

## LESC 2016 INTERIM WORK PLAN SUMMARY

PRIMARY ISSUES					
Row #	Issues/Goals and Objectives	Output	Outcome/Results	Responsibility	Finish Date
<b>CHARTER SCHOOLS</b>					
1	<p><u>Virtual Charter Schools</u></p> <p>Issue: Statewide, the number of virtual charter schools continues to increase. Carlsbad Municipal Schools recently approved a third virtual charter school in New Mexico. Despite having three virtual charter schools and a number of virtual programs and online course offerings, New Mexico has left unaddressed the topic of virtual charter schools, which comprises elements such as funding, statewide or local capacity, oversight, accountability, academic achievement, management, and relationships with traditional brick and mortar public schools.</p> <p>Goal: Develop effective legislation for this largely unaddressed topic of public education in New Mexico.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p> <p>Surveys and comparisons of actions and legislation of other jurisdictions.</p> <p>Coordination with LFC staff on follow-up to charter school program evaluation.</p>	<p>Development of statutory framework for virtual education and charter schools.</p> <p>Align funding for virtual charter schools to their unique cost structures.</p> <p>Potential LESC-endorsed legislation.</p>	Force, Kleats, LFC, and PED	December 2016
2	<p><u>Charter School Funding</u></p> <p>Issue: Charter schools are public schools entitled to general fund revenue, which follows the student, so as they transfer to charter schools from local school districts, those districts lose access to that portion of their potential funding. However, public education funding decisions are made without addressing the creation of new charter schools, and the growth of existing ones. Average funding for charter schools is approximately 15 percent higher than average school district per-student funding. Due to all of these factors, almost half of new general fund revenue appropriated for public education since 2008 has gone to charter schools. LESC-endorsed legislation addressing some of these issues was unsuccessful in the 2016 legislative session.</p> <p>Goal: Ensure a high-quality, equitable system of school choice, that addresses the financial needs of all public schools in New Mexico.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p> <p>Review issues dealing with charter school funding.</p>	<p>Aligning formula funding to equitably address the economies of scale faced by charter schools.</p> <p>Improved budget recommendations.</p> <p>Potential LESC-endorsed legislation.</p>	LESC, LFC, and PED	December 2016

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3	<p><u>Frameworks for Charter School Oversight and Performance</u></p> <p>Issue: Currently, there is a movement in New Mexico to increase access to charter schools despite lingering concerns over authorizer oversight. New Mexico law requires the negotiation of performance frameworks, to include performance targets, between charter schools and their authorizers; this was to have encouraged greater oversight by authorizers and greater transparency of the process. However, oversight by authorizing school districts, PEC, and PED remains limited. Finally, it is unclear how performance targets are being implemented or overseen, but some evidence suggests charter school students lag behind their traditional school peers in academic achievement.</p> <p>Goal: Ensure that New Mexico's investment in school choice is reflected in more positive student outcomes, by encouraging greater flexibility for high-performing charter schools and greater supervision of low-performing schools including, where necessary, corrective action or revocation of the charter.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p> <p>Compilation of best practices for charter contract structure and potential sanctions from other jurisdictions.</p>	<p>Clarified role of authorizers in charter school oversight.</p> <p>Improved charter school student achievement through implementation and enforcement of performance targets.</p> <p>Potential LESC-endorsed legislation.</p>	Force, LFC, PEC, and PED	December 2016
4	<p><u>Charter School Governance</u></p> <p>Issue: Charter school governing bodies are selected initially by charter school founders, with filling of vacancies usually being made by the current board. Such oversight may suggest lack of impartiality and potential conflicts of interest.</p> <p>Goal: Develop a more transparent and objective means of selecting governance board members that addresses the issue of potential conflicts of interest and improves accountability.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p> <p>Compilation of best practices for charter school governance from other states.</p>	<p>Comprehensive governance structure for charter schools that is equitable and comparable to the governance of local school districts.</p> <p>Potential LESC-endorsed legislation.</p>	Force and PED	December 2016

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5	<p><u>Charter School Facilities</u></p> <p>Issue: Statute requires charter schools to be in public facilities except for specific hardship provisions that allow otherwise. Lacking the property tax base of school districts, charter schools face challenges leveraging the funding to purchase or construct their own buildings even with access to standards-based awards and lease assistance funding through PSCOC. When public facilities are not available, charter school leases tend to favor the property owners, and once a charter school is committed as a tenant, it can be difficult and expensive for schools to move, making negotiations difficult. As a result, some charter schools spend a larger than desired share of their SEG distribution on facilities costs, and growth in PSCOC lease assistance utilization strains the limited revenue available for standards-based awards.</p> <p>Goal: Affordable access to public facilities for charter schools that comply with the Charter Schools Act and other sections of law.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p> <p>Presentations to PSCOC or PSCOOTF.</p>	<p>Requirements for review and possible renegotiation assistance for leases above market rates through PSCOC and PSFA.</p> <p>Identify existing obstacles to charter schools meeting public facilities requirements and potential revenue sources to address those challenges.</p> <p>Potential LESC-endorsed legislation.</p>	Force, Shaya, LFC, PED, and PSFA	December 2016
SUPPORTS FOR AT-RISK AND STRUGGLING STUDENTS					
6	<p><u>Targeting the Achievement Gap</u></p> <p>Issue: Generally, students living in poverty, culturally and linguistically diverse (CLD) students including English learners, and highly mobile students underperform when compared to their more-affluent and native English speaking peers, resulting in a persistent statewide and national achievement gap.</p> <p>Goal: Evaluate school districts receiving additional at-risk program units to provide a report of specified services implemented, including extra-curricular activities, to improve the academic success of students in Tier 1 core instruction so all learners have access to content.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p>	<p>Decide if programs that currently exist for at-risk students should be expanded or combined based on best practices.</p> <p>Use existing reports to identify best practices for Tier 1 core instruction for at-risk students that ensure the efficient use of funding for student success.</p> <p>Potential LESC-endorsed legislation.</p> <p>Gather data to better inform policy and programmatic decisions.</p> <p>Understand impact of alternative school-year calendars on the achievement gap.</p>	McCorquodale, Macdonald, Kleats, LFC, and PED	December 2016

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7	<p><u>Native American Education</u></p> <p>Issue: Native American students comprise approximately 10 percent of public school students in the state, but they are among the lowest performing students in the state. Appropriations have been allocated to close the achievement gap for Native American students; however, it is unclear if those allocations are making an impact to close the achievement gap based on current initiatives.</p> <p>Goal: Improved spending for Indian education appropriations and better student achievement outcomes.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p>	<p>Better understanding of how Indian education appropriations are spent and improved student achievement.</p> <p>Improved budget recommendations.</p>	Macdonald and PED	December 2016
8	<p><u>Early Literacy Intervention and Remediation</u></p> <p>Issue: The first eight years of children's learning experiences – from birth through third grade – develop a foundation critical to a student's cognitive, social, and emotional skills that are critical for learning in future grades. Some children enter kindergarten without basic skills and end up far behind their peers. Children with weak literacy skills at age 8 face potentially damaging short- and long-term consequences; among them, repeating a grade or dropping out of school. Third grade is considered a critical point in a student's academic success because that is when students shift from "learning to read" to "reading to learn."</p> <p>Goal: Ensure funds appropriated to early childhood education and literacy programs are having positive outcomes on student learning and strengthen current remediation and intervention statutes, including money allocated for Tier I core instruction.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p>	<p>Better inform policy and programmatic decisions for early childhood education that best fit the needs of New Mexico.</p> <p>Improved allocation of public school support appropriations.</p> <p>Potential LESC-endorsed legislation.</p>	McCorquodale and PED	Ongoing

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9	<p><u>Truancy, Discipline, and Delinquency</u></p> <p>Issue: Behavior and discipline are major concerns of administrators, teachers, parents, and students. Teaching and learning in a safe environment is an important priority, especially for students to remain on task without unnecessary disruptions to the learning process.</p> <p>Goal: Evaluate response-to-intervention (RtI) Tier 1 school-wide behavioral systems that addresses discipline, truancy, and delinquency.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p>	<p>Collaborate with LFC on time-on-task program evaluation.</p> <p>Maximize the use of school-wide behavioral systems in Tier 1 core instruction by school districts and charter schools.</p> <p>Potential LESC-endorsed legislation.</p>	McCorquodale, LFC, and PED	December 2016
EDUCATOR QUALITY, PREPARATION, RECRUITMENT, AND RETENTION					
10	<p><u>Teacher Preparation</u></p> <p>Issue: Beginning teachers may not be adequately prepared to teach after graduating from state colleges of education (COEs). To address this concern, PED and COEs are developing a report assessing COE performance in preparing teachers. Additionally, appropriations have been allocated to PED for teacher and school leader preparation programs (NMPrep and NMLead). It remains unclear what outcomes have been produced from these preparation programs.</p> <p>Goal: Ensure COEs are adequately preparing beginning teachers.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p>	<p>Increased COE completion rates by utilizing performance data from the COE report card.</p> <p>Improved COE statistics that are readily available for the committee, staff, and the general public.</p> <p>Assurance of highly competent workforce of teachers in the state.</p> <p>Improved recommendations for expenditures on teacher and principal preparation programs.</p>	LESC, COEs, and PED	Ongoing
11	<p><u>Teacher Compensation</u></p> <p>Issue: Average New Mexico teacher salaries have seen little growth, remaining some of the lowest in the region. Meanwhile, pension and health insurance benefits are generous relative to neighboring states. Stagnant salaries and the masking of compensation behind opaque benefits structures could impair efforts to recruit and retain high-quality teachers in the state.</p> <p>Goal: Align the total compensation package to support the recruitment and retention of high-quality teachers.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p> <p>Add new tables to Data Reference Guide summarizing benefits to supplement existing tables on teacher salary.</p>	<p>Improve teacher salary competitiveness with neighboring states.</p> <p>Recommendations to use the benefits structure as a strategic lever for improving recruitment and retention.</p> <p>Potential LESC-endorsed legislation.</p>	Kleats, LFC, and PED	December 2016

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12	<p><u>Educator Shortages</u></p> <p>Issue: There has been a teacher shortage in the state for many years. COEs are experiencing declining enrollment, and it is reported that teachers are retiring at an all time high. Additionally, it appears fewer graduates are staying in the state to teach after graduation. However, these trends don't appear to align with PED reports that the department is issuing an increased number of teaching licenses.</p> <p>Goal: Develop and sustain a teacher pipeline that provides the state with teachers who are dedicated to improving educational outcomes for New Mexico's unique student population.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p>	<p>Understand barriers to students entering the field of education.</p> <p>Incentivize graduates to teach in New Mexico.</p> <p>Better understanding of teacher retirement trends.</p> <p>Understanding of PED report card of COE performance.</p>	LESC, COEs, and PED	Summer 2016
13	<p><u>Teacher and School Leader Evaluations</u></p> <p>Issue: During past interims, the committee heard testimony from school districts and charter schools about the challenges and concerns related to the teacher evaluation system. To address some of these concerns, PED will release updated teacher evaluation regulations regarding changes to specific metrics, weights, and data, and PED expects the 2015-2016 school year results to be available in the fall semester of the 2016-2017 school year.</p> <p>Goal: Ensure changes being made to the evaluation system are aligned with identifying a highly qualified teaching workforce. Evaluate components of the teacher evaluation system to ensure metrics, including DIBELS, are used for what they were intended to measure.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p>	<p>Better understanding of the changes proposed and how those particular changes will affect the overall workforce of educators.</p>	Macdonald and PED	December 2016

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<b>FISCAL ISSUES</b>					
14	<u>Track “Below-the-Line” Appropriations</u>  Issue: Approximately \$100 million is appropriated for “below-the-line” initiatives. More than half of this money is not governed by statute, and there is limited information on how these “below-the-line” allocations are being spent. Staff will track these appropriations to find out how the money is being used, and what outcomes are achieved by the disposition of these appropriations.  Goal: Ensure “below-the-line” appropriations are positively impacting student performance.	Activity reports.  Memos, briefs, and other reports to LESC.  Develop performance metrics by which to measure the outcomes of “below-the-line” appropriations.	Determine how “below-the-line” money is being spent and if it is being used effectively.  Improved budget recommendations.	LESC, LFC, and PED	Ongoing
15	<u>Public School Support Budget Assumptions</u>  Issue: Each year, PED bases its budget request for public school support, in part, on a set of assumptions. Examples of this are medical cost inflation projections for insurance and fuel prices for transportation. However, a comprehensive review of the accuracy of these assumptions is not regularly conducted.  Goal: Ensure public school support budget recommendations accurately align to costs.	Activity reports.  Status reports to director.	Improved budget recommendations for public school support.	LESC, LFC, and PED	Ongoing
16	<u>School Transportation</u>  Issue: State-chartered charter schools continue to generate more transportation funding than they spend each year. This over-allocation decreases funding available for school district transportation operations. Language in the FY17 budget mirroring provisions in LESC-endorsed legislation that did not pass could address this issue, but the language was vetoed.  Goal: Improve the equitability and appropriate sizing of transportation allocations relative to expenditures.	Activity reports.  Memos, briefs, and other reports to LESC.  Add new tables to Data Reference Guide for transportation allocations, reverted amounts, and transportation expenditures from general operational revenue.  Develop performance measures for PED related to transportation funding.	Reduce the percentage of unexpended transportation funds by charter schools.  Reduce the amount of general operational revenue dedicated to transportation by school districts.  Recommend changes to regression model for transportation allocations.  Potential LESC- and LFC-endorsed legislation.	Kleats, other LESC staff, LFC, and PED	December 2016

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17	<p><u>Special Education Maintenance of Effort</u></p> <p>Issue: Maintenance of Effort (MOE) provisions for the federal Individuals with Education Act (IDEA) require states to make at least as much financial support for special education available as they did in the previous year. Unlike most other states that employ discrete block grants, New Mexico funds special education through its foundational public school funding formula on an equalized basis. As a result, New Mexico policymakers do not know whether federal MOE requirements have been met until more than halfway through the fiscal year, creating uncertainty during the budget process.</p> <p>Goal: Ensuring special education MOE requirements are consistently met.</p>	<p>Activity reports.</p> <p>Status reports to LESC and potential hearing update.</p>	<p>Improved budget recommendations.</p> <p>Recommendations to provide more certainty to the level of special education funding between years.</p> <p>Work with congressional delegation to ensure maximum flexibility in MOE requirements.</p>	LESC, LFC, PED, and New Mexico Congressional Delegation Staff	Ongoing
MISCELLANEOUS					
18	<p><u>Every Student Succeeds Act</u></p> <p>Issue: After enactment of ESSA, the U.S. Department of Education (USDE) has begun an accelerated process of rulemaking for the implementing rules of the act, scheduled to end early next year. USDE also provides occasional guidance on the process of transitioning from the Elementary and Secondary Education Act (ESEA) to ESSA. Additionally, ESSA calls for a stakeholder group to formulate a Title I plan, including legislative input.</p> <p>Goal: Report on pertinent federal rulemakings and guidance to LESC, as well as pertinent information on transition from ESEA to the full implementation of ESSA. Additionally, ensure legislative participation in Title I plan development.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p> <p>Administrative rulemaking updates to be included in the monthly Director's Report.</p>	<p>Keep members informed of pertinent changes to regulations implementing ESSA.</p> <p>Provide assistance to members for ESSA Title I plan development.</p>	LESC and PED	Throughout Interim



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19	<p><u>School Grades</u></p> <p>Issue: Policymakers are considering using school grades to allow traditional schools flexibility and to make decisions related to charter school authorizations and closure. Recent LESC analysis of the A-F school grading system found a strong relationship between school grade and student demographic characteristics. However, scale score data were not available to describe this relationship more fully.</p> <p>Goal: Determine whether the apparent relationship between student demographics and school grade affect the system's validity.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p> <p>New tables in the Data Reference Guide comparing school grade assignment and student demographic characteristics.</p>	<p>Improve the accountability framework by ensuring the school letter grading system accurately measures differences in educational quality.</p> <p>Recommend changes to the school grading model.</p> <p>Potential LESC-endorsed legislation.</p>	Macdonald, Kleats, and PED	December 2016
20	<p><u>Assessments</u></p> <p>Issue: Nationally, students who took computer-based assessments tended to score lower than those who took paper-based exams. PARCC officials acknowledged the discrepancies in scores across different formats of the exams and indicated that students' familiarity with the computer-delivery system may have played a role in the discrepancy.</p> <p>Goal: Ensure standards-based assessments results accurately measure content level proficiency, not familiarity with the computer-delivery system.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p>	<p>Understand whether a difference exists in New Mexico in proficiency scores for paper-based versus computer-based assessments and the causes of this disparity.</p>	McCorquodale, Kleats, and PED	December 2016
21	<p><u>Reports to the Legislature</u></p> <p>Issue: The Public School Code contains numerous requirements of PED and other agencies to report to the Legislature, generally, or LESC in particular. Additionally, PED rule, guidance, and policies include required reports from school districts, charter schools and regional education cooperatives. Some of these reports have not been generated for some time, while others may be redundant or obsolete.</p> <p>Goal: Reduce administrative burden by eliminating, restructuring, or combining unnecessary reports.</p>	<p>Index of required reports, including the statutory history and annotations, most recent receipt, and assessment of value.</p> <p>Memos, briefs, and other reports to LESC.</p>	<p>Eliminate, restructure, or combine various annual reports.</p> <p>Improve quality and usefulness of reports to the Legislature.</p> <p>Potential LESC-endorsed legislation.</p>	Force, Macdonald, PED, and school districts and charter schools	December 2016

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22	<p><u>Instructional Materials</u></p> <p>Issue: While many publishers are developing resources that are fully aligned to the common core state standard and incorporate the 21<sup>st</sup> Century skills that students need, smaller publishers can now develop innovative resources that can be marketed to wider audiences. Additionally, high-quality, open educational resources (OER) offer extraordinary opportunities for people everywhere to share, use, and reuse knowledge. However, school districts and charter schools are only able to spend up to 50 percent of their annual instructional material allocation on material that is not included in PED's multiple list.</p> <p>Goal: Ensure the funding structure and purchasing constraints for instructional material give the flexibility needed to adapt to the evolving technological landscape while still promoting the use of high-quality material.</p>	<p>Activity reports.</p> <p>Memos, briefs, and other reports to LESC.</p>	<p>Development of quality and accountability standards for all digital content, e-reader devices, electronic courses, and other technologies used for instruction.</p> <p>Potential LESC-endorsed legislation.</p>	Shaya, LFC, and PED	December 2016

SECONDARY ISSUES					
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23	Monitor rulemakings at the state and federal levels that impact public education. The New Mexico Register publishes proposed rulemaking twice monthly, and statute requires a 30-day period to submit comment.	Activity reports.  Administrative rulemaking updates to be included in the monthly Director's Report.	Ensure the correct implementation of legislation by facilitating legislative clarification to agencies.  Awareness of regulatory action from USDE that may affect public education in the state.	Force	Ongoing
24	Attend hearings of the Public School Insurance Authority, Educational Retirement Board, Public Education Commission, Board of Finance, State Investment Council, Colleges of Education Deans and Directors (NMACTE), New Mexico Coalition for Charter Schools, Public School Capital Outlay Council, Public School Capital Outlay Oversight Task Force, New Mexico Business Roundtable, Early Learning Advisory Council, Hispanic Education Advisory Council, Indian Education Advisory Council, and others.	Activity reports.  Memos, briefs, and other reports to LESC.	Improved responsiveness to potential policy issues.  Committee awareness of the operations of these boards and commissions.	All LESC staff	Ongoing
25	Participate in SJM 2 (2016), Child Fitness, Physical Education and Obesity Task Force to evaluate the feasibility of requiring minimum levels of physical education instruction for public elementary school students.	Activity reports.  Memos, briefs, and other reports to LESC.  Research to provide information to the task force in support of its efforts.	Report to LESC on the task force's findings and recommendations.  Potential LESC-endorsed legislation.	Force	Ongoing
26	Monitor and update the committee on existing lawsuits, including two operational sufficiency lawsuits, the Zuni lawsuit for capital outlay, and teacher evaluation lawsuits.	Activity reports.  Status reports to LESC and potential hearing update.	Inform staff and committee on lawsuits.	All LESC staff	Ongoing
27	Review all school district and charter school annual financial statement audits, and maintain a tracking database for audit status and findings.	Activity reports.  Status reports to LESC and potential hearing update.  Add new tables to Data Reference Guide summarizing status of audit findings.	Better inform members of the financial oversight and ongoing status of public schools in New Mexico.	All LESC staff, LFC, and PED	Ongoing

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28	Laws 2016, Chapter 22 (Senate Bill 306) allows school districts to apply for waivers from requirements related to individual class load, teaching load, length of school day, staffing patterns, subject areas, and purchases of instructional materials to deal with funding constraints for FY17 through FY19. However, concerns exist that this may negatively impact student learning.	Activity reports.  Status reports to LESC and potential hearing update.	Ensure waiver requests have been considered equitably.  Assess the effectiveness of the financial flexibility relative to its effect on student achievement.	LESC staff, LFC, and PED	Ongoing
29	In recent years, as Risk Management Division (RMD) moved away from a pooled-risk insurance model to an agency-level, self-insurance model for unemployment compensation for state agencies, school districts raised concerns over large and volatile assessments. Meanwhile, state-chartered charter schools do not appear to be included in RMD assessment spreadsheets, and as a result, it is unclear how those schools comply with unemployment compensation law.	Activity reports.  Status reports to LESC and potential hearing update.	Examine state-chartered charter school unemployment compensation payments for compliance with law and cost-effectiveness of their current methods.  Determine whether it is cost-effective for school districts and charter schools to be self-insured at the agency-level relative to participating in a pooled-risk model for all state agencies.	LESC staff, LFC, PED, RMD, and Workforce Solutions Department	Ongoing