECHS graduating class in Las Cruces raised the district's graduation rate by 10 percent.

Potential Next Steps. HED and PED will use stakeholder feedback from the December meeting to inform revision of their pre-rule proposals in January 2017. Work is ongoing and nothing has been finalized. According to the timeline presented at the meeting, implementation is not

The Higher Learning Commission's report examined dual credit accreditation standards and identified the key input, process, and output elements by which to assess state policy. These elements are as follows:

Quality Dimensions	Dual Credit State Policy Components
Inputs	Student eligibility, faculty credentials, funding, curriculum standards
Processes	General oversight, faculty orientation and training, institutional review and monitoring, state review and monitoring
Outputs	Learning outcomes, transferability, program and course outcomes

Source: Higher Learning Commission

scheduled until Fall 2018.

Recommendations. There are many research-proven benefits to participation in dual credit. Students who participate in dual credit courses are more likely to graduate from high school, more likely to attend college, and less likely to need remediation in college. It is imperative to balance including students who could benefit from participation in dual credit courses with maintaining quality and rigor of dual credit programs. As the departments and the Legislature consider changes to the dual credit program, current impacts on student outcomes should be carefully analyzed. Additionally, they may want to consider changes that reward improved student outcomes rather than changes that simply establish inputs. For example, a model could be considered that anticipates initial HED and PED review and approval of a proposed dual credit program, then subsequent evaluation to determine whether the program is having the intended effects on student outcomes. For low-quality programs, approval could be denied. Instead of focusing on inputs, such as limiting student enrollment, the focus could be whether or not dual credit is improving outcomes for students. Dual credit coursework yields benefits not just for students, but for New Mexico as a whole, by increasing the preparedness of our workforce and the resulting economic returns. The goal of reform is an accountable dual credit program that increases the number of students graduating from high school that are college and career ready while also decreasing costs.

DISTRICT/CHARTER	Oppose 3.0 min GPA	Oppose 6-hr credit limit	Oppose 11/12th graders only	ECHS models discriminate	Negative impact on small districts	Program of Study too limiting	Expand/maintain dual credit access/create CTE pathways	Will hold back best students	Revise funding formula	Oppose Meta-Majors	Oppose appeals process	District should determine eligibility	Eliminate GAR	Create Core and Technical courses	Use a light touch in making changes	Oppose submitting Next Step Plan to IHE	Remove ban on online registration	IHE should standardize Eligibility REQs	Offer money for HS teachers to teach DC	Students may not be proficient in math
Albuquerque	✓	✓	✓				✓													
Aldo Leopold		✓				✓														
Amy Biehl Charter	✓		✓							✓	✓									
Animas	✓													✓						
Artesia	✓		✓																	
Aztec	✓	✓	✓								✓	✓								
Bloomfield	✓	✓	✓	✓				✓												
Carlsbad	✓✓	✓✓	✓	✓																
Carrizozo	✓	✓																		
Cesar Chavez	✓					✓														
Cloudcroft		✓	✓	✓	✓		✓		✓		✓		✓							
Clovis	✓	✓	✓																	
Cobre			✓			✓		✓	✓											
Deming	✓✓		✓	✓		✓	✓✓													
Des Moines	✓	✓	✓		✓															
Dexter	✓																			
Farmington	✓	✓					✓					✓								
Floyd	✓	✓	✓	✓	✓						✓	✓								
Gallup-McKinley	✓✓	✓		✓			✓		✓											
Hagerman	✓	✓	✓	✓	✓															
Hatch	✓			✓		✓														
Jal		✓		✓	✓		✓													
Lake Arthur	✓	✓	✓	✓	✓				✓	✓								✓		
Las Cruces	✓✓	✓✓	✓✓	✓	✓		✓									✓	✓			
Los Lunas	✓		✓																✓	
Loving	✓	✓		✓	✓															
Magdalena	✓	✓	✓		✓		✓													
Manzano Christian School		✓	✓			✓														
Media Arts Collaborative Charter	✓		✓						✓											
Moriarty-Edgewood	✓	✓	✓		✓							✓								
New Mexico School for the Arts	✓																			
Pecos		✓	✓		✓					✓										
Portales	✓	✓	✓	✓	✓	✓				✓			✓							
Questa	✓	✓	✓	✓	✓	✓		✓								✓				
Reserve	✓	✓	✓	✓	✓		✓		✓		✓		✓							
Rio Rancho	✓	✓	✓	✓	✓		✓				✓		✓	✓						
Roy		✓	✓	✓	✓		✓		✓				✓							
Ruidoso		✓		✓								✓								
Santa Fe	✓		✓	✓		✓														
Santa Fe Indian School			✓	✓						✓										
South Valley Academy	✓		✓		✓	✓		✓												
Taos	✓	✓	✓			✓														
Texico		✓	✓	✓	✓	✓		✓							✓					
Clovis Community College	✓	✓									✓			✓						
ENMU-PORTALES	✓	✓	✓		✓	✓				✓		✓								
ENMU-ROSWELL	✓	✓	✓			✓														
ENMU-RUIDOSO		✓	✓				✓													
Navajo Technical University	✓	✓		✓						✓										
NMSU-Carlsbad																				✓
San Juan Community College	✓	✓	✓	✓																
Santa Fe Community College	✓	✓	✓			✓			✓			✓								
WNMU	✓✓✓	✓✓✓	✓✓	✓✓		✓✓														
WNMU-DEMING	✓	✓	✓	✓	✓	✓		✓												
Council of University Presidents									✓											
Bridge of Southern NM	✓						✓		✓											
Roosevelt Chamber of Commerce	✓	✓			✓										✓					
SUBTOTAL	42	39	36	24	21	17	12	10	9	7	7	6	4	3	2	2	1	1	1	1
SAME DISTRICT ADD-ONS	6	4	2	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1

ATTACHMENT