

State of New Mexico
LEGISLATIVE EDUCATION STUDY COMMITTEE

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MINUTES
LESC MEETING
TUESDAY, DECEMBER 12, 2006

Senator Cynthia Nava, Chair, called the Legislative Education Study Committee (LESC) meeting to order on December 12, 2006, at 1:45 p.m., State Capitol, Room 322, Santa Fe, New Mexico.

The following LESC members were present:

Senators Cynthia Nava, Chair, Gay G. Kernan, and Mary Kay Papen; and Representatives Rick Miera, Vice Chair, Joni Marie Gutierrez, Mimi Stewart, and W. C. "Dub" Williams.

The following LESC advisory members were present:

Senators Vernon D. Asbill, John Pinto, and Dianna J. Duran; and Representatives Ray Begaye, William "Ed" Boykin, Roberto "Bobby" J. Gonzales, Jimmie C. Hall, Harriet I. Ruiz, Sheryl M. Williams Stapleton, and Richard D. Vigil.

<> Approval of Agenda

Upon a motion by Representative Gutierrez, seconded by Senator Papen, the committee unanimously approved the agenda as presented.

FUNDING FORMULA STUDY TASK FORCE: PROGRESS REPORT

Ms. Frances Maestas, LESC staff, introduced Ms. Jonelle Maison, Contract Manager, Legislative Council Service; Dr. Jay G. Chambers, Managing Director, American Institutes for Research (AIR); and Dr. Karen DeMoss, Project Consultant, AIR, to discuss the 2006 interim activities of the Public School Funding Formula Study Task Force and AIR in conducting the study of the current Public School Funding Formula.

Ms. Maestas reported that, at least since 2001, the LESC has heard concerns about a number of issues related to the Public School Funding Formula, including the alignment of the Training & Experience (T&E) Index with the three-tiered licensure system for teachers, recognition of instructional support providers, and the fiscal difficulties faced by school districts with a membership of 200 or fewer. After repeated appropriations to fund a study of the formula were vetoed, she noted, the LESC endorsed successful legislation in 2005 to create a Funding Formula Study Task Force and in 2006 to extend the term of the task force through December 2007. Also in 2006, Ms. Maestas indicated, the Legislature appropriated \$500,000 for an independent study of the funding formula. Ms. Maestas stated that, as specified in current law, the study of the Public School Funding Formula is a three-year process that will culminate in December 2007, when the final recommendations of the task force are presented to the Legislature and the Governor for consideration in the 2008 legislative session.

Referring to a committee handout, Dr. Chambers reported that the AIR research team will conduct the study in four phases: Phase 1 – gathering public input on defining an adequate education, which is currently in progress; Phase 2 – costing out educational adequacy, which will focus on determining the costs of ensuring that all students have access to the programs and resources necessary to achieve the goals and priorities established in Phase 1 of the project; Phase 3 – evaluating the current funding formula and developing modifications that will use the costing-out results from Phase 2 as the foundation for recommending changes or modifications to the current methodology for funding public schools; and Phase 4 – analyzing existing and potential revenue sources, evaluating current revenue streams, and identifying potential sources of revenue that could be used to provide the necessary funding to support an adequate education across all school districts.

Dr. DeMoss focused on the tasks related to public engagement, a component of the first phase of the study. Stressing that the material was still in preliminary draft form, she reviewed the results from a three-part design to sample public opinion about educational goals and components comprising: (1) interviews and focus groups; (2) a web-based survey targeted to “informed representatives of the state, including business and cultural group leaders, legislators, and school and district leaders”; and (3) a web-based survey for citizens in general.

Dr. DeMoss noted that AIR staff was just beginning to receive responses to the two surveys. She added, however, that 18 of 24 planned town hall meetings had been conducted throughout the state to gather public input. Dr. DeMoss reported that concerns raised during these meetings ran the gamut of educational issues, from the importance of student readiness for college and the workplace to the problems created by unfunded mandates; from the need for equity in the funding formula to fears that the unit value is stretched too thin. Likewise, she stated, preliminary findings from the broad public survey included such points as the need for parents to be accountable for their children’s education; the value of counselors, nurses, and librarians; the limited value of adequate yearly progress as an accountability measure; the need for professional development outside the regular school day; and the value of art, music, and physical education, especially in elementary schools.

Committee Discussion:

In response to a committee member’s question whether input had been received from students, Dr. DeMoss reported that at least in one town meeting, the local Parent Teacher Association had organized attendance of students, primarily high school seniors. She acknowledged, however, that input from students may not have been well targeted in the study and suggested that the committee encourage principals to ask students to participate in the web-based surveys.

A committee member encouraged everyone to participate in the online survey available at “nmschoolfunding.org.”

In response to a committee member’s question whether the responses in rural areas differed from those in urban school districts, Dr. DeMoss stated that both groups appear to be concerned over what they can do with the unit value versus what they need to do.

In response to a committee question whether AIR would consider recommending an increase in the unit value, Dr. DeMoss indicated that phases 3 and 4 of the study would focus on evaluating the current funding formula and recommending changes or modifications to the current methodology for funding public schools.

DISTANCE LEARNING INITIATIVES

Mr. Peter van Moorsel, LESC staff, introduced Dr. Jim Holloway, Assistant Secretary, Rural Education, Public Education Department (PED), and Ms. Veronica Chavez-Neuman, Chief Information Officer, Higher Education Department (HED), to present a progress report on PED’s Distance Learning Rule, and to present on the Innovative Digital Education and Learning in New Mexico (IDEAL-New Mexico) proposal. He also introduced Mr. David Chavez, Superintendent, Loving Municipal Schools, and Ms. Sandy Gladden, Executive Director, Regional Education Cooperative (REC) #9, to make a presentation on a proposal for a distance learning network being developed by, among others, RECs #8 and #9.

Mr. van Moorsel explained that the presentation on the PED distance learning rule during the October LESC meeting elicited concerns from the committee and that comments at a public hearing about the rule held by PED on November 1 echoed these concerns. Among these concerns, he continued, were that the policies requiring physical attendance at a distance learning center and limiting the number of distance learning courses a student may take were overly restrictive. Mr. van Moorsel added that, since the October meeting, the rule had been under revision and that Dr. Holloway would present this updated rule.

Mr. van Moorsel also discussed the proposal IDEAL-NM which, as announced by the Governor, will create a statewide learning program that invests in technology and creates new opportunities for New Mexicans to access school programs regardless of where they live. IDEAL-NM, explained Mr. van Moorsel, consists of a central eLearning service center, which acts as a technical support desk for instructors and site coordinators, an online catalog of courses compiled and supported by the New Mexico Learning Network (NMLN), and a common learning management system, which provides the portal for student and teacher interaction, including online instruction. Mr. van Moorsel also discussed the proposal by RECs #8 and #9 for a distance learning network.

Dr. Holloway explained to the committee the changes that had been made to the PED distance learning rule governing the definition of a distance learning student, the number of courses allowed to be taken, and the location where students take these distance learning courses. Requirements for districts that offer distance learning courses and the enrollment and monitoring of distance learning students were also addressed in the rule. Dr. Holloway stressed a need for legislation in three areas: (1) the definition of a distance learning student; (2) the funding of distance learning in New Mexico’s school districts, pending the Funding Formula Study Task Force recommendations; and (3) the criteria for course completion by a distance learning student, noting that traditional seat-time requirements may not apply.

Ms. Chavez-Neuman stated that HED and PED were requesting a total of \$10.8 million to implement IDEAL-NM. She added that IDEAL-NM is intended to create a statewide cyber academy serving grades 6-12, with an initial focus on rural schools, and to provide professional development for teachers. She said that another goal is to facilitate a collaborative model that utilizes the capacity of existing schools, colleges, universities, and current initiatives, including various REC distance education models, professional development via a blackboard learning system at Albuquerque Public Schools, NMLN pilot programs, and other initiatives.

Ms. Chavez-Neuman added that the intent is that NMLN coordinate IDEAL-NM and provide a web catalog of eLearning courses and programs. She also discussed the goal of a shared infrastructure for IDEAL-NM, with hosting services available to PED, HED, and government agencies.

Ms. Chavez-Neuman introduced three potential governance models for IDEAL-NM and stated that, in the model recommended by PED and HED, funding would be distributed among the two departments according to their function in the distance learning network. HED would receive funding and be responsible for the operational portion of IDEAL-NM, including licensing, hosting, technical support, and service center management, as well as a distance education coordinator for HED and other government agencies. The funding for administrative functions of IDEAL-NM would go to PED, she added, to include executive personnel, the P-12 distance education coordinator, teacher training, and cyber school development. Ms. Chavez-Neuman concluded by saying that both HED and PED would receive funding for performance and accountability functions of IDEAL-NM.

Mr. Chavez presented to the committee a proposal for a distance learning network being developed by a consortium of RECs, school districts, and institutions of higher education (IHEs). The first aspect of the proposal, he said, was to develop a pilot distance learning network in rural New Mexico with a partnership among: REC #8 (Dexter, Hagerman, Lake Arthur, and Loving); REC #9 (Capitan, Carrizozo, Cloudcroft, Corona, Hondo, Ruidoso, and Tularosa); Alamogordo Public Schools; NMSU-Alamogordo; NMSU-Carlsbad; ENMU-Roswell; ENMU-Ruidoso; and the New Mexico Junior College. He added that the second portion of the proposal was to develop a rural education model that could be replicated throughout the state utilizing partnerships or RECs, school districts, and postsecondary institutions. He said that the model aims to facilitate the exchange of courses between school districts via its communication network, allowing small schools to offer expanded and more rigorous curricula to their students.

Ms. Gladden said that the consortium members would be connected using wireless communications from the IHE-based provider, the Council for Higher Education Computing/Communication Services (CHECS-Net) and that the network intends to provide rural schools with expanded curricula, assistance in credit recovery, dual credit opportunities, and professional development for teachers. In addition, she said the network aims to complement IDEAL-NM by providing synchronous and asynchronous services and coordination with NMLN. Ms. Gladden's budget request includes hardware and installation, recurring funding for line and connect charges, staff, travel, training, and limited hardware costs, totaling \$300,000 for the two RECs and their member school districts.

Committee Discussion:

In response to a committee member's question about the costs of IDEAL-NM, Dr. Holloway clarified the project's budget of \$10.8 million, saying that approximately \$2.4 million would be used for administrative functions of the project and that approximately \$8.4 million would be used for implementation and start-up costs for the eLearning model.

In response to a committee member's question about connectivity issues faced by small districts, Mr. Chavez explained that, in order to enable effective distance learning programs in RECs #8 and #9, more telecommunications infrastructure is required than that which Wire New Mexico, the state's existing investment in telecommunications infrastructure, can offer. The REC distance learning proposal, he said, aims to connect these communities to IHEs, providing them with the telecommunications access needed to facilitate distance learning.

In response to this same question, Dr. Holloway emphasized that the IDEAL-NM proposal does not include infrastructure investments within school districts. This portion of infrastructure and hardware investment, he said, is covered in the request for funding for the correction of educational-technology deficiencies in public schools. He stated that IDEAL-NM includes infrastructure improvement in the eLearning service center, as well as statewide infrastructure improvements that will provide connections to, but not within, school districts.

In response to a committee member's question whether existing distance learning programs would be supplanted by IDEAL-NM, Dr. Holloway stated that the intent of IDEAL-NM is not to replace these programs, but rather to provide access to the benefits of distance learning to those communities that do not currently have programs similar to that proposed by RECs #8 and #9.

In response to a committee member's question about which communications provider will be used for IDEAL-NM, Ms. Chavez-Neuman said that numerous telecommunications companies will provide connectivity and that rural cooperatives will be the providers in rural areas, ensuring that they would not be bypassed in favor of larger providers.

In response to a committee member's question about how far New Mexico lags behind other states in providing distance education opportunities and how long it would take New Mexico to catch up, Ms. Chavez-Neuman said that there are currently 38 states that have either state-run distance learning programs or state laws regulating distance learning. She added that it would take two to three years to implement IDEAL-NM, and that it would take six years to stabilize the network. Dr. Kurt Steinhaus, Education Policy Adviser, Office of the Governor, added that the implementation of IDEAL-NM would allow New Mexico to make significant steps to catch up to the rest of the nation in distance learning.

In response to a committee member's question whether the Rio Rancho Cyber Academy is a partner in IDEAL-NM, Dr. Holloway responded that the academy is not involved in the project.

Senator Nava requested that HED and PED revise the IDEAL-NM proposal to include the Rio Rancho Cyber Academy as well as the REC distance learning network, adding that these two initiatives should be part of, rather than operate parallel to, IDEAL-NM. Senator Nava requested that this new proposal be presented for the committee's consideration in January.

RECOMMENDATIONS: IMPLEMENTATION TEAM FOR NEW MEXICO FIRST TOWN HALL ON HIGHER EDUCATION

Ms. Pamela Herman, LESC staff, introduced former New Mexico Governor Garrey Carruthers, Co-chair, Implementation Team for New Mexico First Town Hall on Higher Education; and Ms. Heather Balas, President, New Mexico First, to describe the steps the team is taking to implement the recommendations of the New Mexico First Town Hall on Higher Education. Dr. Carruthers informed the committee that Mr. Mike DeWitte, originally scheduled to present this information, was not present due to scheduling conflicts.

Ms. Balas directed the committee's attention to the attachment to the staff brief entitled "New Mexico First Legislative Agenda." She recalled for the committee that, at the August 2006 LESC meeting, she requested an opportunity for the New Mexico First Implementation Team to appear before the committee prior to the 2007 legislative session to present the proposed initiatives derived from the town hall. She said that, while the town hall focus was on higher education, the participants realized the importance of looking at education from a P-20 perspective. She mentioned several well-known individuals in education who attended the Town Hall and contributed to the 18 consensus recommendations, and then she turned the presentation over to Dr. Carruthers.

Dr. Carruthers reported that during April 20-22 New Mexico First convened a town hall in Santa Fe (*Today's Students, Tomorrow's Workforce: A Town Hall on Higher Education*), bringing together stakeholders in higher education and economic development statewide. Almost 200 people took part in the event, from whom the following five proposed legislative initiatives for the 2007 legislative session were developed:

1. fund a public awareness campaign on the value of a college education with a legislative appropriation of \$3.0 million to the Higher Education Department (HED), and so leveraged with contributions from national and local sponsors;
2. align high school graduation requirements with college placement exams at \$1.0 million;
3. provide more funding for the College Affordability Endowment Fund at \$50.0 million. According to Dr. Carruthers, this fund could be one of the most important endowment funds for New Mexico's needy students. At its current level, the fund provides up to \$1,000 for each student per semester, with a minimum of 1,000 needy students who will receive the award, although approximately 11,500 New Mexico students are eligible;
4. fund a pilot study at \$500,000 (with matching funds to be provided from the private sector) to develop a workforce forecast model that matches the projected future demand for workers with the expected number of job seekers from educational programs and other sources. The project will build on existing forecast model data and will incorporate the WorkKeys skill assessment system, which will result in program recommendations for planners and an internet-based career information delivery system for students, counselors, and job seekers; and
5. fund Innovative Digital Education and Learning (IDEAL-NM), at \$10.8 million, to be appropriated to HED/PED for the New Mexico Learning Network (NMLN) to coordinate this program with a primary goal of creating cyber academy services for middle and high school students. The program will also support new methods for dual credit delivery to help address academic alignment between high school and higher education.

Dr. Carruthers emphasized the importance of funding IDEAL-NM, which he said is the way of the future.

Committee Discussion:

In a lengthy discussion about the graduation assessment, several committee members expressed concern regarding the 11th grade assessment. Ms. Rebecca Beletto, Educational Policy and Program Analyst, HED, reported that, at the Alignment Task Force meeting on Friday, the task force agreed to eliminate the high school competency examination, noting that it is not necessarily recommending a new test to replace the present examination but rather possibly cross-walking the current 11th grade assessment with college placement tests. She added that the task force will continue to look at placement cut scores for math in January at the meeting scheduled at Santa Fe Community College.

Senator Nava apprised the committee of the merits of the Cal (California) State Assessment System, which had been the subject of a meeting she had attended. That assessment allows a student to opt to answer 15 additional questions on the state 11th grade assessment. The score can qualify the student for entry-level baccalaureate courses or inform the student of the need for remediation prior to the student's senior year of high school. Senator Nava further explained that 80 percent of the students in California were opting to answer the additional questions; and Dr. Carruthers, with several committee members concurring, encouraged the committee to review the Cal State Assessment System.

In response to a committee member's question whether the \$3.0 million to fund a public awareness campaign on the value of college was recurring, Dr. Carruthers said that it would probably be recurring, but not at that level.

In response to several committee members' inquiries regarding job opportunities for New Mexico students, Ms. Balas said that the idea for the workforce forecast model came from the parents who are tired of their children leaving New Mexico to find jobs in other states because New Mexico has no jobs in their field of expertise. On this same point, a committee member noted that it would be difficult to recruit students to jobs in New Mexico unless business is involved in the recruitment process. Dr. Carruthers said he would like to strengthen this link as well.

In response to Senator Nava's request for input from the audience, Ms. Virginia Trujillo, Vice President for Education, Employment & Training and Government Relations, Youth Development Initiatives (YDI), thanked Dr. Carruthers and Ms. Balas for the town hall meeting on higher education; for the focus on addressing the needs of the New Mexico workforce; and for capturing the gist of what was discussed in the gathering.

Senator Nava thanked the presenters, and, there being no further business on this day and with the consensus of the committee, recessed the LESC meeting at 4:35 p.m.

**MINUTES
LESC MEETING
WEDNESDAY, DECEMBER 13, 2006**

Senator Cynthia Nava, Chair, called the Legislative Education Study Committee (LESC) meeting to order on December 13, 2006, at 9:15 a.m., State Capitol, Room 322, Santa Fe, New Mexico.

The following LESC members were present:

Senators Cynthia Nava, Chair, Gay G. Kernan, Mary Kay Papen, and William E. Sharer; and Representatives Rick Miera, Vice Chair, Joni Marie Gutierrez, Mimi Stewart, Thomas E. Swisstack, and W. C. "Dub" Williams.

The following LESC advisory members were present:

Senators Vernon D. Asbill, Mark Boitano, Dianna J. Duran, and John Pinto; and Representatives Ray Begaye, William "Ed" Boykin, Roberto "Bobby" J. Gonzales, Jimmie C. Hall, Harriet I. Ruiz, Sheryl M. Williams Stapleton, Richard D. Vigil, and Teresa A. Zanetti.

PUBLIC SCHOOL SUPPORT RECOMMENDATIONS FOR FY 08

Senator Nava introduced Dr. Veronica C. García, Secretary of Public Education, and Mr. Don Moya, Deputy Secretary, Finance and Operations, Public Education Department (PED), to present the public school support recommendations for FY 08. Secretary García stated that the following members of her staff were also available to answer questions: Mr. Gilbert Perea, Assistant Secretary for Program Support and Pupil Transportation; Mr. Steven Burrell, Director, School Budget and Finance Analysis Bureau; Dr. Patricia Parkinson, Assistant Secretary for Instructional Support; Dr. Kristine Meurer, Director, Coordinated School and Family Support Bureau; and Dr. Jim Holloway, Assistant Secretary, Rural Education Division.

Secretary García delineated the 2005-2006 accomplishments of PED:

1. School readiness – New Mexico was ranked in the top 10 states in reading achievement by the federal Reading First Office in three categories: grades 1, 2, and 3; grade 3 for students with disabilities; and grades 1 and 2 for English language learners. The Secretary added that the New Mexico Reading First program for early childhood reading comprehension and oral reading fluency is in 30 districts and 90 schools.
2. Parent involvement – PED developed and distributed the Parent Involvement Tool Kit *Working Together: School-Family-Community Partnerships*, participated in 24 community conversations with 3,000 parents and community members, supported the PTA parent involvement workbook, issued a request for proposals for parent involvement training, produced a parent-to-parent video (DVD in English and Spanish), developed a state domestic violence curriculum, and developed a parent involvement media initiative.
3. Quality teachers – New Mexico increased its national salary rankings from 46th to 37th with increased accountability; and, according to *Education Week 2005*, teacher quality improved in New Mexico from 30th to 17th in the nation, with a grade of “B” on efforts to improve teacher quality in 2006. Dr. García said the US Department of Education recognizes New Mexico as one of only nine states with an approved highly qualified teacher plan. The Secretary noted that New Mexico now has 89.6 percent of all core courses taught by highly qualified teachers and attributed a great deal of the credit to the work of the LESC for the implementation of a new three-tiered system of teacher licensure, which has increased compensation for increased accountability.
4. 21st Century Classrooms – the Secretary said PED is engaged with Innovative Digital Education and Learning in New Mexico (IDEAL-NM) in an aggressive education technology strategy, which addresses obstacles in geographical location, schedule, staff availability, learning levels, and learning needs. Toward this end, PED is in the process of developing a common learning management system, which will involve statewide eLearning collaboration and will provide opportunities for professional development and sharing of “best practices.” The Secretary said that she will work with the Rural Education Division of PED and the Higher Education Department (HED) to support online learning, digital media productions, data sharing, and student preparedness for the workforce, noting that 14 New Mexico districts are at standard or have completed Phase 1 of meeting standard for IT infrastructure. She added that the \$5.0 million that will be requested in the 2007 legislative session will be for the New Mexico Laptop Initiative and will provide 3,285 students with access to technology.
5. Academic rigor and accountability – in compliance with the *Math and Science Act of 2005*, the Secretary said that, to ensure alignment, rigor, and relevance in curriculum, a statewide Math and Science Advisory Council was named with representatives from K-12, higher education, and the private sector. She said this committee will help improve math and science education in New Mexico. The Secretary said that in 2005 the

Fordham Foundation ranked New Mexico's science standards sixth in the nation, giving the state an "A" in science standards and a "B" in math standards. In 2006, she said, the American Federation of Teachers said New Mexico is one of only 11 states to have standards-based assessments aligned to strong content standards, noting as an aside that New Mexico will have to improve its English standards. To increase school choice, the Secretary said the *Charter Schools Act* was amended in 2006 to provide for dual chartering authority and that, for that work, the Fordham Foundation named New Mexico second in the nation for school choice. It also ranked New Mexico second in the nation for education reform and leading the nation in curricular content and standards-based reform. Giving the Quality Counts 2006 Report Card for New Mexico, the Secretary said that, in the category of standards and accountability, New Mexico scored an "A," with an average state score of "B-." In efforts to improve teacher quality, New Mexico scored a "B," with an average state score of "C+." In school climate, the Secretary said we need to do better, since New Mexico scored a "C," with an average state score of "C+." In resource equity, New Mexico scored a "B+," with an average state score of "C." In overall grade, New Mexico scored a "B," outstripping the nation, with an average state score of "C+."

6. Closing the achievement gap – the Secretary said that New Mexico has implemented the only comprehensive *Indian Education Act* in the nation. This law, together with the following initiatives, shows what New Mexico is doing to close the achievement gap: legislation to reduce truancy, lengthened school day and school year, increased number of school-based health centers to 56, statewide phase-in of elementary physical education and anti-obesity initiatives, and statewide phase-in of an elementary breakfast program. In addition, the Secretary announced the following recognitions that New Mexico has received in 2006, because of the state's efforts to close the achievement gap:

- one of four states recognized by *Education Week 2006* for innovative school improvement strategies, which were funded last year under Baldrige principles;
- one of the top three states recognized by *Fordham Foundation Report 2006: How Well are States Educating Our Neediest Children?*;
- ranked second nationally for increasing free and reduced-fee breakfast by the Food and Research Action Center;
- ranked second nationally for food available to students by the Center for Science and the Public Interest 2006; and
- ranked fourth nationally for a strong nutrition policy by the Center for Science and the Public Interest 2006.

7. College and workforce readiness – the Secretary said that, according to the National College Board 2006, New Mexico standards and benchmarks are well aligned with the SAT, PSAT, and Advanced Placement (AP) tests. She said that New Mexico invested \$10.0 million in career educational technical centers, which went to higher education. She noted that the Workforce Oversight Coordinating Council, which was created by executive order, identified seven career clusters aligned to New Mexico's growing economy. In high school redesign, Secretary García said New Mexico increased access to AP and Pre-AP courses, increased graduation requirements, and increased alignment between K-12 and higher education. In addition, high school redesign called for alignment of high school exit and college entrance exams. She said that PED and HED are collaborating through task force initiatives to provide more accountability for a seamless and aligned P-20 system of education.

The Secretary concluded by acknowledging that much work remains to be done but that New Mexico should be proud of what the state has accomplished.

Mr. Moya presented, in detail to the committee, PED's public school support request and related appropriations for FY 08. Noting that the department is projecting a decrease in the credits and other state funds, he highlighted the following additions to program cost:

- approximately \$9.5 million for enrollment growth;
- approximately \$2.9 million for fixed costs and \$10.3 million for insurance costs (Mr. Moya said that the insurance costs would change because Albuquerque Public Schools made changes to its numbers after these figures were determined);
- approximately \$20.8 million to implement the \$50,000 minimum salary scheduled to go into effect for Level 3 teachers in FY 08;
- approximately \$3.5 million to implement minimum salaries for principals; and
- \$14.0 million to cover the cost of the 0.75 percent increase in the employer's contribution to the Educational Retirement Fund.

The compensation for public school employees is yet to be determined, Mr. Moya added.

In reviewing PED's requests in regard to categorical school support, Mr. Moya noted that the compensation for transportation employees had not yet been determined; however, the total transportation appropriation requested is approximately \$105.2 million. He explained that other requests are primarily flat with the exception of \$37.2 million for the Instructional Material Fund, an increase of approximately \$4.3 million, and an increase of \$1.0 million for the Educational Technology Fund.

Mr. Moya presented the department's requests with regard to recurring and nonrecurring related appropriations. He pointed out that the After-school Enrichment Program is a new initiative with an FY 08 request of \$7.5 million. He also indicated that the Breakfast for Elementary Students does not include the Food to Schools as indicated in his table, and the Human Services Department will take the lead on Farms to Schools, both indicated under recurring. Mr. Moya also noted that, under high school redesign, AP should be included together with Pre-AP. Mr. Moya pointed out that the New Mexico PreK FY 08 request line item figure should be \$9.0 million instead of \$18.0 million. He explained that the added \$9.0 million was the CYFD portion of the appropriation.

Finally, Mr. Moya said that other PED requests include approximately \$6.4 million to continue the implementation of PED's data warehouse initiative – Student Teacher Accountability Reporting System (STARS) – and \$8.5 million for IDEAL-NM.

Committee Discussion:

In response to a committee member's question why there is no request for funding of the elementary fine arts program in FY 08, Secretary García said PED is not requesting funds because this program was fully funded in FY 07.

In response to a committee member's question why there is a \$4.3 million increase in the requested appropriation to the Instructional Material Fund, Mr. Moya noted that the FY 08 adoption cycle—math, music, and art—is one of the more expensive. On this same point, a committee member asked if any funds were left over from last year. Mr. Moya said that there was a fund balance of approximately \$50,000, which was primarily attributable to the private schools.

In response to a committee member's question what is included in the recurring request for Uniform Chart of Accounts Support and Maintenance, Mr. Moya said that this request will go to maintaining the web bases and operating the system.

In response to a committee member's question why funds were not requested for the Rio Rancho High School Cyber Academy, Secretary García said that specific funds were not requested for Rio Rancho because, with the proposed IDEAL-NM initiative, PED will have oversight of multiple academies, and funding is requested for all of them. She added that Rio Rancho Public Schools was in the forefront in regard to cyber academies and may eventually be asking for separate funding on its own.

In response to a committee member's question how success is measured for the programs the Legislature continues to fund and whether the programs have an impact on children, Secretary García discussed several methods of evaluation used with the programs. Some programs, she said, have performance measures written into them; however, they are not always outcome-based, in which case school achievement can show whether the program is making a difference. She added that student interventions occasionally occur simultaneously, noting that the research underlying the interventions must be examined. The Secretary said, oftentimes, categorizing the programs helps to evaluate their success.

Noting that his constituents need to hear the good news presented by PED, a committee member asked if money is set aside for public relations. The Secretary said that press releases have been sent out; however, the PED Public Information Office is undermanned and overworked as it also handles public record requests, of which there have been 248 this year.

In response to a committee member's support of \$500,000 for the bullying prevention initiative under nonrecurring funds because of an incident that occurred in the Bloomfield Schools, Dr. Meurer said that this year PED passed a rule that all school districts would be required to have an anti-bullying policy; however, no money was involved. She said the true need in schools is for training of all staff to know how to intervene in instances of bullying and not tolerate this type of behavior. She added that the anti-bullying policy will be in place by the beginning of 2007.

In response to a committee member's question why no funds were requested for the Regional Education Cooperatives (RECs), Mr. Moya explained that the \$750,000 appropriated for FY 07 in nonrecurring appropriations is used as a loan fund to assist RECs with initial cash flow, saying that the difficulty will be for the RECs to be able to pay the money back. On this same point, the committee member asked if the RECs would have enough money to operate. Mr. Moya said that the RECs provide a valuable service and they have enough money to operate, but it is a question of timing. The reimbursement arrangement under which the RECs operate has presented problems to some of them, problems that have prompted an audit by the Legislative Finance Committee (LFC). In response to a committee member's question, Mr. Moya said that the audit is expected to be completed before the end of the 2007 legislative session. Dr. Rindone added that, when the RECs presented to the committee, they asked that the funds appropriated be permanent funds, not reimbursable, because they were having difficulty in the way PED reimbursed the money to them. In this same regard, a committee member stated that the legislative intent was to recycle the money given to the RECs as a loan that had to be repaid. Representative Miera said the fundamental issue is whether the funds for RECs should be recurring or nonrecurring.

In response to a committee member's question, Mr. Moya explained that compliance with the *Federal Cash Management Act* was one of the reasons for the delay in reimbursement, because the act penalizes state agencies that request excess cash prior to expenditure. He noted that another problem was the amount of time program managers needed to review the RECs' expenditures prior to the disbursement of the funds. He said the process is getting much better. Secretary García explained that PED had been out of compliance with the act for a number of years and that the new process of reimbursement was implemented in order to comply. Representative Miera said he will be sending a letter to the LFC in this regard.

One committee member expressed the concern that, despite a recent study, there is no uniform salary scale across districts for secretaries, bookkeepers, and clerks in school districts and that the low salaries of these positions are a factor in the high turnover rates, which have a negative impact on the budget. In response, Secretary García said that she expected the Governor to consider these issues as he recommends compensation levels and that she would forward the concern.

In response to a committee member's question about the New Mexico Executive Educator Turnaround Specialists request for \$5.0 million, Secretary García said that schools could apply to participate in this program in which the principal would go to the University of Virginia for intensive training on the use of data and be eligible for online support during the school year.

In response to a committee member's question if the appropriation requested for insurance costs for school districts includes funds to open school buildings after school hours, Mr. Moya said that if school districts keep buildings open after school for school-sponsored activities, those costs are included in the appropriation estimate; however, he noted, the costs associated with use of school facilities by community groups is not included in the estimate because outside groups are responsible for securing their own insurance coverage.

In response to a committee member's question regarding which schools are kept open after regular school hours, Mr. Burrell said that the New Mexico Public School Insurance Authority would have that information.

In response to a committee member's question regarding when the 40th day student count would be available, Mr. Moya said that the 40th day count usually comes in at the end of December.

In response to a committee member's question about the \$2.6 million requested for a Global Positioning Satellite (GPS) System for school buses in comparison to the lesser figure of approximately \$500,000 for usage of cell phones instead, Mr. Perea said that, since cell phone usage is prohibited while driving, cell phones were not considered an option. Secretary García said one of the many features of GPS on school buses is the capacity to give a distress signal and disable the bus in the event of a hijacking.

In response to a committee member's questions about the New Mexico Laptop Initiative, Dr. Jim Holloway, Assistant Superintendent, Rural Education Division, PED, said the department has been working on guidelines for the use of the laptops so that the process will be uniform and more organized. The initial intent was for the laptop to remain with the student all through school; however, this has not always been the case because of funding limitations or district policies. Dr. Holloway said he met with all the school districts participating in this initiative in order to make sure the computers were being used in the manner intended. He added that in reviewing the competitive applications from school districts, PED considers the planned use and local capacity. Dr. Holloway said awards are made on a competitive basis.

Senator Nava commended the Secretary and her staff for the report; however, she stated she would have liked to have seen the public school support request higher and advised the Secretary to be bold, not timid. Representative Miera reiterated a committee member's prior request that PED use its public relations person to announce the "good news."

IMPLEMENTATION OF THE PUBLIC EDUCATION DEPARTMENT'S CHARTER SCHOOLS DIVISION

Dr. David Harrell, LESC staff, introduced Dr. Catherine Cross Maple, Deputy Secretary, Learning and Accountability, Public Education Department (PED), Dr. Don Duran, Assistant Secretary for Charter Schools, PED, to discuss the department's implementation of the 2006 legislation, FL/CS/SB 600, *Charter Schools Act*, and any recommendations for amendments the department may have. Dr. Harrell also introduced Mr. Dennis Roch, Chair, Public Education Commission (PEC), to discuss the commission's new role as an authorizer of charter schools and the interaction between PEC and PED. Others in attendance whom Dr. Harrell introduced were Ms. Joan Waters, Attorney, Charter Schools Division, PED; Mr. Willie Brown, General Counsel, PED; and PEC Charter School Subcommittee members Ms. Catherine Smith, Ms. Aileen Garcia, and Mr. Andrew Garrison.

Dr. Harrell said that legislation enacted in 2006 made numerous changes in several sections of state law to implement new provisions for the authorization, oversight, and operation of charter schools in New Mexico, to be effective July 1, 2007. He said the central change to current statute is that the act grants chartering authority to the PEC in addition to local school boards. Thus, throughout the bill there are references to "chartering authority," which means both chartering entities, and to "locally chartered charter school," "state-chartered charter school," and "charter school" (both locally and state-chartered charter schools). He said that, with this change, new applicants for school charters may choose to apply with the local school board or the PEC; charter schools in existence on July 1, 2007 may have their charters transferred to the PEC at the time of renewal; and hereafter, a charter school may apply to a different chartering authority for renewal.

Just as it expands chartering authority, Dr. Harrell said, the *Charter Schools Act* also allows additional entities to apply for charters: a public postsecondary educational institution or a nonprofit organization. Another significant change in the act, said Dr. Harrell, is the amendment to the *Public Education Department Act* to add the Charter Schools Division to the list of divisions within PED. Corresponding amendments to the *Charter Schools Act* require this new division to: provide staff support to the PEC and technical support to all charter schools; review and approve state-chartered school budget matters; and make recommendations to the PEC regarding the approval, denial, suspension, or revocation of the charter of a state-chartered charter school.

Finally, Dr. Harrell said that, to facilitate the implementation of the Charter Schools Division, the 2006 Legislature also appropriated \$500,000 to PED "for a charter school authority," contingent upon the enactment of charter school legislation.

Dr. Cross Maple said that, currently, 21 local school boards have authorized 66 charter schools, with 9,547 students enrolled in school year 2006-2007, according to the 40th day count, in comparison with 8,513 charter school students enrolled in school year 2005-2006, in the 120th day count. She said that PED is in partnership with school districts to ensure proper oversight of these charters.

Dr. Duran said that the Charter School Strategic Plan includes the mission statement that the Charter Schools Division supports high-quality charter school operations by implementing effective systems for technical assistance, compliance monitoring, authorizing processes, and accountability practices, directed toward the goal of increasing achievement levels for all students. He said that the goals of the Charter Schools Division are to develop the infrastructure for implementation of the *Charter Schools Act*, to improve the authorization application to ensure establishment of quality charter schools, to collect and evaluate data to ensure continuous improvement in all charter schools, and to align the charter school application, renewal, and evaluation tools to the strategic plan of the PED. Dr. Duran said the new federal Charter Schools Program Grant allows PED the ability to give support to charter schools in the amount of \$12.3 million over a three-year period.

Referring to the Charter Schools Division staff responsibilities, Dr. Duran said that, in addition to charter schools, they include home schools, magnet schools, family schools, alternative schools, the schools with a four-day school week, and technical support for instructional waivers and nonpublic schools.

Dr. Duran said the original LESC request made in January 2006 was for \$2.0 million, 12 additional FTE, offices in Santa Fe and Albuquerque, and start-up costs. With the appropriation at \$500,000, PED has provided five additional FTE and start-up costs for an office in Albuquerque. Among the issues that the staff will be examining, Dr. Duran continued, are the scope of services, financial and budget monitoring, board of finance training, and the uses of federal funds.

Dr. Duran said that six of 10 charter schools scheduled for renewal in school year 2007-2008 have expressed an interest in renewing with the PEC rather than their local school boards; in Albuquerque Public Schools, Horizon West and Horizon Northwest; in Carlsbad Municipal Schools, Jefferson Montessori Academy; in Española Public Schools, Española Military Academy; in Gallup-McKinley County Public Schools, Middle College High School; and in Jemez Valley Public Schools, Walatowa Charter High School. In addition, Dr. Duran noted several possibilities for new charter schools that may apply to the PEC: a proposed statewide charter high school for the arts, a media academy in Albuquerque, a charter school sponsored by Metro Court, and several Montessori schools that have considered applying to become public charter schools.

On behalf of the PEC, Mr. Roch expressed appreciation for the trust given to the commission by the Legislature in establishing the PEC as the authorizing body for charter schools. Mr. Roch delineated some of the steps that have already been taken to properly assume this responsibility of preparing for dual authorizing: in May 2006, the National Association of Charter School Authorizers presented to the PEC; in July 2006, the Charter Schools Division presented to the Charter Schools Subcommittee of the PEC; in September 2006, the National Governors' Association presented a workshop on authorizing for PEC and district authorizers; in October 2006, the Charter Schools Division and PEC attended the National Association of Charter School Authorizers Conference; and the PEC subcommittee has met in November and December to be more informed in this process. Continuing, Mr. Roch said the PEC members and Charter Schools Division staff are reviewing the application process for state-chartered schools, delineating tasks and timeline for state authorizing, creating a framework to monitor and provide training to state chartered schools, and reviewing proposed rules for implementation of dual authorizing depending on new legislative language that may occur in the 2007 legislative session. One point that Mr. Roch emphasized was that no decision will be made on approval of a charter school without a public hearing in the district where the charter school will be established.

Committee Discussion:

In response to a committee member's question whether state approval of a charter school or the appeal of a local board's decision is automatic, Mr. Brown said, "No," noting that not all charter schools' appeals have been granted. Dr. Cross Maple added that charter schools are subject to all of the same expectations applicable to regular public schools; and Dr. Duran assured the committee that PED and PEC will insist upon high quality in any charter schools that PEC authorizes. Dr. Duran also observed that, if a charter school is not fulfilling its mission, its charter should be revoked.

In response to a committee member's question how PED will assist the PEC in its role as an authorizer of charter schools, Dr. Duran explained that the Charter Schools Division will be the administrative staff to the PEC and will assist the PEC in making the best decisions possible in regard to the applications received. Mr. Roch added that the PEC members are becoming as well informed as possible in the area of charter authorizing and assured the committee that they will act responsibly in the duty entrusted to them.

In response to a committee member's remark that he was unaware of all of the additional staff responsibilities that are currently under the Charter Schools Division, Dr. Cross Maple said that the various responsibilities are parts of the continuum of school choice. She added that these same responsibilities had been assigned to the Alternative School Division, the predecessor of the Charter Schools Division. On this same point, a committee member said he had been under the impression that the Charter Schools Division would work solely with charter schools. In response, Dr. Cross Maple said that PED does not have the staff to move the additional responsibilities to another bureau. Mr. Roch said that, in its advisory role, the PEC had also raised this issue of multiple responsibilities.

Finally, the discussion raised a number of other points: that the Secretary of Public Education, not the PEC, has rule-making authority; that the charter school application process might benefit from streamlining where possible; that the charter application should be tied to outcomes; that the quality of charter schools should be measured by student performance; that charter schools are covered by the New Mexico Public School Insurance Authority; and that school districts are not responsible for any debts incurred by charter schools.

DIRECTOR'S REPORT

a. Approval of LESC Minutes for October 2006

Upon a motion by Representative Miera, seconded by Representative Williams, the committee unanimously approved the October 2006 minutes as presented.

b. Approval of LESC Audit for FY 2006

Upon a motion by Representative Miera, seconded by Representative Williams, the committee unanimously approved the LESC audit for FY 2006.

c. Correspondence

Dr. Rindone reviewed several items in correspondence and said that these items are also included in the permanent file in the LESC office.

d. Written Reports:

Dr. Rindone provided a brief explanation of each of the following written reports:

HED Recommendations of the Data Sharing Task Force

Dr. Rindone stated that the New Mexico Higher Education Department (HED) initiated a data sharing task force among state agencies to respond to House Memorial 42, which requests that the named agencies “establish a common, shared student data system from pre-kindergarten to postsecondary levels of education, including adult basic education and training.” She said that, at the request of the LESC during the November LESC meeting, HED narrowed the scope of study to examine the use of the public school student identifier to develop a system that will allow educators to match students’ K-12 and postsecondary records. This system would allow educators and policymakers to track public school graduates through higher education and into the workforce. The request from HED, Dr. Rindone said, would be \$490,000 for FY 08 and would include funding for infrastructure, two term positions at HED, professional services, and professional development training.

LFC Report on Review of Teacher Preparation Program Funding and Performance

Dr. Rindone said that the Legislative Finance Committee (LFC) conducted a Review of Teacher Preparation Program Funding and Performance to evaluate teacher preparation program funding, faculty, student characteristics, program designs, student completion, and new teacher pipeline data. She said the report was presented to the LFC on November 16, 2006 and that some of the findings include:

- teacher preparation programs at master’s and doctoral universities spend an average 42 percent of the student credit hour revenue that they generate;
- New Mexico teacher preparation programs have a low percentage of full-time faculty and a higher percentage of part-time faculty. Low teacher preparation budgets are leading to low expenditures per student and low full-time faculty to student ratios;
- UNM teacher candidates have the highest average ACT test scores and the highest overall New Mexico Teacher Assessment (NMTA) test pass rates as well as the highest pass rates for all ethnic groups;
- hours of field work vary from 110 to 288 hours at the elementary level for New Mexico programs, with the Emporia State University best practice model having 640 hours of field work;
- the number of weeks of supervised practice teaching for New Mexico institutions averages 16 weeks over one semester, the same as the Emporia State best practice model; and
- nearly 1,900 new teachers are eligible to enter teaching in New Mexico each year.

Some of the recommendations of the review included the following:

- consider increasing the budgets of teacher preparation programs and schools of education overall;
- increase the number and percent of full-time faculty with doctorates in all New Mexico teacher preparation programs;
- review the NMTA passing scores and their impact on teacher supply, quality, and minority representation;

- require the National Council for Accreditation of Teacher Education (NCATE) annual institutional reports to contain yearly program performance data similar to the data presented in this review and develop a standard data reporting format to determine the effectiveness of teacher preparation programs and identify low- performing programs for improvement; and
- provide state-level leadership to increase the resources of teacher preparation programs and to better connect them to the schools and classrooms that their teacher candidates will be entering.

NEW MEXICO PREK EXTERNAL PROGRAM EVALUATION

Dr. Kathleen Forrer, LESC staff, introduced Dr. Jason T. Hustedt, Assistant Research Professor, National Institute for Early Education Research (NIEER), Rutgers University, to report the initial results of the institute’s continuing evaluation of the outcomes attributable to the implementation of New Mexico’s voluntary pre-kindergarten program; and Dr. Jack Tweedie, Group Director, Children and Families Program, National Conference of State Legislatures (NCSL), to provide the committee with questions the members may wish to consider in determining future directions for New Mexico PreK. She also stated that Dr. Kurt Steinhaus, Education Policy Advisor, Office of the Governor, was available to answer questions.

Dr. Forrer began the presentation by explaining that the *Pre-Kindergarten Act*, which was endorsed by the LESC and enacted in 2005, established a voluntary program of pre-kindergarten services for four-year-old children offered by public schools, tribes or pueblos, Head Start centers, and licensed private providers. Known as New Mexico PreK, Dr. Forrer continued, the program is administered jointly by the Children, Youth and Families Department (CYFD) and the Public Education Department (PED). She noted that the Legislature had appropriated a total of \$14.4 million in General Fund revenue to implement the program in FY 06 and FY 07: \$4.95 million for FY 06, \$9.5 million for FY 07. She stated that, in addition to the \$9.5 million in General Fund revenue for FY 07, the 2006 Legislature had also appropriated \$4.0 million in severance tax bond receipts, which, according to PED, have been sold, with the receipts to be divided evenly between PED and CYFD. For FY 08, Dr. Forrer said, PED is requesting a total of \$25.5 million in General Fund revenue to support the program: \$9.0 million each to PED and CYFD for program support and \$7.5 million for start-up costs. Dr. Forrer said the *Pre-Kindergarten Act* requires CYFD and PED to monitor pre-kindergarten contracts and to provide an annual report to the Governor and the Legislature on the progress of the state’s voluntary pre-kindergarten program. In June 2005, the Office of Education Accountability (OEA) issued a request for proposals (RFP) for a comprehensive evaluation of the program. The RFP included an option of renewing the initial contract on an annual basis for up to three additional years. In fall 2005, the state selected the NIEER at Rutgers University to conduct an external, statewide evaluation of New Mexico’s PreK program in part because NIEER has conducted similar studies in other states.

For school year 2005-2006, New Mexico PreK providers were required to administer the Get It Got It Go! assessment, which was specifically mentioned in the RFP issued to select the external evaluator. However, a task force appointed in August 2005 by the Lieutenant Governor to review best practices concluded that no single assessment would be sufficient to measure success at the level of the child, the program, and the state as a whole. As a consequence, the task force recommended that the use of Get It Got It Go! not be required of providers for school year 2006-2007 but that criterion-referenced portfolio documentation be used for every child in every New Mexico PreK program.

Dr. Hustedt reported that, nationwide, there have been steady increases in pre-kindergarten participation, with over 800,000 three-year-olds and four-year-olds in voluntary, state-funded pre-kindergarten in school year 2004-2005. In addition, he stated that there have been increased state investments in state pre-kindergarten initiatives since 1990. Putting New Mexico PreK into context, Dr. Hustedt stated that New Mexico is one of 39 states with state funded pre-kindergarten, some of which are moving toward voluntary pre-kindergarten for all four-year-olds.

Dr. Hustedt said that, in partnership with local early childhood experts, NIEER has conducted evaluations of programs in eight states, including New Mexico. He said that the NIEER New Mexico PreK study will evaluate child and classroom data from spring 2006 to 2010; the spring 2006 results would help describe children's skills at the end of the New Mexico PreK program's first year. While new pre-kindergarten initiatives develop over time, he said evaluation results are more meaningful once intended initiative policies have been fully implemented. Dr. Hustedt listed the research questions in the spring of 2006: How do New Mexico pre-kindergarten children score on measures of early vocabulary, literacy, and math development per the information gathered at the end of the New Mexico PreK year? How do children progress through the year on the Get It, Got It, Go! measure? and, What is classroom quality like during year one of the program? Dr. Hustedt said that the data on the child assessment and classroom quality measures were collected by NIEER-trained assessors based in New Mexico, and that the Get It, Got It, Go! measure was administered by classroom teachers.

The spring 2006 sample, Dr. Hustedt reported, comprised nearly one-third of the children enrolled in CYFD and PED programs in 75 classrooms across the state. Most of these children (55 percent) were Hispanic, 27 percent were Native American, 14 percent were white, and the remaining 4.0 percent represented other ethnicities. Approximately 75 percent of these children identified English as their primary home language, and approximately 24 percent identified Spanish.

Dr. Hustedt reported several findings from the variety of assessments administered during spring 2006, among them:

- 4.88 of a possible 7 on the Early Childhood Environment Rating Scale, with a score of 5 indicating good quality;
- 3.23 of a possible 5 on the Support for Early Literacy Assessment, with a score of 3 indicating fair/mediocre quality;
- 2.30 of a possible 5 on the PreK Classroom Mathematics Inventory, which is an indication of limited quality; and
- consistent improvement in the various skills measured by Get it Got it Go!

In interpreting the findings, Dr. Hustedt advised the committee that these scores are not entirely comparable to the results from other states as they were gathered at different points during the school year; but they do provide a descriptive portrait of children's skills at a single point in time. Moreover, these data show that New Mexico has established a promising foundation for building its new pre-kindergarten initiative. Future years' data, Dr. Hustedt added, will allow an assessment of the actual effects of New Mexico PreK and the way the program affects children's language, literacy, and math skills.

For 2006 to 2007 and beyond, Dr. Hustedt said that in the areas of language development, literacy skills, and math skills, the research will compare children who did not participate in the New Mexico PreK initiative with children who did participate. To answer these research

questions, NIEER will use a regression-discontinuity design (RDD), which eliminates statistical error due to selection bias. Data from the RDD will allow NIEER to document progress by New Mexico PreK over time.

Dr. Tweedie said that, where a high-quality pre-kindergarten program is in place, there is improved school readiness, which can reduce the achievement gap as children enter school, particularly for high-risk children. He said that early brain research highlights the importance of nurturing environments and education from birth to five and that return-on-investment studies show that spending on early education and pre-kindergarten pays off in reduced criminal justice spending and an improved workforce.

While New Mexico is focusing on at-risk children, Dr. Tweedie said, more and more states are expanding their programs. He said the focus for New Mexico is on Title I school districts with a mixed strategy of equal reliance on public schools and child care centers as providers.

Dr. Tweedie identified several key questions that members may wish to consider in determining future directions for New Mexico PreK:

1. Ensuring quality – How is New Mexico PreK ensuring that programs in both PED and CYFD sites meet and maintain high quality standards? Dr. Tweedie said to keep in mind that pre-kindergarten programs offered in public schools and by child-care providers face substantially different challenges;
2. High quality pre-kindergarten programs – Where is New Mexico now in regard to measures of quality in existing programs? What are our strategies for requiring and assisting pre-kindergarten programs to meet and maintain high quality standards? and, What are our strategies for fostering high-quality programs as New Mexico expands its pre-kindergarten programs?
3. ECE workforce – Of critical importance are teacher qualifications for pre-kindergarten teachers in existing programs, expansion of the number of qualified teachers in New Mexico, with one set of credentials for teachers in PED programs and another in CYFD programs, and avoidance of the “two-tier” system of teacher qualifications;
4. Rural pre-kindergarten programs – How will New Mexico expand pre-kindergarten programs into rural areas, keeping in mind the critical importance of transportation? How will New Mexico ensure that rural pre-kindergarten sites build and maintain high quality programs?
5. Efficient financing structure – Does the funding formula provide adequate support for pre-kindergarten expenses? How well does the per-pupil reimbursement fit with the expenses for pre-kindergarten programs at child-care centers? Do the start-up and capital outlay funds meet the needs faced by existing programs and programs that may offer pre-kindergarten programs as the system expands?

Dr. Tweedie said the current split between PED and CYFD is a unique structure of governance among state pre-kindergarten systems, presenting challenges in coordinating the two parts of the system as the program expands. He said that New Mexico should learn from the NIEER evaluation. Although there is limited information on child assessments at this point, New Mexico PreK is making some progress as measured by the Get It, Got It, Go! assessment.

According to Dr. Tweedie, the key question for evaluation at this time is: What are the differences between PED and CYFD programs in the areas of teacher qualifications and classroom measures? The key question for evaluation in the future is: What is the impact of

pre-kindergarten classes on child outcomes and what changes are needed in classroom measures/teacher qualifications? Dr. Tweedie said the overall impact and diagnostic question is: Where does New Mexico need to focus to strengthen the pre-kindergarten program?

Committee Discussion:

In response to a committee member's questions about what is being done in New Mexico to help teachers obtain early childhood certification, Dr. Steinhaus said that New Mexico universities have appropriate programs in place and have agreed on a common curriculum. In addition, New Mexico provides TEACH scholarships, which are funded from both state and private revenue sources.

A committee member expressed concern that if the use of Get It, Got It, Go! is no longer a requirement, evaluators may find it difficult to complete long-term assessments of the efficacy of New Mexico PreK. Dr. Hustedt stated that Get It, Got It, Go! was only one measure included in the original evaluation design and that the other measures would allow the evaluation team to measure the success or lack thereof of the program. Dr. Tweedie added that the evaluation results should be used not as a "conclusion" but as a diagnostic tool to improve the program.

A committee member asked if pre-kindergarten teachers conducted home visits. In response, Dr. Steinhaus noted that each program's contract includes a parent involvement plan; although those plans differ, many include activities such as a literacy night and the sharing of a detailed portfolio for each child with the child's parents. Because Dr. Steinhaus' remarks addressed CYFD-approved programs, Dr. Tweedie encouraged the committee to ask PED what it is doing to monitor PED-approved programs with regard to parental involvement.

Noting that there is research indicating that children who attend pre-kindergarten are less social than children who are cared for at home, a committee member asked whether the state's emphasis should be on credentialing pre-kindergarten teachers or on encouraging mothers to stay at home. Dr. Tweedie explained that the research is clear about the value of a strong pre-kindergarten program with degreed teachers, particularly with regard to preparing children who might otherwise be at risk to succeed in school. However, he stressed, he was not suggesting that maternal care is not important, noting that some states provide financial incentives to enable low-income mothers to stay at home. Dr. Hustedt states that researchers disagree on how to interpret the data regarding the impact of pre-kindergarten on the socialization of young children and that the results may depend upon the type of child who attends pre-kindergarten and the strength of the program.

In response to a committee member's question about the kinds of information available on New Mexico PreK, Dr. Steinhaus said that the state has information about every program, including curriculum and standards, as well as information about the qualifications of the teachers, training, and classroom quality.

A committee member asked whether the state is providing transportation for children participating in New Mexico PreK and if buses need to be specially equipped to transport very small children. Dr. Steinhaus explained that a portion of the current New Mexico PreK appropriation is being used to fund transportation for children who could not otherwise attend the program but that a separate transportation appropriation might be needed in the future. Dr. Tweedie acknowledged that there are real concerns regarding transportation of pre-kindergarten children, including the question of whether small children should be transported on the same buses as older students, but that he was unsure if special equipment would be needed.

He said that New Mexico will have to consider available resources, particularly in rural areas, adding that he would be happy to provide information from other states that face similar challenges.

Senator Boitano requested the Office of the Governor to provide a summary of the New Mexico PreK criteria in regard to qualifications of teachers, training, and classroom quality before the legislative session.

Senator Nava recognized Ms. Katherine Freeman and Mr. Brian Dineen, United Way of Santa Fe, to briefly present 2005-2006 evaluation results from two New Mexico PreK programs offered in Santa Fe: a CYFD-approved program – Agua Fria Children’s Zone (AFCZ) Preschool classroom – and a PED-approved program – Agua Fria Elementary School (AFES) preschool classroom. Explaining that applicants were selected to attend a particular program based on a lottery, Mr. Dineen stated that both programs focused on teaching school and academic readiness to four-year-olds during the year before their entry into kindergarten. He said a total of seven measures were created based on seven clusters of learning outcomes, which relate directly to the New Mexico K-12 content standards. Finally, Mr. Dineen said that students in both the AFCZ and AFES groups improved significantly on all seven measures based on pre- and post-test results.

RECOMMENDATIONS: LESC SUBCOMMITTEE ON THE HIGH SCHOOL FOR THE ARTS

Dr. Kathleen Forrer, LESC staff, introduced Ms. Julia Barnes, member, Founding Committee, New Mexico School for the Arts, and explained that she and Ms. Barnes would jointly present the final report of the Legislative Education Study Committee (LESC) Subcommittee on the High School for the Arts. The report, Dr. Forrer continued, would include a history of the subcommittee, a list of the subcommittee’s recommendations to the LESC, and a copy of draft legislation based on those recommendations for the LESC’s consideration.

To begin the presentation, Dr. Forrer provided a brief history of the LESC Subcommittee on the High School for the Arts. She explained that, during the 2006 legislative session, identical bills to enact the *New Mexico School for the Arts Act* were introduced in the House and the Senate; however, neither bill passed. Because of a number of issues that surfaced in testimony before the Senate and House education committees, the chair of the House Education Committee requested that the LESC, during the 2006 interim, discuss the feasibility of establishing a statewide school for the arts. As a result, at its May 2006 meeting, the LESC appointed a subcommittee, which was composed of 20 members representing the LESC, the arts community, the public schools, the Public Education Department, the school employees’ unions, and other interested individuals. This subcommittee was charged with examining the feasibility of establishing a statewide residential high school for the arts and providing recommendations to the LESC prior to the 2007 legislative session.

Prior to beginning her portion of the presentation, Ms. Barnes provided the committee with several handouts, including budget information for the proposed school and a copy of what a charter application for the school might look like. Ms. Barnes explained that, in order to complete its charge, the subcommittee had examined a number of issues surrounding the proposed high school, including location, admission procedures, and funding.

As a result of these efforts, she said, the subcommittee is requesting the LESC to consider endorsing draft legislation based on the following recommendations:

- the New Mexico School for the Arts be established as a state-chartered statewide, residential charter high school that will provide New Mexico students, who have demonstrated artistic abilities and potential, with intensive pre-professional and professional instruction in the performing and visual arts combined with a strong academic program leading to a high school diploma;
- the school offer a rounded arts program that includes concentrations in the visual arts, music, theater, film, and dance (the school will maintain a guest artist program in which visiting artists, in accordance with state and federal requirements, are supervised by licensed teachers of record);
- the school be subject to all requirements of the *Charter Schools Act*, except those that prohibit the establishment of admissions criteria;
- the governing body of the New Mexico School for the Arts establish admissions criteria designed to admit students who show exceptional talent, promise, or aptitude in the arts and an interest in pursuing a career in the arts;
- students be considered for admission regardless of their opportunity to obtain training prior to admission;
- to the greatest extent possible and without jeopardizing admission standards, the student body be geographically representative of the state;
- the school conduct outreach programs so that students, parents, and teachers throughout the state are made aware of the nature and purpose of the school and of the opportunities that the school provides; and
- funds be appropriated to support planning and outreach activities during the year prior to the opening of the school.

In addition, Ms. Barnes said the subcommittee also recommends that the following decisions be made by the governing body during the planning year:

- the location of the school;
- the specific admissions criteria to be used; and
- whether there should be a phase-in of grade levels and/or areas of concentrations in the arts.

Finally, in making its recommendations, Ms. Barnes said that the subcommittee recognized that:

- because the school will have admissions criteria, it will be ineligible for funding under the federal Charter School Grant Program;
- the school will be subject to the requirements of the federal *No Child Left Behind Act of 2001*, including the provision that teachers of core subjects be “highly qualified”;
- the school will be subject to the provisions of the *New Mexico School Personnel Act*;
- the school must comply with the requirements of the Statewide Assessment and Accountability System;
- the academic curriculum offered by the school must address the state’s academic content and performance standards;
- the school must seek and maintain appropriate accreditation; and
- the school will be subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services.

Ms. Barnes noted that, in developing the draft legislation based on its recommendations, the subcommittee had condensed the 22-page bill introduced during the 2006 legislative session to a much improved four-page bill. Ms. Barnes thanked Senator Nava, Representative Miera, Senator Asbill, and Representative Hall for their participation in the subcommittee.

Committee Discussion:

In response to a committee member's question regarding the purpose of the school, Ms. Barnes said that the school has three goals: (1) to establish a "mastery" arts school for students with promise and talent; (2) to train a "creative work force" for New Mexico; and (3) to bring and promote art partnerships in New Mexico through partnerships with higher education institutions, with other public schools (by way of the outreach activities), and with numerous art professionals in the state.

In response to a committee member's question regarding the failure rate for state-supported schools for the arts, Ms. Barnes noted that, of the seven schools studied in depth by the subcommittee, none have failed.

Several committee members asked Ms. Barnes to discuss the school's budget in detail. In response, she reviewed both the planning year budget and the funding that will be needed once the school is operational. For planning and outreach activities during the planning year, Ms. Barnes noted, the founding group is asking for an appropriation from the Legislature of \$750,000. In addition, she said, private donors have pledged to provide approximately \$850,000 per year for the first five years that the school is in operation to cover the costs of outreach programs and special arts programs.

A committee member asked if the school would charge tuition and, if so, what the cost per student would be. Senator Nava noted that the school would not charge tuition but that it would be funded through the Public School Funding Formula and the unit value as are all public schools, including charter schools. She noted that the school would charge students a fee based on a sliding scale to cover the costs of room and board.

A committee member asked whether the establishment of a statewide residential high school for the arts could be considered disequalizing, either in terms of allowing the state to take credit for 75 percent of the operational Impact Aid payments or with regard to the *Zuni* capital outlay lawsuit. Dr. Forrer stated that, because the school's operational costs would be funded primarily through the Public School Funding Formula, and because its capital outlay needs would be met in accordance with the statutory provisions governing all other charter schools, it was unlikely that the school would adversely affect either the Impact Aid disparity calculation or the outcome of the *Zuni* lawsuit.

Noting that the school would enroll students from throughout the state and be supported with state dollars, a committee member asked why the subcommittee had decided to recommend establishing the school through statute rather than a constitutional amendment, which would have to be approved by voters statewide. Senator Nava stated that during the 2006 legislative session the question of how the school should be created—via statute or a constitutional amendment—had been raised, and that, as a result, the sponsor of the 2006 legislation had requested but not yet received an opinion regarding that issue from the Attorney General.

A committee member asked whether a school that admitted students by means of an audition process could also be in compliance with the requirements of the federal *Individuals with Disabilities Education Act* (IDEA). In response, Ms. Barnes explained that the draft legislation requires the school to abide by all federal and state laws that prohibit discrimination on the basis of “disability, race, creed, color, gender, national origin, religion, ancestry or need for special education services.”

Several committee members asked Ms. Barnes to explain what the capital needs of the school would be, both in terms of the facilities themselves and in terms of the funding required to pay for them. Ms. Barnes stated that for at least the first few years, until the school has had a chance to prove its viability, the school would lease facilities rather than try to purchase or build them. She added that the school has explored the possibility of leasing both residential and classroom space from the Santa Fe Indian School and that conversations have begun with both the National Dance Institute and the College of Santa Fe regarding the use of available performance space. She stated that, when the school is ready for more permanent facilities, it will make any requests for state funding in accordance with the relevant statutes and will also seek to develop public-private partnerships to mitigate any fiscal impact on the state.

In response to a committee member’s question regarding whether the proposed admissions standards would prevent students with no previous formal training from being admitted to the school, Ms. Barnes referred to the following provision in the draft bill: “The governing body of the New Mexico School for the Arts shall establish admissions criteria designed to admit students who show exceptional talent, promise, or aptitude in the arts, and an interest in pursuing a career in the arts. Students shall be considered for admission regardless of their opportunity to obtain training prior to admission.”

In response to a committee member’s question whether there are national audition standards, Ms. Barnes said that, although there are no national standards, studies have been done to determine ways of identifying children with promise. She also noted that, even without national standards, the admissions requirements among high schools for the arts throughout the country appear to be consistent.

A committee member asked if the founding committee for the proposed high school for the arts planned to solicit public comment regarding the school. Ms. Barnes stated that, in addition to the public hearing required by the *Charter Schools Act*, the founding committee plans to use various outreach activities as a way of informing the public about the mission of the proposed school.

Senator Nava thanked the presenters, and, there being no further business on this day and with the consensus of the committee, recessed the LESC meeting at 4:46 p.m.

**MINUTES
LESC MEETING
THURSDAY, DECEMBER 14, 2006**

Senator Cynthia Nava, Chair, called the Legislative Education Study Committee (LESC) meeting to order on December 14, 2006, at 9:10 a.m., State Capitol, Room 322, Santa Fe, New Mexico.

The following LESG members were present:

Senators Cynthia Nava, Chair, Gay G. Kernan, Mary Kay Papen, and William E. Sharer; and Representatives Rick Miera, Vice Chair, Joni Marie Gutierrez, Thomas E. Swisstack, and W. C. “Dub” Williams.

The following LESG advisory members were present:

Senators Vernon D. Asbill, Mark Boitano, John Pinto, and Leonard Tsosie; and Representatives Ray Begaye, William “Ed” Boykin, Roberto “Bobby” J. Gonzales, Jimmie C. Hall, Harriet I. Ruiz, Sheryl M. Williams Stapleton, and Richard D. Vigil.

HIGHER EDUCATION ISSUES

a. The New Mexico Education Pipeline

Senator Nava introduced Dr. Dennis P. Jones, President, National Center for Higher Education Management Systems, to present information on New Mexico’s education pipeline. The presentation provided data on the following stages of education: less than high school, high school, some college, associate, bachelor’s, and graduate/professional, as well as graphs on how New Mexico ranks among states in the education pipeline.

Beginning with a focus on the global economy, Dr. Jones contended that the United States is rapidly falling behind the rest of the world in higher education attainment and that New Mexico is behind the rest of the United States. For one thing, he said, the New Mexico per capita income, which varies widely across the state, from Los Alamos County to McKinley County, is less than three-quarters of the national average. Despite that standing, however, New Mexico contributes more funds per full-time equivalent student than many other states; yet, on virtually every measure of higher education achievement, New Mexico is disproportionately low. For example, in the percentage of adults in 2004 with an associate or higher degree, New Mexico fell below the national average in every age group. Moreover, the high school completion picture is no brighter, as New Mexico ranked 45th for individuals age 18 to 24 with a high school diploma and 43rd for individuals age 25 to 64. For another thing, New Mexico educates many young people only to lose them to other states with more robust economies. The people who remain in New Mexico, according to Dr. Jones, are the ones with the least education; and, because half of the adults in New Mexico who have not finished high school are not working at all, a sizable portion of the population is “taking from” rather than “contributing to” the state’s economy. Yet another factor, Dr. Jones continued, is that the greatest population growth in the near future will be among Hispanics and Native Americans, the two groups that currently show the lowest levels of educational attainment, earning bachelor’s degrees at approximately one-third of the rate for whites and Asian/Pacific Islanders.

To address these issues, Dr. Jones suggested finding ways to make state government more productive, especially in terms of overlap with workforce development, and encouraged collaboration, rather than competition, among institutions of higher education, adding that collaboration is much more cost-effective than competition. Continuing, he said that reducing the demands on the system is another strategy accomplished through a number of means, such as: ensuring that high school students are fully prepared for college so that they will need no remediation; offering accelerated learning; improving the rates of course completion; changing higher education funding formulas to base them on student completion rates rather than enrollment rates; and encouraging the use of assessment/test-out options, among others.

To reduce leaks in the education pipeline, Dr. Jones suggested such measures as curricula alignment, noting that employers want the same skills in their workers as colleges expect of their students (especially with communication); financial aid incentives; and early-warning systems that identify student needs when there is still time to address them.

Dr. Jones concluded his presentation with the point that setting the bar of high school expectations too low does not do students any favors. Instead, he explained, research has demonstrated that it is more important to take a pre-calculus course and earn a grade of “C” than to take a lower-level math course and earn an “A” because exposure to pre-calculus gives students a better chance of success – assuming, that is, that the high school curriculum is aligned with the college curriculum. A good example, Dr. Jones said, is the program in the state of Indiana, which begins with 7th graders eligible for free or reduced-fee lunch to sign a compact agreeing to take the right courses, maintain at least a 2.0 grade point average (GPA), and complete high school. The state, in turn, contributes the final necessary funding to guarantee the student’s college attendance.

Committee Discussion:

In response to a committee member’s question what can be done to improve education for Native Americans, Dr. Jones said mentoring and “looking over the shoulder” of students to be sure they do their homework. He said that Native American students are making progress but that parents, teachers, government, and business must ensure that the Native American students stay in school and succeed and that their opportunities are expanded. Dr. Jones also emphasized the importance of leadership by the school principal.

A committee member commended Dr. Jones for a point made during his presentation: that there should not be separate tracks in high school for preparation for college as opposed to preparation for the workplace. In reply, Dr. Jones noted that ACT has found almost no difference in the skills required in each setting, partly because even “production jobs” are more complicated than they were 10 years ago and that workers must be adaptable.

In response to a committee member’s question whether any states base funding of higher education on degree completion, Dr. Jones said that no state has adopted that model yet, but that several states have had serious conversations about it. He added that basing funding on the number of students who have completed degrees could act as a set of incentives.

Two committee members noted that good student counseling is as important in higher education as it is in high school. Dr. Jones agreed, adding that good student counseling can be provided within existing resources by incorporating such practices as freshman seminars, classes that require substantial writing and group projects, and faculty members who not only teach but also serve as student advisors.

In response to a committee member's question why 12 credit hours are required of students in order to be classified as "full-time" students, Dr. Jones explained that the federal PELL grants are given to students only if they are taking at least 12 credit hours per semester.

Seated in the audience, Mr. Tommy Lewis, the first Superintendent of Schools for the Navajo Nation, Window Rock, Arizona, requested, and was given, permission of the chair to address the committee. He explained his goal to work with the New Mexico, Arizona, and Utah secretaries of public education to devise a plan to assist Native American students to achieve at the highest level possible. He expressed interest in improving the educational statistics for Native Americans. Toward this goal, he said he met with individuals from the Navajo Nation to encourage their partnership with the state of New Mexico to have a better working relationship. He informed the committee that he would be meeting with Governor Richardson to share with him his goal and hopes that in this initiative, the Navajo Nation will be viewed as one school. Mr. Lewis said it is his plan to be the advocate for Native American children in particular, and asked if he could address the committee formally at some point. Representative Miera said that he could expect an invitation. On this note, Representative Begaye invited Mr. Lewis to attend the Indian Education Committee meeting (to be held later in the week) to participate in a discussion of the *Indian Education Act*.

b. NCSL Blue Ribbon Commission on Higher Education: Report

Representative Miera welcomed Senator Ben D. Altamirano, President Pro Tempore and Member, National Conference of State Legislatures (NCSL), Blue Ribbon Commission, and Dr. Julie Bell, Group Director of Education, NCSL, to present the findings and recommendations of the NCSL Blue Ribbon Commission on Higher Education.

Senator Altamirano said the commission calls upon legislators to seize the opportunity to lead the higher education reform movement in the states, and he finds that New Mexico is well ahead of the curve to make education a priority.

Senator Altamirano noted that, because costs to educate students have risen today to such high levels, states are pricing some students out of the educational process. In addition, American students are not being served in higher education as well as students in other countries. All states, including New Mexico, Senator Altamirano continued, need to spend money more wisely and to focus on public policy that considers tuition, financial aid, and appropriations together. He said states have not cut back funding for higher education, but instead they have reduced the percent of state budgets that are appropriated to higher education. Explaining further, he said, states are shifting the burden of paying for higher education from the state to the family and the institutions, adding that states now pay less of the total cost of higher education, and students and families pay more.

Turning the committee's attention to the report itself, Dr. Bell began her discussion by saying that it is first and foremost a report by state legislators for state legislators. Through this report, the commission wants to contribute to the national dialogue about the importance of transforming higher education to fit our global society of today. Dr. Bell said there is a crisis in American higher education and that states are not prepared to address it – the American higher education system is no longer the best in the world. She said that, while tuition and fees are increasing rapidly, the quality of the educational experience is not keeping pace; the American higher education system looks the same and is not changing. Dr. Bell continued that state legislators have abdicated their higher education leadership role when they should be at the center of state efforts in development of a higher education public agenda.

Dr. Bell said that the NCSL Blue Ribbon Commission is ready to join forces with the federal government, governors, and other state and business organizations, as well as the media and the public to push for higher education reform. Noting that they evolved over an 18-month period of time, Dr. Bell presented the commission recommendations:

- define clear state goals;
- identify your state's strengths and weaknesses;
- know your state demographic trends for the next 10 to 30 years;
- identify a place of structure to sustain the public agenda;
- hold institutions accountable for their performance;
- rethink funding;
- rethink student aid;
- help reduce borrowing and debt;
- recommit to access;
- recommit to success;
- embrace innovation;
- encourage partnerships;
- transform the 12th grade;
- do not neglect adult learners; and
- focus on productivity.

As for next steps, Dr. Bell said that the report will be disseminated and discussed around the country in the fall and winter. She is pleased with the response from the media, who have articulated well the problems of reforming higher education. She said there will likely be a summit on higher education in March 2007 hosted by US Secretary of Education Margaret Spellings, which the commission plans to attend, and the commission plans to support statewide discussions in the states pertaining to reform of higher education. Lastly, Dr. Bell said that, in the next couple of years, the commission hopes to develop a set of leadership tools for legislators.

Senator Altamirano said that states (including New Mexico) are not prepared for the dramatically changing demographic shifts in populations. He said our fastest growing populations (Latinos, African-Americans, and immigrants) are the lowest participating populations in our higher education system and that it is absolutely essential that these populations have access to and are successful in higher education. He said that the Spellings Report has some valuable information, whether we agree with it or not, lifting from the report that federal and state governments need to rethink their systems of student financial assistance, as the current system does not fit the needs of today's students. Continuing, he said it does not cover the full cost of education; it does not reward students who are efficient in progressing through the system; and, it does not help adults or part-time students.

Dr. Rindone noted that the Higher Education Department has created a performance-based funding model as a pilot project that will be tied to funding, and she asked Dr. Bell if NCSL would be available to help with engaging in higher education reform discussions in New Mexico. Dr. Bell said "Yes."

Committee Discussion:

In response to a committee member's question whether the commission had recommended specific policy options, Dr. Bell said that, instead of specific policy options, the commission has provided a framework and talking points to help states begin their own work.

c. Recommendations on the Higher Education Act: Organization of HED and other Higher Education Issues

Dr. Sharon Caballero, LESC staff, introduced Dr. Beverlee J. McClure, Secretary-designee, Higher Education Department (HED), to provide recommendations for statutory language regarding the organizational structure of HED to be included in the *Higher Education Department Act* and to discuss other higher education issues.

Dr. Caballero said that, in an LESC presentation in December 2005, the Secretary-designee of Higher Education did not make recommendations for changes in statute; instead, the Secretary discussed transitions from the Commission on Higher Education to the Higher Education Department.

Secretary McClure presented information on the report card, condition of higher education, strategic priorities and goals, accomplishments, legislative priorities, statutory language, and HED's organizational chart.

On the first point, the Secretary-designee reported that *Measuring Up 2006*, a national report card on higher education, had given New Mexico a variety of grades on the various aspects of higher education in the state: an "A" in participation, a "C" in benefits, a "D" in completion rates, an "F" in preparation as well as affordability, and an "I" in learning. Secretary McClure also explained that these ratings were derived from data during school year 2004-2005; therefore, they predate such initiatives as the creation of HED and the enactment of the *College Affordability Act*. Also, these data do not take the Lottery Success Scholarship into account. More recent data, Dr. McClure added, are contained in the department's *Condition of Higher Education, 2005-2006*, available on the department's website: www.hed.state.nm.us.

Speaking more fully about the Lottery Success Scholarship, Dr. McClure said that, in 2005, there were 15,332 recipients of scholarships totaling \$28.3 million, compared with 2004, when 14,563 students received lottery scholarships totaling \$23.9 million. Moreover, approximately 48 percent of lottery scholarship recipients are from low-income or poverty-level households. Dr. McClure also noted that, if the present trends of revenues and expenditures continue, the lottery scholarship fund will be in a deficit by 2011.

Dr. McClure identified HED's four strategic priorities for 2006, each of which includes several specific goals:

1. increase student access and success;
2. innovate to meet current and future educational needs efficiently and effectively;
3. provide programs and services integral to state and regional economic needs; and
4. position New Mexico higher education to be ranked in the upper echelon by improving national rankings.

Giving an example of goals, Dr. McClure targeted priority 4, saying that the department is aligning performance measures with national standards, implementing a marketing and outreach plan to help recruit students in New Mexico and from other states, and partnering with the private sector to develop opportunities in New Mexico for internship programs and post-graduate employment.

After reminding the committee that HED was created in April 2005 and that a secretary was not appointed until the following September, Dr. McClure reviewed the department's major accomplishments during school year 2005-2006:

- The *College Affordability Act* was established to increase need-based aid for students wishing to attend college. In the 2006 legislative session, the act was funded in the amount of \$49.0 million, and grants of up to \$1,000 per eligible student per semester became available that fall.
- Within the Adult Basic Education (ABE) program, 58 percent of those students tested made significant educational gains. Moreover, the program saw a 60 percent success rate among those whose goal was a high school diploma, and a 73 percent success rate among those whose goal was entering postsecondary education or training. Thanks to the ABE programs throughout the state, in school year 2004-2005 New Mexico generated approximately \$20.8 million from new, added, and increased income and new and increased taxes, while saving \$1.9 million from 147 students being removed from public assistance.
- P-16 Professional Development grants were awarded to six recipients in the amount of \$567,604, and Minority Doctoral Program grants were awarded to seven recipients in the amount of \$105,000, while the total Loan-for-Service Awards for teachers, nursing, medical, and allied health came to \$982,088 for 181 recipients.
- With the Public Education Department (PED) and the Office of Education Accountability, HED completed the "Ready for College?" study of students needing remediation after high school graduation. The study provides baseline data for New Mexico to use to measure improvement.
- HED obtained an \$18.0 million grant from GEAR-UP, a federally funded college preparation program that will reach 18 school districts with 6,000 seventh graders and will address every aspect of educating students and their families about how to prepare for college.
- HED completed the comprehensive faculty compensation survey to determine inequities within the state and between peer institutions in other states. The staff compensation study will be completed by December 2006.
- HED has taken the lead on the Data Sharing Task Force to use a common student identifier to monitor a student's progress from pre-kindergarten to the workforce.
- The New Mexico HED/PED Alignment Task Force on High School Competencies and College Placement is aligning high school competencies with college entrance requirements to help reduce the number of students needing remedial courses in college. A joint HED/PED agreement on definitions and equivalencies for student learning and placement will be completed by December 2006. The goal is to test students at the beginning of the junior year in high school to allow sufficient time for academic remediation.
- HED is collaborating with PED to strengthen dual enrollment and advanced placement programs.

- HED established an educational equity and access division to address minority educational attainment. The division produced the *Native American and Hispanic Recruitment and Retention Report*, tracking data for minority participation in higher education. This is the first study of its kind ever conducted in New Mexico. The division also produced a report summarizing recommendations and results from the Indian Education Summit.
- To support Hispanic enrollment in higher education, the department secured increased funding for the Engaging Latino Communities for Education (ENLACE) program in the amount of \$891,000.
- To ensure that New Mexico’s education system supports the state’s efforts to develop a high-wage economy:
 - HED secured increased funding for loan-for-service and loan repayment programs, including \$300,000 for Public Service Law and \$133,000 for the Western Interstate Commission on Higher Education (WICHE) dental slots;
 - HED was one of seven state agencies appointed by the Governor to the Workforce Coordination and Oversight Council to develop and market the *Career Clusters Guidebook*, published in August 2006; and
 - HED has tracked the implementation of career-technical programs funded through 2004 capital outlay to ensure that draw-downs are processed within 30 days of receipt, and that all funding is distributed in a timely manner.
- To ensure that all students attend a school that is safe, adequate, well-maintained, and equipped with current education technology, HED:
 - secured from the Legislature and the Governor a \$20.0 million supplement for the Building Renewal and Replacement Fund;
 - created the Infrastructure Task Force to look at new means of prioritizing infrastructure needs and to seek alternative revenue sources; and
 - secured funding to update the 3D/I facilities study to prioritize and fund infrastructure needs at public colleges and universities and to develop a five-year plan for higher education infrastructure.

Among the department’s legislative priorities, Dr. McClure identified the following:

- revise language in the *College Affordability Act* to allow greater accessibility to the interest earnings to provide more need-based grants and request an additional appropriation to the Endowment Fund and the Grant Fund to allow tribal colleges to qualify;
- increase funding for the Faculty Endowment Fund to recruit and retain quality faculty in specialized and high-need areas;
- expand eligibility for the Lottery Success Scholarship to students at tribal colleges and to resident students from military families stationed in other states;
- allow a one-year wait-out period for eligibility for the Lottery Success Scholarship;
- support a “Higher Education for Students With Disabilities Act” to address the needs of students with disabilities;
- support a joint HED/PED study of dual credit funding and student reporting; and
- support a Teacher Loan Forgiveness Program to help teachers working in shortage areas to repay their student loans.

Finally, Dr. McClure called the committee’s attention to the HED Organizational Chart included in her handout. Among other components, the chart reflects two deputy cabinet secretaries – one for finance and administration and the other for academic affairs, planning, and research – and

several divisions under each of the deputy secretaries. Dr. McClure also introduced the staff members who were in attendance: Ms. Veronica Chavez-Neuman, Chief Information Officer; Mr. Brandon Trujillo, Special Projects Coordinator and Legislative Liaison; Mr. Paul Landrum, Director, Planning & Research Division; and Ms. Laura J. Mulry, Director of Communications.

Committee Discussion:

In response to a committee member's question whether the Teacher Loan Forgiveness Program that is supposed to help teachers working in shortage areas would include math and science teachers, the Secretary said that it would include all teachers.

In response to a committee member's request for suggestions to address the impending deficit in the Lottery Success Scholarship Fund, Dr. McClure noted the recommendation by Think New Mexico to reduce administrative costs and apply the savings to the scholarship fund, as Think New Mexico had found the administrative costs in the New Mexico lottery to be high in comparison to the costs of lotteries in other states. Also helpful, Dr. McClure added, will be the institutions' limiting tuition increases to no more than 5.0 percent per year for the next three years in exchange for zero tuition credit in the higher education funding formula.

The Chair said that she supports the dual credit program, but has reservations about another prolonged study of the issue because of the inconsistent ways in which many districts and postsecondary institutions are handling the various components, namely, the payment arrangements. Citing her recent experience as a college president, Dr. McClure agreed. Senator Nava asked Dr. McClure to work with Dr. Rindone and LESC staff in resolving the issues as quickly as possible so that some action could be taken during the upcoming legislative session.

In response to a committee member's question whether a student transferring from New Mexico State University to Lubbock, Texas to attend college is considered a dropout in New Mexico, the Secretary said "Yes." She explained that, when a student transfers within the state, he or she is not considered a dropout; however, because Texas will not share data or completion rates, a student transferring from a New Mexico college to a Texas college is considered a dropout.

RECOMMENDATIONS: COLLEGE/WORKPLACE READINESS AND HIGH SCHOOL REDESIGN

Dr. Sharon Caballero, LESC staff, reported that, in recognition of the critical importance of adequately preparing New Mexico students for life after high school, the LESC devoted one day out of almost every meeting during the 2006 interim to the issue of college/workplace readiness and high school redesign. She said that, in August 2006, in conjunction with the Public Education Department (PED), the LESC convened the College/Workplace Readiness and High School Redesign Work Group, which comprised representatives from the public schools (superintendents, principals, and teachers), PED, the Higher Education Department (HED), tribal entities, two- and four-year postsecondary institutions, other educational organizations, and the business community. This work group was charged with examining all aspects of college/workplace readiness and high school redesign and with working closely with the LESC throughout the interim to provide input based on presentations made to the LESC at committee meetings. Dr. Caballero said the input would be used by the LESC to develop recommendations for possible legislation for the 2007 session.

Alignment of High School Curricula with Higher Education Placement Tests

Dr. Kathleen Forrer, LESC staff, summarized the discussions on the alignment of high school curricula and end-of-course tests with placement tests administered in institutions of higher education, which current statute requires PED and HED to accomplish through collaboration. To achieve this mandate, Dr. Forrer said that the work group made the following recommendations:

- Because New Mexico’s postsecondary institutions use different placement tests, there is a need to establish consistency with regard to placement instruments and cut scores.
- Articulation should mean that to succeed in a commonly numbered 100-level course, students need the same level of preparation regardless of which institution they enter.
- Early intervention by public school personnel is necessary to ensure that students will not require remediation at the postsecondary level.
- Rather than “reinventing the wheel,” the state should look into the possibility of using examinations already developed to measure middle school and high school students’ academic progress over time. Additionally, the state needs to make sure that the graduation exam contains items that address college placement and workplace readiness.
- All students should have access to dual enrollment opportunities. Because the biggest barrier is cost, both the public school and the higher education funding formulas should be examined to see how the costs associated with dual enrollment can best be accommodated.
- Distance education (virtual connections) is one means of allowing high school students in rural locations to access dual credit postsecondary courses.
- To achieve alignment, most members of the work group agreed that the state should participate in the American Diploma Project Network (ADPN).

Dr. Forrer said the guidebook created by the Governor’s Workforce Coordination and Oversight Committee, *Work in New Mexico: New Mexico Career Clusters Guidebook*, is structured around seven New Mexico specific career clusters: Arts and Entertainment; Business Services; Communications and Information; Energy and Environment; Technologies, Engineering, Construction, and Manufacturing; Health and Biosciences; and Hospitality and Tourism.

With regard to the implementation of career clusters, Dr. Forrer said the work group made the following recommendations:

- New Mexico faces two barriers to implementing career pathways: hiring qualified staff and providing adequate facilities. Faculty chairs endowed by industry might be one way to attract skilled teachers with industry experience. Other possibilities are having individuals “on loan” from industry to teach for a specific period of time and teaming a professional from industry with a regular classroom teacher.
- Students must start no later than early middle school to identify, explore, refine, and adjust their career goals. Students need help to understand the implications of choices, and they should have relevant curricular options that do not foreclose future opportunities.
- Because the time and ability of guidance counselors to assist students in choosing an appropriate career pathway may be limited, additional systems and programs are needed including:
 - giving every teacher responsibility for guidance for a few students;
 - implementing the Nebraska system of establishing career guidance centers available to students and adults where a career inventory can be taken any time;

- using a computer-based career pathways program such as that at Sandia Labs;
- replicating the Farmington middle-school career labs, a 12-week course with modules that students rotate through to sample career options; and/or
- offering internships, job shadowing opportunities, and independent study.
- High schools should become more flexible in order to meet the needs of all students. In order to provide in-depth instruction, it may be necessary for schools to extend the school year and/or the school day; to provide alternative schedules in which a student is in class for a portion of the week and in a work or an apprenticeship setting for the remainder of the week; and/or to make the last year of high school industry-related, allowing students to get a head start in pursuing a career.
- Smaller communities may wish to concentrate on a few career clusters that meet the needs of their geographic areas. Even large communities may wish to use the magnet model.

Teacher Preparation and Professional Development

Ms. Pamela Herman, LESC staff, reported that the subgroups made a number of recommendations regarding the content and pedagogy of coursework required of teacher preparation candidates, including consensus on the following essential skills new teachers must command:

- a strong understanding of state standards and benchmarks, including both the content knowledge and the ability to plan lessons that address standards;
- an understanding of how to develop formative assessments and how to use individual assessment data to drive instruction;
- ability to teach reading based on current scientific research based on integrated coursework and practicum opportunities;
- understanding of how adequate yearly progress is calculated, and its implications;
- ability to use educational technology effectively for instruction and assessment; and
- an understanding of the social and cultural issues facing all New Mexico children and ability to communicate a love of learning and enthusiasm for subject matter.

Ms. Herman said that the groups suggested a statewide study to identify best practices in teacher preparation and to disseminate the results to improve consistency among programs. She said that two subgroups pointed out the strong role that colleges of arts and sciences play in teacher preparation and made other recommendations including the following:

- ensuring that teacher preparation programs receive their fair share of funding, including funding for facilities and equipment;
- raising faculty salaries in teacher preparation programs to a more competitive level; and
- for accountability purposes, requiring that institutions of higher education use the same student ID number assigned by PED when students enter postsecondary programs.

According to Ms. Herman, the subgroups agreed on the critical importance of field experiences offered in partnership with school districts to qualify new teachers; to keep postsecondary faculty current on conditions, issues, and practices in the field; and to ensure the connection between research and practice. The subgroups recommended the following:

- field experiences should be expanded starting during the 64-credit undergraduate lower division teacher preparation module;

- student teaching needs to be at least a full semester long, if not a full year, with an opportunity to take full responsibility for the classroom with regular, meaningful feedback from a well-trained supervisor or faculty member;
- professional development schools, or lab schools, offer a good partnership model for preparing new teachers; and
- student teaching should reinforce skills such as use of data to drive instruction and use of scientifically based reading methods. Cooperating teachers must be skilled in these areas and trained to model and reinforce these skills.

Ms. Herman said that the subgroups agreed that mentoring is the best method for induction of new teachers once in their own classrooms, with the following recommendations:

- involve teacher preparation programs in mentoring, using distance learning where appropriate;
- train supervisors and provide time and financial resources;
- involve a colleague from the same discipline in mentoring secondary teachers;
- provide new teachers with substantial help with classroom management;
- provide separate support groups for mentor teachers and new teachers; and
- because mentoring is part of the job description of Level 3-A teachers, it should not entail a stipend.

Regarding professional development, Ms. Herman said that all the subgroups strongly agreed that teacher professional development must be delivered in a sustained, structured, ongoing process that continues throughout the careers of teachers at all tiers in the licensure system. Other recommendations are that school principals need to be more fairly compensated; that Regional Education Cooperatives need adequate funding to be effective; and that teacher preparation programs should develop curricula to train workers with strong content knowledge and should partner with the business sector for recruitment.

High School Redesign and Graduation Requirements

Dr. Caballero said that, in considering whether graduation requirements should be left as they are or made more rigorous to ensure college/workplace readiness, the groups agreed on the need to align course content with state standards and to increase the knowledge and skills required for graduation so high school graduates are college- and workplace-ready. With specific regard to mathematics, the subgroups recommended that Algebra I be offered for 8th graders so they are better prepared for high school and that Algebra II or its equivalent be required for graduation. The subgroups also agreed that implementing these recommendations would require adequate funding and support.

According to Dr. Caballero, the subgroups discussed how a systems-wide approach to redesigning high schools would involve collaborations and partnerships, as well as student and teacher support systems to make the new graduation requirements achievable. She said some suggestions from the groups include the following:

- increase rigor in middle school and establish a better “road to advanced placement (AP)”;
- prepare middle school students for success in high school, creating fully funded summer bridge programs for all school districts between grades 8 and 9;
- ensure that facilities will accommodate more flexible schedules, new technologies, distance learning, and science laboratories for the 21st Century; and

- improve teaching and learning by charging PED to collect data and disseminate reports regarding the best practices in New Mexico schools; and
- create regional partnerships and make regional education cooperatives (RECs) responsible for implementation.

In the area of student and teacher support systems, Dr. Caballero reported that the subgroups had a number of recommendations, including the following:

- eliminate the current 9th grade standards-based assessment and the high school competency exam and provide college/workplace readiness assessments as early as 9th grade so students have time to address needed remediation;
- provide internships and apprenticeships for students in career clusters and career preparation programs;
- increase the number of math and science teachers and expand their qualifications using a variety of ways, including partnering with the business sector and national labs to recruit mid- and late-career professionals into teacher preparation programs specifically designed to give them the pedagogical background they need;
- expand the use of technology, with appropriate funding, for innovative programs, dual enrollment, more rigorous courses, teacher in-service, partnerships, and career and workplace preparation;
- define distance learning and answer questions regarding attendance, cost-sharing, counseling, and extra-curricular activities; and
- develop a standardized mechanism for funding dual enrollment.

Dr. Caballero reported that all the subgroups stressed the necessity for appropriate funding if any changes are made to high school diploma requirements, emphasizing that new mandates might require additional funds for staff, facilities, professional development activities, technology needs, alternative course delivery systems, and collaboration and partnerships.

Dr. Rindone presented the committee with proposed final recommendations from the work group, as follows:

1. **American Diploma Project (ADP):** Appropriate funds to the LESC to participate in the ADP Network process to align high school curriculum standards with entry-level college and workplace standards;
2. **Assessments:** Introduce legislation to require PED to review and assess the New Mexico Standards Based Assessment program and implement the following statutory changes:
 - a. eliminate the current New Mexico High School Competency Exam as a graduation requirement and phase in a new requirement that includes embedded college readiness indicators by school year 2010 - 2011; and
 - b. eliminate administration of the current 9th grade standards based assessment and replace it with a college/workplace readiness assessment system no later than school year 2008-2009.
3. **Career Clusters and P-20 Initiatives:** Appropriate funds:
 - a. to HED to partner with PED in conducting a marketing and outreach campaign that targets New Mexicans of all ages to create a sense of urgency about completing high school and pursuing postsecondary educational opportunities, emphasizing career clusters;

- b. for an enterprise fund for career clusters and public schools to develop curricula to support cluster areas;
 - c. to develop a workforce forecast model that matches projected future worker demand with potential job seekers from educational programs and other sources, grouped by occupation, skill, career cluster, and education and that results in an internet-based career information delivery system for use by planners, students, counselors, and job seekers;
 - d. for a demonstration project to develop and pilot life-skills training for 18-to-21 year-olds who have “aged out” of the foster care system;
 - e. for a one-time career readiness certificate demonstration project to pay for student assessment and remedial training – to become self-sustaining after year one; and
 - f. to the New Mexico State University School of Hotel, Restaurant and Tourism Management to conduct a statewide certification program in culinary arts education for high school students.
4. **Computation of Graduation Rates to Include Summer Session after Senior Year:** Introduce legislation to require that, in computing graduation rates, PED shall count students who complete the requirements for graduation during the summer following grade 12, as graduating on time;
 5. **Dual Credit:** Introduce legislation to define “dual credit” and to establish a uniform method of funding dual credit courses to provide high school students an opportunity to acquire college credit prior to high school graduation;
 6. **Graduation Requirements:** Introduce legislation to create the New Mexico Diploma of Excellence, which shall be required for graduation for all students who enter grade 9 beginning in school year 2009-2010;
 7. **High School Diploma Options:** Introduce legislation to require that, beginning with school year 2008-2009, each school district shall offer at least one of the following options for expanded courses of study: advanced college placement courses; courses for dual credit offered in cooperation with an institution of higher education; and distance learning courses;
 8. **Road to AP:** This program would include Algebra I in grade 8, middle and high school literacy initiatives, and the Core Curriculum Framework;
 9. **Teacher Mentorship Program:** Amend the teacher mentorship provision of the *School Personnel Act* to require PED to distribute funds for the beginning teacher mentorship program to school districts annually on a per-teacher basis according to the number of beginning teachers on the 40th day of the current year; and require each teacher preparation program and each college of arts and sciences to collaborate with high schools to develop a model to provide mentorship services with structured supervision and feedback to each of their graduates who have obtained a teaching position in a public high school, including charter schools, to develop cost estimates, and to provide recommendations, if necessary, for implementation of the model to the LESC by November 1, 2007;
 10. **Teacher Preparation Programs:** Enhance teacher preparation in the areas of field experience, data systems, scholarships for student teaching, and alternative licensure for specialized instructors; and
 11. **Teacher Professional Development:** Grant awards for professional development and appropriate funds to train school principals and staff teams to be executive turnaround specialists.

Committee Discussion:

In response to a committee member's question why agriculture was not listed as a career cluster in the Governor's guidebook, Ms. Terri, Cole, President and CEO, Greater Albuquerque Chamber of Commerce, said that it fits within the cluster of engineering. In reply, this committee member, together with another member, recommended specifically including agriculture, especially since federal funding is attached to that career field.

In response to a committee member's question if there is a track for mid-career professionals to earn alternative licensure by taking 12 credits of education coursework, Dr. Rindone said such a provision exists in statute, but there has been some concern that the 12 credits are not sufficient. Mr. Mike DeWitte, Group Manager, External Relations and Communications, Sandia National Laboratories, said that the whole issue needs to be reviewed again because, in his estimation, there will soon be a large number of retirees who are highly trained subject-matter experts who would make excellent instructors. On this issue, committee members raised several other points: that, instead of endorsing a memorial to study the matter, the committee should ask PED to recommend statutory revisions; that specialized instructors are not likely to be attracted by teachers' salaries; and that retired scientists and mathematicians, who are accustomed to working alone, may be more effective delivering instruction online than in a classroom.

In response to a committee member's question about immediately replacing the current high school competency examination with another system, such as a supplement to the 11th grade standards-based assessment based on the California State model, Dr. Rindone said that New Mexico is considering a new requirement in the 11th grade that would include a standards-based test with a portfolio containing suggested college readiness indicators. In regard to immediate implementation of the California system, Dr. Rindone said one of the issues is the requirement of prior notification to students and parents. Dr. Catherine Cross Maple, Deputy Secretary, Learning and Accountability, PED, added that prior notification is needed to give students time to make changes in their educational program.

On behalf of Mr. Tom Sullivan, Executive Director, New Mexico Coalition of School Administrators (NMCSA), Dr. Gloria Rendón said that the NMCSA and the New Mexico Superintendents Association support initiatives to increase graduation requirements so that students are prepared for postsecondary education, but more importantly, so that students leave high school prepared to take advantage of all options available to them. However, she said, the NMCSA hopes that care and attention are given to the time and resources necessary in order for students to be successful in meeting higher standards. Teachers will need additional training and resources, especially to help students meet math standards, long before students enter high school. Finally, Dr. Rendón said that, although parents may be able to opt out of the more rigorous curriculum for their children, both diplomas must be honored and students and parents must not be inappropriately steered toward the less rigorous diploma path.

Ms. Cole, representing the concerns of the business community, asked the committee to try to reenergize training in trades programs and career technical programs in the schools because reductions have diminished the workforce available to business and narrowed the options available to students. Dr. Rindone noted a memorial for the career technical education that Representative Stapleton had sponsored and said it was a part of the funding formula study.

In response to a committee member's question regarding teacher mentorship, teacher preparation and teacher professional development programs, Dr. Rindone said the work group was targeting site-based professional teacher development to address teacher priority needs. The committee

member asked that it be clarified whether these programs target district, school, or individual teacher levels to ensure that the money reached the cluster and the school and was not diverted elsewhere.

In response to a committee member's question regarding a one-time career readiness certificate demonstration project to pay for student assessment and remedial training, Ms. Cole said the proposal is targeted at several skill areas and industry positions that people can qualify for, not for a single certificate. Regarding cost, Ms. Cole said that this certificate program will become self-sustaining and that businesses will pay the fee for applicants to take the test.

Dr. Francisco Hidalgo, Dean, College of Education, New Mexico Highlands University, said the work that the College/Workforce Readiness and High School Redesign Work Group has done has been constructive and has given participants an opportunity to reinforce the needs and provide support for financial aid for student teachers, particularly the recommendation to expand field experience for teacher candidates prior to student teaching.

Dr. Viola E. Florez, Dean, College of Education, University of New Mexico; Mr. DeWitte; and Mr. Larry Langley, President and CEO, New Mexico Business Roundtable for Educational Excellence, thanked the committee and LESC staff for the work that was done on college/workplace readiness and high school redesign and expressed support for the American Diploma Project (ADP). In addition, they agreed with the need to align the high school exit examination with college entrance examinations.

<> AREA SUPERINTENDENTS AND COMMUNITY INPUT

Office of United States Senator Jeff Bingaman

Ms. Helen Maestas, Education Analyst and State Scheduler for US Senator Jeff Bingaman, addressed the committee, on behalf of US Senator Jeff Bingaman. She invited the committee to submit input regarding the *No Child Left Behind Act of 2001*, which will be considered for reauthorization in 2007. Senator Nava thanked Ms. Maestas for the invitation.

Global Telesis 3 and Engines for Education, New Mexico Virtual High School

Senator Nava introduced Dr. Jeanne O'Dean, President, Global Telesis 3, LLC, and Dr. Roger Schank, Executive Director, Engines for Education.

Dr. O'Dean explained that the New Mexico Virtual High School is an edu-economic initiative proposing the research, design, development, implementation, and evaluation of a "cyber academy" with project-inquiry based curricula with applied content standard skills that are aligned with the 16 identified career clusters in New Mexico. She said the first phase of this initiative will be the Virtual International Science and Technology Academy (VISTA) program developed by Dr. Shank. Together, they have endeavored to bring this new teaching concept to New Mexico.

Dr. O'Dean said that today's high schools are not adequately preparing students to succeed in jobs or in higher education. Programs are needed that will transform high school, she said, and the US Department of Education has identified VISTA as a key radical renovator. To this aim, she requested that the New Mexico Virtual High Schools be funded to benefit New Mexico with viable and sustainable impact on education, business, economy, infrastructure, corporate recruitment, and investment and development as well as meeting the needs of all New Mexicans with the central focus of educating students.

Information from Central Consolidated Schools

Senator Nava encouraged committee members to read a packet of information compiled and distributed by Representative Begaye about a violent racial conflict on a school bus in Bloomfield that had received media coverage. Also included were the results of a survey of teachers in the Central Consolidated Schools, which addressed administrative support provided to teachers, the availability of curricular resources and professional development opportunities, and general satisfaction with their work environment; and a memo by Representative Begaye, emphasizing the importance of school districts' properly addressing conflicts among students and calling for policy changes to enable districts to better avoid and remedy such situations.

There being no further business on this day and with the consensus of the committee, Senator Nava recessed the LESC meeting at 4:25 p.m.

MINUTES LESC MEETING FRIDAY, DECEMBER 15, 2006

Senator Cynthia Nava, Chair, called the Legislative Education Study Committee (LESC) meeting to order on December 15, 2006, at 9:25 a.m., State Capitol, Room 322, Santa Fe, New Mexico.

The following LESC members were present:

Senators Cynthia Nava, Chair, Gay G. Kernan, Mary Kay Papen, and William E. Sharer; and Representatives Rick Miera, Vice Chair, Joni Marie Gutierrez, Mimi Stewart, and W.C. "Dub" Williams.

The following LESC advisory members were present:

Senators Vernon D. Asbill, Mark Boitano, Carlos R. Cisneros, and John Pinto; and Representatives Ray Begaye, William "Ed" Boykin, Roberto "Bobby" J. Gonzales, Jimmie C. Hall, Harriet I. Ruiz, Sheryl M. Williams Stapleton, and Richard D. Vigil.

KINDERGARTEN PLUS EVALUATION REPORT

Dr. David Harrell, LESC staff, introduced Dr. Catherine Cross Maple, Deputy Secretary, Learning and Accountability, Public Education Department (PED), and Dr. Lana Paolillo, Bureau Chief, Early Childhood Education Bureau, PED, to discuss the expansion and evaluation of the Kindergarten Plus Pilot Project.

Dr. Harrell began the presentation with some background information on Kindergarten Plus. He said the 2003 Legislature enacted Kindergarten Plus as a three-year pilot project to be conducted in "high-poverty schools" in four school districts – Albuquerque Public Schools, Gallup-McKinley County Public Schools, Gadsden Independent Schools, and Las Cruces Public Schools – to study the efficacy of extended kindergarten for disadvantaged students. He said the purpose of the original pilot project was to demonstrate that increased time in kindergarten narrows the achievement gap between disadvantaged students and other students and that it increases cognitive skills and leads to higher test scores for all participants.

Dr. Harrell said that, with the initial three-year pilot project period coming to an end, the 2006 Legislature amended the Kindergarten Plus statute to extend the pilot project for six years; to allow the four original pilot school districts to expand their programs by adding additional classes or schools or both; and to allow any other school district with high-poverty schools to apply for Kindergarten Plus funding.

To support the extension and expansion of the project, Dr. Harrell said, the 2006 Legislature appropriated \$1.0 million from the General Fund to PED. He said in April 2006, PED issued a Request for Applications (RFA) inviting school districts to apply for funds to operate a Kindergarten Plus Pilot Project through the end of the six-year study in 2009.

Dr. Harrell said that PED approved programs in three new school districts and expansions in the four original districts. He said altogether, then, for school year 2006-2007, 29 Kindergarten Plus classes in seven school districts are serving approximately 962 students. Finally, Dr. Harrell said PED contracted with the Office of Education Accountability (OEA) to evaluate the first two years of the program, and PED has evaluated the third year, with all three evaluations having been found to have generally positive results.

Dr. Cross Maple described K-Plus as a bridge type program that helps families provide a smooth transition for their children into the learning environment, with better results than would be achieved without the program. She also commended Dr. Paolillo for her role in the Instructional Support and Vocational Education Division, which recently received the Baldrige Piñon Award.

After introducing the newest member of her bureau – Ms. Ann Zuni, PreK Education Administrator, Dr. Paolillo said that the evaluation report, which she presented as a handout with the presentation, shows that Kindergarten Plus works and that it fulfills its purpose of narrowing the achievement gap between advantaged and disadvantaged children. This point is especially significant, Dr. Paolillo continued, considering the demographics of the children served: they are predominantly Hispanic and Native American and for many of them English is not the home language. The major suggestion from those implementing the program, Dr. Paolillo added, is to divide the extended time between the beginning of kindergarten and the beginning of first grade, rather than to add extra time to the end of kindergarten.

Dr. Paolillo explained that, among other points, the evaluation report covers the adequate yearly progress (AYP) status of participating schools. Seven of the 10 schools with Kindergarten Plus in school year 2005-2006 did not make AYP; and four of those seven have been designated as priority schools for school year 2006-2007. Because the AYP rankings are derived primarily from the reading and mathematics scores of students in grades 3 to 6, they do not directly reflect the students that Kindergarten Plus has served, but they do indicate the need for such a program.

Research has shown, Dr. Paolillo continued, that if students enter kindergarten not having kindergarten readiness skills, they are most likely to remain behind their peers unless substantial intervention takes place. Thus, she emphasized, what happens prior to, and in, kindergarten affects third grade achievement and beyond, adding that if a student is not proficient in reading, for example, by the end of third grade, there is a high probability that the student will never become a proficient academic reader. Dr. Paolillo said that the easiest way to stop this trend of disadvantage is to ensure that all students enter kindergarten with the appropriate skills.

Dr. Paolillo said that, in addition to looking at the AYP status for the school as a whole, PED has examined the results of the DIBELS (Dynamic Indicators of Basic Early Literacy Skills) assessment used in kindergarten. She said data from the DIBELS assessment of K-Plus students

continue to demonstrate positive results, and teachers and administrators continue to view the program as an effective way to ensure that students are prepared for kindergarten and first grade. Dr. Paolillo said the DIBELS measures kindergarten student performance on four scales: initial sound fluency – a measure that assesses a student’s ability to identify, isolate, and pronounce the first sound of an orally presented word; letter naming fluency – a measure that assesses a student’s ability to recognize and name as many randomly presented upper and lower case letters as they can; phoneme segmentation fluency – a measure that assesses a student’s ability to successfully segment three- and four-phoneme words into individual phonemes; and nonsense word fluency – a measure that assesses a student’s ability to link sounds and use that knowledge to decode three-letter syllables that are nonsense words. She said the assessments are given three times a year – fall, winter, and spring – and that not all measures are assessed at each time period.

In brief, Dr. Paolillo illustrated that the student growth shown by the DIBELS measurements indicates that the vast majority of students participating in the K-Plus programs in Albuquerque, Gallup-McKinley, and Las Cruces are entering kindergarten with appropriate entry-level reading skills. Moreover, these gains held throughout the kindergarten year: in every school, Dr. Paolillo said, more students who participated in the K-Plus program reached benchmark than students not participating in the K-Plus program. Also successful, Dr. Paolillo said, is the program in Gadsden Independent Schools, which from the beginning has taken a pre-K rather than K-Plus approach and, therefore, used different assessment tools – the Peabody Picture Vocabulary Test and the Bracken Test of Basic Concepts – to measure students’ growth. In this case, the average growth of the participating child was 7.5 months.

The Kindergarten Plus Evaluation Report recommendations are as follows:

- teachers and administrators overwhelmingly suggest more support for transportation, better strategies for student recruitment, increased flexibility in the arrangement of the extra program days (e.g., 20 prior to kindergarten and 20 prior to 1st grade), additional support for K-Plus curriculum development, and expansion of the program;
- the PED and districts should continue to identify the emerging best practices from these pilot projects and build consensus about which elements of K-Plus are most valuable and how those elements might be implemented across the state;
- an option in addition to expansion is to consider classifying time spent in K-Plus prior to the start of the kindergarten years as a pre-K program (Gadsden model). This would allow districts that cannot undertake a full pre-K program to apply for pre-K funds for the shorter K-Plus program;
- follow-up studies could be conducted on participating students’ progress through grades 1 through 3; a common mathematics assessment should be employed to provide longitudinal data on math achievement; and curricula should be reviewed to see if there are any correlations between student growth and particular curriculum programs in reading and mathematics;
- schools with K-Plus programs should be required and funded to continue use of the DIBELS assessments beyond kindergarten into 2nd grade to provide longitudinal data on the effects of K-Plus; and
- with the addition this school year (2006-2007) of three new districts, continuing classes at existing sites, new classes at existing sites, and new schools, PED and districts will have substantially more information upon which to base recommendations for future expansion of a very valuable program.

Finally, Dr. Paolillo discussed the expansion of the program in school year 2006-2007 to which Dr. Harrell had alluded, and she directed the committee's attention to a table in the evaluation report illustrating the K-Plus funding and characteristics for school year 2006-2007. Arranged by school district, the table showed the funds awarded, total number of students served, schools continuing with same number of classes, and additional classes and new schools.

Committee Discussion:

In response to a committee member's question whether PED has made this same presentation to the Legislative Finance Committee (LFC), Dr. Cross Maple said not up to this time. The committee members then suggested that the department give this same presentation to the LFC, as that committee is looking for results of the sort that K-Plus shows.

In response to a committee member's question whether PED can require schools to use DIBELS to track student progress through the grades after kindergarten, Dr. Cross Maple noted the department's concern over the number of other assessments already required but said that she would convey the committee's interest to Secretary García. Dr. Paolillo added that additional funding would be necessary.

Finally, on a related point, Senator Nava noted an article in the *Albuquerque Journal*, "Report: Pre-K Program Below Norms," which misrepresents the presentation to the committee during Wednesday's session and which contains errors and omissions.

EDUCATION-RELATED ISSUES FOR THE 2007 LEGISLATIVE SESSION

a. Endorsement of Public School Support Recommendations

Directing the committee's attention to a draft table of proposed public school support recommendations for FY 08, Dr. Rindone stated that the LESC Chair and Vice Chair had worked with staff to develop the committee's recommendations. She added that the committee would have an opportunity at the January meeting to make any necessary changes to the recommendations adopted at this meeting.

In summarizing the proposed recommendations, Dr. Rindone reported that they total more than \$2.5 billion in public school support and in both recurring and nonrecurring related appropriations. Program cost, she noted, reflects an increase of approximately \$185.2 million, or 8.5 percent, from the FY 07 appropriation. It includes:

- approximately \$33.2 million to open the school doors in FY 08, which includes \$3.0 million that would be restored from the FY 06 program cost reduction, as well as enrollment growth, fixed costs, and insurance costs;
- \$126.8 million to provide a 7.0 percent raise for all school employees (an additional \$3.2 million is included in the transportation appropriation to provide a 7.0 percent salary increase for transportation staff);
- \$4.9 million to implement the \$50,000 minimum salary for Level 3 teachers, taking into consideration implementation of a 7.0 percent raise prior to implementation of the minimum salaries;
- \$13.7 million to support a 0.75 percent increase in the employer's contribution to the Educational Retirement Fund for all employees (an additional \$339,900 is included in the transportation appropriation); and
- \$6.6 million to fund elementary physical education in the first year of a four-year phase-in, which requires legislation.

Dr. Rindone noted that the \$2.3 billion recommendation for the State Equalization Guarantee (SEG) reflects a total of \$55.6 million in projected credits, plus an additional \$750,000 in revenue derived from driver's license fees directed to education.

With regard to categorical appropriations, Dr. Rindone stated that the recommendations include funding for public school transportation operations, supplemental distributions, the Instructional Material Fund, the Educational Technology Fund, the Incentives for School Improvement Fund, New School Development Fund, Reading Materials Fund, School Library Materials Fund, Schools in Need of Improvement Fund, and Teacher Professional Development Fund, the total of which is approximately \$166.1 million.

Dr. Rindone stated that the \$27.0 million in recurring related appropriations provides dollars for public school initiatives such as Advanced Placement, Apprenticeship Assistance, beginning teacher mentorship programs, the Core Curriculum Framework (to Eastern New Mexico University), the *Family and Youth Resource Act*, GRADS – Teen Pregnancy Prevention, the *Indian Education Act of 2003*, Kindergarten-3 Plus, Pre-Kindergarten Program, Summer Reading, Math and Science Institutes, and Truancy Prevention/Dropout Prevention.

Referring to the recommendations for nonrecurring related appropriations, Dr. Rindone said that these recommendations, which total \$23.8 million, include such projects as the development of a new 11th grade test and college/workplace readiness exams (according to the Public Education Department [PED], the \$6.6 million appropriated for FY 07 for assessment and test development is being used to develop the alternate assessment required by the No Child Left Behind [NCLB] and *Individuals with Disabilities Education Act* [IDEA], end-of-course exams, and the 11th grade assessments); Breakfast for Elementary Students/Farms to Schools; Instructional Support Providers Licensure and Evaluation System, which requires legislation; the Outdoor Classroom (to State Parks Division); Rural Education/Community Revitalization; school leadership turnaround specialists; and the Summer Science Program (to New Mexico Institute of Mining & Technology).

To conclude, Dr. Rindone stated that the proposed recommendations also include \$68.1 million in capital outlay funding: \$24.0 million to replace obsolete school computers and network hardware; \$27.0 million for the Educational Technologies Deficiencies Correction Fund; \$5.0 million for pre-kindergarten classrooms; \$7.5 million for pre-kindergarten start-up costs (to be evenly divided between PED and the Children, Youth, and Families Department [CYFD]); and a total of \$4.6 million for school security cameras and a global positioning system (GPS) for school buses.

Representative Stewart requested that an additional item, Kindergarten Plus, be added to the committee's public school support recommendations and that the \$3.0 million included in the table for Kindergarten-3 Plus be divided as follows between the two programs: \$1.0 million for Kindergarten Plus and \$2.0 million for Kindergarten-3 Plus.

Senator Nava requested that \$750,000 be included in the public school support recommendations to support initial start-up costs – including planning and outreach activities – for the proposed New Mexico High School for the Arts.

On a motion by Representative Stewart, seconded by Representative Miera, the committee voted unanimously to approve the public school support recommendations for FY 08 as outlined by Dr. Rindone with the additions requested by Representative Stewart and Senator Nava.

b. Endorsement of Potential Legislation and Approval of Sponsors of Endorsed Legislation

Dr. Rindone directed the committee's attention to a packet of proposed legislation prepared by the LESC staff, working with the Legislative Council Service, based on the items requested by the committee at its November meeting. She noted that the summary of legislation was followed by copies of the draft bills. The committee considered each item on the understanding that votes on the proposed legislation would not preclude non-substantive drafting changes made before the final form of the bills is distributed prior to the legislative session in January. The results of the committee's deliberations and the sponsors for each bill are noted in italics as follows:

PUBLIC SCHOOL FUNDING

1. **Cash Balance Credits:** Amend current statute to revise the calculation of the cash balance credit so that school districts with the same allowable cash balance limit are impacted in proportion to the amount by which their cash balances exceed that limit. (*Sponsors: Representative Rick Miera and Senator Vernon D. Asbill*)
2. **State Support Reserve Fund:** Amend current law and include language in the *General Appropriation Act* to allow any unencumbered or unexpended balances in the General Fund appropriations to PED and to the State Equalization Guarantee distribution remaining at the end of any fiscal year to revert to the State Support Reserve Fund to carry out the purposes of the fund. (*Sponsors: Representative Rick Miera and Senator Carlos R. Cisneros*)
3. **Small School Districts:** Pending completion of a comprehensive study of the Public School Funding Formula, include language in the *General Appropriation Act* to appropriate nonrecurring funds for FY 08 to be used upon verification of need by PED to assist school districts with membership of 200 or fewer to cover required operational expenditures, including any legislative salary mandates or guidelines for which appropriated program cost is insufficient. Eligible school districts must apply for the funding to PED and document the need for the additional funds. (*Sponsor: not required*)
4. **New School Development Fund:** Appropriate funds to the New School Development Fund to be distributed by PED for certain one-time costs associated with the first year of operation of a new school pursuant to the *Public School Capital Outlay Act*. (*Sponsors: Senator Cynthia Nava and Senator Carlos R. Cisneros*)
5. **Program Units Clean-up Language:** Amend statute to include charter school activities program units in the itemized list of units used for the purpose of computing program cost. (*Sponsors: Senator Vernon D. Asbill and Representative Jimmie C. Hall*)

SCHOOL PERSONNEL

6. **Minimum Salaries for Principals and Assistant Principals:** Amend current law and appropriate funds to implement minimum salaries for principals and assistant principals that include a responsibility factor by school level and an evaluation component. (*Sponsors: Representative Mimi Stewart and Senator Cynthia Nava*)
7. **Salaries of Teachers in Other State Agencies:** Include language in the compensation section of the *General Appropriation Act* to provide certified teachers employed by certain state agencies with the same salary increase and Level 3-A minimum salaries as public school teachers in FY 08. (*Sponsor: not required*)

8. **School Employee Misconduct:** Amend statute:

- a. to require a superintendent or charter school administrator to investigate all allegations of unethical conduct by any licensed school employee who resigns, is being discharged or terminated, or who otherwise leaves employment after an allegation has been made; and, if the investigation produces evidence of wrongdoing, to report the identity and circumstances of the employee to PED, regardless of any confidentiality agreement between the employer and the licensed school employee; and
- b. to require local school boards and state-chartered charter schools to conduct background checks on all school personnel including volunteers who have unsupervised access to students. (*Sponsors: Senator Cynthia Nava and Representative Jimmie C. Hall*)

The committee agreed by consensus that Item 8b. be amended to include an appropriation of funds to support the cost of background checks for volunteers.

9. **Instructional Support Providers:** Introduce legislation and appropriate funds to require PED:

- a. by June 30, 2008, (1) to establish a progressive licensure and compensation framework for all instructional support providers; and (2) to issue licenses for instructional support providers, including occupational therapists, physical therapists, school counselors, school nurses, speech-language pathologists, audiologists, psychologists, social workers, diagnosticians, and recreational therapists; and
- b. effective July 1, 2008, to adopt a highly objective performance evaluation for professional instructional support providers; and, beginning with school year 2008-2009, to provide minimum salary levels for specified instructional support providers at \$30,000 for Level 1, at \$40,000 for Level 2, and at \$50,000 for Level 3. (*Sponsors: Representative Mimi Stewart and Senator Mary Kay Papen*)

MATH AND SCIENCE INITIATIVE

10. **Math and Science Bureau:** Amend statute to create the Mathematics and Science Bureau in PED and to create the Proficiency Fund; and appropriate funds for summer math and science institutes to increase the skills of public school math and science instructors as well as their ability to teach reading in math and science classes. (*Sponsors: Senator Cynthia Nava and Representative John A. Heaton*)
11. **Outdoor Classroom:** Appropriate funds to the State Parks Division of the Energy, Minerals & Natural Resources Department to fund a statewide program in collaboration with PED's Mathematics and Science Bureau to use the state's natural and cultural resources to provide students with learning opportunities that address state content standards. (*Sponsors: Senator Cynthia Nava and Representative Jimmie C. Hall*)
12. **Summer Science Program:** Appropriate funds to the New Mexico Institute of Mining and Technology to provide scholarships to cover the tuition for New Mexico high school students to attend a summer science program. (*Sponsors: Senator Cynthia Nava and Representative John A. Heaton*)

P-20 INITIATIVE

13. **Higher Education Student ID:** Amend statute to require public postsecondary institutions to use the same student ID number assigned to a New Mexico student by PED and to follow the graduation cohorts established by PED, and appropriate funds to the Higher Education Department (HED) to purchase hardware and software to develop a higher education data base. In addition, postsecondary institutions must assign a unique student identifier to students who did not attend a New Mexico public school. (*Sponsors: Representative Rick Miera and Senator Cynthia Nava*)
14. **College Affordability Scholarships:** Support funding for the College Affordability Endowment Fund to provide scholarships from the College Affordability Scholarship Fund for eligible New Mexico students with financial need to attend and receive degrees from public postsecondary institutions in New Mexico. (*Sponsor: not required*)
15. **Lottery Tuition Scholarship:** Amend statute to allow adjustments in the definition of “full time” and the maximum number of consecutive semesters of eligibility for students with disabilities, under certain conditions. (*Sponsors: Senator Cynthia Nava and Representative Jimmie C. Hall*)

PUBLIC SCHOOL TRANSPORTATION

16. **Pre-K and K+ Transportation:** Amend current statute and appropriate funds to provide for the transportation of pre-kindergarten students by:
 - a. adding a subsection to the *Pre-Kindergarten Act* to enable children enrolled in programs approved by PED to be included in the public school transportation distribution and to provide separate funding for children enrolled in programs approved by CYFD; and
 - b. changing the eligibility criteria for the transportation distribution to allow transportation to be provided for four-year-olds in addition to those who are developmentally disabled.

The committee agreed by consensus to amend this item to include providing transportation for students in Kindergarten Plus. (Sponsors: Senators Cynthia Nava and Mary Kay Papen)

17. **School Improvement Framework:** Appropriate funds and include language in the *General Appropriation Act* to require that, in selecting programs for school improvement statewide, the Secretary of Public Education offer a range of options, including programs chosen by schools that show evidence of having improved student achievement, or research indicating that they will be successful if implemented. (*Sponsor: not required*)
18. **Regional Education Cooperatives:** Appropriate funds to PED for the purpose of making distributions to authorized regional education cooperatives (RECs) for basic operating costs associated with providing critical direct services to their member school districts at the beginning of the fiscal year. (*Sponsor: Senator Gay G. Kernan*)

By consensus, the committee agreed to defer consideration of this item until January, pending the audit of RECs by the Legislative Finance Committee staff.

19. **Educational Technology Deficiencies:** Pending recommendations of the Public School Capital Outlay Oversight Task Force (PSCOOTF), appropriate funds:

- a. to PED for scheduled replacement of functionally obsolete school computers and network hardware in accordance with the state technology plan. To receive these funds, districts must have a PED-approved educational technology plan in place and must provide a match using the same criteria used for Public School Capital Outlay Council (PSCOC) grant awards; and
- b. to the Educational Technology Deficiencies Correction Fund to correct deficiencies in the education technology infrastructure and make allocations according to the *Technology for Education Act*, based on priorities established by PED to raise all schools to the minimum educational technology adequacy standards developed by PED and the Council on Technology in Education; and amend current statute to require that, for funding in FY 09 and subsequent fiscal years, the initial self-assessment by the school district must be verified by an independent third party in consultation with the PSCOC. (*Sponsors: Representative Rick Miera and Senator Cynthia Nava*)

HIGH SCHOOL FOR THE ARTS

20. Amend statute to authorize the creation of a state-chartered, statewide, charter residential high school for the arts to provide intensive pre-professional and professional training for students with demonstrated artistic abilities and potential; and appropriate funds to support planning and outreach activities in FY 07 and FY 08 prior to the opening of the school. (*Sponsors: Representative Peter Wirth and Senator Cynthia Nava*)

By consensus, the committee agreed to change the word “may” to “shall” on page 4, line 7 in the section of the proposed legislation providing for the New Mexico School for the Arts to charge a residential fee, with a sliding scale based on a student’s ability to pay; and to consider ways to further define the targeted geographical distribution of students accepted for admission on page 3, lines 13 through 16.

On a motion by Representative Stewart, seconded by Senator Papen, the committee agreed by consensus to endorse the above items with the amendments and sponsors as noted, excluding Item 18, which was deferred to the January 2007 meeting.

c. Recommendations for LESC Potential Legislation

Dr. Rindone directed the committee’s attention to a handout entitled “Legislative Education Study Committee Potential Legislation, 2007 Legislative Session.” She stated that staff had developed a list of recommendations with the approval of the Chair, including items already reviewed by the committee based on the input from the LESC Workgroup on College/Workplace Readiness and High School Redesign. Senator Nava informed the committee that the discussion of potential legislation would include only a determination whether the suggested items should be drafted for committee consideration at the January 2007 LESC meeting, adding that, at that time, the committee would determine which legislation would receive an endorsement from the LESC.

Dr. Rindone reviewed the proposed items, and the committee concurred that legislation be drafted for consideration at its January 2007 meeting for the following items:

ASSESSMENT AND ACCOUNTABILITY

21. **Assessment and Accountability Act Clean-up:** Amend the *Assessment and Accountability Act* to:
- a. distinguish a student's academic proficiency from the adequate yearly progress (AYP) required of schools and school districts; make the school improvement cycle in state law correspond to that in the federal NCLB, both in rankings and in sequential actions; and require a one-year delay in the movement to the next level of the school improvement cycle of a school that makes AYP in the second year of its present ranking;
 - b. allow a public school to reopen as a charter school as a school restructuring option, as provided in state law and NCLB; and
 - c. require PED to include gender among the demographic categories by which it disaggregates and reports student achievement data.

COLLEGE/WORKPLACE READINESS AND HIGH SCHOOL REDESIGN

22. **American Diploma Project (ADP):** Appropriate funds to the LESC to participate in the ADP Network process to align high school curriculum standards with entry level college and workplace standards.
23. **Assessments:** Introduce legislation to require PED to review and assess the New Mexico Standards Based Assessment program and implement the following statutory changes:
- a. eliminate the current New Mexico High School Competency Exam as a graduation requirement and phase in by school year 2010-2011 a new requirement to be administered in grade 11 that includes embedded college readiness indicators; and
 - b. eliminate administration of the current ninth grade standards based assessment and replace it with a college/workplace readiness assessment system no later than school year 2008-2009; in selecting college/workplace readiness exams, PED shall ensure that they are aligned with state academic standards and postsecondary placement tests.
24. **Career Clusters and P-20 Initiatives:** Appropriate funds:
- a. to HED to partner with PED, representatives of business, and others in conducting a marketing and outreach campaign that targets New Mexicans of all ages to create a sense of urgency about completing high school and pursuing postsecondary educational opportunities, emphasizing career clusters;
 - b. for an enterprise fund for career clusters and public schools to develop curricula to support cluster programs in critical areas of unmet need, including agriculture, so that the educational system at the secondary and postsecondary level can respond with meaningful programs to prepare job seekers with necessary skills;
 - c. to adopt or develop a workforce forecast model that matches projected future worker demand with potential job seekers from educational programs and other sources, grouped by occupation, skill, career cluster, and education, and that results in an Internet-based career information delivery system for use by planners, students, counselors, and job seekers;

- d. for a demonstration project to develop and pilot life-skills training for 18-to-21-year-olds who have “aged out” of the foster care system;
 - e. for a one-time career readiness certificate demonstration project based on skill areas to pay for student assessment and remedial training; the project will become self-sustaining after year one; and
 - f. to New Mexico State University School of Hotel, Restaurant and Tourism Management to conduct a statewide certification program in culinary arts education for high school students.
25. **Computation of Graduation Rates to Include Summer Session after Senior Year:** Introduce legislation to require that, in computing graduation rates, PED shall count students who complete the requirements for graduation during the summer following grade 12 as graduating on time.
26. **Dual Credit:** Introduce legislation to define “dual credit” and to establish a uniform method of funding dual credit courses to provide high school students an opportunity to acquire college credit prior to high school graduation.
27. **Graduation Requirements:** Introduce legislation to create the New Mexico Diploma of Excellence, which shall be required for graduation for all students who enter grade 9 beginning in school year 2009-2010, unless a student has written parental permission to earn a less rigorous diploma. To earn a diploma of excellence, in addition to current diploma requirements, a student’s mathematics units must include one unit equivalent to Algebra II; a student’s science units must include two units with a laboratory component; and a student must also earn two units in a language other than English; implementation of these requirements is dependent on availability of funds.
28. **High School Diploma Options:** Introduce legislation to require that, beginning with school year 2008-2009, each school district shall offer at least one of the following options for expanded courses of study: advanced college placement courses; courses for dual credit offered in cooperation with an institution of higher education; and distance learning courses.
29. **Road to Advanced Placement (AP):**
- a. **Algebra I in Grade 8:** Amend current law to require public schools to offer Algebra I in grade 8 beginning in school year 2008-2009.
 - b. **Middle and High School Literacy Initiative:** Make an appropriation to PED for a statewide middle and high school literacy initiative that makes competitive awards to public schools and school districts to implement plans that include scientifically based literacy programs that encourage nonfiction writing, teacher professional development, instruction driven by assessment, and a strong program evaluation component.
 - c. **Core Curriculum Framework:** Appropriate funds to the Board of Regents of Eastern New Mexico University to establish a core curriculum framework that supports the selection or development, and implementation, of a challenging, sequential curriculum at the K-6 level in public schools to prepare all students for pre-AP and AP courses in grades 7-12.

30. **Teacher Mentorship Program:** Amend the teacher mentorship provision of the *School Personnel Act* to:

- a. require PED to distribute funds for the beginning teacher mentorship program to school districts annually on a per-teacher basis according to the number of beginning teachers on the 40th day of the current year; and
- b. require each teacher preparation program and each college of arts and sciences to collaborate with high schools to develop a model to provide mentorship services with structured supervision and feedback to each of their graduates who have obtained a teaching position in a public high school, including charter schools, to develop cost estimates, and, by November 1, 2007, to provide the LESC with any recommendations necessary to implement the model.

31. **Teacher Preparation Programs:**

- a. **Teacher Preparation Field Experience:** Make an appropriation to expand early field experiences to improve the classroom experiences of teacher candidates prior to student teaching; to provide training to improve the supervision of cooperating teachers and their administrators; and to establish a model of shared responsibility between the teacher preparation programs and the public schools.
- b. **Teacher Preparation Data Systems:** Require HED to work with teacher preparation programs and their institutions to maintain a uniform statewide integrated teacher data system to track teacher candidates from pre-entry to post-graduation to benchmark the productivity and accountability of New Mexico's teacher workforce.
- c. **Scholarships for Student Teaching:** Appropriate funds to HED to establish a need-based scholarship program for students during the student-teaching semester so that more students will complete their field experience.
- d. **Alternative Licensure for Specialized Instructors:** Amend the alternative licensure statute to streamline the licensure process to facilitate the licensure of individuals with backgrounds in business and industry but no teaching experience who could be hired by school districts to teach where shortages exist, and to take full advantage of these individuals' expertise.

32. **Teacher Professional Development:**

- a. **Awards for Professional Development:** Appropriate funds to PED for awards to schools to provide release time for targeted, site-based teacher professional development to address high-priority needs identified by the districts, by school educational plans for student success, or by teachers' professional development plans.
- c. **School Leadership Turnaround Specialists:** Appropriate funds to PED to train school principals and staff teams to be executive turnaround specialists for low-performing schools.

CHARTER SCHOOLS

33. **Charter Schools Act:** Amend the *Charter Schools Act* to align the provisions on nepotism and the hiring and firing of employees with those provisions applicable to regular public schools and school districts.

ELEMENTARY SCHOOL PHYSICAL EDUCATION PROGRAM

34. Require that all students in 3- and 4-year-old DD programs and grades K-6 receive physical education each week, to be phased in over a four-year period.

EARLY CHILDHOOD EDUCATION

35. Introduce legislation to create the K-3 Plus Pilot Project to provide extended time in kindergarten through grade 3 for students in high-poverty public schools to narrow the achievement gap between disadvantaged students and other students, increase cognitive skills, and lead to higher test scores for all participants.

Representative Stewart reminded the committee that since funding had been adopted for K-3 Plus, a bill would need to be drafted for January, and the committee concurred.

ENLACE

36. Appropriate funds to the UNM Board of Regents, the NMSU Board of Regents, and HED (for Santa Fe Community College) for FY 08 to support ENLACE to increase Minority participation in higher education.

The committee agreed to consider including language in Item 36 restricting the amount of funds appropriated for ENLACE that could be used by the institutions for overhead costs.

HIGHER EDUCATION DEPARTMENT ACT

37. Amend the *Higher Education Department Act* to reorganize HED into eight divisions to address the needs of the diverse categories of postsecondary institutions.

JOURNEYS IN FILM

38. Appropriate funds to contract for a program to develop and implement an interdisciplinary international education curriculum using international films for middle school students statewide.

PARENTING AND SCHOOL READINESS

39. Appropriate funds for a parent involvement and school readiness pilot program for families of children birth to age three to teach parents to be full partners in their children's education.

PENDING JANUARY LESC MEETING

DISTANCE LEARNING

40. Amend current law to define "distance education" and "a qualified distance learning student" and to establish a mechanism for determining and funding the costs associated with providing state-approved distance learning coursework.

- a. **IDEAL-NM:** Pending recommendations from HED and PED for statewide distance learning, including cyber-academies.
- b. **REC Distance Learning Pilot Model:** Appropriate funds to PED to develop and implement a distance learning model comprising RECs #8 and #9, their member school districts, and postsecondary institutions to facilitate the exchange of courses and teaching services. This distance learning consortium will enable member schools to offer their students more rigorous and more relevant courses, and to offer their teachers and administrators expanded professional development opportunities.

INDIAN EDUCATION

- 41. Support amendments to the *Indian Education Act* endorsed by the Indian Affairs Committee pending recommendations of the PED Indian Education Advisory Council.
- 42. Support legislation endorsed by the Indian Affairs Committee to create the American Indian Post-secondary Education Division within HED, to provide for the appointment of a director, and to prescribe the duties of the division; and make an appropriation.

PUBLIC SCHOOL CAPITAL OUTLAY OVERSIGHT TASK FORCE (PSCOOTF)

- 43. **Charter Schools:** Pending recommendations of the PSCOOTF.
- 44. **Other:** Pending recommendations of the PSCOOTF.

OTHER REQUESTED LEGISLATION

Representative Begaye requested that the LESC support the following two bills that were endorsed by the Legislative Indian Affairs Committee:

- 45. Appropriate funds for a Native American youth-led peer-to-peer suicide prevention program.
- 46. Appropriate funds to the Department of Health, in coordination with the UNM Health Sciences Center, to provide increased hours of service by and culturally appropriate Training for mental health care providers in school-based health centers at schools with a high proportion of Native American students.

Upon a motion by Representative Gutierrez, seconded by Representative Miera, the committee agreed by consensus to request that the LESC staff work with Legislative Council Service to draft legislation for Items 21 through 46 to be considered at the January 2007 meeting of the LESC.

ADJOURNMENT

There being no further business, Senator Nava thanked the LESC staff for their work, and, with the consensus of the committee, adjourned the LESC meeting at 11:10 a.m.

_____ Chairperson

_____ Date