

ISSUES FOR THE 2010 LESC INTERIM WORKPLAN

This document provides brief overviews of the issues approved for inclusion in the workplan of the Legislative Education Study Committee (LESC) for the 2010 interim, as well as the written reports that the committee will receive. The issues are arranged in alphabetical order, and the written reports are listed at the end of the document.

Issues

ACADEMIC RIGOR IN HIGH SCHOOL REFORM PROGRAMS AND ADVANCED PLACEMENT (August)

In 2003, LESC-endorsed legislation amended the *Public School Code* to require that high school curricula and end-of-course tests be aligned with the placement tests administered by two- and four-year public postsecondary institutions in New Mexico. In 2006, the LESC received a report that focused, in part, on the success of the alignment initiative. With a focus on academic rigor, the report emphasized that alignment can reduce the number of students who need remediation in college, help students prepare for college-level coursework or the workplace, and increase the value of test results from high school.

The 2010 interim presentation will:

- review components of a number of comprehensive school reform and school-wide improvement models; and
- illustrate the options regarding the various secondary school improvement choices available to meet local needs.

ADEQUATE YEARLY PROGRESS DESIGNATIONS FOR SCHOOL YEAR 2010-2011 (November)

Each year, the Secretary of Public Education provides a report to the LESC regarding the performance of New Mexico students and schools on the standards-based assessments administered each spring for school accountability purposes under state and federal law. In 2010, PED will provide two reports of results of the assessments administered in spring 2010: (1) in August, a preliminary written report of the number of schools that made adequate yearly progress (AYP) by achieving state-established targets for percentages of students showing proficiency on the 2010 assessments, and the preliminary status of public schools and school districts in the school improvement cycle under state and federal law; and (2) in November, when all appeals have been resolved, a presentation of final AYP and school improvement designations for the 2010-2011 school year.

The 2010 interim report will:

- cover multi-year trends by grade level;
- track the progress of, and achievement gaps among, various demographic subgroups; and

- provide a summary of improvements or declines in reading and mathematics test scores for each school district over the six years since 2005.

APPROVED PUBLIC SCHOOL BUDGETS FOR FY 11 (September)

Current law requires each local school board to establish the operating budget for the district for the upcoming fiscal year at a public hearing held prior to June 20. In turn, the Public Education Department (PED) is required to approve operating budgets for school districts, including district-chartered charter schools, and state-chartered charter schools on or before July 1 and to provide timely information to the LESC upon request. One new dimension to this process is legislation enacted in 2010 (SB 97, *School District Budget Flexibility* or Laws 2010, Chapter 68), which allows the Secretary of Public Education, in school years 2009-2010 through 2011-2012, to waive requirements of the *Public School Code* and the PED rules pertaining to individual class load, teaching load, length of school day, staffing patterns, subject areas, and purchases of instructional materials.

Each interim, the committee hears a presentation on the approved public school budgets, including the use of both state and federal funds.

During the 2010 interim, the presentation will address:

- the impact of reduced funding in FY 11 on school district budgets, programs, and staffing;
- the implementation of the budget flexibility legislation; and
- budgeting and accounting of federal ARRA funds.

BEST PRACTICES IN MIDDLE SCHOOLS (August)

For many years, but increasingly since the 2006 interim, the LESC has focused its attention on the performance of public high schools in New Mexico in preparing students to succeed in skilled jobs or postsecondary education. Information regarding student progress through the state's secondary schools, however, shows that almost as soon as they enter high school, a significant percentage of students begin to flounder. Unaudited data provided by PED to the LESC in 2007 indicated that over 16.0 percent of New Mexico students who entered high school in school year 2004-2005 left school during 9th grade, and an equal percentage failed to earn enough credits to advance to the 10th grade - in other words, approximately a third of the state's 9th graders appeared to have dropped out or been held back. These data reinforced what other evidence has consistently suggested: that many students are leaving the middle grades, in New Mexico and elsewhere, unprepared for the demands of high school.

In February 2010, researchers at EdSource, an independent non-profit education research and analysis organization, published the results of a study that included three large-scale research surveys of 303 middle schools in California, to identify a broad range of traditional and newer middle grade policies and practices and to determine which of these differentiate higher- from

lower-performing schools serving similar student populations, based on the schools' performance on state standards-based tests.

According to the EdSource study, other things being equal, school-level achievement in the sample tended to be higher where superintendents, principals, and middle grade English language arts and mathematics teachers strongly agreed on a clear, consistent and intense focus on improving student academic outcomes. The findings of the study suggest that a range of interrelated practices can be successful in any middle school regardless of grade configuration or socio-economic profile.

In the 2010 interim, the LESC will hear a report which will:

- describe the specific practices identified in the study that lead to improved academic outcomes for middle school students; and
- include data, if available from PED, that identify which middle schools in New Mexico are achieving the strongest student academic outcomes based on longitudinal data available from the Student Teacher Accountability Reporting System (STARS).

CHANGES TO RETIREMENT BENEFITS FOR EDUCATORS AND PUBLIC EMPLOYERS (April)

The LESC most recently received a report on New Mexico's retirement plans in the 2005 interim. In 2010, the Legislature passed, and the Governor signed, five bills that amended either the *Educational Retirement Act* (ERA) or the *Public Employees Retirement Act* (PERA). Three of the five bills amended only the ERA, while the two remaining bills amended the PERA.

The 2010 interim report will:

- outline the current provisions in law as well as the 2010 amendments, where applicable; and
- provide an appraisal of selected provisions from both plans in the interest of parity.

CHARTER SCHOOL ISSUES (August)

Continuing its long-standing interest in charter schools, the LESC heard a presentation during the 2009 interim that reviewed the statutory provisions, performance, and accountability of charter schools as well as reform initiatives under consideration by the New Mexico Coalition for Charter Schools. One outcome of this presentation was the endorsement of successful legislation during the 2010 session that requires newly authorized charter schools, during the planning year, to file periodic status reports with their authorizers to ensure that each school is developing according to its charter.

Some of these themes will reappear in the 2010 presentation on charter schools, which will:

- illustrate the growing significance of the charter school authorizer as the state gains more experience with charter schools and as increasing numbers of charters are filed or renewed with the Public Education Commission;
- review the implementation of the new legislation requiring status reports; and
- report the progress of the coalition's reform initiatives and recommendations for legislation.

In addition, the presentation will include a report from the Legislative Finance Committee on its program evaluation of charter schools.

COHORT GRADUATION RATE REPORTS FOR 2008 (INCLUDING FIVE-YEAR RATE) AND 2009 (FOUR-YEAR RATE) (September)

In the 2009 interim, PED provided the LESC and the public with reports of high school cohort graduation rates. The report showed the percentage of public school students in the class of 2008 who graduated within four years of starting ninth grade statewide:

- a preliminary report in August 2009 indicated that 54 percent of the cohort graduated within four years;
- in October 2009, after review and corrections, a report showed a graduation rate of 60.3 percent statewide; and
- in April 2010, a final report for the cohort, showed that 66.2 percent of the students in the cohort completed all of their graduation requirements within five years.

The five-year measure was permitted by an amendment to the *Public School Code* enacted in 2009 that allows that such students to be counted as on-time graduates.

During the 2010 session, the Legislature passed an LESC-endorsed bill that codifies the requirements of the graduation rate reports issued by PED. Beginning in school year 2010 – 2011 cohort graduation data must also include students who:

- are known to have dropped out;
- have exited with the intention of earning a General Education Development;
- are known to still be in high school;
- have met all the requirements for graduation but have not passed the graduation test; and
- are progressing through high school from grade to grade.

During the 2010 interim, the LESC will hear a presentation on:

- the four-year high school cohort graduation rate data for the class of 2009 – the second cohort for whom data are available;
- the final four- and five-year data for that group; and
- the newly-required data on cohort progress through high school and the status, where known, of students who had not graduated as of August 2009.

In addition, the presentation will include information requested by committee members in 2009 comparing high school graduation rates in the state's high schools in 2009 with student performance on the 11th grade standards-based assessment in spring 2008, a year prior to their scheduled graduation.

DUAL CREDIT PROGRAM REPORT (September)

Enacted in 2007, LESC-endorsed legislation provided, for the first time, a statewide dual credit program authorized in statute and supported by the state. This legislation was amended in 2008, also as endorsed by the LESC, to expand the program to include state-supported schools, in addition to school districts and charter schools, and to allow dual credit courses to be taken during the summer term. School year 2008-2009 saw the full implementation of the program. In 2010, the Legislature further amended the eligibility provisions with the passage of HB 90 (Laws 2010, Chapter 36) to include federal Bureau of Indian Education funded high schools and tribal colleges in the dual credit program.

During the 2009 and 2010 legislative sessions, the LESC endorsed other amendments to the program to create the Dual Credit Textbook Fund as a means of appropriating funds to help school districts and secondary schools provide their students' textbooks and course supplies, as required in law. Although textbook funds were included in both the *General Appropriation Act of 2009* and the *General Appropriation Act of 2010*, the bills creating the fund and prescribing a method of allocating and distributing the money did not pass (see HB 139 (2009) and SB 114 (2010)). In the absence of legislation, PED consulted with representatives of school superintendents to develop a method of distributing the funds.

The presentation will address not only the textbook issue but also other issues that have come to the attention of the committee or its staff, among them:

- updates to the *New Mexico Administrative Code* as a result of the 2009 LESC interim staff report;
- implementation of HB 90;
- issues regarding the ability of all students to meet the high school graduation requirements currently prescribed in law; and
- other issues or questions related to the uniform implementation of the Dual Credit Program throughout the state.

EDUCATOR ACCOUNTABILITY REPORTING SYSTEM (EARS) (December)

In 2007, LESC-endorsed legislation was enacted to amend the *School Personnel Act* to require PED to collaborate with public teacher preparation programs and with HED to create a uniform statewide teacher education accountability reporting system (TEARS) to measure and track teacher candidates from pre-entry to post-graduation in order to benchmark the productivity and accountability of New Mexico's teacher workforce.

During the 2008 interim, the LESC received a report in response to a 2008 LESC-endorsed memorial, which requested OEA, PED, and HED to develop a plan to enhance support for school principals and other school leaders. The recommendations included establishing a data and accountability system that could track supply and demand and various characteristics of school leadership candidates. Consequently, in 2009, the LESC endorsed successful legislation to include candidates for administrative licensure in TEARS, changing the name of the system to the educator accountability reporting system (EARS).

The presentation will provide not only an update on the reporting system but also other issues that have come to the attention of the committee or its staff, among them:

- adjustments for reporting Title II information using the new federal form;
- revisions to the New Mexico Teacher Assessments form; and
- issues regarding the overall financial approach and reporting of financial information in EARS.

GOVERNMENT RESTRUCTURING TASK FORCE: PRELIMINARY REPORT (June) AND FINAL REPORT AND RECOMMENDATIONS (December)

Legislation enacted in 2010 created the Government Restructuring Task Force, a 17-member body that, among its duties, is charged to:

- study “the current resources of the state’s agencies, programs, services, funding and policies and the public needs served by them,” including K-12 and higher education;
- solicit public input;
- examine “the statutes, constitutional provisions, rules and court decisions governing state government and reorganization and recommend legislation or changes”; and
- make two reports: (1) a report of findings and recommendations to the Governor and the Legislature, including presentations to the Legislative Council, the Legislative Finance Committee (LFC), and the LESC, by December 1, 2010; and (2) a final report with proposed legislation to the Governor and all legislators by December 31, 2010.

The law further requires the Legislative Council Service, the LFC, the LESC, and the Department of Finance and Administration to provide the staff for the task force.

During the 2010 interim:

- in June, the preliminary report will review the statutory requirements and provide an update of the work performed thus far through the first two meetings of the task force, with particular attention to the effects or potential effects on public education;
- in December, the final report will review the activities since June and explain the findings and recommendations of the task force.

HIGHER EDUCATION FUNDING FORMULA OVERVIEW (June)

The LESC last received a summary of the higher education funding formula at the beginning of the 2007 interim. This presentation will provide an overview of how the funding formula operates, including how the dual credit program and teacher preparation programs are funded.

IDEAL-NM UPDATE (August)

Created by LESC-endorsed legislation enacted in 2007, IDEAL-NM is a cooperative effort between PED and HED that, when fully implemented, will offer a range of online services for students from kindergarten to postsecondary institutions and for employees of school districts and state agencies. Through the Statewide Cyber Academy operated by PED, public schools may acquire eLearning courses for their students. Other components of IDEAL-NM, operated by HED, will offer eLearning services that focus on higher education, workforce development, and the provision of professional development for employees of public school districts and state agencies. To support the initiative, the Legislature has appropriated approximately \$10.8 million since FY 08, including approximately \$3.4 million to PED and \$7.4 million to HED.

During the 2009 interim, the LESC heard a presentation on the status of IDEAL-NM and the Statewide Cyber Academy, which reported that student enrollment in cyber academy courses was increasing, as was the number of self-developed cyber academy courses.

To continue an implementation review of the program cost of participating in cyber academy courses and the copyrighting of cyber academy course material.

The interim report will also provide an update on issues reported to LESC staff related to the two departments' continued implementation of IDEAL-NM and the Statewide Cyber Academy, including:

- the departments' expenditure of FY 11 funding;
- the number of courses available for students of the Statewide Cyber Academy;
- the number of additional courses under development;
- the training of teachers to teach in an online environment; and
- the number of students enrolled in Cyber Academy courses.

IMPLEMENTATION OF CS/HB 227 & 251, *SCHOOL BOARD FINANCE & AUDIT COMMITTEES* (June)

During the 2010 legislative session, the LESC endorsed legislation to require each local school board to appoint a finance committee to assist the board in carrying out its budget and finance duties, and to require that this committee include members of the community with experience in accounting or financial matters and at least one parent.

The enactment of CS/HB 227 & 251, a committee substitute containing the provisions of the LESC-endorsed bill, creates a new section of the *Public School Code* to require each local school

board and charter school governing authority to appoint a finance subcommittee and an audit committee:

- the finance subcommittee shall, among other duties, make recommendations regarding financial planning, review of financial statements, monitoring of revenues and expenses, annual budget preparation and oversight, and procurement; and
- the audit committee shall monitor and participate in financial audits, by, among other duties:
 - evaluating the request for proposals for annual financial and audit services;
 - recommending the selection of the financial auditor;
 - attending the entrance and exit conference for annual and special audits; and
 - tracking and reporting progress on the status of the most recent audit findings.

In the 2010 interim, the staff report will address:

- implementation of the required provisions in law by school districts and charter schools statewide; and
- PED's guidance and oversight of the implementation.

LEGISLATIVE LOTTERY SCHOLARSHIP (June)

Created by legislation enacted in 1996, the Legislative Lottery Scholarship is a renewable, full-tuition award granted to qualifying students beginning in their second semester at a public postsecondary institution in New Mexico and continuing for seven more consecutive semesters. In general, qualifying students are those who have graduated from a high school in New Mexico or earned a general education development certificate, enroll in college by the fall semester following graduation, and maintain a grade point average of 2.5 or higher.

The original legislation has been amended three times:

- In 1999, the Legislature amended the eligibility provisions to apply to full-time resident students who either (1) within 120 days of completing a high school curriculum begin service in the United States armed forces, or (2) within 120 days of completion of honorable service or medical discharge from the service are accepted for entrance to and attend one of New Mexico's eligible postsecondary institutions;
- In 2007, LESC-endorsed legislation amended the eligibility provisions to apply to students with disabilities and allowed for the review of "full time" and the maximum number of consecutive semesters of eligibility (this bill also changed the name of the scholarship from 'tuition scholarship' to the 'legislative lottery scholarship'); and
- In 2010, the Legislature further amended the eligibility provisions for military veterans by extending the timeline for enrollment to one year from 120 days (Laws 2010, Chapter 109).

In addition, in 2007 legislation enacted a new section of the *Public School Code* to allow a New Mexico resident high school student whose military parents are transferred out of state to receive a New Mexico high school diploma, under certain conditions, and thereby become eligible for state-funded financial aid, including the Legislative Lottery Scholarship.

The 2010 interim presentation will address not only the recent amendments to law but also other issues that have come to the attention of the committee or its staff, among them:

- demographic characteristics of lottery scholarship recipients;
- educational outcomes of scholarship beneficiaries, including the failure of many students to complete their certificate or degree;
- questions related to the ‘return on investment’ to New Mexico; and
- the current status of the Lottery Tuition Fund.

LESC SCHOOL DISTRICT FINANCE WORK GROUP (each meeting)

During the 2010 legislative session, the LESC endorsed a joint memorial, SJM 24, *Study School District Finances & Operations*, requesting that the Office of Education Accountability (OEA), in collaboration with PED and in consultation with the Office of the State Auditor (OSA), form a work group to examine current policy and practice, statutory powers, and duties of local school boards and state agencies; legal concepts pertaining to public schools, finance and budget, and other matters deemed relevant; capacity and financial practices at the state and local level; the education and training of school district and charter school officials, including local school board members, members of the governing bodies of charter schools, and school finance personnel; and safeguards against fraud, waste, and abuse.

Although the joint memorial did not pass, in keeping with the LESC’s focus on public school finances during the 2010 interim, the LESC has requested that such a work group be formed.

During the 2010 interim the committee will be provided with:

- an update on the progress of the work group at each interim meeting; and
- a final report containing the work group’s findings and recommendations.

NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP) READING RESULTS FOR NEW MEXICO 2009 (June)

Across the nation, a sample of 4th and 8th graders take the National Assessment of Educational Progress (NAEP) in reading and mathematics each winter. As the only nationally representative, continuing, and uniformly administered assessment in those subjects, NAEP is designed to provide a picture of student academic progress from state to state over time.

The presentation in the 2010 interim concerning the performance by New Mexico students on the most recent NAEP reading assessment will:

- discuss the methodology used to select schools and students to participate in NAEP;
- explore trends in achievement of various demographic subgroups within the state; and
- examine comparisons between performance on NAEP and on state standards-based assessments in reading in grades 4 and 8.

NCSL UPDATE: REAUTHORIZATION OF THE FEDERAL *ELEMENTARY AND SECONDARY EDUCATION ACT* (June)

The federal *No Child Left Behind Act of 2001* (NCLB) was scheduled for reauthorization by Congress in 2007, and since then a number of proposals to amend the act in various ways have been put forward. Debate about reauthorization of the act, now referred to by the US Department of Education (USDE) by its original title, the *Elementary and Secondary Education Act* (ESEA), is again in the spotlight with the March 2010 release by USDE of a document entitled “A Blueprint for Reform.” The blueprint proposes amendments to the act in four areas:

1. improving teacher and principal effectiveness;
2. providing information to families to help them evaluate and improve their child's schools, and to educators to help them improve their students' learning;
3. implementing college- and career-ready standards and developing improved assessments aligned to those standards; and
4. improving student learning and achievement in the lowest-performing schools.

Other education advocates, including national teacher groups, have offered their own proposals for change.

In June, staff from the National Conference of State Legislatures will provide the LESC with a review of the proposals and likely prospects for action by Congress in the 2010 session.

NEW HIGH SCHOOL EXIT EXAM (September)

In 1986, legislation was enacted to require that, to graduate from high school in New Mexico, a student must pass a state graduation assessment (the New Mexico High School Competency Exam, or NMHSCE) in reading, English, mathematics, writing, science, and social studies, including the constitutions of the United States and New Mexico.

In the 2007 session, LESC-endorsed measures amended the *Public School Code* to require that, beginning in school year 2010-2011, to graduate, a student must demonstrate competence in required subject areas on a standards-based assessment or assessments or a portfolio of standards-based indicators as established by PED in rule. An amendment to this legislation in 2008 provided that PED could designate the 11th grade state standards-based assessments required in the *Assessment and Accountability Act* for school accountability to serve as the high school graduation assessment.

Students in the 11th grade in spring 2011 will be the first ones to take the standards-based assessment as a graduation test.

The presentation to the LESC during the 2010 interim will include:

- a description of changes to the assessment to meet statutory requirements for the high school exit exam;
- a description of the technical process used to set an appropriate cut score for graduation, including an analysis of whether it differs from the cut score that indicates proficiency for school accountability purposes;
- information, if any, to indicate whether the performance of students of various ethnicities, income levels, or special education status on the 11th grade standards-based assessment might be expected to differ from previous patterns on the NMHSCE so as to affect relative graduation rates of students in those groups;
- a description of other options whereby students can demonstrate the subject matter competence required for graduation, such as the alternative assessment or the web-based portfolio, and an explanation of which students will be eligible for those options; and
- a review of strategies being used by school districts to prepare students to succeed on the graduation assessment.

NEW MEXICO MUSEUM OF ART EDUCATION WEBSITE (August)

In 2007, the Legislature appropriated \$75,000 in capital improvement funds to the New Mexico Department of Cultural Affairs for the Museum of Fine Arts to develop and implement an interactive fine arts outreach project. The purpose of the project is to pilot the use of a web-based format to teach New Mexico history through the museum's art collection. The capital appropriation funds successfully leveraged additional support for the project from private foundation sources.

In August, the LESC will hear a report on the progress of the project and see a demonstration of the website.

NEW MEXICO PARTICIPATION IN NATIONAL SCHOOL REFORM INITIATIVES (June)

- **Use of Federal School Improvement Funds**

In early April 2010, the US Secretary of Education announced that New Mexico will receive more than \$28.5 million in federal School Improvement Grants (SIG) as part of the *American Recovery and Reinvestment Act of 2009* (ARRA). Available over a three-year period, these funds can be used for school expenditures intended to enhance student success, including such measures as extending the learning time; providing incentive pay for teachers for longer school days or years; purchasing curricula tailored to differentiated instruction; hiring counselors or social workers to address problems in the home that affect student learning; and professional development. As part of its application for these funds, PED applied the federal definition of

persistently lowest achieving schools to identify 20 Title I schools as the first ones eligible to apply for funds through PED.

In early May 2010, PED announced that, based on their applications, nine of these schools, among seven districts, have been selected to receive awards ranging from \$500,000 to \$2.0 million (\$11.3 million altogether). This announcement noted that the funds have been approved “conditionally” – that is, pending the department’s working with each school “in the final determination of budgets, programs, and staffing decisions referenced in each of the applications.”

The 2010 interim report will:

- review the application process and criteria;
 - illustrate the improvement strategies being employed at the schools; and
 - preview the next steps in the application for and use of the school improvement funds.
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- **Race to the Top – Status of Application**

According to the US Department of Education (USDE), Race to the Top (RttT) is a competitive grant program through ARRA intended to encourage states to advance education reforms around four specific areas:

1. adopting standards and assessments that help prepare students for college and the workplace;
2. building data systems that measure student growth and success;
3. recruiting, developing, rewarding, and retaining effective teachers and principals; and
4. turning around the lowest-achieving schools.

Grants will be awarded, USDE continues, to those states “that are leading the way with ambitious yet achievable plans for implementing coherent, compelling, and comprehensive education reform,” serving as models for the rest of the states to follow.

In January 2010, New Mexico joined 39 other states and the District of Columbia in applying for competitive RttT funding. Of those 41 initial applicants, 16 (New Mexico not among them) reached the finalist stage and received invitations to Washington to explain their plans more fully; of those 16 finalists, two – Delaware and Tennessee – were awarded funds. The 39 other applicants were invited to reapply during round two, which had an application deadline of June 1, 2010.

To determine whether the state should apply during round two, PED hosted a day-and-a-half meeting in Albuquerque that focused on the two sections of the state’s round one application that received the lowest scores: Section D, Great Teachers and Leaders; and Section E, Turning Around the Lowest Achieving Schools. There was also some attention to Section C, Data Systems. After this meeting, the Secretary of Public Education announced her intention to pursue the round two application, and PED organized a number of small work groups to help draft new responses to sections D and E, according to the comments of reviewers from round

one, attendees at the large statewide meeting, and participants in the small work groups. That second application was submitted at the end of May 2010.

The 2010 interim report will:

- provide more details about the RttT program and the application process;
- note some of the concerns that other states and other entities have raised; and
- describe the status of the state's round two application.

- **Common Core State Standards**

In 2008 and 2009, with funds appropriated to the LESC by the Legislature, representatives of the LESC staff and state public and higher education agencies and institutions participated in a formal process in collaboration with the American Diploma Project to revise state mathematics and English language arts standards so they aligned with the expectations of college and careers. The new mathematics standards were adopted in PED rule in June 2009, and the English language arts standards in September 2009.

Meanwhile, however, in May 2009, the Governor announced that he and the Secretary of Public Education had signed a memorandum of agreement with the National Governors Association (NGA) and the Council of Chief State School Officers, along with 47 other states and the District of Columbia, to work together to develop common standards in English/language arts and mathematics for grades K-12. According to the NGA, the new standards would be fewer, clearer, and higher than those previously in place among states; aligned with college and workplace expectations; internationally benchmarked; rigorous; and based on research. The draft K-12 standards were released for public comment on March 20, 2010.

PED states that, because the US Department of Education has made adoption of college- and career-ready standards a requirement for eligibility for the second round of federal Race to the Top funds, New Mexico must formally adopt them by August 2, 2010. In New Mexico, academic standards are set out in administrative rule, and PED has announced a schedule for publication and hearings in order to adopt the standards by July 2010. PED indicates that, in fall 2010, it will establish two committees for two purposes: (1) to develop benchmarks and performance standards for language arts and mathematics for grades K-12, and (2) to determine which, if any, of the state language arts and mathematics benchmarks and performance standards now in place should be retained.

A presentation to the LESC during the 2010 interim regarding the common core state standards will include:

- an examination of the rationale for joining the voluntary effort to develop common standards;
- a review of the process by which the standards were developed; and
- a discussion of the possible consequences of adopting the standards in New Mexico and other states for curricula, assessments, and P-20 alignment.

- **Board Examination Systems Program (Tough Choices or Tough Times)**

In 2007 the National Center on Education and the Economy (NCEE) issued a report entitled *Tough Choices or Tough Times, the Report of the New Commission on the Skills of the American Workforce*. The report focused on improving the quality of teaching and learning for all students and introduced a variety of programs and initiatives to foster the development of a capable American workforce. Included in its recommendations is a proposal for a voluntary state board examination system that seeks to create college-ready students by age 16 and ascribes to a move-on-when-ready model that is flexible to individual student needs.

Participating school districts can select among five curricula for the Board Examination System: the ACT QualityCore; College Board Advanced Placement; the International Baccalaureate; Cambridge International General Certificate of Secondary Education (IGCSE) Exams; and Edexcel International General Certificate of Secondary Education (IGCSE) Exams.

On February 17, 2010, New Mexico became one of eight states to join with NCEE and the Bill and Melinda Gates Foundation in the state board examination system initiative. By school year 2011-2012, each of the participating states will be prepared to introduce the Board Examination Program to a select number of pilot high schools.

The 2010 interim report will provide an overview of the program's central components, including:

- a core program of courses defining what it means to be “an educated person;”
- constructed course designs captured in a syllabus;
- teacher training matched to the course syllabi;
- exams derived from the curriculum using multiple assessment methods; and
- general costs associated with program implementation, training, and materials.

The report will also provide an overview of the implementation process for participating New Mexico school districts.

NEW MEXICO PREK AND K-3 PLUS PROGRAM EVALUATION REPORT (November)

In 2005, LESC-endorsed legislation was enacted to establish the *Pre-Kindergarten Act*, creating a voluntary program of pre-kindergarten services for four-year-old children offered by public schools, tribes or pueblos, Head Start centers, and licensed private providers. The Legislature has appropriated more than \$80.0 million to implement New Mexico PreK, including \$5.0 million in federal Temporary Assistance for Needy Families funds and approximately \$14.5 million for classrooms.

In the fall of 2005, the National Institute for Early Education Research (NIEER) at Rutgers University was awarded a contract to conduct an evaluation of the New Mexico PreK program. Since that time, the LESC has received annual reports from NIEER. In the 2009 report, which assessed four years of data, NIEER testified that New Mexico has one of the highest enrollment

levels in the West and that New Mexico PreK produced statistically significant gains in vocabulary knowledge, math skills, and print awareness. The presentation in 2009 concluded with recommendations for continued expansion of the program, improved classroom support for early language/literacy and math, and expanded professional development and teacher training.

In 2007, the Legislature enacted K-3 Plus, a six-year pilot project that extends the school year in kindergarten through third grade by at least 25 instructional days, starting up to two months earlier than other classes. Administered by PED, the program will measure the effect of the additional time on literacy, numeracy, and social skills development of the participants. The Legislature has appropriated approximately \$23.0 million in General Fund revenue to fund the K-3 Plus pilot program, including an appropriation of \$8.5 million for expenditure in FY 10. However, this appropriation was reduced by 6.5 percent to \$7.9 million in the October 2009 special session.

During the 2009 interim, the LESC heard testimony about the first external evaluation of the program by the Early Intervention Research Institute (EIRI) at Utah State University. The evaluation focused on K-3 Plus programs in five school districts – Albuquerque Public Schools, Gadsden Independent Schools, Gallup-McKinley Country Public Schools, Roswell Independent Schools, and Taos Municipal Schools. Because the program was in its first year of implementation, the evaluation focused on the execution rather than the efficacy of the program.

PED testimony in the 2009 interim identified an issue with the funding of K-3 Plus. To satisfy the minimum of 25 additional instructional days, many K-3 Plus programs may start prior to July 1, which is the beginning of the fiscal year. Of note is the fact that the funds appropriated by the Legislature for these programs are not available until July 1.

The presentation during the 2010 interim will focus on updates from both external evaluators based upon the components included in their respective studies of PreK and K-3 Plus in New Mexico.

NEW MEXICO PUBLIC SCHOOL INSURANCE AUTHORITY/ALBUQUERQUE PUBLIC SCHOOLS: PROJECTED FY 12 BUDGET REQUESTS (September)

Each year, the Legislature appropriates dollars to the state equalization guarantee (SEG) distribution (Public School Funding Formula) to provide for projected increases in the employer's group health and risk insurance contribution rates of the state's charter schools and member school districts participating in the New Mexico Public School Insurance Authority (NMPSIA) and the Albuquerque Public Schools (APS).

The dollars appropriated are based on an appropriation request by NMPSIA and APS based on projected contribution rates considered to be adequate to provide for anticipated insurance claims, administrative costs, and reserves in the next fiscal year. These increases may be offset by NMPSIA or APS board action that allows the agencies to use insurance reserve fund balances to reduce the projected increases for both the employer and the employee.

The 2010 interim report to the committee of the FY 12 budget requests for NMPSIA and APS will include:

- projected insurance increases;
- plan changes; and
- potential use of insurance reserve fund balances.

P-20 EDUCATIONAL DATA SYSTEM (August)

In 2010, LESC-endorsed legislation was enacted to codify requirements for a pre-kindergarten to post-graduate (P-20) educational data system. This presentation will provide an update on the implementation of the system, as well as an update on the results of New Mexico's application to the Institute of Education Sciences for a statewide longitudinal data system grant.

PED PLAN TO COLLECT AND REPORT COURSE INFORMATION (RESPONSE TO LESC REQUEST) (June)

During the 2009 interim, the LESC received a staff report on the implementation of high school redesign measures enacted in 2007, including new graduation requirements for freshmen entering high school in school year 2009-2010 (the Diploma of Excellence). Among concerns raised by the committee in response to the staff report was that the number of students who meet graduation requirements in law cannot be reported because the Student Teacher Accountability Reporting System (STARS) at PED tracks course enrollment, rather than course completion.

In response to a letter from the LESC, the Secretary of Public Education informed the LESC that PED would need at least 18 months to implement a plan for the collection of course completion and grades, and that the department could prepare a report for the second meeting of the 2010 interim to describe how such reporting could be achieved.

The staff report in the 2010 interim will provide background on the issue and an overview of PED's plan to collect course completion and grades.

READY FOR COLLEGE 2010 REPORT (June)

Each interim since 2006, the LESC has heard a presentation by the state Office of Education Accountability (OEA) of the annual *Ready for College* report, produced in collaboration with PED and HED. The report provides data showing the percentage of recent New Mexico high school graduates who took remedial courses at New Mexico public postsecondary institutions during their first college semester. Data are disaggregated based on ethnicity, income status, and gender, and they show the percentage of students statewide and from each high school in the state who need remediation in literacy skills, mathematics, or both when they begin their postsecondary education.

Ready for College reports in previous years have indicated that the *number* of New Mexico students entering public postsecondary institutions directly from public high schools is trending upward, from approximately 6,700 in 2000 to approximately 9,360 in 2008. However, since 2002 the *percentage* requiring remediation has held steady at approximately 50 percent.

The 2010 presentation to the LESC will include data and data analysis for ten cohorts of New Mexico students, from the graduating classes of 2000 through 2009.

RESTRAINT AND SECLUSION OF STUDENTS (September)

As explained in an LESC staff report during the 2009 interim, attention to issues of physical restraint and seclusion of students has risen across the United States through published accounts of alleged abuse, which prompted an investigation by the Government Accountability Office (GAO) at the request of the US House Education and Labor Committee. The GAO report, published May 19, 2009, found “no federal laws restricting the use of seclusion and restraint in public and private schools and widely divergent laws at the state level.”

The 2009 LESC staff report also noted two developments at the state level:

- A March 2006 memorandum from PED provided written guidance to superintendents, special education directors, charter schools, and regional education cooperatives. The guidance states that physical restraint may be justified in certain instances, but it also recognizes that this type of intervention can pose a serious risk to the student, as well as to the person(s) applying the restraint.
- In addition, a May 27, 2009 news release from PED states that New Mexico leads many states in providing guidance, training, and procedural safeguards for students with disabilities. Even so, there have been reported abuses from the use of restraint and seclusion in recent years here in New Mexico.

To address these issues, in November 2009 the Secretary of Education created a work group to consider legislation and/or rulemaking regarding restraint and seclusion of children in New Mexico.

The presentation during the 2010 interim will provide the committee with an update of the issues pertaining to restraint and seclusion of students including:

- recommendations from the PED workgroup concerning the scope and nature of the use of restraint and seclusion with respect to children in public schools;
- a summary of best practices that address the use of restraint and seclusion including a survey of methodologies used in other states where laws and/or rules have been adopted;
- the status of legislation introduced in Congress in December 2009 (H.R. 4247);
- considerations regarding the liability that might be placed upon school employees, school districts, and the state; and
- recommendations for legislation and/or rulemaking regarding the use of restraint and seclusion on children in public schools.

REVIEW OF PUBLIC SCHOOL CAPITAL OUTLAY PROCEDURES AND STATUTES (June)

Both a local and a state responsibility, public school capital outlay funding in New Mexico is governed by several sections of statute, including the *Public School Capital Outlay Act*, the *Public School Capital Improvements Act*, the *Public School Buildings Act*, and the *Public School Lease Purchase Act*.

The primary mechanism for funding public school construction is the standards-based process; and the provisions governing this funding mechanism are codified in the *Public School Capital Outlay Act*. In order to comply with a court order pursuant to the 1999 Zuni lawsuit, New Mexico developed a standards-based process to ensure that the physical condition and capacity, educational suitability, and technology infrastructure of all public school facilities in New Mexico meet an adequate level statewide. Using a statewide assessment database that ranks the condition of every school building relative to the statewide adequacy standards, the standards-based process is intended to ensure that the schools with the greatest facilities needs will be addressed first according to the New Mexico Condition Index (NMCI).

Pursuant to the *Public School Capital Outlay Act*, the Public School Capital Outlay Council (PSCOC) announced approximately \$189.0 million in state awards for public school capital outlay projects statewide in school year 2009-2010, including approximately \$131.1 million in standards-based state match awards; and almost \$60.0 million in other awards authorized by the act.

Another mechanism for funding public school facilities improvements is the *Public School Capital Improvements Act*, commonly referred to as SB-9 or the “two-mill levy.” This act authorizes districts to ask local voters to approve a property levy of up to two mills for a maximum of six years; but it limits the allowed uses of the funds generated through imposition of the two-mill levy. Provisions in the act provide a school district with a minimum level of funding, or “program guarantee,” which is calculated by multiplying a school district’s 40th day total program units by a matching dollar amount (\$71.96 for fiscal year 2009). If the local revenue generated by the two-mill levy is less than the program guarantee, the state funds the difference in the form of “matching” funds.

In addition, the *Public School Buildings Act*, commonly referred to as HB-33, allows districts, upon the approval of qualified voters, to impose a tax not to exceed 10 mills for a maximum of six years on the net taxable value of property.

Finally, public school capital improvements may be financed through the local issuance of bonds, as well as through direct legislative appropriations.

The 2010 interim report will:

- review the statutory provisions concerning public school capital outlay;
- the sources of funding for the construction of public school facilities;
- the authorized uses of such funds, and
- the procedures for their distribution.

SCHOOL PERSONNEL ISSUES (November)

- **School Leadership Institute**

The LESC has been focused on school leadership at least since the 2001 interim, and during each of the last two sessions the committee has endorsed legislation to create a school leadership institute in statute. Although the bill during the 2009 session did not pass, the appropriation of \$200,000 to HED to establish the leadership institute was included in the *General Appropriation Act of 2009*; and HED, together with the Office of Education Accountability (OEA) and the Office of the Governor, took steps to establish the institute, including the selection of a director. During the 2009 interim, the LESC heard testimony from the OEA, the director of the School Leadership Institute, and the Office of the Governor about the development of the institute and its work thus far. Then LESC-endorsed legislation creating the School Leadership Institute in statute was enacted during the 2010 session.

The presentation during the 2010 interim will provide a status report on the continued development and work of the School Leadership Institute, including:

- planned collaboration with school districts, postsecondary educational institutions, regional education cooperatives, professional organizations, and other parties in developing several specific programs for school leaders; and
- development of a common core curriculum for principal preparation programs.

The presentation will also address the status of the business plan that the institute has been formulating to help obtain sources of funding other than state appropriations.

- **Beginning Teacher Mentorship Program (PED Response to LESC Request)**

The LESC has received staff reports on beginning teacher mentorship each interim since 2007.

In response to issues raised in the 2009 staff report, the committee requested that PED and OEA examine the uses of mentorship funds; performance outcomes of district mentorship programs such as beginning teacher retention rates; and instances of Level 1 teachers providing mentoring services to other beginning teachers.

- **Teacher Professional Development Plans**

In 2007 the LESC heard a presentation regarding teacher professional development and the related professional development framework, which showed, among other points, that from 2004-2008 the Legislature appropriated approximately \$26 million to PED for professional development activities. Additionally, federal funds totaling over \$43 million were allocated to PED and public school districts for teacher professional development during the same period. At the same presentation, testimony to the committee indicated that evaluation of professional development activities provided with these funds is inconsistent. Moreover, PED testimony indicated that school district and department accounting systems often do not distinguish funds

budgeted for professional development from other types of contractual costs.

In 2009, the LESC endorsed and the Legislature passed a measure to require PED, school districts and charter schools to account annually for all funds spent for professional development activities; however, the bill was pocket-vetoed by the Governor. In 2010, LESC-endorsed legislation was enacted to amend the *School Personnel Act* to require that teacher professional development plans include documentation of how the results of professional development received from or offered by the state, school district, or charter school are incorporated in the classroom.

The 2010 interim report will:

- examine how state and federal funds are being used throughout the state to support educator professional development aligned with state standards, as required by statute; and
- review the professional development plans that teachers and principals must develop at the beginning of each school year, including their implementation in the classroom.

SPECIAL EDUCATION ISSUES (August)

- **Alignment of State Law with Federal Law**

The education of students with disabilities in New Mexico public schools has been governed since at least 1967 by a state statute mandating that school districts provide special education and related services to meet the needs of children requiring them. Special education is also the subject of two federal laws enacted after the state law: (1) Section 504 of the federal *Rehabilitation Act of 1973*; and (2) the federal *Individuals with Disabilities Education Act* (IDEA), enacted in 1975 and reauthorized by Congress in 2004.

The PED is authorized by state law to develop regulations and standards for providing special education in the public school system in the state and all institutions wholly or partly supported by the state. In addition, according to PED, IDEA requires PED to ensure that the requirements of the federal law, as well as state educational standards, are met in all educational programs administered by any state or local educational agency for children with disabilities aged three through 21. PED has promulgated rules that address these state and federal requirements; however, PED notes that, because the language in state and federal special education law is not aligned, current agency rule must adhere to the mandates of federal law to ensure that New Mexico continues to be eligible for federal special education funds under IDEA.

Pursuant to requests by members of the New Mexico House of Representatives Education Committee during the 2010 regular session, in the 2010 interim LESC staff will collaborate with the Legislative Council Service, the Office of General Counsel at PED, and appropriate stakeholders to examine whether, and how, state law should be amended to align better with federal special education law while maintaining the state's historic commitment to serving the

needs of students with disabilities. The interim report to the committee will summarize the findings and recommendations of the group as a result of the review.

- **Contracts between School Districts and Residential Treatment Centers (RTCs) (PED Response to LESC Request)**

In the 2009 session, the LESC endorsed and the Legislature passed a measure that addressed issues presented to the committee in prior years regarding the education of, and allocation of state funds for, students placed in private non-profit RTCs. That measure amended the *Public School Code* to clarify the responsibility of the state, local school districts, parents and other parties for the education of those students. During the 2009 interim, the committee heard testimony by PED summarizing amendments to agency rule that PED had issued to implement the new law; and following the presentation, the committee discussion indicated that some confusion about responsibility for students in RTCs might still exist under the new rule. In response to a committee member's question, PED staff testified that the agency had the authority it required under the law as amended to address those areas of uncertainty administratively.

In January 2010, the LESC Chair and Vice Chair sent a letter to the Secretary of Public Education on behalf of the committee, requesting that PED develop guidance and a template contract for the use of school districts that would include consistent and uniform recommended language to cover situations such as provision of services in an RTC for a student for whom more than one school district was responsible; provision of services by personnel from one school district for which another district or state agency is financially responsible; and provision of services for school-age persons for whom the state and local school districts have only limited financial responsibility, but for whom the RTC wishes local district personnel to provide services for practical reasons.

The Secretary of Public Education responded by letter to the LESC Chair on March 19, 2010, stating that PED was developing a template contract for use by local school districts that enter into agreements with RTCs. She also stated that PED hoped to be able to consult with school districts within which RTCs were located after July 1, 2010 in order to finalize additional guidance beyond that contained in the revised rule. In response to her request, the LESC has scheduled an opportunity for PED to report to the LESC on the matters contained in the January letter at its August 2010 meeting.

STATE REVENUE UPDATE (each meeting)

At each meeting, the committee will receive an update from Legislative Finance Committee (LFC) staff on the status of New Mexico's economic recovery and projected state revenues for the current and future fiscal years.

STUDENT ID NUMBERS IN TWO-YEAR COLLEGE DATA SYSTEMS (RESPONSE TO LESC REQUEST) (September)

During the September 2009 LESC meeting, the committee received a report on the implementation of provisions in law that address components of a pre-kindergarten through post-graduate (P-20) data system. In response to several issues raised in the report, the LESC sent a letter to the Public Education Department (PED), Higher Education Department (HED), the New Mexico Association of Community Colleges, and the New Mexico Independent Community Colleges requesting that they form a work group to develop a proposal for collecting students' identification (ID) numbers, known as Unique IDs, in unit record data systems of those branch and community colleges that do not require high school transcripts for admission.

The 2010 interim staff report will address the recommendations of the work group.

STUDY READING CURRICULA IN TEACHER EDUCATION, HJM 16 WORK GROUP: PRELIMINARY REPORT (June) AND FINAL REPORT (November)

In 2009 the LESC heard a presentation concerning a report by the National Council on Teacher Quality (NCTQ) entitled *Preparing Tomorrow's Teachers: Are New Mexico's Education School Graduates Ready to Teach Reading and Mathematics in Elementary Classrooms?* The report claimed, based on a review of the curricula and syllabi of reading courses in teacher preparation programs, that most programs in New Mexico do not prepare candidates to teach the science of reading, and that the programs use a wide variety of reading textbooks, most of which do not address the science of reading. The New Mexico Deans and Directors of Colleges of Education contested the methodology of the study; however, they worked with the committee to formulate HJM 16, *Study Reading Curricula in Teacher Education*, which was endorsed by the LESC and passed by the Legislature in the 2010 regular session.

The memorial acknowledges the importance of reading instruction as a foundation for school success; the statutory requirement that PED withhold approval from any teacher education program that fails to offer a course on teaching reading that is based on current scientifically based reading research; and the need for confidence that every graduate of a teacher education program in the state be well-prepared to teach students to become proficient readers. The memorial also calls on the deans and directors organization to create a work group, including members of the LESC, to examine the curricula and assigned texts of all required reading courses in teacher preparation programs to determine if the courses meet statutory requirements.

During the 2010 interim, the committee will be provided with two reports:

- a preliminary report in June on the HJM 16 work group's plan for the study; and
- a final report in December of the results of the study, including the work group's findings and recommendations.

STUDY VARIOUS SCHOOL CALENDARS, SJM 12 WORK GROUP: FINAL REPORT AND RECOMMENDATIONS (NOVEMBER)

Legislation enacted in 2009 requires that, effective school year 2010-2011, school calendars consist of 180 full instructional days for a regular school year calendar and 150 full instructional days for a variable school year, excluding release time for in-service training. However, these provisions raised a number of issues, including the fact that more than half of the school districts and charter schools would be required to add instructional days in school year 2010-2011 to satisfy the requirements amid reductions to public school support resulting from the state budget crisis. In part due to these concerns, and to give school districts and charter schools more time to prepare for the implementation of the new school calendar requirements, legislation was passed in 2010 to delay the effective date of the requirements until school year 2011-2012 and subsequent school years.

Also passed during the 2010 regular session, SJM 12 requests that the Office of Education Accountability (OEA), in collaboration with PED, school districts, charter schools, school boards and governing bodies, teacher and employee representatives, and parent representatives, study the impact of various school calendar options and scheduling practices on teachers, learning time, achievement of students, school operations, and district budgetary needs.

OEA will report its findings and recommendations to the LESC by October 31, 2010.

SUPPLEMENTAL EDUCATIONAL SERVICES (SES) (August)

A feature of the federal *No Child Left Behind Act of 2001* (NCLB), as well as state law, SES provides extra academic assistance for eligible children in schools that are at one of these stages in the school improvement cycle: School Improvement 2, Corrective Action, or Restructuring 1 or 2. Typically, these services take the form of tutoring provided outside the regular school day; and they are funded through a school district's Title I allocation. Parents are able to select SES vendors from a state-approved list, which PED provides on its website.

During the 2010 session, the Legislature considered legislation that addressed such SES issues as the alignment of tutoring services with the district's curriculum, the training of tutors, payment for the services, and the effect of SES on student performance. Although the bill did not pass, the LESC has included these SES issues and others in its workplan for the 2010 interim.

The presentation will:

- review the statutory provisions, both federal and state, as well as recent federal guidance;
- summarize the provisions of PED rule;
- examine the criteria for SES providers; and
- consider other issues such as the timing and the effectiveness of SES.

WRITTEN REPORTS

In addition to the presentations described above, the committee will receive a number of written reports in response to memorials, statutory requirements, or legislative requests.

JOINT MEMORIALS

Study Autism & School Services, SJM 25a (September) - requests that PED study how to provide best practice services to children with autism spectrum disorder in the public schools through the use of highly qualified New Mexico autism specialists in the development and implementation of individual education programs for children with autism spectrum disorder statewide. The memorial also requests that PED develop a written plan for how it will work actively, collaboratively and cooperatively with specified other entities in order to develop and implement appropriate systems of care for children with autism spectrum disorder. Finally, the memorial requests that PED deliver its findings, including the written plan, to the LESC by September 30, 2010.

Study Uniform Military Credit at NM Colleges, HJM 1 (November) - requests that HED study the benefits and feasibility of establishing uniform standards for accepting military credit and articulation of all colleges and universities in New Mexico and present its findings and recommendations to the appropriate interim committee of the Legislature by November 2010.

MEMORIALS

HM 50a, Develop Statewide Nursing Education Plan (November) – requests that the Center for Nursing Excellence and the Board of Nursing convene a task force composed of representatives from HED, the New Mexico Health Policy Commission, the Department of Health and public postsecondary educational institutions to develop a statewide plan for nursing education involving multiple institutions; to develop a statewide infrastructure for distance learning and a central curriculum resource website; and to report the findings of the task force to the Legislative Health and Human services Committee and the LESC by November 1, 2010.

SM 38, Report on Teacher Reward Mechanisms (November) – requests that PED report to the LESC and the Legislature before the first session of the 50th Legislature (that is, the 2011 session) on its progress in designing a merit selection system for teachers and principals who improve student achievement. The memorial requests that PED consider both standardized teacher evaluation and student achievement reports to determine the basis of merit awards as well as other worthy measures. The memorial requests that PED work collaboratively with teachers, principals, school administrators and the teachers' union to design the system, the process and the evaluation instruments.

SJM 25a, Study Autism & School Services (September) – requests that PED study how to provide best practice services to children with autism spectrum disorder in the public schools through the use of highly qualified New Mexico autism specialists in the development and implementation of individual education programs for children with autism spectrum disorder statewide. The memorial also requests that PED develop a written plan for how it will work

actively, collaboratively, and cooperatively with specified other entities in order to develop and implement appropriate systems of care for children with autism spectrum disorder. Finally, the memorial requests that PED deliver its findings, including the written plan, to the LESC by September 30, 2010.

HM 7, *Study Child Homelessness (November)* – requests the Children, Youth and Families Department to assist the Coalition to End Homelessness, in collaboration with members of the New Mexico Campaign to End Child Homelessness, to conduct a study on child homelessness in New Mexico and to provide a report to the interim New Mexico Legislative Health and Human Services Committee, along with legislative recommendations to end child homelessness, by November 2010.

HM 75, *Study Education Access in Ramah [2009] (November)* – requests that the Indian Education Division of PED convene a task force no later than July 1, 2009 to study access to public education in the Ramah, New Mexico area. The memorial specifies what entities should be included on the task force; and it requests that the task force report its findings to the appropriate legislative committees and the Governor no later than December 1, 2009. No report was provided in the 2009 interim, and the LESC has received a legislative request to hear a report regarding education access in Ramah during the 2010 interim.

HM 69, *Study School Content, Curricula and Programs (November)* – requests that PED work with the Office of Education Accountability to design a study of the alignment of school district curricula and professional development in language arts, mathematics, and science with state academic standards in those content areas. The memorial requests that the study review (1) how well curricula are aligned with academic content standards and the proposed Common Core State Standards; (2) whether local curricula align to state academic content standards from grade to grade so that students are adequately prepared at each grade level to meet the state's academic expectations; and (3) whether teacher preparation programs and professional development courses in New Mexico provide sufficient knowledge of the state's content standards and teach effective instructional strategies for students to meet those standards. The memorial requests that PED present the results of the study and its recommendations to the LESC, the LFC, and all public school districts and charter schools by December 2010.

HJM 1, *Study Uniform Military Credit at NM Colleges (November)* – requests that HED study the benefits of establishing uniform standards for accepting military credit and articulation of all colleges and universities in New Mexico and present its findings and recommendations to the appropriate interim committee of the Legislature by November 2010.

OTHER WRITTEN REPORTS

HED Higher Education Articulation Report (December) – the *Higher Education Articulation Act* requires that, no later than December 31 of each year, HED report to the Legislative Finance Committee, the LESC, and the Governor regarding the status of articulation programs and the transfer of students between institutions. The statute sets forth in detail the information required in the report. As in previous years, the LESC will receive the HED Higher Education Articulation Report in December 2010.

Preliminary Adequate Yearly Progress Results from 2010 Assessments (August)

As noted on page 1, the committee will receive a preliminary written report of adequate yearly progress results in August, with a final report to follow in November.

Public School Capital Outlay Awards (September)

As provided in the *Public School Capital Outlay Act*, the Public School Capital Outlay Council (PSCOC) determines grant awards for all New Mexico school districts through a standards-based process. The act requires the PSCOC, by December 15 of each year, to provide the LESC with a written report that includes a summary of its activities from the previous year, including projects funded and the criteria used to prioritize them.