

STATE OF NEW MEXICO
LEGISLATIVE EDUCATION STUDY COMMITTEE

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MINUTES
LESC MEETING
September 22-24, 2014

Senator John M. Sapien, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:07 a.m., on Monday, September 22, 2014, in the Bob Moran Multipurpose Room at the New Mexico Junior College in Hobbs, New Mexico.

The following voting members of the LESC were present:

Senators John M. Sapien, Chair, Gay G. Kernan, and Howie C. Morales; and Representatives Mimi Stewart, Vice Chair, Nora Espinoza, and Jimmie C. Hall.

The following voting members of the LESC were not present:

Senator Craig W. Brandt; and Representatives Rick Miera, Dennis J. Roch, and Sheryl M. Williams Stapleton.

The following advisory members of the LESC were present:

Senators Lee S. Cotter, John Pinto, William P. Soules, and Pat Woods; and Representatives David M. Gallegos, Tomás E. Salazar, Christine Trujillo, and Bob Wooley.

The following advisory members of the LESC were not present:

Senators Jacob R. Candelaria, Daniel A. Ivey-Soto, and Linda M. Lopez; and Representatives Alonzo Baldonado, Nathan "Nate" Cote, George Dodge, Jr., Stephanie Garcia Richard, Timothy D. Lewis, and James E. Smith.

Senator Carroll H. Leavell and Representative Donald E. Bratton were also in attendance.

OVERVIEW OF EDUCATIONAL PROGRAMS AND INITIATIVES

New Mexico Junior College

The Chair recognized Dr. Steve McCleery, President, New Mexico Junior College (NMJC); Mr. TJ Parks, Superintendent, Hobbs Municipal Schools (HMS); and Mr. Clint Williamson, Vice President, Communications, URENCO USA, to present on educational programs and initiatives at NMJC.

Referring to his presentation on dual credit education in Lea County, Dr. McCleery informed the committee that the county had 36 school districts in 1917 and currently has five school districts (Eunice Public Schools, HMS, Jal Public Schools, Lovington Municipal Schools, and Tatum Municipal Schools) in operation. He noted that the Lea County Distance Education Consortium, Inc. (LCDEC) comprises superintendents from each of the five school districts, as well as the presidents of Eastern New Mexico University (ENMU) and NMJC.

Dr. McCleery briefed the committee on several LCDEC programs, including:

- Interactive Television – high school juniors and seniors take interactive college classes from NMJC professors;
- High School Classroom – juniors and seniors take college classes in the high school taught by NMJC-approved teachers using college curriculum;
- ACT Academy – public schools bus students to NMJC in the morning or afternoon for career technical training opportunities (e.g., automotive and welding); and
- Early College High School – high school students attend NMJC full-time and are immersed into college classes and the NMJC college environment.

He also covered dual credit education in Lea County, noting that for school year 2013-2014:

- 707 dual credit students enrolled, including 404 from HMS;
- 56.6 percent of the students were Hispanic;
- 53.9 percent of the students were female; and
- on average, each student took 10.2 credit hours.

According to Dr. McCleery, the most common courses taken, in order, were Composition and Rhetoric/Literature, US History from 1877, US History to 1877, and American Government. He added that 88.7 percent of all dual credit course grades were successful (grades A-C), and 2.2 percent of dual credit students failed compared to an overall failure rate of 12.3 percent for NMJC.

Next, Mr. Parks stated that, in 2009 and 2010, the overall graduation rates for Hobbs High School were 69.3 percent and 62.1 percent, respectively, while dual credit students at that school had an 80 percent graduation rate for both of those years. After reporting similar figures for Lovington High School, he indicated that a majority of graduates from these schools who registered for college went on to attend NMJC.

Richie Enrichment Science Workshop

Mr. Williamson discussed URENCO's focus on people, plant, and community. Regarding people, he stated that URENCO currently has 362 employees in Lea County, and six more employees are currently on assignment in Europe. Mr. Williamson added that the 2014 payroll is expected to be about \$45.0 million.

He then provided an overview of the company, noting that URENCO has five uranium enrichment plants in Europe, in addition to the plant in Eunice, which fulfill approximately 31 percent of the global enrichment market. In addition, Mr. Williamson discussed the nuclear fuel cycle and the uranium enrichment process. He also described the "separative work unit" using the analogy of squeezing oranges to make orange juice as being similar to the effort required to produce enriched uranium. To conclude his overview of the plant, Mr. Williamson stated that:

- URENCO USA was the first new nuclear project in the United States in almost 30 years;
- centrifuge technology is the most cost-effective and energy efficient method of enriching uranium;
- a single centrifuge uses less electricity than the average light bulb;
- their process uses less water than a nine-hole golf course over the course of a year; and
- nuclear power is safe, sustainable, green electricity that produces zero CO₂ emissions.

Moving on to address URENCO's relationship with the community, Mr. Williamson stated that the company has spent approximately \$180,000 thus far in 2014 to provide scholarships through three different programs. Mr. Williamson also gave a brief overview of the Richie Enrichment Science Workshops, noting that the program:

- visits every fifth grade classroom in seven school districts (plus: home school groups and faith-based private schools);
- visited 80 classrooms during school year 2013-2014; and
- served 2,220 students in school year 2013-2014.

Also during school year 2013-2014, he said, more than 150 employees volunteered their time to participate in the workshops, and since 2007 the program has educated over 15,000 students. With the assistance of URENCO staff, Mr. Williamson ended his presentation with a live demonstration of the workshop which included the LESC members as participants.

Committee Discussion

A committee member asked Dr. McCleery whether the welding and automotive programs were local initiatives, and Dr. McCleery replied that the programs were developed at the local level through constant dialogue and interaction with the community.

When a committee member inquired about the need for remediation at NMJC, Dr. McCleery stated that NMJC remediation rates are below the national average. He added that the school has taken steps to address this issue and plans to have no need for remediation in five to seven years.

A committee member asked Mr. Parks about the number of Hobbs High School graduates who have to take remedial courses in college, and Mr. Parks replied that the last data he had seen indicated that the remediation rate was 40 percent.

Responding to a committee member who asked about the role of ENMU, Dr. McCleery asserted that ENMU is an advocate for teachers and noted that, via distance education, it has offered the Master of Business Administration program for several years.

TEEN PREGNANCY

The Chair recognized Ms. Christina McCorquodale, LESC staff; Ms. Paula Methola, Director, New Mexico Graduation Reality and Dual-Skills (NM GRADS) Child Care Center (CCC), Boys and Girls Club of Hobbs; Ms. Sally Kosnick, Executive Director, GRADS; Ms. Jeanne Johnston, Co-Director, GRADS; Ms. Elaine Sena, Executive Director, MyPower, Inc.; Ms. Phoebe Spencer, Board President, MyPower, Inc.; and Ms. Mickie Holland, Chief Clinical Director, Guidance Center of Lea County, Inc., Humphrey House, to present on teen pregnancy issues.

Mr. TJ Parks, Superintendent, Hobbs Municipal Schools, was also in attendance.

Referring to an LESC staff report, Ms. McCorquodale provided background information regarding:

- New Mexico GRADS;
- MyPower, Inc.; and
- Humphrey House.

Ms. Methola then explained that in 2007 the NM GRADS CCC was opened with the support of the J.F. Maddox Foundation to alleviate some of the problems teen parents faced with school absences, many of them associated with caring for their sick children. During this time, Ms. Methola added, a resource team was established which included the following entities:

- Presbyterian Medical Services (provides monthly infant check-ups at the CCC and offers immediate services to teen parents participating in NM GRADS);
- the Lions Club (provides yearly vision screening for all children in the center);
- Familia Dental (provides dental cleanings twice a year);
- the Children, Youth and Families Department's FOCUS program (works to help NM GRADS CCC receive a 5-STAR accreditation);
- the Food Program (provides breakfasts and snacks);
- APEX Learning System (provides virtual learning opportunities); and
- the TEACH scholarship program (assists with the Family Infant Toddler Program/the *Individuals with Disabilities Education Act* (Part C), consultation staff, and home visiting practitioners).

Turning to the Center's future, Ms. Methola informed the committee that by 2015 NM GRADS CCC plans to complete the following:

- create a fatherhood program;
- add a separate playground for pre-school; and
- provide on-site clinic immunizations.

Ms. Kosnick emphasized that the NM GRADS system provides statewide structural support for expectant and parenting teens (both male and female), including in-school credit coursework. In 1989, she noted, New Mexico was the first state to replicate the Ohio GRADS instructional program, starting with four high schools. Currently, she added, the program is in 27 high schools across New Mexico. She continued, noting that the NM GRADS program is aligning NM GRADS competencies to the Common Core State Standards using a statewide system that provides:

- professional development;
- valuable school and community resources;
- on-site annual reviews; and
- technical assistance to ensure local program compliance and that students' needs are addressed.

Ms. Johnston reported that, since 1989, NM GRADS has served over 15,000 expectant and parenting teens. More current data, she noted, indicate that during school year 2012-2013 the program enrolled 518 expectant and parenting teens. Referring to a committee handout, Ms. Johnston outlined a history of state appropriations as well as private and federal grants for funding. She further explained that as a grantee of the US Department of Health and Human Services Office of Adolescent Health Pregnancy Assistance Fund, the funds will assist in the enhancement of current NM GRADS components. Ms. Johnston concluded by stating that NM GRADS appreciates the continued support and funding of the New Mexico Legislature.

Ms. Sena then referred to a PowerPoint handout that outlined MyPower's history, research, consequences, and statistics on teen pregnancy. She explained that MyPower is an "abstinence plus" teen pregnancy prevention program, which is not only meant to prevent teen pregnancy but also to empower young teen girls to make healthy choices about themselves physically, emotionally, and academically.

Providing more detail on MyPower, Ms. Spencer discussed the MyPower Logic Model which includes community inputs and outcomes relating to mentorship programs for teen pregnancy prevention and youth development in Hobbs. She also described how these mentorship programs are funded and directed the committee members to the last page of the handout which outlines private member support for the program.

Finally, Ms. Holland briefly described the Humphrey House's history, noting that the organization observed an increase in the number of pregnant foster teens seeking treatment for mental health and/or substance abuse. She reported that two-thirds of the pregnant teens the Humphrey House serves are foster children and pointed out that many times the parenting foster youth and her infant are separated in foster homes. According to Ms. Holland, this results in:

- placement of the teen parent in foster care outside of Lea County;
- termination of the teen parent's rights; and
- high mobility of infants to different foster homes.

After describing the characteristics of teen parents served by the Humphrey House in FY 13 and FY 14, she explained that there are social consequences for these teen parents. Primarily, she noted, schooling is interrupted while moving from one foster home to the next, which results in falling significantly behind their peers academically. Furthermore, Ms. Holland noted, the teen parents often suffer from depression and anxiety, which lead to health issues for their infant as well. Other consequences, she stated, include:

- difficulty understanding healthy relationships;
- repeat pregnancies; and
- likelihood of lifelong dependence on welfare programs.

To conclude, Ms. Holland emphasized that these children have difficulty in completing programs like MyPower and NM GRADS due to instability at home.

Committee Discussion

Ms. Holland responded to a committee member's question regarding medicating foster children, including infants. She explained that approximately one-third of their clients were on medication; most were taking the medication before they entered the program. While Humphrey House provides a maternity shelter, she continued, it also provides mental health and rehabilitation for pregnant substance abusers. Ms. Holland also clarified that Humphrey House is a trauma-informed center and uses a trauma-informed approach to treatment.

Responding to a member's question about what states with low teen-birth rates are doing that New Mexico is not, Ms. Spencer discussed the need to start working with children in grade 5. She added that MyPower only works with girls and there should be education for both genders. She also noted that other states have a comprehensive sex education program with access to school-based comprehensive clinics, as well as access to birth control.

In response to a committee member's question regarding NM GRADS' projected budget request for the upcoming legislative session, Ms. Johnston said that the current federal grant only funds existing sites to enhance those programs already in place. NM GRADS is hoping for increased support from the Legislature to expand to other schools and districts across the state, she said.

Regarding school grades and whether schools are given credit in their school grade as participants of NM GRADS or MyPower, Mr. Parks, stated that the district received bonus points for participation, but it was unclear whether the bonus points were applied to the final grade.

WEEKEND HUNGER INITIATIVE BACKPACK PROGRAM

The Chair recognized Mr. Clay Martin, Executive Director, Weekend Hunger Initiative (WHI)-Hobbs; and Ms. Leslie Pfalzgraf, Community Liaison, WHI-Hobbs, to inform the committee on their initiative to alleviate hunger among students in the Hobbs area.

Mr. Martin reported that New Mexico is ranked first in the country for child food insecurity. He noted that in Lea County:

- 23 percent of the children are food insecure;
- 29 percent of food insecure children do not qualify for a school food program;
- nearly 60 percent of households with children report utilizing the school lunch/breakfast program, but still require additional help with food assistance; and
- 44 percent of households with children report their family was not eating enough because they could not afford food.

He emphasized that a US Department of Agriculture study indicates that under-nutrition experienced by children during periods of growth impacts their behavior, their school performance, and overall cognitive development.

Ms. Pfalzgraf stated that food insecurity occurs during the weekend for many children, and the WHI program sends food home with children to ensure that they return to school after the weekend well-fed and ready to learn. According to Ms. Pfalzgraf, WHI does not focus on the cause of the food insecurity; rather, the program simply seeks to ensure that hungry children are fed. She added that 95 percent of WHI funding goes to food for kids, which is made possible by Hobbs Municipal Schools providing office space and warehousing. To conclude, she reported that the WHI-Hobbs program currently serves approximately 435 students.

Committee Discussion

In response to a question relating to the expansion of the program to other districts, Mr. Martin noted that he would like to make WHI-Hobbs a Lea County program.

When a member asked if WHI consisted of a statewide network, Mr. Martin commented that WHI is an independent program, but that other backpack programs are currently in existence statewide.

PARTNERSHIP FOR ASSESSEMENT OF READINESS FOR COLLEGE AND CAREERS (PARCC) – SAMPLE TEST

The Chair recognized Mr. TJ Parks, Superintendent, Hobbs Municipal Schools (HMS), to administer a sample grade 5 Partnership for Assessment of Readiness for College and Careers (PARCC) math exam to LESC members. With the assistance of HMS staff, Mr. Parks distributed laptops loaded with test items to the committee members.

Committee Discussion

Regarding a committee member's comment about the time allotted to take the test, another committee member expressed the need to delay the test to work on its delivery and results.

In response to a question about what would happen if New Mexico proceeded with the PARCC exam and eliminated the value-added measures within education accountability systems, Mr. Parks answered that certain problems would still exist because of issues arising from different scales for the New Mexico Standards-based Assessment and PARCC assessment.

GRADUATION REQUIREMENTS UPDATE

The Chair recognized Mr. Travis Dulany, LESC staff, and Mr. TJ Parks, Superintendent, Hobbs Municipal Schools (HMS), for an update regarding high school graduation requirements.

Also in attendance was Dr. Suchint Sarangarm, Assistant Superintendent for Data Analysis, HMS.

Referring to a staff report in the committee binders, Mr. Dulany explained that graduation requirements in state law comprise two things: (1) completion of a certain number of units, and (2) demonstration of competence. After noting that current statute on this topic was included as Attachment 1 of the staff report, Mr. Dulany listed the units necessary for high school graduation:

- four units in English;
- four in mathematics;
- three in science;
- three and one-half in social science;
- one in physical education;
- one in a career cluster course, workplace readiness, or language other than English; and
- seven and one-half elective units.

With regard to demonstration of competence, Mr. Dulany stated that students must achieve certain scores on the New Mexico Standards-based Assessment and various end-of-course exams (EoCs). He further explained that the New Mexico Standards-based Assessment will be replaced with the Partnership for Assessment of Readiness for College and Careers assessment in 2015. If a student is unable to achieve the requisite scores on the New Mexico Standards-based Assessment and the EoCs, Mr. Dulany continued, the student may demonstrate competence through a portfolio of standards-based indicators, also known as alternative demonstration of competence (ADC).

The Public Education Department (PED) guidance regarding ADC has been provided as Attachment 2 of the staff report, Mr. Dulany said, and page 7 of the attachment outlines all score requirements for the New Mexico Standards-based Assessment, the EoCs, and the ADC. Although PED provides this guidance, Mr. Dulany noted, there may be other avenues through state law that students may utilize for the ADC option.

Referring to prior testimony to the LESC on the topic, Mr. Dulany highlighted a 2009 PED rule that allows school districts to determine requirements for ADC. This rule, he said, was acknowledged by PED in November 2013, and the department subsequently expressed intent to change the rule so that all ADC requirements would be uniform for all New Mexico students, regardless of the district in which they are enrolled. Mr. Dulany explained that, although PED expressed intent to change this rule, it had not yet been amended. Additionally, he continued, a 2014 statute change requires, “Once a student has entered the ninth grade, the graduation requirements shall not be changed for that student from the graduation requirements specified in law at the time the student entered the ninth grade.” As a result, Mr. Dulany explained, all current high school students may have the option of demonstrating competence through a district-determined ADC, regardless of any changes made to PED rule in the future. He cautioned, however, that a rule change in the future would affect any future high school students.

Mr. Dulany concluded his presentation by noting two other statute changes relating to graduation enacted in the 2014 legislative session. CS/HB 92, *School Child Sexual Abuse Detection Training*, and HB 101, *School Child Sexual Abuse Awareness Training*, added language specifying that health education courses must include age-appropriate sexual abuse and sexual assault awareness and prevention training, and *SB 122aa, *School District P.E. Requirements*, and *SB 307aa, *School District P.E. & Graduation Requirement*, added several options to meet physical education graduation course requirements; these include marching band, junior reserve officers’ training corps, interscholastic sports sanctioned by the New Mexico Activities Association, or any other co-curricular physical activity.

Mr. Parks then discussed the uncertainty surrounding graduation requirements for the 2015 cohort. When he reached out to PED for guidance, Mr. Parks testified, the department responded that the department would have to research the issue and provide a response at a later date. Additionally, Mr. Parks explained, keeping track of students’ score sheets is a cumbersome task, particularly with 560 high school seniors. He added that guidance counselors in the district are especially nervous, as a mistake on their part could have significant implications for the student, though HMS would not punish a student for a mistake made by a district employee, he said.

Regarding a provision in state law that requires at least one of a student’s high school courses to be either Advanced Placement (AP), dual credit, or distance education, Mr. Parks suggested that the Legislature should reconsider the law.

Mr. Parks further noted various concerns he has heard from parents in his district. Some parents are concerned that their child will not be able to demonstrate competence, which means that the student would receive a certificate of completion rather than a New Mexico Diploma of Excellence. Without the diploma, Mr. Parks said, the student will not qualify for federal financial aid. Conversely, he said, some parents have expressed frustration that their child had achieved excellent scores and grades throughout high school, yet the student receives the same credential as a student who met the minimum requirements. Consequently, Mr. Parks suggested that the Legislature investigate the feasibility of a tiered diploma system.

Committee Discussion

Regarding Mr. Parks’ request for the Legislature to reconsider the requirement of an AP, dual credit, or distance-education course, a committee member commented that several years ago

state officials noticed that students who do well in college generally took an AP course or dual credit course in high school. The member stated that policymakers and lawmakers may have assumed a cause-effect correlation for those students, but in fact students who do well in college likely took AP or dual credit courses on their own volition.

In response to a committee member's question about EoCs, Mr. Parks stated that the EoCs are essentially course finals; however, several EoCs had not been written for certain courses when students took the course a year or two ago. As a result, in order to graduate from high school, students may be required to take an EoC for a course in which they are not currently enrolled. Mr. Parks also gave the example of a student who was enrolled in Precalculus. Because there was no PED-approved EoC for that course, the student had to take the Algebra II EoC in order to graduate, even though the student was not enrolled in Algebra II.

Responding to a committee member's question regarding the development of EoCs, Mr. Parks stated that EoCs are developed by teachers across the state. The EoCs provided by PED do not cover all subjects, Mr. Parks said. Dr. Sarangarm explained that this was why HMS developed two EoCs in Physics and a course called "AMG," as PED only provides EoCs for Chemistry and Biology. Dr. Sarangarm also noted that districts generally only develop their own EoCs if PED does not have one for a particular subject, and other districts may use such EoCs if they wish.

In response to a committee member's question about the guidance regarding EoCs given to teachers, Mr. Parks explained that teachers are given a "blueprint" for the course and what will be covered on the EoC; however, teachers are not given access to the EoCs.

In reply to a question about how the cut-scores for EoCs are determined, Dr. Sarangarm stated that teachers develop the test, and then, a different group of teachers analyzes the scores with a psychometrician.

A committee member asked who pays for the scoring of the EoCs, and Mr. Parks stated that the districts are required to bear that expense. Mr. Parks added that the printing costs of EoCs last year was \$35,000 in HMS.

Responding to a committee member who asked about reliability and validity of testing data, Dr. Sarangarm stated that he is responsible for verifying and validating testing data for HMS; however, he noted that most districts likely send their testing data to PED for verification and validation. On that point, Mr. Parks commented that HMS is very fortunate to have an expert like Dr. Sarangarm working for the district because many other districts do not have access to such expertise.

In response to a committee member's question about the submission of data to PED, Mr. Parks stated that electronic data submission is a concern to parents because the data contain items such as names and social security numbers, even though the district takes data security very seriously. Dr. Sarangarm added that all tests are numbered and have a check-in/check-out protocol to enhance the security of the test.

GENERAL EDUCATIONAL DEVELOPMENT (GED) UPDATE

The Chair recognized Mr. Travis Dulany, LESC staff, and Ms. Dianne Marquez, Dean of Arts and Humanities, New Mexico Junior College (NMJC), for an update on GED testing.

Mr. Dulany informed the committee that Ms. Bertha Jasso, Manager, Adult Basic Education New Mexico State University-Carlsbad, was scheduled to present to the committee; however severe weather prevented her from being in attendance.

Referring to a staff report in the committee notebooks, Mr. Dulany explained that the LESC has taken an active interest in the GED test since June 2012 when the Adult Basic Education Director at New Mexico State University-Grants expressed concern regarding changes to the test scheduled to go into effect in 2014; these included:

- the apparent “privatization” of the GED;
- mandatory computer-based testing at all GED testing centers in New Mexico; and
- the increased cost of the new test.

As a result of the June 2012 testimony, Mr. Dulany continued, the LESC endorsed legislation for the 2013 legislative session to remove references to the GED test from statute, replacing the term with the more generic “high school equivalency diploma.” Although that 2013 legislation was pocket vetoed, he said, the LESC again endorsed similar legislation for the 2014 legislative session that was successfully enacted. Mr. Dulany noted that the newly enacted legislation allows the Public Education Department (PED) to proceed with a fair bidding process for a high school equivalency test that best suits the state’s needs. On September 10, 2014, Mr. Dulany stated, PED responded to an LESC staff request regarding the current memorandum of understanding between GED Testing Service and PED with the following statement:

“Currently, the Memorandum of Understanding with the General Education Development (GED) Testing Service is active with PED and automatically renews unless either party requests termination. A Request for Application (RFA) is in its approval phase to solicit responses for PED approval for High School Equivalency (HSE) assessments that are aligned to the Common Core State Standards (CCSS). A term contract(s) is anticipated to begin upon execution of the contract, January 1, 2015, and be effective for three years thereafter. The RFA is anticipated to be released on or about September 26, 2014.”

Ms. Marquez then discussed the administration of the GED test at the GED Testing Office at NMJC. Referring to a PowerPoint presentation, she explained that her program became a Person VUE Certified Testing Center in January 2014. Since then, she continued, the NMJC GED Testing Office has experienced a 72 percent decline in the number of students testing, compared with 2013, and a 92 percent decline in the number of students passing the 2014 GED compared to the same time frame in 2013. Additionally, she said, adult education programs are adjusting curriculum and testing materials and increasing requirements in an effort to combat these low passage rates. Ms. Marquez concluded her comments by noting that the GED is a nationally

recognized test; however, other tests that fulfill the same purpose would be welcome in adult education centers.

Committee Discussion

The Chair requested that LESC staff monitor the reported RFA from PED and notify the committee if it has not been released by September 26, 2014.

SUPERINTENDENTS AND COMMUNITY INPUT

The Chair recognized Dr. Rose M. Payán, Director, Student and Teacher Assessments, Educational Testing Services (ETS), who informed the committee that ETS intends to respond to the Public Education Department's Request for Application for high school equivalency assessments once it is released. She noted that ETS completed development of its own High School Equivalency Test (HiSET), which was released in January 2014. Since then, according to Ms. Payán, the HiSET assessment has been administered in 12 states to approximately 40,000 initial test candidates.

There being no further business, the Chair with the consensus of the committee, recessed the LESC meeting at 4:14 p.m.

**MINUTES
LESC MEETING
SEPTEMBER 23, 2014**

Senator John M. Sapien, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:14 a.m., on Tuesday, September 23, 2014, in the Bob Moran Multipurpose Room at the New Mexico Junior College in Hobbs, New Mexico.

The following voting members of the LES C were present:

Senators John M. Sapien, Chair, Gay G. Kernan, and Howie C. Morales; and Representatives Mimi Stewart, Vice Chair, Nora Espinoza, and Jimmie C. Hall.

The following voting members of the LES C were not present:

Senator Craig W. Brandt; and Representatives Rick Miera, Dennis J. Roch, and Sheryl M. Williams Stapleton.

The following advisory members of the LES C were present:

Senators Lee S. Cotter, John Pinto, and William P. Soules; and Representatives David M. Gallegos, Tomás E. Salazar, Christine Trujillo, and Bob Wooley.

The following advisory members of the LES C were not present:

Senators Jacob R. Candelaria, Daniel A. Ivey-Soto, Linda M. Lopez, and Pat Woods; and Representatives Alonzo Baldonado, Nathan “Nate” Cote, George Dodge, Jr., Stephanie Garcia Richard, Timothy D. Lewis, and James E. Smith.

Senator Stuart Ingle and Representative Donald E. Bratton were also in attendance.

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

The Chair recognized Mr. David Martin, Cabinet Secretary, Energy, Minerals and Natural Resources Department (EMNRD), to inform the committee on what is commonly referred to as the “Energy-Education Nexus in New Mexico.”

Referring to a committee handout, Mr. Martin discussed the support that energy provides for New Mexico education, including oil and gas revenues which accounted for \$922 million in funding for K-12 and higher education in FY 13. He added that energy is needed for transportation, heating, cooling, and lighting.

Citing figures from a January 2014 report, Mr. Martin stated that:

- the balance of the Land Grant Permanent Fund was \$13.28 billion;
- the Severance Tax Permanent Fund balance was \$3.87 billion; and

- the interest contributed from those funds to the General Fund amounted to 38 percent of total General Fund revenue in FY 14.

In addition, Mr. Martin emphasized that energy production and development relies on a workforce that is highly trained, scientific, and technical; this is why the Energy-Education Nexus will be part of a new energy policy and implementation plan that is under development using the following timeline:

- desk research;
- listening sessions in cities statewide;
- review by the Governor's Office;
- public comment;
- review of public comments; and
- implementation of the final policy.

He noted that topics common to all listening sessions will include:

- responsible energy development;
- state and local economic growth;
- private sector jobs;
- infrastructure;
- manufacturing;
- water requirements for energy development;
- workforce training and education;
- preparing high school and college students to choose careers in energy;
- encouraging colleges and universities to align their curricula with core energy workforce needs; and
- supporting two-year energy training programs in applied energy technologies.

Mr. Martin also discussed the implementation of an education campaign to increase citizen knowledge of oil and gas operations.

Regarding new energy education initiatives, he reported on EMNRD plans to:

- support funding of task orders at New Mexico Junior College and San Juan College School of Energy (SJCSE) to address state and federal agency needs;
- create a state certification program at SJCSE for the training of employees in the oil and gas industry using a curriculum designed by the industry, including safety training; and
- create a regulatory engineering program at the New Mexico Institute of Mining and Technology that prepares students for careers in energy regulation in federal or state government and industry.

Committee Discussion

Regarding collaboration with institutions of higher education, a committee member asked about the status of industry regulation and manpower, and, in reply, Mr. Martin said that workforce levels in Hobbs are lower than a few years ago, yet activity levels are significantly higher. He

added that it is difficult to attract regulatory workers because the state does not pay nearly as much as the oil and gas industry. Mr. Martin concluded by stating that EMNRD is working through the university system to provide more training and has a memorandum of understanding with the federal Bureau of Land Management to provide solutions to this problem, including the use of retired workers to mentor new ones.

A committee member commented that the state's plan should include more education funding to pay teacher salaries that are competitive with Texas, which can be \$10,000 or higher than what New Mexico offers. In response, Mr. Martin agreed and added that housing and other factors compound the salary issue.

With regard to local hiring, a committee member asked if lags in the hiring process cause EMNRD to lose job candidates, and Mr. Martin acknowledged that the state's hiring process is cumbersome. When asked if there were any opportunities to streamline the process, he indicated that the new director of state personnel has a fresh approach and is open to new ideas. The committee member also commented that North Dakota allocated one-time funding to make planned infrastructure improvements to meet its current challenges and New Mexico should consider doing something similar.

OCCIDENTAL PETROLEUM CORPORATION (OXY)/NAVAJO REFINERY

The Chair recognized Ms. Barbara Bergersen, Operations Manager, Development and Utilities, Occidental Petroleum Corporation (OXY); and Mr. Mike McKee, Vice President and Refinery Manager, Navajo Refinery, for a presentation on workforce readiness and tax revenue generated from the oil and gas industry in New Mexico.

Referring to a PowerPoint presentation, Ms. Bergersen briefed the committee members on OXY holdings in the Permian Basin, which are located in southeast New Mexico and west Texas. She noted that OXY is the largest basin operator and producer in the region. Furthermore, Ms. Bergersen indicated that the Permian Basin accounts for nearly 15 percent of US oil production and outlined its impact on New Mexico, including:

- over \$187 million paid in royalties on production from its New Mexico oil and gas properties;
- more than \$68.0 million paid in New Mexico state, local, and payroll taxes in 2013; and
- approximately 9,000 employees and contractors working in the Permian Basin.

Referring to a graph, she stated that OXY is the world leader in Enhanced Oil Recovery (EOR) and described its role globally, stating that approximately 74 percent of OXY Permian EOR business unit oil production is from CO₂ flood technology.

In addition, Ms. Bergersen explained how EOR works. She noted that CO₂ flooding is an EOR technique in which CO₂ is injected into reservoirs, causing trapped oil to flow more easily and efficiently, which can increase oil recovery from 15 to 20 percent. The CO₂ circulates within a closed loop and over time virtually all of the injected CO₂ is trapped in the underground reservoir.

Ms. Bergersen concluded her part of the presentation by briefly outlining the types of jobs available at OXY, such as production technicians, equipment technicians, and automation specialists. Among the qualities that OXY is looking for in employees, she listed:

- mechanical and technical aptitude;
- analytical and problem-solving skills; and
- a minimum 2.5 grade point average from an accredited institution.

Next, Mr. McKee gave the committee a brief overview on US consumption of crude oil and production. He explained the three petroleum industry segments, which are:

- exploration and production;
- manufacturing: refining and petrochemical; and
- marketing: wholesale and retail.

According to Mr. McKee, Navajo Refinery has locations in Artesia and Lovington that can produce up to 100,000 barrels of crude oil per day. In addition to Permian Basin crude oil, he said, the refinery also processes crude oil from western Canada and serves markets in the southwestern US and northern Mexico.

To conclude, Mr. McKee indicated that Navajo Refinery employs approximately 400 full-time workers and 150 contract employees and impacts over 500 third party associates. The company is looking for people with backgrounds in chemistry and science, he said. The positions include:

- safety, health, and environmental engineers/specialists;
- chemists;
- welders;
- rotating equipment mechanics; and
- operations and administrative positions.

NEW MEXICO MATHEMATICS, ENGINEERING, SCIENCE ACHIEVEMENT, INC. (NM MESA) – ARTESIA PROJECT

The Chair recognized Mr. Toney Begay, Executive Director, New Mexico Mathematics, Engineering, Science Achievement, Inc. (NM MESA); Ms. Amanda Trujillo, an engineer with Concho Resources, Inc. and a former NM MESA student; and Mr. Kent Cravens, a consultant in the oil and gas industry, to brief the committee on the NM MESA Artesia Project.

To begin, Mr. Begay noted that the Artesia Project is known to NM MESA students as the Oil and Gas Education Fair. He added that NM MESA, which was formed to empower and motivate New Mexico's culturally diverse students, has existed for 32 years, and field trips are an important part of its activities. Mr. Begay also acknowledged that Ms. Trujillo, a former Cibola High School student who joined NM MESA and went on to earn her Bachelor of Science and Master of Science degrees from New Mexico State University, developed the Artesia Project to introduce students to the basic aspects of engineering in the field.

Ms. Trujillo testified that the oil and natural gas industry needs more people with a technical background in its workforce and commented that the industry recruits from the same pool of talent. She said that only one university in the state, New Mexico Institute of Mining and Technology (NM Tech), has maintained a relationship with the industry, so teaming up with NM MESA is a good way to strengthen and expand relationships between the industry and higher education institutions.

The Oil and Gas Education Fair, according to Ms. Trujillo, is highly visual and interactive, with significant participation from the industry. She explained that activities such as the Bulldog Bowl in Artesia — in which students did a scavenger hunt where they had to get answers to particular questions from each vendor regarding the purpose and operation of their machinery — help familiarize students with the industry. Other providers of science, technology, engineering, and mathematics (STEM) jobs are invited to the fair, Mr. Begay added, including the Department of Game and Fish and the US Fish and Wildlife Service.

After crediting Ms. Trujillo for moving the Artesia project forward, Mr. Cravens stated that it is not easy to bring students who are focused on their studies out to the oil fields near Artesia. He explained that site tours, such as a visit to a concrete management company, allow students to see the real side of the industry. According to Mr. Cravens, Dr. Thomas W. Engler at NM Tech reported that several of the students in his Petroleum Engineering program said that they enrolled as a result of the Artesia tour. He also mentioned a number of other professions that are important to the industry, including accounting, law, and land management.

Mr. Begay continued, noting that NM MESA has approximately 300 students and is supported by 21 companies. The costs to run the program are relatively minimal, he said, and in 2002, NM MESA spent only \$22,000 to operate its entire program. By 2013, the organization received \$38,000 in donations from the industry, and seven to eight scientists donated their time to talk to students about their jobs, according to Mr. Begay. He also acknowledged that the bulk of donations to NM MESA come from companies that are members of the New Mexico Oil and Gas Association.

Committee Discussion

A committee member asked Mr. Begay to provide statistical and anecdotal information on how much progress NM MESA has made, and he answered that:

- NM MESA students had higher scores on the standards-based assessments than New Mexico students as a whole;
- approximately 48 percent of students statewide are in need of remediation, but only 12 percent of NM MESA students require remediation; and
- data going back to 1985 indicate that about 78 percent of NM MESA students enter college, and 53 percent of those students go on to earn bachelor degrees and more.

Ms. Trujillo commented that as a NM MESA student she was exposed to a variety of STEM-related fields, including health and medicine. At one point she wanted to be a doctor, but after seeing aspects of the profession first-hand, she decided against it. Mr. Cravens also noted that when he was a state senator, he sponsored NM MESA Day, which impacted hundreds of students over time.

NMJC ENERGY PROGRAM

The Chair recognized Dr. Robert Rhodes, Vice President, Training and Outreach, New Mexico Junior College (NMJC), to provide the committee with an overview of the NMJC Energy Program.

Also in attendance were Dr. Steve McCleery, President, NMJC; and Mr. Dale Gannaway, Executive Director, New Horizons Research Foundation.

Referring to a committee handout, Dr. Rhodes reported that:

- by 2016, approximately 200,000 high-skill, high-wage workers may need to be replaced due to retirement or attrition;
- 150,000 new jobs would be needed to design and operate low-carbon power sources in the coming years in addition to those replacements;
- nearly 50 percent of the five million oil and gas workers will need to be replaced in the next five years; and
- this industry is already one million workers short.

He added that, in the next 10 years, the Permian Basin in east New Mexico and west Texas will need an additional 100,000 energy technicians. Additionally, Dr. Rhodes commented, over the last 20 years the number of workers completing technician training has declined while the skills needed for technicians continues to grow. He then stated that the Lea County EnergyPlex has:

- wind and solar energy;
- biofuel (algae and CO₂-to-fuels platform);
- oil;
- natural gas;
- nuclear enrichment;
- traditional natural gas generation plants;
- combined cycle natural gas plants;
- a hybrid natural gas/wind plant; and
- a compressed air storage wind system.

Dr. Rhodes emphasized that NMJC has always been responsive to meeting job training needs in the community and noted that the Advanced Energy Training Center runs a number of training programs for:

- automotive and petroleum technicians;
- radioactive waste technicians for the Waste Isolation Pilot Plant;
- the Police Academy; and
- the Corrections Academy.

Beginning in 2005, he stated, NMJC began ramping up its training capacity to address the need to build a pipeline of technicians possessing both the core skill sets and culture of the energy industry. Working with industry, Dr. Rhodes explained, NMJC has developed an energy training program that includes multiple tracks for nuclear, petroleum, and alternative energy technicians.

The program offers short-term, certificate, and associate degree tracks and is fully accredited for online and traditional delivery of instruction, he said.

Currently, Dr. Rhodes reported, NMJC has:

- over 100 students in energy degree programs;
- provided credit-based energy education to over 500 students since 2006;
- annually provided noncredit training for 4,000 to 6,000 students; and
- supported the training needs of over 200 local businesses.

In terms of future endeavors for the energy program, he noted that in 2010, NMJC and Lockheed Martin began to collaborate on energy training development, particularly for nuclear energy. By 2011, this partnership broadened its focus to include all energy and developed student-friendly content for the program. Dr. Rhodes stated that NMJC plans to offer 12 core classes with interactive online delivery by 2015, and new training programs for:

- linemen;
- instrumentation and control technicians;
- the Energy, Minerals and Natural Resources Department; and
- the Bureau of Land Management.

To help support the needs of industry, he continued, NMJC established the New Horizons Research Foundation to support true technology transfer. Focusing on application instead of research, Dr. Rhodes indicated, the foundation has begun to harvest the resources of New Mexico's national labs to address the needs of a growing energy industry. In conclusion, he commented that NMJC is the second largest provider of workforce training in the state.

Committee Discussion

When a committee member inquired whether NMJC provides training for the building and construction trades, Dr. Rhodes answered in the affirmative; he added that NMJC:

- receives federal funding from the Carl Perkins program to administer career and technical education;
- has worked with New Mexico Mathematics, Engineering, Science Achievement, Inc.; and
- collaborates with Hobbs Municipal Schools to run the Achieving Community Transformation or ACT Academy dual credit program.

A committee member asked about admission requirements at NMJC and whether students need a certificate of completion or diploma to attend. Dr. McCleery replied that community colleges were founded upon the principle of open admission; therefore, in general, the only requirements are for students to take an entrance exam for English, reading, and math. He further noted that there are some exceptions, such as admittance into the nursing program, and some companies, like Concho Resources, Inc. for example, require a 2.5 grade point average to be eligible for employment. To conclude, Dr. McCleery noted that in order to graduate it may be necessary to take remedial courses, but he said that a student at NMJC can take many courses, for example, a history class, without requiring a remedial course.

EDUCATIONAL TELEVISION: INVESTING IN EARLY EDUCATION

The Chair recognized Mr. Franz Joachim, General Manager and Chief Executive Officer, KNME-TV; Mr. Glen T. Cerny, Executive Director, University Broadcasting, New Mexico State University (NMSU); and Mr. Duane W. Ryan, Director of Broadcasting, KENW-TV, DT, FM, and KMTH-FM, to present to the committee on investing in early education through educational television.

Also in attendance was Mr. Vincente Vargas, Director, Government Relations, NMSU.

Referring to a committee handout, Mr. Joachim testified that New Mexico Public Television consists of three independent Public Broadcasting Service (PBS) affiliates:

- KRWG, Las Cruces – licensed to NMSU;
- KENW, Portales – licensed to Eastern New Mexico University; and
- KNME, Albuquerque/Santa Fe – licensed to the University of New Mexico and Albuquerque Public Schools.

The affiliates, he explained, are requesting \$2.25 million in capital outlay funding (\$750,000 per station) from the New Mexico Legislature during the 2015 legislative session to:

- replace vital broadcast master control infrastructure purchased from a General Obligation (GO) Bond request in 2004;
- ensure uninterrupted service for another 12-15 years;
- mitigate loss of member donations due to loss of service; and
- maintain services required to qualify for federal funds such as Ready to Learn and American Graduate.

Mr. Ryan explained the need to replace the master control technology that is the heart and brain of the broadcast and distribution process. Noting that the master control simultaneously records and plays back hundreds of programs for multiple broadcast, cable, and satellite channels, he said that a one hour, high-definition program requires roughly 20 Gigabytes of computer memory. After 10 years, even with careful maintenance and upgrades, Mr. Ryan asserted, the statewide public television infrastructure is nearing “end of life.” To conclude, he explained that securing the funds necessary to replace old infrastructure will ensure continued broadcasting of public education programs for the benefit of everyone in New Mexico.

Committee Discussion

In response to a question as to why the Legislature should help with infrastructure funding, Mr. Cerny noted that:

- the combined coverage area of New Mexico Public Television reaches more than 95 percent of New Mexicans with a free service;
- New Mexico Public Television is the only broadcast resource that can reach the entire state within 15 minutes to deliver emergency alerts;

- New Mexico Public Television stations average 97 hours a week of PBS Kids educational children’s programming; and
- PBS Kids programming is the backbone of a myriad of outreach initiatives that extend the educational impact of public television, including:
 - Ready to Learn, helping prepare preschoolers for school;
 - SciGirls, STEM activities that encourage girls to pursue their interest in science, technology, engineering, and math;
 - Parent Preschool Coops, using Ready to Learn Transmedia resources;
 - PBS Kids writing contests;
 - Super Why Reading Camps;
 - Peg + Cat math activities;
 - tens of thousands of free books; and
 - access codes to PBS.

A committee member inquired about the impact of losing federal funding due to lack of compliance with maintenance, and Mr. Joachim acknowledged that public television would survive, but it would have to rely on a significantly changed business model that could result in reduced services.

In response to a question as to whether a funding request to the Legislature could be fulfilled using GO Bonds, Mr. Vargas, noted that the public television consortium is considering other funding options due to the shifting mood of voters in GO Bond elections. He emphasized that if infrastructure cannot be purchased with GO Bonds it was his belief that it would be harder to push for this option two years down the road.

DIRECTOR’S REPORT

At the discretion of the Chair, this item was presented earlier than its scheduled time at 11:00 a.m. on Wednesday, September 24, 2014.

a. Approval of August 2014 LESC Minutes

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

b. Informational Items

Ms. Frances Ramírez-Maestas, LESC staff, referred to the following items for the members’ review included in the committee notebooks:

- the 2014 LESC Interim Workplan;
- administrative rulemaking;
- an emergency administrative rulemaking update regarding the Legislative Lottery Tuition Scholarship; and
- an update on the Breakfast After the Bell program.

c. Correspondence

Ms. Ramírez-Maestas reviewed this section of the committee notebooks, noting that the items are retained in the LESC permanent files:

- a letter from the Office of the State Auditor dated August 5, 2014, to the Governing Council Presidents of Southwest Secondary Learning Center (SSLC) and Southwest Aeronautics, Mathematics and Science Academy (SAMS), regarding a risk review for FY 12 and FY 13;
- a letter from the Public Education Department (PED), dated August 28, 2014, to the Governing Council of Southwest Primary Learning Charter School, regarding a notice of suspension of Board of Finance Authority;
- a letter from PED, dated August 28, 2014, to the Governing Council of Southwest Intermediate Learning Center School, regarding a notice of suspension of Board of Finance Authority;
- a letter from PED, dated August 28, 2014, to the Governing Council of Southwest Secondary Learning Center Charter School, regarding a notice of suspension of Board of Finance Authority;
- a letter from PED, dated August 28, 2014, to the Governing Council of Southwest Aeronautics, Mathematics and Science Academy Charter School, regarding a notice of suspension of Board of Finance Authority; and
- a letter from the Office of the State Auditor dated September 5, 2014, to PED regarding a monitoring update and request for information on the Office of the State Auditor's Risk Review of SSLC and SAMS.

TEACHER AND PRINCIPAL EVALUATION PANEL

The Chair recognized Dr. Crit Caton, Superintendent, Artesia Public Schools; Mr. Paul M. Benoit, Superintendent, Floyd Municipal Schools (FMS); Mr. TJ Parks, Superintendent, Hobbs Municipal Schools (HMS); Mr. Darin Manes, Superintendent, Lovington Municipal Schools (LMS); Mr. Jamie Widner, Superintendent, Melrose Municipal Schools (MMS); Mr. Tom Burris, Superintendent, Roswell Independent Schools (RIS); and Mr. Miles Mitchell, Superintendent, Texico Municipal Schools (TMS), to update the committee on their progress with the teacher and principal evaluation system. Mr. Gary Perkowski, Superintendent, Carlsbad Municipal Schools, was invited to participate on the panel, and he submitted written materials; however, Mr. Perkowski was unable to testify due to the severe weather in his school district.

Artesia Public Schools

Dr. Caton began by informing the committee that his administrators reviewed the updated 2013-2014 teacher evaluation results on August 15, 2014. He reported that on September 8, 2014 the Public Education Department (PED) notified the district administrators through email that they would no longer be able to use the school-level value-added model (VAM) as a primary measure of student achievement. The district administrators, Dr. Caton said, were now required to use grade- or content-level VAMs. Thus, under these new restrictions, Artesia Public Schools had to resubmit its 2014-2015 plan for the teacher evaluations.

In addition, Dr. Caton stated that his district did not share the summative reports with teachers for the following reasons:

- some teachers were not issued a summative report;
- the district was issued summative reports for teachers no longer employed by Artesia Public Schools;
- data were missing on many of the summative reports;
- multiple measures were applied inconsistently; and
- VAM data were applied inconsistently and difficult to explain.

He indicated that the observation portion of the teacher evaluation system has improved the walkthrough component. The observation portion, Dr. Caton continued, allows administrators to pinpoint use of or lack of best teacher practices. Accurate observations and constructive feedback, he said, help to improve classroom instruction immediately and result in greater student achievement.

In conclusion, Dr. Caton listed the following areas of concern:

- implementation of too many educational reforms (the Common Core State Standards, the Partnership for Assessment of Readiness for College and Careers assessment, and the teacher evaluation system) simultaneously has been overwhelming for teachers and administrators;
- the observation portion of the evaluation system should be given more weight;
- due to the speed of the implementation, Artesia Public Schools administrators are not able to fully comprehend and effectively convey all aspects of the teacher evaluation system to teachers, other administrators, and parents; and
- options that districts have within the evaluation system are becoming more limited.

Floyd Municipal Schools

Mr. Benoit began his testimony to the committee by stating that timing issues have posed problems that need to be addressed by PED. The summative reports for FMS were received on May 23, 2014, which was the last day of the contract for teachers. This limited time frame did not allow adequate time for review of the summative reports, Mr. Benoit noted, let alone time for contract decisions for the upcoming school year.

In reference to issues with the teacher evaluation system, Mr. Benoit noted that he had 10 inquiries on his 22 certified teachers. Upon receiving the revised summative reports from PED, Mr. Benoit stated that the following issues still remained unchanged:

- nine of his 22 teachers had different school names from the school in which they were teaching;
- one teacher's overall rating was changed from "effective" to "minimally effective" without any notice;
- teachers were changed from Group C to Group A, although all these teachers taught kindergarten, first, or second grade; and
- points were given to teachers in areas that were not covered by that teacher's assignment.

Although some of these may appear to be minor issues, Mr. Benoit stressed, that if the data at the top of the summative report were incorrect, how could his teachers trust that the rest of the data are correct?

In conclusion, Mr. Benoit stated that FMS believes in accountability and supports any viable and understandable system of evaluation.

Hobbs Municipal Schools

Mr. Parks began by discussing the importance of the observation component of the teacher evaluation system. He stated that the observation component should count for a minimum of 50 percent of the overall rating score. Under this rationale, Mr. Parks noted, there are immediate results and feedback. Under the current evaluation system, student achievement is 50 percent of the overall rating score, and this does not allow immediate feedback and change, he said.

Mr. Parks noted that, based on advice received from legal counsel, the old evaluation system was structured so that an administrator could only rate a teacher as “effective” or “ineffective,” and there was no leniency under the previous evaluation system. To conclude, Mr. Parks stated that he is a firm believer in the multiple measures and admitted that the current evaluation system is an improvement from previous years. However, he believes the current system needs to continue to be improved and this can be accomplished by having open dialogue between superintendents and staff as well as between PED and superintendents.

Lovington Municipal Schools

Mr. Manes informed the committee that his district is having difficulty determining if a teacher should be placed on a professional growth plan (PGP) based on their summative report overall rating. He indicated this is difficult because of the fact that a number of the summative evaluations are not correct. The district has an October 8, 2014 deadline to have the PGPs submitted.

Furthermore, Mr. Manes noted that LMS did share the summative reports with staff even though approximately 22 percent of the original summative evaluations had inquiries and were resubmitted to PED for review. Furthermore, after he received the original 45 summative reports back from PED, there were an additional 34 that needed to be resubmitted to PED because of additional errors. For example, all the teachers who taught at the district’s sixth grade academy were listed under Lovington Junior High School, a school that has not been in existence for over seven years. As a result of the inaccurate summative reports, he said, the teachers did not have to sign the reports, and the reports were not placed in their personnel files.

Mr. Manes acknowledged that the observation component of the evaluation system was better than anything else implemented in the past. The walkthroughs allow principals to identify best practices for teachers, he said. In conclusion, he stated that the new system encourages teachers to find out what works effectively in the classroom.

Melrose Municipal Schools

Mr. Widner testified that when he received the summative reports for MMS he knew there were mistakes. After submitting questions to PED, he did not get a response until the end of June. When Mr. Widner met with PED representatives, he was informed that the discovery test was not used for anyone despite the fact that it was part of the MMS multiple measures. PED answered some, but not all, of Mr. Widner's questions, so he chose to accept what was sent, knowing that they were wrong, and hoped the second year would be better, he said. Mr. Widner said that, after all, the administrators were told upfront that this was a baseline year and that changes would be made to make the process better and more usable as time progressed.

To conclude, Mr. Widner asserted that he does not believe that PED's system of evaluating teachers is a better method than what he used in the past. The observation component of the evaluation system works well, he admitted, because it encourages teacher-principal interactions. However, the primary concern with the evaluation system, Mr. Widner stressed, is the VAM portion. It is difficult to understand and does not paint a true picture of what happens in the classroom on a day-to-day basis, he said.

Roswell Independent Schools

Mr. Burris informed the committee that the principals in his district are determining whether teachers who were rated as "minimally effective" should be placed on a PGP. It is at the discretion of the principal if the teacher with this particular rating should be placed on a PGP, he added.

He listed the following advantages to the current evaluation system, as noted by teachers in his district:

- principals are more engaged with teachers;
- accountability;
- feedback; and
- the opportunity for constructive criticism with some added suggestions for improvement.

In addition, Mr. Burris noted the following concerns with the current evaluation system, as noted by RIS teachers, including:

- problems with uploading documentation;
- scheduling conflicts when principals are called to the district office during scheduled observations;
- partial observation of a lesson that does not look at the whole picture;
- subjectivity (teachers doing the same thing get different scores);
- the amount of time to prepare for the lesson and observation; and
- too many questions in the pre- and post-conference.

Texico Municipal Schools

Mr. Mitchell told the committee that this system requires administrators to create transparency in their schools. The system is a way to hold teachers and administrators accountable, he said. Regarding the principal evaluation system, he noted that the evaluations came one month after recommendations were submitted to the school board.

Mr. Mitchell stated that TMS is fortunate to have many teachers who have been in the district for years, and TMS relies heavily on the Training and Experience Index. He indicated that 48 percent of his teachers have a Level 3 license.

Security issues were a major concern, Mr. Mitchell stated, regarding the online student surveys. However, regarding the parent surveys, the district created an innovative way to get the surveys filled out by parents who did not have a computer at home.

In conclusion, Mr. Mitchell indicated that the summative reports were not shared with the teachers because there were too many inaccuracies, and, to remedy the situation, inquiries were submitted to PED. He emphasized that accountability is reflective of transparency, and, through this new system, TMS is trying to be accountable for itself and its students.

Committee Discussion

In reference to a committee member's inquiry on how the superintendents prepared their teachers for the observation component, Mr. Burris stated that he established a plan to reach out to his teachers before the new evaluation system started. He wanted to be a part of the solution, and thus spent a lot of time figuring the system out, he said. Mr. Burris also stated that he communicated frequently with PED. The best advice, he said, was to keep it simple and to communicate with teachers by providing constructive feedback.

In reply to a committee member's question on how to make this a more effective evaluation system, Mr. Parks noted that everybody should be solution-oriented. To have a more effective system, he stated, first of all, every district should have personnel (or access to personnel) who possess the skills that particular district lacks. The data should be available not through an individual district, but through a centralized location where teachers and administrators can be assisted to understand the intricacies of the new system. Secondly, Mr. Parks emphasized the need to invest in teacher professional development.

Regarding professional development funding, a committee member asked Mr. Parks if he used state equalization guarantee money for teacher professional development. Mr. Parks replied that he had received a grant to establish professional development for the teachers in his district.

In reference to a committee member's question on teacher attendance, Mr. Benoit stated that his district selected teacher attendance to be a portion of the summative report. He noted that each school district had to submit a scale to PED. On his district's summative reports, the teacher attendance was consistent.

Regarding inaccuracies on the summative reports, a committee member noted that it may be difficult to define a teacher's ability if the data are incorrect.

SUPERINTENDENTS AND COMMUNITY INPUT

The Chair recognized Mr. Greg Maxie, a Lovington Municipal Schools Board of Education member, who spoke on behalf of Ms. Mika Newey, a constituent from Hobbs who had to leave early. He said that she wanted to opt her children out of taking the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment, but the Public Education Department (PED) told her that there is no alternative assessment offered, and taking the PARCC exam is a graduation requirement.

In response, the Chair requested Ms. Kimberly Ulibarri, Legislative Program Manager, PED, to apprise the committee as to whether students who opt out of taking the PARCC exam can take an alternative assessment.

There being no further business, the Chair, with the consensus of the committee, recessed the LESC meeting at 5:05 p.m.

MINUTES LESC MEETING SEPTEMBER 24, 2014

Senator John M. Sapien, Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 8:15 a.m., on Wednesday, September 24, 2014, in the Bob Moran Multipurpose Room at the New Mexico Junior College in Hobbs, New Mexico.

The following voting members of the LESC were present:

Senators John M. Sapien, Chair, and Gay G. Kernan; and Representatives Mimi Stewart, Vice Chair, Nora Espinoza, Jimmie C. Hall, and Dennis J. Roch.

The following voting members of the LESC were not present:

Senators Craig W. Brandt and Howie C. Morales; and Representatives Rick Miera and Sheryl M. Williams Stapleton.

The following advisory members of the LESC were present:

Senators Lee S. Cotter, John Pinto, and William P. Soules; and Representatives David M. Gallegos, Tomás E. Salazar, Christine Trujillo, and Bob Wooley.

The following advisory members of the LESC were not present:

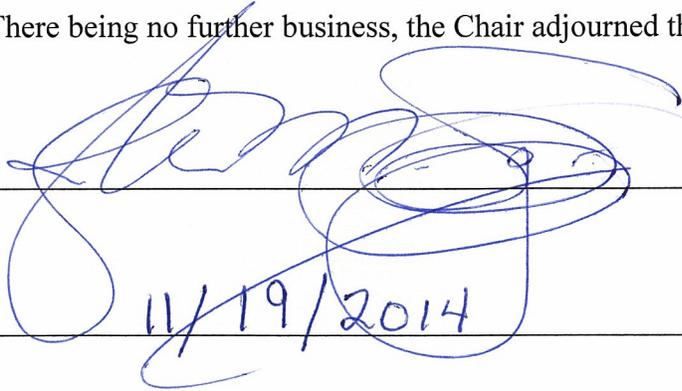
Senators Jacob R. Candelaria, Daniel A. Ivey-Soto, Linda M. Lopez, and Pat Woods; and Representatives Alonzo Baldonado, Nathan “Nate” Cote, George Dodge, Jr., Stephanie Garcia Richard, Timothy D. Lewis, and James E. Smith.

URENCO PLANT TOUR

The LESC traveled to the URENCO USA uranium enrichment plant in Eunice, New Mexico. The members received a brief orientation and an overview of the plant's history before being divided into groups to tour the facility. The bus returned to the Bob Moran Multipurpose Room at the New Mexico Junior College at 12:55 p.m.

ADJOURNMENT

There being no further business, the Chair adjourned the LESC meeting at 12:55 p.m.



Chair

11/19/2014

Date