



New Mexico

Legislative Education Study Committee

1965-2015

CELEBRATING 50 YEARS IN STATUTE



From the Chair



Greetings!

I am humbled to address you today as the new Chairman of the Legislative Education Study Committee (LESC), an institution celebrating its 50th year in statute as a permanent joint interim committee of the New Mexico Legislature. Over the next two interims, I look forward to the privilege of serving my fellow education stakeholders and legislators.

As you may know, the LESL held its organizational meeting on May 28 to formulate a plan for the committee’s interim work. As a career educator and school administrator, I recognize that the folks on the ground often know the most about the issues facing them, so for that meeting, I directed the LESL staff to gather input from stakeholders in the education community for review and discussion. You’ll be pleased to know that many of the topics submitted by stakeholders were then adopted as part of the committee’s interim work plan. One of my goals as Chairman is to facilitate a discussion that, rather than just focusing on the problems facing education, addresses solutions we can all support.

As a resident of rural New Mexico, I also believe that small town values are a big part of what makes New Mexico great. In this vein, I am thrilled to report that the LESL will continue its tradition of conducting several meetings in communities outside of Santa Fe to seek local perspectives and solutions for the educational challenges facing us today.

In this inaugural edition of the LESL newsletter, you will be introduced to my distinguished colleagues on the committee, all of whom share my enthusiasm for improving education. You’ll also have a chance to see the fruits of the committee’s labor – legislation endorsed by the LESL that has become law. In future issues, the newsletter will feature selected topics under discussion by the committee and highlight the successes of schools around our state. I hope it will be a useful tool for you to stay informed.

To all of our readers, thanks for your commitment to public education in New Mexico, and I am excited about all we will accomplish together!

Sincerely,

SIX LESL-ENDORSED BILLS ARE SIGNED INTO LAW AFTER THE 2015 REGULAR SESSION

Consensus-building occurring throughout the 2014 interim, along with subcommittee discussions and the resubmission of LESL-endorsed legislation that nearly passed in prior sessions, has resulted in the enactment of six of 15 LESL-endorsed measures from the 2015 regular legislative session.

The LESL Charter Schools Subcommittee, led by its Chair, Representative (now Senator) Mimi Stewart, and Vice Chair, Representative Dennis J. Roch, represented the first comprehensive review of charter school issues and charter school law in recent memory. The work of the subcommittee was vital in bringing clarity to charter school law, which had been cobbled together over many years to introduce charter schools to New Mexico’s public school system. The subcommittee conducted meetings statewide, working with stakeholders to develop a package of six LESL-endorsed bills, two of which are now law.

One of the bills, SB 148aa, *Charter School Responsibilities* (Laws 2015, Chapter 108), cleans up language in the *Public School Code* to define certain terms and clarify certain responsibilities regarding charter schools. The other new law, SB 130a, *Public School Lease Purchase Act Definitions* (Laws 2015, Chapter 106), clarifies the definition of “governing body,” and establishes the relationship between a governing body and a school district or a charter school in the use of lease purchase arrangements.

In addition to charter school legislation, several of the remaining bills that had been endorsed by the LESL but failed to pass in previous legislative sessions were successfully enacted this year, including proposals to remove adequate yearly progress from statute and address public school building system needs. Other successful legislation previously endorsed by the committee included a bill to improve consistency in school bus transportation funding to school districts by basing allocations on prior year reporting dates and a bill to require districts and charter schools to place liens on contractor-owned school buses under contract to the school district or charter school.

Eight bills were not enacted, including proposals to add flexibility to school breakfast programs and high school graduation requirements; a handful of charter school measures; and one bill, SB 257a, *Charter Schools & Public Audit Changes*, that passed both chambers but was vetoed by the Governor.

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SIX LESC BILLS SIGNED INTO LAW

Sponsor	Law	Description
<i>Representative Roch</i>	HB 164a, <i>School Transportation Info Reporting</i> (Laws 2015, Ch. 57)	Amends the <i>Public School Finance Act</i> to change, beginning in FY 17, the reporting dates for school transportation funding of school districts and state-chartered charter schools to the second and third reporting dates of the prior year; and changes the distribution of allocations based on new reporting dates.
<i>Representative Roch</i>	HB 165, <i>Remove AYP References in School Code</i> (Laws 2015, Ch. 58)	Amends and repeals sections of the <i>Public School Code</i> to remove references to “Adequate Yearly Progress”; and makes technical changes.
<i>Senator Stewart and Representative Smith</i>	SB 128, <i>Public School Capital Outlay Building Needs</i> (Laws 2015, Ch. 93)	Amends the <i>Public School Capital Outlay Act</i> to allow the Public School Capital Outlay Council to provide temporary annual allocations to school districts and charter schools to address building systems needs in existing buildings; defines building systems; and appropriates up to \$15.0 million of the Public School Capital Outlay Fund to be expended annually by the council for expenditure in FY 16 through FY 20 for a building system repair, renovation, or replacement initiative.
<i>Senator Stewart</i>	SB 129, <i>School District Liens on Some School Buses</i> (Laws 2015, Ch. 46)	Amends the <i>Public School Finance Act</i> to require school district liens on every contractor-owned school bus under contract to the school district.
<i>Senator Stewart</i>	SB 130a, <i>Public School Lease Purchase Act Definitions</i> (Laws 2015, Ch. 106)	Amends the <i>Public School Lease Purchase Act</i> to clarify the definition of “governing body,” and establishes the relationship between a governing body and a school district or a charter school in the acquisition of public school facilities pursuant to lease-purchase arrangements.
<i>Senator Stewart</i>	SB 148aa, <i>Charter School Responsibilities</i> (Laws 2015, Ch. 108)	Amends the <i>Public School Code</i> to define certain charter school terms and clarify certain responsibilities of charter school authorizers, charter school governing bodies, and charter schools.

GENERAL APPROPRIATION ACT OF 2015

In total, the *General Appropriation Act of 2015* appropriated \$6.22 billion in recurring dollars from the General Fund for expenditure in FY 16, an increase of approximately \$69.6 million, or 1.1 percent, over FY 15 appropriation levels. Of that, the amount dedicated for public education increased by over \$36.6 million from the previous year up to \$2.75 billion.

Almost \$2.51 billion – just over 91 percent of FY 16 appropriations for public education – was directed to the SEG, which is the primary operational funding source for school districts and charter schools. Based on that appropriation, for school year 2015-2016, the Secretary of Public Education set a preliminary unit value of \$4,027.75, an increase of \$20.00, or 0.5 percent, from the final school year 2014-2015 unit value of \$4,007.75. The Secretary may adjust that unit value once prior to January 31 of next year.

Nearly \$130.8 million was appropriated to categorical public school support, an increase of 2.9 percent over FY 15 levels. The largest share of that funding was dedicated for school transportation. Other components include funding for instructional materials, standards-based assessment costs, and money for the Indian Education Fund.

In addition to its almost \$12.0 million department budget, PED will be responsible for distributing over \$101 million in recurring dollars to support various initiatives. The Legislature has continued its commitment to early childhood education by increasing funding for the K-3 Plus program and public pre-kindergarten, appropriating \$23.7 million and \$21 million of General Fund money, respectively. The Governor’s initiatives were also supported in the budget with increased appropriations for the “New Mexico Reads to Lead!” and “Pay for Performance Pilot” programs and a new appropriation for a new mentorship program called “Teachers Pursuing Excellence.”

For FY 16, the Legislature also appropriated just over \$848 million of recurring General Fund dollars for higher education, an increase of about 1.1 percent over FY 15 levels.

For action relating to the **2015 First Special Legislative Session**, see page 6 of this publication.

Meet the Committee

Representatives

Dennis J. Roch (R) - LESC Chair
District 67: Colfax, Curry, Harding,
 Quay, Roosevelt, San Miguel &
 Union Counties



Representative Roch spent much of his childhood in Clovis, growing up the son of an Air Force officer stationed at Cannon Air Force Base.

In 1995, he received a teaching degree from Eastern New Mexico University in Portales and continued his studies in the Washington, DC area earning his master's degree while working for US Senator Pete Domenici on Capitol Hill. He later returned home to serve as a Field Representative for US Congressman Bill Redmond.

He joined the Texico Municipal Schools faculty in 1999 and spent more than eight years there, teaching English and math and coaching baseball and volleyball. In 2007, Representative Roch accepted a position with Tucumcari Public Schools as assistant superintendent. It was there that he met Rochelle Hodge, a Tucumcari native, who became his wife in June 2008. The couple now lives in Logan, where Representative Roch serves as Superintendent of Logan Municipal Schools. He and Rochelle have two daughters, Bethany and Addison, and one son, Braden.

Representative Roch first sought elective office in 2004, when he was elected to a four-year term on the Public Education Commission (formerly the New Mexico State Board of Education). He served as the Commission's chairman for two years. Then, in 2008, he was elected State Representative for District 67 in northeastern New Mexico and was re-elected in 2010, 2012, and 2014.

Representative Roch currently serves on the House Education Committee as the Deputy Chair and is a member of the House Appropriations & Finance and the Rules & Order of Business committees. During the interim, he serves as a member of the Economic and Rural Development Committee and the Public School Capital Outlay Task Force. Representative Roch is also an advisory member on the Legislative Council in addition to his duties as Chair of the LESC.

Nora Espinoza (R)
District 59: Chaves & Lincoln Counties
 Occupation: Educator/Administrator
 Representative Since: 2007
 Education: BA



Tomás E. Salazar (D)
District 70: San Miguel, Santa Fe & Torrance Counties
 Occupation: Educator
 Representative Since: 2013
 Education: BS, NMHU; MA, University of Montana; Ph.D., Mathematics, UNM.



Sheryl Williams Stapleton (D)
District 19: Bernalillo County
 Occupation: Educator
 Representative Since: 1995
 Education: BS, MA, Education, NMSU; Ed.D., UNM.



Christine Trujillo (D)
District 25: Bernalillo County
 Occupation: Retired Educator
 Representative Since: 2013
 Education: BA, Education, NMHU; MA, Education, UNM.



Monica Youngblood (R)
District 68: Bernalillo County
 Occupation: Real Estate Broker
 Representative Since: 2013
 Education: Certificate, Real Estate Principals, Practices and Real Estate Law.



House Advisory Members

Alonzo Baldonado (R)
 Valencia

Jim Dines (R)
 Bernalillo

David M. Gallegos (R)
 Lea

Jimmie C. Hall (R)
 Bernalillo

Stephanie Garcia Richard (D)
 Los Alamos,
 Rio Arriba, Sandoval & Santa Fe

James E. Smith (R)
 Bernalillo, Sandoval &
 Santa Fe

James G. Townsend (R)
 Chaves, Eddy & Otero

G. Andres Romero (D)
 Bernalillo

Patricia Roybal Caballero (D)
 Bernalillo

D. Wonda Johnson (D)
 McKinley & San Juan

Timothy D. Lewis (R)
 Sandoval

Meet the Committee

Senators

John M. Sapien (D)

LESC Vice Chair

District 9: Bernalillo & Sandoval Counties



Senator Sapien earned a Bachelor in Business Administration degree from the University of New Mexico, and his professional experience includes serving as the President of the Bernalillo Public Schools Foundation and working as an intern for the Office of United States Senator Jeff Bingaman.

A member of the Senate since 2009, Senator Sapien also serves as the Chair of the Senate Education Committee and the Public School Capital Outlay Oversight Task Force. He is also a member of the Corporations & Transportation Committee and a designee on the Legislative Finance and the Revenue Stabilization & Tax Policy committees.

Senator Sapien has been the owner/agent of a State Farm Insurance Agency since 1992.

Craig W. Brandt (R)

District 40: Sandoval County

Occupation: Clergy

Senator Since: 2013

Education: BA, Oklahoma Baptist University



Gay G. Kernan (R)

District 42: Chaves, Eddy & Lea Counties

Occupation: Educator

Senator Since: 2002

Education: BAE, University of Mississippi



Howie C. Morales (D)

District 28: Catron, Grant & Socorro Counties

Occupation: Educator

Senator Since: 2008

Education: BS, Special Education, MA, Interdisciplinary Studies, WNMU; Ph.D., Curriculum Instruction, NMSU.



Senate Advisory Members

Carlos R. Cisneros (D)
Los Alamos, Rio Arriba, Santa Fe & Taos

Linda M. Lopez (D)
Bernalillo

William P. Soules (D)
Doña Ana

Jacob R. Candelaria (D)
Bernalillo

Daniel A. Ivey-Soto (D)
Bernalillo

John Pinto (D)
McKinley & San Juan

Pat Woods (R)
Curry, Quay & Union

Lee S. Cotter (R)
Doña Ana

Michael Padilla (D)
Bernalillo

Mimi Stewart (D)
Bernalillo

About the LES C

Created in 1965 as a permanent bipartisan, bicameral interim committee of the New Mexico Legislature, the LES C:

- conducts a continuing study of all education in New Mexico, the laws governing such education and the policies and costs of the New Mexico educational system, including the training of certified teaching personnel in postsecondary institutions;
- recommends funding levels for public education;
- recommends changes in laws relating to education; and
- makes a full report of its findings and recommendations.

The LES C comprises 31 legislators (10 voting, 21 advisory) appointed to provide proportionate representation from both houses and both political parties. Assisted by a permanent staff, the committee meets regularly during the interim between legislative sessions to study education issues. To fulfill its statutory responsibilities, the LES C attempts to provide all legislators with objective information pertaining to New Mexico public schools as well as to state and national education trends.

Work During the Interims: During each interim, the LES C examines a wide range of education issues, both fiscal and programmatic, that affect the achievement and well-being of preschool, elementary, secondary, and postsecondary students in New Mexico. Issues are identified at the initiative of committee members, other legislators, or bills or memorials; and the LES C Interim Workplan establishes the framework for the committee's research, data collection, deliberations, and analysis.

Work During Legislative Sessions: The major responsibility of LES C staff during legislative sessions is to assist the education and finance committees of the two houses, as well as other committees, by providing analyses of public school-related legislation under consideration and by supplying technical support in the development of public school support appropriations. In this role, staff members prepare expository, statistical, and graphic analyses of both financial and programmatic aspects of the New Mexico educational system; staff members also assist individual legislators in the initial stages of drafting legislation and help legislators analyze potential advantages and disadvantages of measures under consideration.

2015 Interim Meeting Schedule

May 28
State Capitol
Santa Fe

June 25-26
Raton High School
Raton

July 21-22
TBA
Rio Rancho

August 27-28
TBA
Roswell

September 24-25
Western NM University
Silver City

October 28-30
State Capitol
Santa Fe

November 18-20
State Capitol
Santa Fe

December 16-18
State Capitol
Santa Fe

January 18, 2016
State Capitol, TBA
Santa Fe



The LESC has adopted its 2015 interim work plan topics and meeting schedule. The process of adopting a work plan began in mid-April with the newly-named LESC Chairman, Representative Dennis J. Roch, inviting both committee members and stakeholders to submit topics for consideration. LESC staff compiled more than 50 items from their responses, reflecting issues that run the gamut from early childhood education through adult basic education and teacher preparation.

In addition to its meetings held in Santa Fe from October through next January (refer to the 2015 interim meeting schedule on the left side of this page), the committee will

be visiting several communities around the state.

When introducing the draft work plan for committee consideration, Rep. Roch proposed that the LESC should rededicate itself to its core statutory mission. “We are the Legislative Education *Study* Committee,” he emphasized before highlighting the importance of undertaking in-depth, comprehensive studies for the educational issues included on the work plan.

The committee discussion yielded additional topics even beyond the initial submissions. For instance, issues raised individually by Senator Michael Padilla, Senator Linda M.

Lopez, Representative Christine Trujillo, and Representative Sheryl Williams Stapleton led to the addition of a topic on students with special needs, focusing on the training of special education teachers for students with autism and a topic on the data links between the Children, Youth and Families Department and the Public Education Department (PED) to improve the outcomes of children in foster care.

Rep. Roch also noted that many of the work plan topics lent themselves to joint work with the Legislative Finance Committee (LFC), explaining that he had been in contact with LFC leadership to form an LESC-LFC workgroup. “We need to examine how money issues

affect policy issues in education,” said Representative Jimmie C. Hall, LESC advisory member and LFC Vice Chairman, citing the importance of collaboration between the committees.

Representatives Roch and Tomás E. Salazar and Senators John M. Sapien and Gay G. Kernan were named to represent the LESC in the workgroup, while Representatives Hall and Stephanie Garcia Richard and Senators Howie C. Morales and Sue Wilson Beffort will represent the LFC. The workgroup will meet during the interim to develop recommendations on a handful of issues for consideration by the full committees.

June Agenda Topics

- **Rural School District Challenges:** the President of the Board of Education and the Superintendent of Raton Public Schools will discuss a variety of issues facing their district.
- **The Public School Funding Formula:** LESC staff will provide an overview for the committee.
- **Instructional Staff Training & Experience Index:** following an LESC staff report, the Superintendent of Las Cruces Public Schools will discuss practical issues regarding the index.
- **Virtual Education and Cyber Learning:** after an overview of LESC interim reports on this topic from 2012-2014, state and nationwide experts will discuss lessons learned and best practices.
- **Teacher Effectiveness Evaluation System:** staff from LESC and the Public Education Department will discuss changes from the previous year and review samples of summative evaluation reports leading up to a simulated teacher evaluation dialogue.
- **Instructional Materials Policy:** Officials from Rio Rancho Public Schools and Las Cruces Public Schools will join LESC staff to discuss options for consideration, including the use of approved digital material as instructional material.

On June 5, 2015 the Governor issued an Executive Proclamation calling the 52nd Legislature into special session at noon on Monday, June 8, 2015. By the evening of the same day, the Legislature adjourned with the passage of three bills.

After Executive Action, all three bills were enacted into law as follows:

- **House Bill 1, *Feed Bill & Supplemental Appropriations*, [SGND (June 12) Ch. 1], Rep. Gentry** – appropriates \$112.0 thousand from legislative cash balances to various legislative agencies for the purpose of funding the expenses of the special session and authorizing standing committees necessary for the development of the state budget to meet the week before the 2016 legislative sessions; and appropriates \$4.3 million from the General Fund, including \$4.0 million to the Department of Health and \$300.0 thousand appropriated to the Administrative Office of the Courts to address FY 15 projected shortfalls in each agency.
- **House Bill 2, *Tax Package*, [SGND (June 15) Ch. 2], Rep. Lewis** – amends and creates new sections of tax law to:
 - allow the Taxation and Revenue Department to reveal tax return information to an authorized representative of a local government of another state who administers that state’s tax law;
 - increase the amount of Angel Investment Credits that can be issued each year to an aggregate of \$2 million and eliminate certain investment restrictions;
 - create an income tax deduction for certain unreimbursed or uncompensated medical care expenses through December 31, 2024;
 - revise the due date for corporate income tax (CIT) and franchise tax filing and electronic payment submissions;
 - amend the *Uniform Division of Income for Tax Purposes Act* to allow optional single-sales income apportioning for CIT taxpayers whose principal business activity in the state is a headquarters operation;
 - restore the gross receipts tax deduction for trade-support companies that first locate in a border zone in fiscal years 2016-2021;
 - create a new section of the *Gross Receipts and Compensating Tax Act* to through December 31, 2020 make deductible the receipts from the sale of research and development services and energy and satellite-related inputs by a qualified contractor under contract with the United States Department of Defense;
 - expand and rename the Technology Jobs Tax Credit to the *Technology Jobs and Research and Development Tax Credit Act*; and
 - align the petroleum products loading fee with the gasoline tax to prevent double taxation under special circumstances.
- **Senate Bill 1, *Capital Outlay Package*, [SGND (June 17) Ch. 3 (partial veto)], Sen. Cisneros** – authorizes \$295 million (\$212.3 million from severance tax bond capacity, \$30 million from the General Fund, and approximately \$52.7 million from other state funds) to fund \$211 million state-owned and -operated facilities and \$84 million for local projects.

Legislative Education Study Committee

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