

**MINUTES**  
**Legislative Education Study Committee**  
**Artesia Public Schools Administrative Offices**  
**Artesia, New Mexico**  
**September 27 - 29, 2017**

**Wednesday, September 27**

Representative Stephanie Garcia Richard, Vice Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:19 a.m., on Wednesday, September 27, 2017 at the Artesia Public Schools Administrative Offices in Artesia, New Mexico.

The following LESC voting and advisory members were present: Voting: Vice Chair Stephanie Garcia Richard, Senators Craig W. Brandt, Candace Gould, and William P. Soules; and Representatives Alonzo Baldonado, Tomás E. Salazar, and James E. Smith. Advisory: Senators Gay G. Kernan, Howie C. Morales, Michael Padilla, and John Pinto, and Representatives Joanne J. Ferrary, David M. Gallegos, Rick Little, and Christine Trujillo.

The following LESC voting and advisory members were not present: Voting: Senator Mimi Stewart, Chair and Representatives Dennis J. Roch and Sheryl M. Williams Stapleton. Advisory: Senators Carlos R. Cisneros, Daniel A. Ivey-Soto, and Linda M. Lopez, and Representatives Jimmie C. Hall, D. Wonda Johnson, Tim D. Lewis, G. Andrés Romero, Patricia Roybal Caballero, Angelica Rubio, Patricio Ruiloba, Debra M. Sariñana, Elizabeth “Liz” Thomson, Jim R. Trujillo, Linda M. Trujillo, and Monica Youngblood.

On a motion by Representative Smith and second by Representative Baldonado, the minutes and agenda were approved with no opposition.

On motion by Representative Smith and second by Senator Soules, the December LESC meeting was moved from December 6, 7, and 8 to December 18 and 19 with no opposition.

**Strategic Initiatives of Local School Districts.** Crit Caton, Superintendent, Artesia Public Schools, shared the basic characteristics of Artesia. The district has 10 schools with an enrollment of 3,898 students. The district has facilities valued at over \$134 million and an annual operating budget of \$31 million. The district has challenged itself to increase its graduation rate, recruit and retain teachers, and handle budget constraints.

Artesia Public Schools receives a great deal of support from community partners. Devon Energy provides grants to secondary schools of \$5 thousand to \$15 thousand per year. Holly Corporation sponsors the junior high science, technology, engineering, and math (STEM) program, robotics, Science Olympiad, Mathematics, Engineering, Science Achievement (MESA) program, and the teacher mentorship program. New teachers in Artesia are assigned a mentor teacher, and stipends are paid to the mentors to help the new teachers with logistics, classroom management, and curriculum. Tate Branch gives the “Success Maker Monthly Award” as a positive reinforcement for teachers. The Chase Foundation offers a scholarship program for high school graduates. Over 10 years, the Chase Foundation has awarded 1,100 scholarships totaling \$12.3 million and there are 23 local colleges and universities that match the Chase scholarships.

Over a four-year period, Artesia Public Schools lost \$1.2 million as the result of a decrease in the district’s teacher training and experience (T&E) index. Veteran teachers retired, and were replaced with newly trained educators. The district partnered with the Chase Foundation and Eastern New Mexico University to create a training program with three main tenets: increase teacher preparedness for the classroom, help teachers to move from level 2 to level 3 teaching licenses, and increase the district’s T&E index. In 2016, the district’s T&E index increased, increasing formula funding by approximately \$250 thousand.

Artesia Public Schools used a mixture of capital outlay dollars and local support to build its new administration building. The 42 thousand square foot building cost \$13.8 million and was fully paid for, leaving the district with no bonding indebtedness.

Michael Grossman, Superintendent, Lake Arthur Municipal Schools, shared the trials of his small school district. The town of Lake Arthur has a population of 525 people and a per-capita income of \$22,050. Parents of students generally work in the Artesia, Roswell, and Carlsbad areas. For the 2017-2018 school year, 102 students are enrolled in Lake Arthur schools. Recently the percentage of students eligible for free and reduced-fee lunch has averaged between 60 percent and 70 percent.

The community has supported Lake Arthur Schools with the passage of over \$7.3 million in bonds from 2005 through 2018. The district has experienced a steady decline in funding from both the state equalization guarantee (SEG) and emergency supplemental funds. In six of the past eight years, the district has received less funds than the previous year. The district was directed by the Public Education Department (PED) to cut the costs of essential supplies and services. Teachers are already being used in combination classes that require the preparation of multiple lesson plans per day for each grade level. Staff with multiple position responsibilities make it difficult to have the time to meet individual student needs.

Ricky Williams, Superintendent, Hagerman Municipal Schools and President of the New Mexico School Superintendents' Association, shared the vision and mission of Hagerman. Mr. Williams is working to build an education system that focuses on economic development and aligns actions with policies. Hagerman uses data to understand their challenges, builds a 90-day action plan to improve student achievement, and offers targeted interventions like K-3 Plus. In kindergarten through third grade, students focus on foundational skills and literacy. Third through fifth grades focus on transitional skills and sixth through eighth grades focus on skill and knowledge connections. In high school, the first two years are spent becoming familiar with high school. By the end of 10th grade, students have picked a pathway, and in 11th and 12th grades, students are shown an introduction to postsecondary life through partnerships with postsecondary institutions. Hagerman also uses postsecondary student data to understand which pathways and programs are effective.

TJ Parks, Superintendent, Hobbs Municipal Schools, introduced the committee to the "Hobbs Way," which he explained is intended to ensure the district stays on a consistent path even in the face of changing state and federal policies. Operational dollars fund some of the district's strategies, including a wide array of summer programs for over 1,500 students. The district offers an eighth grade enrichment class in the summer between eighth and ninth grade to bridge the gap between middle and high school mathematics courses. The district provides K-3 Plus, and receives an additional early literacy grant for kindergarten through second grade students from the J.F. Maddox Foundation. The district also has a great relationship with the City of Hobbs, which ran summer recreation programs in Hobbs schools, engaging approximately 350 children and keeping them off the streets.

Hobbs' enrollment is up due to the bump in oil prices. The district did not cut any teaching positions. Superintendent Parks stated that although Hobbs has the highest percentage of budgeted dollars going into the classroom, this was only possible because the district cut eight nurses, two social workers, an administrative position, and a transition specialist out of the operational budget. To address teacher shortages, Hobbs created a program with the University of the Southwest called the "Next Program" where they develop their own teachers. The university allows students to act as educational assistants and gives students college credit for their experience. After two years, students become teachers in Hobbs.

Superintendent Parks was proud to present Hobbs' data portal, noting he would be happy to share the portal with other districts in the state. The data portal was created by two doctoral students from Harvard as their capstone project. The data portal helps the district employ a

growth mindset, set realistic goals, improve instruction and analyze teacher skills, and make comparative analyses between schools.

Representative Salazar asked how changes to the bilingual education rules would affect districts. Dr. Caton answered that if the proposed changes were to occur, Artesia would lose funding. He noted the district is already using about \$500 thousand a year from cash balances to subsidize bilingual education. Mr. Williams said they lost about \$70 thousand last year because they did not have a teacher certified in Teaching English to Speakers of Other Languages (TESOL), and that would occur again if the new rules pass. Mr. Parks said Hobbs receives \$5,000, but it costs the district \$70 thousand just to hire a teacher to provide the services.

Senator Morales commented that the first thing districts usually cut is extracurricular programs, which can affect the classroom and graduation rates. He asked Dr. Caton if Artesia was adequately funded for physical education (PE). Dr. Caton said the district has elementary PE in all five elementary schools and at their early childhood site. The district spends about \$225 thousand in salaries for PE teachers, though only receives about \$30 thousand to \$35 thousand for PE through the SEG.

Representative Ferrary complimented Dr. Caton on taking care of kids first before building the administration building, and asked how often they brought teachers in for training, and how much time they get to collaborate and work together. Dr. Caton said each campus has professional learning communities that meet each week. He also noted the district has a new training facility. The district has started "Workshop Wednesdays," in which staff attend and share expertise after school hours. Staff receive a small stipend for participating. They also hosted PED's regional Istation training.

Representative Smith asked about the condition of teacherages at each district, including how many teachers or employees live in teacherages. Mr. Grossman said Lake Arthur has four teacherages that are 40 years old that are prioritized for teachers who relocate to the school district. Dr. Caton said Artesia has 19 teacherages that were funded with House Bill 33 (HB33) mill levy funds. When the Federal Law Enforcement Training Center (FLETC) was built, there was a housing shortage. First year teachers out of college could not find anything to rent and had to go to Roswell or Carlsbad. The teacherages are an excellent recruitment and retention tool.

Senator Kernan said the teaching portal has made a difference in Hobbs in helping teachers help students, complimented the districts on their good work, and noted that because their public schools respond to and serve the public, charter schools have not been of interest. She complimented the community partnerships in the districts. She wants the committee to remember that school district cash balances are often needed to continue underfunded programs.

**Director's Report.** Kevin Force, Senior Research Analyst II, LESC, directed the committee's attention to the information contained in the rulemaking abstract, including how to submit comments. He noted that, since the adoption of Laws 2017, Chapter 137 (House Bill 58), all oral and written comments made on a rulemaking are kept and maintained in a permanent rulemaking record that can be examined by the public at any time.

The September 12, 2017 issue of the *New Mexico Register* contained the proposed repeal of New Mexico's current standards and benchmarks for science to be replaced with a modified version of the Next Generation Science Standards (NGSS) that were created by a group of 26 state lead partners and a number of national organizations like the National Science Teachers' Association, ACHIEVE, the American Association for the Advancement of Science, and the National Research Council. The modifications add new standards particular to New Mexico, and alter the language in other standards. He outlined a staff document that compares NGSS with the

changes included in the NM-STEM Ready Standards (NMSRS) proposed by the Public Education Department (PED).

Generally, he noted, the NMSRS are close to the NGSS. The standards that have been modified by PED pertain mainly to the concepts of the age of the Earth, evolution, and climate change. The only standard that was redacted is the NGSS MNLS4-3, which reads, “Analyze displays of pictorial data to compare patterns of similarities in the embryological development across multiple species to identify relationships not evident in the fully formed anatomy.” The NMSRS modify the NGSS to redact references to the precise age of the earth, anthropogenic climate change, increasing global temperatures, and evolution.

The last time the standards were scheduled to be reviewed and updated was in 2010, but this was delayed. PED’s Math and Science Advisory Council recommended adopting the NGSS in 2015. PED proposes full implementation of the NMSRS in the 2018-2019 school year, but the summer review institute for science materials will be in the summer of 2018, with materials available for purchase in the 2019-2020 school year, leaving a year where instructional materials will not be aligned with the standards. This will also be the first year science test scores are incorporated into school grades, which could significantly affect student outcomes and school grades if students and teachers are not equipped with aligned instructional materials the first year.

Mr. Force then noted appropriations for instructional materials have decreased since the last time the state adopted new instructional materials for science, and they are not likely to increase. Rachel S. Gudgel, Director, LESC, said the FY18 annual appropriations for the instructional materials fund was \$10 million from the public school capital outlay fund; no revenue from the general fund was appropriated in FY18 for instructional materials. Pre-recession appropriations for instructional materials, between FY03 and FY09, hovered around \$32.7 million; post-recession appropriations between FY10 and FY18 averaged approximately \$18 million. The state still has not adequately funded English language arts (ELA) and math adoption cycles since adoption of the Common Core State Standards (CCSS); some school districts still have not fully purchased ELA- and math-aligned instructional materials. Other financial considerations should also be addressed, such as professional development for teachers. In the past, the Legislature appropriated approximately \$2.5 million for CCSS professional development.

Senator Padilla asked why it was necessary that the science standards be changed now. Vice Chair Garcia Richard said the current science standards are from 2003 and outdated. The NGSS, she noted, represent a new approach to science instruction, featuring not just core principals, but also performance expectation and engineering practices. Practical exercises are favored over memorization of facts, and include cross-cutting concepts that connect the different areas of science (life science, physical science, Earth science), and emphasize engineering. These reasons show the need for updating the standards.

Senator Kernan asked for clarification over whether the concern was the NMSRS themselves, or the manner in which PED was changing the standards. The Vice Chair said there is also concern over the modified language in the science standards proposed by PED. Representative Christine Trujillo noted legislation passed in the recent session to require adoption of the NGSS, but was vetoed.

The Vice Chair said she has heard concerns from the scientific community, which she shares, and planned to submit her own comment on the standards. She noted a standard requiring students to address questions that science cannot answer; such questions may lead students outside the realm of science to religion or the supernatural.

#### **Tour of Yeso Elementary School and Federal Law Enforcement Training Center (FLETC).**

The committee spent the afternoon touring Yeso Elementary School and FLETC in Artesia.

There being no further business, the vice chair recessed the meeting at 4:30 PM.

### **Thursday, September 28**

Representative Stephanie Garcia Richard, Vice Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:20 a.m., on Thursday, September 28, 2017 at the Artesia Public Schools Administrative Offices in Artesia, New Mexico.

The following LESC voting and advisory members were present: Voting: Vice Chair Stephanie Garcia Richard, Senators Candace Gould and William P. Soules, and Representatives Alonzo Baldonado, Dennis J. Roch, Tomás E. Salazar, and James E. Smith. Advisory: Senators Gay G. Kernan, Michael Padilla, and John Pinto, and Representatives Joanne J. Ferrary, David M. Gallegos, D. Wonda Johnson, Rick Little, and Christine Trujillo.

The following LESC voting and advisory members were not present: Voting: Senators Mimi Stewart, Chair, and Craig Brandt, and Representative Sheryl M. Williams Stapleton. Advisory: Senators Carlos R. Cisneros, Daniel A. Ivey-Soto, Linda M. Lopez, and Howie C. Morales, and Representatives Jimmie C. Hall, Tim D. Lewis, G. Andrés Romero, Patricia Roybal Caballero, Angelica Rubio, Patricio Ruiloba, Debra M. Sariñana, Elizabeth “Liz” Thomson, Jim R. Trujillo, Linda M. Trujillo, and Monica Youngblood.

**Higher Education Dual Credit Update.** Micaela Fischer, Program Evaluator, Legislative Finance Committee (LFC), presented the LFC progress report of their 2012 dual credit evaluation. Dual credit refers to postsecondary courses students can take for simultaneous credit in high school and college. Because of changes in state law implemented in 2013 that require an advanced placement (AP), honors, distance learning, or dual credit course to graduate high school, dual credit changed from an option to a near requirement. As participation in dual credit has nearly doubled, so has the cost. There is also concern the state may be seeing diminishing performance returns of dual credit.

Ms. Fischer went over the three main findings. The first was the number of dual credit students has doubled since 2012, and the cost to the state has grown from \$34.4 million to an estimated \$54.4 million in FY16. The second was high schools receive over two-thirds of funding even though nearly three-quarters of dual credit students receive instruction from college faculty. Lastly, despite LFC’s recommendations, information about dual credit’s effectiveness and long-term cost has not been measured nor reported.

Ms. Fischer continued that only 43 percent of dual credit courses are part of the Higher Education Department’s (HED) general education transfer curriculum. College credits earned outside the general education transfer curriculum are not guaranteed to transfer between state institutions. A large proportion of students take courses on a college campus or online from college faculty since the Higher Learning Commission (HLC) clarified that dual credit teachers need to have at least 18 hours in graduate-level courses in the subject they teach. While dual credit demand has grown over the past five years, regular postsecondary enrollment has dropped. The growth in dual credit does not offset losses from overall declining enrollment.

Ms. Fischer said students took 48,068 dual credit courses in FY16, and LFC estimates the funding high schools received for dual credit students was approximately \$37 million. The Public Education Department (PED) also received an additional \$1 million appropriation to cover the cost of textbooks and instructional materials for dual credit students. Colleges are required by state law to waive tuition for dual credit students. Though colleges administered twice as many courses in FY16 as in FY12, the amount of funding they received has only grown by 6 percent over the same time period to an estimated \$16.4 million in FY16. In response to the 2012 evaluation, PED and HED committed to developing recommendations for a more equitable distribution of dual credit funds. The Dual Credit Council, the collaborative advisory group of PED and HED, has proposed limiting dual credit to classes that fit within a student’s degree pathway.

Ms. Fischer said dual credit students graduated faster, needed less remedial coursework, and had higher ACT scores. It was difficult for LFC to say if it was because of dual credit or if students taking dual credit generally had higher academic aptitude.

Barbara Damron, Secretary, HED, explained the goal of dual credit is to provide high school students with the opportunity to enroll in rigorous college academic or career technical education (CTE) courses, including offering opportunities to students who are less likely to go to college. New Mexico's dual credit program reduces college costs for students, but does not offer consistent quality. HED is working with postsecondary institutions to build degree programs and meta-majors to help guide students, parents, and advisors toward courses that count so students can graduate from college in less time.

Renay Scott, President, Doña Ana Community College (DACC), shared three highlights about DACC's dual credit program: students who matriculated to DACC who had dual credit experience in high school perform better at DACC in their key measurement areas than students on campus who never had a dual credit experience; growth in dual credit has strained resources for DACC; and the funding for dual credit is minimal but the expenses for providing dual credit continue to increase primarily because of increased growth.

Dr. Scott said growth in dual credit at DACC mirrors the growth at other institutions in New Mexico. Last year, DACC served over 2,094 students, or 30 percent more students than in FY13. At the same time, their overall enrollment has declined. Dual credit students make up an increasing percentage of enrollment, between 7 percent and 11 percent. Dual credit students need remediation less often, persist better, are retained in higher numbers, and complete a semester or two faster than those without dual credit experience. Last year, DACC waived over \$1.1 million in tuition for dual credit students.

Samantha Sengel, Chief Advancement and Communications Relations Officer, Central New Mexico Community College (CNM), said students who come to CNM with dual credit achieve a higher grade point average (GPA) than the general student population. Students with dual credit experience require 40 percent less remediation and graduate in fewer semesters. Dual credit students on average are taking 7.6 semesters and those without are taking 10. Of dual credit students, 53 percent retain their bridge scholarship and maintain eligibility toward the lottery scholarship, a higher rate than the general student population.

Representative Roch wants to ensure that the push toward consistent quality does not mean uniform delivery methods because many rural communities can only access classes online. Dr. Damron said they want clear learning objectives and standards while allowing for flexible pedagogy, which is the responsibility of faculty. Representative Roch asked the institutions of higher education if they are seeing a difference in the quality of education received by students depending on the instructional delivery model. Dr. Scott and Ms. Sengel said they have not found any significant difference in learning outcomes for students participating in different instructional delivery models.

Senator Padilla asked Dr. Scott if the state was funding CTE courses appropriately to support the economy. Dr. Scott said she is encouraged high school partners have created pathways for students in CTE. Over 60 percent of jobs in New Mexico require more than high school but less than a bachelor's degree.

Senator Soules asked the presenters to address the question of adequately funding dual credit, and if it should be the responsibility of the higher education institution or public school district. Dr. Damron said that is a pivotal question that has to be addressed by legislators. As the state moves forward, it has to ensure quality.

Senator Kernan said she is concerned the real stakeholders are not involved in the Dual Credit Council. Dr. Damron said she agreed and she consistently invites higher education stakeholders

to the Dual Credit Council. She said HED is not close to having a second draft of proposed rules. Senator Kernan said there is a significant cost to remediation and asked about the impact of dual credit courses on the cost of remedial courses. Dr. Damron said, that statewide, stakeholders have adopted remediation reforms that will cost the state less and produce better results. Dual credit students still need remediation but they need it at a lower rate than students who did not participate in dual credit.

**Legislative Finance Committee (LFC) Early Childhood Accountability Report.** Jon Courtney, Program Evaluation Manager, LFC, presented the Third Annual Early Childhood Accountability Report. Dr. Courtney said early childhood programs have remained a priority for the Legislature despite difficult funding decisions during the 2017 session. New Mexico's early childhood programs serve children prenatally through 5 years old. The LFC report is intended to provide a system wide look at key early childhood indicators across state agencies that offer programs - the Children, Youth and Families Department (CYFD), the Department of Health (DOH), the Human Services Department (HSD), and the Public Education Department (PED) - and consolidate expenditure and outcome information.

Dr. Courtney said the report outlines data reflecting early childhood program's performance in ensuring the health, safety, school readiness, and education of children in New Mexico. Data indicates the health of children is improving. In 2015, the infant mortality rate decreased, and more women had access to prenatal care. However, the safety of children worsened in 2015, and the child maltreatment rate continues to be higher than the national average. The percent of children age 5 and under who live in poverty increased from 32 percent in 2014 to 34 percent in 2015, making New Mexico the highest poverty state in the nation. Although slightly improved in 2017, only one-quarter of kindergarten through third-grade students are reaching proficiency in reading and math.

Dr. Courtney said the funding and the number of slots for home visiting programs administered by CYFD increased between FY17 and FY18. The First Born program - a home grown program - was shown by a RAND study to decrease child emergency room visits and increase positive parenting behaviors. The First Born program is currently under review at the federal Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program to be recognized as evidence-based.

The childcare assistance program subsidizes the cost of childcare for families with incomes at or below 200 percent of the federal poverty level, which is about \$48 thousand for a family of four. He said CYFD is moving forward with their third generation quality rating system which is called FOCUS; with increased quality, there has been an increase in cost in childcare. The average monthly cost per-child childcare cost increased 40 percent from FY13 to FY17.

Nathan Eckberg, Program Evaluator, LFC, stated students who participated in prekindergarten and were from low-income families saw improved math and reading proficiencies and a decreased representation in special education and retention rates. Additionally, students who participated in prekindergarten in 2012 had significantly higher proficiency rates in the fifth grade compared with nonparticipants. State spending for prekindergarten averaged over \$5,000 per child, ranking New Mexico 20th in the nation for spending.

Mr. Eckberg noted K-3 Plus also improves student performance. He said students participating in K-3 Plus just before entering kindergarten are more likely to be at benchmark in reading than students who do not participate. The report also indicated the achievement gap is almost eliminated for kindergarten students who participated in prekindergarten and K-3 Plus the summer before entering kindergarten. In FY18, funding for K-3 Plus was available to fewer students. Mr. Eckberg indicated many factors contribute to outcomes, such as fidelity of program implementation and the time of year the program is implemented. He stated K-3 Plus is most effective when it is implemented just before the start of a new school year and participants remain with the same teacher from the start of the program to the end of the school year.

Mr. Eckberg indicated Head Start and Early Head Start serve roughly 7,500 children each year. In FY17, Head Start was funded to serve 251 fewer children than the previous fiscal year while revenues increased \$1.2 million, raising the average annual cost per child to \$449. New Mexico continues to lag behind the national average in terms of Head Start teacher qualification.

Commenting on the report, Alejandra Rebolledo-Rea, Bureau Chief, Office of Child Development, CYFD, said the department is working to ensure programs are aligned and gaps in services are eliminated. Ms. Rebolledo-Rea talked about current programming that targets the most vulnerable and said the department is focused on prevention and intervention.

In response to Senator Padilla, Dr. Courtney said LFC is working on a longitudinal project for next year and will be able to look at the first cohort of prekindergarten students and their high school graduation outcomes. In regards to universal funding for early childhood education programs, Dr. Courtney explained LFC does not define their estimate of need as universal. Some of this need is defined by where the poverty line falls and eligibility varies program by program. The Senator asked how Land Grant Permanent Fund (LGPF) revenues can impact early childhood programs and Ms. Gudgel clarified LGPF revenue represents more than \$500 million of the almost \$2.7 billion in revenues in the public school budget.

In response to Representative Christine Trujillo, Ms. Rebolledo-Rea said the tier rating and improvement system is still voluntary. There are about 1,000 programs that are licensed, 800 that are participating in the childcare assistance program, and 500 programs in the tier quality rating system.

In response to Representative Salazar, Ms. Rebolledo-Rea said CYFD is working to braid funding for Head Start programs with other funding. She said they are currently unable to braid prekindergarten funding because it would duplicate services, but Head Start funding is being supplemented with childcare funding to provide wraparound childcare services.

In response to Senator Soules, Ms. Rebolledo-Rea said CYFD's targeted prekindergarten population is Title I schools so those children can qualify for free or reduced-fee lunch. Ms. Gudgel added PED also prioritizes Title I schools for prekindergarten, but both high- and low-income students can attend. Dr. Courtney said some prekindergarten programs may be at capacity while others are less attended and likely have more room for growth. Ms. Gudgel said PED calculates unmet need based on the applications they receive each year and the number of students they are able to fund.

In response to Senator Soules question about the levels of education for early childhood program providers, Ms. Rebolledo-Rea indicated the state is offering some supports for teachers, such as the teach scholarship, to further their education. Additionally, the Incentives program provides funding to early childhood care providers after they earn their degrees to keep them working in early childhood programs. She noted, however, that CYFD cannot tell private providers they must increase their employees' wages.

**Roswell and Carlsbad Early College High Schools.** Eric Spencer, Principal, Carlsbad Early College High School (CECHS), Carlsbad Municipal Schools (CMS), said a focus group established the school's mission to work in collaboration with local businesses, industry, and state and federal agencies to offer an interdisciplinary approach to learning about three years ago. Students simultaneously earn a high school diploma and an associate's degree or two years of college credit toward a bachelor's degree.

Mr. Spencer said CECHS was established in FY15 to provide an expanded educational opportunity to students and to develop students' skills to be locally employable and go on to higher education without the need for remediation. Core principles of early college high schools include a triangulated partnership of a secondary lead education agency, a

postsecondary partner, and business partnerships. For CECHS, this partnership includes CMS, New Mexico State University's Carlsbad (NMSU-Carlsbad) campus, and local employers.

Mr. Spencer said CECHS is 60 percent female and 40 percent male. Ethnicity is almost evenly split between white and non-white students. The largest demographic group CECHS serves is Hispanic females, the most underserved demographic in higher education. Seventy percent of CECHS students qualify for free or reduced-fee lunch (FRL). A core principal of early college high schools is to address economic barriers to higher education and break the cycle of poverty. CECHS is on track for 100 percent graduation rate in spring 2018. Students' families saved approximately \$2,700 each on postsecondary tuition. In a 2016 New Mexico HED publication, they found students save about \$25,444 in remedial costs for education.

Mr. Spencer said students are enrolling in technology, communications, business, education, healthcare, human services, STEM, and law and public safety courses at NMSU- Carlsbad. All juniors and seniors participate in a structured work-based program. Over 60 percent of students are members of Business Professionals of America. PED published a report indicating CECHS was first in the state for performance gains in math and ninth place for English. CECHS achieved this by operating by core values and not deviating from the College Board's springboard curriculum in ninth through 12th grades.

Aaron Braddock, a student at CECHS, described the environment of high expectations for students with an emphasis on coaching work habits. There is a sense of community, as well as teacher and peer support. If his grades were to slip, the Very Important Student Assistance (VISA) program would kick in. Freshman are required to have before- or after-school tutoring. Students go from having their time intensively managed to personal ownership of time as upperclassmen. Because of CECHS, Aaron has interned with Senator Tom Udall and Mayor Janway. Such opportunities are available to every single student in the school.

Mr. Spencer closed by saying CECHS students know they are college-ready. They are now working with workforce connections so students can take Work Keys to show that they are career-ready as well.

Porter Cutrell, Principal, University High School and Roswell Early College High School (RECHS), Roswell Independent School District, said RECHS was set up to create employable graduates who can stay and contribute to the region. RECHS works with Eastern New Mexico University-Roswell (ENMU- Roswell) to prepare students for college and career. Seventy percent of jobs in New Mexico, and in the country, will require some kind of postsecondary education.

RECHS offers a smaller educational environment and an opportunity to mesh secondary and postsecondary institutions and build relationships with different businesses. RECHS students took 862 college credit hours and had an 84 percent pass rate. Last spring, 32 percent of RECHS juniors and seniors were on the Dean's list at ENMU- Roswell. That was about \$75 thousand of tuition savings and \$25 thousand in book savings over one semester.

Mr. Cutrell said all RECHS students are involved with career technical organizations (health occupations, business professionals of America, Skills USA, and Key Club). Last year they had state winners and national qualifiers in biomedical laboratory science, dental science, and others. RECHS offers a roadmap of courses with a step-by-step process to get to specific career goals. A school value is passion plus perseverance over a long period of time will lead to achievement. They do have an application process, but take students from all walks of life and help them develop their effort, which counts twice as much as talent.

Representative Christine Trujillo asked Mr. Spencer to explain his school's funding. Mr. Spencer said in 2014, the Public Education Department (PED) released an application for schools to apply for startup funding. At that time, he was the Director of the College and Career Readiness Bureau of PED. PED had \$500 thousand available and planned to give \$100 thousand allocations

to five schools and evaluate them externally. PED, the Bridge of Southern New Mexico, and the Daniels Fund negotiated that if all 17 applicants met criteria, they would fund all of them. PED funded five and the Bridge funded the rest. CECHS applied and was funded through the Daniels Fund. Mr. Spencer said the school does not receive federal Perkins funds.

Representative Christine Trujillo asked if all the teachers have a specific skill set for their program of study. Mr. Spencer said dual credit teachers have to have at least 18 credit hours of graduate level work in the content area that they are teaching pursuant to Higher Learning Commission (HLC) requirements. CECHS has a number of faculty who meet criteria and some who do not; Mr. Spencer indicated he has to ensure faculty have the appropriate job placement. Mr. Spencer noted the graduate level course requirement makes it difficult to find qualified applicants, to which Mr. Cutrell agreed.

Representative Christine Trujillo asked about student certifications such as Occupational Safety and Health Administration (OSHA) trainings and automotive certification. Mr. Cutrell said ENMU-Roswell has 35 to 40 different certificates available. Partnerships between secondary and postsecondary institutions are invaluable to accessing resources and providing these opportunities.

Representative Gallegos asked if the principals see a lot of change in students' academic direction during their enrollment at the early college high schools Mr. Cutrell said around 20 percent of students know the direction they want to go and the rest are not sure. With ENMU-Roswell, university studies is a pathway that allows them to begin and then change into a specific area over time.

Senator Kernan asked if the schools could track their students after graduation. Mr. Spencer said the state is unable to track students as they leave the public education system into the postsecondary system. Their school is gathering contact information for students to keep track of them over the long term.

Representative Little asked about how dual credit programs are paid for. Ms. Gudgel said students enrolled in early college high schools are generating program units for their school district through the public school funding formula, but noted that they also generate funding in the higher education funding formula for the postsecondary institution. Dual credit textbooks are funded through a separate appropriation to PED that is distributed to school districts, which are required to cover the costs of textbooks.

**Systems Go New Mexico.** Senator Kernan introduced Systems Go New Mexico, an extra-curricular rocketry activity. She introduced Ann Lynn McIlroy, Superintendent, Loving Municipal Schools, Dave Willden, Executive Director, Pecos Valley Regional Educational Cooperative (REC) #8, and Shauna Carter, a teacher at Hobbs High School.

Dr. McIlroy gave a brief history of Systems Go. The program started about 25 years ago in Fredericksburg, Texas to provide students with a meaningful, hands-on science program that encourages them to pursue careers in engineering and manufacturing.

Mr. Willden said he brought the program to regional superintendents. In August 2016, students in Hobbs, Jal, Lake Arthur, Loving, Carlsbad, and Lovington were handed a box full of parts and given one direction: build a rocket. Students were expected to ask questions and find their own answers with very little guidance. Students learned concepts such as lift, trajectory, stability, fluid dynamics, friction, weight, acceleration, and velocity as well as the design process. Their efforts culminated at Woolworth Ranch (north of Jal) in the spring of 2017, where students were responsible for completing pre-flight checks and successfully launching their rocket. If there were problems, they had to problem solve in the moment.

There was a large amount of community involvement surrounding the activity, including support from: New Mexico Tech, Lovington, Loving Building Trades, the Jal and Loving Culinary Arts Programs, Chevron Discovery Education (the Discovery Channel), Peñasco Valley Telecommunications, the National Weather Service, Eddy County Search and Rescue, the Lee County Sherriff's Office, the City of Jal Fire and Police Departments, as well as volunteers from Systems Go Texas, NASA, Boeing, and local communities.

Mr. Willden said Systems Go is a relatively inexpensive program. First year costs total \$7,000 for the curriculum and training. Training is the biggest expense at \$1,500, and in subsequent years, the only cost is rocket parts. In the 2017-2018 school year, new teams will participate from Hagerman and the Roswell Early College High School. In 2018-2019, Melrose, Grady, Animas, Farmington, West Las Vegas, Las Vegas City Schools, Artesia, and some of the Albuquerque schools also plan on participating.

The following teachers and students from Hobbs, Jal, Lake Arthur, and Loving discussed the impact of the program. Shauna Carter, Teacher, Hobbs High School; Nick Verschueren and Scott Komar, students, Jal High School; Michael Grossman, Superintendent, Lake Arthur Schools; Steven Goluska, Teacher, Lake Arthur High School; Loden Bassett and Jazmin Pando, students, Lake Arthur High School; Lee White, Principal, Loving High School; Albert Lopez, Teacher, Loving High School; Chloe Vaught, Aubrey Franco, and Auden Escarjeda, students, Loving High School; Michael Dodson, Teacher, Lovington High School; Samuel Coronel, Cody Porter, Riley Mauck, Jared Golleher, and Makayla Franco, students, Lovington High School.

Generally, teachers discussed how the program improved their instruction through project-based learning, improved student test scores and had positive impacts on their annual teacher evaluation. They also highlighted the program helps motivate students to find answers on their own.

Students indicated the program has helped them build leadership and team working skills and has taught them the importance of building schedules and meeting deadlines. Systems Go has allowed them to explore a technical issue with little guidance from teachers, allowing them to build critical thinking and problem solving skills. Several students also noted participation in the program has helped them to decide what they want to study in college.

It was noted that representatives from Boeing and NASA have shown interest in meeting with some Systems Go students and Ms. Franco has received a full scholarship to a university of her choice from the J.F. Maddox Foundation.

Senator Soules asked whether Systems Go is purchased by the district as broad framework and how districts buy rocket parts. Mr. Willden said school districts purchase the curriculum at \$3,750 a year for ninth through 12th grades. Rocket motors need to be purchased through Systems Go in Canada and must meet all the regulations, but other supplies can be purchased elsewhere. The Pecos Valley REC #8 is the licensed distributor for Systems Go New Mexico.

Senator Soules asked if Systems Go was a class, an after-school program or part of a science class. Dr. McIlroy said it is a class at all of the schools. In Loving, they have two class periods because there are so many students involved. Ms. Carter noted she has 47 students involved that receive elective credit for the course.

Representative Roch heard several students talking about junior and senior years, and wondered if there is a prerequisite knowledge for this program. Dr. McIlroy noted that, as evidenced by the Loving team which had a freshman as their leader, the program is designed for students to start at any time.

**Community Input.** Stan Rounds, President of New Mexico School Superintendents' Association, highlighted that a relief valve for superintendents of small school districts like Mr. Grossman is

the use of a regional education cooperative (REC). He counseled against consolidating small districts, and instead suggested RECs should be used to relieve duties. He also suggested the Legislature could consider using related, recurring “below-the-line” funds to provide additional resources to postsecondary institutions for their dual credit costs, but cautioned against taking funding from public schools to provide additional resources to postsecondary institutions.

Tom Sullivan, Superintendent, Moriarty Public Schools, encouraged the committee to address Representative Smith’s House Memorial 109, Study School District Cash Balances, from the 2017 legislative session. Moriarty lost two-thirds of their cash balance during the 2017 regular session, dropping from 6 percent of annual operational funding to 2 percent; Mr. Sullivan applied for and received emergency supplemental funding because of this. Representative Garcia Richard said the committee is looking at the cash balances issue in a subcommittee consisting of LESC and Legislative Finance Committee members. Representative Smith said the handling of cash balances last year was one of the most contentious issues during session and should be addressed.

Carmie Toulouse, Public Education Commissioner, highlighted the fact that more state-chartered charter schools are interested in offering prekindergarten, but she noted state statute only allows the Public Education Commission (PEC) to oversee charter school decisions as they related to kindergarten through 12th grade students. She suggested the Legislature should extend PEC’s authority to cover prekindergarten.

There being no further business, the vice chair recessed the meeting at 5:15 PM.

#### **Friday, September 29**

Representative Stephanie Garcia Richard, Vice Chair, called the meeting of the Legislative Education Study Committee (LESC) to order at 9:19 a.m., on Friday, September 29, 2017 at the Artesia Public Schools Administrative Offices in Artesia, New Mexico.

The following LESC voting and advisory members were present: Voting: Vice Chair Stephanie Garcia Richard, Senators Candace Gould and William P. Soules, and Representatives Dennis J. Roch, Tomás E. Salazar, and James E. Smith. Advisory: Senators Gay G. Kernan, Michael Padilla, and John Pinto, and Representatives Joanne J. Ferrary, David M. Gallegos, D. Wonda Johnson, Rick Little, and Christine Trujillo.

The following LESC voting and advisory members were not present: Voting: Chairwoman Mimi Stewart, Senator Craig Brandt, and Representatives Alonzo Baldonado and Sheryl M. Williams Stapleton. Advisory: Senators Carlos R. Cisneros, Daniel A. Ivey-Soto, Linda M. Lopez, and Howie C. Morales, and Representatives Jimmie C. Hall, Tim D. Lewis, G. Andrés Romero, Patricia Roybal Caballero, Angelica Rubio, Patricio Ruiloba, Debra M. Sariñana, Elizabeth “Liz” Thomson, Jim R. Trujillo, Linda M. Trujillo, and Monica Youngblood.

**English Learners and ACCESS Assessment Changes.** Icela Pelayo, Deputy Director, Options for Parents and Families Division, Public Education Department (PED), said each state is required to set a standardized entrance and exit procedure for English learners (ELs) according to the federal Every Student Succeeds Act (ESSA). In October 2016, PED adopted regulations that included standard identification of ELs using a department-approved language usage survey that replaced locally generated home language surveys. Based on World-Class Instructional Design Assessment (WIDA) guidance and recommendations, PED reviewed data from the 2016 ACCESS 2.0 assessment for ELs by comparing the old exit criteria with the new cut scores and also compared that data with 2016 Partnership for Assessment of Readiness for College and Careers (PARCC) English language arts and math assessment data results. PED determined the 5.0 cut score would be consistent with having displayed enough English proficiency on PARCC for a student to do well academically.

Dr. Pelayo indicated PED communicated with school districts, bilingual education directors, and Title III directors about the ACCESS 2.0 score change and its impact on 2017 assessment results. PED offered professional development on the English language proficiency (ELP) data analysis, English language development standards, differentiating instruction, and lesson and unit planning for English language development. The department also co-hosted a five day intensive institute for New Mexico educators with WIDA. In the last two years, PED offered the WIDA Language of Science formative language assessment and EL achievement trainings for administrators. This year, PED will provide a 12 day series of targeted, intensive professional development on developing effective ELP programs and effective sheltered instruction for ELs with a WIDA-certified trainer.

Dr. Pelayo said ELP will be incorporated in each school's letter grade calculation beginning in the 2019-2020 school year. At the elementary and middle school level, 10 percent or 10 points of the school grade will be based on ELP. At the high school level, it will be five points or 5 percent. New Mexico's ESSA state plan acknowledges the ACCESS 2.0 score change will impact the targets that were set and PED will reevaluate and republish growth targets after they evaluate new ACCESS 2.0 data for ELs. The department will use data from 2017 as a baseline and 2018 and 2019 data will help PED revisit whether they need to change the cut score for exiting EL status.

Jonathan Gibson, State Relations Specialist, West Region, WIDA, explained the score changes and how they evolved. For WIDA, the term "standard setting" is used when they discuss recalibrating the scores. They also use the term "standards" for the foundation of the instruction on which the assessment is based. The four language domains (listening, speaking, reading, and writing) each have their own scale score. The overall score is the one most commonly used for exit criteria which combines all four domains and has its own unique scale score set to determine proficiency levels.

In 2012, the instructional standards were updated and released as part of the regular assessment cycle. Mr. Gibson explained there were two phases to the standard setting. The objective of the first phase was to identify questions on the assessment in reading and listening that would correspond specifically to that range where students are minimally prepared to be successful in national assessments. WIDA identified those ranges in all grade levels for the reading and listening domains. Phase two established the cut scores by comparing the assessment proficiency levels using the old scale score compared with proficiency levels using the new scale score to set a baseline. The panelists included a group of 50 to 60 English language development experts from the consortium that were divided into grade-level groups.

Mr. Gibson said WIDA recommended states refrain from implementing major changes in EL identification and exit criteria but also provided support to states so each state could determine what was best given their local context. WIDA recommended stringent domain-specific cut scores, such as writing or literacy, be relaxed. They also caution states from using 2017 ACCESS 2.0 scores as a factor in determining whether a student should qualify for special education services.

Mr. Gibson noted about 60 percent of states did not make any changes to their exit criteria. Two increased their exit criteria to a level 5.0. Twelve states decreased their exit criteria to exit the same rate of students from EL status annually. A majority of states with domain changes decreased or eliminated their domain criteria.

Mr. Gibson added most states focus on ELs scoring at levels 1.0 and 2.0. Level 3.0 is a transition period for students and states have not dedicated appropriate resources to support students scoring at level 4.0, which has a far more significant linguistic demand than lower levels. Students scoring at level 4.0 engage in English but are not yet ready to have all English language supports removed. However, if states are not providing intentionally designed instructional support for upper level students, particularly in speaking as a foundation to their writing, then

they will often “fossilize.” The result is students are identified as ELs for long time periods or students are exited but are unable to perform academically in a regular classroom setting.

Jose Reyes and Manuel Leyva, Bilingual Specialists, Gadsden Independent School District (GISD), presented on how the changes are affecting GISD. Mr. Reyes said the majority of GISD students score at a level 3.0 or level 4.0. He indicated the trainings that PED and WIDA provided made it clear that the level of students achieving English language proficiency was going to decrease, but they did not realize it would mean only 1.5 percent of their ELs would achieve proficiency. In 2016, 639 GISD ELs achieved English language proficiency and in 2017 only 66 students achieved English language proficiency.

In response to Senator Soules, Dr. Pelayo said only 528 EL students exited EL services in 2017; the number of students exiting EL services was between 7,000 to 8,000 students annually prior to these changes. She noted this may change the at-risk index in the public school funding formula because of more students being classified as ELs. Regarding the Senator’s concern about dilution of the unit value to pay for the cost of additional units, Dr. Pelayo said formula funding would be redistributed through the formula distribution and noted PED does plan on requesting additional appropriations to cover the additional units. Senator Soules encouraged PED to push for additional funding so the unit value is not diluted. Additionally, the Senator asked PED how the state proposed to support ELs at levels 4.0 and above without additional dollars. Dr. Pelayo said school districts are responsible for supporting the students they serve and teachers need to be trained to support the students they teach. She added PED will continue to provide English language development professional development. The Senator said Las Cruces Public Schools (LCPS) has worked on training and a certification program with New Mexico State University to offer graduate courses in Teaching English to Speakers of Other Languages (TESOL) and bilingual certification but noted PED has not approved this program and the district would like to discuss the reasons with PED.

In response to Representative Christine Trujillo, Dr. Pelayo indicated the standards setting process included two educators from the Farmington school district and one from Rio Rancho Public Schools that were bilingual and TESOL-endorsed educators who also represented the viewpoint for Native American students. Additionally, Dr. Pelayo said the New Mexico educators were engaged in the process and the New Mexico representation was substantial.

In response to Representative Salazar’s question about professional development, Mr. Reyes said the focus is on the speaking domain of ACCESS in the classroom and attention needs to be placed on student interactions in the classroom. Mr. Leyva looked at the challenge of making classrooms more interactive where students have opportunities to use speech in an academic context. Mr. Gibson added he hoped instruction in schools for ELs will engage students in the content area in the classroom to improve student performance in the speaking domain. He said instruction, professional development, and reorientation of support for ELs is geared toward engaging students in the content areas. WIDA recognizes that student engagement involves the rigor of academic speaking as a mechanism to support and develop academic writing and academic speaking is the vehicle of engagement in content areas. Training for non-bilingual and non-TESOL certified teachers in language development in content areas is critical.

In response to Representative Garcia Richard, Mr. Gibson said New Mexico is very influential in the consortium. New Mexico has participated on the executive committee the last several years. In the last six months, WIDA has created subcommittees to better provide the professional learning resources that are necessary for school districts, schools, and teachers; and New Mexico serves as the state lead on the professional learning subcommittee.

There being no further business, the vice chair adjourned the meeting at 12:05 PM.