

STATE OF NEW MEXICO
LEGISLATIVE EDUCATION STUDY COMMITTEE

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MINUTES
LESC MEETING
August 27-28, 2015

Representative Dennis J. Roch, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:15 a.m., on Thursday, August 27, 2015, at the Performing Arts Center, Eastern New Mexico University-Roswell, in Roswell, New Mexico.

The following voting members of the LESC were present:

Representatives Dennis J. Roch, Chair, Nora Espinoza, and Tomás E. Salazar; and Senators Craig W. Brandt and Gay G. Kernan.

The following voting members of the LESC were not present:

Representatives Sheryl M. Williams Stapleton, Christine Trujillo, and Monica Youngblood; and Senators John M. Sapien, Vice Chair, and Howie C. Morales.

The following advisory members of the LESC were present:

Representatives Jim Dines, Jimmie C. Hall, Patricia Roybal Caballero, James E. Smith, and James G. Townsend; and Senators Linda M. Lopez, Michael Padilla, John Pinto, William P. Soules, and Mimi Stewart.

The following advisory members of the LESC were not present:

Representatives Alonzo Baldonado, David M. Gallegos, Stephanie Garcia Richard, D. Wonda Johnson, Timothy D. Lewis, and G. Andrés Romero; and Senators Jacob R. Candelaria, Carlos R. Cisneros, Lee S. Cotter, Daniel A. Ivey-Soto, and Pat Woods.

WELCOME AND INTRODUCTIONS

The Chair recognized Mr. Tom Burris, Superintendent, Roswell Independent School District; and Ms. Dorrie Faubus McCarty, Executive Director, Roswell Chamber of Commerce, who welcomed the committee to Roswell. Mr. Burris noted that Roswell Independent School District:

- collaborates with the business community to create postsecondary education opportunities and high paying jobs for graduates; and
- is working through challenges with the implementation of teacher and school leader evaluation.

Ms. Faubus McCarty thanked the LESC for its service to New Mexico and invited the members to an evening reception.

The Chair also recognized Mr. Joe Guillen, Executive Director, New Mexico School Boards Association, who distributed a listing of school board regional meetings around the state and invited LESC members to attend meetings in the areas that they represent.

TEACHER EVALUATIONS

The Chair recognized Mr. Matt Montañó, Director, Educator Quality Division, Public Education Department (PED), to discuss teacher evaluations, including a comparison of year-one and year-two data, the appeals process and results, and licensure advancement and renewal. The Chair stated that updated materials on teacher evaluations were included in the committee members' notebooks, which included the two-year comparison chart, the 2015-2016 New Mexico Teacher Evaluation Advisory Council (NMTEACH) calendar, and updated NMTEACH frequently asked questions from PED website.

Referring to a committee handout, Mr. Montañó outlined the following licensure advancement data from approved applications for 2010 through 2015.

Level	2010	2011	2012	2013	2014		2015	
Level II	784	764	843	866	794	223	603	229
Level III	451	364	442	415	484	375	247	349
Total	1,235	1,128	1,285	1,281	1,576		1,428	

Mr. Montañó noted that, while the data for 2010 through 2014 refer to final numbers ending on June 30 of each year, the numbers for 2015 only represent approved applications between May 1, 2015 and August 21, 2015. He also stated that, from 2010 through 2013 the only approved way to advance was to submit a Professional Development Dossier, while in 2014 PED allowed teachers to advance by using either the dossier process or NMTEACH summative evaluation results. The bolded numbers in the chart above, he emphasized, indicate the number of teachers who used NMTEACH summative evaluation results to advance to the next licensure level.

Regarding Level 3 licensure, he continued, PED found that of the 375 teachers that advanced in school year 2013-2014 using their NMTEACH results, 300 were eligible to advance in 2012 or earlier. Of the reported 300, he added, 233 of those applicants were eligible to advance since 2009 or earlier. PED also found that of the 349 that advanced in school year 2014-2015 using their NMTEACH results, 250 were eligible to advance in 2012 or earlier. Of the reported 250, he stated, 216 of those applicants were eligible to advance since 2009 or earlier. Mr. Montaña said that a district superintendent has to make the recommendation for the teacher's licensure advancement using the NMTEACH results, which is a similar condition if the teacher chose to advance using the dossier process.

Mr. Montaña stated that, under PED regulations, a teacher must be competent to renew his/her teaching license. With regard to competence, he stated, PED regulations refer to receiving an effective, highly effective, or exemplary for a teacher's final summative evaluation rating. Mr. Montaña noted that in the last year, several school districts had questions regarding renewal and advancement for teachers who received a minimally effective or ineffective rating and their licenses were expiring on June 30, 2015. He said that PED sent out guidance documents to school districts over a two-month period providing direction on how to work with these teachers. In the end, PED extended those specific teaching licenses for two years to allow time for teachers to improve their summative evaluation rating to effective or higher. This essentially only affected the following teachers: Level 1: 42 teachers; Level 2: 13 teachers; and Level 3: nine teachers. To receive a licensure extension, Mr. Montaña stated the following conditions:

- the teacher must receive a recommendation from the superintendent/charter school director;
- no fee will be attached to the extension; and
- the extension will be granted from July 1, 2015 to June 30, 2017.

Mr. Montaña said the query process began on May 8 and ended on June 8, but it was extended to June 19 based on requests from school districts for additional time. Queries were provided at the district level, which meant school districts established a local process and designee for submitting queries. The districts would submit a query in the Educator Effectiveness System and PED would assign each query to a liaison, who in turn would research the query, provide clarification, and submit for review. Prior to finalization, all queries were reviewed by two staff members. In the end, the queries were all finalized by Mr. Montaña.

Regarding the most common queries, Mr. Montaña noted that missing data comprised approximately 95 percent of all queries. In addition, he stated the following were also common:

- discrepancy in Accuroster/Student Teacher Accountability Reporting System data and numbers on the NMTEACH report;
- tags and groups;
- levels (high school, middle school, and elementary);
- new teacher data; and
- attendance.

Regarding 2014-2015 changes that have been made, he said several districts had pre-K teachers who did not have location codes. In the past, if a teacher did not have a location code, those particular teachers would be automatically tied to the middle school plan of each respective

school district. Mr. Montañó stated that this correction has been made and 139 teachers now have the correct location code. Additionally, there has been an adjustment made to the Title I course code connected to the grade K-2 group and the grade 3-11 group. Finally, teacher attendance revisions were made based on data submitted by school districts.

Mr. Montañó stated that the following policy updates have occurred based on the query process:

- group measures will be removed from new teachers; and
- group measures will be limited to one year of data, which means a teacher can have no more than 25 percent of their summative report based on group student achievement measures.

Additionally, he continued, the following updates are optional for school districts and charters in that they:

- will be able to add either teacher attendance or surveys to their existing multiple measures, however, they cannot change or remove one;
- will not be required to select a fallback measure for end-of-course exams or end-of-course plus exams, but they may select to do so. A group fallback measure can count for no more than 25 percent of the evaluation;
- may select one student achievement measure instead of two; and
- may transition from interim assessments to end-of-course exams.

Referring to a PED handout, Mr. Montañó noted that the following is a comparison between 2014 and 2015 for statewide **overall** summative ratings:

Rating	Ineffective	Minimally Effective	Effective	Highly Effective	Exemplary
2014	2.2 percent	19.5 percent	56.5 percent	20.2 percent	1.5 percent
2015	3.6 percent	22.6 percent	47.1 percent	24.2 percent	2.5 percent

He stated the following is a comparison for statewide **student achievement** ratings based on 2014 and 2015 data, and which he noted this year, more than 13,000 teachers have student achievement data as part of their evaluation, compared to 9,111 last year:

Rating	Ineffective	Minimally Effective	Effective	Highly Effective	Exemplary
2014	2.9 percent	17.9 percent	59.3 percent	16.3 percent	3.6 percent
2015	2.2 percent	15.3 percent	59.6 percent	19.6 percent	3.3 percent

Referring to his handout, Mr. Montañó said the following is a comparison of statewide **observation** ratings based on 2014 and 2015 data:

Rating	Ineffective	Minimally Effective	Effective	Highly Effective	Exemplary
2014	0.3 percent	14.5 percent	76.8 percent	7.9 percent	0.5 percent
2015	0.4 percent	13.0 percent	72.4 percent	12.9 percent	1.3 percent

Finally, Mr. Montañó stated that PED is offering continued support in the following ways:

- Teachers Pursuing Excellence program with site-level support, collective team impact, and professional growth plans;
- Accuroster (teacher-student data link) with roster verification and assessment rosters released in the spring;
- regional guidance and training; and
- highly qualified teacher flexibility.

Committee Discussion

The Chair noted that, because Mr. Montañó had a meeting scheduled in the afternoon in another location in the state, he would be available for only a limited amount of time for questions. He requested, however, that additional questions be submitted to the LESC staff office to compile questions and answers for posting on the LESC website.

In reference to a committee member's inquiry relating to the requirements and process for a certificate of waiver, Mr. Montañó stated that PED does not issue a waiver to a teacher specifically. He explained that a district has to identify that they have a need that they cannot otherwise fill and submit a request to PED. Once the district has contacted PED's Professional Licensure Bureau for a certificate of waiver, he added, PED staff will work in collaboration with the Human Resources Department of the district to determine specific compliance requirements. The certificate of waiver, which expires after one year, is then attached to the district request, and the district is required to identify the support mechanisms for completion of the waiver. To conclude, Mr. Montañó indicated that he would provide information to the committee on the number of people on waivers and types of waivers.

In reply to a committee member's question, how teachers can advance to the next licensure level without completing the dossier process, Mr. Montañó noted that the teacher has to receive an effective, highly effective, or exemplary rating on their summative evaluation report and earn 50 percent or more student achievement points. Regarding how 50 percent of the student achievement points for this flexibility are determined, he stated that if a teacher has three years worth of standards-based assessment data, they then have 100 possible student achievement points tied to their evaluation. If the teacher earns 50 percent of the possible student achievement points and are rated effective or better, they are eligible for advancement through this process.

In reply to a committee member's question, whether or not a school district can remove attendance from the multiple measures category on their school evaluation plan, Mr. Montañó stated that the district can only add another multiple measure and not remove one. This requirement is to assure that PED has the ability to have correlations to determine differences from year to year. He emphasized that if districts removed one multiple measure from their school evaluation plan, PED would not be able to make comparisons across the state each year.

CS/CS/HB 144 (2015), TEACHER & SCHOOL LEADER EFFECTIVENESS ACT

The Chair recognized Representative James E. Smith, the sponsor of CS/CS/HB 144, *Teacher & School Leader Effectiveness Act*, which was introduced in the 2015 regular legislative session; and Ms. Heidi Macdonald, LESC staff, to review the LESC bill analysis.

Explaining that he had been a public school teacher for 18 years and recently retired, Representative Smith expressed concern that his observation by an assistant principal only lasted for a few moments — an observation that he felt would not provide beneficial dialogue for a teacher. As a result, he emphasized, he decided to discuss the provision of the introduced legislation.

Referring to a copy of the legislation included in the committee notebooks, Representative Smith discussed and reviewed the following provisions:

- on page 5, lines 19-21, he worked in collaboration with several superintendents throughout the state to identify certain populations to assist;
- on page 7, section F, he worked in conjunction with various stakeholders and legislators to reduce the overall amount of student achievement from 50 percent to a lower amount;
- on page 7-8, section H, he noted that this provision refers to Group B teachers and how they will be evaluated for student achievement growth; and
- on page 10, lines 12-16, he stated that it is essential to have an appeal process for the local superintendents and principals.

Ms. Macdonald reviewed technical issues that may be considered by the committee in revising a future version of the bill, namely that the introduced bill:

- does not define “extraordinary circumstances”;
- does not contain all of the components of the summative evaluation system as an option for review;
- does not describe an appeals process;
- allows for local discretion regarding policies, guidelines, and procedures for licensed school personnel who are not teachers, and this option will allow policies, guidelines, and procedures which are not uniform across the state; and
- does not align with the state’s federal waiver from the federal *Elementary and Secondary Education Act*.

Committee Discussion

Among committee discussion, members stated:

- a willingness to participate in further discussion and action regarding a proposed bill for a future session;
- that the teacher evaluation regulations were promulgated by the executive branch unilaterally, which only left certain actions for the legislative branch to consider; however, the proposed bill may be a step in the right direction;
- that stakeholders from across the state, including the unions and nonunion members, should be invited to collaborate in a new rendition of the bill;

- that other states have passed similar legislation, and it would help the next sponsor of the bill to look to those states for guidance and to determine what challenges can also be addressed; and
- concerns with codifying the value-added model for measuring the student achievement growth portion of the teacher evaluation system.

NEW MEXICO YOUTH CHALLENGE ACADEMY (NMYCA)

The Chair recognized Ms. Sabrina Lara, Lead Recruiter, New Mexico Youth Challenge Academy (NMYCA) to discuss the NMYCA National Guard Youth program in Roswell, New Mexico.

Referring to a committee handout, Ms. Lara informed the committee that the voluntary program targets youth ages 16-18 at risk for dropping out of school and provides life-skills training and educational attainment opportunities over 17.5 months, including a 22-week residential or live-in phase in which cadets are provided instruction in a structured military environment. She noted that cadets are also eligible to enroll in courses at Eastern New Mexico University-Roswell and earn a high school equivalency credential, as well as 14-16 college credit hours of career/technical coursework.

To conclude Ms. Lara noted that the post-residential phase, which features monthly contact with an approved mentor, requires that cadets seek placement in:

- viable 40-hour/week employment;
- a continual education program; or
- a branch of the military.

Committee Discussion

A committee member asked about the recruitment process for the program. Ms. Lara explained that strongest recruitment is done through word-of-mouth from graduates and referrals from schools and the Children, Youth and Families Department.

In response to a committee member's question regarding the marketing of NMYCA, Ms. Lara explained that television, social media, and community outreach by staff were the most commonly used forms of marketing.

A committee member inquired about ways in which the continued success of graduates are tracked after they exit the program and suggested that NMYCA conduct further research and follow-ups to determine the long-time effects the program had on its graduates. Another committee member recognized the importance of research to determine the difference in effectiveness between mandated and voluntary programs in order to make better decisions on youth investments.

In reply to a question asked by the Chair about the program's impact on National Guard recruitment, Ms. Lara explained that two to three cadets per cycle enlist after graduation, making military enlistment at less than 10 percent within a year of exit.

2015 NEW MEXICO TEACHER OF THE YEAR

The Chair recognized Mrs. Debra S. Minyard, a music educator and Advancement Via Individual Determination teacher at the Pojoaque Valley High School, Pojoaque Valley Public Schools, as the 2015 New Mexico Teacher of the Year. On behalf of the committee, the Chair and Senator Kernan presented Mrs. Minyard with proclamations from the House and Senate in recognition of her achievements and 13 years of service as a distinguished public school teacher in New Mexico.

TEACHER EVALUATION OBSERVATION PROTOCOL TRAINING

The Chair recognized Ms. Ivy Alford, Director, State Services for School Improvement, Southern Regional Education Board (SREB), to discuss abbreviated training for school personnel to become certified observers in the New Mexico Teacher Evaluation Advisory Council (NMTEACH) observation process.

Referring to a committee handout, Ms. Alford stated that the two-fold objectives of her presentation include: (1) reviewing the NMTEACH observation training resources; and (2) outlining how the NMTEACH rubric can be used to better support teachers, to compare the systems used in other states, and to practice identifying strengths and areas of improvement using the NMTEACH rubric.

She noted that SREB is a partner with the Public Education Department in offering the NMTEACH training, which typically lasts two days primarily to provide school personnel with an in-depth understanding of all four domains of the NMTEACH rubric, including how it can be a system of support for New Mexico's teachers.

Referring to the initial Year One training, she stated that highlights include:

- defining the duties of the principal as an instructional leader;
- gaining a baseline understanding of the rubric;
- identifying teacher-centered actions and resources; and
- providing initial calibration scoring.

During the training, she continued, the facilitators wanted the rubric to be evidence-based, supportive, and focused specifically on the teacher. Additionally, the rubric is not intended to be considered as a checklist, but viewed as a continuous improvement process. The training, she emphasized, taught observers not only to be transparent with teachers but also focused on how to communicate and establish common definitions of teacher expectations. With regard to Year Two training, she stated that it was focused on obstacles encountered during the first year, such as New Mexico-specific data and the specific process itself. As a result, she noted, Year Two training was a three-day training specifically about overcoming challenges that were unique to New Mexico.

Highlights, she reported, include:

- addressing statewide obstacles with the observation process;
- focusing evidence collected during the observation process;
- practicing aligning evidence to justify scores within the Teachscape system; and
- providing individual and group feedback to improve instruction.

Ms. Alford noted that in Year Three, the training was adjusted to be differentiated. All administrators, she explained, were required to participate in four sessions that included:

- understanding value-added models (VAM);
- using value-added scores (VAS) and student achievement measures to drive school decisions; and
- updates to the NMTEACH rubric and calibration.

The self-directed sessions for the training, Ms. Alford explained, included:

- VAS 201 and 301;
- domains 1 and 4;
- special education strategies;
- English language learner strategies;
- data for differentiated instruction; and
- moving instruction forward.

Year Three training highlights include:

- understanding VAS and VAM;
- determining how the NMTEACH rubric updates support all of New Mexico's diverse learners;
- showcasing schools that are using the NMTEACH rubric and system to support improvement; and
- providing support and feedback to teachers.

Referring to the NMTEACH domains, Ms. Alford briefly outlined the four domains:

- Domain 1, *Planning and Preparation*, is scored once a semester and is an independent evidence collection. It can be combined with a classroom visit, but has to follow district parameters.
- In retrospect, Domain 2 and Domain 3 are always scored together. At a minimum, there is one formal 20-minute observation per semester in most districts; however, some districts have flexibility with that option.

- Referring members to the top of the Domain 2 focus box, which provided some guiding questions and a preview of the elements, she noted the 10 elements specific to Domain 2, including:
 1. rapport;
 2. physical space;
 3. culture for learning;
 4. procedures;
 5. behavior;
 6. communicating;
 7. questioning;
 8. engaging students;
 9. assessment; and
 10. flexibility.
- Specific to Domain 3, *Teaching for Learning*, the five elements include:
 1. communicating learning goals;
 2. questioning;
 3. engaging students;
 4. assessing learning; and
 5. demonstrating flexibility.
- Domain 4, which is the only domain that is supportive of collecting evidence over time, centers around professionalism by bringing the professional development plan into action. The other domains, she reported, collect evidence that is focused on a point in time, such as one specific lesson plan during a formal observation.

Ms. Alford reported that during the training with administrators, most of them scored their teachers as effective. One notion to overcome, she stated, is that effective does not mean average. Research, she explained, indicates that an effective rating includes student academic growth of more than a year's time and that the teacher has firm control of the classroom and is directly responsible for the success of the observed element.

Regarding administrator feedback, Ms. Alford stated that the feedback has to be specific, actionable, and supportive. The training, she emphasized, allows an opportunity to look at the quality of feedback given back to teachers from the certified observer, and the feedback should answer the following question: "Does the feedback support the teacher to move forward?"

Ms. Alford provided comparison rubric examples of state plans from Louisiana, Ohio, and Tennessee.

To conclude, Ms. Alford afforded committee members an opportunity to score their favorite teacher using one of the domains of the NMTEACH rubric as a means of understanding the rubric and the language associated with the training.

There being no further business, the Chair with the consensus of the committee, recessed the LESC meeting at 4:30 p.m.

**MINUTES
LESC MEETING
August 28, 2015**

Representative Dennis J. Roch, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 8:20 a.m., on Friday, August 28, 2015, at the Performing Arts Center, Eastern New Mexico University-Roswell, in Roswell, New Mexico.

The following voting members of the LESL were present:

Representatives Dennis J. Roch, Chair, Nora Espinoza, and Tomás E. Salazar; and Senators Craig W. Brandt, Gay G. Kernan, and Howie C. Morales.

The following voting members of the LESL were not present:

Senator John M. Sapien, Vice Chair; and Representatives Sheryl M. Williams Stapleton, Christine Trujillo, and Monica Youngblood.

The following advisory members of the LESL were present:

Representatives Alonzo Baldonado, Jim Dines, David M. Gallegos, Jimmie C. Hall, Patricia Roybal Caballero, James E. Smith, and James G. Townsend; and Senators Lee S. Cotter, Michael Padilla, John Pinto, William P. Soules, and Mimi Stewart.

The following advisory members of the LESL were not present:

Representatives Stephanie Garcia Richard, D. Wonda Johnson, Timothy D. Lewis, and G. Andrés Romero; and Senators Jacob R. Candelaria, Carlos R. Cisneros, Daniel A. Ivey-Soto, Linda M. Lopez, and Pat Woods.

STUDENT GROWTH MEASURES IN TEACHER EVALUATIONS

The Chair recognized Mr. Tim Hand, Chief of Staff and formerly the Director, Assessment, Analysis, and Research at Las Cruces Public Schools (LCPS), for a presentation on the use of student growth measures in teacher evaluations.

Prefacing his remarks, Mr. Hand suggested that there were three fundamental questions related to the use of student growth measures, of which his presentation would cover only the first two:

1. Why is student proficiency growth an important metric?
2. How is student proficiency growth used in teacher evaluations?
3. Should growth measures calculated by value-added models be used in teacher evaluations?

To begin his explanation of proficiency versus growth, Mr. Hand reviewed the mindset concept developed by Dr. Carol S. Dweck at Stanford University. He noted that people with a fixed mindset:

- believe that their basic qualities, such as intelligence or talent, are simply fixed traits;
- spend time documenting these traits instead of developing them; and
- believe that possessing a certain trait creates success – without effort.

After pointing out that the fixed mindset is a false assumption, Mr. Hand explained that people with a growth mindset:

- believe that their basic abilities can be developed through dedication and hard work; and
- view traits such as intelligence and talent as merely a starting point.

Mr. Hand explained that many of the provisions of the federal *No Child Left Behind Act of 2001*, such as the requirement for adequate yearly progress, exemplified a fixed mindset for student proficiency. He suggested that this mindset had the consequence of focusing on “bubble kids,” being students on the cusp of achieving proficiency, while potentially taking attention from students toward either extreme of the proficiency spectrum.

By noting the lack of context for scores from a single student assessment, Mr. Hand highlighted equity as primary reason for considering student proficiency growth. Proficiency growth, he explained, provided context by measuring current or future achievement against previous scores, which accounts for certain demographic or socioeconomic conditions facing students. This recognizes that, even if some students are not able to reach grade-level proficiency, all students have a capacity to grow.

With respect to the use of student achievement data for teacher evaluation purposes, Mr. Hand referred to his slides on the Measures of Effective Teaching (MET) Project. He explained that the MET Project, using a random assignment methodology, was the first national, large-scale study to demonstrate that it is possible to identify and measure educator effectiveness. Among the MET Project findings cited by Mr. Hand was a framework for improvement-focused teacher evaluation systems. That framework recommended a feedback loop between:

- measuring effective teaching by:
 - setting expectations;
 - using multiple measures; and
 - balancing weights of those measures;
- ensuring high-quality data by:
 - monitoring validity;
 - ensuring reliability; and
 - assuring accuracy; and

- investing in improvement by:
 - making meaningful distinctions;
 - prioritizing support and feedback; and
 - using data for decisions at all levels.

While explaining that many states have proceeded with using student proficiency data for teacher evaluations but fewer states used student proficiency growth data, Mr. Hand noted there were several different ways in which certain states were measuring student proficiency growth. Referring to a table in his slides from the National Center for Education Statistics, Mr. Hand stated that:

- trajectory models, which compare individual student performance to proficiency and create a trajectory for students to close the achievement gap within three to four years, were used by Alaska, Arizona, Arkansas, Florida, Missouri, and North Carolina;
- value-table models, which assign points to an individual student based on year-to-year movement toward proficiency or maintenance of proficiency, were used by Arkansas, Delaware, and Iowa; and
- value-added models, which rate educators based on changes in student performance that are better than expected, were used by Florida, Ohio, Pennsylvania, and New Mexico.

Explaining the model employed by New Mexico, which he suggested was superior to some of the alternative approaches, Mr. Hand stated that data from students were grouped together based on previous assessment scores so that growth was only compared between students with similar starting points. The model measures the difference between a student's actual growth in proficiency with the estimated growth from the student's cohort, he continued. Finally, the difference is translated into a standard deviation, which can be compared across student proficiency groups.

Referring back to his earlier statements on equity, Mr. Hand presented several graphs displaying a clear, negative relationship between certain socioeconomic and demographic variables against student proficiency. However, when plotting the standard deviations from expected proficiency against the same socioeconomic and demographic variables, the relationship disappeared. He cited this as important confirmation and validation of the growth model.

Among the district-level examinations that have been performed by LCPS using student growth data, Mr. Hand highlighted analysis of:

- the distribution of students as mapped between achievement growth and initial proficiency level to identify possibly successful practices or interventions; and
- whether the College of Education a teacher attended influenced the achievement of students.

However, referring to several graphs, Mr. Hand explained that he had found no statistical difference between students with teachers who had graduated from New Mexico State University as compared to other institutions.

In conclusion, Mr. Hand suggested that the educational community was only in the beginning stages of how student assessment data can be analyzed to inform district-, school-, and classroom-level decisions. Going forward, Mr. Hand noted the need for improved data validation and expressed hope that Accuroster, being implemented by the Public Education Department, would help.

Committee Discussion

A committee member asked what kinds of interventions or actions have been taken to address other factors, such as divorce, job layoffs, etc.? In response, Mr. Hand went to a flip chart and drew an X-Y axis; with the X-axis labeled “achievement” and the Y-axis labeled “demographics.” He then drew a Z-axis, labeled it “intervention,” and observed that the Z-axis is the missing piece of the data collection for student growth. Mr. Hand emphasized that it is essential for this data to be collected and monitored.

DIRECTOR’S REPORT

a. Approval of July 2015 LESC Minutes

On a motion by Senator Kernan, second by Representative Espinoza, the committee approved the minutes for the July 2015 interim meeting.

b. Administrative Rulemaking: Implementing the Indian Education Act

Ms. Frances Ramírez-Maestas, LESC staff, noted that for the committee’s review, the committee notebooks included an LESC staff brief outlining key provisions of the adopted rule relating to the implementation of the *Indian Education Act* and a copy of the final rule issued on July 30, 2015.

c. Informational Items

Ms. Ramírez-Maestas reported that the August 2015 LESC Newsletter had been sent to all legislators and education stakeholders on the LESC email distribution list and that additional hard copies were available to interested individuals.

August 2015 Consensus Revenue Estimate

The Chair requested Ian Kleats, LESC staff, to outline the August 2015 Consensus Revenue Estimate. Referring to a handout included in the committee notebooks, Mr. Kleats reported that:

- preliminary FY 15 recurring revenue is now \$6.2 billion, \$112 million more than the February 2015 estimate;
- preliminary FY 15 ending reserve balances are \$625.6 million, or 10.1 percent of recurring appropriations;
- projected FY 16 ending reserve balances are \$609.1 million, or 9.8 percent of recurring appropriations; and

- “new money” in FY 17, defined as FY 17 projected recurring revenue less FY 16 recurring appropriations, is projected to be \$293 million, or 4.7 percent of FY 16 appropriations.

With regard to revenue risks, Mr. Kleats reported that:

- the state’s sensitivity to oil has increased in recent years, magnified due to record levels of production; however, there is not yet consensus as to the amount of that sensitivity. As a consequence, declines in the average price of oil across the entire fiscal year below forecasted for FY 16 may result in more severe decreases to revenue than in previous years;
- in recent years, several tax expenditures for economic development have had a larger fiscal impact than initially estimated, contributing to revenue estimating error. In some cases the revenue impacts have significantly exceeded initial estimates, requiring changes in statute to curb the impact;
- there are downside and upside risks that have been taken into consideration for the gaming revenue forecasts. Upside risks to the forecast include Jemez Pueblo signing into the 2015 compact while making plans to acquire land, and build a casino near Anthony, New Mexico. The construction of a new casino may increase the revenue collected by the state; however, there is also the possibility that the market may be reaching a point of saturation, meaning that casinos may “steal” business from casinos already operating. This event could prove that new casinos may not necessarily add new revenues to the state; and
- the rate at which members of the New Mexico Medical Insurance Pool (NMMIP) transition to either Medicaid or the exchange has thus far been rather high. The resulting uncertainty in NMMIP assessments to insurers affects General Fund revenue through the NMMIP credit; however, the strength of the transition of members away from the NMMIP to Medicaid or private insurance suggests upside revenue risk. Revenue estimators will meet with the staff of the Office of the Superintendent of Insurance and NMMIP to consider more timely data.

Albuquerque Public Schools (APS): Discussion of NMSA 22-5-4, 22-5-14, and 22-10A-24 et seq.

The Chair recognized Mr. Arthur D. Melendres, General Counsel, Albuquerque Public Schools (APS), for a discussion relating to appeal provisions in current law for a discharged/terminated school employee. He reported that provisions in certain sections of current law (namely §22-1-1.2 and §22-5-14 of the *Public School Code* and §22-10A-27 of the *School Personnel Act*) appear to conflict as they relate to an employee’s right to appeal and requested the committee to consider amending these sections of law to align and clarify the appeals process. To conclude, he reported that as recently as May 2015, a district court judge ruled that the APS Board of Education must comply with the requirements of NMSA 22-10A-27 and promptly hold a discharge hearing for a discharged school employee.

Legislative Council Service Memorandum: Blocking Provision

Ms. Ramírez-Maestas referred the committee to a memorandum from Legislative Council staff, dated July 31, 2015, outlining provisions from Section 2-10-1 NMSA 1978, pertaining to the

creation of the LESC. As explained in the correspondence, she noted, the provisions contain a “blocking provision” that states:

“No action shall be taken by the committee if a majority of the total membership from either house on the committee rejects such action. The LESC consists of 10 voting members, four members from the senate and six members from the house. Accordingly, pursuant to the “blocking provision,” three or more LESC members from the senate or four or more LESC members from the house may block an action of the committee.”

READING INTERVENTIONS IN RURAL PUBLIC SCHOOLS

The Chair recognized the following representatives from rural districts and Regional Education Cooperatives (RECs) to discuss the *New Mexico Reads to Lead!* (RTL) program:

- Ms. Shirley Crawford, Superintendent, Capitan Municipal Schools (CMS);
- Mr. Michael Grossman, Superintendent, Lake Arthur Municipal Schools (LAMS);
- Dr. Crit Caton, Superintendent, Artesia Public Schools;
- Mr. John Ross Null, Assistant Superintendent, Personnel and Curriculum, Artesia Public Schools;
- Ms. Maria Jaramillo, Executive Director, REC 5;
- Ms. Diana Heimer, Reading Coach, REC 5;
- Ms. Bernadette Maes, Reading Coach, REC 5;
- Mr. Sean M. Wootton, Executive Director, REC 9; and
- Ms. Andrea Pacheco, Reading Coach, REC 9.

For the committee’s review, the Chair noted that the July interim meeting focused on resources and uses of RTL funding at the local level in urban schools as well as a review of alternative reading intervention programs. A summary of the July testimony, he explained, was included in the LESC staff brief as well as a comparison of FY 15 and FY 16 funding levels by district and the request for application process.

Capitan Municipal Schools (CMS)

Referring to a committee handout, Ms. Crawford explained that CMS received \$50,000 of RTL funding for FY 15 and FY 16. She also informed the committee that CMS shares a reading coach with REC 9 and, therefore, did not use RTL funding to hire a reading coach. For each fiscal year, Ms. Crawford noted that a certain percentage of the funding was used as follows:

- FY 15: 79 percent for various forms of professional development and 21 percent to purchase reading intervention materials; and
- FY 16: 45 percent for targeted professional development, 54 percent to purchase reading intervention materials, and 1.0 percent for Parent Nights.

Ms. Crawford reported that the focus of professional development centered on best practices in teaching to include:

- professional learning communities (PLCs) that focused on data and instructional planning;
- Fridays set aside for professional development training sessions;
- close reading instruction¹ to include:
 - a focus on text and word/sentence meaning;
 - an examination and analysis of texts;
 - a development of ideas and events; and
 - making inferences based on facts; and
- scaffolding instruction² and developing text dependent questions.

She emphasized that RTL implementation is progressing and pointed out some of the lessons learned to include:

- collaboration resulting from effective PLCs is vital for success;
- strong principal leadership helps guide best teaching practices learned through professional development; and
- emphasis on addressing special education needs to support students and teachers.

In conclusion, Ms. Crawford stated that the biggest impact after all the training, intervention, and curriculum study is the teacher in the classroom. She further explained that, it is crucial for the principal to support the teacher through observation and coaching to ensure that classroom instruction meets the rigor demanded of Common Core State Standards (CCSS).

Lake Arthur Municipal Schools (LAMS)

Referring to a committee handout, Mr. Grossman pointed out that LAMS received \$50,000 of RTL funding for FY 15 and FY 16. He noted that the proposed budgets for FY 15 and FY 16 included:

- \$32,502 for a K-3 reading coach position, \$7,998 for K-3 reading intervention materials, \$9,000 for professional development, and \$500 for indirect costs in FY 15; and
- \$26,000 for K-3 reading coach position, \$23,500 for K-3 professional development, and \$500 for indirect costs in FY 16.

Regarding reading coaches through RTL funding, Mr. Grossman stated that LAMS does not receive enough State Equalization Guarantee funding to provide for a full-time instructional coach even with the opportunity of RTL funding designated for that purpose. He said that to address the financial shortfall, the district secured two instructional consultants who:

¹ According to McGraw-Hill Publishing, close reading is defined as a careful and purposeful rereading of text.

² According to Glossary Education Reform, scaffolding refers to a variety of instructional techniques used to move students progressively toward stronger understanding and, ultimately, greater independence in the learning process.

- specialize in reading instruction centered around a Readers and Writers Workshop that provides one-on-one language arts tutoring; and
- provide training in effective teaching processes and research-based teaching strategies that are part of the New Mexico Teacher Evaluation Advisory Council domains.

Mr. Grossman noted that for FY 15, 34 percent of RTL funding was used to purchase reading materials and provide professional development; however, for FY 16, 47 percent of RTL funding would be used to support instructional staff through professional development, including:

- a specific work session on the close reading process;
- continued development of depth in knowledge and strategy application of CCSS;
- application of effective teaching in reading strategies;
- continued development of the Readers and Writers Workshop instructional process;
- application of differentiated instruction; and
- application of text complexity components within reading levels and Webb’s Depth of Knowledge thinking levels (recall and reproduction, skills and concepts, short-term strategic thinking, and extended thinking).

Referring to challenges faced by the district, Mr. Grossman indicated that as the result of a high turnover rate for qualified teachers or difficulty finding qualified staff for core teaching areas, the professional development return rate is difficult to maintain when staff is not retained for more than one or two years. He emphasized that this challenge may result in the loss of a productive, highly qualified teachers’ force.

Mr. Grossman concluded by stating that through strong leadership, the district has worked diligently to move forward with each year’s RTL funding to create a sound instructional program that can be repeated with greater fidelity to address the challenge of staff mobility and change. He also explained that strong leadership enabled schools to:

- include a designated time in the master schedule to allow teachers to employ a crosswalk intervention time;
- purchase individual classroom libraries that are catalogued and organized to meet the needs of beginning- to advanced-level students;
- stimulate parent engagement into the instructional process by participating in a student-led parent/teacher conference; and
- extend Dynamic Indicators of Basic Early Literacy Skills (DIBELS) Next³ into grades 4-6 to assist in determining reading proficiency in the upper grade levels.

Artesia Public Schools

Referring to a committee handout, Mr. Caton stated that Artesia Public Schools received \$130,000 of RTL funding for FY 15 and FY 16. He pointed out that Artesia utilized the funding for each fiscal year and noted that for:

³ DIBELS Next is an assessment used to measure the acquisition of early literacy skills from kindergarten through grade 6.

- FY 15: 35 percent was used for reading intervention materials, 64 percent was designated for consultants used as interventionists and professional development, and 1.0 percent was reserved for indirect costs; and
- FY 16: 57 percent was designated to hire a full-time elementary reading instructional coach, 18 percent designated to continue to work with consultants as interventionists and professional development, 24 percent was used to purchase intervention materials, and 1.0 percent was reserved for indirect costs.

Since 2013, Mr. Null explained that RTL funding was used to hire a consultant from Winsor Learning Center to work on-site in the district for 18 days throughout the year advising staff on data analysis, particularly data from DIBELS Next. He stated that for the last two fiscal years, they have continued to work with a consultant from Winsor to work with teachers on data analysis and writing strategies for CCSS expectations, and for FY 16, to work with a full-time instructional reading coach.

Referring to the committee handout, Mr. Null explained that professional development also included embedded classroom support through intervention programs purchased with RTL funding to include:

- Lexia Reading Core5 which is an online program that provides reading assessment and practice for students, as well as assists teachers in planning data-driven action plans for students which simplifies the process of differentiating instruction;
- attending a conference for 20 elementary staff members to train in Daily 5, a framework for structuring literacy time, so students develop lifelong habits of reading, writing, and working independently;
- upgraded Renaissance Learning's STAR Reading program to STAR Custom, which will assist teachers in designing formative assessments to measure growth, monitor progress, or plan instruction; and
- support of teacher and coach participation in professional development offered through the Public Education Department.

In conclusion, Mr. Null informed the committee that budget activities that aligned with increasing reading instruction and student achievement were supported by district administrators and lead teachers. He further noted that collaboration ensured that:

- each component of the district's RTL plan was selected to increase reading instruction and student achievement;
- reading instruction strategies were supported by the consultants;
- assessments provided meaningful data and assisted our teachers in developing appropriate strategies for targeting reading deficits; and
- students benefited from the reading practice of Lexia.

Regional Education Cooperatives (RECs) 5 and 9

Referring to a committee handout, Ms. Jaramillo explained that REC 5 supports teachers in the following six rural districts:

1. Estancia Municipal Schools;
2. Jemez Valley Public Schools;
3. Magdalena Municipal Schools;
4. Mountainair Public Schools;
5. Quemado Independent Schools; and
6. Vaughn Municipal Schools.

Regarding REC 5's scope of work, she informed the committee that REC 5 guides and supports teachers by:

- strengthening their craft as they work toward increasing student learning;
- advancing teacher knowledge in literacy development;
- influencing instructional practices by analyzing individual student data; and
- raising reading achievement for all students.

Ms. Heimer explained to the committee that as an REC 5 reading coach, she is able to empower teachers to embed CCSS instructional shifts into everyday practice by:

- reading and writing grounded in evidence from text;
- practicing with complex text and its academic vocabulary; and
- building knowledge through content-rich nonfiction and informational texts.

Ms. Maes stated that REC 5 provides purposeful professional development designed for each school and staff. She further noted that, the professional development is driven by current student data and specific guidance for teacher's research pathways.

Ms. Heimer noted that as part of the professional development, REC 5 provides training in Language Essential for Teachers of Reading and Spelling instructing teachers how to teach reading. She explained that this embedded professional development:

- improves the overall reading achievement for all students;
- teaches basic phonics in grades K-1;
- teaches advanced phonics and word study in grades 2 and above; and
- teaches how to help older students with spelling, vocabulary, and recognition of longer and unfamiliar words which leads to increased comprehension.

In conclusion, Ms. Maes explained to the committee that REC 5 staff visits the schools weekly to provide:

- guidance in professional reading;
- modeling in the classrooms;

- observations of lessons with immediate feedback; and
- effective communication with staff members and administration to build solid relationships.

Referring to a handout, Mr. Wootton explained that REC 9 is responsible for hiring a reading coach to provide technical and professional development to district staff to seven rural districts in the southeastern region of New Mexico:

1. Capitan Municipal Schools;
2. Carrizozo Municipal Schools;
3. Cloudcroft Municipal Schools;
4. Corona Public Schools;
5. Hondo Valley Public Schools;
6. Ruidoso Municipal Schools; and
7. Tularosa Municipal Schools.

Ms. Pacheco explained that reading coaches are vital to rural schools through the professional development and support RECs provide to them. She continued to say that PLCs are working well and reading coaches support teachers' and schools' needs.

Committee Discussion

In regard to future RTL funding, a committee member inquired about which specific components were working. Ms. Heimer replied that the most important component of any successful program is the teacher. She stated that, however, there are some students who struggle with core instruction and an interventionist is able to work directly with those students to target specific strategies to overcome deficits. Ms. Heimer emphasized that a reading coach provides professional development to teachers which, along with interventionists, target specific reading strategies and classroom management for effective instruction.

SUPERINTENDENT AND COMMUNITY INPUT

The Chair recognized Mr. Toney Begay, Executive Director, New Mexico Mathematics, Engineering, Science Achievement, Inc. (NM MESA), who introduced the following individuals:

- Ms. Amanda Trujillo, Board Member, NM MESA;
- Ms. Betty Chancey, Southeast Regional Coordinator, NM MESA; and
- Ms. Monica Rodriguez-Hudson, Advisor, NM MESA.

Referring to the NM MESA handouts that were distributed to the committee, Mr. Begay discussed the outcome results from the program, noting that among high school graduates, approximately:

- 82 percent of NM MESA graduates attend college compared to 67 percent of US graduates and 47 percent of New Mexico graduates; and
- 50 percent NM MESA graduates go on to earn bachelor's degrees or higher compared to 41 percent of US graduates and 39 percent of New Mexico graduates.

Ms. Chancey informed the committee that she has spent 14 years with NM MESA and explained that the program attracts all kinds of students regardless of their academic performance. She added that encouraging students to take science, technology, engineering, and mathematics courses has allowed many of them to do things they never imagined.

Ms. Trujillo, an NM MESA graduate and current board member, attained a master's degree in environmental science and is now the Senior Environmental Coordinator at Concho Resources, Inc. She emphasized that NM MESA's success is based on consistency, which in turn allows for measurement.

The last presenter, Ms. Rodriguez-Hudson, informed the committee that she is a math teacher at Goddard High School who has served as an advisor to NM MESA for eight years.

Ms. Rodriguez-Hudson also noted that NM MESA has always responded to the needs of the community. As an example, she described how NM MESA developed a math, science, and engineering curriculum approved by the Public Education Department that is rigorous and engaging for students. The presenters also displayed samples of objects created by NM MESA students using a three-dimensional printer.

ADJOURNMENT

There being no further business, the Chair adjourned the LESC meeting at 2:59 p.m.


_____ Chair

10/20/15
_____ Date