

State of New Mexico
LEGISLATIVE EDUCATION STUDY COMMITTEE

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MINUTES
LESC MEETING
WEDNESDAY, AUGUST 15, 2007

Representative Rick Miera, Chair, called the Legislative Education Study Committee (LESC) meeting to order on August 15, 2007, at 9:07 a.m., University of New Mexico (UNM)-Taos Klauer Campus, Classroom Building, Taos, New Mexico.

The following LESC members were present:

Representatives Rick Miera, Chair, Roberto "Bobby" J. Gonzales, Jimmie C. Hall, Mimi Stewart, Thomas E. Swisstack; and Senators Vernon D. Asbill, Mary Jane M. Garcia, and Gay G. Kernan.

The following LESC advisory members were present:

Representatives Nathan P. Cote, Nora Espinoza, Mary Helen Garcia, Thomas A. Garcia, Dianne Miller Hamilton, John A. Heaton, Jim R. Trujillo; and Senators Carlos R. Cisneros and Mary Kay Papen.

Also in attendance was Senator Sue Wilson Beffort.

<> Approval of Agenda

Upon a motion by Representative Hall, seconded by Representative Gonzales, the committee unanimously approved the agenda as presented.

<> Welcome and Introductions

Representative Miera recognized the following individuals who welcomed the committee to Taos: Honorable Bobby F. Duran, Mayor of Taos, Mr. Arsenio Cordova, President, Taos Municipal School Board and UNM-Taos Advisory Board, and Dr. Kate O'Neill, Executive Campus Director, UNM-Taos, Klauer Campus.

HIGHER EDUCATION DEPARTMENT REPORT

Chairman Miera recognized Dr. Reed Dasenbrock, Cabinet Secretary, Higher Education Department (HED), to share with the committee HED's proposed agenda – Creating Pathways for Students through New Mexico Higher Education.

Dr. Dasenbrock presented data indicating that the United States (US), which led the world in educational attainment since its founding, has now slipped to eighth place, behind Canada, Japan, Korea, Sweden, Belgium, Ireland, and Norway. In the same period that the US has declined, he noted that Korea has increased its educational attainment by 400 percent. More than 50 percent of Canadians aged 25-34 have earned at least an Associate of Arts degree, compared to 39 percent of Americans, and 28 percent of New Mexicans. He said New Mexico ranks 46th among the 50 states in the number of students who begin the ninth grade and eventually go on to graduate from college. Out of 100 students who enter the ninth grade, only 12 New Mexicans graduate from college, compared to the national average of 20. He said the highest ranking state, South Dakota, graduates 28 students out of 100 who begin ninth grade. He said that this situation is far from what the US must achieve in order to remain competitive in the global economy and for New Mexicans to attain prosperity and enjoy a better quality of life.

Dr. Dasenbrock stated that certain problems in the New Mexico education system fall under the purview of the Public Education Department (PED) and the public schools; however, he stressed that other equally important issues are the responsibility of HED and the institutions of higher education. He reported that both departments need to work together and improve both high school and college graduation rates. He recognized the importance of bills passed by the 2007 Legislature concerning the transition to college and reported that HED/PED staff are in the process of implementing these pieces of legislation, including the Statewide Cyber Academy; approval of a dual credit master agreement that will provide for a more uniform system of dual credit offerings by each higher education institution and every school district in the state; and the creation of a data system that will allow the state to follow and analyze student progress from public school to higher education.

Dr. Dasenbrock said that if New Mexico hopes to attract technical and industry jobs to the state, it must raise the educational attainment of its citizens. He said that according to a report by the Educational Testing Service, two-thirds of new jobs created between 2000 and 2010 will require some college education. He also noted that the percentage of jobs requiring some college education will increase from 2010 to 2020, which is one reason why Europe and much of Asia are working hard to increase the percentage of citizens that attain a college degree. He said that US Secretary of Education, Margaret Spellings, stressed the importance of college education to economic development, stating that 90 percent of newly-created jobs require some postsecondary education.

Dr. Dasenbrock proposed the following six concepts as critical first steps that New Mexico postsecondary institutions must take to make it easier for students to apply and move seamlessly from one institution to another within the state and to offer the various degrees needed in each community:

- adopt a common statewide college application, available online, which would be free to New Mexico residents to ease the burden on students who wish to apply to multiple institutions;

- guarantee admission to four-year institutions to graduates of New Mexico community colleges who have earned an Associate of Arts or Science degree;
- allow students who begin at one institution to complete majors at a different institution, without losing credits;
- offer students the degrees they need close to home by providing four-year programs where none currently exist through credit stacking and program hosting of bachelor's or master's degree programs at two-year colleges;
- provide automatic transfer of online courses back to students' home institutions; and
- enable students to take courses for graduation without having to relocate through transfer of summer course credits taken at institutions near their homes.

Dr. Dasenbrock said that these changes could be implemented without additional funding through agreements among public institutions of higher education. He said his hope is to implement all of these ideas by the fall of 2008. He said these changes would improve inter-institutional cooperation which would make it easier for students to enter higher education, move within it, and graduate from it. He said these changes alone would not completely address the issue of educational under-attainment, but they will make it easier to begin to address this problem.

Noting that the overarching policy goal of all institutions of higher education should be degree attainment for its students, Dr. Dasenbrock concluded his remarks by saying that historically institutions of higher education have not necessarily been student-centered, and until New Mexico builds its institutional structures around students, it will not have an educational system that fits the needs of students and communities.

Committee Discussion:

In response to a committee member's questions concerning the demographics of college dropouts, Dr. Dasenbrock reported that there is not good statewide data indicating when students drop out. For example, he said when students transfer between institutions, they are counted as dropouts at the original institution even if they graduate at the one to which they transfer. Dr. Dasenbrock stressed that dropouts are occurring at every level for many different reasons. He reported, however, that dropout rates are clearly ethnically differentiated, with the lowest rates among Asian Americans, followed (in order) by Caucasians, Hispanics, and Native Americans. The committee member voiced concerns that, without the appropriate data, it is difficult to implement a thoughtful plan to address this issue.

In response to a committee member's question of what could be done by the Legislature to help achieve the six concepts to improve access and student success, Dr. Dasenbrock said that by the fall of 2008, a collaboration between PED and HED will accomplish many of these initiatives, and that he is not asking the Legislature for action on any of these issues except possibly funding the development of a common statewide college application at a later time.

In response to a committee member's question regarding graduation rates of lottery scholarship recipients, Dr. Dasenbrock replied that at the University of New Mexico, lottery scholarship recipients had a 94 percent graduation rate and it would be possible to find the rates from other institutions.

In response to a committee member's question regarding why the PED student identifier (ID) will not work in the higher education institutions (legislation enacted in 2007 requires postsecondary institutions to use PED's student ID), Dr. William V. Flores, Deputy Secretary of Academic Affairs for Planning Research, HED, said that a task force has been created by PED and HED to determine, institution by institution, why PED's student ID cannot work in many postsecondary institutions' databases. He explained that, while most institutions of higher education in New Mexico use an alpha-numeric student identifier, they also must collect social security numbers for labor force tracking, adding that the current PED student ID is a nine-digit number and does not include alphabetic digits. He stated that it is a more complicated and involved problem than originally anticipated, and although they understand the problem, it will take some time to correct. Representative Miera said it is imperative that any issues impeding the progress of instituting a higher education ID must be addressed as soon as possible.

In response to a committee member's question on the delivery of distance education to rural areas, Dr. Dasenbrock said that technological connectivity is vital to rural school districts, adding that the Governor has made a commitment to work in this area and that the Legislature has generously funded it. He also reported, however, that the higher education funding formula needs to be updated to remove disincentives to distance learning.

There being no further questions, Representative Miera thanked Dr. Dasenbrock for his report and insights and asked to meet with him at a future time about various topics mentioned today. Dr. Dasenbrock agreed.

PERSPECTIVE OF A BRANCH COLLEGE

Chairman Miera recognized Dr. Kate O'Neill, Executive Campus Director, University of New Mexico (UNM)-Taos, Klauer Campus, who provided a brief overview of the work of the branch college in Taos.

UNM-Taos, Dr. O'Neill said, is a two-year higher education institution that has been affiliated with UNM since 1993 and serves mostly Hispanics, who comprise about 60 percent of the graduates annually. She said the college serves 30,000 residents of Taos County living in outlying villages within the 2,203 square mile service area as well as the residents of two Native American pueblos, Taos and Picurís. She explained that many students at the college are first-generation college students from one of the most economically depressed counties in the United States. She said the challenge facing UNM-Taos is enhancing its capacity in a way that improves the participation and the success of its unique student body.

Dr. O'Neill introduced the following staff members who provided a brief synopsis of their areas of responsibility at UNM-Taos:

- Mr. Jim Gilroy, Dean of Instruction, provided information on the number of faculty, adjunct faculty, students, courses and programs at UNM-Taos, as well as workforce development and career technical certificates available;
- Mr. Juan Montes, Director of Title V Collaborative, named the high school initiatives in which the college is involved – college success skills, college preparedness, dropout intervention, and the summer "Puente" program;

- Ms. Roberta Vigil, Coordinator of the Department of Instruction, provided information on the academic courses, career technical courses, Memoranda of Understanding (MOUs) with area high schools, and the growing needs of the region's high schools;
- Dr. Marty Hewlett, Coordinator of Distance Education, reported on coordination efforts with area schools and the Med Center as well as the training of faculty;
- Ms. Margaret Mactavish, Professor Emeritus of Early Childhood, gave a brief summary of the statewide articulation efforts in the degree programs offered at UNM-Taos, and the Child Care Center;
- Ms. Liz Moya-Herrera, Coordinator of Education Programs, briefly described the Associate and Bachelor's degree programs, coordination with area public schools, and the emphasis on math and bilingual concentrations;
- Ms. Hong Hai Du Broff, UNM-Taos Bachelor of Science in Nursing (BSN) Program, spoke on the nursing program pathway;
- Ms. Mary Lutz, Director, spoke on the Bachelor and Graduate Courses and Programs; and
- Mr. Dennis Cruz spoke on the workforce development pathway.

In conclusion, Mr. Gilroy summarized the needs of UNM-Taos, requesting legislative support for nursing, education and workforce/economic development initiatives; use of college faculty in area high schools; and parity in pay and benefits for adjunct faculty.

He said that in July, the deans of Northern New Mexico College, UNM-Los Alamos, and UNM-Taos met and committed themselves to working together to make the northern Rio Grande corridor an educational destination.

Committee Discussion:

Representative Miera requested that Mr. Gilroy, at some point, present a more lengthy discussion regarding the advantages and disadvantages of being a branch college. Mr. Gilroy agreed, saying that having the label of UNM added to their branch college was a definite advantage to the college and gave them a certain amount of credibility.

DIRECTOR'S REPORT

a. Approval of LESC Minutes for June 2007

Upon a motion by Senator Garcia, seconded by Representative Gonzales, the Legislative Education Study Committee (LESC) Minutes for June 2007 were unanimously approved.

b. Correspondence

Dr. Rindone reviewed several items of correspondence included in the committee members' notebooks, adding that these items are also included in the permanent file in the LESC office. For the benefit of the new committee members, a copy of Legislative Education Study Committee Laws and Policies was provided.

EARLY CHILDHOOD EDUCATION

a. Implementation of K-3 Plus

Prior to beginning his presentation, Dr. David Harrell, Legislative Education Study Committee (LESC) staff, introduced two of the presenters who are directors of K-3 Plus programs that have been implemented in school year 2007-2008: Ms. Theresa Archuleta, Principal, Valle Vista Elementary School, Albuquerque Public Schools (APS), a school that offers K-3 Plus as an expansion of K-Plus and Ms. Nadine Vigil, Assistant Principal, Enos Garcia Elementary School, Taos Municipal Schools. This school offers K-3 Plus as a new program. Also in the audience to respond to questions were Dr. Lana Paolillo, Director, Early Childhood Bureau, Public Education Department (PED), and Dr. Patricia Parkinson, Assistant Secretary, Instructional Support and Vocational Education Division, PED.

Dr. Harrell reported that, as endorsed by the LESC and enacted by the 2007 Legislature, K-3 Plus is a six-year pilot project that extends the school year in kindergarten through third grade by at least 25 instructional days, beginning up to two months earlier than other classes. This project, he said, is intended to demonstrate that increased time in kindergarten and the early grades narrows the achievement gap between disadvantaged students and other students, increases cognitive skills, and leads to higher test scores for all participants. Thus, he said, the program will measure the effect of the additional time on literacy, numeracy, and social skills development of the participants. He noted that K-3 Plus is modeled on the K-Plus pilot program.

Dr. Harrell reviewed other provisions of the legislation and stated that the law authorizes PED to use up to 4.0 percent of any legislative appropriations for K-3 Plus for professional development for participating educators and department administrative costs. The provisions of the law, he said, also specify that K-3 Plus must be conducted in high-poverty public schools – that is, schools in which at least 85 percent of the students are eligible for free or reduced-fee lunch at the time of application; teachers and educational assistants must be paid at the same rate and under the same terms as teachers and educational assistants in regular educational programs; and students must be evaluated at the beginning of the program and that their progress be measured in literacy and numeracy.

In addition to enacting the programmatic legislation, Dr. Harrell said the 2007 Legislature appropriated more than \$7.0 million for K-3 Plus for FY 08 in the *General Appropriation Act of 2007* and an additional \$336,000 for Kindergarten Plus transportation.

Dr. Harrell noted that because the legislation was enacted with an emergency clause, the provisions have been in effect since March 13, 2007. He added that, because the appropriations were not available until July 1, 2007, PED provided funds from other sources to provide a professional development institute in June.

Dr. Harrell reported on the procedures PED used to implement the K-3 Plus program, including issuance of the request for proposals and a pre-proposal conference held in Santa Fe. He said that out of a total of 206 schools who submitted proposals, 62 were approved by PED. He said that eight of the 62 schools approved were not funded by PED because they were unable to retain teachers for the program or PED found that they lacked sufficient time to plan for the program.

Regarding the funding awarded to each program, Dr. Harrell stated that PED allocated the amounts requested in the proposals. He said that based on these amounts, PED has calculated an average per-student cost of \$711. According to data provided by PED, he said, the per-student cost varies widely by school: from a low of \$198 to a high of \$1,185. This range, he explained, results from variations in the length of contracts and the salaries of teachers, educational assistants, special education providers, and other staff, as well as the costs of supplies and materials. Dr. Harrell said that 32 of the 54 programs funded for school year 2007-2008 have extended all four grades, kindergarten through grade three and others plan to use different grade configurations. He added that altogether, the K-3 Plus programs operating in school year 2007-2008 are expected to serve more than 5,000 students in 17 school districts throughout the state. Finally, Dr. Harrell said PED intends to issue another request for proposals (RFP) in December 2007 for programs that will begin in June 2008, adding that PED has allocated approximately \$3.0 million of the FY 08 appropriation for this purpose.

In conclusion, Dr. Harrell said that as the K-3 Plus Pilot Project proceeds, and as PED begins its evaluation of the program, the need for certain revisions may emerge. In the meantime, two potential policy options might be noted: (1) because the statute enacting K-3 Plus has incorporated and superseded the earlier statute enacting K-Plus, the committee might wish to consider repealing the earlier statute; and (2) given the growing interest in the K-3 or PreK-3 sequence, the committee might wish to consider endorsing a memorial asking PED to study whether schools with that grade configuration would benefit students more than can be offered in traditional elementary school configurations.

Ms. Archuleta thanked Representative Stewart for sponsoring the K-3 Plus legislation, which helped 141 students at Valle Vista Elementary School in Albuquerque. She said this program was very successful in her school and there have been noticeable benefits already. Students were prepared in such things as taking the bus and getting used to a daily routine so that they would not be afraid. She said as a consequence, the third graders were able to move ahead with testing and were more prepared to concentrate on the tasks at hand. As a result of this successful program, Ms. Archuleta said parents want fourth and fifth graders to have this same opportunity. In concluding, she said that K-3 Plus is not simply a summer program but is more like an extended school year. She also emphasized that while the program is very important for students, it is equally important for teachers who must be thoroughly prepared in order to implement the program effectively.

Ms. Vigil stated that Dr. Catherine Collins, Interim Director of Instruction, directed the preparation of the K-3 Plus Pilot Project that is being operated at Enos Garcia Elementary School and funded by PED in the amount of \$185,397. Ms. Vigil summarized the K-3 Plus Pilot Project, which consisted of 50 students in kindergarten, 61 students in first grade, 35 students in second grade, and 39 students in third grade for a total enrollment of 185 students. She said the program began on July 2, 2007 and ran through August 3, 2007. Utilizing the current curriculum that was used during the regular school year, the classroom setup consisted of a 90-minute block for language arts instruction and a 90-minute block for math instruction. The instruction, she said, was based on student needs and in preparing them for the grade they would be attending the next school year. Ms. Vigil said that parental involvement was phenomenal, adding that they partnered with the community by participating with the Ancianos foster grandparent program. In conclusion, Ms. Vigil said that professional development for teachers is a priority, noting that teachers receive additional training for administering the Dynamic Indicators of Basic Early Literacy Skills (DIBELS) assessment.

Committee Discussion:

In response to a committee member's question if some students in the K-3 Plus Program at Valle Vista Elementary School are also participating in the PreK program, Ms. Archuleta replied that there is some overlap. On this same point, the committee member asked if it was possible to tell if the students did well because they were in PreK or because they were in K-3 Plus, and if these two programs conflict with one another. Ms. Archuleta explained that because her school has an 85 percent mobility rate, it is imperative to start interventions for these students as early as possible; therefore, she believed these programs do not conflict with each other. She stated, however, that because intervention has to be a statewide effort, short-cycle reading assessment is done in their school – kindergarten through grade 5 – to determine if students are making gains on a regular basis, and after four years of studying the results of these short-cycle reading assessments, they have found that early intervention is very beneficial and needs to continue.

In response to a committee member's question on how PED will determine the effectiveness of K-3 Plus and PreK, Dr. Paolillo said that K-3 Plus and PreK are different programs, one being an extension of the school year and the other an addition of level to the K-12 grade configuration. She stated that all of the children now have student ID numbers so PED will be able to follow them from year to year. She noted that to determine if the K-3 Plus Program is successful, 67 percent of all the children going into first grade must know eight letters and eight sounds, which is the September DIBELS benchmark. She said that the program would be considered successful if students who participated in K-3 Plus meet DIBELS benchmarks in September. In terms of PreK, Dr. Paolillo said the entry scores for kindergarten are examined to determine if the students have had substantial gains, holding constant all of the other demographics that come into play. As further explanation, Dr. Paolillo said that other than the students participating in K-3 Plus and Reading First, PED has no standardized state assessment for grades 1 and 2.

In response to a committee member's question if the presenters had suggestions for modifications to this program for the Legislature to consider for the future, Ms. Archuleta said that the study of longitudinal data is imperative through Student Teacher Accountability Reporting System (STARS), and although she does not agree with all aspects of the *No Child Left Behind Act*, keeping track of student performance is a great requirement of the law. Ms. Vigil said that mobility is not an excuse, and added that she advocates for inclusion of similar types of programs for additional grades, as it is her belief that addressing students' learning deficiencies before they enter middle school, in grade 4 and/or grade 5, will provide them with a much better chance of succeeding.

In response to a committee member's question if native language instruction is given for English language learners (ELLs), Dr. Collins said that if qualified instructors in the Native American languages were available, they would assuredly have such instruction, noting that an agreement with the tribal government would be necessary and that has not occurred. Dr. Collins added, however, that Spanish instruction is given for ELLs at Enos Garcia Elementary School. In response to a committee member's concern that New Mexico is ignoring a huge portion of the state when ELLs are not taught in their native language, Dr. Paolillo said that this concern is partially being addressed in Zuni and Santa Fe, noting that in Zuni people from the Pueblo teach the Native American language, and in Santa Fe, people from the Tesuque Pueblo teach the native language. She said that PED is moving in this direction statewide. The committee member stated that she was aware of the instruction at Zuni Public Schools and Santa Fe Public Schools, but wanted to make it clear that New Mexico must do whatever can be done to negotiate with the Sovereign Nations to make native language instruction a reality.

In response to a committee member's question of how these programs managed to get parental involvement, Dr. Collins said the Taos community was very supportive of the programs from the very beginning, because Enos Garcia Elementary School had a significant outreach program to involve parents, which included public forums, public service announcements, phone trees, and publication of information about the programs in the newspapers.

In response to a committee member's question of why the cost per person differs for each school program, Dr. Paolillo said the disparity occurs in the salary of teachers being employed, and the materials used. She explained that teachers are paid at their regular hourly rate, depending on their licensure level, and because the need for materials is different in the various school districts, the cost cannot be standardized.

In response to a committee member's question if principals have the discretion to screen teachers, Dr. Collins said the school district follows a hiring policy that was adopted by its board and includes decision-making by a committee composed of parents, administrators, school staff, and community members.

In response to a committee member's question of what the ratio of student to teacher is in the K-3 Plus Program, Ms. Vigil said there are normally 18 students in a classroom with one teacher and one assistant, adding that an educational assistant is provided if there are more than 15 students. She stated that in a class of 21 students, a foster grandparent is also included with the teacher and educational assistant. Ms. Archuleta added that at Valle Vista they have an average of 15 students in a classroom, with one teacher and one assistant.

Senator Kernan requested that PED provide a timeline showing the evaluation schedule for the K-Plus programs in relation to the timeline for issuing the next RFP for K-3 Plus programs in December and for reviewing the proposals received.

Representative Miera quoted the following note of caution from Dr. Harrell's report and stated that it is very important that these programs are indeed spending the additional time efficiently and productively:

“regarding time spent in school, more is not necessarily better. As a May 2007 report by the Association for Supervision and Curriculum Development explains, only when the added time is used to deliver engaging instruction that enhances student learning does more time equal better time. Likewise, another report concludes that adding more hours would ostensibly provide more time for everything that occurs in schools. In the best schools, this means more academic learning time. In poorly managed schools with inexperienced teachers, it means time will continue to be lost, but in greater amounts.”

Representative Miera thanked the presenters.

b. New Mexico PreK External Program Evaluation

Dr. Kathleen Forrer, Legislative Education Study Committee (LESC) staff, who presented a report on the program evaluation of New Mexico's PreK program, stated that in 2005 the Office of Education Accountability (OEA), at the Department of Finance and Administration (DFA), issued a request for proposals (RFP) for a comprehensive program evaluation of New Mexico PreK, as required by statute. She introduced Dr. Jason T. Hustedt, Assistant Research Professor, National Institute for Early Education Research (NIEER), Rutgers University, who was selected by OEA to do the evaluation and would present *Effects of the New Mexico PreK Initiative on Children's School Readiness: Results from 2006-2007*, the second of the institute's evaluation reports regarding New Mexico's voluntary pre-kindergarten program.

Dr. Forrer described the evaluation requirements as outlined in OEA's RFP, which included an assessment of the following program components:

- the growth and progress of individual children measured by developmentally appropriate assessment methods and instruments, including Get It Got It Go!;
- a review and analysis of individual programs using a statewide perspective for findings such as trends, continuity across programs and consistency with research-based practice; and
- the success of the New Mexico PreK initiative in meeting its purposes of
 - increasing access to voluntary high-quality pre-kindergarten programs;
 - providing developmentally appropriate activities for New Mexico children;
 - expanding early childhood community capacity;
 - supporting linguistically and culturally appropriate curriculum; and
 - focusing on school readiness.

Dr. Forrer provided a brief overview of the *Pre-Kindergarten Act* (2005). She said the act created two non-reverting funds: the Public Pre-kindergarten Fund, administered by the Public Education Department (PED), and the Children, Youth and Families Pre-kindergarten Fund, administered by the Children, Youth and Families Department (CYFD). She stated that the act contained a temporary clause that required that any money appropriated for pre-kindergarten programs in FY 05 through FY 07 be divided equally between PED and CYFD. She said that although the temporary clause has now expired, the 2007 Legislature appropriated the same amount of funding to each department for FY 08. In total, she said, the Legislature has appropriated \$28.4 million in General Fund revenue to implement New Mexico PreK, including \$14.0 million for FY 08.

Giving a brief review of NIEER's first external evaluation presented to the LESC at its December 2006 meeting, Dr. Forrer explained that, because the program was new, the first report was only a snapshot of how children were performing in the spring of 2006 rather than a comparison between children who had completed the program and those who were just entering the program. She said that at that same meeting, the committee also heard from Dr. Jack Tweedie, Group Director, Children and Families Program, National Conference of State Legislatures (NCSL), who suggested that New Mexico legislators needed disaggregated data to compare New Mexico PreK achievement level of students in PED-approved programs to that of students in CYFD-approved programs.

Dr. Forrer said that the study will answer some of the questions raised in December 2006 through a comparison of the achievement level of children who are just entering pre-kindergarten with the achievement level of children who have completed the pre-kindergarten program and are entering kindergarten. She added, however, that the study does not attempt to answer the question asked by the committee in December, which is: Are there any significant differences between programs approved by PED and programs approved by CYFD?

Dr. Forrer presented three policy options for the committee to consider:

- With the expiration of the temporary clause in the *Pre-Kindergarten Act* requiring that all state appropriations for New Mexico PreK be evenly divided between PED and CYFD, the committee may wish to consider the development of a pre-kindergarten funding mechanism that would flow additional dollars to programs most in need regardless of the department granting program approval.

- In order to make the best possible decisions regarding the future of New Mexico PreK, the committee may wish to require that future external program evaluations disaggregate the achievement data so that programs approved by PED and programs approved by CYFD can be compared and contrasted in terms of their impact upon student achievement.
- At a preliminary meeting with staff from the LESC, the Legislative Finance Committee, the Office of the Governor, PED, DFA, and OEA, Dr. Hustedt explained that the researchers had had some difficulty tracking students from their pre-kindergarten programs to their chosen kindergartens. Given that apparent difficulty, the committee may wish to require that the relevant data associated with all New Mexico PreK programs be moved into the Student Teacher Accountability Reporting System (STARS) so that they are more readily accessible.

Dr. Hustedt reported on the results of the NIEER study, *Effects of the New Mexico PreK Initiative on Children's School Readiness: Results from 2006-2007*. He began by providing information on national trends and stated that nationally, the percentage of 3- and 4-year-olds in pre-K programs has been increasing, as have state investments in pre-K programs. He said that in school year 2005-2006, there were about 940,000 children in voluntary, state funded pre-K programs across the nation. He said New Mexico is one of 38 states with state-funded pre-K and is one of eight states in which NIEER has conducted state pre-kindergarten evaluations. He said that NIEER's report estimates the effects of the New Mexico PreK initiative on entering kindergartener's academic skills using a rigorous research design. Receptive vocabulary, early literacy and early math skills were assessed in a sample of 886 children from across New Mexico. He said NIEER found that the New Mexico PreK initiative has statistically significant and meaningful impacts on children's early language, literacy, and mathematical development.

Specifically, Dr. Hustedt said:

1. The New Mexico PreK initiative produces an increase in children's vocabulary scores of nearly 8 raw score points, which is equivalent to 54 percent more growth over the year due to the program. This outcome is particularly important because the measure is strongly predictive of general cognitive abilities and later reading success.
2. Children who attended the New Mexico PreK initiative scored higher on a test of early math skills. The New Mexico PreK initiative increased children's math scores by about 2 raw score points, which is equivalent to 40 percent more growth over the year due to the program. Skills tested include basic number concepts, simple addition and subtraction, telling time, and counting money.
3. The New Mexico PreK initiative had significant effects on children's understanding of print concepts. The program increased children's print awareness by nearly 26 percentage points, more than doubling growth over the year due to the program. Children who attended the New Mexico PreK initiative before entering kindergarten know more letters, more letter-sound associations, and are more familiar with words and book concepts.

Using a sophisticated research design (the regression-discontinuity approach), Dr. Hustedt said NIEER was able to estimate the gains from one year of state-funded prekindergarten at age four compared to the preschool education experiences children would have had otherwise. In describing the sample, Dr. Hustedt said a total of 886 children were included in the analysis. He said 504 four-year-olds from 86 PED and CYFD PreK sites were compared with 382 five-year-olds in 79 kindergarten classrooms (students who had attended PreK programs the previous year).

In conclusion, Dr. Hustedt said that this is the first in a series of reports on the effects of the New Mexico PreK initiative. He said the data presented shows that participation in PreK has statistically significant effects on children's learning that are evident when they begin kindergarten, and are consistent with the findings from studies of other states' pre-kindergarten initiatives. He predicted that by repeating the study over two more school years, they will gain further insight into the impact of the program as it expands to serve more children during school years 2007-2008 and 2008-2009, adding that as a result, future reports will document progress of the PreK initiative overtime. He said that the findings are promising and indicate that New Mexico's state-funded PreK initiative is producing the kinds of effects likely to lead to increased school success and continued advantages in math and reading skills.

Committee Discussion:

In response to a committee member's question if it would be possible, after two or three years, to determine what long-term successes could be attributed to these different early childhood education programs (PreK and K-3 Plus), Dr. Hustedt replied that the current findings show that PreK does have a positive impact on student achievement; however once children enter kindergarten they are subject to many influences. Dr. Paolillo added that these data can be obtained for the K-3 Plus Program because students in K-3 Plus programs are assessed with the DIBELS in grades 1 and 2; however, for the PreK Program, since students in schools that do not provide K-3 Plus programs are not required to test in grades 1 and 2, DIBELS cannot be used to assess its long-term effects.

In response to a committee member's question about whether students' participation in Headstart and Evenstart programs could affect the results of the PreK study, Dr. Hustedt replied that any effect of these programs would effectively be cancelled out since students in both the treatment and control groups could have taken part in such programs.

In response to a committee member's question as to whether it is possible to compare New Mexico's PreK program with other states, Dr. Hustedt replied that PreK programs are structured differently from state to state, and such a comparison would be troublesome at best and would be difficult to make valid assumptions regarding the programs.

In response to a committee member's question of how many site visits were made by NIEER to PreK classes and whether schools were given feedback for improvement, Dr. Hustedt explained that about 80 percent of all PreK programs were visited, but because this was a systems evaluation the goal was to investigate quality, not to provide advice for improvement.

In response to a committee member's question of when the child assessments were given and the length of time taken for each assessment, Dr. Hustedt said that testing began in late August and the process was completed in October, and that he anticipates being able to complete the process more quickly in future studies because of the ability to identify children.

In response to a committee member's question about when the CYFD data is going to catch up with the data from PED, Dr. Scott D. Hughes, Senior Policy Analyst, OEA, explained that student identification numbers are issued for the local school district and through arrangements with local providers, and as far as he knows there should be a linkage throughout the student's educational years in STARS; however, it is his understanding that PED is not including PreK students in the STARS system.

Several members of the committee voiced concern that the NIEER study did not contain a comparison between the PED and CYFD programs, and that legislators needed disaggregated data in making decisions regarding the PreK initiative.

Senator Asbill requested that PED and CYFD provide the following information by individual New Mexico PreK program: the number of full-time equivalent staff by position (e.g., head teacher), the early childhood credentials held by each staff member, and the average annual salary by position.

Representative Stewart requested that PED provide the following information by district: the reading assessments used for children in grades 1 and 2, the short-cycle assessments used for all grade levels, and the assessment methods used in implementing the district's Response to Intervention Process.

Representative Miera thanked the presenters and with the consensus of the committee, recessed the meeting at 5:15 p.m.

**MINUTES
LESC MEETING
THURSDAY, AUGUST 16, 2007**

Representative Rick Miera, Chair, called the Legislative Education Study Committee (LESC) meeting to order on August 16, 2007, at 9:06 a.m., UNM-Taos Klauer Campus, Classroom Building, Taos, New Mexico.

The following LESC members were present:

Representatives Rick Miera, Chair, Roberto "Bobby" J. Gonzales, Jimmie C. Hall, Mimi Stewart, and Thomas E. Swisstack; and Senators Cynthia Nava, Vice Chair, Vernon D. Asbill, and Mary Jane M. Garcia.

The following LESC advisory members were present:

Representatives Ray Begaye, Nathan P. Cote, Nora Espinoza, Mary Helen Garcia, Thomas A. Garcia, Dianne Miller Hamilton, John A. Heaton, Sheryl Williams Stapleton, and Jim R. Trujillo; and Senators Carlos R. Cisneros and Mary Kay Papen.

<> Welcome and Introductions

Chairman Miera recognized Dr. David J. Schmidly, newly appointed President, University of New Mexico (UNM). Dr. Schmidly welcomed the committee to the UNM-Taos, Klauer Campus and said that on Monday he attended a retreat with the UNM Board of Regents, at which it was decided that as president, he would be evaluated in four broad areas: (1) student success; (2) excellence in research; (3) healthy communities; and (4) economic and technological development. Understanding that the citizens of New Mexico are the biggest donors to the university, he said he understands the importance of leveraging resources, and under his leadership, UNM will look for ways to bring additional private dollars into the university. Knowing that there is an increasing demand for workforce development, he said partnership with the universities and colleges is a key strategy and he will nurture such partnerships in order to move toward meeting this demand.

A committee member praised the evaluation efforts of the UNM Board of Regents, particularly the focus on healthy communities. She explained that the Robert Wood Johnson Foundation is the donor of a multi-million dollar grant to UNM to increase health care for minorities. Immediately following the request, UNM began recruitment of students in New Mexico to help create better health care policies in our state and throughout our country.

Dr. Schmidly said he would be visiting all areas of the state to better understand the issues at the local level and because it is incumbent upon him to know as much as he can about New Mexico and its citizens.

DUAL CREDIT PROGRESS REPORT

Prior to presenting his report, Dr. David Harrell, Legislative Education Study Committee (LESC) staff, introduced Dr. William V. Flores, Deputy Secretary, Higher Education Department (HED), who provided updates on the status of the joint rules to implement the program, the progress in the area of data collection, and the department's revision of the higher education funding formula to encourage postsecondary institutions to waive tuition for dual credit courses.

Dr. Harrell reported on the background and provisions of dual credit legislation enacted in 2007 and the status of the implementation of the provisions. Dr. Harrell noted that dual credit—which is an agreement between a school district and an institution of higher education allowing secondary students to take courses at the institution and earn both secondary and postsecondary credit—is a small-scale example of such partnerships between higher and secondary education that Dr. Dasenbrock and Dr. Schmidly promoted in their earlier presentations.

Dr. Harrell acknowledged members of the Dual Credit Committee and others present in the audience and said they were available for questions at the conclusion of his presentation. Dr. Harrell said that most of these individuals had previously served on the HED/PED Alignment Task Force Dual Credit Curriculum Subcommittee, which was reconvened as the Dual Credit Committee to implement the provisions of 2007 legislation – *Dual High School & Post-secondary Credits*. He noted that, despite being a committee of over 50 members, the group was able to come to consensus on many important points concerning the implementation of the legislation. Dr. Rindone also acknowledged and thanked the committee members who helped to craft the legislation during the 2007 legislative session, namely Mr. Ty Trujillo, Executive Director, New Mexico Association of Community Colleges; Mr. Danny Earp, Director, New Mexico Independent Community Colleges; Dr. David Lepre, Executive Director, Council of University Presidents; and Mr. Tom Sullivan, Executive Director, New Mexico Coalition of School Administrators.

Dr. Harrell explained that, before the legislation, various dual credit agreements had existed between secondary and postsecondary institutions around the state and varied widely in funding, transportation, and courses offered. He provided a brief explanation of the provisions of the dual credit legislation and noted that the dual credit program supports other measures and programs established by the Legislature, such as the *Cyber Academy Act*, high school redesign bills, career clusters, and students' Next Step Plans.

Dr. Harrell addressed the steps that have been taken toward the implementation of the dual credit program, focusing on the Uniform Master Agreement, revised agency rules, data collection, the higher education funding formula, and evaluation of the program. Describing the Uniform Master Agreement, Dr. Harrell said it addresses the scope of the agreement; the definition and purposes of the program, the eligibility and approval of courses and students; the responsibilities of the postsecondary institution, the district or charter school, and the student; and the specific courses available for dual credit.

As for program evaluation, Dr. Harrell reported that even though this aspect of the program has not yet been developed, many other efforts such as data collection will assist in evaluating the program. Also, he noted, as more students enroll in dual credit, the sample size will increase and provide more data for study.

Before turning the presentation over to Dr. Flores, Dr. Harrell provided several policy options on dual credit for possible consideration by the committee:

- considering benefits of studying during the summer months, the LESC may wish to prescribe conditions for enrollment in dual credit opportunities during the summer;
- since the dual credit program is currently targeted for students in public or charter schools, the LESC may wish to address the eligibility for participation of students in special state-supported schools; and
- the LESC may wish to provide an appropriation or other action to mitigate the cost of postsecondary textbooks and course materials for school districts.

Dr. Flores thanked the committee for the legislation and he said that without it, a uniform agreement would not have been possible since there are many different dual credit arrangements throughout the state. He stressed the importance of dual credit in P-20 alignment and raising the rigor of high school curriculum.

An important aspect of the committee's work, he said, was to revise HED and the Public Education Department (PED) rules as related to dual credit to provide uniformity and clarity, to reflect the statute and Uniform Master Agreement, to address consistency in high schools and institutions of higher education, and to focus on increasing student graduation rates and college preparedness.

In addressing data collection as related to dual credit courses, Dr. Flores said the goals of the HED/PED data collection efforts include assessing student participation in and completion of dual credit courses; determining fiscal impact on school districts, charter schools, colleges, and universities; addressing consistency of student data collection and reporting; and matching postsecondary institution data fields with high school data fields in the respective databases to allow for consistent data collection.

Referring to the Higher Education Funding Formula, Dr. Flores reported changes that would be needed to accommodate incentives for increased student participation in dual credit courses – to provide tuition waivers for students, to anticipate increased costs as the number of students in these programs increase, and possibly to reward schools for student participation in dual credit programs. As background information, Dr. Flores said the Higher Education Funding Formula is based on historic enrollment and cost data. Most of the details of the formula HED has enumerated in agency rules and through administrative functions that HED uses to make funding recommendations to the Legislature for each public postsecondary educational institution each year.

In summary, Dr. Flores stressed the importance of dual credit in increasing graduation rates and college readiness and also noted the ongoing work of the Alignment Task Force in developing a uniform dual credit policy, particularly the credit exchange rate (how many secondary and postsecondary credits students receive for a dual credit course).

Representative Miera recognized Mr. Sullivan, who reported on his work with superintendents on the dual credit exchange rate. Mr. Sullivan reported that some school districts had been using a six-to-one exchange (six college credits to one secondary credit earned per dual credit course) and others had been using a three-to-one exchange. Typically, but not necessarily, smaller districts favored the six-to-one ratio and larger ones the three-to-one ratio. Therefore, Mr. Sullivan said that superintendents believed that they should be able to negotiate this issue with their respective higher education institutions. Representative Miera expressed his concern about the disagreement among the superintendents regarding the credit exchange rate and stressed that they need to find a solution, otherwise the Legislature will need to make the decision for them.

Dr. Catherine Cross Maple, Deputy Secretary, Learning and Accountability, PED, and Mr. Tino Pestalozzi, Director of Institutional Finance and Capital Projects, HED, were also recognized and addressed the committee. Dr. Cross Maple discussed the difficulty in agreement on the credit exchange rate, noting that the practice of using Carnegie units will not go away easily and that superintendents are going to have to come to an agreement that works for students.

Mr. Pestalozzi spoke about the fiscal impact of tuition waivers and presented a cost projection for FY 10. Assuming student credit hours in dual credit courses in FY 07 were approximately 33,638 and using postsecondary institutions' FY 08 resident tuition rates, Mr. Pestalozzi said that waiving tuition for secondary students enrolled in dual credit courses would cost institutions of higher education \$1.9 million in FY 10.

Committee Discussion:

Representative Miera congratulated those dual credit committee members present on how far the committee had come and stated that students deserve a program that works. He then asked if Student Teacher Accountability Reporting System (STARS) had the capability to handle reporting and data sharing necessary for successfully implementing the dual credit program. Dr. Flores replied "No," that STARS does not have that capability, yet, and at present staff members from HED and PED are working on data sharing capabilities. He reiterated the problem with the PED student ID number conflicting with postsecondary students' social security numbers, and mentioned they are trying to make the PED ID number work in Banner, the database most institutions of higher education use. Another problem, Dr. Flores added, is that if a student transfers between institutions of higher education, the student receives a different ID at each. He explained there were complicated issues with the institutions' database systems and informed the committee that a Data Sharing Task Force, comprised of staff from HED, PED, CYFD, and the Department of Workforce Solutions (DWS), had recently met on August 23, 2007 to plan for a data sharing retreat on September 26-28, 2007, where they would discuss these issues.

In response to a committee member's question about the negative impact of the dual credit program in terms of tuition costs, Mr. Pestalozzi replied that after the next two years the program should be self-sustaining. On this same point, the committee member asked if all institutions were willing to waive tuition, and Dr. Flores responded that they would be willing to do so if it did not count against them in the funding formula. Mr. Pestalozzi also added that the projection of the tuition cost he provided was based on the current funding formula and he would also be providing the same projection to the Legislative Finance Committee.

A committee member voiced support for the program, noting that students were graduating from high school with some college credit, but also expressed concern for the high cost of textbooks.

In response to a committee member's question about the cost of textbooks and the burden placed on the school district to purchase them, wondering if there were not limits on how often a postsecondary institution can change a textbook for a course, Mr. Sullivan replied that that issue was a key point in negotiations. Representative Miera said that the LESC would need numbers of students taking part in dual credit as well as the cost of the textbooks, and if the data indicate that school districts are experiencing a hardship in paying for textbooks, the Legislature could consider subsidizing the cost of the textbooks.

In response to a committee member's question about the implications of a student not passing a dual credit course, Mr. Sullivan replied that students and parents need to be notified of the consequences of that situation at the outset. Dr. Harrell added that the dual credit agreement specifies that whatever the grade outcome, it will appear on the student's transcript.

In response to a committee member's question as to whether there would be a minimum grade point average for students to maintain in dual credit courses, Mr. Sullivan replied that that issue is one that is left up to local discretion. Dr. Cross Maple also directed the committee to the Dual Credit Memorandum of Agreement, which spells out in detail the responsibilities and duties of the college, district/charter, students and parents.

CAREER CLUSTERS

Prior to presenting her report on career clusters, Dr. Kathleen Forrer, Legislative Education Study Committee (LESC) staff, introduced the following individuals who would be testifying on the issue: Mr. Len Malry, Executive Director of Workforce Education, Higher Education Department (HED) to describe public school postsecondary connections with regard to the implementation of the clusters; and Ms. Linda Sink, Associate Superintendent of Instruction, Albuquerque Public Schools (APS), to discuss the implementation of career clusters at APS, including the outcomes and evaluation of the program, what the district believes the outcome will be for students and how the district will evaluate the results, and linkages the district has formed with postsecondary institutions and the business community. Regretfully, due to the unanticipated length of the previous presentation, Dr. Forrer stated that Mr. Larry Langley, President and CEO, New Mexico Business Roundtable for Educational Excellence, was unable to remain for his discussion of the impact the implementation of the seven New Mexico-specific career clusters would have on the business community.

Dr. Forrer said that in 2004, Governor Richardson issued an executive order creating the New Mexico Office of Workforce Training and Development and directing the State Workforce Development Board to appoint a coordination oversight committee. She said the committee was charged with developing proposals to facilitate a career pathways culture, and under the chairmanship of Ms. Terri Cole, President and CEO of the Greater Albuquerque Chamber of Commerce, the 18-member Governor's Workforce Coordination and Oversight Committee identified seven New Mexico-specific career clusters which were developed in conjunction with the Public Education Department (PED) and industry leaders. Dr. Forrer described a career cluster as being a grouping of occupations from one or more industries that share common skill requirements and provide a way for schools to organize instruction and student experiences around broad categories that encompass virtually all occupations from entry through professional levels.

Moving on to the career clusters initiative in the states, Dr. Forrer described the Building Linkages project and said that in 1999 the Office of Vocational and Adult Education (OVAE) adopted 16 career clusters designed to be the framework for an integrated curriculum that would provide students with the academic and technical skills that they would need when they entered the workforce. Dr. Forrer said the seven New Mexico-specific career clusters incorporate all 16 US Department of Education (USDE) career clusters.

Dr. Forrer provided a history of federal legislation that has supported vocational education (also called career and technical education). In recent years, Dr. Forrer said, the *Carl D. Perkins Vocational and Technical Education Act of 1998* (Perkins III), and the *Carl D. Perkins Career and Technical Education Improvement Act of 2006* (Perkins IV), have remained the principal source of federal funding to states for secondary and postsecondary vocational and technical education programs.

Dr. Forrer said that unless the Legislature makes a categorical appropriation, there is no state funding specifically identified to support vocational programs. Dr. Forrer noted, however, that grants allocated to states, school districts, and postsecondary institutions under the various Perkins acts have always been categorical and must be used to support vocational programs.

In order to receive Perkins funding, Dr. Forrer said states must have an approved state plan that specifies the state's strategy for improving students' academic and technical skills, noting that PED included New Mexico's strategy in its 2005-2006 Consolidated Annual Report to USDE.

Dr. Forrer said that among the high school reform initiatives passed by the 2007 Legislature, statute was amended to place a greater emphasis on ensuring that students graduate from high school ready for college and the workplace. She said that to underscore the importance of this focus, the committee may wish to consider the following policy options:

- require all school districts to offer, or to provide access to, one or more of the seven New Mexico-specific career clusters (currently, only districts that apply for and receive Perkins funding are required to do so); and
- require that, in order to graduate, all students must complete a career pathway rather than one unit in a career cluster course, workplace readiness, or a language other than English, as is currently required.

Finally, Dr. Forrer said that in order to provide a strong basis upon which to make policy decisions, PED needs to develop an evaluation design and system of data collection and analysis that will enable policymakers at both the state and federal levels to assess whether the seven New Mexico career clusters and their associated pathways are serving their intended purpose of providing students with the skills necessary for success in college and/or the workplace.

Mr. Malry provided general information on the new Workforce Education and Career Clusters Division at HED including a status report and plans to continue the development of the state's career cluster initiative.

Mr. Malry said that utilizing the occupational information network (O-Net), HED has developed a list of occupations and categorized them by New Mexico's seven career clusters. He said that utilizing various data sources, they are establishing more accurate, localized data on current career demands and job openings, and then using population growth projections to better predict

future job demand. He said that HED has cross-walked their Classification of Instructional Programs codes with the seven career clusters, to provide a means of accurate tracking, assessment, and reporting of fields of study and program completions activity. In addition, Mr. Malry said, they have identified specific program offerings by each two-year and four-year institution in the state with the seven career clusters, and finally, with assistance from PED, will cross-walk the existing career pathway programs within the high school and two-year institutions with the seven career clusters.

In discussing the agency's next steps, Mr. Malry said HED will improve occupational information by continuing to monitor existing program offerings by institutions throughout the state, including distance learning offerings; will work with PED, Department of Workforce Solutions, public institutions and industry to evaluate the performance of the existing pathway programs; and will utilize the data to determine which career cluster industries and pathway programs are better suited for further development and sustainability in order to best position the state for future global economic competitiveness.

Concerning the implementation of the career clusters in APS, Ms. Sink reported that it had cost an additional \$400,000 yearly to run four schools that focused on career clusters. She said that APS relied on Perkins and another grant, but the funding was not enough. APS has fully implemented two career clusters, she said, the health and biosciences cluster and the engineering, construction, and manufacturing cluster. Ms. Sink reported that, according to their data, schools that received Perkins grants to implement career clusters showed decreases in dropout rates and both attendance and graduation rates increased. She also provided a description of the Career Pathway Collaborative Initiative, noting that APS has developed active alliances with the New Mexico Business Roundtable for Educational Excellence for both career clusters.

Committee Discussion:

In response to a committee member's question if New Mexico was getting all of the Perkins funding possible or if it would be possible to qualify for more, Dr. Catherine Cross Maple, Deputy Secretary, Learning and Accountability, PED, said the state is receiving as much as they could for school year 2007-2008.

A committee member stressed the importance of career clusters and the cost of supporting them, and voiced the opinion that the Legislature could do more by providing funds to supplement the Perkins funding.

Referring to the policy option to require all students to complete a career pathway, a committee member asked if Student Teacher Accountability Reporting System (STARS) could follow students in career pathways and verify the success of the program. Dr. Melissa Lomax, Director, Career and Technical Education Division, PED, responded that STARS can identify students in individual courses, but that challenges may exist in filtering the data necessary to answer specific questions regarding verification and success of the programs.

In response to a committee member's questions about whether the career pathways train students in certain fields and provide students who don't want to go to college with entry-level work skills, Ms. Sink said that students may receive specific training in areas such as accounting. She also replied that there are many entry-level jobs for which students could qualify upon finishing a career pathway.

In response to a committee member's question of how many students the program could handle in APS and how many students the district career clusters currently serves, Ms. Sink said that the number of students participating depends upon funding allocated, for example at \$100,000 per year a school could serve about 800 students, and APS has about 89,000 students in the district.

In response to a committee member's question directed to Ms. Allison Kuper, lobbyist for the New Mexico Restaurant Association, to explain the ProStart hospitality program, Ms. Kuper explained that ProStart is a culinary career program administered by the New Mexico Restaurant Association and is comprised of 28 full curriculum schools that prepare secondary students for the workforce or higher education. Upon completion, students receive a certificate, which helps to bridge the gap between high school and college. A notable accomplishment, Ms. Kuper said, was that students in the program at Gadsden High School were able to go to the national competition in North Carolina.

A short discussion by several committee members ensued regarding the funding barriers to providing vocational schools and training in rural districts. It was noted that the Cyber Academy would provide online capabilities, but vocational schools—such as for welding—would not necessarily exist as they once did due to funding constraints. Possibilities for solving funding barriers were discussed, such as modifications to the funding formula, Perkins money, and funding dual credit courses.

In response to a committee member's question directed to Mr. Paul Aguilar, Principal Analyst, Legislative Finance Committee, regarding how much the career clusters were costing New Mexico, Mr. Aguilar replied that he did not have the answer but that he would find out.

There being no further questions, Representative Miera thanked the presenters.

PROMOTION, RETENTION, REMEDIATION, AND NEXT STEP PLANS: KEEPING STUDENTS ON TRACK FOR HIGH SCHOOL GRADUATION

Prior to discussion of her report, Ms. Pamela Herman, Legislative Education Study Committee (LESC) staff, introduced Mr. Walter G. Gibson, Superintendent, Los Lunas Public Schools, who provided the committee with an example of how one public school district is addressing issues of high school attrition and retention through remediation, curricular change, and student support strategies integrated into data-driven district-wide reform, and the results the district has seen to date.

Ms. Herman reported on some of the strategies being employed in New Mexico public high schools to improve students' academic proficiency and keep them on track to graduate on time, including early interventions and parent notification, remediation programs and services, and opportunities for credit recovery, as well as the Next Step Plans required by law to help students plot out a high school pathway to graduation and postsecondary education or employment.

Ms. Herman said that in 2000, the LESL endorsed legislation that was enacted to change existing policy regarding remediation and retention. She said that current law requires school districts to develop remediation and academic improvement programs and promotion policies aligned with district and state assessment results. She said that the statute outlines courses of action that districts may follow in the event that a student fails to be academically proficient in grades 1 through 8 and specifies that a Student Assessment Team (SAT) make recommendations regarding retention of students. If a student has not attained proficiency after two years in the same grade, she said, the student is referred to the SAT for placement in an alternative program.

Ms. Herman stated that after middle school, promotion from one grade to the next is not governed by statute. She said that PED indicates that once students enter high school, promotion to the next grade depends on earning the number of course credits required by the district for graduation. She also reported that students in grade 9 have the highest retention rates of any high school grade. In school year 2005-2006, she said, 177 students were retained in grade 8, as compared to 4,940 student retained in grade 9 that year.

Ms. Herman said that to get a sense of what high schools in New Mexico are doing to address the problem of students facing academic challenges in high schools, LESC staff distributed a survey to all school district superintendents and charter school administrators in July 2007. She said the survey included questions about district policies and practices related to early intervention, remediation, credit recovery, parental notification, social promotion, and Next Step Plans – the process required by law to help students plan their high school programs and future careers. Of the 31 school districts that responded, all replied that they had some type of early intervention process in place; 30 replied that the percentage of students in remediation programs in school year 2006-2007 ranged from 5.0 to 100 percent; and 29 replied that they offer some sort of credit recovery programs. Ms. Herman reviewed the results of the entire survey which are included in her report.

In presenting the 2007 amendments to the 2003 legislation that requires students to create Next Step Plans, Ms. Herman explained the requirements and duties that school districts and PED have to follow in order to implement the Next Step Plans for students. She stated also, that the accountability standards required by statute have not yet been established by PED.

Ms. Herman presented the following policy options the committee may wish to consider:

- require PED and school districts to track and report student dropout and retention data from grade 6, rather than grade 9, to identify student attrition in middle as well as high school, and to identify sites with problems and those implementing effective strategies for retention or promotion that meet students' needs and help them to stay in school until they graduate;
- request the Office of Education Accountability (OEA) to conduct longitudinal research related to retention and attrition that compares outcomes for students with similar demographic characteristics who are retained or promoted at districts across the state, to identify key risk factors for course failure, retention and attrition in specific districts or schools, and to identify effective interventions; and
- request the Public Education Department (PED) and other appropriate entities to study the preparation of students in middle school and to develop a short list of possible initiatives to improve middle school students' preparation for high school, identify which initiatives are most appropriate under which circumstances, and make recommendations regarding programs with proven effectiveness in bringing students' skills, particularly in reading and math, up to grade level before grade 9.

Mr. Gibson provided a brief overview of Los Lunas high schools' initiatives regarding credit recovery, remediation, or alternative schooling, as portrayed in his PowerPoint presentation. He explained that in his district Century High School is the alternative school for students who are at risk of dropping out. Mr. Gibson explained that, over a five-year period, the high school graduation rate for Los Lunas Public Schools has been roughly 50 percent, and that of the Los Lunas students who go on to college, many need as many as four remedial courses.

Mr. Gibson explained that the Academic College Test (ACT) is a useful predictor of college success and he would like for all of his students to achieve all four ACT college-readiness benchmarks. He said, however, that in school year 2006-2007 only 16 percent of the graduating class achieved that goal.

Mr. Gibson said 800 freshmen enter high school in Los Lunas each year, and on average 396 do not finish high school within four years; 404 will graduate from high school four years later; 280 will begin postsecondary education within two years of graduation; 142 will need one or more remedial courses; and 75 will graduate from college within five years. He said, however, that key findings regarding high school success in Los Lunas indicate that grade 9 is critical to high school success: 90 percent of reclassified ninth graders never graduate from high school and 50 percent of entering ninth graders are reading and/or computing below grade level – in some cases many grade levels below standard. He said the challenge is to better prepare entering ninth graders for high school academics, make grade 9 successful for more students, and find ways to keep reclassified upperclassmen in school with some promise of graduation.

Mr. Gibson gave data on several initiatives being implemented in Los Lunas Public Schools to address these challenges:

- better preparation for entering ninth graders by adhering strictly to a K through grade 8 curriculum, providing ongoing professional development for teachers, and employing Academic Coaches in all K through grade 6 schools;
- team teaching and having the team of teachers follow the same class of ninth graders into grade 10; allowing freshmen to have very few open electives; providing advisory time for a half an hour each week; requiring about half of entering ninth graders to have double periods of mathematics and/or English; making sure teachers had common planning time and access to computers and telephones; extending the school year up to four more weeks of instruction for ninth graders with the same teacher; and providing more intervention with remediation computer programs as needed; and
- implementing E2020, a credit recovery online learning program that allows students to complete a course at their own pace.

Mr. Gibson reported that since implementing these changes, in school year 2007-2008 more students are enrolled in grade 10 than in previous years; only 25 ninth graders were reclassified, or retained in grade 9; more students are in honors and pre-Advanced Placement courses; and about 100 incoming freshmen have enrolled in Geometry I. However, he did note that discipline and long-term suspension continue to be problems.

Finally, Mr. Gibson shared the following thoughts and observations:

- grade 9 is the most important year of high school;
- high school remediation is really a late elementary school and middle school issue;
- the need to raise the bar for the most talented high school students;
- make dropping out of high school in New Mexico more difficult;
- high school dropout rates are a major funding issue for a growing district like Los Lunas;
- student success occurs in high school teacher by teacher and school by school; and
- schools must have access to the technical support and teacher training to do this difficult work.

Committee Discussion:

In response to a committee member's question of whether Student Teacher Accountability Reporting System (STARS) could be used for evaluation purposes to see if a particular credit recovery program has an effect on student achievement, Dr. Catherine Cross Maple, Deputy Secretary for Learning and Accountability, Public Education Department (PED), said it would be possible.

Referring to the Next Step Plans requirement in law and responsibilities of PED to promulgate rules for accredited private schools to ensure compliance, Representative Miera asked how districts can be expected to comply if the rules have not yet been promulgated. Ms. Herman explained that the statute requires that the Secretary create accountability standards, and that districts are already responding to the mandates of the legislation. Ms. Herman said the actual mandate to do the plan is on the student, and that the district shall provide the opportunity.

In response to a committee member's question of what constitutes an alternative program if a student is retained and has not attained proficiency after two years in the same grade, Ms. Herman said that some districts have alternative high schools, some offer summer school, and some offer other remediation programs.

In response to a committee member's question to Mr. Gibson on how he was able to get everyone in his school district to agree on his high school retention and remediation plan, he replied that it had been "non-negotiable".

A committee member commended Mr. Gibson's accomplishments at Los Lunas and asked about the funding for these innovations at the school district. Mr. Gibson said that the voters passed the 3-mill levy for educational technology, which enabled Los Lunas to spend about \$97,000 on program licenses and related costs. Also, Los Lunas is maximizing federal e-rate discounts for connectivity, totaling \$300,000 a year for the past two years. In addition, he stated that in 2007 his school district had received a direct appropriation from the Legislature which was used to hire instructional coaches and to do staff development.

In response to a committee member's question of how to deal with dropouts, Mr. Gibson said that his school district has five goals and the fifth one is student wellness. He said there are a lot of health factors that affect kids and said that he would advise funding more school based health clinics.

Because of the committee meeting time constraints, Representative Miera announced that Agenda Item 8, The Outdoor Classroom Initiative, would be held over until September.

SUPERINTENDENTS AND COMMUNITY INPUT

Mr. Marvin H. Gladstone, Board Member and Founder of the new Media Arts Collaborative Charter School, discussed their charter application and said the Media Arts Collaborative Charter School is scheduled to open in August 2008. If the charter school is approved, it will be a high school specializing in the media arts, offering a full curriculum for students in grades 9-12. He said that he would like to know more about career clusters and how they can be implemented in a charter school. Representative Miera advised Mr. Gladstone to speak with Dr. Cross Maple at the Public Education Department about his issue and thanked him for his presentation.

With the consensus of the committee, Representative Miera recessed the LESC meeting at 5:03 p.m.

**MINUTES
LESC MEETING
FRIDAY, AUGUST 17, 2007**

Representative Rick Miera, Chair, called the Legislative Education Study Committee (LESC) meeting to order on August 17, 2007, at 9:01 a.m., UNM-Taos Klauer Campus, Classroom Building, Taos, New Mexico.

The following LESOC members were present:

Representatives Rick Miera, Chair, Roberto “Bobby” J. Gonzales, Jimmie C. Hall, Mimi Stewart, and Thomas E. Swisstack; and Senators Cynthia Nava, Vice Chair, and Vernon D. Asbill.

The following LESOC advisory members were present:

Representatives Ray Begaye, Nathan P. Cote, Nora Espinoza, Mary Helen Garcia, Thomas A. Garcia, Dianne Miller Hamilton, John A. Heaton, Sheryl Williams Stapleton, Jim R. Trujillo, and Teresa A. Zanetti.

STUDENT SUPPORT PROGRAMS

Mr. Peter van Moorsel, Legislative Education Study Committee (LESC) staff, introduced Dr. Kristine Meurer, Director, Coordinated School and Family Support Bureau, Public Education Department (PED); Ms. Karen Sanchez-Griego, Executive Director, Engaging Latino Communities for Education (ENLACE); Ms. Jeanne Johnston, Director of Finance, Graduation, reality, and Dual-roles Skills (GRADS), and Ms. Debbie Westfall and Ms. Debbie Grider, coordinators, GRADS; and Mr. Gilbert Perea, Assistant Secretary, Program Support and Student Transportation Division, PED, all of whom, he said, would be available for questions at the end of his presentation.

Mr. van Moorsel reported on the following student support programs that have been funded by the Legislature: the *Family and Youth Resource Act* (FYRA), ENLACE, GRADS, and Breakfast in Elementary Schools. Mr. van Moorsel’s report focused on sources and uses of funding for these programs, the effect of these programs on student achievement, the possibility of coordinating these programs to improve efficiency and effectiveness while avoiding unnecessary duplication, and successful programs in other states.

The purpose of such student support programs, Mr. van Moorsel said, is to remove social, economic, health, and other barriers to academic success. He noted that although New Mexico lacks empirical studies that could be used to assess the impact of these programs on student achievement, the findings of national research indicate that student support programs do have a positive effect on achievement.

Referring to FYRA, Mr. van Moorsel explained that the act was passed as part of the comprehensive school reforms in 2003 and permits the creation of a family and youth resource program in any public school in the state in order to serve as an intermediary to assist public school students and their families to access social and health care services. He provided an overview of the requirements of the act, including that it:

- creates the non-reverting PED-administered Family and Youth Resource Fund;

- authorizes PED to award grants to a public school or group of public schools that apply in which 80 percent of students are eligible for the federal Free and Reduced-fee Lunch (FRL) program;
- creates an advisory committee to make recommendations pertaining to the creation of new FYRA programs in schools and to review applications and make recommendations for FYRA grants; and
- requires that each FYRA program employ a resource liaison.

Since FY 05, Mr. van Moorsel said, the Legislature has appropriated approximately \$6.2 million to the Family and Youth Resource Fund to finance the operation of FYRA. For FY 08, the Legislature appropriated \$1.5 million to the Family and Youth Resource Fund.

To evaluate FYRA, Mr. van Moorsel reported that PED contracted with the University of New Mexico (UNM) Center for Health Promotion and Disease Prevention. He said that in school year 2006-2007, 70 schools in 18 school districts received FYRA funding; a total of 15,883 students were served (9.0 percent of them required extensive services); 4,500 family members of students were served (20 percent required extensive services); and 65 percent of the students served were in elementary school and the majority of those students were Hispanic.

Mr. van Moorsel said that ENLACE is an initiative founded by the W.K. Kellogg Foundation in 1997 that focuses on increasing higher education attainment for Latino students. He said ENLACE was first implemented in New Mexico in FY 01, and over a four-year period (FY 01 to FY 05) received \$4.2 million from the foundation. Since FY 06, he said the Legislature has appropriated approximately \$3.24 million to the Higher Education Department (HED) to fund ENLACE, including \$1.44 million for FY 08.

Of the ENLACE programs in New Mexico, Mr. van Moorsel highlighted Los Compañeros and ENLACE Family Centers. Los Compañeros, he said, is a mentoring program in which students are paired with an undergraduate mentor to promote academic and personal success and the ENLACE Family Centers provide a place where students can go for tutoring, study groups, or to read or spend time.

In school year 2006-2007, Mr. van Moorsel said, 7,522 students were enrolled in one or more ENLACE programs, at a cost of between \$75 and \$128 per student per year; 82,350 students statewide contacted an ENLACE Family Center for some type of service; and ENLACE programs served 8,988 families in New Mexico.

Mr. van Moorsel indicated that two reports from ENLACE, which are summarized in his staff report, provide anecdotal evidence that the programs have a positive impact on student achievement and behavior for some of the students. He said, however, that in order to clearly demonstrate the programs' successes, further study would be necessary.

The Graduation, Reality and Dual-role Skills, otherwise known as GRADS, Mr. van Moorsel said, was first implemented in New Mexico in 1989, to provide in-school programs that meet the needs of teenage families and to promote graduation from high school and the pursuit of higher education and employment. He said GRADS consists of three components: instructional/pregnancy prevention, fatherhood, and a child care-center, which provides licensed child-care facilities for teen parents. Mr. van Moorsel said that GRADS has reported that since its implementation, it has received state and federal funds, and that according to LESC records, since 1995 the Legislature has appropriated approximately \$9.3 million to PED for the GRADS program, including approximately \$1.0 million for FY 08.

Mr. van Moorsel stated that evaluating academic effects of GRADS was challenging, as the main goals of the program are reducing dropout rates, preventing pregnancy, and improving parenting skills. He said GRADS tracks student achievement using a report filed when students leave the program documenting whether a student showed academic progress, maintained or improved grade point average, advanced to the next grade, or graduated.

The Breakfast in Elementary Schools program, Mr. van Moorsel said is a more recent program that has been funded by the Legislature since FY 06. Mr. van Moorsel reported that the Legislature appropriated \$475,000 for a pilot program in FY 06, allowing 80 schools to offer breakfast at no charge to all students for the second half of the school year. He said schools with the lowest scores in mathematics and reading proficiency had been selected to receive funding. He said that in FY 07, the program received \$1.8 million to expand the pilot program to a full year at 129 schools. In New Mexico for FY 08, he said, \$2.85 million was appropriated to fund the first year of a four-year phase-in of the elementary school breakfast program and 190 schools will receive funding for the program award.

Mr. van Moorsel cited two national evaluations indicating benefits of eating breakfast for students, including the *School Breakfast Scorecard 2006*, a publication of the Food Research and Action Center, which reports that students who eat breakfast experience improved academic performance, reduced behavioral problems, improved diets, and reduced obesity. A 2001 article in *Public Health Nutrition*, he said, also noted research indicating that fasting has negative effects on academic achievement in well-nourished children; eating breakfast results in short-term improvements in students' learning skills and working memory; and that school breakfast programs have positive effects on the nutritional status of children, school attendance, and dropout rates.

Finally, Mr. van Moorsel said, the New Mexico Legislature has shown its commitment to addressing student and family social and health needs by their continued support to student support programs, including FYRA, GRADS, ENLACE, and the Breakfast in Elementary Schools. He said to underscore its continuing commitment to improving student support programs, the committee may wish to consider the following policy options:

- designate an oversight agency in statute to coordinate individual services to avoid any unnecessary duplication of services. In order to provide a strong basis upon which to make policy decisions, the committee may wish to consider requiring the oversight agency to develop an evaluation design and system of data collection and analysis that will enable policymakers to assess whether New Mexico's student support programs are effectively addressing student and family social and health needs;
- establish a fund in law and require the development of a mechanism to equitably distribute funding to the appropriate student support services; and
- amend current law to expand FYRA programs to more schools. The current eligibility criteria for participating in FYRA funding limits participants to schools with 80 percent FRL eligibility. Schools where, for example, 79 percent of students are eligible for FRL are still in need of support services, yet would lose any FYRA funding. Kentucky uses a 20 percent FRL eligibility to determine which schools are eligible for its Family Resource and Youth Services Centers. As a result, 90 percent of Kentucky schools qualify for funding.

Committee Discussion:

In response to a committee member's question regarding evaluation of these programs, Dr. Meurer replied that PED is planning on conducting a study of schools that have been in the Breakfast in Elementary Schools Program for more than one year. She said that there is national empirical research that shows links between health and academic success. Dr. Meurer said that PED's study will look at whether participation in the breakfast program produces a difference in adequate yearly progress, attendance, and dropout rates in New Mexico. Ms. Griego also said that an external evaluator, Excellencia, will conduct a program audit of the ENLACE program.

In response to a committee member's question of why New Mexico's eligibility requirements for FYRA are so much more stringent than Kentucky, Mr. van Moorsel indicated that the eligibility criteria is specified in statute for FYRA. The committee member noted that the gap between available funding and the need for services could be narrowed in New Mexico through expanded funding and a change to the eligibility requirements for funding.

In response to a committee member's questions if these student support programs are developed through collaboration of communities and if there are any school districts that contract those services out, Dr. Meurer said the development of the programs are varied, explaining that ENLACE is not funded directly by the school district, but sub-contracted to them.

In response to a committee member's question of the relationship between PED and FYRA programs in coordinating, rather than duplicating, services, Dr. Meurer replied that FYRA program liaisons make referrals to appropriate agencies whereas CYFD provides services. Dr. Patricia Parkinson, Assistant Secretary, Instructional Support and Vocational Education Division, PED, explained that PED and CYFD personnel have coordinated efforts and that Dr. Meurer works regularly with CYFD in this effort.

In response to a committee member's question regarding the difference in meaning between extensive services and regular services under FYRA, Mr. van Moorsel said extensive services would include multiple visits for counseling sessions, whereas regular services indicate limited visits for clothing or food.

In response to a committee member's question if the GRADS program is required to provide comprehensive information to young people about reproductive health, Dr. Meurer said, "Yes." She said next year GRADS will change their curriculum to align with the New Mexico educational standards and that PED staff has oversight of the GRADS program and will monitor the curriculum.

A committee member expressed concern over disparity in award amounts, noting that Mora Independent Schools was not awarded funds in FY 07 and FY 08 even though at least 80 percent of the student population qualifies for free or reduced-fee lunch. On this point, Representative Miera said it is the administrator's job to get the accurate numbers to PED to determine student eligibility for the federal Free and Reduced-fee Lunch; otherwise, FYRA funds are not disbursed to the school district.

A committee member stressed the importance of families turning in the forms that indicate whether they are eligible for free or reduced-fee lunch and that it is imperative for principals and superintendents to understand the impact of correctly calculating the percentage of eligible students to ensure that the numbers reported are accurate.

Representative Miera asked Dr. Meurer and Ms. Griego to share the results of the evaluations for the Breakfast in Elementary Schools program and ENLACE, respectively.

ADJOURNMENT

There being no further business, and with the consensus of the committee, Representative Miera adjourned the LESC meeting at 11:14 a.m.

_____ Chairperson

_____ Date