

STATE OF NEW MEXICO
LEGISLATIVE EDUCATION STUDY COMMITTEE

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MINUTES
LESC MEETING
July 21-22, 2015

Representative Dennis J. Roch, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:10 a.m., on Tuesday, July 21, 2015, at the Rio Rancho High School in Rio Rancho, New Mexico.

The following voting members of the LESC were present:

Representatives Dennis J. Roch, Chair, Tomás E. Salazar, and Sheryl M. Williams Stapleton; and Senators John M. Sapien, Vice Chair, Craig W. Brandt, Gay G. Kernan, and Howie C. Morales.

The following voting members of the LESC were not present:

Representatives Nora Espinoza, Christine Trujillo, and Monica Youngblood.

The following advisory members of the LESC were present:

Representatives Alonzo Baldonado, Jim Dines, David M. Gallegos, Stephanie Garcia Richard, Jimmie C. Hall, Timothy D. Lewis, G. Andrés Romero, and Patricia Roybal Caballero; and Senators Jacob R. Candelaria, Carlos R. Cisneros, Lee S. Cotter, Linda M. Lopez, Michael Padilla, and Mimi Stewart.

The following advisory members of the LESC were not present:

Representatives D. Wonda Johnson, James E. Smith, and James G. Townsend; and Senators Daniel A. Ivey-Soto, John Pinto, William P. Soules, and Pat Woods.

Representative Patricio Ruiloba was also in attendance.

WELCOME AND INTRODUCTIONS

The Chair recognized Dr. V. Sue Cleveland, Superintendent, Rio Rancho Public Schools (RRPS), who welcomed the committee to Rio Rancho. Referring to a PowerPoint presentation, she then highlighted the following school district data:

- for grades 3, 4, and 8, New Mexico Standards-based Assessment scores indicate that:
 - 60-70 percent of RRPS students are proficient or advanced readers; and
 - 50-55 percent of RRPS students are proficient or advanced in math; and
- with regard to graduation testing, out of 1,220 eligible students:
 - 982 students, or 80.5 percent, passed the reading, math, and science competency requirements by passing the High School Graduation Assessment;
 - 132 students, or 10.8 percent, met the graduation testing requirements by passing an end of course (EoC) exam in one or more content areas;
 - 105 students, or 8.6 percent, did not meet the cut score in one or more of the five graduation competency areas; and
 - 34 students, or 2.8 percent, received a Certificate of Completion; however, many of these students are currently enrolled in the district's Secondary Learning Center (SLC) in order to receive a Diploma of Excellence.

Dr. Cleveland noted that the Northwest Evaluation Association short-cycle assessments for grades K-8 are used to:

- group students for intervention;
- support individualized plans and differentiation;
- set growth targets for students and teams; and
- look for gaps and guide instruction.

She then discussed strategic initiatives implemented by RRPS to improve student achievement, including:

- consistent data analysis;
- positive behavioral interventions and support;
- instructional coaches;
- parent, community, and staff engagement; and
- meeting the needs of all students through:
 - the Summer-Start Academic Youth Development;
 - the Rio Rancho Cyber Academy/blended learning;
 - Intensified Algebra;
 - the SLC; and
 - the advancement via individual determination program.

To conclude, Dr. Cleveland outlined RRPS' concerns over operational funding by noting that:

- RRPS is losing staff to other districts, charters, and private sector companies because of salary issues; and
- shortages across the state are beginning to impact the district's ability to fill both teacher and administrator positions and meet classroom size caps.

Committee Discussion

A committee member asked why RRPS elementary and middle school grades range from "B" to "D" while the high school grades are "A." In response, Dr. Cleveland replied that school personnel felt that the district's middle and elementary schools perform better than their grades reflect and that high school grading criteria are less stringent. She added that there should be a better balance between a school's status and growth, since the current grading system makes it difficult for high performing schools to improve their grades in a subsequent year as compared to improvement in lower performing schools.

When asked to identify three issues for LESC consideration, Dr. Cleveland deferred the response to Dr. Carl Leppelman, Associate Superintendent, Curriculum and Instruction, RRPS, who addressed the following issues:

- growth adjustments in the value-added model that favor high performing schools;
- college- and career-readiness; and
- remediation, including alignment of EoC assessments statewide to measure schools equally.

Regarding a committee member's question about staff vacancies, Dr. Cleveland stated that some of the competitive challenges that face RRPS recruiters include high starting salary offers for new teachers in the panhandle region and signing bonuses for bilingual teachers.

In response to a question as to why the district charges student activity fees, Dr. Cleveland explained that RRPS is one of the least funded districts in the state. She added that the district's fixed costs amount to 98 to 99 percent of the annual budget, leaving limited funding for students who qualify for interventions and no funding for innovation and development. A committee member then suggested that the LESC needs to look at why RRPS, which receives about \$6,500 to \$7,000 per student, has a neighboring district that receives \$10,000 per student, and has a charter school in the district's boundary that receives \$14,000 per student.

With regard to National Board Certification, a committee member recalled that RRPS received national recognition for its high number of certified teachers and asked about the district's current status. Dr. Cleveland answered that RRPS has seen a decline in its certified teachers due to the competing demands in the current environment, and emphasized that the same is true for teachers trying to complete their master's degrees.

READING INTERVENTIONS

The Chair recognized Ms. Christina McCorquodale, LESC staff, to discuss the *New Mexico Reads to Lead!* (RTL) program; including a comparison of FY 15 and FY 16 funding levels by district and charter school and the request for application process. Ms. McCorquodale explained that the July interim meeting would focus on resources and uses of RTL funding at the local level in urban schools as well as a review of alternative reading intervention programs. RTL funding of rural schools, she noted, is to be discussed during the August interim meeting scheduled in Roswell.

Ms. McCorquodale then noted that the following individuals were in attendance to discuss uses of RTL funding at the district level in urban schools:

- Dr. Luis R. Valentino, Superintendent, Albuquerque Public Schools (APS);
- Ms. Erica Hidalgo, Director, Elementary Learning, APS;
- Ms. Norma S. Binder, Deputy Superintendent, Bernalillo Public Schools (BPS);
- Mr. Max Perez, Superintendent, Belen Consolidated Schools (BCS);
- Ms. Patricia Castillo, Director, Federal Programs, BCS; and
- Ms. Elizabeth Jacome, Executive Director, Elementary Curriculum and Instruction, Rio Rancho Public Schools (RRPS).

Each school district, Ms. McCorquodale explained, had been asked to provide the committee with the certain information, including how:

- each district utilizes RTL funds;
- funds are utilized in FY 16 that are different from FY 15;
- districts met the expectations for the Request for Application to include:
 - district- and school-level leadership;
 - professional development;
 - curriculum and instruction;
 - assessment; and
 - budget activities that align with increasing reading instruction and student achievement; and
- funds are used for reading coaches versus interventionists.

Other approaches, Ms. McCorquodale reported, include reports from the following individuals on alternative reading intervention programs:

- Dr. John R. Graham, Executive Director and Founder; Mentoring and Tutoring Create Hope (MATCH) New Mexico;
- Representative Patricio Ruiloba, Lottery Student Community Outreach Pilot Projects; and

- APS staff: Ms. Carrie Brunder, Director, Government Affairs & Policy; Ms. Claudia Gutierrez, Instruction Manager, Reading and Math Disabilities Unit; and Ms. Peggy Candelaria, Principal, Manzano Mesa Elementary School, Foundations® Program Pilot APS.

Ms. McCorquodale then reported that during the 2015 legislative session, \$15.0 million was appropriated to fund RTL, the state’s early reading initiative. She explained that the initiative provides expectations and support for early literacy interventions to include:

- an increase in quality of reading instruction;
- a K-3 screening assessment to use for planning data-driven instruction;
- ensuring that districts and charter schools have a comprehensive plan for addressing literacy instruction; and
- support for parents and families through outreach with resources in English and Spanish.

Referencing the LESC staff report included in the committee notebooks, Ms. McCorquodale noted that while Table 1, *New Mexico Reads to Lead! Funding Distribution FY 15-16*, in the LESC staff report indicates that funding for K-3 interim assessment, reading coaches, and intervention support generally remained the same for both fiscal years, \$500,000 in additional funding was provided in FY 16 to support professional development designed for teachers, coaches, and administrators.

Albuquerque Public Schools

In FY 15, Ms. Hidalgo informed the committee that 18 elementary schools were supported by RTL funding. Referring to a committee handout, she explained that:

- 18 elementary reading coach positions were funded with support from both district and RTL dollars — 10 from district funds, and eight from RTL dollars; and
- RTL funds also supported administrative and other school costs, including:
 - \$9,000 per school for stipends and substitute costs;
 - \$5,000 for instructional supplies, materials, and consumables;
 - two district administrator positions to provide ongoing support to the 18 reading coaches; coordinate professional development, and administer RTL requirements;
 - professional development opportunities;
 - the purchase of iPads to support the Dynamic Indicators of Basic Early Literacy Skills (DIBELS) implementation and Universal Design for Learning support for struggling learners; and
 - family engagement opportunities.

With regard to professional development activities supported by RTL, Ms. Hidalgo emphasized that the 18 elementary coaches and principals received:

- four days of intensive teacher training;
- four additional hour-long coaching sessions;

- two days of training on phonemic awareness and phonics with one day “in classroom” models for 122 teachers and instructional coaches; and
- a two-week Summer Reading Institute for 465 K-3 teachers with a focus on strategies for teaching English language learners.

Ms. Hidalgo stressed that the focus of professional development was to target specific reading strategies and classroom management training to develop solid Tier 1 instruction in foundational reading skills with opportunities for all students to practice and apply grade level literacy skills in Tier 1.

For FY 16, she expressed that APS will try new strategies to improve on some of the lessons learned from FY 15. Ms. Hidalgo added that as they move forward, they will consider the RTL grant as a district grant and not an individual school grant, as well as redefine the district administrator positions. She emphasized that professional development will be district-wide which will focus on strong Tier 1 instruction to reduce the amount of interventions and reduce number of students in the student assistance team process.

In addition, Ms. Hidalgo outlined goals for FY 16 that will:

- maximize economies of scale to create a larger impact on school instruction using RTL funding;
- provide more support directly to principals and classroom teachers through resource teachers and reading coaches; and
- utilize DIBELS data to monitor student achievement.

Referring to district challenges, she explained that staff positions are difficult to fill because they are “grant” positions which refers to short-term positions with uncertainty for future funding.

To conclude, Ms. Hidalgo emphasized that a lack of qualified applicants in the district is a challenge, primarily since those qualified for coaching positions are not willing to give up seniority in their present position.

Bernalillo Public Schools

Ms. Binder reported that six elementary schools were supported by RTL funding, which includes approximately 55 K-3 classrooms with approximately 1,000 students. She emphasized that RTL is transforming K-3 reading in BPS into a comprehensive model for literacy education due to full implementation.

For both FY 15 and FY 16, Ms. Binder noted that RTL funding supported salaries for one reading coach and one interventionist as well as Tier 2 interventional reading curricula and non-fiction reading materials for early grades. She reported that since RTL is aligned with the BPS District Strategic Plan, district staff were able to leverage funds to support all district Title I elementary schools, including:

- Title I and Title III;
- Impact Aid; and
- Real Results Grants.

Referring to a committee handout, Ms. Binder explained that within RTL, the role of a principal is a key component to:

- ensure staff fully understand what reading instruction looks like in the classroom;
- provide ongoing feedback;
- create, sustain, and monitor professional learning communities (PLC);
- maintain a 90-minute core instructional block;
- dedicate intervention periods for identified students; and
- provide time for collaboration and coaching.

She further noted that RTL funding also provided job-embedded professional development that, in collaboration with the Public Education Department (PED), aligns with RTL initiatives, including:

- intensive literacy coach training in the first two years (PED);
- DIBELS trainers with on-site support (PED);
- New Mexico common core trainings (PED);
- formal institutes including “depth of knowledge” (BPS);
- questioning strategies and close readings (BPS);
- PLC (BPS); and
- DIBELS and use of data (BPS).

With regard to other uses, Ms. Binder reported that RTL funds provided for the purchase of research-based programs and curriculum and instruction materials including:

- Language Essentials for Teachers of Reading and Spelling (LETRS);
- Orton-Gillingham;
- Teachers of English to Speakers of Other Languages;
- Guided Language Acquisition Design; and
- Sheltered Instruction Observation Protocol.

In conclusion, she stated that the RTL initiative has been instrumental both philosophically and financially in strategically working toward achieving BPS goals.

Belen Consolidated Schools

Ms. Castillo provided the committee with a summary report of RTL funding in the district from its inception in 2013 through 2015, including the:

- hiring of two reading coaches;
- purchase of integrated math and literature supplemental materials;

- implementation of the New Mexico Reading Coach Model;
- embedded professional development to teachers in BCS through:
 - modeling best classroom practices;
 - facilitating assessment data analysis meetings to guide lesson planning and instruction; and
 - meeting between coaches and PLC to help build knowledge, develop strategies, and share resources; and
- collaboration among district and school leadership to facilitate:
 - 90-minute core reading block and 30-minute additional intervention time for Response to Intervention (RtI) or enrichment;
 - support for data driven assessment through PLC; and
 - parent resources.

Referring to a committee handout, Ms. Castillo listed the various professional development opportunities that RTL funding supports, including:

- multi-sensory education;
- LETRS;
- World-class Instructional Design and Assessment and English Language Development;
- PLC training;
- Cognitive Coaching training;
- Teacher Expectations and Student Achievement; and
- Kindergarten Observation Tool.

Through curriculum and instruction, Ms. Castillo stated that BCS ensures that a core reading and intervention program is implemented with fidelity. Lesson plans, she emphasized, are developed by using district Common Core State Standards (CCSS) progression guides, as well as weekly and nine-week lesson plan templates district-wide.

With regard to improvement for FY 16, Ms. Castillo stated that the district will:

- focus on CCSS for reading along with grade 3 data analysis from Discovery Education Assessment;
- use data to inform differentiated instruction;
- focus on evidence of student learning through collaborative teaching learning cycle;
- integrate math and literature supplemental materials;
- provide strategies using multi-sensory approaches;
- establish real time coaching with two-way radios; and
- implement virtual coaching with narrated video.

Rio Rancho Public Schools

Ms. Jacome informed the committee that the RRPS goals for RTL funding is to support the quality of universal core instruction in Tier 1 and reading intervention in Tier 2, primarily by focusing on systematic, explicit instruction in the reading foundational skills of phonemic awareness, phonics, vocabulary, comprehension, and fluency.

Referring to a committee handout, she explained that in FY 15, the district allocated dollars to provide three K-3 reading coaches, instructional materials, and professional development.

Emphasizing FY 15 funding for professional development, she noted that RTL dollars were used:

- to hire instructional coaches to train teachers in data studies, reading foundational skills, CCSS instructional shifts, and instructional planning; and
- for summer professional development on the use of complex text and leveled text to support acquisition of reading skills.

To conclude, Ms. Jacome emphasized that while funding remained the same for FY 16, the district will continue to fund the three reading coach positions and increase funding for professional development. She added that for FY 16, the RRPS plan for professional development will:

- focus on supporting instructional coaches in data studies, reading foundational skills, instructional planning, and RtI progress monitoring;
- add professional development for Tier 2 intervention;
- provide Reading Recovery Teacher training; and
- engage in a full academic year of professional development with graduate credit under the guidance of a registered Reading Recovery teacher leader.

Committee Discussion

In response to a committee member's question relating to DIBELS testing, Ms. Binder explained that DIBELS Next is one of the requirements for RTL funding and noted that it is a tool essentially used for grades K-3 to assess literacy skills. She added that the assessment is administered three times annually with approximately a one to two minute testing time per student. The assessment, she noted, is given by the teacher, one-on-one with the student, and is administered using an iPad or electronic tablet.

With regard to the Reading Coach Model, a committee member asked how each respective district would expand the program district-wide. In response, both Ms. Jacome and Ms. Castillo reported that Title I funding will support one or two coaches district-wide to help support Tier 1 and Tier 2 instruction. Ms. Hidalgo explained that the district will continue to support priority schools, but also leverage funds to support schools district-wide with a focus on professional development for Tier 1 instruction.

With regard to a question relating to “below the line” funding versus “above the line funding,” Ms. Binder noted that one advantage of “below the line” funding is that it reflects the importance of a student subset in learning K-3 literacy. Mr. Perez emphasized the necessity to have the funding “below the line” because of the guidance provided for early literacy.

Alternative Approaches

The Chair recognized the individuals on the agenda to discuss alternative reading approaches. He noted that the following individuals were also in attendance for the discussion:

- Mr. Andrew Jacobson, Deputy Cabinet Secretary, Higher Education Department (HED);
- Dr. Lawrence Roybal, Executive Director, Engaging Latino Communities for Education (ENLACE); and
- Dr. Jennifer Gomez-Chavez, Director, Student Academic Success and Director of the Unidos Project, University of New Mexico.

MATCH New Mexico

Dr. Graham explained that during the 2015 legislative session, HM 6, *College Students as 3rd Grade Reading Mentors*, and SM 2 (identical memorials), were passed by each respective chamber. Among their provisions, he noted, the memorials requested that:

- the LESC, in cooperation with PED and HED, establish a work group to report on the feasibility of creating a mentoring and tutoring program for third grade students with college students serving as mentors;
- the feasibility study include a needs assessment, implementation plan, and fiscal impact analysis with measurable outcome data applicable to the various populations of New Mexico;
- the work group be composed of:
 - an equal number of New Mexico resident college students from community-based colleges and universities; and
 - leaders from the public and private sector representing:
 - science;
 - industry;
 - education;
 - community organizations;
 - foundations;
 - government; and
 - health and welfare programs; and
- the LESC, in cooperation with PED, HED, and the work group, report the results of their study and their recommendations to the Legislature and the Governor before the 2016 legislative session.

Dr. Graham reported that MATCH New Mexico assists students in grade 3 with reading skills so that they can be at grade-level for future learning, and provides them with a caring, consistent mentor to support with their learning deficits and provide positive feedback. The continuation of mentoring by adding a summer component, he noted, will strengthen the skills and self-esteem of young students and prevent further academic gaps in the summer time. He emphasized that involvement and support from their schools, families, and neighborhoods will lead students at high risk to a more positive path and eventual graduation from high school.

MATCH New Mexico, Dr. Graham reported, operates with volunteers and a centralized program development team with operational costs of about \$200,000 annually. Referring to a committee handout, he stated that MATCH has partnered with Ramirez Thomas Elementary, Cesar Chavez Elementary, and Sweeney Elementary in Santa Fe as well as with schools in Albuquerque.

In order to continue these initiatives, Dr. Graham noted, MATCH is seeking funds to pay for:

- a stipend of \$1,500 per semester to 20,000 college students;
- salaries to select, train, and supervise mentee students;
- transportation;
- educational materials;
- support services, which include monitoring and evaluation; and
- educational and research consultants on occasion.

In conclusion, Dr. Graham emphasized that currently, MATCH New Mexico is not funded with state money and continues to seek support from state government for additional resources. He requested that in consideration of the passage of both HM 6 and SM 2, during the 2015 legislative session, that the committee assign three LESC fiscal analysts to conduct a fiscal feasibility analysis of the program for the review of the full committee in September and a report to the Legislature in December. The Chair reported that the request would be considered and discussed during the Director's Report which would be scheduled for the next meeting day, July 22.

Albuquerque Public Schools

Ms. Gutierrez reported that APS implemented Foundations[®] as a preventative early literacy intervention model. She stated that even though the initiative is housed in special education for training purposes, APS provides professional development for:

- general education classrooms, K-3; and
- implementing the Wilson Foundations[®] prevention/early intervention model to 86 out of 91 elementary schools.

Referring to a committee handout, Ms. Gutierrez explained that Foundations[®] professional development includes:

- acquisition of a sophisticated working knowledge of the sound-symbol system of English and its structure, as well as the use of specific diagnostic techniques in teaching reading and spelling;

- feedback to teachers about their lesson planning and delivery, as well as expert modeling from a certified trainer and access to Foundations[®] PLC; and
- three full days of training — two in the fall semester and one in the spring.

Ms. Gutierrez noted that there is no single funding source for the Foundations[®] program and that APS has spent approximately \$3.0 million over the last seven years on Foundations[®] for implementation in APS elementary schools. By combining funding from numerous sources to leverage dollars for the best benefit of students, she explained that the:

- federal *American Recovery and Reinvestment Act of 2009* (ARRA) dollars provides seed money for program start-up;
- General Fund pays for general education teacher salaries; and
- *Individuals with Disability Education Act* (IDEA-B) funding supports training for teachers and the trainers for the program. She noted that IDEA-B provisions allow dollars to be spent on general education students in order to prevent academic failure.

In order to sustain Foundations[®], Ms. Gutierrez added, APS will have to provide:

- grade-level training for all new teachers and instructional coaches;
- Foundations[®] certified facilitator at school-level;
- funding for consumable materials for students each year; and
- continuous monitoring of data to evaluate effectiveness.

To conclude, she outlined the long term goals for Foundations[®], which include:

- general education curriculum leaders credentialed as Foundations[®] presenters;
- implementation as recommended in tiers 1 and 2;
- a certified facilitator leader at each school site;
- funding to build capacity;
- consistent implementation and data collection; and
- reducing the number of at-risk students.

Lottery Student Community Outreach Pilot Project

Representative Ruiloba reported that during the 2015 legislative session, HB 460, *Study Lottery Tuition Recipient Mentoring* (Laws 2015, Chapter 84), was enacted. Beginning in the fall of 2016, he noted, the bill establishes the “Lottery Student Community Outreach Pilot Project” as a six-year study that encourages students who receive the Legislative Lottery Tuition Scholarship to volunteer and provide community outreach, chiefly through mentoring public school students.

Among its provision, he explained, this legislation:

- requires HED to:
 - administer the pilot project along with at least three public postsecondary educational instructions;
 - certify a list of nonprofit community- and education-oriented organizations that maintain relationships with public schools with which student volunteers may work;
 - determine application requirements and procedures to apply for the pilot project, criteria to evaluate applications, and quantitative and qualitative measures of the pilot project's efficacy;
 - establish reporting and evaluation requirements for all participants in the pilot project; and
 - provide interim and final reports annually to the Governor and the Legislature;
- specifies that a student who wants to participate in the pilot project is to provide at least two hours per week of community outreach with public school students in the area of the student's public postsecondary educational institution;
- grants preference for the pilot project to institutions in areas with high-poverty rates and in public schools with 85 percent or more of the students eligible for free or reduced-fee lunches and high English language learner populations;
- requires that community outreach under the program must consist of:
 - partnering with community-based organizations and assisting with community-based projects;
 - mentoring public school students; or
 - mentoring first-year college students; and
- sets forth the schedule of community outreach for student volunteers:
 - students in their first program semester shall partner with a community-based organization to assist in community outreach or specific community-based projects;
 - students in their sophomore and junior years shall mentor students in grades K-12; and
 - students in their senior year shall mentor college freshmen.

Representative Ruiloba emphasized that while a school district may have resources for students in need of certain services, a district may lack opportunities to collaborate and partner with community-based organizations. He explained that the legislation does not require Lottery Scholarship recipients to provide mentoring services, but encourages them to volunteer two hours a week through community engagement. Representative Ruiloba added that college freshmen will be able to work with an organization that focuses on community engagement and project efforts. He further noted that because freshmen students are new to the university, they may have trouble navigating through the college system and when partnered with a nonprofit organization, they have an opportunity to understand the importance of community engagement.

Mr. Jacobson reported that HED is working with Representative Ruiloba to implement the pilot program. He noted that HED has identified Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP), a federally funded program, as an appropriate fit for a mentoring program and are currently reviewing the requirements of the federal grant.

Dr. Gomez-Chavez informed the committee that peer-to-peer coaching is a key to completion success. She explained that upper class students who coached lower class students ensured successful retention rates beyond the third semester in college. She further stated that there are multiple approaches and models that have been established and this legislation will provide capacity to ensure a successful pathway for all students in closing the achievement gap.

Committee Discussion

In response to MATCH New Mexico's request for funding and a feasibility study, a committee member applauded the efforts of the program but stated that it seemed to be growing on its own and felt that the committee's staff was limited in personnel and time to work on such a study.

Regarding the interface between RTL and Foundations[®], Ms. Gutierrez explained that the reading instruction provided by Foundations[®] was not part of the RTL training; however, she was aware that special education teachers participated in the training to access Tier 1 and Tier 2 instruction.

In response to a committee member's encouragement to fund programs with hard data that demonstrate success, Ms. Brunder emphasized that Foundations[®] helps improve the district's efforts in increasing Tier 1 performance and moving less students in and out of intervention.

In response to a committee member's questions as to how the LESC can support the Lottery Student Community Outreach Pilot, Representative Ruiloba suggested that additional resources be identified to support the initiative, such as a 501(c)(3) organization.

Regarding outreach to other higher institutions of education, Mr. Jacobson explained that if the Lottery Student Community Outreach Pilot Project can be run through GEAR UP, the pilot can operate in the Central New Mexico Community College, the University of New Mexico, and the New Mexico Highlands University.

In response to a committee member's concern about the involvement of ENLACE and a concern that the program will only be available to students of color, Representative Ruiloba assured the members that the program will be open to all students. He explained that in partnering with ENLACE, which already provides mentorships and has a measure of success, HED can move forward and collaborate with the organization to launch the pilot program.

TEACHER AND SCHOOL LEADER PROGRAM UPDATE

The Chair recognized Mr. Matt Pahl, Director of Policy, Public Education Department (PED); Dr. Craig White, Interim Dean, Anderson School of Management and Dr. Sheri Williams, Assistant Professor, College of Education (CoE), University of New Mexico (UNM); and Dr. Steven Elias, Director, Woodrow Wilson MBA Fellowship in Educational Leadership

Program, New Mexico State University (NMSU), to discuss teacher and school leader preparation programs.

Referring to a PowerPoint, Mr. Pahl reported that approximately \$1.6 million was appropriated to PED in FY 16 to establish programs that feature:

- higher admission standards than current teacher preparation programs;
- practice-based curriculum and training programs designed to require significantly less time than traditional preparation programs;
- coaching support for new teachers during their first two years of teaching; and
- financial aid to remove monetary barriers to entering the classroom.

Referring to what PED has termed as the NMPrep program, Mr. Pahl highlighted awardees, including:

- New Mexico Highlands University Prep and Northwest Regional Education Cooperative #2, who partnered with the Special Education Department in Albuquerque Public Schools (APS) to provide training that included:
 - on-site courses and supervision; and
 - an APS special education teacher to provide co-teaching, mentoring, and supervision for the first two years of teaching provided by APS special education teachers;
- the UNM Accelerated Alternative Licensure Program, which partnered with UNM's CoE and APS, UNM's Veteran's Resource Center, the National Network for Educational Renewal, and Teach for America in order to recruit science, technology, engineering and mathematics (STEM) professionals to secondary schools. This NMPrep program emphasizes:
 - courses co-taught by CoE faculty and APS master teachers; and
 - supplementary online trainings, best practices symposia, and field liaisons provided by APS; and
- NMPrep awardee, Aggie Prep — NMSU's partnership with Western New Mexico University (WNMU), Northwest Regional Education Cooperative #2, and Three Rivers Education Foundation to establish a program to supply science and math teachers in high-need districts. This program ensures that:
 - participants are provided with training, expanded content knowledge, and improved clinical experiences over a 12-month program; and
 - teachers receive two years of professional development and training.

Finally, Mr. Pahl announced that Northern New Mexico College (NNMC) is in the process of developing the American Indian Education Training Program, a collaboration between NNMC and northern Pueblos that prepares tribal members to teach in their community. This NMPrep program provides that:

- students will be enrolled in the fall semester of 2015;
- the first cohort of 15 students will start the program; and
- 30 New Mexico tribal members will receive professional development.

With regard to the NMLead program, Mr. Pahl reported that \$2.9 million was appropriated in FY 16 to establish programs that feature:

- training focused on leadership competencies aligned with those outlined by Public Impact’s School Turnaround Leaders: Competencies for Success;
- a practice-based curriculum;
- financial aid to allow students to participate in a full-time practicum; and
- coaching and mentorship support for new principals.

NMLead awardees, Mr. Pahl explained, include:

- the Woodrow Wilson MBA Fellowship in Education Leadership, wherein the education and business schools of UNM and NMSU partner with the Woodrow Wilson National Fellowship Foundation to provide:
 - fellows with stipends covering the cost of tuition and related expenses; and
 - an intensive year-long internship followed by three subsequent years of executive coaching; and
- Tomorrow’s Leadership Today, which includes a partnership between Eastern New Mexico University and the National Institute for School Leadership (NISL), and with eastern and southeastern New Mexico school districts to provide an 18-month training curriculum that:
 - utilizes NISL’s executive development program as a model for transforming school and district cultures; and
 - focuses on assisting rural districts in developing and retaining future school leaders.

Mr. Pahl concluded by explaining that:

- school turnaround programming grants initiated this spring will continue through August;
- application for funds to establish school turnaround programming will open in August; and
- announcement of awardees will commence in October.

Dr. White and Dr. Williams discussed the collaboration between the UNM Anderson School of Management, the UNM CoE, Woodrow Wilson Fellowship Foundation, and the Daniels Fund to develop a 40-hour MBA in educational leadership program, which includes the following district partners:

- Native American Community Academy (NACA);
- APS Chief Academic Officer;

- APS Director of Innovation; and
- Gallup-McKinley County Schools.

They reported that the demographics of nominated applicants include:

- 11 women and eight men;
- a total of 195 years of teaching/education experience;
- four represented school districts; and
- a total of 10 nominees with master's degrees.

Dr. Elias discussed the status of the Woodrow Wilson MBA Fellowship in Education Leadership program at NMSU funded by NMLead. He also addressed the process of the school turnaround planning grant at NMSU by explaining that two principal investigators and 18 stakeholders were recruited to discuss turnaround issues relevant to New Mexico. The planning goal, he noted, is to develop a multi-year program that:

- assists with data turnaround;
- improves leadership capacity and commitment to critical change;
- draws on expertise from the Colleges of Business and Education; and
- aligns with numerous standards called for in the request for application.

Based on extensive discussions and research, Dr. Elias continued, the turnaround program at NMSU will address four competencies:

- the ability to influence and motivate;
- conceptual and analytical thinking;
- a focus on sustainable results; and
- initiative and persistence.

To conclude, Dr. Elias stated that the program will hold three case-based sessions during year one, and year two will accompany the inclusion of site visits and 90-day action plans in order to provide follow-up support.

Committee Discussion

A committee member asked if MBA programs will be graded similarly to CoE programs based on graduation outcomes. In response, Dr. Williams stated that the evaluation of the program will be completed externally by the American Institute of Research (AIR), and focus on a primary review of student achievement. The committee member also inquired where AIR will get the data from. In reply, Dr. Williams stated that the data will come directly from supervisors and teachers in the field.

In response to a question, how the institutions of higher education are addressing cultural diversity, Dr. Williams responded that UNM is developing curriculum with NACA in order to address assets and community needs.

In reply to a committee member expressing concern regarding the extent of the cultural diversity between candidates, Dr. White stated that UNM's applicants are from APS, Laguna Pueblo, and Santa Fe. Dr. Elias added that NMSU's applicants are from the Las Cruces, Deming, Gadsden, and Hatch school districts.

In response to a question as to whether the selection of candidates considers administrator or leadership aspirations, Dr. Williams stated that nine of 21 candidates in the current cohort had extensive leadership backgrounds.

TEACHER PREPARATION

The Chair recognized the following individuals to provide an update on each institution of higher education's (IHE) implementation plan of SB 329aa, *School Licensure Reciprocity Requirements* (Laws 2015, Chapter 97):

- Ms. Catron Allred, Director, Education Programs, Central New Mexico College (CNM) and Co-chair, New Mexico Deans and Directors of Education (NMDDE);
- Dr. Carolyn Newman, Interim Dean, School of Education, New Mexico Highlands University (NMHU);
- Dr. Joaquín Vilá, Dean, College of Education (CoE), Northern New Mexico College (NNMC); and
- Ms. Gloria Napper-Owen, Associate Dean, CoE, University of New Mexico (UNM).

Ms. Allred informed the committee that the provisions of SB 329aa would allow for the alignment of general education core requirements to the state core requirements. Prior to the enactment of SB 329aa, she stated, the arts and sciences semester credit hour requirement included course requirements totaling 54-57 semester hours. The new law would reduce these hours to a total of 41 semester hours. She emphasized that in discussing the new provisions with the CoEs statewide, all CoEs will begin implementing the new requirements in August.

Dr. Newman added that NMHU has begun reducing the core requirements and aligning with other programs. She emphasized that reducing the semester credit hour requirement would allow students to finish their coursework before running out of financial support.

Dr. Vilá reported that:

- NNMC is ready to implement elementary licensure this fall, while the new proposed program in early childhood is currently being worked on; and
- bilingual education programs in Spanish and Tewa are being developed at NNMC due to the added flexibility of courses granted by the provisions of SB 329aa.

The Chair recognized Ms. Julie Rowland Woods, Researcher, Education Commission of the States (ECS), to discuss teacher pre-service training.

Referring to a PowerPoint handout, *Enhancing Teacher Pre-service Clinical Training*, Ms. Rowland Woods reported that the pre-service training is referred to in a number of terms, i.e., clinical practice or field experience, student teaching, residencies, observations, and internships; however, a review of research indicates there is little evidence on the effectiveness of this initiative as it relates to student performance. What is known, she explained, is that effectiveness improves over time based on the:

- level of supervision by a preparation program;
- time spent in fieldwork before teaching; and
- length of a field experience.

Other key effectiveness components include:

- active partnerships;
- strong mentor teachers;
- strong program/supervisor roles;
- accountability measures;
- aligned coursework; and
- real-time feedback.

As examples of university programs that incorporate enhanced clinical training to their students, Ms. Rowland Woods noted that the University of Texas at Austin requires 320 hours of field experience in what is termed a “stair-step program.” The program, she explained, requires specific observation and teaching hours, in a two-step approach consisting of:

- 45 hours in Step 1: Inquiry Approaches to Teaching; and
- the remaining 275 hours in Step 2: Inquiry-based Lesson Planning, which includes both observation and teaching hours in “Classroom Interactions,” “Project-based Instruction,” and “Apprentice Teaching.”

As another example of a stair-step program, Ms. Rowland Woods stated that West Virginia University requires a student in their:

- third year of study to tutor two hours a week;
- fourth year of study to tutor up to 12 hours a week; and
- fifth year to become a full-time student teacher, under contract.

Committee Discussion

In response to a committee member’s question relating to possible outcomes New Mexico will see as a result of the enactment of SB 329aa, Dr. Vilá indicated that reducing credit hours will create opportunities to be responsive to each candidate’s interests, which allows them to focus on concentrated areas.

A committee member expressed concern regarding the lowering of standards in mathematics. In response, Dr. Newman explained that at NMHU, the CoE increased the mathematics credit hours above the provisions in SB 329aa.

Ms. Napper-Owen stated that UNM is exploring ways to integrate more mathematics into general methods classes. She continued by commenting that UNM is not currently ready to put forward any curriculum revisions, but is prepared to integrate the requirements of the legislation by the end of October.

SUPERINTENDENT AND COMMUNITY INPUT

The Chair recognized Dr. Anne Taylor, President, School Zone Institute (SZI), to discuss the Architecture and Children Education Program at Eubank Academy of Fine Arts Elementary School in Albuquerque.

Referring to a committee handout, Dr. Taylor stated that this program has been tested during a three-year pilot study of architecture and design education which discovers how design education affects student learning of math and reading skills. She continued by stating that the program has been translated into French, Spanish, and Japanese, among other languages. Dr. Taylor mentioned that during the 2015 legislative session, HM 84a, *At-Risk Youth Design Education Programs*, was passed and signed by the House of Representatives. The memorial requested that the Public Education Department explore funding options for the creation of design education programs for at-risk youth. On behalf of SZI, Dr. Taylor requested funding for professional development of new teachers, workshop supplies, and stipends for architects, educators, and volunteers in order to expand the program.

There being no further business, the Chair with the consensus of the committee, recessed the LESC meeting at 5:13 p.m.

**MINUTES
LESC MEETING
July 22, 2015**

Representative Dennis J. Roch, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 8:20 a.m., on Wednesday, July 22, 2015, at the Rio Rancho High School in Rio Rancho, New Mexico.

The following voting members of the LESL were present:

Representatives Dennis J. Roch, Chair, Tomás E. Salazar, Christine Trujillo, Sheryl M. Williams Stapleton, and Monica Youngblood; and Senators John M. Sapien, Vice Chair, Craig W. Brandt, Gay G. Kernan, and Howie C. Morales.

The following voting member of the LESL was not present:

Representative Nora Espinoza.

The following advisory members of the LESL were present:

Representatives Alonzo Baldonado, Jim Dines, Stephanie Garcia Richard, Jimmie C. Hall, G. Andrés Romero, and James E. Smith; and Senators Linda M. Lopez and Mimi Stewart.

The following advisory members of the LESL were not present:

Representatives David M. Gallegos, D. Wonda Johnson, Timothy D. Lewis, Patricia Roybal Caballero, and James G. Townsend; and Senators Jacob R. Candelaria, Carlos R. Cisneros, Lee S. Cotter, Daniel Ivey-Soto, Michael Padilla, John Pinto, William P. Soules, and Pat Woods.

On a motion by Senator Sapien, seconded by Senator Morales, the committee approved the agenda for the meeting.

SCHOOL TRANSPORTATION

The Chair recognized Mr. David Craig, LESL staff; and Mr. Antonio Ortiz, Director, Student Services and Transportation, Public Education Department (PED), to discuss school transportation initiatives, primarily the implementation of HB 164a, *School Transportation Info Reporting* (Laws 2015, Chapter 57), which was enacted during the 2015 legislative session; a comparison of FY 15 and FY 16 allocations; and state-chartered charter school revenues and expenditures.

Mr. Craig explained that among its provisions, HB 164a amended the *Public School Finance Act* related to transportation distributions, effective July 1, 2015, to change:

- the reporting dates of each year for school transportation funding for school districts and state-chartered charter schools:
 - from the first reporting date (which is the second Wednesday in October); and
 - to the average of the second and third reporting dates (which are, respectively, December 1, or the first working day in December, and the second Wednesday in February); and
- the transportation allocations to each school district and state-chartered charter school to an amount calculated and distributed for the entire school year using an average of the amounts reported on the second and third reporting dates.

In addition, he emphasized, the legislation included a temporary provision for the transportation distribution for FY 16 that:

- bases the allocation on the tentative budget of a school district or state-chartered charter school; and
- adjusts the amount the school district or state-chartered charter school is entitled to receive based upon the number of students transported on the first reporting date of FY 16 and for special education students on December 1, subject to audit and verification.

Noting that the legislation reflected the work of the subcommittees on School Bus Transportation that the LESC formed in the 2012 and 2013 interims, Mr. Craig stated that during both subcommittees' interim meetings, members heard testimony from LESC staff regarding policy considerations for transportation funding based on a different, prior-year funding period similar to other education funding provisions in law. For example, he stated, LESC staff provided testimony that the State Equalization Guarantee distribution is based on the average student membership of the second and third reporting periods.

The subcommittees, he reported, also heard testimony from PED staff that provisions for prior-year funding for transportation would:

- provide for the use of prior-year ridership data in the transportation formula calculation;
- allow the transportation funding formula to absorb some fluctuations in ridership or funding; and
- give school districts and state-chartered charter schools one year to adjust for funding decreases.

Summarizing a comparison of the FY 15 final transportation allocation to FY 16 initial transportation allocation presented in the staff brief, Mr. Craig reported that:

- 68 school districts and five state-chartered charter schools will see a reduction of approximately \$8.0 million from the final FY 15 transportation funding formula allocation to the FY 16 initial transportation allocation;
- conversely, 22 school districts and 15 state-chartered charter schools had the initial transportation funding formula allocation increase by approximately \$2.0 million; and
- of the 15 state-chartered charter schools receiving an increase:
 - eight are new state-chartered charter schools beginning operations in FY 16; and
 - the other seven schools will receive new transportation funding formula allocations totaling approximately \$832,000.

With regard to state-chartered charter schools, Mr. Craig reported that during the 2014 interim, the LESC formed a Charter Schools Subcommittee which, among its interim work, examined the transportation needs and circumstances of these schools. Among testimony to the subcommittee, he noted, PED reported that:

- state-chartered charter schools were receiving more school transportation funding formula allocations than they needed to provide to-and-from transportation services for students; and
- the *Public School Finance Act* does not specify whether state-chartered charter schools are to receive a transportation funding formula distribution or be eligible to receive such funding; and there are no provisions in law that relate to transportation boundaries or distances for state-chartered charter schools.

With these points in mind, LESC staff suggested that the subcommittee consider whether:

- the current mechanism for allocating transportation funding to state-chartered charter schools is adequate;
- the eligibility criteria for charter schools to receive a transportation allocation needs further clarification; and
- geographic boundaries or distances should be established for charter school transportation services.

Staff testimony also suggested that the subcommittee consider including state-chartered charter schools in the negotiation process with local school districts and incorporating into law a provision in PED rule that allows charter schools to elect not to provide transportation services.

Referencing Chart 1 in the staff brief, *State-chartered Charter Schools Transportation Revenues and Expenditures, by Fiscal Year*, Mr. Craig reported that since school year 2009-2010 school transportation revenues for state-chartered charter schools appear to have exceeded expenditures at the end of each fiscal year. Mr. Craig next summarized the legal provisions for unexpended transportation allocations indicating that usually, in the event a school district's or state-chartered charter school's transportation allocation exceeds the amount required to provide to-and-from transportation, law requires that 50 percent:

- of the remaining balance be deposited in the Transportation Emergency Fund; and
- of the excess amount retained by the school district or state-chartered charter school:
 - at least 25 percent shall be used for to-and-from transportation-related services, excluding salaries and benefits; and
 - up to 25 percent may be used for other transportation-related services, excluding salaries and benefits as defined by PED rules.

To conclude, Mr. Craig said that for FY 16, language in the *General Appropriation Act of 2015* requires a state-chartered charter school that receives a transportation allocation that exceeds the amount required to provide to-and-from transportation to deposit 100 percent of the remaining balance in the Transportation Emergency Fund at the end of that fiscal year.

With regard to the implementation of HB 164a, Mr. Ortiz said he had reported the change to three reporting dates for FY 16 to school districts and state-chartered charter schools at the 2015 Spring Budget Workshop and also during PED’s annual data conference. He noted that PED staff will have more information on the implementation of the requirements for prior-year funding as the 2015 interim progresses.

To conclude, Mr. Ortiz referred the committee to two handouts, both titled *2015 Legislative Session*. He noted that the handout outlining a 10-year history of school transportation appropriations indicates a \$4.0 million decrease in funding from \$101.7 million in school year 2014-2015 to \$97.7 million in school year 2015-2016 — a decrease that will impact allocations to many school districts and state-chartered charter schools statewide. The second handout, he reported, shows historical average diesel fuel prices by fiscal year, which are another major cost to transportation programs statewide.

Committee Discussion

In response to a committee member’s inquiry as to why PED’s handout shows a decline of approximately \$4.0 million while the LESC staff brief indicates a reduction of approximately \$6.0 million, Mr. Craig stated that PED has an unallocated fund balance of approximately \$2.0 million that is awaiting completion of the rental fee allocation process.

In response to a question as to whether PED was considering transportation formula changes for state-chartered charter schools, Mr. Ortiz stated that PED is currently establishing rules for state-chartered charter school distributions, including geographic distances for school transportation and a deadline by which state-chartered charter schools have to apply for funding.

He also stated that the current formula is a distribution model in which the allocation is based on membership and the size of a district; then distance and other site characteristics are applied to the base allocation. Mr. Ortiz added that PED has addressed the issue of state-chartered charter schools receiving funds by not providing the state-chartered charter schools with a base allocation and instead providing these schools with amounts generated under site characteristics.

A committee member commented that school districts in large rural areas like Quemado Independent Schools (#2) and Gallup-McKinley County Schools appear to have the largest

decreases in funding. Another committee member asked Mr. Ortiz to explain why Gallup-McKinley Schools could be facing a 20 percent reduction with no corresponding change to membership, and Mr. Ortiz indicated that the formula is a regression-based formula based on two prior years' expenditures and the allocation is what the coefficients and district variables dictated. The committee member suggested that the Legislature needs to consider changing the formula and asked what PED was doing with the formula. Mr. Ortiz said the last time the formula was looked at was in 1995 when it was mileage driven, and the result was a change to a more student-driven formula. Another member commented that the committee should consider reformulating the formula and reinstating a subcommittee similar to the one that last evaluated the formula.

The Vice Chair recognized Dr. Analee Maestas, Executive Director, La Promesa Early Learning Center, and Albuquerque Public Schools' school board member to discuss charter school transportation challenges. Dr. Maestas emphasized that because of tiered services, charter schools change their daily schedule in order to provide to-and-from school transportation. She reported that many charter schools do not participate in "street-to-street" drop-offs, but instead use hubs where parents can drive to one location to drop off their children. She suggested that charter schools should be able to purchase buses and tier services with other charter schools, and instead of providing allocations to individual state-chartered charter schools, the state should consider providing one allocation to purchase buses for all charters that could then use hubs.

In response to a committee member's question as to whether PED sees a need to change the formula, Mr. Ortiz said he would discuss the issue with the Secretary.

A committee member commented that the formula does not appear to be working, but that if it is based upon linear regression, it would not account for outliers. The member then requested that PED staff provide the coefficients for the regression analysis.

SCHOOL TRANSPORTATION PROGRAM DESIGN

The Chair recognized Mr. Tom Sullivan, Superintendent, Moriarty-Edgewood School District (MESD); and Ms. Greta Roskom and Ms. Kelly Callahan, Co-Executive Directors, New Mexico Coalition for Charter Schools (NMCCS) to discuss transportation challenges in public schools.

School District Challenges

Referring to a committee handout, Mr. Sullivan reported that student transportation issues affecting the state and primarily MESD include:

- density and rural remoteness;
- transitioning from contracted serves to district fleet ownership;
- recruitment and retention of qualified drivers;
- budget concerns relating to mid-year and year-to-year reductions;
- school closures and route consolidation;

- mechanic shortages;
- fuel cost volatility; and
- auxiliary equipment — cameras and Global Positioning Systems (GPS).

Referring to school transportation law enacted from the 2015 legislative session that revised the funding count model, Mr. Sullivan emphasized that the averaging of two count dates more closely aligns with the base operational budget methodology. He added that the old model relied exclusively on a one day “seats-in-the-seats” count that did not always accurately reflect true ridership. As examples, he noted that in his district the following students are eliminated from the count:

- three- and four-year old developmentally delayed preschool students because they do not attend school on Wednesdays; and
- middle school and high school students in fall sports, such as football, volleyball, soccer, and cross-country, who are required to participate in after-school activities.

Mr. Sullivan then introduced Mr. Josh McCleave, Director, Support Services, MESD, to discuss the transportation program challenges that it faces as a rural, isolated school district. These challenges, Mr. McCleave noted, include:

- long distances traveled by school buses on their bus routes;
- a decline in student membership that has resulted in year-to-year funding reductions while costs remain relatively fixed;
- uncompetitive salaries;
- bus driver retention; and
- a labor shortage of diesel mechanics.

Mr. McCleave reported further that GPS systems are a key component for gathering data to help with accurate reporting and student safety; however, funding is not available for smaller school districts. He confirmed that the state had made an initial investment for GPS, but the physical units have exceeded their useful life and need to be replaced. To conclude, Mr. McCleave stated that bus cameras are an important part of ensuring a safe and disciplined learning environment; however, funding for the cameras is not available for small districts.

The Chair also recognized the following transportation program stakeholders to provide additional testimony:

- Mr. Jacob Martinez, Transportation Supervisor, Cuba Independent School District;
- Mr. Michael Rodriguez, Administrator, Albuquerque Cien Aguas International School;
- Mr. Maurice Ross, Executive Director, Department of Student Transportation, Rio Rancho Public Schools;
- Ms. Coreen Carrillo, Principal, Southwest Aeronautics, Mathematics and Science Academy;
- Mr. Ruben Hendrickson, Chief Operations Officer, and Mr. Royce Binns, Director, Student Transportation Services, Albuquerque Public Schools;

- Ms. Carmie Toulouse, Commissioner, District 3, Public Education Commission; and
- Mr. Frank Milo, Transportation Director, and Mr. Herb Borden, Director, Construction Management, Deming Public Schools.

Among the issues discussed were the following:

- the quality of roads in rural, isolated school districts, which impacts bus warranties, bus replacement schedules, and the need for additional contracted mechanic services, is not factored into the transportation funding formula;
- road conditions should be added as a site characteristic in the funding formula;
- transportation funding does not consider unique charter school student populations, including English language learners and free and reduced-fee lunch program eligible students;
- school districts are facing a shortage of school bus contractors;
- school districts are not receiving adequate funding and have to subsidize transportation operations out of operational funds;
- some charter schools would support a policy proposal to have the state purchase school buses to provide transportation to state-chartered charter school students;
- some school districts indicated that having adequate funding is important to any discussion of the transportation funding formula; and
- school district representatives suggested looking at miles, salaries, maintenance costs, and fuel as cost drivers for district operations.

Committee Discussion

A member asked about options for rural school districts relating to bus routes that have students riding for extended lengths of time. In response, Mr. Sullivan stated that options for decreasing the length of time on a school bus are limited.

A member asked whether or not kindergarten students ride on the same bus as high school students, and Mr. Sullivan responded in the affirmative. Another member asked if special education students ride on the same bus as well. In response, Mr. McCleave stated that due to the distance required for school bus routes, the district often has special education students on the same bus, which requires an aide to accompany them.

A member commented about a recent Legislative Finance Committee report relating to declining enrollment in six eastern New Mexico school districts. Mr. Sullivan observed that declining enrollment in any district often results in hard decisions for a school board, including the consideration of school consolidations.

State-chartered Charter School Challenges

Referencing a committee handout, Ms. Callahan explained that in order to provide testimony to the committee on current issues and challenges relating to student transportation funding, the NMCCS solicited feedback from charter schools that currently receive transportation funding. An overall challenge for state-chartered charter schools, she explained, is the fact that they are not restricted to the boundaries of the school district in which they physically reside. She also

noted that students can attend a charter school and reside outside of a school district's attendance area, or enroll from anywhere in the state. As a result, this requires a state-chartered charter school offering transportation to calculate varied bus routes based on individual student enrollment and respective family needs. With regard to locally chartered charter schools, Ms. Callahan noted that these schools are restricted to providing bus service in the district's local attendance area; however, they may also enroll students who are outside of the physical boundaries of the district.

Ms. Roskom added that the mission of charter schools is also a factor in determining their transportation needs and challenges. As examples, she highlighted the feedback from the:

- Albuquerque Sign Language Academy, which serves deaf and hard-of-hearing students and is required to provide transportation as a related service in each student's Individualized Education Plan; and
- Southwest Aeronautics, Mathematics and Science Academy, which because of its aviation-related mission requires that instruction occur near an airport.

Such particular factors, she emphasized, should be considered in any policy proposals.

To conclude, Ms. Callahan stated that NMCCS recommends that the LESC evaluate school transportation processes to ensure equity for all district and charter school students receiving bus services, including accountability for the funding.

Committee Discussion

A committee member inquired about the open enrollment provisions that require a parent to provide transportation for a student that chooses to attend a school outside their school attendance zone and asked whether a charter school is required to provide school transportation. In response, Ms. Callahan replied that these schools can choose whether to access transportation funding to provide to-and-from school transportation for their students.

When a committee member observed that the NMCCS handout appears to frame the issue of geographic boundaries as a challenge because charters are not restricted to the boundaries of a school district, he asked whether the challenge is that there is no restriction, or if the challenge is the idea of imposing a limit to transportation? Ms. Callahan replied that the statement in the handout was referencing potential legislation that proposed limitations for distances state-chartered charter schools could transport students. She also explained that the intent of the handout language was to illustrate that charter schools do face challenges due to a lack of limitations.

DIRECTOR'S REPORT

a. Approval of May 2015 and June 2015 LESC Minutes

On a motion by Senator Kernan, seconded by Senator Brandt, the committee approved the minutes for the May 2015 interim meeting.

On a motion by Senator Sapien, seconded by Senator Brandt, the committee approved the minutes for the June 2015 interim meeting.

b. Informational Items

Ms. Frances Ramírez-Maestas, LESC staff, reported that the July 2015 LESC Newsletter had been sent to all legislators and education stakeholders in the LESC email listing and that additional copies were available at the meeting for distribution of hard copies to interested individuals.

c. Review of LESC Director Job Description

The committee reviewed and discussed the LESC Director job description in the committee notebook, on a motion by Representative Youngblood, seconded by Senator Kernan, the committee approved the job description with the addition of “or pursuant to statute” at the end of item 10.

d. Approval of Correspondence Soliciting Letters of Interest from Potential Director Candidates

The committee reviewed and discussed the draft letter soliciting letters of interest from potential director candidates. The Chair informed the committee that the Legislative Council Service (LCS) will receive all the applications from potential director candidates and deliver them to the committee. He added that LCS and LESC staff will:

- check on *Inspection of Public Records Act* (IPRA) eligibility;
- email letters of interest with the job description statewide to media outlets and education stakeholders; and
- post the letter of interest and staff director job description on the Internet.

On a motion by Senator Kernan, seconded by Senator Brandt, the committee approved the solicitation letter and authorized the Chair to add language to the letter stating that all applications are subject to IPRA and may therefore not be kept confidential.

Other Action Items

On a motion by Senator Sapien, seconded by Representative Trujillo, a letter of support was approved for a proposal by the University of New Mexico and a consortium of New Mexico school districts to conduct a New Mexico K-3 Plus BOOKS Validation Study with funding from the federal Investing in Innovation (i3) grant.

On a motion by Senator Brandt, seconded by Representative Roch, the committee did not approve the request for the LESC to consider conducting a feasibility study for the Mentoring and Tutoring Create Hope program.

LESC AND LEGISLATIVE FINANCE COMMITTEE (LFC) STAFF POLICY RECOMMENDATIONS/OPTIONS

The Chair recognized Mr. Ian Kleats, LESC staff, and Mr. Charles Sallee, Deputy Director, Program Evaluation, Legislative Finance Committee (LFC) staff, for a presentation of policy recommendations and options originating from previous staff reviews of the Instructional Staff Training and Experience (T&E) Index and the *Instructional Material Law*.

a. Instructional Staff Training and Experience Index

Prefacing his testimony on recommendations previously considered by the LESC, Mr. Kleats explained that, during the June 2015 interim meeting of the LESC, the committee heard testimony relating to the T&E Index in the public school funding formula, including:

- a description of the T&E Index by LESC staff highlighting the history of its creation, statutory and regulatory features of the index, and its role in the public school funding formula; and
- from a district perspective, a report by the Superintendent of the Las Cruces Public Schools describing the inclusion of the index in the formula in order to recognize the costs of recruiting and retaining highly qualified and highly effective teachers.

Referring to Attachment 1 of the LESC staff report, Mr. Kleats noted that, for the committee's reference, the fact sheet included contained the current statutory T&E matrix and the steps for calculating the T&E Index for each school district and charter school.

The Legislature has funded two independent studies, Mr. Kleats explained, which considered potential revisions to the T&E Index. Specifically, he noted that:

- in 2003, the LESC contracted with Augenblick, Palaich and Associates, Inc. (APA), to study the relationship between the T&E Index in the public school funding formula and the implementation of the three-tiered licensure system for teachers; and
- in 2008, the legislative Funding Formula Study Task Force received a report it had commissioned from the American Institutes for Research (AIR), *An Independent Comprehensive Study of the New Mexico Public School Funding Formula*, which suggested the replacement of the T&E Index with an Index of Staff Qualifications among its other findings and recommendations.

Mr. Kleats stated that information about these studies and their recommendations had been detailed in the LESC staff report. However, because even the most recent study was conducted almost 10 years ago, he suggested that it may be more important to focus on the general features of those recommendations rather than the specific weighting assigned within their tables.

Among those general features, Mr. Kleats highlighted that, as it proceeds in developing and considering policy options, the committee may wish to consider:

- the characteristics or dimensions considered when calculating the T&E Index:
 - the APA and AIR recommendations both included differentiation for licensure level where applicable and dimensions for years of experience and educational attainment; but
 - the current T&E Index considers only years of experience and educational attainment;
- which set of characteristics is assigned a baseline value of 1.0:
 - APA assigned the baseline value to a beginning teacher holding a Level 1 license with minimal or no years of experience;
 - AIR assigned the baseline value to the characteristics of the “average” teacher, which corresponded to a teacher holding a Level 2 license with nine to 15 years of experience; and
 - the current T&E Index assigns the baseline value to a teacher with a bachelor’s degree and six to nine years of experience or with a master’s degree and three to five years of experience, roughly in line with a teacher recently attaining a Level 2 license; and
- the type of instructional staff to be included in the calculation of T&E:
 - the APA recommendation included only teachers;
 - the AIR recommendation included both teachers and other, non-licensed instructional staff but applied a different set of factors to each group; and
 - the current T&E Index includes all instructional staff under a single set of factors.

In closing, Mr. Kleats explained that, if T&E factors are recommended that reflect the differential cost of employing a group of instructional staff with varying characteristics, those factors would be sensitive to changes in statutory minimum salaries and the average salary growth rate.

Mr. Sallee began his presentation of previous LFC staff recommendations for the T&E Index by citing the LFC’s longstanding interest in the topic. For more than a decade, he explained, LFC staff have identified numerous issues related to T&E for committee consideration, and beginning in 2011, LFC program evaluation staff began making more specific recommendations in a number of reports to address those issues.

Referring to the recommendations contained in the appendix to the LFC memorandum provided to the committee, Mr. Sallee suggested that LFC staff recommendations can be classified into three main groups:

1. aligning the T&E Index with the three-tiered licensure system (Recommendation 1);
2. targeting differences in classroom teacher labor costs, such as:
 - defining “teaching staff” to mean a licensed teacher who is assigned classroom teaching responsibilities for inclusion in any new T&E Index (Recommendation 2);
 - multiplying the revised, or even existing, T&E Index by early childhood education and basic education units only (Recommendation 3); and
 - adding an adjustment factor for effective teachers and leaders at high-poverty schools to facilitate the payment of stipends to those educators (Recommendation 4); and
3. enhancing uniformity by requiring the Public Education Department (PED) to establish criteria for counting years of experience in rule (Recommendation 5).

Committee Discussion

Referring to the LFC memo, a committee member noted that the T&E tables included in Recommendation 1 were not the same as the T&E revision proposed in the 2013 House Bill also mentioned in the memo. Mr. Sallee explained that the recommendation had changed as the result of stakeholder input, suggesting that teachers unions had advocated for the inclusion of more years of experience.

Expressing concern over not wanting to send a message that experienced teachers are not worth the additional cost to employ, a committee member asked what incentives were present in Recommendation 1 for a teacher to improve their educational attainment. In response, Mr. Sallee explained that the statutory minimum salaries would still provide incentive to advance licensure level, and nothing prevents school districts from instituting their own incentive structures to promote additional education for their teachers.

On that point, the Chair reminded the committee that the T&E Index was not originally designed to incentivize teachers and was instead intended to adequately fund teacher salaries at the district level.

b. Instructional Materials

Referring to the LESC staff report, Mr. Kleats noted that, for the committee’s reference, the fact sheet included as an attachment contained a brief history of and current statutory provisions from the *Instructional Material Law*.

Based on the results of an LESC staff review of certain select components of the instructional material process, Mr. Kleats continued, LESC staff testimony listed three potential actions, based on the information presented, that the LESC and the LFC may wish to consider:

- when considering legislation authorizing the issuance of General Obligation bonds to provide distributions to public schools statewide, ensure that the language clarifies whether the proceeds are for all public schools or selected public schools;

- require PED to provide an annual report to the committees outlining the department’s administration of the *Instructional Material Law* and related PED rule, including certain requirements; and
- direct LESC and LFC staff to conduct a follow-up review of the instructional material process and provide a report with potential policy considerations.

Referring to the LFC memo, Mr. Sallee stated that, in January 2014, LFC staff released a program evaluation on instructional materials that contained the following three key findings:

1. the instructional materials process suffered from a lack of oversight, resulting in school districts and charter schools sometimes expending funds in ways inconsistent with state law;
2. the system for funding instructional materials, according to the report, does not meet current needs, resulting in reports of inadequate resources while allocated money goes unspent; and
3. New Mexico is unprepared for a transition to a personalized digital learning environment.

Referring to the appendix to the LFC memorandum provided to the committee, Mr. Sallee detailed the following recommendations:

- amend the *Instructional Material Law* to require that instructional material funds be used on state-approved materials on the multiple list, which includes both core/basal and supplemental materials (Recommendation 6);
- convert the Instructional Material Fund to a reverting fund from the local level or consider taking credit for unspent instructional materials allocations if substantial fund balances continue at school districts, charter schools, state supported schools, and private schools (Recommendation 7);
- modify statute mandating that adequate instructional materials be available to all students at school and at home from the current statute of one textbook being available to each student to take home (Recommendation 8);
- modify statute to require all districts have a plan in place to ensure all students have adequate access to instructional materials as defined by statute (Recommendation 9); and
- direct PED to develop quality and accountability standards for all digital content, e-reader devices, electronic courses, and other technologies used for instruction (Recommendation 10).

Committee Discussion

A committee member, referring to experiences while serving on a school board, recalled having to set aside money from a current adoption cycle for an upcoming, expensive adoption cycle. The committee member could not recall ever receiving an allocation that would fully cover the costs of an adoption cycle, calling into question whether a study on the total adoption costs for each student had ever been conducted.

Citing the need for e-books, Internet sources, and original source materials, another committee member raised concerns over the status and administration of the instructional materials system. The committee member advocated taking a thoughtful approach and revising the statute.

In conclusion, the Chair reminded the committee that the LESC will be hearing presentations on topics, like the T&E Index and instructional materials, across multiple meetings with the goal of crafting legislation for committee consideration by November or December.

ADJOURNMENT

There being no further business, the Chair adjourned the LESC meeting at 2:46 p.m.


_____ Chair

9/24/15 _____ Date