

STATE OF NEW MEXICO
LEGISLATIVE EDUCATION STUDY COMMITTEE

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MINUTES
LESC MEETING
December 18-19, 2014

Senator John M. Sapien, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:15 a.m., on Thursday, December 18, 2014, in Room 322 of the State Capitol in Santa Fe, New Mexico.

The following voting members of the LESC were present:

Senators John M. Sapien, Chair, Craig W. Brandt, and Gay G. Kernan; and Representatives Mimi Stewart, Vice Chair, Nora Espinoza, Rick Miera, Dennis J. Roch, and Sheryl M. Williams Stapleton.

The following voting members of the LESC were not present:

Senator Howie C. Morales and Representative Jimmie C. Hall.

The following advisory members of the LESC were present:

Senators Lee S. Cotter, Linda M. Lopez, John Pinto, and William P. Soules; and Representatives Alonzo Baldonado, Stephanie Garcia Richard, Tomás E. Salazar, James E. Smith, and Christine Trujillo.

The following advisory members of the LESC were not present:

Senators Jacob R. Candelaria, Daniel A. Ivey-Soto, and Pat Woods; and Representatives Nathan "Nate" Cote, George Dodge, Jr., David M. Gallegos, Timothy D. Lewis, and Bob Wooley.

Senator Cisco McSorley was also in attendance.

On a motion by Representative Stewart, seconded by Representative Miera, the committee approved the agenda for the meeting, which included a change to move Item 10 ahead of items 8 and 9.

NEW MEXICO COALITION FOR CHARTER SCHOOLS

The Chair recognized:

- Mr. Doug Wine, Executive Director, New Mexico Coalition for Charter Schools;
- Mr. Daniel Benavidez, Principal, Tierra Encantada Charter School;
- Mr. Mark Hartshorne, Principal, Alma d’ Arte Charter School;
- Mr. Sam Obenshain, Principal, Cottonwood Classical Preparatory School;
- Ms. Karen Phillips, Principal, Red River Valley Charter School; and
- Ms. Glenna Voigt, Principal, Media Arts Collaborative Charter School, for a discussion relating to charter schools.

Referencing the PowerPoint presentation, Mr. Wine noted four parts to the coalition’s presentation:

1. explanation of the variety of student needs met by charter schools;
2. response to prevailing criticisms that charter schools;
 - “cherry-pick” their students to avoid at-risk students (with the exception of those schools specifically designed for at-risk populations);
 - do not outperform traditional public schools; and
 - have greater funding costs and choose to remain small to receive extra funding;
3. exploration of possible consequences of the funding legislation being considered by the committee; and
4. recommendations from the coalition for legislation.

Addressing charter schools’ purported reluctance to serve special needs students, Mr. Wine’s fellow panelists noted increases in special education enrollment at their schools, as well as more general diversification of student demographics.

Regarding the belief that charter schools fail to outperform traditional public schools, Mr. Wine referred to slides detailing final school grade analyses from 2012 and 2013 and comparisons of charter school performance with that of traditional public schools. For example, he described a slide outlined below that compared overall school grades from the previous two years:

Final Grades	2012		2013	
	Charter Schools	Traditional Schools	Charter Schools	Traditional Schools
A & B Scores	36%	28%	52%	35%
C Scores	23%	34%	29%	27%
D & F Scores	41%	38%	19%	38%

Next, in regard to charter school funding and purported decisions to remain small in order to take advantage of the small-school size adjustment, Mr. Wine noted that:

- the Public School Funding Formula provides for school costs, but charter schools have mission-specific programs that incur additional costs often not covered by the funding formula;
- an examination of 51 small, traditional schools, in comparison with charter schools, revealed that charter schools are not receiving as much as these small school districts receive; and
- the consequences of removing the small-school size adjustment for charter schools would result in the closure of 54 percent of current charter schools within two years.

Furthermore, he emphasized that a defined gradual reduction over the course of several years would erode charter school quality, which could potentially lead to more closures.

The coalition, Mr. Wine said, therefore recommends:

- no reduction of small school funding for school year 2015-2016 (if there must be a decrease, the coalition recommends it begin in 2017 with a reduction of no more than 25 percent each year);
- if the small-school size adjustment is decreased over time, funds should be transferred from the funding formula to the Charter Schools Stimulus Fund for:
 - issues related to economies of scale for small schools;
 - charter school start-up funds;
 - gap funding for facilities; and
 - innovative practices at charter schools;
- additional units be provided to all schools operating with a school year of more than 200 instructional days; and
- no policy change for school transportation for charter schools, but rather urge that the Public Education Department adjust the transportation formula to deliver appropriate transportation funding to all charter schools.

Additionally, Mr. Wine continued, the coalition suggests:

- that charter schools not in compliance with the requirement that they be in public facilities be permitted to delay the date by which they must comply if they have a Public School Facilities Authority-approved plan to be compliant by 2019;
- legislation to allow charters schools that meet criteria such as three consecutive years of school grades of C or better to apply for special funding mechanisms through the Public School Capital Outlay Council for down payments not to exceed 25 percent of the total project on lease-purchase and construction agreements;
- creation of an independent chartering board of experts to authorize charter schools;
- removal of all caps on charter school growth; and
- allowing state-chartered charter schools to replicate throughout the state but be considered as one school for funding purposes if they have been:

- approved for reauthorization at least once; and
- earned a grade of B or better for at least three consecutive years.

Finally, the coalition recommended the initiation of several studies with the LESC and the Legislative Finance Committee (LFC), including:

- a contract with an independent body such as the Center for Education Policy Research to determine charter schools' impact on the New Mexico graduation rate;
- an examination of all school funding sources that explain the costs to educate a student in a charter school versus a traditional public school; and
- the creation of a charter school study group with selected charter school leaders, LESC, and LFC to identify issues pertaining to charter school policy and current law.

Committee Discussion

In response to a committee member's inquiry about the removal of the cap on charter school growth, Mr. Wine noted that the cap is in reference to the number of charter schools permitted, not the number of students permitted in a particular school. When informed that there are 50 charter schools with an enrollment of fewer than 200 students, a committee member asked whether those schools would be motivated to become larger in order to secure more student funding. Mr. Wine replied that such issues are substantially affected by other related issues, such as whether the school in question is in a public facility that would allow for expansion.

Another committee member asked how charter schools respond to change within their student and faculty body in terms of their specific missions. Panelists responded that they:

- revise the mission statement of the school, if appropriate;
- work within flexibility inherent within the school; and
- solicit parental involvement.

Noting a prior presentation by Mr. Alex Medler of the National Association of Charter School Authorizers on the issue of a single independent authorizing body, a committee member expressed agreement that an independent chartering authority may be a good avenue to pursue.

Finally, a committee member noted that, in regard to school transportation funding, the average amount provided for a charter school student is more than what his or her traditional school peer receives and that the challenge to address is how to find an equitable solution.

FY 16 APPROPRIATION REQUESTS

The Chair recognized Ms. Hanna Skandera, Secretary-designate of Public Education; and Mr. Paul Aguilar, Deputy Secretary for Finance and Operations, Public Education Department (PED), for a summary of the FY 16 appropriation requests for the PED budget and public school support.

Referencing a handout, Ms. Skandera reported that the department's FY 16 General Fund appropriation budget request of approximately \$11.9 million is a flat budget request (the same amount as the FY 15 budget). The current operating budget, she noted, currently reflects:

- 268.5 budgeted full-time equivalent positions from all revenue sources;
- 232 positions that are currently filled; and
- 36 positions that are currently in various stages of approval, posting, and interviewing.

Ms. Skandera emphasized that PED has identified a retention issue related to education administrators and an inability to compete with salaries offered by school districts and charter schools. To address this issue, she stated, PED is working with the State Personnel Office to create an alternative pay band to make these positions more competitive.

Recognizing that the total new revenue to the state is anticipated to be approximately \$140 million, Ms. Skandera stated that the FY 16 Public School Support recommendations reflect total new revenue to education at approximately \$68 million, or 48.6 percent of the total new revenue, which includes:

- nearly \$43.2 million, or 63.5 percent of total new education revenue, to "above-the-line" funding;
- approximately \$3.2 million, or 4.7 percent of total new education revenue, for categorical and supplemental distributions; and
- approximately \$21.7 million, or 31.9 percent of total new education revenue, to support public school support targeted investments.

To conclude, Ms. Skandera outlined three of PED's new initiatives:

- the Teachers Pursuing Excellence program, which, modeled after the Principals Pursuing Excellence Program, would be a mentoring program for teachers where a stipend is given to each participant;
- an appropriation for teacher supplies, through which PED would provide each teacher with a \$100.00 debit card to be used for school supplies and collect receipts; and
- the hard-to-staff areas appropriation to provide funding to recruit and retain teachers that are hard to staff, including in special education and bilingual classes.

Referring to a PED table, Mr. Aguilar reported that the department's FY 16 recommendations for public school support and related services include:

- approximately \$2.5 billion, a 1.7 percent increase from the FY 15 appropriation, to the State Equalization Guarantee (SEG) distribution, including:
 - \$11.1 million for enrollment growth;
 - \$5.5 million for the employer's share of increased insurance costs;
 - \$5.0 million to support fixed costs;
 - \$5.0 million, which is contingent on legislation, to support a Transition to Teacher Effectiveness initiative;
 - approximately \$6.7 million to increase the minimum salary level for Level 1 teachers from \$32,000 to \$34,000, a 6.3 percent increase; and

- a \$6.0 million credit or transfer from the SEG to the PED operating budget to pay the statewide costs for the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment;
- over \$130 million, a 1.8 percent increase from the FY 15 appropriation, for categorical public school support appropriations to include:
 - approximately \$99.9 million to support school transportation statewide;
 - \$2.3 million in supplemental appropriations to assist school districts with emergency funding and to provide for out-of-state tuition costs at two districts;
 - \$25 million to the Instructional Material Fund;
 - nearly \$1.3 million for dual credit instructional materials; and
 - over \$1.8 million to the Indian Education Fund; and
- nearly \$128.6 million, a 20.3 percent increase from the FY 15 appropriation, to PED for recurring initiatives, including the department’s budget, and:
 - \$22.2 million for the K-3 Plus program;
 - \$21.0 million for the pre-kindergarten program;
 - \$15.5 million to support New Mexico Reads to Lead!
 - \$5.0 million for the NMTEACH evaluation system;
 - over \$2.7 million for Next Generation School Leader Preparation;
 - \$2.5 million for science, technology, engineering, and mathematics initiatives;
 - \$9.0 million for teacher and school leader programs and supports;
 - \$3.0 million for New Mexico Graduates Now! (line 63);
 - \$12.5 million for interventions and support for students, struggling schools, and parents;
 - nearly \$1.2 million for a parent portal;
 - \$1.0 million to the New Mexico Cyber Academy commonly known as IDEAL-NM;
 - \$2.5 million to support Teachers Pursuing Excellence;
 - \$2.3 million for teachers supplies; and
 - \$1.5 million for hard-to-staff areas, which includes funding to recruit and retain special education and bilingual teachers.

Mr. Aguilar then emphasized the following points in the PowerPoint presentation:

- with regard to the transportation recommendation, the fuel estimate was based on data from September, and PED is looking to fund in July for a funding cycle that ends about 18 months from the current date. Mr. Aguilar indicated that PED’s economic forecasting consultant, Moody’s Analytics, advised the Department to look at a future consumer price index increase for fuel;
- supplemental distributions were combined with a nonrecurring request of approximately \$6.0 million so that Laws 2014, Chapter 57, had a significant impact on the supplemental emergency request for this year; and
- with regard to dual credit instructional material funds, many small school districts are providing dual credit but these appropriations are not covering the cost (because all students should have access to dual credit, PED is asking for an increase so that when districts have needs that go beyond what is anticipated they can be reimbursed).

To conclude, Mr. Aguilar reported that, in nonrecurring dollars, the department requests:

- approximately \$8.2 million, including \$1.2 million for legal fees related to two sufficiency lawsuits, and \$960,000 for audit costs associated with the Comprehensive Annual Financial Report; and
- \$5.0 million in a supplemental appropriation to provide for the 2014-2015 PARCC assessments.

Committee Discussion

A committee member expressed concern about the use of the FY 15 appropriation to create an in-state school leader preparation program. The member commented that the Legislature had envisioned creating a program similar to the University of Virginia (UVA) School Turnaround Program in New Mexico's universities; however, in a presentation to the LESC during the committee's November interim meeting it was reported that the FY 15 appropriation was focused on a master's degree program.

In response to a committee member's question whether PED had a contingency plan in place in the event that the state's revenue estimate is decreased, Ms. Skandera stated that the Executive overall has been very responsive to adjustments in projected revenues; however, PED will not be presenting a contingency budget.

In response to a committee member's question when PED expects to see expenditures for the UVA School Turnaround Program shifting to a New Mexico program, Ms. Skandera stated that the UVA program replication in New Mexico state universities is in the planning phase.

A committee member expressed concern that the department's recommendations include a decrease for school transportation. In response, Mr. Aguilar indicated that the amounts for maintenance and operations saw an increase and the amounts for rental fees decreased. He added that an overall decrease for transportation does not necessarily mean decreased funding for school districts.

There being no further discussion on this agenda item, the Chair then recognized Representative Rick Miera, who did not run for re-election in 2014, for his 24 years of service to the LESC and the Legislature. Representative Miera was presented with proclamations from the Senate and the House of Representatives, as well as a commemorative engraved gavel.

2015 EDUCATION PARTNERS LEGISLATIVE PACKAGE

The Chair recognized the following individuals to present the 2015 Education Partners legislative package to the committee:

- Dr. Gloria O. Rendón, Executive Director, New Mexico Coalition of Educational Leaders (NMCEL);
- Dr. Crit Caton, Superintendent, Artesia Public Schools, and President, NMCEL;
- Mr. TJ Parks, Superintendent, Hobbs Municipal Schools, and President, New Mexico School Superintendents' Association;

- Ms. Ellen Bernstein, President, Albuquerque Teachers Federation;
- Mr. John Dyrzcz, representing American Federation of Teachers of New Mexico (AFT-NM);
- Mr. Charles Bowyer, Executive Director, National Education Association-New Mexico (NEA-NM);
- Ms. Audrey Jaramillo, President, New Mexico School Boards Association (NMSBA); and
- Mr. Joe Guillen, Executive Director, NMSBA.

To begin, Dr. Rendón informed the committee that the Education Partners coalition was established in 2005 to:

- identify and support legislative issues common to all the partners;
- build public understanding by disseminating information on key issues; and
- promote the good things that are happening in public education.

She stated that the 2015 platform represents the best thoughts of the affiliates in their membership and referred to a handout that listed the following joint legislative goals:

1. dedicating no less than 50 percent of all new revenue to K-12 public education, which should be equally distributed “above the line” through the State Equalization Guarantee (SEG);
2. new funding for pre-K education for three- and four-year-old children statewide;
3. continuing to add \$2,000 per year over the next four years to the minimum salary for Level 1 teachers and providing cost-of-living increases for all education employees; and
4. passing a resolution to place a constitutional amendment on the 2016 General Election ballot to permanently increase the Land Grant Permanent Fund distribution to a minimum of 5.8 percent.

After her explanation of the legislative goals, Dr. Rendón referred to Dr. Caton and Mr. Parks to brief the committee on current NMCEL issues.

Dr. Caton discussed a proposal for a one-year moratorium on the use of Partnership for the Assessment of Readiness for College and Careers (PARCC) testing for teacher licensure advancement. He indicated that, despite spending \$2.6 million over 18 months to improve bandwidth, New Mexico is still not prepared to administer the online assessment. As an example, he described how his school district initiated a practice test run estimated to be no higher than 100 Megabits per second (Mbps) and it peaked at 160 Mbps. This, among other issues, led Dr. Caton to believe the district should not make decisions based on tests that have yet to be administered.

Regarding merit pay, Dr. Caton suggested that the Legislative Finance Committee conduct a study on this initiative. After noting that his district did not apply for merit pay funding, Dr. Caton explained that the district was concerned about providing pay increases based on unvalidated data. To conclude, he thanked Senator Brandt and the Governor for the passage of SB 122, *School District P.E. Requirements*, and emphasized the value of using the alternative demonstration of competency (ADC) in lieu of standardized testing. According to Dr. Caton, up to 55 students in his district will be allowed to graduate if they complete their ADC portfolios.

Mr. Parks restated the coalition's desire to have at least 50 percent of new revenues placed in the SEG. While noting that New Mexico's SEG funding formula is nationally recognized, he added that physical education and fine arts are still not fully funded and "fixed" costs, such as utilities, continue to increase, leaving little justification for "below-the-line" funding.

The next presenter, Ms. Bernstein, emphasized that educators want to be held accountable in a system that is solid and fair; however, they need resources, support, and encouragement. She also suggested that the student achievement gap is really an opportunity gap. Ms. Bernstein then reiterated the four legislative goals for the session with an emphasis on above-the-line funding and investing in early education with qualified providers.

Mr. Dyrz referred to a committee handout that conveyed the following four pillars for a world-class education system in New Mexico:

1. recognizing students as unique individuals;
2. providing students with access to high-quality educational opportunities throughout every stage of life;
3. demonstrating the core values of professionalism and respect; and
4. providing reliable funding structures so that children are not punished by periodic economic recessions.

To conclude, Mr. Dyrz discussed a number of various needs (listed in his handout) for families, students, and education professionals along the continuum of early childhood, K-12, and higher education.

Mr. Bowyer emphasized the importance of a diversified revenue system with recurring revenues. He then distributed a handout that described the following NEA-NM and AFT-NM joint legislative goals for 2015:

- fewer regulations, more local decisions;
- more learning, less testing;
- more funding, fewer mandates;
- more graduates, fewer dropouts; and
- more respect, less blame.

In addition, Mr. Bowyer said that NEA-NM also supports:

- a good evaluation system;
- a return to class-size limits;
- equitable funding for higher education;
- addressing poverty issues; and
- a living wage.

Referring to a committee handout, Ms. Jaramillo and Mr. Guillen presented the NMSBA legislative priorities to the committee. Ms. Jaramillo asked the LESC to please consider her organization's guiding principles, which include:

- no unfunded mandates;
- local control (school boards know what is best for their students); and
- adequate funding.

Ms. Jaramillo also reviewed the local school district legislative priorities, which included:

- minimum standards and sufficient funding for the provision of health services;
- addressing substance abuse among children and providing related funding;
- a two-year delay in the implementation of PARCC testing with an option to allow paper testing;
- changes to the teacher evaluation system to ensure that testing counts for no more than 25 percent of the evaluation score;
- allowing districts to hire retired teachers and other professionals without regard to the 12-month waiting period;
- a two-year observation period for new education policy initiatives proposed by the Public Education Department (PED); and
- PED waivers from statutory and regulatory requirements in order to allow districts to establish and evaluate new and innovative pilot programs.

To conclude, Mr. Guillen distributed a handout relating to a new public relations campaign in support of New Mexico public schools called, “I Am... New Mexico Public Schools!” and introduced a seven-minute feature video on this initiative.

Committee Discussion

In response to a committee member’s question on high school graduation requirements, Dr. Caton stated that the superintendents requested consideration that the standards-based assessments and PARCC tests be only an endorsement on the high school diploma, not a requirement to receive the diploma, which is current law. He then described how a student at the Arrowhead Early College High School in Las Cruces earned an associate degree from Doña Ana Community College, but failed to receive a high school diploma because he did not pass one section of the standards-based assessment. After a discussion on the intent of high school redesign legislation that became law in 2007, a committee member commented on the possibility of introducing legislation in the 2015 legislative session to change graduation requirements, including the repeal of requiring students to take an advanced placement, honors, dual credit, or distance learning course to graduate.

CAREER TECHNICAL EDUCATION

The Chair recognized Dr. Gene Bottoms, Senior Vice President, Southern Regional Education Board (SREB), and founder of High Schools That Work, for a presentation on building career pathways to credential attainment and workforce opportunities for New Mexico high school and postsecondary students.

Based on a preliminary analysis of the SREB report, Dr. Bottoms informed the committee that New Mexico needs to have a clear definition of high-quality career pathways that connect high

school and postsecondary studies with 21st Century job opportunities. He informed the committee on the following Career Technical Education (CTE) attributes for New Mexico:

- high school students have access to at least 320 CTE courses;
- over 130,000 students were enrolled during school year 2013-2014 in one or more CTE courses;
- approximately 46 percent of seniors in school year 2013-2014 will complete four or more CTE courses; and
- not enough students are completing a sequence of four CTE courses in a planned, structured career pathway.

Dr. Bottoms summarized the preliminary analysis by stating, that while there was a quantity of courses, they were not a well-defined set of expectations for courses that were linked to postsecondary study and employment opportunities. He further noted that, although there were over 130,000 students enrolled in CTE courses, the coursework appeared to be a collection of introductory courses. Dr. Bottoms added that the analysis also indicated the following:

- small schools have limited capacity to offer quality career pathways;
- few students take advanced/capstone CTE courses or participate in work-based learning experiences;
- online and dual credit CTE courses are limited, introductory, and often are not part of a structured career pathway; and
- fewer than 400 high school students earned credible industry credentials or licensures in 2013.

With regard to the analysis, Dr. Bottoms emphasized that New Mexico needs not only to clearly define a career pathway but also to include a rigorous program that is aligned with employment opportunities. He explained that the SREB recommended that New Mexico should:

- establish rigorous, relevant career pathways driven by workplace opportunities and establish policies to create early advanced credential programs;
- set college and career readiness standards in literacy and math to close the gap between career pathway programs of study and workforce opportunities;
- increase to 25 percent the number of young adults earning credentials by age 25 and increase access to high-quality work-based learning experiences;
- restructure low-performing high schools with low graduation rates and create a guidance system for career information, exploration, and advisement; and
- reconfigure the Student Teacher Accountability Reporting System (STARS) and state data reporting systems, as well as attract, prepare, and retain high-quality CTE teachers.

Referring to a handout, Dr. Bottoms informed the committee that New Mexico demonstrated evidence of progress in that students made greater gains than the nation as a whole since 2007 on the National Assessment of Educational Progress (NAEP) in eighth grade reading and math scores. However, less than half of New Mexico students are ready as ninth graders to do 21st Century math or read and analyze complex texts. He further suggested coupling rigorous CTE courses with embedded academics and continuing efforts to support teachers in engaging students to read grade-level texts at all levels, and teaching math with a focus on reasoning, understanding, and application.

Furthermore, Dr. Bottoms informed the committee that New Mexico needed to provide all high school students in the many diverse regions of the state with access to high-quality career pathways that lead to advanced credentials and good jobs. He explained that New Mexico can use various policies and incentives to encourage districts, postsecondary institutions, and employers to develop career pathways that include:

- access to early advanced credential programs or early college programs that will enable them to enroll in occupational programs;
- offering high-quality web-based CTE courses on SREB's Electronic Campus with a broad base of experienced teachers to support diverse learners; and
- establishing in policy a definition of what constitutes a career pathway/program of study.

In addition, Dr. Bottoms recommended that New Mexico establish academic college readiness and academic and technical career readiness standards for its two- and four-year postsecondary programs. He also said that New Mexico's high schools needed support to improve CTE students' literacy skills in all subjects, as well as more support in the area of math instruction.

Dr. Bottoms then explained the importance of creating incentives and policies to drive structured or guided pathways beginning in high school. He claimed that doing so will result in more students moving on to postsecondary programs leading to advanced industry credentials, occupational certificates, associates and bachelor's degrees. He suggested that the Public Education Department (PED) work closely with the Higher Education Department (HED) and the state's department of Workforce Solutions, along with appropriate business and industry partners, to do the following:

- reduce and streamline the number of CTE courses offered; and
- prepare new curriculum frameworks based on projected regional and state workforce demands.

Dr. Bottoms also recommended that New Mexico set a goal for 25 percent of all students who enter the ninth grade to earn a credible industry credential, postsecondary occupational certificate, or associate degree by age 25. He explained that creating this system will require the state to establish policies that advance dual credit courses to enhance students' academic and technical readiness.

Dr. Bottoms further stated that students and parents need information on educational pathways leading to postsecondary attainment and career advancement. He continued to say that creating structured career pathways will require a major reconfiguration of the state's approach to guidance, teacher advisement, and the delivery of career and college information that helps students and parents make informed decisions to include:

- the sequence of academic and technical courses they need to take in high school;
- what is required to complete an advanced industry credential, what percentage of students currently complete such credentials, and what kinds of jobs and salary outcomes they can expect to achieve if they acquire them; and
- what percentage of students complete associate degrees, the jobs and salaries associated with those degrees, and what percentage of associate degree earners transfer to bachelor's degree programs.

In conclusion, Dr. Bottoms expressed the need for New Mexico to develop a fast-track induction program that prepares new teachers to plan, teach, and assess authentic, project-based assignments. He also said the state needs to provide intensive professional development to all CTE teachers on incorporating literacy and math into their assignments.

Committee Discussion

In response to a committee member's question regarding the analysis of New Mexico compared to other states, Dr. Bottoms explained that other states like North Carolina had better defined career pathways and that Kentucky was refining its definition. He also noted that South Carolina had clearly defined its career pathways approximately six years ago but still encountered challenges with adding rigor. Dr. Bottoms indicated that what all these states had in common was that the local business communities said they were unable to fill positions with people who have adequate skill sets. Dr. Bottoms claimed that states that are farther along than New Mexico have rigorous standards and have set priorities to make sure students have access to high-quality CTE programs that will lead to good jobs.

In response to a committee member's question about the top job-growth areas in New Mexico, Dr. Bottoms identified manufacturing, construction, and health-science; and he noted that data suggest the need for more schooling than a high school diploma.

In response to a committee member's question whether New Mexico should have four sequences of CTE courses as opposed to the three currently offered, Dr. Bottoms explained that it was best to focus on quality and not on quantity. He further stated those courses must be clearly defined and that students who completed four courses in sequence were more likely to complete high school and more likely to be prepared for further study in that field. He added that currently, 40 percent of students in New Mexico are taking four courses but the question is whether they are the right four and whether they are in sequence.

In response to a committee member's question regarding a comparison between New Mexico and Oklahoma's CTE programs, Dr. Bottoms said that Oklahoma probably has one of the finest networks of technology centers in the nation. He claimed that the centers are well-equipped and well-funded, with a high degree of access to the public. Dr. Bottoms said that it would be a major investment for New Mexico to duplicate Oklahoma's system, which is locally funded and further supported by earmarked tax money. Dr. Bottoms also mentioned that New Mexico has something Oklahoma does not: a set of high-quality community colleges and four-year universities that offer two-and four-year programs.

SB 250, INCORPORATE ARTS INTO CLASSROOM INSTRUCTION (2014)

The Chair recognized Senator Cisco McSorley for a discussion on incorporating arts into classroom instruction through statewide regional support centers. Senator McSorley then recognized the following individuals in attendance: Ms. Andrea Fellows Walters, Director, Education and Community Programs, The Santa Fe Opera; Mr. Luis Delgado, Director of Fine Arts, Albuquerque Public Schools; Ms. Debbie Fleming, Executive Director, Fine Arts, Rio Rancho Public Schools, and Vice Chairperson, New Mexico Advisory Council for Arts Education (NMACAE); and Ms. Paula Stein, theater educator and member of NMACAE.

Senator McSorley explained that, during the 2014 legislative session, he introduced SB 250, *Incorporate Arts into Classroom Instruction*; however, the bill did not pass. Among its provisions, he explained, the bill would have appropriated \$350,000 to the Public Education Department to create regional centers throughout the state to assist licensed school employees to incorporate the arts into classroom instruction.

This initiative, Senator McSorley noted, is based on recent research, which has confirmed that core subjects taught through arts-based curricula have a more significant positive impact on students' learning. It is important to note, he added, that this bill did not seek to dictate what should be taught in the classroom; rather, it would have assisted teachers throughout the state to develop arts-based instruction on their own. Of additional importance, he stated, this legislation would build upon successes the state has experienced since the passage of the *Fine Arts Education Act*. He noted that one key problem with the implementation of the *Fine Arts Education Act* is that the infrastructure and supports have not been made available to school districts to effectively carry out the intent of the act, particularly in rural school districts.

Senator McSorley acknowledged that some districts, such as Hobbs Municipal Schools, have invested in the arts and have experienced success; however, not all districts have been able to dedicate the resources necessary to successfully integrate fine arts into their instructional programs. These districts, he emphasized, need support in professional development and training at the local level. By creating the infrastructure proposed in SB 250, he continued, the state will be in a better position to leverage a variety of resources in the private sector and private foundations in order to ensure that teachers are receiving the supports they need to use fine arts when teaching core subjects. Senator McSorley concluded his remarks by citing a report from the University of New Mexico Bureau of Business and Economic Research that values the art industry in New Mexico at \$5.6 billion.

Ms. Stein explained that the NMACAE comprises educators and program leaders in dance, music, drama, and visual arts. The council believes that the arts are a critical component of every part of a child's education, she said. Ms. Stein further explained that new national arts standards were released during the summer of 2014 and were well received by all national arts organizations. She noted that NMACAE is seeking help to implement these national arts standards into New Mexico classrooms, hopefully with financial support through legislation similar to SB 250 from the 2015 legislative session. Ms. Stein concluded her remarks by summarizing the new national arts standards and emphasizing the need to implement the standards into the classroom to enhance students' lifelong learning.

Committee Discussion

In response to a committee member's question regarding the utilization of regional educational cooperatives (RECs), Ms. Fellows Walters stated that RECs would be contracted to host professional development services, but that there would be a competitive request for proposals for the organization that actually provides the professional development.

VOICES FOR CHILDREN REPORT

The Chair recognized Dr. Veronica C. García, Executive Director, New Mexico Voices for Children (NMVFC), to report to the committee on its initiative, “*A Campaign for a Better New Mexico 2014*,” which includes the latest information from the *2014 KIDS COUNT Data Book* funded by the Annie E. Casey Foundation.

Referring to a handout, Dr. García stated that the campaign initiated by NMVFC is based on the four domains and 16 inter-related indicators of child well-being used in the *2014 KIDS COUNT Data Book*, and the 2013 rankings. The four domains, she said, are:

- economic well-being;
- education;
- health; and
- family and community.

In terms of national ranking among the 50 states, Dr. García reported that New Mexico moved from number 50 to 49. In order to significantly improve this ranking, she indicated that the state must:

- ensure that enough tax revenue is collected to improve and support the well-being of New Mexico’s children, families, and communities;
- enact policies to end food insecurity;
- ensure that revenues do not shrink;
- closely monitor its fiscal policy; and
- support programs that take a two-generation approach.

Dr. García further explained that New Mexico has the highest rate of child hunger in the nation, which is significant because hunger affects a child’s brain development, growth, and ability to perform well in school. She added that 42 percent of children in the state rely on food stamp benefits and 66 percent of the state’s K-12 students qualify for free or reduced-price meals at school. Regarding appropriations for FY 15, Dr. García noted that \$1.9 million was appropriated for school breakfasts, which is a slight improvement over the prior year.

She then discussed how a two-generation approach can improve family economic security by addressing the critical needs of children, including food, housing, healthcare, and education, while helping parents to improve their economic situation. According to Dr. García, there are many state services that address the needs of the whole family, but there is little coordination between them to ensure that all needs are being met. She emphasized that policymakers need to work on a focused approach to integrate these services and avoid duplication of efforts. Therefore, Dr. García recommended that the Health and Human Services Committee be provided with full-time staff to craft legislation to initiate a coordinated approach. In addition, she suggested that the Children’s Cabinet, which already exists in law, be revitalized and supported.

In regards to policy solutions for education, Dr. García stated that NMVFC recommends:

- increased spending for high-quality home visiting and parent coaching services;
- additional funding for early childhood care and education to offer incentives to providers and adequately compensate them for quality;
- increased training, technical assistance, compensation, and retention incentives for Pre-K and other early learning providers;
- passing a constitutional amendment to support early childhood care and education with a small percentage of the income generated from the Land Grant Permanent Fund (in 2014, SJR 12/HJR 9, which would have sent the issue to the voters, failed);
- restore K-12 funding on an inflation-adjusted per-pupil basis to pre-recession levels and sufficiently fund the K-12 education system (for FY 15, K-12 education funding increased by 5.8 percent, which is still below the per-student spending level before the recession when adjusted for inflation); and
- raise compensation for teachers, principals, and other student support staff (although funding was appropriated in FY 15 to give a 3.0 percent raise to all public school employees and a 6.0 percent raise to educational assistants, educators have gone without cost-of-living increases for several years).

To conclude, Dr. García reviewed policy solutions for issues in the health domain and focused on the concept of expanding and adequately funding school-based health centers (SBHCs). She noted that SBHCs:

- can offer a wide variety of services, including mental and oral health, that students may not receive otherwise;
- save students from missing classes, and their parents from leaving work, to go to an off-campus doctor's office; and
- were appropriated \$500,000 for FY 15, which is still below pre-recession levels.

While acknowledging that the FY 15 appropriation was a slight improvement, Dr. García reiterated that significant progress must be made to move New Mexico away from the bottom of the national rankings.

Committee Discussion

Referring to page 12 of the NMVFC handout, which addressed appropriation levels before the 2008 recession, a committee member asked Dr. García to further explain the adjustment for inflation and send that information to LESC staff.

In regards to expanding Medicaid coverage to age 26 for young adults who have aged out of foster care, a committee member questioned whether it was true that these young adults would be ineligible for coverage if they came from another state. Dr. García responded in the affirmative and emphasized that coverage is an issue.

A committee member commented that the federal government was proposing changes to the Children's Health Insurance Program (CHIP) and asked Dr. García if she was aware of the changes and how they would affect New Mexico. In reply, Dr. García stated that she was aware of this issue and offered to provide the committee with a detailed response after NMVFC staff fully researches the issue.

SUPERINTENDENTS AND COMMUNITY INPUT

The Chair recognized the following individuals representing the Southwest Educational Partners for Training (SWEPT): Ms. Katryn Fraher, Ms. Zulma Lozoya, Ms. Beatriz Ortiz, and Dr. Julie Ralls. Ms. Fraher explained that SWEPT is a labor intermediary that provides workforce training and helps students obtain their High School Equivalency Credential (HSEC). Ms. Fraher also noted that free classes for SWEPT participants are offered in Spanish and English, and, though the program primarily serves students seeking their HSEC, the program strives to serve students of all levels. Although the classes are free, students pay for course materials that have been compiled by SWEPT, Ms. Fraher added.

Ms. Lozoya, who is currently pursuing her HSEC, explained that she is very thankful for the services provided by SWEPT. She said that the program has had a significant impact on her life by advancing her position so that she does not have to rely on governmental services. Ms. Ortiz further emphasized some of the points made by Ms. Lozoya and translated portions of Ms. Lozoya's testimony that were spoken in Spanish.

Regarding alternative education opportunities, Dr. Ralls explained that she moved to New Mexico from California to study Ayurveda, a system of traditional Indian and Hindu medicine, because one of the best Ayurveda training programs is located in Albuquerque. After working in home healthcare for seniors, Dr. Ralls said, she was connected with a culinary arts program through Albuquerque Interfaith. The course has been valuable to Dr. Ralls, particularly because the students in the culinary program come from such diverse backgrounds, she said. As such, Dr. Ralls encouraged the committee to support these training programs because they allow students to become self-sufficient and gain employment. Money spent in training programs allows the state to invest in education rather than the prison system, according to Dr. Ralls.

Committee Discussion

A committee member commented that she received word from the Public Education Department that two high school equivalency tests were recently selected through a request for applications process. Ms. Fraher replied that the HiSET test, which is developed by the Educational Testing Service, and the GED test, which is developed by GED Testing Service, LLC, were both selected. Ms. Fraher further noted that Central New Mexico Community College may be ready to administer the new HiSET test as early as March of 2015.

There being no further business, the Chair recessed the LESC meeting at 5:58 p.m.

**MINUTES
LESC MEETING
DECEMBER 19, 2014**

Senator John M. Sapien, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:16 a.m., on Friday, December 19, 2014, in Room 322 of the State Capitol in Santa Fe, New Mexico.

The following voting members of the LESL were present:

Senators John M. Sapien, Chair, Craig W. Brandt, Gay G. Kernan, and Howie C. Morales; and Representatives Mimi Stewart, Vice Chair, Nora Espinoza, Jimmie C. Hall, Rick Miera, Dennis J. Roch, and Sheryl M. Williams Stapleton.

The following advisory members of the LESL were present:

Senators Jacob R. Candelaria, Lee S. Cotter, Linda M. Lopez, John Pinto, and William P. Soules; and Representatives Alonzo Baldonado, David M. Gallegos, Stephanie Garcia Richard, Tomás E. Salazar, James E. Smith, and Christine Trujillo.

The following advisory members of the LESL were not present:

Senators Daniel A. Ivey-Soto and Pat Woods; and Representatives Nathan “Nate” Cote, George Dodge, Jr., Timothy D. Lewis, and Bob Wooley.

GENERAL FUND REVENUE ESTIMATES

The Chair recognized Ms. Leila Burrows-Kleats, Chief Economist, Department of Finance and Administration (DFA); Ms. Elisa Walker-Moran, Chief Economist, Taxation and Revenue Department (TRD); and Mr. Peter B. van Moorsel, Chief Economist, Legislative Finance Committee (LFC), for a presentation of the December 2014 General Fund revenue estimates.

Referring to the DFA committee handouts, Ms. Kleats began with an overview of the consensus revenue estimating group’s forecast for General Fund revenue, which included:

- for FY 14, unaudited recurring revenue of \$6.04 billion, an increase of \$33 million above the August 2014 projection;
- for FY 15, projected recurring revenue of \$6.12 billion, down \$120 million from the August 2014 numbers; and
- for FY 16, projected recurring revenue of \$6.29 billion, down \$144 million from the August 2014 forecast.

Based on this forecast, Ms. Burrows-Kleats explained that “new money” in FY 16, defined as FY 16 projected recurring revenue less FY 15 recurring appropriations, is now projected to be \$141 million. Ms. Burrows cited a precipitous decline in oil prices as the reason for the decrease in projected “new money” from the August 2014 forecast.

Providing detail on specific revenues within the forecast, Ms. Walker-Moran:

- noted perceived strength in taxable gross receipts;
- highlighted projected growth in personal income tax from strong employment numbers; and
- reiterated that severance taxes had seen a downward revision based on a sharp decline in the price of oil.

Referring the committee to the TRD handout, Ms. Walker-Moran explained potential risks to the revenue outlook, including:

- a pending court case between the city of Eunice and the state on negative distributions from the overpayment of gross receipts taxes (GRT) to the municipality, which could reduce future GRT revenue to the state by up to \$20 million per year;
- the potential for a gaming compact with five tribes not to be renewed, which could affect up to \$20 million of tribal revenue sharing; and
- over \$100 million of High Wage Jobs Tax Credits that have been denied by TRD, but which are currently under protest.

Mr. van Moorsel referred the committee to the financial summary within the LFC handout. Among other things contained in the financial summary, Mr. van Moorsel noted that:

- based on the revised forecast, end-of-year General Fund reserves are expected to be 10 percent for FY 15; and
- after a \$6.0 million appropriation from a subaccount of the Appropriation Contingency Fund, commonly known as the “Education Lockbox,” that account has a balance of \$3.1 million for FY 15.

Committee Discussion

A committee member noted that, in addition to oil prices having fallen, natural gas prices were also in decline due to a warmer-than-expected winter. Having already seen a \$75 million change in General Fund revenue, the committee member suggested that the state may have an additional \$10 million decrease.

On that point, the Chair asked Mr. van Moorsel what the consensus revenue estimates were based on the current price of oil. Citing that West Texas Intermediate (WTI) crude was currently trading at approximately \$63 per barrel, Mr. van Moorsel stated that severance tax forecasts were based on data from NYMEX commodities futures contracts as well as data from the forecasting services employed by DFA, TRD, and LFC.

Recognizing Mr. David Abbey, Director, LFC, in the audience, the Chair asked Mr. Abbey what mechanisms were in place to backfill the current year’s budget when revenue decreases. Mr. Abbey stated that, because of adjustments for Medicaid and large requests for supplemental and deficiency funding, General Fund reserves could be spent down to the 6.0 to 8.0 percent range. If conditions grow tighter, Mr. Abbey suggested that the state may have to consider some of the same practices employed following FY 09, which involved scouring the budget and non-reverting funds for potential savings and alternative sources of revenue.

A committee member expressed concern that the forecast does not reflect vulnerability in compensating tax, may understate potential risk related to the Eunice court case, and could be missing strength in automobile sales.

TESTING: LESC STATEWIDE SURVEY

The Chair recognized Mr. Ian Kleats, LESC staff; and Mr. Carlos Contreras, LESC intern, to brief the committee on the findings of the LESC statewide testing survey.

To begin, Mr. Contreras mentioned that in October 2014, LESC staff addressed the committee to outline the methodology of the statewide survey. At that point, he noted, 34 school districts had responded to the survey. In order to augment the number of completed surveys, LESC staff extended the deadline for a final report to December 1, 2014. Referring to Attachment 1 of the handout, Mr. Contreras reported that the pool of responding school districts had increased to 55, including Albuquerque Public Schools, the largest school district in the state.

With regard to the analysis of the data collected by the survey, Mr. Contreras referenced two tables to illustrate the statewide average times on testing, per student and by school grade. The first table, Mr. Contreras stated, did not consider formative assessments while the second table did. As a result, he stated, the differentiation made between the two tables helped to account for the amount of time that formative assessments represent in each of the school levels.

Among other points, Mr. Contreras stated that:

- at any of the grade levels, English language learners (ELLs) spend four to five more hours on testing than non-ELLs;
- a potential explanation of this finding is that ELLs take language placement and language proficiency assessments in comparison to non-ELLs;
- it appears that grades 3, 7 and 8 are the most tested for both ELL and non-ELL students; and
- the average testing times per student for these school grades, including formative assessments, are as follows:
 - in third grade, ELL students average 27.11 hours of testing and non-ELL students average 21.64 hours;
 - in seventh grade, ELL students average 27.86 hours of testing and non-ELL students spend 22.69 hours; and
 - in grade 8, ELL and non-ELL students average 27.37 hours and 22.20 hours respectively.

To conclude, Mr. Contreras indicated that it appears that:

- school grades 4, 5, 6, 10, and 11 are slightly less tested than grades 3, 7, and 8; and
- the average times noted on the presentation encompassed all assessments mandated by PED; however, it was the discretion of each school district to add other assessments to the testing portfolio.

Mr. Kleats explained that:

- in school grades K through 3, formative assessments represent half of the testing time for a given student;
- in grade 9 the proportion of formative assessments in relation to the total of assessments increases 75 percent; and
- for other grades (grades 3 through 8 and grades 10 and 11), the proportion of formative assessments drops to 25 percent.

Among other comments, Mr. Kleats noted that the survey:

- found that in general, the range in time that districts spend testing narrows as students move up in grades;
- may be a point of departure for further research; for example, one possible research question could be whether the variation in formative assessments across school grades affects the scores reached in summative assessments; and
- included open-ended questions that asked districts about what they anticipated in relation to the Partnership for the Assessment of Readiness for College and Careers (PARCC) and the National Center and State Collaborative (NCSC) assessments (the former is to replace the state standards-based assessment and the high school graduation assessment in school year 2014-2015; and the latter is to replace the New Mexico Alternate Performance Assessment (NMAPA), the assessment for students with cognitive disabilities, in school year 2015-2016.).

Mr. Kleats also indicated that the responses to questions were printed verbatim in Attachment 3 of the handout, and that in general school districts have optimistic views as well as concerns about PARCC. For example, Mr. Kleats said, school districts believe that PARCC could reduce testing time as it is a timed test. On the other hand school districts were concerned about the administrative burden of giving PARCC.

To conclude, Mr. Kleats stated that it appears school districts had little knowledge about the NCSC assessment. Among the few districts that did know about the NCSC assessment, concerns were that the electronic format in which the test will be administered would not be beneficial to students with cognitive disabilities.

Committee Discussion

A committee member asked whether the different sample sizes for each of the tables and charts included in the handout were an indication of missing data. Mr. Kleats answered that in some cases school districts did not provide data for a particular school grade, which may have contributed to different “N” values for each of the charts. Mr. Contreras added that having different “N” values was also the result of a data confirmation process where “N” values represent the number of cases in which the data are reflective of the original responses submitted by the districts.

A committee member asked whether the average testing times included students who may have finished an assessment before the rest of the classroom. To that question, Mr. Contreras

responded that average times included all students who take a given test regardless of how long it took each student to complete an assessment. Another member of the committee explained that, in the case of untimed tests, students are asked to remain in the room even when they have finished the test; thus average times may refer to the time a whole classroom is pulled out from instruction.

A member of the committee encouraged all committee members to read the comments sections of the handout. The committee member acknowledged that the comments explained further what the data indicated and accounted for administrative work put into testing and other logistic concerns, such as making sure that all students have a computer connected to the Internet during testing.

A committee member expressed concerns about the number of districts that did not know about the upcoming NCSC assessment. The committee member asked whether LESC staff had more information about the NCSC assessment. Mr. Contreras answered that knowledge on the NCSC is currently limited; nonetheless it is known that this assessment can be understood as the PARCC version for students with cognitive disabilities. Mr. Kleats added that the NCSC will be replacing the current NMAPA assessment in all applicable school grades.

DIRECTOR'S REPORT

a. Approval of November 2014 LESC Minutes

On a motion by Representative Roch, seconded by Representative Miera, the committee approved the minutes for the November 2014 interim meeting.

b. 2014 Draft of LESC Workplan

Ms. Frances Ramírez-Maestas, LESC staff, referred the committee to the *Legislative Education Study Committee 2014 Interim Workplan* in the committee notebooks, and she noted that the workplan is updated each month to reflect the committee's interim work at each interim meeting.

c. Informational Items

Administrative Rulemaking:

The Chair recognized Mr. Kevin Force, LESC staff, who briefed the committee on one proposed rulemaking, published in the November 13, 2014 issue of the *New Mexico Register*, by the New Mexico Public Schools Insurance Authority, which would amend two sections of rule, namely:

- **6.5.1 NMAC, General Provisions**, which would allow the current board to name former board members to sit on the Permanent Risk Advisory and Permanent Employee Benefits Advisory Committees. Currently membership of the committees is limited to participating entities or covered individuals.
- **6.50.10 NMAC, Employee Benefit Coverage Enrollment Policy**, which would expand, from 31 to 61, the number of days within which information regarding:

- newborn infants and recently adopted dependents must be certified, from the birth date or date of placement, respectively; and
- documentation of medical insurability must be submitted with the application for coverage.

The Chair also recognized Mr. Travis Dulany, LESC staff, for an update regarding rulemaking for the tribal college dual credit program. Mr. Dulany explained that a public hearing regarding the tribal college dual credit program rule was held on October 15, 2014. Mr. Dulany noted that, according to the General Counsel for the Higher Education Department (HED), the proposed rule was developed in collaboration with the various tribal colleges and, as a result, HED anticipated minimal feedback. In addition, Mr. Dulany reported that the final adopted rule for the program was published in the November 13, 2014 issue of the *New Mexico Register*. Other than minor typographical changes, Mr. Dulany concluded, the final rule is substantively identical to the proposed rule from September 15, 2014.

Balancing Equalization with Increased Revenue for Education: Expansion of Local Tax Effort under New Mexico’s State Equalization Guarantee

For the committee’s review, Ms. Ramírez-Maestas referred the members to a research paper presented by Mr. Ian Kleats, LESC staff, at the National Tax Association’s *Annual Conference on Taxation* held in Santa Fe on December 13-15, 2014.

POTENTIAL LESC-ENDORSED LEGISLATION: COMMITTEE REVIEW AND DISCUSSION OF DISCUSSION DRAFTS

The Chair recognized Mr. Kevin Force, LESC staff, to brief the committee on two changes to proposed charter schools legislation since the prior hearing. Specifically, Mr. Force stated that:

- In the bill (.197704.4) dealing with the relationship between the Public Education Department (PED) and the Public Education Commission (PEC), reference to the 2.0 percent set aside for administrative costs had indicated that it would be withheld by the commission. However, since the commission has neither the authority nor a mechanism for such withholding, the language was changed to reflect PED withholding the 2.0 percent set aside on behalf of the PEC.
- In the transportation bill (.197727.3), the following new passage was lifted, in total, and moved from Section 6, Paragraph (I)(22-8B-4 NMSA, “Charter Schools’ Rights and Responsibilities – Operation”) to Section I, Paragraph (F) (22-8-26 NMSA, “Transportation Distribution”):

“A charter school in which at least twenty percent of the students qualify for transportation services in compliance with an individualized education plan or with Section 504 of the federal Rehabilitation Act of 1973 may choose to provide state-funded transportation services for its eligible students; provided that the eligible students are not receiving transportation services provided for all students.”

Referring the committee to a handout, *Discussion Drafts Reviewed by LESC – November Interim Meeting*, Mr. Force reviewed potential LESC-endorsed legislation as follows (committee action noted below each proposed bill):

BREAKFAST PROGRAM

.198023.1 – renaming the Breakfast after the Bell Program; allowing schools the option of providing breakfast before or after the beginning of the instructional day.

Sponsor: Senator Gay G. Kernan

On a motion by Representative Stewart, seconded by Senator Morales, the committee voted unanimously to endorse this legislation.

CHARTER SCHOOLS

.197704.4 – removing the Public Education Commission’s administrative attachment to the PED. (PEC bill) *Sponsor: Representative Christine Trujillo*

On a motion by Senator Kernan, seconded by Senator Morales, the committee endorsed this legislation by a vote of 6 in favor, 3 in opposition.

.197716.3 – amending the *Public School Code* to define certain charter school terms and to clarify certain responsibilities of charter school authorizers, charter school governing bodies and charter schools. (Cleanup bill) *Sponsor: Representative (now Senator) Mimi Stewart*

On a motion by Representative Roch, seconded by Representative Espinoza, the committee voted unanimously to endorse this legislation.

.197726.2 – amending the *Public School Code* to remove charter school eligibility for small-school size adjustment program units and to make state-chartered charter schools eligible for at-risk units. (Small School Size Adjustment bill) *Sponsors: Representatives Jimmie C. Hall and Dennis J. Roch; and Representative (now Senator) Mimi Stewart*

At the request of the sponsors, amended provisions to this bill are to be reviewed and discussed during the January 2015 LESC interim meeting.

.197727.3 – allowing school districts and charter schools to establish transportation agreements to transport charter school students. (Transportation bill)

Sponsor: Representative Dennis J. Roch

On a motion by Senator Brandt, seconded by Representative Roch, the committee voted unanimously to endorse this legislation.

.197728.2 – including charter schools in the definition of “agency” for purposes of the *Audit Act*. (Agency/Component Unit bill) *Sponsor: Senator Daniel A. Ivey-Soto*

On a motion by Senator Brandt, seconded by Representative Miera, the committee voted unanimously to endorse this legislation.

At the request of the sponsor, amended provisions to this bill are to be reviewed and discussed during the January 2015 LESC interim meeting.

.197795.2 – amending the *Public School Lease Purchase Act* to clarify the definition of “governing body”; establishing the relationship between a governing body and a school district or a charter school in the acquisition of public school facilities pursuant to lease-purchase arrangements; repealing a section of the NMSA 1978. (Lease Purchase Act bill) *Sponsor: Representative (now Senator) Mimi Stewart*

On a motion by Representative Roch, seconded by Representative Stewart, the committee voted unanimously to endorse this legislation.

.197801.3 – amending, repealing and enacting sections of the *Public School Code* relating to governance of charter schools. (Governance bill) *Sponsor: Senator Craig W. Brandt*

On a motion by Representative Roch, seconded by Representative Stewart, the committee voted unanimously to endorse this legislation.

GRADUATION REQUIREMENTS

.198022.1 – removing the requirement that a student take at least one advanced placement, honors, dual credit, or distance learning course for graduation. *Sponsor: Senator Gay G. Kernan*

On a motion by Representative Stewart, seconded by Senator Brandt, the committee voted unanimously to endorse this legislation.

PUBLIC SCHOOL CAPITAL OUTLAY

.197672.1 – amending the *Public School Capital Outlay Act* to allow the Public School Capital Outlay Council to provide temporary annual allocations to school districts to address building systems needs in existing buildings; amending and enacting sections of the NMSA 1978, making an appropriation. (**Endorsed by the Public School Capital Outlay Oversight Task Force**) *Sponsor: Representative (now Senator) Mimi Stewart*

On a motion by Senator Morales, seconded by Representative Miera, the committee endorsed this legislation by a vote of 6 in favor, 3 in opposition.

TRANSPORTATION

Discussion draft – School District Liens on Certain School Buses, amending the *Public School Finance Act* to require school district liens on contractor-owned school buses under contract to the school district. *Sponsor: Representative (now Senator) Mimi Stewart*

On a motion by Representative Miera, seconded by Representative Roch, the committee voted unanimously to endorse this legislation.

Discussion draft – School Bus Fuel Gross Receipts, creating a new section in the *Gross Receipts and Compensating Tax Act* to provide for a deduction for the sale of fuel for school buses for to-and-from school or school-related transportation; and providing a deduction from the Compensating Tax for fuel used in a school bus. *Sponsor: Senator John M. Sapien*

On a motion by Representative Miera, seconded by Representative Roch, the committee voted unanimously to endorse this legislation.

Discussion draft – School Transportation Info Reporting, amending the *Public School Finance Act* to change the reporting dates for school transportation funding of school districts and state-chartered charter schools to the second reporting date of the prior year (from the first reporting date of the current year). *Sponsor: Representative Dennis J. Roch*

At the request of the sponsor, amended provisions to this bill are to be reviewed and discussed during the January 2015 LESC interim meeting.

Discussion draft – School Bus Security & GPS, appropriating \$889,000 from the General Fund to PED to provide for the installation and operation of security and global positioning system (GPS) devices in school buses. *Sponsor: Representative Christine Trujillo*

On a motion by Representative Miera, seconded by Representative Stewart, the committee endorsed this legislation by a vote of 7 in favor, 2 in opposition.

REMOVE SCHOOL ADEQUATE YEARLY PROGRESS

.198340.1 – amending and repealing sections of the *Public School Code* to remove references to “Adequate Yearly Progress.” *Sponsor: Representative Dennis J. Roch*

On a motion by Representative Espinoza, seconded by Representative Stewart, the committee voted unanimously to endorse this legislation.

OTHER LEGISLATION

The following proposed legislation for committee endorsement is to be reviewed and discussed during the committee’s January 2015 interim meeting:

.197726.2 –amending the *Public School Code* to remove charter school eligibility for small school size adjustment program units and to make state-chartered charter schools eligible for at-risk units. (Small School Size Adjustment bill) *Sponsor: Representative Jimmie C. Hall*

Final Draft – excluding the collection and distribution of personally identifiable information in the educational data system. *Sponsor: Representative Dennis J. Roch*

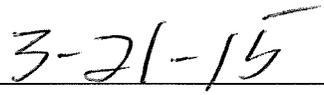
Final Draft – School Transportation Info Reporting – amending the *Public School Finance Act* to change the reporting dates for school transportation funding of school districts and state-chartered charter schools. *Sponsor: Representative Dennis J. Roch*

Excellence in Arts Education bill – making an appropriation to support the deployment of national core arts standards aligning with the state standards; and expanding opportunities for fine arts instruction for visual and performing arts specialists, classroom teachers, administrators, and thereby students and communities statewide. *Requested by: Senator Cisco McSorley*

ADJOURNMENT

There being no further business, the Chair adjourned the LESC meeting at 11:55 a.m.


_____ Vice Chair


_____ Date