MINUTES
LESC MEETING
MONDAY, AUGUST 16, 2004

Representative Rick Miera, Chair, called the Legislative Education Study Committee (LESC) meeting to order on August 16, 2004, at 9:12 a.m., Regional Education Cooperative, Region IX Conference Room, 1400 Sudderth Drive, Ruidoso, New Mexico.

The following LESC members were present:

Representatives Rick Miera, Chair, Dianne Miller Hamilton, Pauline J. Ponce, Mimi Stewart, and W.C. "Dub" Williams; and Senators Cynthia Nava, Vice Chair, Gay G. Kernan, Mary Kay Papen, and William E. Sharer.

The following LESC advisory members were present:

Representatives Kandy Cordova, Ron Godbey, Roberto J. "Bobby" Gonzales, and John A. Heaton; and Senators Dianna J. Duran and Mary Jane M. Garcia.

Upon a motion by Senator Nava, seconded by Representative "Dub" Williams, the committee unanimously approved the agenda as presented.

INDIAN EDUCATION ACT

Ms. Frances Maestas, LESC staff, introduced Ms. Penny Bird, Assistant Secretary, Indian Education, Public Education Department (PED), for a progress report relating to the implementation of the provisions of the *Indian Education Act*, which the 2003 Legislature passed as a means to address the unique cultural and educational needs of Native American students statewide.

Ms. Maestas reported that to date, the Legislature has appropriated a total of $4.5 million for the implementation of the *Indian Education Act*: $2.0 million for FY 04 and $2.5 million for FY 05. She stated that for FY 05, the Legislature also appropriated $113,600 in a special, non-recurring appropriation to PED to support a full-time equivalent position in Indian Education at PED. According to PED, Ms. Maestas stated, the special appropriation funds the position of the Assistant Secretary for Indian Education in FY 05.

Ms. Maestas stated that based on a proposed budget submitted by PED during the 2004 legislative session, the FY 05 appropriation of $2.5 million will provide over $2.1 million to address "Teacher & Principal Quality" initiatives, to include scholarships for Native American teachers to obtain additional endorsements, tutoring services for Native American teachers who are unable to pass the National Teachers Exam; scholarships for Native American non-degreed students to obtain teacher certification; and scholarships for teachers that work with Native American students; and approximately $400,000 for "Expanded Indian Education Services", to include funding for exemplary programs, the Indian Education Advisory Council, Government-to-Government meetings, and the Northwest Office of the Indian Education Division.

In a presentation to the LESC in the 2003 interim, Ms. Maestas stated, PED reported the FY 04 activities relating to the implementation of the *Indian Education Act*, which included:

- appointment of an Assistant Secretary for Indian Education at PED. On November 13, 2003, the governor appointed Ms. Bird of Santo Domingo Pueblo to this position;
- selection of members to the Indian Education Advisory Council that was completed on May 11, 2004;
- creation of the Northwest Office of the Indian Education Division. According to PED, this office was established in Gallup in the 2004 interim, but as of August 2004 has remained unstaffed;
- organization of a Government-to-Government meeting to facilitate the interaction of tribal members statewide with the new assistant secretary, the staff of the Northwest Office, and the newly established Indian Education Advisory Council. Ms. Maestas indicated that the Indian Education Division of PED reported that a Government-to-Government meeting was held on April 20, 2004, in Bernalillo and that a meeting is currently being planned for October 2004; and
- finalization of three requests for proposals (RFPs) dealing with teacher quality aspects of the act: (1) to coordinate a program of study and to provide scholarships for American Indian teachers, principals, and undergraduate students for endorsements in the areas of special education, reading, and bilingual or Teaching English as a Second Language; (2) to develop a tutorial program for degreed American Indian teachers unable to pass the New Mexico Teacher Assessments; and (3) to identify and assess existing K-12 instructional programs or initiatives that have proven successful with American Indian students.

Other related testimony to the committee during the 2003 interim included the Native Language and Culture Program. According to PED, a Memorandum of Understanding (MOU) had been finalized with the Jicarilla Apache Nation and the Santa Clara Pueblo to provide for the issuance of a Native American language and culture certificate to individuals determined by a tribe to be proficient in the language and culture of their tribe or pueblo pursuant to criteria in state law and regulation.

Ms. Bird, using a handout entitled, *How the Indian Education Act Impacts Your School District*, summarized the major priorities of the act. She reported that while data for the 2003-2004 school year reveals that Native American students comprise approximately 11 percent of the total student enrollment (approximately 36,000 Native American students out of approximately 323,000 total students), a comparison of total teachers, administrators, and educational assistants statewide revealed that Native Americans represented:

- 3.7 percent of teachers (493 out of 13,170);
- 3.8 percent of administrators (27 out of 698); and
- 14.2 percent of educational assistants (539 out of 3,776)

Referencing the 2003 interim agreements with the Jicarilla Apache Nation and the Santa Clara Pueblo regarding the Native American language and culture certificate, Ms. Bird reported that in an additional MOU has been finalized with the Zuni Pueblo; that a draft MOU has been developed for the Santa Ana Pueblo; and that PED is currently working with the Picuris Pueblo and Navajo Nation in developing MOU criteria for tribal members to teach native language and culture.

Finally, with regard to the Northwest Office of the Indian Education Division, Ms. Bird reported that the office was established in Gallup in the 2003 interim; however, the office remained unstaffed through the 2004 interim primarily because of "roadblocks" encountered by PED with the State Personnel Office in the approval of the positions for the office. She indicated that August 16, 2004, was the first day of employment for the individual selected as program manager for the Northwest Office, but that two education administrator and one support staff position remain unfilled.

Committee Discussion:

Representative Gonzales reported that in a recent report to the New Mexico Finance Authority, Superintendent Karen White, Gallup-McKinley County Public Schools, indicated that approximately 147 new units of teacherage would be available in the district using approximately $16.0 million pledged from federal Impact Aid funds available for capital outlay purposes.

Chairman Miera expressed concern that the presentation to the committee did not outline how the appropriations provided by the Legislature for FY 04 and FY 04 would be expended by PED in order to meet the intent of the *Indian Education Act*.

Representative Gonzales requested an accounting of the expenditure of the 20 percent local revenue capital outlay funds (from Impact Aid, Forest Reserve, 0.5 mill levy), in particular, the number of districts that utilize these funds for teacherages. He also requested an accounting of any revenue bonds issued for construction of teacherages.

Chairman Miera requested Ms. Bird to provide a written response from the US Department of Education confirming that teachers certified to teach native language and culture are not required to be "highly qualified" under the federal No Child Left Behind (NCLB) provisions.

Representative Heaton requested Ms. Bird to provide the committee with data on the percentage of Native American students who are not proficient in English.

Senator Nava requested Ms. Bird to provide a by-district summary of the number of teachers and administrators that PED is training under provisions of the *Indian Education Act*.

Chairman Miera requested Ms. Bird to provide the committee with a presentation at its October meeting to include the following:

- a comprehensive outline of PED's strategies to implement the initiatives required in the *Indian Education Act* and methodologies required to measure outcomes;
- an accounting of the expenditure of funds appropriated by the Legislature, including justification for uncommitted funds;

- a by-district spreadsheet outlining Native American initiatives being implemented statewide;
- a summary of funds being requested for FY 06; and
- any "roadblocks" she has encountered as she has attempted to implement provisions of the *Indian Education Act*.

TEEN PREGNANCY PROGRAMS

Ms. Pamela Herman, LESC staff, introduced Dr. Kristine Meurer, Director, School Health, PED, to provide an overview of school-based efforts to reduce teen pregnancy and assist teen parents to complete high school; and Ms. Sharon Waggoner, Executive Director, of the New Mexico Graduation Reality and Dual-Role Skills (NM GRADS) program, to describe the current status of the NM GRADS program.

Ms. Herman presented information regarding the problem of teen pregnancy in New Mexico. She said that New Mexico ranks third in the nation for teen pregnancy according to the *2004 Kids Count Data Book*. She also said that data from the National Campaign to Prevent Teen Pregnancy indicates a marked difference based on ethnicity in the prevalence of pregnancy among New Mexico teens in 2001:

- approximately 49 percent of teens and 64 percent of teen mothers were Hispanic;
- approximately 12 percent of teens and 12 percent of teen mothers were Native American;
- approximately 2.0 percent of teens and 2.0 percent of teen mothers were African-American; and
- approximately 35 percent of teens and 22 percent of teen mothers were Anglo.

Ms. Herman enumerated some common issues for teen parents and their children that are noted by the New Mexico Department of Health (DOH), such as inadequate pre-natal care, serious complications during pregnancy and birth, and higher rates of low birth weight, neonatal death, and sudden infant death syndrome. She said that lifelong consequences of teen pregnancy include poor educational attainment for both parent and child, low income, family instability, child abuse and neglect, and involvement with the juvenile justice system. She said that four factors consistently associated with teen pregnancy are early school failure, early behavioral problems, family dysfunction, and poverty.

Ms. Herman stated that since 1995, the New Mexico Legislature has appropriate $6.1 million to support NM GRADS, a comprehensive model teen pregnancy program. This amount includes $931,600 appropriated from the General Fund and $5.1 million from federal Temporary Assistance to Needy Families (TANF) block grant funds. Ms. Herman explained that according to research by the New Mexico Teen Pregnancy Coalition, a statewide group funded by TANF dollars, model comprehensive programs such as NM GRADS have documented success in achieving their goals.

Dr. Meurer reported that PED's 2003 Youth Risk and Resiliency survey indicates that 48 percent of teens in New Mexico are sexually active. She said that DOH Comprehensive Strategic Health Plan cites teen pregnancy as a priority concern.

She described three ways that New Mexico public schools address the problem of teen pregnancy:

- State standards and benchmarks for health education established in statute, which include making healthy choices, must be addressed in the high school curriculum. According to Dr. Meurer, PED intends to develop specific performance standards in school year 2004-2005 for all health topics including sexuality.
- School-based health centers funded by DOH provided reproductive health services to high school students in 13 of 17 districts in school year 2003-2004. However, in school year 2004-2005, based on local direction, only 11 of 17 clinics will provide reproductive health services.
- NM GRADS is the third major reproductive health program in New Mexico schools.

Dr. Meurer stated that NM GRADS is facing reduction or elimination of its three main funding sources in school year 2005-2006.

- A grant from the New Mexico Children, Youth and Families Department (CYFD) fatherhood initiative will decline from $185,000 to approximately $130,000.
- Federal *Carl Perkins Act* funds of $100,000 for school-to-work programs have reached their fourth and final allowable year.
- $1.3 million in TANF funds are in jeopardy pending negotiations with the Department of Human Services (DHS) regarding the requested appropriation for FY 06.

Dr. Meurer reported that in response to these possibilities, PED plans to include $1.3 million in General Fund dollars in its FY 06 request to continue the NM GRADS program.

Ms. Waggoner explained a handout describing NM GRADS' history, programs, services and courses, and a budget outline for each of the 47 GRADS sites in the state. She said that NM GRADS provides both education to reduce teen pregnancy and case management, support and education to help teen parents complete high school and move on to productive employment or postsecondary education. Ms. Waggoner said that every GRADS site must implement a minimum of two of six GRADS components, which include:

- intervention for teenage parents, including peer education to reduce birth defects;
- employability skills development to reduce future poverty and welfare dependency;
- a juvenile justice component for incarcerated youth who are parents;
- licensed on-site childcare co-funded with CYFD to enable teen parents to stay in school and graduate;
- a fatherhood initiative (GRADS Dads) that encourages and supports teen father involvement and two parent families; and
- middle and high school abstinence-focused pregnancy prevention programs.

Ms. Waggoner provided a handout to justify the proposed $1.3 million request for NM GRADS in PED's FY 06 budget request. She explained that GRADS addresses state goals and priorities such as behavioral issues targeted by the Children's Cabinet, the DOH Roadmap to Health and Framework for Healthy Schools, and the Legislature's truancy initiative. She further stated that GRADS brings economic benefits to New Mexico by reducing high school dropouts and improving workforce employability skills, which reduces Department of Labor caseloads and reliance on public assistance. Ms. Waggoner also explained that, to make it easier to seek new

sources of funds, the NM GRADS advisory board has established a 501(c)(3) nonprofit corporation that could manage cooperating projects supported by private charitable contributions separately from government-funded GRADS programs that use Socorro Consolidated Schools as a fiscal agent.

Ms. Waggoner introduced Ms. Carol Sullivan of her staff, who described a new fatherhood project for juvenile offenders in Farmington undertaken by collaborating local groups, including faith-based organizations. Ms. Sullivan stated that this initiative, which relies heavily on local resources, is a model for disseminating GRADS components in the face of funding cuts. She reported that there is interest in replicating this model in Lordsburg and Hobbs.

Committee Discussion:

Some committee members expressed concern about how the existence of a separate nonprofit entity connected to NM GRADS could affect the administration of funds such as federal TANF dollars appropriated by the Legislature to the Human Services Department (HSD) for GRADS programs. Committee members expressed concern that the anti-donation clause of the New Mexico Constitution might require state agencies to use a request for proposal process to distribute these funds. A member of the committee suggested that an opinion from the Attorney General might be required to clarify this issue. Ms. Waggoner responded that NM GRADS itself continues to use Socorro Consolidated Schools as its fiscal agent for all public grants and contracts. She stated that the nonprofit corporation was originally created because auditors recommended separate administration of a grant from the March of Dimes, which has been completely spent. A committee member stated that no “anti-donation clause” issues would be raised if private groups wished to contribute to a nonprofit organization that was merely affiliated with state-funded activities.

In response to a committee member’s question about the nature of the juvenile justice fatherhood program, Ms. Waggoner explained that the systemic fatherhood initiative provides services to young fathers in the juvenile justice system to help them form bonds with their children, and provides career development so that young fathers can support their children once they are released.

In response to a committee member’s question regarding whether or not the Legislature should rely on the availability of TANF funds for GRADS in FY 06, if HSD has recently indicated that there would be no funds for GRADS, Ms. Waggoner indicated that pending a scheduled September meeting of GRADS with PED and HSD, it was her understanding that some TANF funding might still be available for FY 06.

In response to a committee member’s question about the correlation between declining teen pregnancy rates in New Mexico and NM GRADS programs, Ms. Waggoner stated that very definitely there is a relationship, particularly in the reduced rate of second teen pregnancies of 2.5 percent for GRADS participants compared to 20 percent statewide.

In response to a committee member’s question about the process by which PED will establish performance standards for health education, Dr. Meurer responded that the performance standards would be developed by a committee that will include teachers, administrators, parents, experts and other stakeholders from across the state, followed by public input, before Secretary García approves them.

In response to a committee member's question about how the educational system can more effectively address New Mexico's high rate of teen pregnancy, and assure that teens have enough information to make responsible choices, Dr. Meurer responded that to do so would take a comprehensive effort. She stated that the Secretaries of Human Services and PED and other agencies have recently created an inter-agency council for school health that would collaborate to develop specific strategies that support communities in taking an aggressive approach on critical health issues such as teen pregnancy.

In response to a committee member's question regarding the small number of GRADS program sites in Albuquerque Public Schools (APS), Ms. Waggoner explained that the program originally was developed for rural schools. She stated that one school in the south valley of Albuquerque has a long-established GRADS program because the community has many rural characteristics, and that two small Albuquerque charter schools have recently established GRADS programs. She stated that, unfortunately, there is not sufficient funding to serve both APS and rural parts of the state adequately.

In response to a committee member's question about whether the approximately $1.3 million appropriated by the Legislature for NM GRADS for FY 05 had already been distributed by PED, Ms. Waggoner replied that it had not, but that finalizing those agreements usually occurrs in late fall.

There being no further questions, Chairman Miera thanked the presenters for their presentations.

DIRECTOR'S REPORT

a. 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.

b. Written Reports:

Dr. Rindone reported that the committee notebooks included two written reports: (1) Truancy in the Public Schools; and (2) PED Evaluation of Bilingual Multicultural Education Programs: Preliminary Report. She noted that the 2004 LESC Interim Workplan includes a final report on PED's Evaluation of the Bilingual Multicultural Education Program which should be available by the December 2004 LESC meeting.

NEW MEXICO HISTORY RESOURCE FRAMEWORK PROJECT

Dr. Kathleen Forrer, LESC staff, introduced Ms. Pat Concannon, Consultant, Social Studies, PED; Dr. Estévan Rael-Gálvez, State Historian; and Ms. Laura Sullivan, Consultant, Regional Educational Technology Assistance (RETA), to discuss the progress made since the 2003 legislative session in developing and implementing a New Mexico history resource framework.

As background, Dr. Forrer noted that during the 2002 legislative session, identical bills were introduced in both houses that would have added a course in New Mexico state history to the requirements for high school graduation; however, both bills failed. At the time, she stated, PED had indicated that a lack of available instructional materials at the high-school level might make it difficult for local school districts to offer such courses.

Dr. Forrer explained that during the 2003 regular legislative session, a House Joint Memorial was introduced requesting that PED create a task force, including a representative from the Office of the State Historian, to develop a functional New Mexico history curriculum framework to include the development of "user-friendly" resources, teacher training assistance, and support materials. Although the joint memorial did not pass, she continued, PED indicates that it has used the language in the memorial as a guide in creating and implementing a New Mexico history resource framework. She added that the *General Appropriation Act of 2003* appropriated $100,000 to PED for the development of a social studies curriculum for New Mexico history.

After explaining that the mission of the state historian is to foster the history of New Mexico and to make that history relevant in the classroom, Dr. Rael-Gálvez noted that even though the House Joint Memorial did not pass, it served to bring together for the first time the State Historian and PED in a combined effort to bring about an understanding and appreciation of New Mexico's unique cultural heritage and history in the public schools.

Ms. Concannon stated that to begin the process of instituting a New Mexico history resource framework, PED asked Dr. Craig Newbill, Executive Director of the New Mexico Humanities Council (NMHC), and Dr. Rael-Gálvez to co-facilitate an advisory task force. In order to represent a diversity of perspectives and expertise, she explained, the following six individuals were added to the task force: Ms. Daphne Arnaiz-DeLeon, Division Director, State Archives; Dr. Margaret Espinoza McDonald, Mentor Teacher, Belen Consolidated Schools; Dr. Jon Hunner, Director, Public History Program, New Mexico State University; Mr. Frank Morgan, Curriculum Specialist, Navajo Nation; Dr. Tessie Naranjo, Sociologist and Cultural Educator, Santa Clara Pueblo; and Ms. Georgia Sharar Roybal, educator and co-owner of ASPECTOS CULTURALES, a publisher of bilingual educational materials. In addition, Ms. Concannon and Ms. Corina Chavez, Education Administrator-School Counseling, Curriculum, Instruction and Learning Technologies, PED, also serve on the task force, which held its first meeting in November 2003.

Ms. Concannon stated that the task force viewed itself as a catalyst in the development of the history resource framework, the structure of which would be to identify a wide assortment of user-friendly resources that could be used to develop local curriculum designed to meet identified student needs and enhance teacher effectiveness. The goal of the task force, she said, was to align the framework with the *New Mexico Social Studies Content Standards, Benchmarks and Performance Standards*. She explained that the social studies standards and benchmarks include benchmarks directly related to New Mexico culture and history at all grade levels, kindergarten through 12. She also noted that current statute requires instruction in New Mexico history to be provided in grades 4 through 8.

Noting that the project to develop a history resource framework was scheduled to be completed by June 30, 2004, Ms. Concannon described the following project components:

- PED used a web-based questionnaire to survey social studies teachers in grades kindergarten through 12 to determine both the resources they currently use to teach New Mexico history and the resources they lack. The department received 203 responses from every geographic region of the state and from school districts of every size. High school teachers indicated that they lack sufficient resources to ensure that their students meet state standards. Although middle school teachers stated that there are available resources, they expressed a desire for more. Some elementary school teachers stated that New Mexico studies are not a high priority; however, 4th grade teachers recognized that they are expected to teach about New Mexico but indicated that they lack sufficient resources to do so.

- The task force and PED decided to use *my*Standards, a web tool developed for PED's Curriculum, Instruction, and Learning Technologies (CILT) Unit, as a means of making history resources available to teachers throughout the state. Teachers can use *my*Standards to organize instructional units and lessons. In addition, PED is able to monitor usage and maintain quality control over the system. In order to submit information, users must log-in; however, log-in is not required to view lessons and resources. The information on *my*Standards is not limited to New Mexico history.
- PED contracted with RETA to develop learning modules to provide teachers with curriculum samples. Working in conjunction with the task force, RETA chose water as the topic and concentrated on ways in which to utilize communities as a primary source of information. The first module, "Using Community Resources To Teach New Mexico History – Water Is My Community," which was written for use in kindergarten through grade 4, was previewed at a series of summer workshops. RETA has also developed modules for grades 5 through 8 and grades 9 through 12, which are available on RETA's website.
- At the direction of the task force, a group of teachers identified as experts in the field of New Mexico history was convened. Participants were identified with the help of the Office of Cultural Affairs; all of the teachers selected had participated in at least one summer institute on New Mexico history sponsored by the NMHC. The group, named the Social Studies Educators Group, was charged with reviewing resources and establishing criteria for New Mexico history resource materials.
- One of the activities undertaken by the task force was the development of community profiles that could serve as models of how teachers could use their own communities as resources for the teaching of history. Once the resource gaps were identified through the teacher survey and the work of the Social Studies Educators Group, community profiles were developed for five sites: the Barelas Neighborhood in Albuquerque, Clovis, Española, Gallup, and Silver City.
- Five regional workshops, facilitated by expert teachers, were held in June 2004 to inform teachers about the curriculum framework and resources. The workshops took place in Roswell, Las Cruces, Las Vegas, Farmington, and Albuquerque.

In order to demonstrate the use of *my*Standards, Ms. Sullivan used a PowerPoint presentation to illustrate how the various history resources can be accessed by anyone. Explaining the various components of *my*Standards, she noted some of the capabilities of the system:

- *my*Standards is anchored to New Mexico standards and benchmarks in that resources are linked to specific standards and lessons are mapped to the grade level benchmarks and performance standards;
- *my*Standards can be used to promote, document, and share effective practices;
- the *my*Standards database is searchable;
- *my*Standards can be used to provide technical assistance to teachers in the field; and
- *my*Standards can be used by educators to document effective practices for inclusion in a three-tiered licensure professional development dossier.

Ms. Sullivan then showed the committee how to access the New Mexico History Resource Framework materials on the RETA website. Currently, she explained, the website contains various resources, including historical photographs, video clips, documents, art, book lists, references, and links to the community profiles. All of the reference materials can be used by teachers in developing their own modules or in adapting the modules already developed by RETA. Ms. Concannon noted that a major emphasis of the history framework is to make primary sources available to both teachers and students.

Dr. Rael-Gálvez stated that the task force had made tremendous progress in initiating the New Mexico History Resource Framework but noted that there is still much to be done. In asking that the LESC support continued funding for the project, Dr. Rael-Gálvez provided the committee with the task force's rationale and recommendations:

- Considering the existing paucity of resources for teaching New Mexico history and the fact that no single textbook is used universally at any grade level, some other format or source is needed.
- The fact that many available sources are considered by teachers, students, and parents to be Anglo-centric, more local input is desired in teaching the state's history.
- Funding sources from the state of New Mexico are needed to complete the current on-line list of resources being assembled and tied to the *New Mexico History Content Standards, Benchmarks, and Performance Standards*.
- Professional development is needed to train teachers on how to use the electronic format of this project. It should include opportunities for college credit, release time, substitute pay, and stipends.
- The inclusive format of the New Mexico History Resource Framework collaboration in developing the web-based model should be used in future development of products and related professional development.
- Federal and private funding support is needed to augment any funding the New Mexico State Legislature may provide to bring this project on-line statewide.
- PED should establish criteria for posting resources to the *my*Standards site.
- The creation of more model lessons for inclusion in the on-line resource framework is needed.
- There should be a contest for primary-source-based lesson plans that have been used in the classroom. This would be a yearly contest with the winning lesson being featured on the resource framework website and the winner being given a nominal cash award of $500.
- One FTE should be added to PED to provide coordination and planning for the development of a strong network of organizations to promote the development of teacher training and resources, e.g., planning for a Teaching American History grant from the US Department of Education.
- Through the partnership with the NMHC, a session on the use of primary source lessons should be included as part of any teacher institute.
- All New Mexico history teachers should be required to attend either a course on the state's history at a college or university or a summer institute that focuses on New Mexico history.
- An interactive website dedicated to teaching New Mexico history should be funded on an on-going basis.
- "History Day," the statewide history fair run by the NMHC, should be supported.
- 4th and 7th grade history classes should take field trips to historic sites in their communities. This would entail creating a fund for renting buses.

Chairman Miera asked if anyone in the audience wished to comment. The following individuals offered their support for the New Mexico History Resource Framework project: Ms. Cynthia Orozco, Resource Faculty, Eastern New Mexico University–Ruidoso; Ms. Polly Chavez, santera and columnist for the *Ruidoso News*; Dr. Newbill, NMHC; and Dr. Carmen Gonzales, Vice-Provost, Distance Education and Extended Learning, New Mexico State University.

Committee Discussion:

A committee member expressed concern that the New Mexico History Resource Framework put too much of the burden on teachers by requiring them to put the various resources together on their own. Several committee members suggested that it might be beneficial if a good New Mexico history textbook could be developed. Ms. Sullivan responded that while a good textbook would work well in tandem with primary resources, the goal of the New Mexico History Resource Framework project is to bring history alive for students by first getting them interested in the history of their own communities.

Several committee members expressed concern that without a required course at the high school level, there is no guarantee that students are receiving sufficient and appropriate instruction in New Mexico history. Chairman Miera indicated that there will be a bill to this effect introduced during the 2005 legislative session and asked Ms. Concannon to comment. Ms. Concannon stated that the schools can do a better job teaching New Mexico history even without a required course, noting that the modules being developed as a part of the New Mexico History Resource Framework will enable teachers to integrate relevant topics throughout the grade levels.

In response to a committee member's question regarding how PED knows that the *New Mexico Social Studies Content Standards, Benchmarks and Performance Standards* are being implemented by school districts throughout the state, Ms. Concannon stated that Dr. Patricia Parkinson, Assistant Secretary for School and Instructional Support, PED, has given assurances that PED will monitor curriculum and the application of the standards and benchmarks in the classroom.

In response to a committee member's question regarding if PED exercised quality control over the materials posted on *my*Standards, Ms. Concannon stated that PED would develop valid and reliable criteria to help teachers determine for themselves what resources are good. She also noted that *my*Standards has a function that allows teachers to rate the items available on the website. Dr. Parkinson stated that PED also provides technical assistance for teachers in this regard.

In response to a committee member's request regarding how much state support the task force is seeking for FY 06, Dr. Rael-Gálvez stated that the task force is hoping for another $100,000 appropriation plus a term position at PED.

GOVERNOR'S FILM AND MEDIA INDUSTRIES INITIATIVE

Chairman Miera recognized Mr. Eric Witt, Director, Legislative and Political Affairs and Media Industries Strategic Initiative, Office of the Governor, who outlined Governor Richardson's initiative to encourage film and media activity in the state as one of the ways of increasing economic development.

Mr. Witt noted that the Governor had identified the following two appropriations made by the 2004 Legislature as sources of support for his initiative:

- $10.0 million to the Department of Finance and Administration "to plan, design, construct, equip and furnish a film production education and training center and studio"; and

- $10.0 million to the Commission on Higher Education "to plan, design, construct and equip career technical-vocational education centers." Among the purposes of the appropriation is "to afford rural and isolated communities the non-traditional career technical vocational education opportunities that exist in urban areas."

Mr. Witt also described the various incentives offered to film production companies by the state of New Mexico:

- a gross receipts tax deduction at the point of sale for goods and services purchased in New Mexico and directly associated with the production;
- a fully refundable income tax credit based on 15 percent of New Mexico-based production expenditures that are taxable in the State of New Mexico and for which the gross receipts tax deduction is not taken;
- the New Mexico Film Investment Program, which uses money from the Severance Tax Permanent Fund for the following two types of investments, only one of which is permitted per film:
    - an equity investment of up to $7.5 million, which may not amount to more than 50 percent of the cash financing for a film; or
    - a loan of up to $7.5 million, which can equal 100 percent of the cash financing for a film;
- the fee-free state properties program, which provides filmmakers with fee-free locations at over 800 state-owned buildings, including the old State Penitentiary property;
- services that include:
    - preliminary location scouting;
    - assistance in arranging travel, lodging, and catering; and
    - 24-hour on-call assistance "to handle ongoing requests and/or sudden problems."

Stating that the response from the film industry to the state incentives has been overwhelming, Mr. Witt cited the resulting financial impact as proof that New Mexico is becoming the nation's leader in the use of incentives to secure film production. He noted that in 2002, films brought $8.0 million in direct revenue to the state. However, he explained, there is also indirect revenue which results from such related activities as job creation in the service sector. Adding that such indirect revenues are estimated by using a multiplier of three, he stated that when the multiplier effect is factored in for 2002, the total fiscal impact resulting from film production is closer to $24.0 million. Using the same formula, he noted that in 2003, direct revenue attributable to film production rose to $80.0 million, resulting in a total impact of $240.0 million.

Mr. Witt indicated that although some individuals have expressed concern that all of the positive impact resulting from the increase in film production will be concentrated in Albuquerque and in Santa Fe, Governor Richardson has directed that the initiative be statewide. In the near future, Mr. Witt noted, productions will begin in the Grants area, Taos, Silver City, Clovis/Portales, and Las Cruces. The New Mexico Film Office has also received inquiries about Roswell, the Farmington area, Alamogordo, and Ruidoso. Mr. Witt stated that New Mexico's film and media incentive package has been so successful that a bill partly based on those incentives has been introduced at the federal level.

According to Mr. Witt, the number of productions that the state can handle is limited by a lack of state-based, well-trained film crews. To solve that problem, he said, a number of community colleges, including Santa Fe Community College and Albuquerque Technical Vocational

Institute, are exploring ways to meet the needs of the film industry. Mr. Witt stated that a key part of the effort is a model program developed by Valencia Community College in Orlando, Florida—home of Walt Disney World and Universal Studios Florida. He noted that New Mexico would like to purchase the program modules and allow any community college in the state to franchise them; sufficient tuition would be charged to cover the cost of the investment. Mr. Witt then requested that Mr. Barton Bond, Communications Technology, Santa Fe Community College, and Dr. Frank Renz, Executive Director, New Mexico Association of Community Colleges (NMACC), join him at the table to provide specific information regarding the efforts being made by New Mexico's community colleges to institute training programs for students interested in securing jobs in the film industry.

Mr. Bond explained that the Valencia Film Production Technology Program has two levels, an Associate's Degree program that prepares students for entry-level jobs in film production and an advanced technical certificate program beyond the Associate's Degree that prepares participants for advanced positions in motion picture post-production. He added that the New Mexico Film Office and the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts are working with the community colleges to increase the range of training opportunities and that high school students could participate through concurrent enrollment.

Dr. Renz said that the role of the NMACC is to ensure that training offered by the community colleges is articulated both into baccalaureate programs at the four-year institutions and with the Career Pathways at the high school level. He noted that the approach being used to accomplish this goal in the area of film production could also be used in other trade areas, such as cosmetology.

In summation, Mr. Witt stated that the ultimate goal of all of the efforts described by the presenters is to develop a New Mexico-based film industry that provides good job opportunities for New Mexicans and that is able to sustain the interest of film producers everywhere in bringing film productions to New Mexico.

Committee Discussion:

In response to a committee member's question regarding film production facilities scheduled to be built in the Sawmill area in Albuquerque, Mr. Witt responded that the facility would include both a digital production studio and a school to train film and television production crews. He stressed that this facility would offer very specialized training that would serve as a continuum from the programs being developed at the community college and university levels.

Several committee members asked if the two $10.0 million appropriations mentioned by Mr. Witt at the beginning of his presentation would be used to help fund initiatives such as the Sawmill facility or a similar facility being planned for Taos. Mr. Witt said that the Sawmill and similar projects were viewed by the Governor as business enterprises in which the state might invest but that the appropriations would be used to support state efforts, such as that being undertaken by the community colleges. Mr. Barton added that the business ventures did provide an opportunity for beneficial partnerships between the public and private sectors.

Several committee members expressed concern that the $10.0 million appropriation to support film production education and a training center would go to only one or two institutions. Noting that only initial proposals have been received to date, Mr. Witt stated that no decisions on the use

of the money have yet been made. He added that the Governor is interested in seeing other resources brought into the mix, including those that can be provided by the state's four-year institutions, such as New Mexico Highlands University, which is trying to become a national center for computer testing. He said that one way to maximize the use of both appropriations would be to have all of the interested institutions in the state form a single film and media institute.

In response to a committee member's question regarding what impact the 15 percent income tax credit is having on the General Fund, Mr. Witt replied that the numbers are still being reviewed. He added that initial estimates indicate that about 22 to 30 cents of every dollar is being returned as a credit but that the remainder still comes to the state as revenue the state would not otherwise receive. He again stressed that competition to lure film productions is very strong between New Mexico and other states and between New Mexico and foreign countries and that New Mexico must continue to be the leader in terms of offering incentives.

A committee member asked Mr. Witt if there were materials available that members could use with their constituents to help explain what the state is doing to provide educational and employment opportunities related to the film and media industry in all parts of the state. After completing his presentation, Mr. Witt provided the committee with copies of the Governor's *Preliminary Strategic Plan: "altMediaNM"*, which includes the requested information.

In response to a committee member's question regarding what more the state could do to remain competitive, Mr. Witt stated that New Mexico needs to build capacity. One way, he said, is to have major pieces of equipment available in New Mexico so that production companies will not have to bring items such as sound equipment in from other states. He added that equipment to be used by the private sector should be purchased by the private sector but that equipment to be used in state-run training programs could be purchased by the state.

AREA SUPERINTENDENTS AND COMMUNITY INPUT

Chairman Miera recognized Ms. Denece Robbins, President, Heavenly Reins, Tatum, New Mexico. He also recognized Dr. Jim Miller, Dean of the Ruidoso Instruction Center, Eastern New Mexico University (ENMU), who introduced Mr. Greg Corey, President of the State National Bank of Ruidoso, and Dr. Gary Jackson, Emergency Room Director, Lincoln County Medical Center. Dr. Miller added that Mr. Corey is also the President-elect of the Ruidoso Chamber of Commerce and that Dr. Jackson is the Past-President and member of the chamber.

Ms. Robbins described Heavenly Reins as an equine-assisted therapy program that works with the public schools to provide horseback riding lessons by trained instructors or therapists so that children with limited physical function may achieve a sense of control over their own mobility and their own lives. She explained that, unlike a wheelchair or other mechanical conveyance, a horse produces a natural, rhythmical, multi-dimensional movement that facilitates activation of the child's postural control and balance, as well as motor and sensory systems. Furthermore, Ms. Robbins continued, because movement is so closely linked to other functions, the child is likely to experience other benefits in such areas as social interaction, cognition, behavior, and emotion.

Noting that current facilities allow for only three children to be served by the program at one time – a capacity far below the demand – Ms. Robbins asked the committee to consider helping to expand the program for additional participants, perhaps through enlarging the barn and stables, assisting with utility or veterinarian bills, or providing feed for the horses. Ms. Robbins also noted that she would like to hire employees to reduce the reliance upon volunteers and to increase employment in the community.

Senator Papen requested a list of schools in the state that offer therapeutic horseback riding.

Dr. Miller said that the Ruidoso Instruction Center, ENMU, currently provides upper division and graduate studies for approximately 1,500 students in Ruidoso using instructional television. Mr. Corey explained that, through a request to the Commission on Higher Education (CHE), Ruidoso is seeking full branch designation for the instruction center in order to expand the curriculum offerings for local youth who are leaving Ruidoso to attend college in other parts of the state and to help diversify the local economy. Dr. Jackson added that a branch college designation for the instruction center would address the increasing need for nurses in the Ruidoso area by providing at least a two-year degree in nursing initially and by opening the door to a Bachelor of Arts (BA) in nursing or certification as a Registered Nurse (RN).

In response to Chairman Miera's question regarding the status of the request for branch college designation, Dr. Miller explained that the CHE process requires the submission of two plans: a preliminary plan, including data trends and resolutions of community support, which the center submitted in spring 2003; and a detailed plan, which the center will submit in September 2004. Dr. Miller expects CHE to act on the proposal during its meeting in October 2004. If CHE approves, then the next step would be the introduction of legislation in 2005.

Representative Miera thanked the presenters and, with the consensus of the committee, recessed the LESC meeting at 4:40 p.m.

MINUTES
LESC MEETING
TUESDAY, AUGUST 17, 2004

Representative Rick Miera, Chair, called the Legislative Education Study Committee (LESC) meeting to order on August 17, 2004, at 9:15 a.m., Regional Education Cooperative, Region IX Conference Room, 1400 Sudderth Drive, Ruidoso, New Mexico.

The following LESC members were present:

Representatives Rick Miera, Chair, Dianne Miller Hamilton, Pauline J. Ponce, Mimi Stewart, and W.C. "Dub" Williams; and Senators Cynthia Nava, Vice Chair, Gay G. Kernan, Mary Kay Papen, and William E. Sharer.

The following LESC advisory members were present:

Representatives Kandy Cordova, Ron Godbey, Roberto J. "Bobby" Gonzales, John A. Heaton, and Richard D. Vigil; and Senators Dianna J. Duran, Mary Jane M. Garcia, and Leonard Tsosie.

HIGH SCHOOL REFORM INITIATIVE

Dr. D. Pauline Rindone, LESC director, introduced Ms. Christine Walton, Policy Associate, Education Program, National Conference of State Legislatures (NCSL), to report on state policies that address the issue of high school redesign and reform; Dr. Kurt Steinhaus, Deputy Secretary for Learning and Accountability, Public Education Department (PED), to provide an overview of the work that PED and the High School Initiative Leadership Team are doing in high school reform; and Mr. Carl Leppelman, Associate Superintendent of Curriculum and Instruction, Rio Rancho Public Schools, to discuss Rio Rancho's experience with *Breaking Ranks II: Strategies for Leading High School Reform*.

As introduction, Dr. Rindone stated that, in New Mexico, as well as in the rest of the country, educators are concerned about students graduating from high school unprepared for college or the workplace. To address this concern, the LESC included a presentation on high school reform issues and initiatives being considered on both the national and state levels.

Dr. Rindone provided a brief history of the high school initiative starting with June 2000, when the US Department of Education; the Carnegie Corporation of New York; the Charles Stewart Mott Foundation; and the Woodrow Wilson National Fellowship Foundation formed a partnership to sponsor the National Commission on the High School Senior Year. Dr. Rindone said that the charge to the commission was to examine students' experiences during their senior year and recommend ways to improve them. She stated that, in January 2001, the commission issued its first report, *The Lost Opportunity of the Senior Year*, which served as the basis for a national conversation about the findings of the report. The commission's final report, *Raising Our Sights: No High School Senior Left Behind* (October 2001), refines the findings of the first report into a strategy called "The Triple-A Program": to improve alignment, to raise achievement, and to provide more rigorous alternatives for students.

This previous work, Dr. Rindone stated, appears to have been the impetus for the current administration's *Preparing America's Future High School Initiative*, launched by US Secretary of Education Rod Paige in October 2003. Dr. Rindone said that this initiative is designed to support leaders at the state and local levels in creating educational opportunities that will fully prepare American youth for success in further education and training, as participants in a highly skilled workforce, and as productive and responsible citizens. Dr. Rindone added that a critical component of this initiative was a series of seven regional high school summits to help state teams work through and create short- and long-term plans for strengthening outcomes for youth, improving high schools, and meeting the vision of the federal *No Child Left Behind Act of 2001* (NCLB).

Dr. Rindone concluded by providing a brief description of high school initiatives at the national level. She said the issue of high school reform has attracted the attention not only of US Department of Education, but also a number of other organizations, including the Bill and Melinda Gates Foundation, the National Conference of State Legislatures (NCSL), and the Education Commission of the States (ECS).

Dr. Steinhaus said that he would begin where Dr. Rindone had ended regarding the regional high school summits sponsored by the US Department of Education. He said that, in April 2004, a team from New Mexico consisting of ten representatives from staffs of the LESC, PED, the Commission on Higher Education (CHE), and institutions of higher education attended one of the Regional High School Initiative Summits in Phoenix, Arizona, hosted by the US Department of Education. During this meeting, the New Mexico team agreed to launch a high school initiative to begin a discussion on reforming the state's high schools in order to improve student achievement and lower the achievement gap. Subsequently, in May 2004, PED established the High School Initiative Leadership Team (HSILT) to conduct a comprehensive study of New Mexico high schools.

After several meetings of the HSILT, Dr. Steinhaus said, a New Mexico First Town Hall meeting was scheduled for November 18-21, 2004, to facilitate a discussion of high school reform initiatives among New Mexico citizens in order to arrive at a consensus of what changes are necessary in order to revitalize the state's high schools.

Dr. Steinhaus cited statistics regarding student achievement and performance of high school graduates. He said that, in school year 2002-2003, 18 New Mexico community colleges reported that 67 percent of all New Mexico high school graduates entering college were enrolled in remedial courses, a circumstance that reduces college completion rates. That is, for one remedial course, the completion rate drops by 55 percent; for three remedial courses, the completion rate drops by 82 percent. In terms of high school and college completion, Dr. Steinhaus cited a cohort study of 100 9th grade students in New Mexico in which 60 students completed high school, 36 entered college, 22 re-enrolled in their sophomore year, and 11 graduated from college.

Dr. Steinhaus gave two examples of effective high schools in New Mexico. Roswell High School was recognized as one of 30 outstanding model schools at the 12th Annual Model Schools Conference in Washington DC; and Rio Rancho High School has made education more relevant through the use of technology and an academy model that engages students in learning and prepares them for college.

In conclusion, Dr. Steinhaus cited five elements necessary to revitalize high schools in New Mexico:

- reinforce high expectations for all students;
- provide a rigorous and relevant core curriculum to match expectations;
- personalize the school environment;
- establish partnerships with communities, institutions of higher education, and families; and
- align curricula with state content standards and benchmarks.

Ms. Walton stated that, during school year 2003-2004, NCSL received a grant from the Gates Foundation on High School Redesign to inform legislators and legislative staff how to reform high schools, how to make them more effective, and how to help students prepare for college and for work. Explaining why it is imperative to redesign high schools, Ms. Walton stated that high schools have not changed significantly in the last century and that research indicates a need to make high schools a place where higher-level learning takes place. She added that, in the past, the main focus of high school was preparing students for work because only the top group of elite students actually went on to college.

The research on high schools paints a dismal picture, Ms. Walton continued, citing a growing number of unprepared college freshmen who must take remedial courses and the poor working skills of those who move into the workforce. Employers, she said, complain about the lack of basic skills among high school graduates. Compounding the problem, Ms. Walton said, is that many high school students take very few challenging courses especially during their senior year, which is considered a wasted year.

Ms. Walton said that school districts must create a system that supports and sustains high-performing learning environments in order to ensure that every adolescent is provided meaningful curriculum and instruction. Noting that several states are already working on redesigning their high schools, Ms. Walton discussed some of the high school reform policies that states have enacted since 2002. Referring to a handout that she had provided, Ms. Walton said that states are addressing the issue from two perspectives: with piecemeal legislation or as a more comprehensive program that would redesign the entire high school. One example that Ms. Walton cited was the *Innovative Education Initiatives Act*, enacted by North Carolina in 2003 to set as a priority cooperative efforts between secondary schools and institutions of higher education in order to reduce high school dropout rates, increase high school and college graduation rates, and decrease the need for remediation in institutions of higher education.

Ms. Walton concluded by stating that NCSL's current study will be completed by 2005 and will contain research on high schools, examples of high schools that have implemented innovative initiatives to serve as models, and other ways of addressing this issue.

Mr. Leppelman discussed Rio Rancho Public Schools' experience with *Breaking Ranks II: Strategies for Leading High School Reform*. Mr. Leppelman began his discussion by reminding the committee that the school district, having opened its doors in 1994, is only ten years old and that the high school started in 1997.

In implementing the *Breaking Ranks II* program, Mr. Leppelman stated, the high school received extensive community input because the program emphasizes the need to provide every student with meaningful relationships with adults. Other recommendations of the program are the development of a professional learning community, wherein leadership throughout the school refocuses its work on supporting students' high school experience, and the development of personalized learning, wherein students see their learning as meaningful and relevant, as well as rigorous and challenging.

Mr. Leppelman explained that, with its five buildings housing five academies around a central courtyard, the campus architecture also supports the school mission. The academies form five "schools within schools": Business & Entrepreneurship, Engineering & Design, Fine Arts, Humanities, and SciMatics. Although each academy has a different emphasis, core subjects are taught in all of them, including eight units in integrated language arts and social studies, four units in science, and five units in math. Along with the focused electives that enrich each academy, Mr. Leppelman continued, a student must complete 29 credits to graduate.
Mr. Leppelman added that the 4-by-4 block schedule promotes personalized, in-depth learning, and collaboration among teachers.

Continuing his presentation on *Breaking Ranks II*, Mr. Leppelman said that the founding ideal of the school is "We are a community of learners, dedicated to promoting student excellence" and that the governing structure of the school empowers teachers and teacher leaders.
Mr. Leppelman described the cornerstone strategies of the program: core knowledge, connections with students, adapting to difference through varied instructional styles and assessments, flexible use of time, distributed leadership, and continuous professional development.

Mr. Leppelman concluded his remarks by identifying some of the challenges that Rio Rancho High School faces: hiring and retaining highly qualified teachers, maintaining technology infrastructure, systemically acquiring and using student achievement data, and implementing a data management system containing accurate student data.

Committee Discussion:

Chairman Miera asked Dr. Frank Renz, Executive Director, New Mexico Association of Community Colleges, to respond to a committee member's question regarding the identification of students requiring remedial instruction. Dr. Renz stated that community colleges use college placement tests that measure reading, math, and writing ability to place students in remedial classes as needed. He added that New Mexico colleges anticipate that 67 percent of entering freshmen will require remedial instruction.

In response to a question from Chairman Miera concerning how many Rio Rancho students entering the University of New Mexico (UNM) require remedial instruction, Mr. Leppelman said that, while UNM assumes a 67 percent rate, in the area of math, approximately 32 percent of Rio Rancho's entering freshmen need remedial instruction.

Several committee members expressed concern that there might be an inverse relationship between student achievement and a high incidence of gang violence.

Senators Sharer and Garcia requested that PED provide the committee with comparative disaggregated data by high school from its annual report to the US Department of Education on violence in the schools.

Chairman Miera requested that the Office of Education Accountability (OEA) provide the committee with a status report indicating a scope of work and timeline for an OEA report on the tracking of student graduation rates by student cohort no later than the October LESC meeting.

FAMILY AND YOUTH RESOURCE ACT

Dr. Forrer introduced Dr. Kristine M. Meurer, Program Manager, School Health Program, PED, to discuss the establishment of the *Family and Youth Resource Act* state-level advisory committee, the request for grant applications (RFA) issued by PED on July 30, 2004, and other anticipated implementation activities, including two proposed state conferences.

Dr. Forrer directed the committee members' attention to the materials in their notebooks, which included the staff brief, a copy of the RFA, and a list of those public schools determined by PED to meet the statutory requirement for grant eligibility.

As background, Dr. Forrer noted that the *Family and Youth Resource Act*, which was a part of the public school reform legislation enacted by the 2003 Legislature:

- creates an advisory committee composed of the Secretary of Public Education, the Secretary of Health, the Secretary of Human Services, and the Secretary of Children, Youth and Families, or their designees. The committee also includes five members appointed by the Secretary of Public Education representing four different community-based organizations, including faith-based providers, and a superintendent from a school district that has participating schools;
- permits the creation of a family and youth resources program in any public school in the state, the purpose of which is to serve as an intermediary to assist public school students and their families to access social and health care services;
- requires that each family and youth resources program employ a resource liaison;
- makes grants available, subject to the availability of funding, to a public school or a group of public schools in which 80 percent of the students are eligible for the federal Free or Reduced-fee Lunch program in order to help implement family and youth resources programs; and
- creates the Family and Youth Resource Fund. Money in the fund is "appropriated" to PED "to carry out the purposes" of the *Family and Youth Resource Act*.

Dr. Forrer explained that, although no money was appropriated to the Family and Youth Resource Fund for FY 04, the 2004 Legislature appropriated $1.8 million for FY 05. She stated that, according to PED, approximately $1.7 million of the total FY 05 appropriation will be distributed to schools and/or groups of schools as grants and the remainder will be used to support the work of the advisory committee and state-level activities, including contracting with an external program evaluator and conducting two statewide conferences to provide information and guidance to grant recipients. She noted that the Legislative Council Service (LCS) has indicated that, because the money is appropriated to the fund and because the statutory language establishing the fund states that the fund is to be used to carry out the purposes of the act, it

would appear that the appropriation can be used not only to provide grants but also to facilitate the school-level programs and to support the activities of the advisory committee; however, in the absence of specific permissive language, the appropriation cannot be used to cover PED's administrative costs.

According to Dr. Meurer, the primary purpose of the *Family and Youth Resource Act* is to develop programs at the school level that will serve as intermediaries for students and their families who need access to social and health care services. The goal of the program, she explained, is to forge mutual, long-term relationships with public and private agencies and community-based, including faith-based, organizations, civic organizations, and corporate organizations in order to assist students to attain high academic achievement by first taking care of their nonacademic needs. She stressed that, although the act limits grant eligibility to schools in which 80 percent or more of the students are eligible for the federal Free or Reduced-fee Lunch program, any school in the state may implement a family and youth resources program with its own funds and any student in a school with a program is eligible for services, whether or not he or she qualifies for the Free or Reduced-fee Lunch program.

Dr. Meurer explained that, as provided for in the act, an advisory committee has been formed to:

- recommend to PED guidelines for the creation, implementation, and operation of programs;
- recommend to PED standards and criteria for awarding grants and the form and content of grant applications; and
- review applications for grants and make recommendations to PED within 90 days of receipt of the grant applications.

Dr. Meurer stated that the advisory committee had held its initial meeting on July 13, 2004, at which time the committee had (1) reviewed the draft RFA and made recommendations for changes, additions, and deletions and (2) recommended that applicants be allowed to request up to $45,000 per district, regardless of the number of sites. She noted that the deadline for districts to respond to the RFA was September 3, 2004, and that award letters would be sent to the successful applicants on September 20.

In discussing how PED would use the $1.8 million appropriation, Dr. Meurer made the following points:

- $1.7 million will be used to provide grants to qualifying schools. If the full $45,000 is awarded to each successful grant applicant, approximately 38 grants can be made. There are 258 schools that qualify to apply for a grant because the percentage of their student population that is eligible for the federal Free or Reduced-fee Lunch program is at least 80 percent.
- The remaining $100,000 will be used (1) to hold two conferences that will assist liaisons to identify and make connections with social service providers; (2) to contract with the University of New Mexico Health Sciences Center to evaluate the program; (3) to provide support for the advisory committee; and (4) to cover "administrative costs associated with the program."

To conclude her presentation, Dr. Meurer explained that, although the grant application review committee will be composed primarily of members of the advisory committee, no member of the

advisory committee who is eligible to apply for a grant or to profit from an award will review applications. She noted that one member of the committee is the superintendent of a school district with many qualifying schools and that other committee members represent community-based organizations that might be named in an application.

Committee Discussion:

In response to a committee member's question regarding the proposed amount of the grant award, Dr. Meurer stated that $45,000 was chosen as the upper limit for each grant because the *Family and Youth Resource Act* requires each program to employ a liaison, and the grant award will most likely to be used to cover all or part of the liaison's salary and benefits. If all schools eligible to apply were to be awarded a grant, she added, the grant amount would be approximately $6,589 per school. She noted that the school district superintendent serving on the advisory committee had told the committee at its initial meeting that an amount less than $45,000 would not be sufficient for most districts to establish a program. The advisory committee, she explained, had agreed that it would be better to give a few applicants larger awards to help establish successful programs rather than give a smaller, insufficient award to every applicant.

Committee members expressed concern that, because there is insufficient funding to make an award to every eligible school that applies for FY 05, in future years some schools that received grants this year might be in danger of losing funding to other schools. Dr. Meurer stated that because the grant application process is competitive, it is possible that a school might not be funded for a second consecutive year.

In response to a committee member's question regarding the type of person a school district should hire as a liaison, Dr. Meurer stated that a successful liaison would most likely have a background in social work with case management experience.

Based on knowledge of their respective communities, several committee members expressed concern that the list of schools determined by PED to meet the statutory requirement for grant eligibility might contain errors and that some schools on the list might not actually be eligible. Dr. Meurer stated that the list was derived from data that the districts submitted to PED as derived from the applications submitted by students and their families in order to qualify for the federal Free or Reduced-fee Lunch program. She explained that school districts have an incentive to ensure that the data are accurate because under-identification of eligible students could result in a reduction in other federal funds, such as Title I. She also noted that high school students, in particular, are often too embarrassed to apply for the Free or Reduced-fee Lunch program.

Several committee members expressed concerns about the composition of the newly selected Family and Youth Resource Advisory Committee, noting that the membership consists primarily of representatives from the Albuquerque and Santa Fe metropolitan areas. Dr. Meurer stated that the lack of greater geographic representation was not intentional. She explained that many of the members represent state agencies, as specified in the law, and that many state workers live in Albuquerque and Santa Fe.

Representative Ponce requested LESC staff to draft a letter to Dr. Veronica García, Secretary of Public Education, expressing the committee's concern regarding the inclusion of representation from throughout the state on the *Family and Youth Resource Act* advisory committee.

Chairman Miera requested that Dr. Meurer provide the committee with an updated list of schools meeting the statutory requirement for grant eligibility in order to show charter schools in their respective districts.

LOTTERY SUCCESS SCHOLARSHIP ISSUES

Ms. Sharon Ball, LESC staff, introduced Ms. Kathy Cantrell, Deputy Director of Finance and Administration, Commission on Higher Education (CHE), to provide the committee with information regarding CHE's consideration of amendments to the *New Mexico Lottery Act* for the 2005 legislative session. Ms. Cantrell explained that she was substituting for Dr. Letitia Chambers, Executive Director, CHE, who had been called out of state for a family emergency. Conveying Dr. Chambers' apologies to the committee, Ms. Cantrell indicated she would provide the testimony that Dr. Chambers had prepared.

By way of background, Ms. Ball explained that the *New Mexico Lottery Act*, passed by the 1995 Legislature, provides that net revenues from the New Mexico Lottery be used to provide scholarships for eligible New Mexico students. She said that statute requires net proceeds to be credited to the Lottery Tuition Fund and, from there, appropriated to CHE to award all qualifying high school graduates tuition scholarships at New Mexico public postsecondary institutions.

Ms Ball explained that, in order to qualify for Lottery Success Scholarships, students must meet the following statutory eligibility requirements:

- New Mexico residency;
- graduation from a New Mexico public high school or accredited New Mexico private high school or New Mexico General Educational Development (GED) diploma;
- full-time enrollment at an eligible New Mexico public college or university in the first regular semester immediately following high school graduation; and
- maintenance of at least a 2.5 grade point average (GPA) during the first college semester.

Ms. Ball further explained that statute specifies that students who complete high school or earn a GED, but who enlist in the armed services within 120 days, are also eligible for a Lottery Success Scholarship if they are honorably or medically discharged from the service and are accepted at a New Mexico postsecondary institution with 120 days of separation from the service.

Ms. Ball added that, based upon satisfactory academic progress and enrollment in at least 12 credit hours or more per semester, students may be eligible for up to eight consecutive semesters of Lottery Success Scholarship support.

Explaining that Lottery Success Scholarships are considered to be "merit-based," Ms. Ball said that they are awarded primarily on the basis of a student's GPA and his or her status as a New Mexico resident. She noted that "need-based" scholarships, on the other hand, are primarily based on a designated level of family income.

Ms. Ball said the New Mexico Lottery Authority reports that, since implementation of the lottery in April 1996, lottery revenues have generated a total of more than $150.4 million for New Mexico Lottery Success Scholarships for New Mexico students.

Since implementation of the Lottery Success Scholarship program in 1996, Ms. Ball continued, the Legislature has introduced and considered more than 70 different amendments to the *New Mexico Lottery Act*, almost all of which did not pass and most of which would have modified eligibility requirements. Ms. Ball also noted that, when the *New Mexico Lottery Act* was first enacted in 1995, its provisions required that 60 percent of all net lottery proceeds be credited to the Public School Capital Outlay Fund to be distributed by the Public School Capital Outlay Council according to provisions of the *Public School Capital Outlay Act* with the remaining 40 percent of the net proceeds credited to the Lottery Tuition Fund for Lottery Success Scholarships.

Ms. Ball listed the following amendments to the *New Mexico Lottery Act* since its enactment in 1995:

- a 2000 amendment to change the distribution of lottery proceeds to require that 50 percent of all net proceeds be credited to the Public School Capital Outlay Fund and 50 percent to the Lottery Success Scholarship Fund;
- another 2000 amendment to make the Lottery Success Scholarship the "scholarship of last resort," in that a student must utilize any other available state scholarship funds before using the Lottery Success Scholarship; and
- a 2001 amendment to repeal the "50-50" distribution amendment of 2000 and to require instead that 100 percent of all net proceeds from the lottery be used for Lottery Success Scholarships.

Citing New Mexico Lottery Authority data, Ms. Ball said that, for FY 04, the lottery generated a total of $35.9 million in Lottery Success Scholarship funds, an amount that is $2.8 million higher than the $33.1 million in profit for FY 03. Ms. Ball also cited CHE data indicating that balances in the Lottery Tuition Fund have grown at a rapid rate since passage of the 2001 amendment to the *New Mexico Lottery Act* designating that all net lottery proceeds be credited to the Lottery Tuition Fund.

Beginning her testimony, Ms. Cantrell added that the Lottery Tuition Fund FY 04 balance was approximately $50.0 million. Ms. Cantrell went on to explain that most of the scholarship funds go to students who are attending one of New Mexico's six four-year institutions of higher education.[1] For example, she said, for the fall 2003 semester, 95.6 percent of Lottery Success Scholarship funds went to 8,256 students attending one of New Mexico's four-year institutions, while 2.4 percent of the funds went to 663 students attending ten of the state's two-year branch colleges, and another 2.0 percent went to 689 students attending nine of the state's two-year community colleges.

In terms of percentages of students attending institutions of higher education who are receiving lottery scholarship funds, Ms. Cantrell said that 29.3 percent of undergraduate students attending four-year institutions are Lottery Success Scholarship recipients, while the percentage of students attending two-year branch colleges with lottery scholarships is 5.7 percent, and the percentage of students attending community colleges with lottery scholarships is 2.8 percent.

[1] These institutions include the University of New Mexico (UNM), New Mexico State University (NMSU), New Mexico Institute of Mining and Technology (NM Tech), New Mexico Highlands University (NMHU), Eastern New Mexico University (ENMU), and Western New Mexico University (WNMU).

Ms. Cantrell said that CHE is considering a number of options for broadening participation in the Lottery Success Scholarship program and is conducting an in-depth study of the cost of expanding lottery scholarship options, as well as a study of financial aid in general, with results expected before the beginning of the 2005 legislative session.

Ms. Cantrell mentioned several possible amendments:

- make lottery scholarships available to students who stay out of school for a year or two before entering college;
- make scholarships available to students receiving an associate's degree from a two-year institution to allow them to continue to work toward a baccalaureate degree;
- make scholarships available to students during their first semester of college (Ms. Cantrell said that some institutions provide "bridge" scholarships to qualifying students, but the practice is not systemwide); and
- allow access to Lottery Success Scholarships to students attending tribal colleges.

Noting that CHE staff are currently working on the study, Ms. Cantrell said that costs attached to these options are not yet available.

Pointing out what she described as New Mexico's "critical shortage of need-based scholarship aid," Ms. Cantrell said that the commission hopes to address the needs of students wishing to attend institutions of higher education who do not otherwise qualify for the Lottery Success Scholarships. She also noted that, while lottery scholarships cover tuition, they do not cover books, fees, transportation, or living expenses. She said that CHE data show that students with access to financial aid have a higher "persistence rate," i.e., pursuit of an undergraduate degree, than those without financial aid. She also noted that CHE data indicate that 63 percent of students applying for financial aid have some level of unmet need.

Ms. Cantrell said that CHE is also considering the establishment of a trust fund to generate annual revenue dedicated to need-based financial aid. She said that the commission would propose using non-recurring dollars to establish the trust fund and would propose using annual earnings to complement the Lottery Success Scholarships for students with demonstrated financial need.

Chairman Miera asked members of the audience if they had comments on Ms. Cantrell's testimony. Audience comments centered around issues related to allowing students to maintain eligibility if they choose to wait a year or two between high school graduation and matriculation in institutions of higher education. Other comments concerned allowing students who lose eligibility for their scholarships to regain it under certain circumstances.

Committee Discussion:

Ms. Ball introduced Dr. Frank Renz, Executive Director, New Mexico Association of Community Colleges, to be available to the committee for questions specific to two-year institutions.

Committee members expressed interest in the results from the CHE study currently underway regarding possible amendments to the eligibility requirements of the *New Mexico Lottery Act* and establishment of a trust fund for need-based scholarships. In response to a committee member's

question, Ms. Cantrell stated that CHE expects at least two outcomes from the study: (1) a cost analysis of expansion of eligibility; and (2) improved methodologies for projecting Lottery Tuition Fund balances. In response to a committee member's question about having CHE make changes through regulations rather than through statute, Ms. Cantrell said that she believes statute is specific enough to require any changes to be brought about through legislative action rather than changes to regulation. She did state, however, that CHE was willing to make whatever regulatory changes it could to increase access to financial aid for New Mexico students.

In response to additional committee members' questions, Ms. Cantrell said that CHE has a commitment to make changes in areas of student preparation for college and expanding opportunities for need-based scholarships.

In response to a committee member's comment, Dr. Renz stated that he believes consideration could be given to high school students passing Advanced Placement (AP) examinations in three to four academic areas so that the students may count passing those examinations as a first semester of college for Lottery Success Scholarship purposes. He noted that many institutions of higher education count passing scores on AP exams as credit toward graduation.

Committee members agreed that more flexible eligibility requirements for Lottery Success Scholarships is important if adequate funding is available. Some committee members expressed concern that current statutory requirements for Lottery Success Scholarships mitigate against minority students and students in poverty. In response to a committee member's comment, Dr. Renz said that the average age of a community college student is between 28 and 32 years. He also noted that not many students take the traditional, direct high-school-to-college route; instead, many students have to "stop out" for a semester or two to save money to continue to go to school.

In response to a committee member's question about students who appeal the loss of their lottery scholarships because of hardship, Ms. Cantrell said that the commission deals with only two or three such appeals a year.

Senator Tsosie requested CHE to establish performance measures regarding Lottery Success Scholarship recipients' persistence and graduation rates.

Senator Tsosie requested CHE to provide the committee with demographic and ethnic data on student recipients of Lottery Success Scholarships.

Chairman Miera requested CHE to provide the number of students with GEDs who have qualified for Lottery Success Scholarships.

Chairman Miera requested CHE to provide a full report on its clarifications of regulations regarding residency requirements for undocumented students who are graduates of New Mexico high schools so that they may qualify for Lottery Success Scholarships.

Chairman Miera requested CHE to share the results of its study on expanding and/or altering eligibility requirements for Lottery Success Scholarships and to provide recommendations.

CONCURRENT ENROLLMENT

Dr. David Harrell, LESC staff, introduced the two presenters: Dr. Veronica C. García, Secretary of Public Education, PED; and Ms. Kathy Cantrell, Deputy Director, Commission on Higher Education (CHE), who was substituting for Dr. Letitia Chambers, Executive Director, CHE. Dr. Harrell also acknowledged Dr. Frank Renz, Executive Director, New Mexico Association of Community Colleges (NMACC), who would be available to respond to questions.

Dr. Harrell noted that concurrent enrollment had been on the LESC workplan for the 2003 interim as well. At that time, he said, the committee heard a presentation that included recommendations of a statewide advisory committee formed by PED and CHE in response to House Joint Memorial 79 and Senate Joint Memorial 86 from the 2003 regular session. Among other things, these two joint memorials requested that CHE and PED study concurrent enrollment programs in collaboration with school districts and other appropriate organizations to improve the state's concurrent enrollment program; and that CHE and PED establish a statewide advisory committee to present recommendations to the LESC. One of the outcomes of the presentation during the 2003 interim was that the LESC would continue to monitor this issue to ensure that concurrent enrollment is administered consistently and uniformly.

Two of the most significant issues raised during the 2003 interim presentation, Dr. Harrell continued, were (1) the lack of uniformity or consistency among the concurrent enrollment agreements between school districts and postsecondary institutions (particularly in terms of payment arrangements), and (2) the lack of reliable data on the number of students participating in concurrent enrollment throughout New Mexico. In addition to statutory recommendations to address these issues and others, the statewide advisory committee offered two regulatory or administrative recommendations focused on those two issues in particular:

- that PED and CHE develop a standard format, or template, for concurrent enrollment agreements to ensure a more comprehensive understanding of responsibilities and to prevent misunderstandings between the parties to a concurrent enrollment agreement; and
- that PED and CHE modify and align their respective data collection systems to obtain accurate concurrent enrollment data.

In addition to the regulatory issues, Dr. Harrell reviewed legislation from 2004 recommended by the advisory committee and endorsed by the LESC that would have required a school district to transfer funds to a four-year institution of higher education (IHE) to pay the tuition and fees of a concurrently enrolled student, a provision that has applied to two-year IHEs since 1990. The legislation was amended during the session, Dr. Harrell added, to allow both two-year and four-year IHEs to agree with school districts to waive or reduce tuition and fees prior to any transfer of funds. The legislation failed, however.

Dr. Harrell also reported some of the findings of a recent survey (included as an attachment in the committee members' notebooks) by the NMACC of concurrent enrollment activity at the two-year IHEs in New Mexico. According to this survey, enrollment in concurrent enrollment courses (or "dual credit," as the NMACC report calls them) has been increasing overall and at most two-year IHEs, but there is still little consistency in terms of payment for tuition and fees, books, and other supplies or tools.

Finally, noting that the staff brief contains additional background information and a discussion of some of the features and benefits of concurrent enrollment, Dr. Harrell turned to the two presenters for an explanation of what actions PED and CHE have taken to enhance concurrent enrollment in New Mexico.

Acknowledging that there is still much work to be done, especially in terms of collaboration with CHE, Dr. García reviewed some of the points in her handout. One step that PED has taken, she said, is to adjust the Accountability Data System (ADS) so that, during school year 2005-2006, ADS will be able to identify students who receive both high school and college credit for concurrent enrollment courses and to identify the credits that students are earning from the courses they are taking. PED has also addressed the transportation issues through existing regulations for career-technical education programs, which regard vocational transportation as an extension of the regular bus route; and PED has suggested that school districts could purchase the instructional materials for concurrent enrollment courses through the discretionary funds (the 30 percent account) in the Instructional Material Fund.

Dr. García also distributed a table of the recommendations offered by the 2003 interim advisory committee together with PED's intent to address each recommendation through regulation or suggested amendments to statute. Dr. García invited the committee to review this table and offer suggestions or responses, and she noted that any change in PED regulation would proceed through the standard process, which includes public hearings.

Ms. Cantrell explained that she was testifying on behalf of Dr. Chambers, who had been called out of state on a family emergency and who sent her regrets to the committee. Like Dr. García, Ms. Cantrell then reviewed some of the points in her handout. She noted, for example, that dual credit tends to make the high school curriculum more rigorous and that research has found a strong predictor of bachelor's degree completion to be the intensity and quality of the high school curriculum. To illustrate, Ms. Cantrell noted that, for the college freshmen in 1997 who attained degrees by 2003, the completion rate for students who had not taken dual credit courses was 32 percent and the rate for those who had was 38 percent. This college connection notwithstanding, Ms. Cantrell also noted that the major segment of credit hours provided through dual enrollment – though not necessarily dual credit – are in vocational education (61 percent).

Finally, Ms. Cantrell noted the areas of further study that CHE is addressing:

- consistent reporting of who pays tuition, fees, and the costs of books and other materials;
- the application of postsecondary credits toward high school requirements; and
- matching data with PED to facilitate student tracking and outcomes.

Committee Discussion:

In response to a committee member's concern that school districts will not want to transfer funds to an IHE for a course that the high school offers, Dr. García suggested that students be limited to taking only those courses not offered by the high school. She added, however, that, on rare occasions, some high schools may not be able to offer required courses; and that, in small schools, it may be difficult to offer concurrent enrollment and still maintain sufficient enrollment in the high school courses. Ms. Cantrell noted that, even though some students may enroll in concurrent enrollment classes and thereby reduce a given teacher's caseload, the school district must still bear the expense of providing instruction for the other students. Also addressing the

committee member's concern, Dr. Renz added that the Education Commission of the States has reported that the two greatest obstacles to concurrent enrollment, or dual credit, are the uncertainty of financial arrangements and excessive restrictions on the courses eligible for concurrent enrollment. Dr. Renz also expressed his hopes that high school students will earn even more college credits and that, through agreements among PED, CHE, and IHEs, certain courses might satisfy requirements at both the secondary and postsecondary levels.

In response to a question from the Chair whether the Lottery Success Scholarship is eligible for discussion in the context of concurrent enrollment, Ms. Cantrell said that it is. Moreover, Dr. García noted that one of the recommendations of the advisory committee was to extend eligibility for the lottery scholarship to concurrently enrolled students who had accumulated 12 credit hours with a minimum 2.5 grade point average.

Finally, the discussion raised a number of other points, among them;

- that concurrent enrollment is especially advantageous with costly vocational and technical programs like automobile mechanics;
- that students who live in urban areas close to an IHE have greater access to concurrent enrollment courses than students in rural areas that are more distant from an IHE; and
- that the state should support any measures, like concurrent enrollment, that enhance students' success, both in high school and beyond.

ALIGNMENT OF HIGH SCHOOL CURRICULA AND POSTSECONDARY PLACEMENT TESTS

Dr. David Harrell, LESC staff, introduced two presenters: Ms. Lena Trujillo-Chavez, Director, Vocational Education Program, PED; and Dr. Frank Renz, Executive Director, New Mexico Association of Community Colleges (NMACC). Ms. Kathleen Dickerson, Policy Analyst, CHE, had been scheduled to testify on this issue, Dr. Harrell said, but she was called away on a family emergency. Dr. Harrell also noted that, behind the staff brief in the committee members' notebooks, was the report by PED and CHE on alignment activities thus far.

As background to the presentation, Dr. Harrell noted that legislation from 2003 required PED to collaborate with CHE in aligning high school curricula and end-of-course tests with the placement tests administered by public two- and four-year institutions in New Mexico. Because of its interest in seeing this alignment proceed, the LESC included in its 2004 interim workplan two presentations (the first in May and the second, now, in August) and another in November so that PED and CHE could periodically report their progress.

Dr. Harrell then called the committee's attention to the "Background" section of the staff brief, which describes related activity at the national level, indicating that New Mexico is not alone in facing these alignment issues, in particular the need for remedial instruction to compensate for the lack of alignment. To illustrate, the Stanford Institute for Higher Education Research (SIHER) reports that nearly all public two-year institutions and 81 percent of public four-year institutions in the United States offer remedial courses. One effort to address the national issue, Dr. Harrell continued, comes from the Center for Educational Policy Research (CEPR) at the University of Oregon, in Eugene. This center offers an Alignment and Challenge Audit, based on the national Standards for Success – which Ms. Trujillo-Chavez had noted during the May presentation – to help high school faculty members adjust the content and challenge level of their courses so that students are prepared for postsecondary success.

Ms. Trujillo-Chavez said that, in addition to the Standards for Success, another alignment project at the national level is currently underway through the College Board, whose standards are in virtually complete alignment with those of Standards for Success. As part of its project, the College Board has been examining the standards and benchmarks in a number of states, New Mexico among them. The report in the committee members' notebooks, Ms. Trujillo-Chavez continued, illustrates the substantial alignment between the College Board's standards and those in New Mexico for math and English, thus further validating, she said, the state standards.

Dr. Renz reported that during two meetings – one in May for higher education math faculty and another in August for higher education English faculty – faculty members reviewed the competencies outlined in Standards for Success and determined which should be taught in high school and which in college. Also completed is an inventory of placement exams used by two-year institutions of higher education (IHEs). Because the inventory shows little consistency either in the kind of exam or the cut score used at the various two-year IHEs, the next step is to place all the data in a matrix that the colleges may review in hopes of achieving more consistency. One point of agreement among all parties, Dr. Renz noted, is the need for a rigorous curriculum throughout high school; another is that, if high school students complete their math requirements during their sophomore year and take no other math courses during their junior or senior year, they are at a disadvantage when taking college placement exams. Finally, Dr. Renz stated his expectation that the alignment project will be completed this fall in time for a final report to the LESC in November.

Committee Discussion:

In response to a committee member's question whether the state standards might be revised to achieve even greater correspondence with those of the College Board, Ms. Trujillo-Chavez said that PED staff is reviewing the points that are not covered and that some adjustments to state standards may be made.

In response to a committee member's question whether the high school curriculum is driven by the textbooks used, Ms. Trujillo-Chavez said that PED advises school districts to teach the curriculum according to the standards, with the textbook as one of the tools used for instruction.

In response to a committee member's concern that these alignment efforts presume a consecutive movement from high school to college, which is not the case for many students, both Dr. Renz and Dr. Harrell replied that, because of such circumstances, there will always be some need for remedial education.

In response to a committee member's question about the current rate of remediation in New Mexico, Dr. Renz said that approximately 67 percent of entering freshmen in New Mexico need remedial classes.

Noting that remediation is costly, the committee member also asked how teachers are receiving the message that they must teach to the standards. In reply, Ms. Trujillo-Chavez cited such efforts as the high school initiative that the committee had discussed, teacher training (some through the College Board), and a professional development plan that PED is producing. Dr. Renz agreed that professional development must be enhanced, but he also cited the need for a more rigorous high school curriculum, as recommended by the Governor's Higher Education, Student Success Task Force on Student Readiness. The American College Test (ACT), Dr. Renz continued, has established a strong correlation between high-level work in high school and

success in college. The ACT has also determined test scores in English and math that act as indicators, or benchmarks, of the likelihood of high school students' success in college courses. According to these data, 60 percent of New Mexico students in the graduating class of 2004 have a 75 percent chance of a grade of C or higher in college English; and 29 percent have a similar chance in math.

In response to another committee member's question about what must be done to ensure that teachers are taught so that they can, in turn, teach their students the standards, Ms. Trujillo-Chavez cited a new project in which PED is working with New Mexico State University to write and field-test a new curriculum to meet the graduation requirements in economics. Ms. Trujillo-Chavez also noted the extensive alignment within courses in career and technical education: for example, math standards taught through courses in consumer science and science standards addressed in classes in agriculture.

Finally, on the point of the alignment between what teachers are being taught and what they are expected to teach, the Chair advised the presenters that, in November, the committee will be looking for evidence of the "buy-in" by university professors. Ms. Trujillo-Chavez and Dr. Renz assured the committee that they will be working with the college deans.

Representative Miera thanked the presenters and, with the consensus of the committee, recessed the LESC meeting at 4:20 p.m.

MINUTES
LESC MEETING
WEDNESDAY, AUGUST 18, 2004

Representative Rick Miera, Chair, called the Legislative Education Study Committee (LESC) meeting to order on August 18, 2004, at 9:05 a.m., Regional Education Cooperative, Region IX Conference Room, 1400 Sudderth Drive, Ruidoso, New Mexico.

The following LESC members were present:

Representatives Rick Miera, Chair, Dianne Miller Hamilton, Pauline J. Ponce, Mimi Stewart, and W.C. "Dub" Williams; and Senator Gay G. Kernan.

The following LESC advisory members were present:

Representatives Kandy Cordova, Ron Godbey, Roberto J. "Bobby" Gonzales, and John A. Heaton; and Senators Dianna J. Duran, Mary Jane M. Garcia, and Leonard Tsosie.

NEW MEXICO MILITARY INSTITUTE (NMMI)

Dr. David Harrell, LESC staff, introduced three presenters from the New Mexico Military Institute (NMMI), in Roswell: Rear Admiral (RADM) David R. Ellison, Superintendent, NMMI; Dr. Larry C. Skogen, Academic Dean, NMMI; and Lt. Colonel (LTC) Frank Coggins, Legal Counsel, NMMI. They were on the agenda for the August meeting, Dr. Harrell explained, briefly to review the history of NMMI and to discuss issues related to the institutional status of NMMI, including a lawsuit pending in US District Court in Santa Fe contending that NMMI discriminates against students and prospective students on the basis of disability.

As background to the issue, Dr. Harrell explained that both the state constitution and state statutes prescribe certain aspects of NMMI:

- Article 12, Section 11 of the state constitution includes NMMI among the state's universities, the New Mexico School for the Visually Handicapped, and the New Mexico School for the Deaf as "state educational institutions," whereas the "uniform system of free public schools" is established in Article 12, Section 1 of the constitution.
- The statutory mission of NMMI is to provide a military education: "It shall be the duty of the board of regents to maintain and control, at Roswell, a military institute for the education and training of the youth of this country, of as high a standard as like institutions in other states and territories" [Section 21-12-3 NMSA 1978].
- Statute also creates the General Richard T. Knowles Legislator Scholarship Program "to increase the number of New Mexico residents attending the New Mexico military institute and to increase the opportunity for promising young people that might not otherwise have the opportunity, to participate in a military education and environment."

In addition, Dr. Harrell said, NMMI offers academic programs at both the four-year college preparatory high school and two-year postsecondary levels. Yet despite these provisions suggesting a unique role and status of the institution, questions occasionally arise whether

NMMI is a public school like those schools operated by the state's 89 public school districts and whether it is subject to the same state and federal laws as public schools, among them the *Individuals with Disabilities Education Act* (IDEA) and corresponding state laws concerning special education.

Summarizing the arguments for each side, Dr. Harrell said that, on one hand, NMMI is a state-supported school, with a board of regents appointed by the Governor; and the *Public School Code* requires PED to develop regulations and standards for special education "in the schools and classes of the public school system and in all institutions wholly or partly supported by the state." On the other hand, the *Public School Code* has historically excluded NMMI from oversight by the State Board of Education (SBE, now PED) in terms of courses of instruction, requirements for graduation, and standards; and at least since 1998 PED has regarded NMMI as an autonomous institution that is not required to provide special education programs for high school students with disabilities.

Dr. Harrell concluded with two other points of background:

- According to its website, NMMI enrolls students from nearly every state in the nation and 11 foreign countries. Of the 1,000 cadets enrolled during school year 2003-2004, approximately one-third were from New Mexico.
- House Bill 107 (2004) would have amended the *Public School Code* specifically to exempt NMMI from PED rules and standards regarding special education. The bill died in committee, however.

RADM Ellison noted that the school was founded in 1891 as the Goss Military Institute and reorganized two years later as the New Mexico Military Institute. It is a unique institution because it is the only one in the country to offer both a high school and a junior college. Because of its constitutional and statutory status, RADM Ellison continued, NMMI is subject to the oversight of the Commission on Higher Education, not PED. Each year approximately 100 NMMI graduates apply to one of the nation's military academies; of that number approximately 90 percent are admitted; and of those approximately 90 percent graduate. The other NMMI graduates attend postsecondary institutions throughout the country or enter the early commission program of the US Army, the Army Reserves, or the Army National Guard. In addition to rigorous academics, RADM Ellison said, NMMI emphasizes duty, honor, self-sacrifice, and service to the community.

Dr. Skogen explained that NMMI offers a college preparatory high school and university parallel junior college, on the assumption that an associate's degree earned at NMMI is merely a stepping stone to further education. Approximately 20 percent of the cadets are female, and those students do exceptionally well, he said. Of the 63 full-time faculty members, all but two have a master's degree or PhD. According to the terms of the faculty contracts, any faculty member without at least a master's degree must earn one within five years of employment. Every year since 1909, Dr. Skogen continued, NMMI has received the US Army's highest designation, Military School with Honors.

Dr. Skogen next provided a narrative of events leading to the lawsuit filed in US District Court. In the summer of 2003, NMMI received an admission application from a student with a history of drug abuse and dangerous behavior who had been confined to a residential treatment center. At her regular public school, the goal of the student's Individualized Education Plan (IEP) was

that she follow instructions at least 40 percent of the time. She applied to NMMI in part because a mental health worker had suggested that the NMMI environment would be beneficial. On this point, Dr. Skogen said that, although NMMI does operate within a military structure, the environment is not restrictive; rather, cadets have considerable latitude in terms of actions and behavior.

After reviewing the student's application, the NMMI Admissions Committee voted "no." The parents appealed to the Admissions Review Board, which upheld the decision of the Admissions Committee and advised the parents that the student could reapply if she could demonstrate the ability to attend a regular public school under normal population conditions for one semester.

The parents filed a complaint with SBE on the grounds that, as a public school, NMMI was required to provide special education services. In October 2003, an SBE-appointed hearing officer, whose jurisdiction NMMI disputed, ruled (1) that NMMI is a public school or agency as defined in IDEA and therefore subject to the same laws regarding special education that govern other publicly funded schools in New Mexico, and (2) that the case must proceed to a hearing on its merits. At that hearing, in December 2003, the hearing officer dismissed the case because the parents had failed to prove that their daughter was "otherwise qualified" to attend NMMI. At that point NMMI appealed the original finding that SBE had jurisdiction over NMMI and the parents appealed the dismissal.

Both of those issues came before a PED-appointed administrative appeal officer in February 2004, who ruled that the original hearing officer did not have jurisdiction over NMMI and who dismissed the parents' claim. Now the matter is before the US District Court in Santa Fe.

Finally, Dr. Skogen identified two core questions that the admissions dispute raises:

- Can the citizens of New Mexico maintain a state educational institution requiring tuition and admissions standards?
- Can that institution deny admission to any student who cannot participate in a "military education"?

Dr. Skogen also summarized NMMI's position:

- NMMI is the only state-supported military high school in the nation;
- NMMI is neither a public school nor a local educational agency (that is, a school district) and therefore is not required to provide a free appropriate public education;
- NMMI is not subject to the state *Compulsory School Attendance Law*; and
- NMMI is not subject to state laws governing open enrollment; in fact, it admits students only twice a year, in August and in January.

Committee Discussion:

In response to a question from the Chair about the timeframe for the lawsuit, LTC Coggins said that both sides have agreed to put the issue on a "fast track" and that he hopes a decision will be rendered soon.

In response to a committee member's question about the admission of women into military schools, LTC Coggins said that NMMI began admitting women in 1891 and that the first women to graduate from The Citadel were from NMMI.

In response to a committee member's question about the ethnic composition of the student body, LTC Coggins said that 4.0 to 5.0 percent are Native American, 15 percent are African American, and 40 percent are Hispanic. With that diversity, LTC Coggins added, NMMI is more representative of the state as a whole than of Chaves County, where it is located.

In response to a committee member's question about NMMI's use of the additional revenue it received through the increased distribution from the Land Grant Permanent Fund, RADM Ellison said that some of the money will support the institute's operational budget and some may be used to supplement the endowment fund that pays for the legislative scholarships as that fund cannot provide all 112.

The rest of the committee discussion was centered on two issues. The first was the availability and use of the legislative scholarships. In reply to several questions, Dr. Skogen and LTC Coggins said that 112 legislative scholarships are available each year but that NMMI never has that many scholarship applicants; that 94 students are receiving the scholarship now; that every applicant nominated by a legislator who meets the admission requirements is accepted; that NMMI does notify legislators that scholarships are available; and that, if a legislator has awarded his or her scholarship, he or she may also award an unused scholarship from a contiguous district.

The other issue was that two-thirds of NMMI's students come from other states, suggesting that New Mexico is subsidizing the education of out-of-state students. In reply, Dr. Skogen said that the US military academies send approximately 100 students to NMMI each year for preparation for the academies at the academies' expense; that out-of-state students are not eligible for the legislative scholarship; and that state law requires NMMI to provide a military education for "the youth of this country." Finally, another committee member noted that out-of-state students pay much higher tuition than in-state students.

Chairman Miera asked RADM Ellison for an accounting of its various revenue sources for its operating budget.

Senator Tsosie asked for the number of New Mexico residents who attend the US military academies.

JUNIOR ROTC

Dr. David Harrell, LESC staff, introduced Major Rocky Johnson, JROTC Senior Army Instructor, New Mexico Military Institute (NMMI), in Roswell, for a presentation on the Junior Reserve Officers Training Corps (JROTC). Major Johnson introduced two cadets who had accompanied him to assist with the presentation: Cadet First Sergeant Adam Elborn and Cadet First Sergeant Katrina Johns.

As background to the presentation, Dr. Harrell explained that the JROTC is the secondary level counterpart to the ROTC, a military preparation program in postsecondary educational institutions that results in a commission as an officer in one of the branches in the military and a commitment to military service. Unlike ROTC, however, JROTC does not impose any military

obligation on the students. Instead, according to the US Army, the JROTC program uses the military structure as a vehicle to enhance students' self-discipline, confidence, and pride in ways that schools generally do not offer.

Dr. Harrell said that, according to data from PED, 37 high schools in 19 school districts throughout New Mexico offer JROTC instruction. The program is also required of all high school cadets at NMMI. According to federal law, Dr. Harrell continued, the purpose of the JROTC is to instill in students in the country's secondary schools "the value of citizenship, service to the United States, personal responsibility, and a sense of accomplishment."

Noting that more information about the history and characteristics of JROTC could be found in the staff brief, Dr. Harrell highlighted one final point. According to the website developed by cadets at NMMI, community service is a major component of NMMI's JROTC program, as it is of the JROTC in general. One of the recipients of this service is the HOSTS (Help One Student to Succeed) program, in which NMMI cadets work with students at local elementary schools on their skills in reading, writing, and arithmetic. Dr. Harrell said that the committee might find this point of particular interest because, during the June 2004 LESC meeting, César Chávez Community School in Santa Fe credited its HOSTS program with helping the school emerge from Corrective Action.

Major Johnson provided an overview of the students, faculty, funding, curriculum, and other features of the Army JROTC program, with particular attention to the program at NMMI. Like the Army JROTC programs at other schools, the one at NMMI is governed by federal law and certain regulations of the US Army. To be eligible for JROTC, students must be US citizens, nationals, or legal aliens above the 8th grade in school; and they must maintain "acceptable standards of academic achievement and conduct." At public and private secondary schools, the program is organized into units of at least 100 cadets or 10 percent of the eligible students enrolled. The instructors, Major Johnson explained, are all retired military personnel with a minimum of 20 years of active-duty military service. They are also certified teachers selected by the host school, and their salaries are cost-shared between the school and the military branch conducting the program. In addition, the military service provides the necessary curriculum materials, equipment, uniforms, and other resources needed to support the program.

The curriculum, Major Johnson continued, consists of seven progressive units of instruction designed to support the mission of JROTC: "to motivate young people to be better citizens." The mandatory units of instruction are Introduction to JROTC; Leadership Theory and Application; Foundations for Success; Wellness, Fitness, and First Aid; Geography and Earth Science; Citizenship; and American History. Certain elective units are also available. At the beginning of the year, Major Johnson added, cadets at NMMI take a self-assessment, and throughout the curriculum they are encouraged to see the relationships among the units and to appreciate the values in the US Constitution, especially as they pertain to citizenship and American history. The ultimate goal of the curriculum is to produce well-informed, pro-active community leaders.

Cadets Elborn and Johns, both recipients of the General Richard T. Knowles Legislator Scholarship, explained the importance of the *NMMI Blue Book*, which delineates the basic rules regarding programs, policies, procedures, cadet conduct, and performance. It also prescribes the cadet's honor code, which requires that cadets not lie, cheat, or steal or tolerate those who do. On this point, Cadet Johns said that the NMMI honor code is unusual in that few schools require such accountability from the students. It was first adopted by cadets themselves in 1921. Noting

another difference between the program at NMMI and other schools, Cadet Elborn said that NMMI provides a 24-hour leadership lab in that the cadets must learn to work with each other not only as classmates but also as roommates. The teamwork concept, both cadets said, extends into sports and other co-curricular activities including the various service learning projects, in which cadets learn how to apply what they have learned in the real world, whether with the HOST program, the Salvation Army, the Humane Society, or Big Brothers/Big Sisters.

The most important lesson that cadets learn, Cadet Elborn said, is the ability to act without guidance, to be responsible for their own behavior. Toward that end, he said, NMMI fosters an appreciation for the personal consequences for academic success or failure and the development of successful learning strategies and habits such as managing time, establishing priorities, and taking good notes.

Committee Discussion:

In response to a question from the Chair about the certification of JROTC instructors, Major Johnson said that a recent change in the federal regulation requires that they be licensed or become licensed within a certain time period.

In response to a committee member's question whether NMMI encourages open discussions of issues in classes, Cadet Elborn said that cadets are free to discuss all sides of any issue and that there are no preconceived right or wrong answers. Cadet Johns added that classroom discussions typically consist of varied opinions and respectful disagreements.

In response to a committee member's question whether the history of Native Americans is taught at NMMI, cadets Elborn and Johns said that it is covered as part of American history in general.

In response to a committee member's question whether the curriculum at NMMI is focused on the methods of war, Dr. Skogen explained the difference between military training, which does focus on the techniques of warfare, and military education. NMMI offers the latter, he said, a liberal arts education on a military platform. Cadets do wear uniforms and march to class, but they are challenged to think independently. Major Johnson added that military tactics are not part of the national JROTC curriculum.

In response to a committee member's concern about the apparent correlation between higher family income and higher scores on the ACT – a "haves and have nots" society – Major Johnson said that JROTC students generally post higher ACT scores than the overall population but that many of the cadets at NMMI come from low-income, single-parent families. Cadet Johns added that the environment at NMMI actually eliminates the distinction between the haves and have nots, encouraging friendships that may not have developed elsewhere.

There being no further questions, Chairman Miera thanked the presenters for their presentation and the materials they provided.

CORE KNOWLEDGE CURRICULUM/AP FRAMEWORK

Ms. Pamela Herman, LESC staff, introduced the presenters Mr. Bob Reid, Executive Director, J.F Maddox Foundation, to describe the foundation's efforts to support a comprehensive, curriculum-based school reform effort in Hobbs that includes Core Knowledge; Dr. Samuel J. Ayers, National Core Knowledge Coordinator of West Texas, Lubbock Christian University, to provide a national perspective on the content of the Core Knowledge curriculum and performance of Core Knowledge schools; Mr. Stan Rounds, Superintendent, Hobbs Municipal Schools, to explain how Core Knowledge was implemented in the school district; and Dr. Patricia Parkinson, Assistant Secretary for School and Instructional Support, PED, to explain the department's plans to implement the Advanced Placement (AP) Framework.

Ms. Herman said that in 2001, the committee heard a presentation about the Core Knowledge curriculum and visited a Core Knowledge classroom in Hobbs, New Mexico. Subsequently, Ms. Herman stated, in the 2003 legislative session, the LESC endorsed legislation to support grants to schools for an AP Framework including vertical teaming that would support similar core knowledge curricula. The legislation did not pass, but funding in the amount of $381,600 was appropriated for the AP Framework for FY 04. However, PED used the FY 04 appropriation for middle and high school AP teacher training via a joint powers agreement with New Mexico Highlands University (NMHU). For FY 05, the Legislature appropriated an additional $381,600 to develop the AP Framework.

Ms. Herman explained that in 1998, Hobbs Municipal Schools initiated district-wide curriculum-driven reforms intended to raise standards in grades K-12 by putting a long-term focus on academics and teacher quality. She said the school board adopted the Core Knowledge curriculum sequence in grades K-6 as a strategy for preparing students to succeed in expanded pre-AP and AP coursework in grades 7-12. She said the J.F Maddox Foundation has supported these reforms at the elementary level by funding research and implementation of the Core Knowledge sequence, including the cost of teacher professional development and financial incentives for teachers. She stated that at the secondary level, the foundation supports expansion of pre-AP and AP courses through professional development and financial incentives for both teachers and students.

Ms. Herman said that the College Board, the organization that creates and oversees AP courses and tests, states that successful pre-AP programs teach and reinforce crucial academic skills in the greatest possible number of students beginning in the elementary and middle school years.

Mr. Reid explained that the J.F Maddox Foundation was created in 1963 by Jack and Mabel Maddox by bequest to benefit the residents of the Hobbs area. He described the efforts of the foundation to address challenges that the community has faced because of local economic consequences of downturns in the oil industry in the mid-1980s. He said that, because of the economic shift in Hobbs, much of the Anglo professional class has moved away, and there has been a substantial influx of minority groups, including non-English speakers, taking low-wage jobs. Mr. Reid stated that one result of these changes is that Hobbs now has twice the percentage of families living in poverty as the national average.

Mr. Reid said that research led the foundation to believe that education is "the great equalizer," capable of providing opportunities that many students do not have in their home environment. Based on this conviction, the foundation determined to invest in the Core Knowledge program as part of the Hobbs Municipal Schools' systemic reforms.

Mr. Reid stated that, prior to deciding what reforms to undertake, the foundation worked with the district to study effective school reform. This investigation indicated that, to succeed, education reform must be well-planned, well-researched, and supported by substantial outcome data, and that successful reform requires a long-term commitment to a coherent, sequential curriculum. Mr. Reid added that research by the foundation and the school district indicated that the Core Knowledge program would meet these requirements. He stated that during their visits to Core Knowledge sites, foundation and district representatives learned that these Core Knowledge schools could document dramatic reductions in discipline problems, increased parent involvement, and reduced student mobility as well as improved standardized test scores. He said that the observers from Hobbs were also impressed to see the high level of mutual accountability to which teachers in Core Knowledge schools held one another.

Mr. Reid stated that part of the five-year, $1.5 million implementation cost for Core Knowledge in Hobbs resulted from the fact that there were no other Core Knowledge schools in New Mexico. He estimated that, with the Hobbs initiative to serve as an in-state model, replication in other New Mexico schools would be less expensive.

Dr. Ayers defined Core Knowledge by illustrating the concept of "cultural literacy." Conceived by E.D. Hirsh, cultural literacy forms the basis of Core Knowledge as a body of lasting knowledge shared by cultured people around the world. Dr. Ayers stated that Core Knowledge stresses strong, relevant academics in core subjects such as math, science, language arts, social studies, music and fine arts—subjects covered by AP exams for high school students. He said the Core Knowledge curriculum is constructed on this body of knowledge, sequenced and specific from grade to grade so that knowledge builds on knowledge year after year. Dr. Ayers added that the program gives students command of a broad base of subject-matter understanding and a rich vocabulary. Students are motivated to learn the material and parents support Core Knowledge because they believe that what their children are learning in school is important. He stated that the curriculum content was determined by teachers working with administrators and subject matter experts. According to Dr. Ayers, it is engaging content that complements state standards and benchmarks, which usually focus more heavily on skills.

Dr. Ayers said that Core Knowledge has been implemented at schools in 46 states. He directed the committee's attention to three external research studies included in the handouts that documented the academic improvement in Core Knowledge schools with predominantly low-income and minority students. In particular, he pointed to a study by Johns Hopkins University that showed a correlation between Core Knowledge and higher test scores. Referring to these results, Dr. Ayers quoted E.D. Hirsch, who said "[k]nowledge makes people competent regardless of their race, regardless of their class, regardless of their ethnicity. Knowledge is the great social equalizer."

Mr. Rounds stated that he and his staff believe that the district is making significant inroads in the achievement gap between Anglo students and low-income minority students who traditionally tend to have lower achievement. He attributed this improvement to Core Knowledge, pre-AP and AP programs throughout the district's schools. Mr. Rounds referred to handouts that demonstrate how the Core Knowledge curriculum content intersects with state standards and benchmarks. He stated that Core Knowledge generally addresses topics in greater depth and earlier than state benchmarks. Since it is designed to occupy 50 percent of the curriculum, Core Knowledge leaves adequate time for basic skills development such as that targeted by Reading First, which the district has also adopted.

To demonstrate the way in which Core Knowledge helps to level the playing field for economically disadvantaged groups, Mr. Rounds presented graphs that showed the distribution of scores on the 2004 New Mexico 4th and 6th grade writing assessment. Mr. Rounds discussed how the graphs represented a significant decrease in the gap between Caucasian and Hispanic and African-American students. He showed how the same was true for free and reduced-fee lunch and non-free and reduced-fee lunch groups. Mr. Rounds stated that a comparison of 4th grade English language learners (ELL) and non-ELL students was not as encouraging, but that the 6th graders showed a diminishing gap. According to Mr. Rounds, these results encouraged the staff to believe that, although bilingual education programs are not as effective as they should be, Core Knowledge does help reduce disparities the longer students are exposed to it.

In describing the cost of implementation, Mr. Rounds pointed out that for FY 05 the cost of implementing Core Knowledge is $53 per student. He said most of the on-going costs of the program are for teacher professional development and a summer institute that benefits both teachers and students.

Dr. Parkinson introduced Ms. Rose Sherman, the Advanced Placement program coordinator for PED, and Mrs. LaJuana Coleman, Assistant Director, AP New Mexico, NMHU.

Dr. Parkinson stated that PED does not endorse specific programs but looks for those that align with standards and benchmarks and that benefit children. She distributed a handout that described the College Board's AP system, which includes a web-based program entitled *AP Potential*, designed to enable school administrators to direct qualified high school students to AP courses. She also pointed out the *SpringBoard* program, which offers a comprehensive way to prepare all students in grades 6 through 12 to succeed in AP or college prep courses.

Dr. Parkinson reviewed the use of available state funds for the AP Framework.

- She stated that, with the FY 04 legislative appropriation of $381,600 for the AP Framework, PED entered into a joint powers agreement with the AP New Mexico program at NMHU to train teachers for pre-AP and AP courses.
- She reported that the FY 05 appropriation of $381,600 will be used by PED for two purposes:
  - $100,000 will be distributed to schools and school districts through a request for proposal process to support the creation of replicable programs at the elementary level, aligned to state standards, benchmarks, and performance measures; and
  - $281,600 will be used for teacher training for AP and pre-AP courses through a joint powers agreement with AP New Mexico at NMHU.
- She said that the Legislature appropriated an additional $293,000 to NMHU for FY 05 to support AP New Mexico staff and administrative costs.
- Dr. Parkinson added that the Legislature also appropriated $100,000 to PED for FY 05 to continue the Advanced Placement Opportunities for Rural and Native American Students project, initiated by PED in 2001 with a three-year $850,000 federal grant secured by Senator Jeff Bingaman.
- Finally, she said that $79,200 is available from federal *No Child Left Behind* AP funds to support the test fee reduction program for low-income students.

Dr. Rindone reminded the committee that the $381,600 that the Legislature appropriated for FY 04 and FY 05 for the AP Framework was intended by the committee to be awarded to school districts through a competitive grant process for pilot projects using vertical teaming to create a sequential, Core Knowledge-type curriculum. She indicated that, if the committee endorses an appropriation for FY 06, it might choose to include language that specifies legislative intent that the funds be spent for such pre-AP programs for grades K-6.

Committee Discussion:

In response to a committee member's question regarding the use of instructional material funds to buy Core Knowledge materials, Mr. Rounds stated that, since these materials are not on the state-approved list, it would be helpful to his district if the Legislature amended the law to change the 30 percent to 70 percent split to a 50 percent to 50 percent split between discretionary selections and those on the state adopted list. He said that, in the past, Hobbs has had to use some operational dollars to purchase these materials.

A committee member inquired how PED's use of AP Framework funds for teacher training administered by NMHU would help generate vertical team "buy-in" when teachers come to the training from all over the state, and asked how the Legislature might better guarantee continuity in AP and pre-AP at schools. In response, Dr. Parkinson replied that the $381,600 appropriation for AP professional development in the general appropriation act of 2003 and 2004 simply stated that the funds were to be used by PED for the AP Framework. She indicated that the funds this year would be used both to increase the supply of trained AP teachers and to initiate replicable programs for grades K-8 that would enable groups of teachers in individual schools to develop their own pilot vertical-teaming programs.

In response to a committee member's question regarding whether any states have adopted Core Knowledge as a standard curriculum, Dr. Ayers answered that he knew of none. He said that Hobbs is one of the few places to adopt it district-wide, along with the Polk school district in Florida and the Louisville, Kentucky schools. Dr. Ayers stated that the greatest concentrations of Core Knowledge schools occur in Texas, Colorado, and Florida.

In response to a committee member's question about whether funding from the *Indian Education Act* could be used to implement Core Knowledge, Mr. Rounds described a preschool literacy research collaboration underway that involved Hobbs Municipal Schools and the Gallup-McKinley County Public Schools, among others, and that this collaboration might open doors to replication of Core Knowledge. The committee discussed the potential value of such an investment of *Indian Education Act* funds.

In response to a committee member's question about how Core Knowledge applies to pre-kindergarten, Mr. Rounds responded that the Hobbs head start program uses the Core Knowledge curriculum for early childhood education.

In response to a committee member's question about how educators could be made more aware of the Core Knowledge curriculum, Dr. Parkinson stated that PED might consider offering Core Knowledge or a similar curriculum to one or more schools in the corrective action cycle.

There being no further business, Representative Miera thanked the presenters and, with the consensus of the committee, adjourned the LESC meeting at 12:45 p.m.

_____Chairperson

_____Date