

STATE OF NEW MEXICO
LEGISLATIVE EDUCATION STUDY COMMITTEE

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Mimi Stewart, Vice Chair
Nora Espinoza
Jimmie C. Hall
Rick Miera
Dennis J. Roch
Sheryl M. Williams Stapleton

State Capitol North, 325 Don Gaspar, Suite 200
Santa Fe, New Mexico 87501
Phone: (505) 986-4591 Fax: (505) 986-4338
<http://www.nmlegis.gov/lcs/lesc/lescdefault.aspx>

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MINUTES
LESC MEETING
July 14-16, 2014

Frances Ramirez-Maestas, Director

Senator John M. Sapien, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:17 a.m., on Monday, July 14, 2014, in Room 9006 of the Henderson Fine Arts Center at San Juan College in Farmington, New Mexico.

The following voting members of the LESC were present:

Senators John M. Sapien, Chair, and Craig W. Brandt; and Representatives Mimi Stewart, Vice Chair, Nora Espinoza, Jimmie C. Hall, Rick Miera, and Dennis J. Roch.

The following voting members of the LESC were not present:

Senators Gay G. Kernan and Howie C. Morales; and Representative Sheryl M. Williams Stapleton.

The following advisory members of the LESC were present:

Senators Lee S. Cotter and Linda M. Lopez; and Representatives Nathan "Nate" Cote, David M. Gallegos, Stephanie Garcia Richard, and Timothy D. Lewis.

The following advisory members of the LESC were not present:

Senators Jacob R. Candelaria, Daniel A. Ivey-Soto, John Pinto, William P. Soules, and Pat Woods; and Representatives Alonzo Baldonado, George Dodge, Jr., Tomás E. Salazar, James E. Smith, Christine Trujillo, and Bob Wooley.

Representative James R.J. Strickler was also in attendance.

On a motion by Representative Stewart, seconded by Representative Roch, the committee approved the agenda for the meeting.

OVERVIEW OF EDUCATIONAL PROGRAMS AND INITIATIVES

San Juan College

The Chair recognized Dr. Toni Pendergrass, President, San Juan College (SJC); Mr. Randy Pacheco, Dean, School of Energy, SJC; and Dr. Margaret Young, Dean, School of Business, Media and Technology, New Mexico Highlands University (NMHU), to present on educational programs and initiatives at SJC and NMHU.

Dr. Pendergrass reported that:

- the average student age at SJC is 32 (compared to age 36 last year);
- the national average student age is 28;
- SJC demographics indicate that the student population is:
 - 60 percent male and 40 percent female;
 - 46 percent white;
 - 30 percent Native American;
 - 15 percent Hispanic; and
 - 9.0 percent other race;
- 15 percent of SJC students are first-time students; and
- total student enrollment at SJC is 18,000.

She then informed the committee that, since taking office in 2012, her executive leadership team has been working to develop four strategic directions for SJC, which are:

1. Student Success and Completion;
2. Community Partnerships and Economic Development;
3. Institutional Effectiveness; and
4. Valuing People.

Noting that the Student Success and Completion strategy has been a top priority, Dr. Pendergrass explained that this initiative:

- entails a course that teaches students to succeed in college and life;
- has provided training for 100 faculty; and
- has redesigned the curriculum, pre-requisites, and placement process.

Using the English program as an example, Dr. Pendergrass noted that the strategy uses a co-requisite model, pairing developmental level courses with college-level courses. Because the strategy creates career-specific pathways, not all students will be required to take algebra or calculus; instead, math courses are adjusted to the program's specific needs, she explained.

The Student Success and Completion strategy, she continued, includes online education (30 percent of SJC students are taking online courses) and evaluates the online courses through its Quality Matters rubric to examine gaps between online and face-to-face courses.

Dr. Pendergrass further noted, that SJC has several cultural and service centers, including the:

Hispanic/Latino Center, Native American Center, Veteran Center, and Center for Working Families.

With regard to the second strategic direction, Community Partnerships and Economic Development, she explained that SJC has established alliances with other institutions to exchange best practices and diversify funding sources. For example, she said, SJC invited the President of Harper College to share his experience in developing math readiness strategies and dual-credit enrollment programs.

Dr. Pendergrass then discussed the Four Corners College Readiness Conference that took place in April 2014. The purpose of the conference was to discuss how to improve student preparation for college-level courses and align math curricula. She said that over 70 participants from SJC, four local school districts, and two independent schools participated.

Furthermore, Dr. Pendergrass stated that SJC has reached guaranteed admissions agreements with NMHU, the New Mexico Institute of Mining and Technology, and the University of New Mexico. She also briefed the committee on an agreement between SJC; the Energy, Minerals and Natural Resources Department; and the Federal Indian Minerals Office to provide technical assistance in processing land leases.

Regarding economic development, Dr. Pendergrass noted that SJC has collaborated with Four Corners Economic Development to host the following events:

- Startup Weekend, which teaches the basics about startup companies and launching successful ventures;
- Discovery Day, which provides an opportunity for entrepreneurs to present their ideas to business professionals and investors; and
- WorkKeys, which uses a program to evaluate the skills of job applicants.

In addition, she said, SJC started a research park based on a strategy to:

- provide extra revenue to the college from investments from Four Corners Innovation, Inc;
- provide opportunities for faculty and staff to fund their ideas;
- attract new faculty that traditionally work for large universities; and
- attract retired faculty to continue ongoing research.

Referring to the third Strategic Direction, Institutional Effectiveness, Dr. Pendergrass explained that the goal is to improve SJC's performance and internal processes while maintaining fiscal stewardship. To achieve these goals, she stated, SJC has:

- supported growth in science, technology, engineering, and mathematics;
- provided incentives for students to take more credits;
- implemented the IDEA model, as in:
 - Identify (defining problems and challenges);
 - Develop and do (making and implementing the plan);
 - Evaluate (checking on results); and
 - Act (act on what SJC has learned);

- developed a Technology Master Plan;
- reviewed the budget process;
- developed a Marketing Master Plan;
- created an Academic Master Plan; and
- applied for several grants.

The last strategic direction, Valuing People, aims to ensure an internal community of trust, mutual respect, and inclusion. Dr. Pendergrass noted that this strategy includes:

- constant communication with employees and students;
- wage and compensation policies;
- a transparent and inclusive decision-making system;
- wellness initiatives; and
- support to employees seeking higher education degrees.

To conclude, she stated that by 2020 SJC intends to meet the 50 percent graduation rate proposed by President Obama through the American Graduation Initiative.

Mr. Pacheco then briefed the committee on the new School of Energy building. He noted that its targeted completion date is May 2015, and the building is funded through a legislative appropriation, corporate investments, and SJC.

Acknowledging the importance of the oil and gas industry in Farmington, Mr. Pacheco indicated that SJC is well suited in preparing a workforce that meets industry needs. He added that:

- British Petroleum (BP), which sends employees from all over the world to Farmington, has chosen SJC to be their trainer of choice;
- nine out of 10 graduates from the School of Energy find a job in the industry shortly after finishing their studies; and
- the demand for skilled employees in the oil and gas industry is likely to increase in Farmington, the state of New Mexico, and the nation as a whole.

New Mexico Highlands University (NMHU) Oil and Gas Management Program

Dr. Young informed committee members that New Mexico has a workforce in the oil and gas industry (O&G) of over 27,000 people, and a trained workforce is critical to the industry due to, among other things, increased retirements in management-level positions.

She explained that NMHU has created a Bachelor of Arts (BA) degree program in oil and gas management which is about to complete its first year of existence. Dr. Young also noted that the university offers a specialized Master of Business Administration (MBA) program in O&G.

Dr. Young further acknowledged that NMHU's partnership with SJC dates back to 1996 and focuses on:

- helping associate degree holders to transition to BA degree programs; and
- offering BA and MBA programs in O&G management for working people in the evenings.

She noted that NMHU's immediate goals are to:

- build industry partnerships;
- continue current collaboration with SJC;
- expand partnerships with other New Mexico schools;
- maintain a pool of experts as faculty; and
- support quality online educational programs.

Dr. Young concluded her presentation by listing the projected budgets for O&G programs in academic years 2015, 2016, and 2017, noting that:

- academic year 2015 will require \$132,850;
- academic year 2016 will require \$282,100; and
- academic year 2017 will require \$290,315.

The budget for each of the three years, according to Dr. Young, breaks down into the following categories:

- program oversight;
- full-time faculty;
- part-time faculty;
- course development;
- fringe benefits;
- equipment;
- miscellaneous; and
- marketing.

Committee Discussion

A committee member asked what can be done to reduce the high rate of high school graduates taking remedial courses in college. In response, Dr. Pendergrass suggested that developmental education needs to be redesigned and stated that it would be beneficial to have multiple measures rather than a single placement assessment. Dr. Pendergrass also said that the initiative of redesigning developmental education to reduce the number of remedial students is not yet in place at SJC. However, she expressed interest in Texas because that state has experience in redesigning its courses.

In response to a committee member's question on the nature of programs offering dual credit courses, Dr. Pendergrass said that SJC offers dual credit courses for its academic, career, and vocational programs. She added that out-of-state high school students do pay tuition to SJC because they are actually under an early admissions program.

A committee member asked whether there are barriers restricting SJC graduates who find employment opportunities outside New Mexico from coming back, and Mr. Pacheco answered that, due to the large demand for skilled workers in O&G, his graduates work everywhere, even on offshore platforms. Nevertheless, he indicated, about 80 percent of SJC graduates come back to New Mexico.

Regarding a committee member's question on the time it takes to earn an associate degree in Industrial Process Operations, Mr. Pacheco stated that it takes four semesters; however, he added that the School of Energy is working on restructuring the program to reduce the graduation time frame to three semesters.

A committee member asked about aligning math curriculums between high schools and colleges to reduce remediation, and Dr. Pendergrass emphasized that SJC is working closely with high schools and high school teachers to promote college readiness. She also stressed that it is important to have four years of math courses during high school, but New Mexico requires only three years of math.

In reply to a committee member who asked where students at the School of Energy come from, Mr. Pacheco said that 10 percent of the students come from outside the state and SJC wants to raise that percentage. He added that, in the next couple of years, the number of nonresident students is expected to increase, and, with the new facility, the School of Energy will be able to meet the growing demand for its programs.

Lastly, a committee member asked about plans for campus housing at SJC, and Dr. Pendergrass replied that SJC has been working for several months with several local developers interested in the project.

WORKFORCE READINESS

The Chair recognized Dr. Thomas W. Engler, Dean of Engineering, New Mexico Institute of Mining and Technology (NM Tech); Mr. Jason Sandel, Executive Vice President, Aztec Well Companies; Mr. Randy Vandenberg, District Operations Manager, San Juan Basin, WPX Energy; and Ms. Cathy Newby, Governmental/Tribal Relations Administrator, Public Service Company of New Mexico (PNM), to inform the committee on workforce readiness.

To begin, Dr. Engler stated that NM Tech is a science and engineering university with an enrollment that is approximately 25 percent Hispanic. He then referred to a handout and explained that NM Tech offers nine fields of engineering and has seen a dramatic shift from science to engineering in the last five years. In regard to the petroleum engineering program at NM Tech, Dr. Engler cited an increase in undergraduate enrollment and 29 graduates for academic year 2013-2014. In comparison, he said that the mechanical engineering program graduated 45 students that year. He commented that NM Tech has also been enrolling graduates and transfer students from San Juan College (SJC) for a number of years. The key, he said, is to work in partnerships so that the articulation of transfer agreements prevents a loss of time.

Dr. Engler also discussed workforce readiness, specifically:

- college partnerships (the need to provide guidance to improve the transfer process);
- industry and academia partnerships (advisory boards, sponsorships, and internships);
- results (90 percent of US petroleum engineering graduates have full-time employment);
- challenges (the supply of graduates versus the demand for quality engineers); and
- opportunities (the aging workforce within the industry).

Placing an emphasis on jobs and community, Mr. Sandel further discussed oil and gas workforce readiness. He introduced several workers who accompanied him and acknowledged their efforts as professionals who are dedicated to delivering fuel so consumers can function, working days and nights often in inclement weather. According to Mr. Sandel, approximately 65 percent of the workers in his company are ethnic minorities. In October 2008, he said, Aztec Well Services reduced its workforce from about 750 to less than 250 employees. Citing that sustainability is a critical issue, he said the company now works in five basins across five states and is close to full employment again.

Even though a boom appears to be on the horizon and there are 3,049 open jobs in the industry, Mr. Sandel said the industry needs to be conservative in estimating to how much revenue it may generate for the General Fund. The recession resulted in the loss of about 25 percent of Farmington's economy, and many of their valuable oil and gas workers left to North Dakota, Texas, and Oklahoma, among other places, he said. As for the future of the San Juan Basin, which is considered to be a gas-producing basin with oil as a byproduct of the gas, Mr. Sandel informed the committee that new technology has increased oil production. Since natural gas recovery is not economical at this time, Mr. Sandel explained, the region is focusing on oil, which shows promise but has no guarantees.

He then referred to a slide in his handout showing the value of oil and gas revenues in the General Fund. A study by the New Mexico Oil and Gas Association, that Mr. Sandel referred to, showed that approximately \$1.7 billion of the state's \$5.7 billion budget was tied to oil and gas. Noting that working together is critical, he emphasized that there is an unmistakable tie between oil and gas and education.

To conclude, Mr. Sandel said that the industry spends a great deal of time training its workforce. Stating that high turnover is a problem, he asserted that responsible operators should provide good benefits and income. Because few people imagine a career in oil and gas when they are children, the industry is challenged to look at how to professionalize jobs around the workforce that occupies them. To conclude, Mr. Sandel urged the committee to understand that to stop drilling is to stop jobs, and this is also destructive to the education system. He added that about 50 jobs are connected to each rig, generating about \$3.7 million in wages.

Mr. Vandenberg continued the discussion on workforce readiness by providing an overview of the evolution of WPX Energy, noting that the company:

- has had a presence in the San Juan Basin for more than 30 years;
- is the 14th largest producer of natural gas in the United States;
- was the 8th largest producer of natural gas in New Mexico in 2011; and
- operates 872 wells in the San Juan Basin on 160,000 acres.

In terms of the WPX Energy economic impact on New Mexico, Mr. Vandenberg reported that in 2013:

- private landowners received \$6.0 million in royalties;
- federal, state, and Native American governments received \$18.4 million in royalties;
- WPX Energy had a statewide payroll of \$5.0 million; and
- the company paid \$9.5 million in severance and ad valorem taxes.

Mr. Vandenberg also referred to PowerPoint slides that reviewed:

- WPX Energy's community partnerships;
- the WPX Energy San Juan College Scholarship for members of the Navajo Nation;
- industry pay and benefits, with a \$92,160 average salary for oil and gas workers; and
- the scope of industry jobs.

Ms. Newby, then provided additional testimony on workforce readiness issues. She distributed a handout to the committee which was an overview of the PNM/Navajo Nation Workforce Training Program in partnership with SJC and Navajo Technical University (NTU).

According to Ms. Newby, the effort began three years ago when PNM's San Juan Generating Station was ordered to meet federal visibility standards. The goals for PNM were to:

- be environmentally responsible;
- consider the cost impact to customers; and
- consider economic impacts to the Four Corners region.

In August 2013, she said, PNM announced it would commit \$1.0 million over the next five years to train Navajo tribal members for future job opportunities and sent the first installment of \$200,000 directly to SJC and NTU. Ms. Newby then provided the LESC with the following update for SJC:

- 77 students were awarded scholarships in 25 different programs earning certificates or associate degrees at SJC and the SJC School of Energy;
- fields of study include chemistry, diesel mechanics, engineering, industrial process operator, instrumentation and controls technology, natural gas compression, renewable energy, and welding; and
- nine Navajo students graduated in May 2014.

To conclude, she reported these figures for NTU:

- 47 Navajo students have been awarded scholarships in 12 different programs earning certificates and associate degrees;
- 15 students are seeking bachelor's degrees;
- fields of study include electrical trades, construction technology, energy systems, computer-aided drafting, information technology, industrial engineering, environmental science, and natural resources; and
- 12 Navajo students graduated in May 2014.

Committee Discussion

A local area legislator informed the committee that the Farmington area, with a population of approximately 130,000 people, has lost about 4,000 jobs since 2008. He also mentioned that new drilling prospects such as the Gallup-Mancos shale formation give New Mexico an opportunity to ask the Bureau of Land Management (BLM) to issue more permits. Combined with more prospects in the southeast region of the state, the legislator emphasized that the oil and gas industry could generate an additional \$1.0 billion in revenue.

Referring to the boom and bust nature of the industry, a committee member asked what could be done to limit the impact on education and local communities. In reply, Mr. Sandel discussed several initiatives to mitigate negative impacts in the Farmington area, including:

- level loading to limit wild swings;
- the export of liquid natural gas using existing infrastructure; and
- the use of propane to fuel local vehicle fleets.

Mr. Sandel also explained that the Land Grant Permanent Fund exists to address the fact that oil and gas are finite resources.

In response to a committee member's question about the permitting process in New Mexico, Mr. Vandenberg stated that his company struggles on a daily basis to keep BLM permits active. He added that companies have to project their workload six months in advance to get a permit in time. On a positive note, Mr. Vandenberg said it is much easier to get permits on state trust lands.

When a member asked whether the industry was willing to pay more in taxes to get more permits, Mr. Vandenberg noted that the industry is hesitant to do this because boom and bust cycles always exist in a capitalist market.

A committee member asked what legislators can do to help the industry bring more resources into the state, and Mr. Vandenberg replied that maintaining reasonable fees is important, noting that high fees reduce profit margins. He also indicated that when the State Land Office reduced fees on oil and gas leases it generated more revenues through royalties.

TEACHERS TRANSFORMING TEACHING

The Chair recognized Dr. Barnett Berry, CEO and Partner, Center for Teaching Quality; Ms. Jessica Keigan, English/Language Arts Instructor, Horizon High School, Denver Public Schools, Thornton, Colorado; and Ms. Wendi Pillars, English as a Second Language (ESL) Instructor, Virginia Cross Elementary, Chatham Public Schools, Siler City, North Carolina, to inform the committee on lessons learned from high performing schools in the United States and other nations and to discuss ways to improve the teacher evaluation process.

Dr. Berry explained that the mission of the Center for Teaching Quality is to:

- study good teaching policy;
- work directly with some of the finest teachers across the US; and
- use technology to collaborate on ideas nationwide among educators and administrators on how to close the achievement gap.

Dr. Berry discussed what works well in top performing states and nations and explained that high performing schools in the US with long term improvements have high levels of trust among teachers, administrators, parents, and students. He also stressed that there is more collaboration time for teachers, noting that economists have shown that students score higher on achievement tests when their teachers have opportunities to work with colleagues over longer periods of time. As for high performing nations, Dr. Berry pointed out that practices in Singapore and Finland promote:

- high investment in teacher preparation;
- one school of education for teacher preparation;
- the selection of top performing high school students to go to school to become teachers;
- full government scholarships for teacher education;
- teacher internships for one full year under the guidance of an expert teacher before entering their own classroom;
- fewer standards-based assessments;
- using funds saved from fewer standards-based assessments for teachers to develop their own assessments, and the results from those are reported to governing bodies and school ministries; and
- using teacher evaluations to identify expert teachers in the field to mentor other educators.

According to Dr. Berry, differences between teachers in the US and Singapore indicate that:

- US educators teach an average of 28 hours a week while Singapore educators teach an average of 12 hours a week;
- US teachers work an average of 48 hours a week where Singapore teachers may work the same amount, but the remainder is used for planning and collaborating with colleagues;
- 5.0 percent of US teachers observe peer teaching, yet 90 percent in Singapore and Korea observe peer teaching; and
- Singapore provides:
 - 100 hours of paid professional development;
 - a one-year sabbatical to strengthen craft;
 - teacher education that is fully paid for by the government;
 - evaluations that are peer and master teacher-driven and are used for continuous teacher improvement;
 - pre-service teacher preparation that is highly invested in by the government, and all teachers are Teachers of English to Speakers of Other Languages certified as well as trained to become expert assessors; and

- master teacher involvement with governing bodies who advise on educational policymaking decisions.

Ms. Keigan and Ms. Pillars discussed their teaching experiences and reflected on what they have learned from top performing nations. Both of them agreed that:

- high value should be placed on giving sufficient time for collaboration;
- one teacher is not solely responsible for students;
- leadership support is important;
- best teaching practices come through collaboration on and off campus; and
- students should be educated holistically.

Next, Ms. Keigan discussed how the teacher evaluation legislation in Colorado was developed and how educators helped shape it. Ms. Keigan testified that the bill, SB 191, was developed by a variety of stakeholders, including teachers, who were asked for their input before the bill was passed. She stressed that a teacher's craft cannot be measured by one form of assessment that accounts for 50 percent of an evaluation. Because the exam created by the Partnership for Assessment of Readiness for College and Careers is new, the 50 percent weight of the teacher evaluation will be designed after Colorado determines how the assessment works, she said. Her district took the following steps as part of that design:

- in school year 2012-2013, the evaluation was given back to districts to see how it will be implemented;
- the evaluation was piloted through 10 official participating schools and others were able to join as independent pilots;
- teachers were able to have input in the design;
- it focused on the usefulness of observable data taken from its rubric;
- professional development was designed around that focus of observable data; and
- it had a collective focus to improve analysis and synthesis of skills used across curriculum.

Ms. Pillars then shared her thoughts and ideas on how ESL teachers should be evaluated. Ms. Pillars stated that the role of ESL teachers can vary from year to year; it ranges from pull-outs to co-teaching, depending on the caseload of English language learners (ELLs) and their levels of language proficiency. In her district, she said, the evaluation score is based on the grade of the whole school, including the scores of students she does not teach.

Explaining the difference between ESL and non-ESL classroom teachers, Ms. Pillars said that ELLs need to develop oral language proficiency skills before formal reading and writing skills develop. Even though these students are not reading on grade level, she said, they can make monumental gains in their level of language proficiency. She also stated that regular education teachers are not trained in the area of language development and recommended the following:

- planned collaboration with teachers that co-teach (a content expert collaborates with an English language development strategy expert);
- multiple measures of assessments for ELLs; and

- evaluating ESL teachers on the growth of the individual students they serve by using multiple measures of assessments — formal and summative.

As a closing note, Ms. Keigan touched on how student test scores should be used or not be used in assessing teacher performance, recommending to:

- put teachers in charge of assessments;
- have governing bodies develop professional partnerships with educators to create these assessments, not corporations; and
- ensure that data from these assessments are readily available so teachers can work on improving current students being tested.

Committee Discussion

A committee member commented that teachers in Singapore are held to high expectations and that only one in eight are accepted into the teaching profession. The member also expressed concern that teachers coming out of American universities are not adequately prepared for the classroom. In response, Dr. Berry acknowledged the differences between the two nations in that US teacher salaries are much lower than Singapore's, which results in a lower competitive pool of candidates. He also emphasized that, in Singapore, high quality investments for teacher preparation are in place and all teachers are trained to teach second language learners. Noting that there is only one institute that prepares teachers in Singapore, Dr. Berry also observed that the US does not have a consistent teacher preparation program across the board.

A committee member asked Dr. Berry about US rankings in comparison to other nations and wanted to know how we can reconcile that data with the understanding that the US is seeking to educate all students, regardless of socio-economic background and disabilities, while other countries do not. In response, Dr. Berry referred to Singapore and Finland and stated that everything they do in regard to education is learned from the US. The only difference reported by these countries is that the US is not as effective when it comes to implementation, he said. Although not as heterogeneous as the US, Dr. Berry said these countries include students from varying cultural backgrounds due to immigration. He claimed that both countries highly support educators around the issue of immigration and its impact on education and noted that their achievement gap for those subgroups is much smaller than the achievement gap in the US for similar diverse populations.

A committee member asked about Value-added Modeling (VAM) and student growth, and Ms. Pillars acknowledged that VAM indeed does demonstrate growth and that there is some evidence of that growth for ELLs. However, as an ESL teacher, she said, it is still unclear how her growth as a professional is demonstrated and for what portion of that data she is responsible.

A committee member responded to the discussion regarding the importance of teachers sharing their expertise by stating that there are three levels of teacher licensure, and Level 3 is designed to have those teachers mentor others. Unfortunately, he said, in New Mexico this practice is not used as it is intended. In reply, Ms. Keigan and Ms. Pillar both agreed that a paradigm shift needs to occur, noting that teachers should be able to observe other teachers and be able to collaborate with sufficient time set aside.

In response to both Ms. Keigan and Ms. Pillar, a committee member said that collaboration time has been set aside in various ways in public schools, but that time has not been used properly. The committee member then asked how top performing nations monitor collaboration time. Dr. Berry replied that teacher preparation programs in other top performing nations train teachers of education to have a collaborative dialogue.

A committee member inquired about engaging students in the arts to promote right-brain use and asked what those top performing nations did. Dr. Berry answered that both Singapore and Finland moderately invested in the arts and integrated them into the curriculum. However, Ms. Pillars and Ms. Keigan explained that, due to budget cuts, the arts have suffered, but art classes are available. Both implied that efforts are made to integrate humanities into the curriculum so that students can utilize the right side of the brain.

In closing, two committee members suggested that Deans of Education will need to redesign teacher preparation programs to meet current needs.

There being no further business, the Chair recessed the LESC meeting at 3:03 p.m. in order for committee members and staff to participate in a tour of the Natural Gas Power Plant Simulator and the Learning Well.

TOUR OF NATURAL GAS POWER PLANT SIMULATOR AND THE LEARNING WELL

Committee members and staff were provided with the tour, which included site visits to:

- the future School of Energy, which was paid for in part by a \$5.0 million appropriation from the Legislature;
- the Learning Well, a training ground consisting of sample equipment used in the oil and gas drilling process; and
- the PNM Natural Gas Power Plant Simulator.

**MINUTES
LESC MEETING
JULY 15, 2014**

Senator John M. Sapien, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:11 a.m., on Tuesday, July 15, 2014, in Room 9006 of the Henderson Fine Arts Center at San Juan College in Farmington, New Mexico.

The following voting members of the LESL were present:

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

The following voting members of the LESL were not present:

Senator Gay G. Kernan and Representative Sheryl M. Williams Stapleton.

The following advisory members of the LESL were present:

Senators Lee S. Cotter, Linda M. Lopez, and Pat Woods; and Representatives Nathan "Nate" Cote, David M. Gallegos, Stephanie Garcia Richard, Timothy D. Lewis, Tomás E. Salazar, and Bob Wooley.

The following advisory members of the LESL were not present:

Senators Jacob R. Candelaria, Daniel A. Ivey-Soto, John Pinto, and William P. Soules; and Representatives Alonzo Baldonado, George Dodge, Jr., James E. Smith, and Christine Trujillo.

DIRECTOR'S REPORT

a. Approval of June 2014 LESL Minutes

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

b. Informational Items

Ms. Frances Ramírez-Maestas, LESL staff, noted that, for the committee's review, the following items were included in the meeting materials to members:

- the 2014 LESL Interim Workplan;
- a staff brief on administrative rulemaking, which was briefly summarized by Mr. Kevin Force, LESL staff, relating to:
 - a rulemaking proposed by the Public Education Department (PED) that would amend the rules dealing with English Language Development (6.29.5 NMAC); and
 - rules finalized by PED on:

- Optional Full-day Kindergarten Program (6.30.5 NMAC); and
 - Pre-kindergarten Program (6.30.9 NMAC); and
- Board of Finance action regarding special education maintenance of effort.

Regarding the finalized PED rules on kindergarten and a requirement for additional assessments, a committee member requested that the department provide an explanation on what qualifies as a “PED-approved assessment.” In response, the Chair recommended that PED be allowed ample time to research the question and provide the committee with an answer during the LESC meeting in August.

TEACHER AND PRINCIPAL EVALUATION PANEL: AREA SCHOOL DISTRICTS/CHARTER SCHOOL

The Chair recognized Mr. Kirk M. Carpenter, Superintendent, Aztec Municipal Schools (AMS); Mr. Warman Hall, Principal, Aztec High School, AMS; Ms. Tatia Fernandez, Principal, Park Avenue Elementary School, AMS; Mr. Joe Rasor, Superintendent, Bloomfield Schools; Ms. Janel Ryan, Superintendent, Farmington Municipal Schools (FMS); Mr. Frank Chiapetti, Superintendent, Gallup-McKinley County Schools (GMCS); and Dr. Deborah Jackson, Head Administrator, New Mexico Virtual Academy (NMVA) Charter School, to update the committee on their progress with the teacher and principal evaluation system.

Aztec Municipal Schools

Mr. Carpenter began by informing the committee that AMS has been working in collaboration with the Public Education Department (PED) to resolve a number of issues that the district has experienced with the implementation process. He then explained how the district is addressing several concerns:

- Because principals must perform two formal observations for each teacher in the district and this process is time-consuming, AMS became creative and essentially “tag-teamed” principals from other schools to complete the evaluations. Mr. Carpenter stressed the importance of the walkthroughs, which are short in duration, but provide valuable information for each teacher.
- AMS did not use PED’s principal evaluation competencies because it was still being created during school year 2013-2014. Therefore, Mr. Carpenter informed the committee he chose to use the Highly Objective Uniform Statewide Standard of Evaluation competencies for principal evaluation, which the district had utilized in prior years.
- Some of the data that AMS received from PED was inaccurate and potentially harmful to teachers’ evaluations. As a result, AMS had an error rate of approximately 30 to 35 percent, prompting Mr. Carpenter to choose not to release the summative reports to his teachers. He based this decision on the fact that the district had received the reports days before the end of the school year, which did not provide adequate time to thoroughly review the summative reports.

Mr. Hall stated that the observation component of the teacher evaluation system should be weighted more than the statistical rubric model, noting that the new teacher evaluation system allows principals to be more effective in evaluating teachers. On a positive note, Ms. Fernandez observed that the teacher evaluation system allows administrators to meet the needs of teachers and provide informational support.

Bloomfield Schools

Referring to his handout, Mr. Rasor stated that Bloomfield Schools performed two formal observations according to its custom plan. The observations, he said, were conducted by the principal of each school and verified by another principal in the district. In agreement with Mr. Carpenter, Mr. Rasor stressed the value of the walkthroughs and their potential to change teaching instruction. After a walkthrough, he said, sound instructional practices are reinforced, and if the instructional practices need improvement, they are challenged immediately.

In reference to issues with the system, Mr. Rasor informed the committee that district officials experienced problems with attendance and trying to explain the value-added model to teachers. He stated that the new evaluation system is difficult to manage, but he believes the district is off to a good start despite a 40 percent error rate.

To conclude, Mr. Rasor reported that school year 2013-2014 was the district's highest year on record for resignations and transfers; and the district is having difficulty in its efforts to recruit 18 new teachers.

Farmington Municipal Schools

Ms. Ryan began her presentation to the committee by discussing teacher vacancies within FMS and stated that she has 42 openings and a lower applicant pool than in recent years.

She noted that in school year 2013-2014, under its custom plan, FMS conducted three formal observations. This was time-consuming and provided limited time for walkthroughs, she said; for school year 2014-2015, FMS will decrease the number of formal observations to two. Ms. Ryan also informed the committee that school districts can alter their custom plans and submit them to PED by the deadline of August 1, 2014. The modified custom plan will be approved by PED and, when approved, will be in use until 2017.

In reference to issues with the teacher evaluation system, Ms. Ryan said that FMS officials experienced problems with entering the data into Teachscape, some of which was inaccurate and potentially harmful to evaluations due to attendance issues and missing or incomplete data.

Despite these issues, Ms. Ryan assured the committee that FMS is working with PED to rectify the situation.

Gallup-McKinley County Schools

Mr. Chiapetti began his testimony to the committee by stating that GMCS had a high number of retirements this year and added that a number of teachers transferred to Bureau of Indian Education schools to earn higher salaries.

Regarding issues with the teacher evaluation system, he explained that graduated considerations (which are individually applied by student achievement measure, based upon years of teacher value-added scores), were his district's biggest issue. As a new superintendent, Mr. Chiapetti said, it was difficult to understand the intricacies of graduated considerations, even after he went through PED training for first year and new superintendents. Nevertheless, Mr. Chiapetti commended PED for taking time to answer questions regarding the teacher evaluation systems.

He also referenced other issues with the evaluation systems, including:

- the evaluation of teachers being based on three years' worth of data;
- the district's collective bargaining agreement and how *Public Education Bargaining Act* factors are included; and
- attendance issues.

Mr. Chiapetti pointed out that he believes in the teacher and principal evaluation system, but that the district is struggling with implementation.

New Mexico Virtual Academy Charter School

As the only administrator available to complete teacher evaluations, Dr. Jackson informed the committee that the formal observations were overwhelming and time-consuming. She also explained that NMVA teachers work in conjunction with life coaches to understand their evaluations and to become more effective.

In reference to issues with the teacher evaluation system, Dr. Jackson indicated that NMVA officials experienced problems with teacher attendance and student surveys. To conclude, she testified that the summative reports were shared with the NMVA teachers.

Committee Discussion

The Chair stated that the Teacher and Principal Evaluation Panel was meant to highlight lessons learned "on the ground" regarding the implementation of the teacher and principal evaluation system. He thanked the panel members for their testimonies and potential improvements of the evaluation systems.

In reference to a committee member's inquiry on whether teachers who hold an alternative teaching license are evaluated, Mr. Hall answered in the affirmative; teachers with alternative licenses are in fact evaluated in the same manner as their colleagues.

Regarding alternative teaching licenses, Mr. Rasor stated that Bloomfield Schools has an agreement with the Navajo Nation regarding their 520 license. This agreement allows tribal members of the Navajo Nation who teach Navajo and/or culture classes to teach in public schools with an alternative teaching license.

In reference to a committee member's inquiry on the number of teachers coming from New Mexico universities, Mr. Hall stated that a large percentage of his teachers come from New Mexico universities as well as close to 25 percent coming from Fort Lewis College in

Durango, Colorado. Dr. Jackson stated that approximately 25 percent of NMVA's teachers come from virtual universities.

In reply to a committee member's question on whether this was a pilot or baseline year for school districts, Mr. Carpenter noted that the New Mexico Coalition of Educational Leaders sent a letter to Ms. Hannah Skandera, Secretary-designate of Public Education, and, as a result of that letter were working in collaboration to address concerns raised by the school districts.

Replying to a committee member's inquiry on whether teachers who received a minimally effective or ineffective summative report were required to be placed on a professional growth plan, Mr. Carpenter stated that, according to his understanding, teachers who receive those ratings will be required to be placed on a professional growth plan.

In reference to a committee member's question as to whether teachers can move forward in the dossier process if they are rated minimally effective or ineffective, Mr. Carpenter noted that this question was not clarified by PED. However, Mr. Carpenter stated that hiring decisions will not be based on the summative reports and that hiring and firing will remain district decisions.

In reply to a committee member's question on whether PED is willing to work with the school districts, AMS, FMS, and GMCS reported that PED has been working in collaboration with the districts to solve the issues presented to PED. Ms. Ryan emphasized that it will take time to resolve the issues.

The Chair requested that each superintendent resubmit their overall data to the LESC when the summative surveys are corrected by PED and sent to the districts. This way, the committee will have the correct teacher ratings based on accurate information.

**A STATE/TRIBAL HIGHER EDUCATION BLUEPRINT:
PATHWAYS TO HIGHER EDUCATION AND
PATHWAYS HOME, STRATEGIES FOR BUILDING CAPACITY**

The Chair recognized Mr. Regis Pecos, Chief of Staff to the House Majority Leader, to inform the committee on the state and tribal higher education blueprint that is still in the formation process.

To begin, he provided background information on the social inequalities faced by Native Americans living in New Mexico, noting that the inequalities are rooted in the historical framework of the federal government's stance on the assimilation of Indian families and tribal communities.

The assimilation era policies, Mr. Pecos stated, consisted of restricting indigenous languages and ceremonies, dismantling Native families, and forcing relocation from reservations to urban areas. The Meriam Report, Mr. Pecos testified, was commissioned in 1928 to assess the state of Indian children, tribal communities, and Indian governments in this country. It described in great detail the complex state of Indian affairs and provided a foundational basis for the enactment of the *Indian Reorganization Act* in 1934, he added. The Meriam Report, he continued, also offered an explanation to assist the federal government with the challenge of educating Indian children

without utilizing policies that had not worked in the past; the report concluded that the federal government needed a change of perspective when establishing education policies for Native American children. Mr. Pecos added that 90 percent of Native American children are enrolled in public schools in New Mexico.

Mr. Pecos then provided a brief overview of the programs at the University of New Mexico (UNM) with significant numbers of Native American faculty, staff, and students, including the:

- School of Law, directed by Professor Christine Zuni Cruz (Isleta Pueblo);
- School of Medicine, with the Center for Native American Health previously directed by Dr. Gayle Diné Chacon (Navajo Nation);
- School of Education, with the American Indian Language Policy Research and Teacher Training Center directed by Dr. Christine Sims (Acoma Pueblo);
- School of Architecture and Planning, with the Community and Regional Planning Program directed by Dr. Ted Jojola (Isleta Pueblo);
- Health Sciences Center, which has community-based assessment strategies to provide community health profiles to tribal communities;
- School of Public Administration, with Mr. Regis Pecos (Cochiti Pueblo) developing partnerships with tribal nations for capacity building of their economies and tribal programs; and
- Department of Psychiatry, which has the Native American Behavioral Health Program and Native American Suicide Prevention Clearinghouse.

Mr. Pecos emphasized that, for the most part, these programs are a direct response from the Native faculty at UNM, one of the largest of its kind in the country, seeking to address the needs discussed by tribal leaders, program directors, and the Legislature.

Working together as a group, he stated, UNM President Robert G. Frank, Native faculty at UNM, the Higher Education Department, and legislative leadership are creating a state and tribal higher education blueprint for use in universities statewide that will build pathways to higher education, as well as pathways home, for Native American students. Mr. Pecos suggested that, to accomplish this blueprint initiative, the Legislature could use funding from the *Indian Education Act* Fund in the amount of \$500,000 over the course of three years to achieve the goal.

To conclude, Mr. Pecos stated that a full presentation is being prepared and will be provided later in the interim.

Committee Discussion

A committee member observed that the reason behind the initiative was to follow the provisions in the *Indian Education Act* regarding collaboration with higher education institutions. The member also noted that, in some fiscal years, the funding for the act was not expended.

A member of the committee suggested that the \$500,000 for the blueprint could be included in House Bill 3 during the next legislative session.

Regarding the blueprint initiative, a committee member asked Mr. Pecos if all the tribes in New Mexico were in agreement with it. Mr. Pecos answered by stating that all tribes, including

the Pueblos, the Apaches, and the Navajo Nation, were supportive regarding the initiative, as well as the Native faculty at UNM.

INDIAN EDUCATION ACT UPDATE

The Chair recognized the following presenters to provide the committee with an update on the implementation of the *Indian Education Act*:

- Ms. Heidi Macdonald, LESC staff;
- Mr. Paul Aguilar, Deputy Secretary of Finance and Operations, Public Education Department (PED);
- Mr. Frank Chiapetti, Superintendent, Gallup-McKinley County Schools;
- Mr. Hayes A. Lewis, Superintendent, Zuni Public Schools;
- Mr. Keith Franklin, Member, Indian Education Advisory Council; and
- Mr. Norman Ration, Executive Director, National Indian Youth Council, Inc.

Ms. Macdonald began by providing some background information on the *Indian Education Act*. She stated that the act was passed by the Legislature in 2003 as a means to address the unique cultural and educational needs of Native American students statewide. In all, under the act, there are 11 purposes, some of which:

- ensure maintenance of native languages;
- ensure that PED partners with tribes to increase tribal involvement and control over schools;
- provide the means for a relationship between the state and urban American Indian community members to participate in initiatives and educational decisions related to American Indian students residing in urban areas; and
- encourage and foster parental involvement in the education of Indian children.

Noting that the Indian Education Division at PED is established by the act, and the role of the assistant secretary of the division is expanded, Ms. Macdonald stated that, under selected provisions, the specific role of the assistant secretary is to:

- provide assistance to school districts and New Mexico tribes in planning, development, implementation, and evaluation of curricula in native languages, culture, and history designed for tribal and nontribal students as approved by New Mexico tribes;
- establish, support, and maintain the Indian Education Advisory Council;
- enter into agreements with each New Mexico tribe or its authorized educational entity to share programmatic information and coordinate technical assistance for public schools that serve tribal students; and
- seek funds to establish, develop, and implement culturally relevant support services for the purposes of increasing the number of tribal teachers, administrators, and principals.

Regarding the Indian Education Advisory Council, she noted that it consists of the following 16 members:

- four representatives from the Navajo Nation;
- one representative from the Mescalero Apache Tribe;
- one representative from the Jicarilla Apache Nation;
- two representatives from the southern pueblos;
- two representatives from the northern pueblos;
- three urban Indian representatives; and
- three at-large representatives (one from the Bureau of Indian Affairs, one from a Head Start organization, and one from the general public).

Furthermore, she noted that the act requires the Indian Education Division to submit an annual statewide tribal education status report by November 15 of each year.

To conclude, Ms. Macdonald stated that, to date, the Legislature has appropriated approximately \$26.6 million for the *Indian Education Act*. According to PED's 2013 annual audit submitted to the State Auditor's Office, she said, the Indian Education Fund had a total fund balance of approximately \$3.0 million as of June 30, 2013.

Next, Mr. Aguilar presented on the current initiatives of PED's Indian Education Division and recognized the work of Dr. Ferlin Clark, who resigned from the position of Assistant Secretary for Indian Education earlier this year, for moving the division forward with the implementation of the *Indian Education Act*. In addition, he noted that PED is in the process of hiring a new assistant secretary; however, in the interim, Mr. Aguilar will be the acting assistant secretary.

Referring to his PowerPoint presentation, Mr. Aguilar noted that the Indian Education Division provided technical assistance and professional development opportunities and entered into a number of formal agreements to improve Indian education achievement. Specifically, Mr. Aguilar stated, the Indian Education Division:

- created a budget questionnaire to ensure districts consult with tribes and pueblos in compliance with the *Indian Education Act*;
- provided information to tribal leaders regarding school funding, federal impact aid, and the State Equalization Guarantee (SEG) distribution;
- awarded second-year grants, which amounted to \$30,000, to the tribal language programs of all 22 tribes and pueblos;
- awarded 16 of the 23 highly Native American-populated school districts \$20,000 to provide culturally relevant learning environments and materials; and
- completed the first data sharing agreement between the state and a tribal government.

Mr. Aguilar further discussed the following requests from tribal leaders to:

- provide a report on impact aid and the credit taken in the SEG and Indian add-on;
- develop administrative code to ensure the execution of the *Indian Education Act*;
- abolish earmarks in the annual Indian education appropriation;
- ensure adequate funding for indigenous language instruction;
- provide consultation with school districts, tribes, and pueblos regarding Indian education; and

- provide New Mexico history and cultural sensitivity training to all educators working with Native American children.

Next, Mr. Chiapetti and Mr. Lewis briefed the committee on the implementation of the *Indian Education Act* within their respective school districts.

First, Mr. Chiapetti stated his concerns about the funding aspects of the *Indian Education Act* and indicated that his district is actively working with the Diné Division of Education to provide a better school experience for Navajo students. Regarding instructional materials for students, he emphasized the need for materials on Indian government, history, and language.

To conclude, Mr. Chiapetti said his district is having difficulty with:

- filling the vacant position on the Indian Education Advisory Council that represents the City of Gallup;
- receiving adequate funding for students who live in Arizona, but go to school in his district;
- opening a charter school in Navajo, New Mexico; and
- progressing on the State Tribal Education Partnership grant with the Navajo Nation.

Mr. Lewis addressed the committee next and reported that his district is following the aspects of the *Indian Education Act* that align with what it is trying to accomplish in Zuni. In Zuni, he noted, there is a high degree of alienation between the schools and the community except in certain areas. To remedy this situation and using the *Indian Education Act* as a guide, Mr. Lewis explained, the school district regularly reports to the Tribal Council and receives feedback from the tribal leaders.

Furthermore, he emphasized that if the school district is willing to invest in the social capital — the connections, the support systems within a school, and the school community — this will lead to competent young people who can overcome all of the deficits the LESC has been hearing about. For example, Zuni Public Schools terminated their contract with Save the Children, and they developed and began to use their own K-12 literacy model that is aimed at improving overall reading scores for English language learners.

Mr. Lewis also informed the committee that his district is moving from the heritage language model to a dual language model. Zuni Public Schools will utilize Literacy K-12, which will be changed through what is known as Study Blocks, he said. In terms of the training for Zuni teachers, he reported that his school district has developed a community-based teacher training program in collaboration with the Kellogg Foundation and the University of New Mexico. This homegrown teacher training program, according to Mr. Lewis, is based on Zuni cultural knowledge and cultural values, and the program is open both to Zuni and non-Zuni tribal members. Cultural awareness and sensitivity classes are also given to every new teacher who comes to teach at Zuni, he added.

Mr. Lewis concluded by stating that his school district's main goal is to make Indian education the best it can be, which will in turn strengthen Zuni children.

The last presenters, Mr. Franklin and Mr. Ration, presented on the state of education in New Mexico for Native American students.

Mr. Ration introduced himself to the committee as an education advocate for Indian children. Alluding to the prior panel testimony, he said that all the ideas are possible, but there must be a plan to accomplish these goals. Urban Native American students, he added, should not be forgotten.

Referring to his presentation, Mr. Franklin stated that there are 34,925 Native American students in New Mexico public schools. He then noted statistical differences in the achievement gap between Native American students and all other students. Further, he said, that school grades and student achievement ratings are not aligned and therefore misleading. Mr. Franklin also noted that the best performing tribal schools can be examined and the best practices can be replicated.

Committee Discussion

A committee member commented on the culturally relevant instructors at the Native American Community Academy, which is located in Albuquerque. This school, the committee member noted, is exemplary, and perhaps other tribal schools may consider following their lead.

Responding to a committee member's question concerning impact aid, Mr. Aguilar stated that the informational sheet on impact aid can be found on the PED website.

A committee member observed that the test results discussed by Mr. Franklin were difficult to understand. Due to the complexity of the school grades, the member suggested that other factors should be considered, in addition to proficiency, to understand the complete picture.

When a member commented that the Legislature needs to increase funding for Indian education to make up for five years of underfunding due to the economy, Mr. Franklin expressed interest in the Kahn Academy website as a tool to increase proficiency at no cost.

SUPERINTENDENTS AND COMMUNITY INPUT

The Chair recognized Ms. Jenny Lambert, Director, Adult Basic Education (ABE) program, San Juan College (SJC) and a representative speaking on behalf of the New Mexico Adult Education Association (NMAEA), to inform the committee on issues regarding the new General Educational Development (GED) test which rolled out in January to replace a prior version developed in 2002. She testified on the need to broaden testing options in the state, comparing SJC's GED test data from the first half of 2013 with test data from the first half of 2014. Specifically, Ms. Lambert indicated that:

- from January to June 2013: 1,724 people completed a full battery of GED exams at SJC, and 1,254 of them, or 72.7 percent, passed the exams to receive their GED; and
- from January to June 2014: 347 people completed a full battery of GED exams at SJC, and 139 of them, or 40 percent, passed the exams to receive their GED.

After acknowledging NMAEA's appreciation of LESC-endorsed *SB 44aa, *Use of "High School Equivalency Credential,"* from the 2014 regular legislative session, and HM 99, *Adult Education Program Funding Formula*, Ms. Lambert asked the committee to put forth a proposal to offer

more than one testing option in New Mexico and expressed concern that, currently, the SJC testing center is six months into a “locked-in,” three-year commitment with PearsonVue.

Committee Discussion

The Chair asked Ms. Lambert to explain “locked-in,” and she replied that SJC has to abide with a three-year agreement made between the state and PearsonVue. Then the Chair asked Mr. Aguilar whether PED was locked into a contract with PearsonVue rather than a memorandum of understanding. In reply, Mr. Aguilar stated that he does not recall signing a contract with the vendor, but could not be more definitive.

A committee member also asked how this affects the bill (*SB 44aa) signed by the Governor to clarify that there is no exclusivity on GEDs.

On these points, the Chair requested that PED research the issue and provide the committee with an update. The Chair expressed concern that the Pearson GED exam costs \$125 per test-taker while other companies have offered to provide the exam for \$50 to \$60 per test-taker.

There being no further business, the Chair with the consensus of the committee, recessed the LESC meeting at 5:10 p.m.

**MINUTES
LESC MEETING
JULY 16, 2014**

Senator John M. Sapien, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:12 a.m., on Wednesday, July 16, 2014, in Room 9006 of the Henderson Fine Arts Center at San Juan College in Farmington, New Mexico.

The following voting members of the LESL were present:

Senators John M. Sapien, Chair, Craig W. Brandt, and Howie C. Morales; and Representatives Mimi Stewart, Vice Chair, Jimmie C. Hall, Rick Miera, and Dennis J. Roch.

The following voting members of the LESL were not present:

Senator Gay G. Kernan; and Representatives Nora Espinoza and Sheryl M. Williams Stapleton.

The following advisory members of the LESL were present:

Senators Lee S. Cotter, Linda M. Lopez, and Pat Woods; and Representatives David M. Gallegos, Timothy D. Lewis, Tomás E. Salazar, and James E. Smith.

The following advisory members of the LESL were not present:

Senators Jacob R. Candelaria, Daniel A. Ivey-Soto, John Pinto, and William P. Soules; and Representatives Alonzo Baldonado, Nathan “Nate” Cote, George Dodge, Jr., Stephanie Garcia Richard, Christine Trujillo, and Bob Wooley.

**PARTNERSHIP FOR ASSESSMENT OF READINESS FOR
COLLEGE AND CAREERS (PARCC) UPDATE**

The Chair recognized Ms. Leighann Lenti, Deputy Secretary for Policy, Public Education Department (PED), for an update on developments with the new Partnership for Assessment of Readiness for College and Careers (PARCC) assessments. Referring to a committee handout, Ms. Lenti noted that:

- New Mexico adopted the Common Core State Standards (CCSS) in 2010;
- PARCC tests are aligned to the CCSS;
- the CCSS are designed to better prepare students for college and the workforce; and
- PARCC will provide valid and reliable data to measure a student’s college- and career-readiness.

She then briefed the committee on the following “14 facts that New Mexicans need to know about the Next-Generation Assessments: PARCC”:

1. New Mexico is a governing member of the PARCC Consortium of States;
2. with nearly eight out of 10 New Mexico fourth grade students not reading on grade level, CCSS and PARCC underscore that New Mexico families deserve a better education system;
3. a PARCC “membership” has many benefits to New Mexico’s students, educators, and parents (high-quality assessments at an affordable cost, detailed, reports, etc.);
4. in school year 2014-2015 NMPARCC — a New Mexico-specific version of the test — will replace the math, reading, and writing portions of the New Mexico Standards-based Assessment and High School Graduation Assessment;
5. the PARCC assessment design allows students to demonstrate mastery of the full range of CCSS skills;
6. the average testing time will not increase from what students have experienced taking the New Mexico Standards-based Assessment;
7. the PARCC assessments will be given in two separate testing windows and the total testing time is less than 1.0 percent of the school year;
8. New Mexicans are building PARCC assessments (reviewed by over 60 educators);
9. New Mexico schools (11,997 students in 69 districts and charter schools) participated in the Spring 2014 PARCC Field Test;
10. New Mexico students will take PARCC tests online;
11. PARCC is designed to be accessible to students with disabilities and English language learners;
12. parents can access PARCC student sample questions online;
13. PARCC is committed to signaling college- and career-readiness (PARCC results can show whether students are prepared to enter college without the need to take remedial courses); and
14. PARCC high school scores will be used for multiple purposes (i.e. graduation, accountability, and educator effectiveness, similar to New Mexico Standards-based Assessment usage).

For the PARCC assessments in reading and writing, according to Ms. Lenti, students will have to:

- show they can read and understand complex passages;
- write persuasively;
- conduct research and present findings; and
- demonstrate speaking and listening skills.

In math, she said, students will have to:

- show their work and demonstrate that they understand a concept rather than simply memorize a formula;
- compute quickly and accurately; and
- apply their mathematical knowledge to solve real-world problems.

Regarding the Field Test (fact number nine), Ms. Lenti said that the department received positive feedback from students. She also noted that if a student scores a four or a five he or she should not need college remediation.

Ms. Lenti also explained that a Spanish version of the PARCC assessment is currently under development.

Committee Discussion

A committee member asked whether any part of the PARCC exam has been translated into Native American dialects, and Ms. Lenti responded that this was not the case. When the member asked whether new science standards were adopted for the state, Ms. Lenti responded in the negative and stated that PED will continue with the New Mexico Standards-based Assessment for science. She added that only the PARCC test will be mandatory.

A committee member asked why it takes three weeks to administer a nine-hour assessment, and Ms. Lenti replied that the state provides a testing window to school districts. Because the districts have full discretion on this window, she said they often complete the testing in one week and use the remaining time for instruction.

Regarding the test, a committee member asked whether or not it was timed, and Ms. Lenti answered that the test is not timed in New Mexico.

A committee member asked how many of the nine hours for testing are dedicated to science, and Ms. Lenti she will have to do research before providing those figures. She added that the time depends on the particular test, and some districts use the Measure of Academic Proficiency and Progress test while others administer short-cycle tests three times per year.

In regard to PED's conversations with universities, a committee member asked who the department was talking to, and Ms. Lenti referred to a higher education working group that meets several times a year. She then offered to provide the committee with a list of the working group's members.

When a committee member asked Ms. Lenti where to find PARCC information on the PED website, she demonstrated the A-Z directory on the PED website and then showed the member where to find the PARCC section. In addition, Ms. Lenti also navigated to the web page for New Mexico Educator Leader Cadre (ELC) and displayed the list of its members. The committee member also requested that Ms. Lenti provide the minutes from ELC meetings to the LESC, and Ms. Lenti agreed to do so.

Committee members also requested that:

- Ms. Lenti inform the Secretary-designate of Public Education to track data from all three systems (P-20, PreK, and K-12) and provide the LESC with an update on progress; and
- PED or the Higher Education Department to deliver a copy of the memorandum of understanding for General Educational Development testing to the LESC.

EARLY CHILDHOOD: K-3 PLUS UPDATE

The Chair recognized Mr. Ian Kleats, LESC staff, and Dr. Damon M. Cann, Project Co-Investigator Statistical Lead, Start Smart K-3 Plus, Utah State University (USU), to provide the committee with an update on the K-3 Plus program.

Referring to his staff brief, Mr. Kleats reviewed the background information on the program. Enacted in 2007, he said, K-3 Plus began as a six-year pilot program that extended the school year in kindergarten through grade 3 by at least 25 instructional days. The program is intended to demonstrate the academic and social benefits of increased classroom time in kindergarten and the early grades, he said. In 2012, Mr. Kleats explained, the K-3 Plus provisions were amended to convert the program from a pilot project to an established Public Education Department (PED) program, which has been evaluated by the Start Smart K-3 Plus Project at USU.

Mr. Kleats' staff brief also included:

- an overview of previous Start Smart K-3 Plus Project findings;
- FY 15 legislative appropriations for K-3 Plus; and
- the status of recent proposed rulemaking for K-3 Plus.

At its December 2012 interim meeting, Mr. Kleats noted, the committee heard testimony from an evaluator from USU working on the Start Smart K-3 Plus Project. The evaluator had testified that the project is a federally funded study examining the effect of K-3 Plus on student achievement and the cost-benefit aspects of the program. He also described the design behind the study, which is a randomized, controlled trial in which students are randomly assigned to an intervention group or to a control group in order to eliminate selection bias.

The study, according to Mr. Kleats, has followed approximately 1,700 students in eight districts. This testimony further noted that one school district had withdrawn from the study, thereby reducing the number of kindergarten student participants.

Mr. Kleats stated that the USU evaluator had testified, with a caveat that some of the data are preliminary, that strong and statistically significant outcome effects of the Start Smart K-3 Plus Project were found in broad reading, broad writing, basic math, and expressive vocabulary. In terms of kindergarten readiness, he said that participants in the intervention group had received higher percentile ranks than those in the control group.

Addressing the question whether the effects of the program endure over time, Mr. Kleats noted that the evaluator had testified that small effects in reading, math, writing, and vocabulary were found for students in first grade, but they were not statistically significant at the 95 percent level of confidence. To answer the question more fully, he said, USU plans to:

- gather more data;
- follow the students for a longer period of time; and
- examine whether certain subgroups may benefit more than others.

Finally, Mr. Kleats suggested that the USU testimony identified several lessons that the research staff had learned, among them that:

- early notification of families helps because in the second year the sample size was doubled by sending information to families sooner; and
- student participation requires student and family interest and availability, schools that offer the program, and resources to run the program.

Turning to the FY 15 legislative appropriations for K-3 Plus, Mr. Kleats indicated that the program is currently funded as an appropriation to the statutorily created K-3 Plus Fund administered by PED. The *General Appropriations Act of 2014* included:

- \$21,281,500 appropriated for the K-3 Plus program; and
- language requiring that PED use the final unit value set for school year 2013-2014 as the basis for funding June, July, and August 2014 K-3 Plus programs.

Mr. Kleats emphasized that statute requires K-3 Plus programs to be funded at no less than 30 percent of the unit value per student based on enrollment at each individual school program on the 15th day of the program. Based on a final unit value for school year 2013-2014 of \$3,817.55, each participating student would generate at least \$1,145.26, he said.

Citing the PED website, Mr. Kleats observed that on:

- February 7, 2014, application forms were sent to school districts and charter schools;
- March 15, 2014, applications to PED were due; and
- April 15, 2014, districts were notified of awards.

He also noted that further information on the administration of the K-3 Plus program and its FY 15 appropriation is expected to be provided by PED staff at the October 2014 LESC meeting in a presentation of recurring and nonrecurring related appropriations to the department.

Addressing the status of recent proposed rulemaking for K-3 Plus, Mr. Kleats referred to an administrative rulemaking update the LESC received at its April 2014 meeting, which included proposed rules for K-3 Plus. At that time, LESC staff noted a number of potential drafting issues in the rules as proposed. Mr. Kleats stated that, as of July 14, 2014, the proposed K-3 Plus rules had not been finalized, and it is not clear whether this delayed finalization may result in some of the issues not being addressed.

Next, Dr. Cann presented the most recent Start Smart K-3 Plus Project preliminary findings to the committee.

Referring to his presentation, Dr. Cann highlighted the fact that USU received funding through the federal Investing in Innovation Fund (i3) program administered by the US Department of Education (USDE) to evaluate the effectiveness of the New Mexico K-3 Plus program, but also received some funding from other private and nonprofit sources.

Referring to page 4 of his PowerPoint slides, Dr. Cann described what Start Smart is doing for New Mexico, providing:

- summer services to approximately:
 - 350 seats in 2011;
 - 900 seats in 2012, 2013, and 2014; and
 - 550 seats in 2015; where
- nearly \$4.0 million in direct services to children at a reimbursement rate of \$44 per student per day (the 2013 funding rate);
- work opportunities for New Mexico residents, including high-level training in assessment to employees; and
- a scientifically rigorous evaluation of the innovative K-3 Plus program with education research experts at USU, the University of New Mexico, and New Mexico State University.

Dr. Cann then explained that the Start Smart K-3 Plus Project was designed as a randomized controlled trial because comparing students from K-3 Plus-eligible schools with non-K-3 Plus-eligible schools would result in selection bias because those schools have different:

- percentages of English language learner students;
- percentages of free- and reduced-price lunch (FRL) students; and
- levels of motivation from parents and students.

With respect to results of data gathered to date through the project, Dr. Cann reminded the committee that current results are preliminary because:

- they only cover a short time frame (kindergarten and first grade);
- they look at beginning-of-year effects;
- several tests are still being scored;
- attendance data are incomplete; and
- the study still needs to look at potential modifying factors.

Although preliminary, Dr. Cann stated that the current results include:

- adjustments to account for program attendance; and
- data for all students through the beginning of first grade.

He shared these results in terms of how much better a student would do if he or she had been in K-3 Plus compared to a student in the control group ranking at the 50th percentile on the tests. For kindergarten readiness effects, Dr. Cann noted statistically significant increases for:

- expressive vocabulary by about 5.0 percentile points;
- letter-word identification by about 11 percentile points;
- applied problems by about 4.0 percentile points; and
- basic writing by about 12 percentile points.

For beginning of first grade effects, he noted statistically significant increases for:

- expressive vocabulary by approximately 4.0 percentile points;
- letter-word identification by approximately 12 percentile points;
- applied mathematical problems by approximately 6.0 percentile points; and
- basic writing by approximately 11 percentile points.

Dr. Cann suggested that these preliminary results are supportive of program effectiveness, but the picture is not fully clear. The emerging picture, he said, is one of evidence that K-3 Plus boosts student achievement in a variety of areas in kindergarten and grade 1 at the beginning of the school year.

If the study ended today, Dr. Cann implied, it would still be unknown whether:

- the program is as effective in grades 2 and 3 as in kindergarten and grade 1;
- end-of-year comparisons show the same effects as these beginning-of-year results;
- the effectiveness of K-3 Plus varies across students of certain types and settings of certain types; and
- perfect attendance data would yield different results.

Furthermore, he suggested that there were several ways the committee could help the project as it continues, such as:

- encouraging participants to stay in the program to minimize the loss of schools and districts; and
- providing additional funding for an additional grade 3 end-of-year assessment that would yield a greater depth of analysis.

Dr. Cann noted that the original grant from USDE did not include funding for the final assessment of the last cohort because it would occur after the end of the grant period. He also mentioned that USDE had invited the project to apply for an extension with additional funding, but state-level funding may be necessary if the application does not come to fruition.

In closing, Dr. Cann extended his thanks to:

- PED for their continued support as a partner;
- participating school districts;
- committee members and staff of the LESC and the Legislative Finance Committee (LFC); and
- the University of New Mexico and New Mexico State University.

Committee Discussion

Noting that the Start Smart K-3 Plus Project is federally funded, a committee member asked Dr. Cann where else has he been asked to present this information. In reply, Dr. Cann said that each year, USU shares the results with a number of entities, including:

- USDE Secretary Arne Duncan;
- the Kellogg Foundation; and
- the Rural School Trust.

Now that the project has been in place long enough, he also noted that USU has started to present its findings at academic conferences, and this year he presented to the LFC during its meeting of Western States Fiscal Officers.

When a committee member questioned whether USU's memorandum of understanding (MOU) with PED was ongoing or annually renewed, Dr. Cann explained that the MOU runs through the end of the project, therefore, annual renewals are not needed. However, he indicated that if USU has to extend the project it will still have to sign another MOU with PED.

After recalling that the former head of the project, Dr. Linda Goetze, made several suggestions that were incorporated into subsequent LESC-endorsed legislation, a committee member asked Dr. Cann whether he had any suggestions to make the project better. In reply, he said the K-3 Plus Advisory Committee has been helpful in providing feedback, but his primary recommendation would be to keep funding the project because it is producing great results.

In addition, committee members discussed:

- additional funding to expand the project without damaging the integrity of its research;
- reducing the qualification threshold for FRL students from 85 percent to 70 percent;
- how to help more students in need of services after poverty factors are addressed; and
- how long the students will be tracked, if at all, after grade 3.

Regarding a vacant K-3 Plus coordinator position at PED, Dr. Cann said, although it is not urgent, it would be useful if PED filled the position soon. This prompted the Vice Chair to request an update from PED regarding when the position will be filled. (Shortly after the meeting, PED gave the following response: "Recruitment closed July 11, 2014. PED Human Resources is in the final steps of preparing a preferred applicant list for the hiring manager.")

ADJOURNMENT

There being no further business, the Chair adjourned the LESC meeting at 11:48 a.m.


_____ Chair

9-24-2014 _____ Date