

Analyst: Simon

School Finance – Funding Formula Issues: At-Risk Funding

Research Problem: In the past three years the Legislature has made significant changes to the public school funding formula in an attempt to direct more funding to school districts and charter schools for services to at-risk students. However, stakeholders remain concerned that funding appropriated to provide additional at-risk services are not reaching the students those dollars are intended to serve. Some stakeholders point to the structure of the funding formula, which only allows for the at-risk index to be calculated at the school district level. Individual charter schools are then assigned the at-risk index of the school district in which they are geographically located and school districts are given discretion to budget for at-risk services at district operated schools.

Historical/Literature Review:

- What are potential data sources that can be used to identify at-risk students?
- What impact will changes in school-site based reporting of budget and financial data have on services for at-risk students?

In-State Review:

- Analyze school district and charter school budget submissions to determine how schools are budgeting for at-risk services.
- Work with PED to review potential changes to identifying at-risk students and model their impact on public school funding.
- Work with PED to understand how changes in data collection systems can help stakeholders better target funding for at-risk students.

Data Required:

- Possible metrics of at-risk student identification, including metrics available at the school site level, determined in cooperation with PED.
- School district and charter school financial information and budget documents.

Expected Outcome of Research: LESG staff will review school district and charter school data and model the potential impacts of differing proposals for amending the public school funding formula. Research could result in possible committee endorsed legislation.

Analysts: Simon, Kennedy

School Finance/School Choice – Size Funding Impacts

Research Problem: In the 2019 legislative session, the Legislature amended the Public School Finance Act to phase out size adjustment program units for schools within school districts of more than two thousand students. Stakeholders have expressed concerns over the impact of this change, particularly administrators of several urban charter schools. Studying school district and charter school finance will allow LESG staff to evaluate the impact of the loss of size adjustment program units and determine if the Legislature should take steps to address these reported problems.

Historical/Literature Review:

- How has size adjustment funding changed over the years and what financial impact has the change to size adjustment programs units had on school districts and charter schools?
- What impact is the new rural population program unit having on school district and charter school budgets?

In-State Review:

- Meet with representatives of charter schools to hear their perspective on the reduction in size funding and its impact on school budgeting.
- Analyze school district and charter school budget submissions to determine the impact of the reduction in size adjustment program units.
- Analyze charter school budget submissions to determine what percentage of operating budget is devoted to lease payments.

Data Required:

- School district and charter school financial information and budget documents (PED).
- School district and charter school performance data (PED).

School Finance/School Choice – Size Funding Impacts (Continued)

Expected Outcome of Research: LESC staff will review school district and charter school budget data and model the impacts of differing proposals for amending the public school funding formula. Research could result in possible committee endorsed legislation.

Analyst: Kennedy

School Choice – Virtual Charter Schools

Research Problem: Many students at virtual charter schools are not receiving the education they deserve. New Mexico’s virtual charter schools routinely demonstrate low performance as measured by proficiency scores, graduation rates, and dropout rates. A joint LESC-LFC program evaluation found that students at virtual charter schools experience the equivalent of between 91 and 161 fewer days of learning than the average brick-and-mortar school student. Virtual charter schools differ from traditional public schools in significant ways, yet state statute does not account for these differences. Developing a statute to establish specific oversight, accountability, and funding provisions for virtual charter schools may help to address problems of equity and improve student performance.

Background: The number of virtual charter schools in the United States has increased significantly in recent years and two currently operate in New Mexico: New Mexico Connections Academy and Pecos Connections Academy. Virtual charter schools deliver all their instruction via online platforms and students complete coursework remotely, with the exception of state-mandated standardized tests. Many virtual charter schools contract with private entities for curriculum, instructional materials, and other services. Both of New Mexico’s virtual charter schools contract with Connections Academy, a for-profit company owned by Pearson Education.

Historical/Literature Review:

- Review state-level information on virtual charter schools, including performance data from each of New Mexico’s virtual charter schools and the program evaluation produced by LESC and LFC.
- Research statutes pertaining to virtual charter schools in other states.
- Review national research on performance and oversight at virtual charter schools.

In-State Review:

- Communicate and meet as necessary with the bill sponsor to identify essential provisions of a virtual charter school act.
- Correspond and meet with representatives of New Mexico’s virtual charter schools to understand their concerns and obtain feedback on the draft virtual charter schools act.
- Correspond and meet with other stakeholders in the charter school space, such as Public Charter Schools of New Mexico, to obtain feedback on the draft virtual charter schools act.

Data Analysis Required:

- Enrollment and demographic data on NM’s two virtual charter schools (PED).
- Performance data on NM’s virtual charter schools, including the now-closed New Mexico Virtual Academy, such as graduation rate, dropout rate, and proficiency scores (PED).
- Detailed information on budgets and funding at virtual charter schools, including the percentage of operational budgets used to service contracts with Connections Academy (PED).

Expected Outcome of Research: LESC staff will study performance, funding, and oversight at the state’s virtual charter schools and conduct research on national best practices to develop a draft virtual charter schools act.

Analyst: Kennedy

College and Career Readiness – Comprehensive College and Career Pathways

Research Problem: The current design of high school in New Mexico fails to engage many students and adequately prepare them for college or the workforce, as evidenced by the state’s low graduation rate and high college remediation rate. Other states that have tackled high school redesign have focused on creating robust college and career pathways that include rigorous career and technical education (CTE) programs coequal with traditional academic pathways. Moreover, the National Conference of State Legislatures’ report, *No Time to Lose*, notes countries with high performing education systems have strong systems of CTE that are “well-funded, academically challenging and aligned with real workforce needs.” Although most New Mexico high schools offer one or more CTE courses, many existing programs are siloed and few contain all the elements identified by researchers as essential to effective CTE. The National Center on College and Career (ConnectED), for instance, recommends all CTE programs include rigorous academics, real-world technical skills, opportunities for work-based learning, and personalized student supports. Studying New Mexico’s secondary education model, including graduation requirements and existing CTE programs, and comparing it to successful systems in other states will enable LESC staff to make recommendations for improving college and career pathways.

Background: College and career pathways, including CTE programs, have become a focus of state lawmakers. In the 2019 legislative session, the Legislature enacted a seven-year CTE pilot project (Section 22-1-12 NMSA 1978). This year the Legislature passed House Joint Memorial 2 (HJM2), Career Technical Education Task Force. HJM2 requests LESC and LFC staff to examine the funding requirements of developing CTE programs statewide and make a report to LESC by November 1, 2020. In addition, PED has designated high school redesign as a priority for the 2020 interim and is in the process of conducting a comprehensive local needs assessment pursuant to the federal Perkins V legislation. PED staff have expressed interest in working to align state-level investment in CTE with Perkins funding.

Historical/Literature Review:

- Research effective models of college and career pathways and evaluate their applicability to New Mexico.
- Review Perkins V legislation to understand its requirements and how state and federal funding streams can be braided.
- Compare existing CTE programs with national best practices.

In-State Review:

- Consult with ConnectED, the Learning Policy Institute, and other organizations about strategies to improve college and career pathways in New Mexico.
- Track PED’s comprehensive local needs assessment to understand how Perkins funding will be allocated in FY21.
- Work with other LESC staff to develop cost estimates for expanding CTE programs statewide.

Data Analysis Required:

- A listing of all existing programs in the state, including information about the programs such as opportunities for work-based learning (PED).
- State-level information on the impact of CTE on student outcomes (PED).
- Data on the cost of offering various CTE programs of study (PED).

Expected Outcome of Research: LESC staff will study national and international best practices for systems of college and career pathways and make recommendations to improve high school in New Mexico.

Analyst: Simon

Educator Quality – Competitive Teacher Compensation

Research Problem: Competitive teacher compensation policies are vital to maintaining a health education system. Anecdotal evidence suggests that many school districts in New Mexico are still losing educators to school districts in other states, either during the initial hiring process following the completion of an educator preparation program or later in the educator’s career. Additionally, teachers often argue their compensation has not kept pace with the rate of inflation. To ensure school districts and charter schools in New Mexico are offering competitive compensation packages, states must have a better understanding of how these packages compare. While comparisons often consider only salary compensation, a proper comparisons should include the total compensation package offered, including the cost of retirement and health insurance benefits.

Educator Quality – Competitive Teacher Compensation (continued)

<p>Historical/Literature Review:</p> <ul style="list-style-type: none"> • How do salary and benefits costs compare in New Mexico and surrounding states? • How do differences in the local cost-of-living impact teacher compensation packages? • How do benefits costs for public schools compare with other entities that may compete for public school employees, such as the State of New Mexico or local governments within New Mexico? • How do total compensation packages for educators compare with private sector workers in New Mexico? 	<p>In-State Review:</p> <ul style="list-style-type: none"> • Review school district salary schedules in selected school districts in New Mexico and surrounding states. • Review policies related to retirement, health insurance and other fringe benefits in New Mexico and surrounding states 	<p>Data Analysis Required:</p> <ul style="list-style-type: none"> • Salary data and other financial information from public schools in New Mexico • Data from the Educational Retirement Board and Public Schools Insurance Authority • Data on other public sector employment from the State Personnel Office, Public Employees Retirement Association, and General Services Department’s Risk Management Division • Private sector compensation data from other federal or state agencies
<p>Expected Outcome of Research: LESC staff will study compensation systems in select school districts in New Mexico and surrounding states to make comparisons of compensation policies and make recommendation to the committee. Research could result in possible committee endorsed legislation or committee budget recommendations.</p>		

Analyst: Canada

Educator Quality – Teacher Preparation, Induction and Continued Development

Research Problem: The judge ruled in the consolidated *Martinez* and *Yazzie* lawsuit that certain groups of students do not have access to high-quality teachers and teachers are not meeting the needs of all students in the state. Retention challenges lead to a dilution of the pool of experienced teachers in the workforce. Teacher preparation can improve educator quality through ensuring education students are day-one ready to meet the unique needs of students in the state when they enter the classroom. Other types of teacher training such as mentorship and professional development can ensure teachers are continually improving their practice, which has a positive impact on student outcomes.

<p>Historical/Literature Review:</p> <ul style="list-style-type: none"> • Study best practices around educator preparation. • How do other states approve educator preparation curriculum, coursework, and other requirements? Examine other state’s roles in determining standards among teacher preparation offerings. • What are best practices regarding teacher mentorship and professional development? For example: structure of programs, duration, etc. 	<p>In-State Review:</p> <ul style="list-style-type: none"> • Attend PED educator preparation program site visits to understand PED’s new approval process and observe if programs are adjusting offerings based on the lawsuits ruling. • Meet with PED to determine how professional development programs are currently offered to school districts and what areas of the state are being served. • Meet with PED to review new budget reporting requirements for school districts on how they plan to use their FY21 mentorship appropriations. 	<p>Data Analysis Required:</p> <ul style="list-style-type: none"> • State-wide comparison of how teachers are being prepared in different regional locations of the state. • Compare state-wide mentorship approaches with national best practices. • Summary of professional development offerings to all levels of teachers.
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Educator Quality – Teacher Preparation, Induction and Continued Development (Continued)

Expected Outcome of Research: LESC staff will study all levels of preparation offered to teachers following changes to teacher preparation program approval processes, new requirements around mentorship offerings across the state for beginning teachers, and professional development offerings by PED and school districts. LESC staff will help illustrate for the committee access to high-quality teacher preparation, mentorship, and professional development for teachers and prospective teachers in different areas of the state. This information can inform continued legislative action and future investments around preparation, mentorship, and professional development opportunities.

Analyst: Canada

Educator Quality– Professional Framework Supporting the Teaching Field

Research Problem: A successful teacher licensing system should create a career ladder that guides new teachers through the necessary competencies for success in the classroom, compensates teachers as they become more effective, embeds professional development through continuing education, and acknowledges educators varying roles beyond classroom instruction. Recent changes have been made to compensation and educator supports as they move through the teaching profession. Connecting different policy levers made to measure competency in the profession and reward teachers for added responsibility and growth could be a strategy to retain educators in the state.

Historical/Literature Review:

- Study how other states' teacher evaluation, licensure systems, and teacher supports interact and complement each other.
- Examine how other states have embedded a career ladder into a regulatory licensure framework, such as micro credentials an idea presented to the committee last interim.
- Study impacts of robust career ladders on educator recruitment and retention.

In-State Review:

- Meet with PED to see how they are aligning new educator evaluation system with licensure framework.
- Meet with school districts to determine how educators are currently compensated for added responsibilities and hear feedback on a system that focuses on retention and growth.
- Meet with unions and teachers to hear feedback on a system that focuses on retention and growth.

Data Analysis Required:

- Develop data set showing how school districts reward different levels of school personnel for added responsibilities.
- Analyze PED data that demonstrates articulation through licensure levels and retention rates tied to licensure advancement.
- Analyze costs associated with career ladders and determine costs for differing licensure compensation systems in New Mexico.

Expected Outcome of Research: LESC staff will study career ladder structures and make fiscal and policy recommendations to the Legislature regarding implementing and connecting teacher evaluations, licensure, job duties and compensation in one system.

Analyst: Canada

Educator Quality – Recruitment and Placement into the Teaching Profession

Research Problem: In New Mexico, teacher demand outpaces the number of teachers prepared each year and oftentimes the teachers who are prepared are not certified to teach in high-need areas; such as science, math, technology, bilingual, special education, and early childhood, many areas that were identified as gaps in the state's education system in Judge Singleton's ruling. In the last five years, the state has responded by allowing individuals who have attained a bachelor's degree to teach while completing teacher preparation coursework outside of the typical classroom responsibilities they have. Individuals entering the New Mexico teaching profession through this pathway with an alternative license make up 12 percent of the current teaching workforce. Additionally, some classrooms are being staffed by long-term substitutes with varying degrees of experience. To respond to a strained workforce, previously some school districts have combined classrooms based on available staff furthering the challenge to ensure all students in the state receive an equitable quality education. To reach the goal of a sustained high-quality educator workforce in New Mexico, recruitment strategies for new educators must be effective in attracting diverse and qualified candidates to ensure a strategic investment by the Legislature.

Educator Quality – Recruitment and Placement into the Teaching Profession (Continued)

<p>Historical/Literature Review:</p> <ul style="list-style-type: none"> • Have other states been able to demonstrate the efficacy of financial incentives to recruit new professionals into the teaching profession? • How have other states created consortia of stakeholders and used supply and demand data to fill specialized positions through preparation and post-graduation placement? • What are best practices around class-size, which determines the baseline measure of how many teachers the state requires to ensure an equitable and adequate education for all students? 	<p>In-State Review:</p> <ul style="list-style-type: none"> • Work with HED and colleges of education to determine how they are using funds aimed at recruiting individuals by providing scholarships and other financial incentives; i.e. how long scholarship commitments are, the uptake of these incentives, etc. • Meet with New Mexico School Superintendents to determine if investments on teacher compensation have had an impact on recruitment. • Work with deans and directors of colleges of education to determine why individuals are pursuing alt license programs at an increasing rate, why individuals are pursuing other education preparation programs, how they determine what educator preparation programs they offer, and feedback on how demand data could help them prepare teachers based on this metric. • Work with school districts to determine actual need of teaching positions. 	<p>Data Analysis Required:</p> <ul style="list-style-type: none"> • Consolidated data set connecting supply and demand data to determine future targeted investments where shortages for specific teachers need to be made based on regions in the state. • Statewide survey of teachers to determine why they went into teaching, if financial incentives were a factor, and what could get other young professionals into the profession. • Compare New Mexico State University SOAR report with PED's EARS report to determine capacity. Create a benchmark for how many teachers would meet an adequate education based on student-teacher mandated ratios. 22-10A-20 NMSA
<p>Expected Outcome of Research: LESC staff will study recruitment strategies for the teaching profession, determine if state investments on financial incentives have been effective in recruiting teachers and make recommendations to LESC on future targeted recruitment investments.</p>		

<p>Analyst: Hoxie</p>
<h3 style="margin: 0;">Early Childhood Education – Workforce Development</h3>
<p>Research Problem: Inconsistencies among early childhood professional licensure requirements, education requirements, and compensation pose a challenge as New Mexico consolidates and expands early childhood education services. Public prekindergarten teachers, overseen and licensed by the Public Education Department (PED), now in partnership with the new Early Childhood Education and Care Department (ECECD), are required to have a bachelor's degree and are paid according to the three-tiered licensure system for all public school teachers, resulting in higher pay than other programs. Early prekindergarten and prekindergarten programs overseen by ECECD are not required to have licensed or degreed teachers. According to data from FY18, the most recent available, the median hourly wage for a prekindergarten teacher ranges from \$12.89 for a private early prekindergarten or prekindergarten teacher through ECECD to \$33.35 for a public prekindergarten teacher through PED. Expansion of early childhood educational services cannot outpace the development of a highly-qualified early childhood workforce.</p>

Early Childhood Education – Workforce Development (Continued)

<p>Historical/Literature Review:</p> <ul style="list-style-type: none"> • What are best practices for early childhood professional licensure requirements, education requirements, and compensation? • How have early childhood educator wages changed over time across sectors in New Mexico? • How do early childhood educator wages in New Mexico compare with other states? • How do other states with bifurcated systems handle these issues? 	<p>In-State Review:</p> <ul style="list-style-type: none"> • Meet with ECECD and PED to better understand their plans for implementing a wage and career ladder for early childhood educators. • Meet with early childhood teacher education providers, such as Santa Fe Community College and Central New Mexico Community College, to better understand the education pathways available to early childhood educators and how they compare. 	<p>Data Analysis Required:</p> <ul style="list-style-type: none"> • A listing of New Mexico early childhood educators across settings and highest degree attained and hourly wages in the last five years from ECECD, PED, and Head Start if possible. • Analyze the New Mexico Educator Vacancy report from New Mexico State University to better understand the pipeline of early childhood educators and ongoing needs.
<p>Expected Outcome of Research: LESC staff will study the state’s approach to early childhood workforce development across agencies, conduct a gap analysis of current practices, and make recommendations to LESC regarding solutions.</p>		

Analyst: Hoxie

Early Childhood Education – Early Literacy

Research Problem: Student reading proficiency rates on the state’s standards-based assessment have stagnated, remaining below 30 percent since FY15. In addition, on New Mexico’s standards-based assessment in FY19, economically disadvantaged third graders performed 24 percentage points below non-economically disadvantaged third graders in achieving reading proficiency. Third grade reading proficiency is of particular concern because third grade is when students switch from learning to read to reading to learn, and third grade students who cannot read on grade level are more likely to drop out of high school. The scale of the achievement gap between at-risk students and their peers was a focus of the plaintiff’s in the *Martinez* and *Yazzie* consolidated lawsuit. For FY21, the Legislature appropriated \$14 million for early literacy programs, including \$10 million in the state equalization guarantee (SEG) for school districts and charter schools to provide evidence-based structured literacy interventions to improve reading and writing achievement for kindergarten through second grade students, \$2 million for school districts or charter schools to apply to PED for early literacy and reading support programs, and \$875 thousand in nonrecurring funds for an early literacy summer professional development program and other early literacy initiatives. However, little is known about how these appropriations will impact student reading proficiency, particularly in regards to closing the achievement gap in reading.

<p>Historical/Literature Review:</p> <ul style="list-style-type: none"> • What are best practices for teaching reading and other early literacy skills to kindergarten through second grade students? • What is New Mexico doing to ensure kindergarten through second grade teachers are educated in the science of teaching reading? • What are other states doing to close the achievement gap in reading proficiency before third grade? 	<p>In-State Review:</p> <ul style="list-style-type: none"> • Meet with PED to ensure LESC staff is invited to participate in work groups tackling issues in early literacy and dyslexia. • Meet with Albuquerque Public Schools and other school districts to understand the district’s approaches to early literacy. • Review statute and rules in place around early literacy and identify gaps in best practices and teacher education. 	<p>Data Analysis Required:</p> <ul style="list-style-type: none"> • Work with PED to determine how to best track student growth and proficiency in third grade, given that the state will not participate in standardized testing in 2020. • Obtain Istation assessment student data from PED, along with an understanding of how this benchmark assessment aligns with the new third through eighth grade standards-based assessment.
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Early Childhood Education – Early Literacy (Continued)

Expected Outcome of Research: LESC staff will study the achievement gap in reading proficiency in kindergarten through third grade students and identify best practices and make recommendations to the Legislature regarding evidence-based solutions.

Analyst: Hoxie

Early Childhood Education – Prekindergarten Access

Research Problem: The Legislative Finance Committee (LFC) has consistently found prekindergarten programs positively impact student achievement. In addition, prekindergarten was a focus of the plaintiffs in the consolidated *Martinez* and *Yazzie* lawsuit, which noted quality full-day prekindergarten addresses the issue of at-risk students – defined in the lawsuit as Native American, English learning, low-income, and special education students – starting school behind other children. The plaintiffs argued and the court found prekindergarten has “not been funded to the extent that all at-risk children can participate.” In FY21, the Legislature increased overall prekindergarten funding by \$15.5 million, or 17 percent from FY20. Starting in FY21, private and public prekindergarten programs will be consolidated under the Early Childhood Education and Care Department (ECECD), although the Public Education Department (PED) will access funds from ECECD for prekindergarten programs in public schools. However, it is unclear how ECECD and PED will collaborate on prekindergarten awards, and whether or not they will collaborate with Head Start to prevent the supplanting of federal funds.

Historical/Literature Review:

- What does the data say about prekindergarten access, including Head Start, for 3- and 4-year-olds in New Mexico?
- How are ECECD and PED collaborating with each other, and Head Start, to prevent duplication of services?
- How are other states ensuring state prekindergarten funds do not supplant federal Head Start funds?

In-State Review:

- Meet with ECECD and PED to better understand the process for prekindergarten awards and collaboration (if any) with Head Start providers.
- Meet with LFC to better understand how prekindergarten programs are impacting student achievement.
- Meet with non-profits working in early childhood education, such as the Early Childhood Funders Group and the University of New Mexico’s Cradle to Career Policy Institute, to better understand the work they are doing around prekindergarten access.

Data Analysis Required:

- Prekindergarten assessment data from ECECD and PED for the last five years to analyze student achievement in private and public prekindergarten programs.
- Prekindergarten social and emotional assessment data from ECECD and PED for the last five years to analyze student growth in social and emotional skills.
- Analyze growth of prekindergarten slots for 3- and 4-year-olds, both half- and full-day, over time.
- Data from PED’s kindergarten observational toolkit (KOT) to determine differences in performance among students who did and did not participate in prekindergarten

Expected Outcome of Research: LESC staff will study prekindergarten access for 3- and 4-year-olds in New Mexico and conduct a gap analysis of services, and inform LESC about prekindergarten access and the state of collaboration between ECECD, PED, and Head Start.

Analyst: Bedeaux, Canada

Learning – Remote Learning During COVID-19

Research Problem: In response to the COVID-19 pandemic, PED required school districts and charter schools to author continuous learning plans (CLPs) describing how they would offer education services during physical school closures. However, differences in how CLPs were authored and implemented may have widened the achievement gap between New Mexico’s economically disadvantaged students and their more affluent peers. Additionally, PED initially waived many laws designed to keep students active and engaged in their education. New Mexico’s initial response to the virus highlighted several gaps in remote education services, most of which were attributed to an education system that was unprepared to provide distance learning. As the state moves into the 2020-2021 school year, distance learning will remain the norm for many students, and the state will need to continue evaluating policies and procedures to close the digital divide and the achievement gap.

Historical/Literature Review:

- Continue learning from best practices in high-performing states and countries.
- Remain responsive to guidance from the federal Centers for Disease Control, and monitor national trends in virus transmission and policy shifts.

In-State Review:

- Monitor and analyze PED guidance regarding at-home education programs, assessments, credit, and graduation.
- Understand costs of improving internet access statewide, including infrastructure, devices, and professional development for digital learning.
- Consider changes to statute that may be necessary to enable PED to build policies responsive to a digital learning environment.
- Monitor professional development efforts from educator preparation programs, PED, regional education cooperatives, and school districts related to digital instruction and expectations for the 2020-2021 school year.

Data Analysis Required:

- Estimates of lost learning time at each school and school district.
- Analysis of how federal CARES act and state COVID response funds were spent, and trends in school districts with exemplary virus responses.
- Estimates of physical capacity in each school, especially when students are expected to maintain six feet of social distance.
- Estimate the impact of COVID-19 on the capacity of the teaching workforce in New Mexico.

Expected Outcome of Research: LESC staff will consider ways to provide flexibility and support to school districts and PED to enable high-quality distance learning and safe in-person learning. Staff will also consider how to incentivize best practices through changes to statute or by creating grant programs.

Analyst: Juliani, Simon

Learning – Bilingual and Multicultural Education Programs

Research Problem: The 1st Judicial District court in the consolidated *Martinez* and *Yazzie* lawsuit found the needs of at-risk students, including English learners (ELs), were not being met by the state’s public education system. The court identified bilingual multicultural education as an example of programming that can improve the outcomes of at-risk students, particularly ELs. However, only 43 percent of New Mexico’s ELs have access to a bilingual multicultural education program. Further, many of these programs provide only one hour of language development each day, while students may be better served by daily three-hour programs. The public school funding formula provides school districts and charter schools with additional funds to pay for bilingual multicultural education programs, but many school districts argue the funding is insufficient to cover the costs of these programs.

Learning – Bilingual and Multicultural Education Programs (Continued)

Historical/Literature Review:

- What are the best practices associated with bilingual multicultural education programs to improve student outcomes?
- What are the costs of materials and services that are necessary for an effective bilingual multicultural education program?
- Are educator preparation programs graduating enough students able to receive a bilingual licensure endorsement to expand bilingual multicultural education programs?
- What other obstacles exist in expanding student access to bilingual multicultural education programs?

In-State Review:

- Work with school districts and charter schools to understand how schools budget their bilingual multicultural education program dollars.
- Work with PED and other stakeholders to develop cost models for different kinds of bilingual multicultural education programs.
- Work with PED and other stakeholders to examine varying models of bilingual multicultural education programs

Data Analysis Required:

- Student performance data for those enrolled in bilingual multicultural education programs.
- Budget and spending data for bilingual multicultural education programs.

Expected Outcome of Research: LESC staff will identify costs associated with different models of bilingual multicultural education programs, identify bilingual multicultural education models that can most improve student performance, and determine if funding available for bilingual multicultural education programs is sufficient. Research could result in committee-endorsed legislation or budget recommendations.

Analyst: Juliani

Learning – Special Education and Maintenance of Effort

Research Problem: Judge Singleton ruled in the consolidated *Martinez* and *Yazzie* lawsuit that the state was failing to provide an adequate education to at-risk students including those with disabilities. More specifically, she ruled the state violated the rights of at-risk students by failing to provide them with a uniform statewide system of free public schools sufficient for their education. Historically, school districts and charter schools locally determine how to spend special education funds with little oversight from PED. Yet, special education funding has not been sufficient for all school districts to provide the programs and services required by the New Mexico Constitution, and PED has failed to meet its supervisory and audit functions to assure school districts are spending money most efficiently to provide at-risk students with the programs and services needed to obtain an adequate education. At the same time, federal law mandates that local education agencies (LEAs) school districts must maintain the level of state and local funds they spend to support special education from one fiscal year to the next (known as maintenance of effort or MOE). New Mexico will be faced with a greater task in fulfilling both the judge's orders and MOE for the ensuing fiscal year in light of the pandemic-induced budget shortfalls facing states and LEAs.

Historical/Literature Review:

- How does the state's special education funding formula impact state and local Maintenance of Effort?
- What have been the findings of the state's IDEA Advisory Panel in regard to funding and MOE?
- How have other states' public education funding formulae operated to provide programs and services to students with disabilities while adhering to MOE requirements?
- What are the costs of materials and services necessary to provide students with disabilities with a sufficient education to prepare them for college and career?

In-State Review:

- Review PED monitoring and reporting requirements to ensure school districts and charter schools are held accountable to provide high-quality programs for students with disabilities.
- Review school budgets to ascertain how school districts and charter schools are using funds to support students with disabilities.
- Hold a committee hearing on how special education funds are being used to inform recommendations for FY21.

Data Analysis Required:

- Budget and spending data for special education programs.
- Results of PED and federal audits of special education spending in the state.
- Student outcome data for those receiving special education services.
- Analyze relevant data from IDEA Advisory Panel annual report.

Learning – Special Education and Maintenance of Effort (Continued)

Expected Outcome of Research: LESC staff will ascertain whether school districts and charter schools are using federal and state funds appropriately to directly impact students with disabilities, and will be able to make informed recommendations on ways to make more funding available and provide effective fiscal and programmatic oversight and technical support to school districts and charter schools.

Analyst: Bedeaux

Capital Outlay – Equitable Access to Funding for Adequate Facilities

Research Problem: Since the *Zuni* lawsuit began in 1999, New Mexico has taken steps to help provide school districts with funding to build facilities adequate for student instruction. However, school districts with low property tax bases still have difficulty raising enough local funds to build and maintain facilities that meet and exceed the statewide adequacy standards and instead rely heavily on contributions from the state. These school districts, many of which have large proportions of tribal lands and receive Impact Aid payments from the federal government, have sought legislative solutions to underlying equity issues. Laws 2020, Chapter 64 (House Bill 254) will make changes to the Public School Capital Improvements Act, commonly known as “SB9,” to provide a greater amount of funding for all school districts and improve equity in the capital improvements process. However, school districts’ local share of capital projects is based on a five-year average of their local property wealth, and with a few school districts projecting significant declines in local property tax revenue as they lose local industry; the Public School Capital Outlay Council will need to address how local match requirements may be reduced or reset. The *Zuni* lawsuit remains unresolved, and plaintiff school districts will likely continue seeking additional funding or a reduction to the Impact Aid credit in the state equalization guarantee; legislative staff will continue to monitor the impact of legislative action taken in recent years to ensure school districts the equity of the capital outlay system.

Historical/Literature Review:

- How does New Mexico’s system of funding for public school facilities compare nationally?
- How do other states, particularly states with large portions of federally-impacted school districts, provide funding for public school facilities?
- What should constitute “adequacy” in the 21st century? What are the necessary elements of an adequate public elementary, middle, and high school?

In-State Review:

- Conduct site visits of schools in *Zuni* plaintiff school districts to better understand facility needs.
- Review previous and attend future *Zuni* court proceedings.
- Review PSCOC’s authority to reset school districts’ local matches in the case of large reductions in local property wealth.

Data Required:

- Analyze impact of Laws 2020, Chapter 64 (House Bill 254) and other recent changes to the state and local match formula.
- Comparison of operational spending and use of local revenues on capital outlay projects to understand greatest areas of inequity.
- Regional comparison of New Mexico schools against the statewide adequacy standards.
- Estimate of additional funding needed to bring facilities to “adequacy.”

Expected Outcome of Research: LESC staff will continue monitoring the public school capital outlay process and will make recommendations about how to improve equity of available funding and adequacy of facilities statewide.

Analyst: Bedeaux

Capital Outlay – Statewide Internet Infrastructure and the Digital Divide

Research Problem: Research has shown students with access to high-speed internet show higher rates of academic achievement and build digital skills critical for success in the 21st century. New Mexico’s COVID-19 response efforts highlighted internet connectivity challenges facing rural areas of the state. In rural areas of the state, the largest barrier to internet access is infrastructure to support access, including high-speed broadband fiber and wireless cellular service. To support broadband infrastructure in schools, the Legislature created the Education Technology Deficiency Program in 2014, allowing the Public School Capital Outlay Council (PSCOC) to spend up to \$10 million per year and directing the Public School Facilities Authority (PSFA) to leverage federal E-Rate funds to the greatest extent possible. The program made progress in connecting schools, but in a remote learning environment, home internet access became a prerequisite for face-to-face instructional time, but prior to the pandemic, a survey from PSFA estimated approximately one in five students did not have access to the internet at home. Additionally, a growing number of cyberattacks at New Mexico schools and school districts has provoked statewide concerns about improving cybersecurity. Malicious cyber activities, conducted for financial gain, theft of personal information, and to disrupt the critical infrastructure of an organization, disproportionately target schools and school districts regarded as “easy targets.” New Mexico lacks a unified statewide plan for improving internet access, and the state needs strong leadership and regional coordination to build infrastructure, ensure students and teachers have access to devices, provide professional development to ensure effective use of digital learning technology, and keep student and teacher data safe and secure.

Historical/Literature Review:

- Monitor Congressional initiatives to allow E-rate funds be used to improve internet infrastructure in rural and tribal homes and community locations.
- Explore other federal or state-level funding sources can be leveraged in rural New Mexico.
- Understand costs of constructing a statewide educational network using other state examples, like Utah and Washington.
- Examine resources and infrastructure needed in schools and school districts to protect against cyberattacks.

In-State Review:

- Work with PSFA staff to understand the cost of broadband infrastructure, the status of BDCP projects, and the allowed uses for E-rate funding.
- Meet with superintendents in rural school districts to better understand technology needs.
- Meet with representatives West Central Consortium to better understand the group’s efforts in improving internet access, and whether any initiatives can be scaled statewide.
- Meet with PED to discuss the department’s guidance to school districts and schools regarding cybersecurity, and discuss the feasibility of a statewide department-based approach.

Data Required:

- Estimation of student access to high speed internet services, including school, home, and community access.
- Estimated costs of improving internet infrastructure in rural areas of the state.
- Summary of school district expenditures on cybersecurity, including infrastructure, contracts and district- or school-based employees dedicated to providing cybersecurity.

Expected Outcome of Research: LESC staff will study internet connectivity issues in the state and make recommendations to improve internet access, potentially including the creation of a statewide educational network, a coordinated technology strategic planning work group, a program to fund devices and aligned professional development, and a program to fund cybersecurity aligned with research-based best practices.

Ongoing Issues

	Issues and Goals	Action Steps	Outcome/Results	Responsibility
1	Monitor state and federal rulemakings for impacts on public education.	<ul style="list-style-type: none"> • Compose and present administrative rulemakings to LESC. • Communicate with PED and other agency staff to facilitate legislative clarity. 	<ul style="list-style-type: none"> • Ensure implementation of legislation complies with law and legislative intent. • Keep the committee and other stakeholders informed of regulatory action that affects public education. • Ensure agencies' processes remain public and transparent, including public hearings and public postings on the Sunshine Portal. 	Bedeaux and LESC staff
2	Attend meetings of the following state boards, agencies, and councils: <ul style="list-style-type: none"> • Public School Insurance Authority, • Educational Retirement Board, • Public Education Commission, • Interagency Benefits Advisory Committee, • Colleges of Education Deans and Directors, • New Mexico Coalition for Charter Schools, • Public School Capital Outlay Council, • Public School Capital Outlay Oversight Task Force, • Early Learning Advisory Council, • Early Learning Funders Group, • Hispanic Education Advisory Council, • Indian Education Advisory Council, • Children's Cabinet • Early Childhood Education and Care Department Work Group, • Coalition for Community Schools, and • Other education-related groups. 	<ul style="list-style-type: none"> • Work with staff from organizations to identify emerging issues in New Mexico Education. • Report relevant action to LESC. 	<ul style="list-style-type: none"> • Improve LESC's responsiveness to ongoing policy issues in New Mexico. • Inform the committee of the operations of statewide boards and commissions. 	LESC staff
3	Monitor federal education appropriations. The economic stimulus bill passed by Congress in the aftermath of the COVID-19 outbreak provided significant financial assistance for school districts and state education agencies and is designed to address the needs of schools in the event of a public health emergency. In addition, school districts and charter schools receive millions in federal funding, largely to address the needs of at-risk students, including the economically disadvantaged, English learners, and students with disabilities.	<ul style="list-style-type: none"> • Review federal allocations of economic stimulus dollars to better understand the challenges faced by school districts and charter schools in the event of a public health emergency. • Review how school districts and charter schools use federal dollars to provide services to at-risk students. 	<ul style="list-style-type: none"> • Ensure state law gives sufficient flexibility to allow schools to respond to public health emergencies. • Improve budget recommendations • Increase committee awareness of federal actions related to public education and federal requirements for accepting school funding. 	LESC staff

4	<p>Monitor PED programs. The Legislature provides significant dollars to the Public Education Department to implement special programs - sometimes called "below-the-line programs." When providing funding to public schools outside the public school funding formula the department should have a clear, measurable goal that it wishes to achieve with the allocated funding and PED should allocate those funds only for programming intended by the Legislature.</p>	<ul style="list-style-type: none"> • Monitor how "below-the-line" funding is being spent and if it is being used effectively. • Work with PED staff to understand challenges faced by the department to determine if PED needs for operational funding. • Determine if PED is using additional funding to properly implement the Indian Education Act, the Hispanic Education Act, and the Bilingual Multicultural Education Act. 	<ul style="list-style-type: none"> • Improve budget recommendations 	LESC staff
5	<p>Monitor the efforts of PED and school districts to overhaul charter school authorization and oversight practices.</p>	<ul style="list-style-type: none"> • Maintain contact with charter school authorizers, namely the charter school divisions of PED and APS. • Attend meetings of the Public Education Commission. 	<ul style="list-style-type: none"> • Ensure changes to charter school authorization and oversight practices address the issues identified in LESC's 2019 annual report. • Keep the committee informed of regulatory changes regarding charter schools. 	Kennedy and LESC staff
6	<p>Monitor implementation of new statewide standardized assessments, including the Cogna assessment for third through eighth grade English and math, the New Mexico Assessment of Science Readiness (NMASR) in fourth, seventh, and 11th grade, and College Board's PSAT in ninth and 10th grade and SAT in 11th grade.</p>	<ul style="list-style-type: none"> • Monitor stakeholder concerns with implementation. • Monitor PED's use of statewide formative and interim assessments as part of a balanced system of assessment. • Analyze trends in assessment results at the school, school district, and statewide level. 	<ul style="list-style-type: none"> • Ensure assessments are aligned with state law, state academic content standards, and federal testing requirements under the Every Student Succeeds Act. • Work with PED to meet stakeholder goals, including comparability of assessment results and reduction of test time to maximize instructional time. 	Bedeaux and LESC staff
7	<p>Track PED's implementation of the department issued diploma program (Section 22-1-9.2 NMSA 1978).</p>	<ul style="list-style-type: none"> • Review Section 6.30.3 NMAC to determine consistence with legislative intent. • Communicate with PED to obtain updates on program implementation. • Compare program with effective adult reengagement programs in other states. 	<ul style="list-style-type: none"> • Ensure implementation of legislation complies with legislative intent and effectively serves the population of adults in New Mexico who lack a high school diploma or equivalency credential. 	Kennedy and LESC staff

8	<p>Monitor implementation of the statewide School Accountability and Support Act. Laws 2019, Chapter 249 (Senate Bill 229) gives PED broad deference over the development of a school accountability system that differentiates support for Title I schools across three tiers: targeted support and improvement (TSI), comprehensive support and improvement (CSI), and more rigorous interventions (MRI). PED is required to publish an online dashboard to share comprehensive data on educational inputs and outputs for each public school in the state.</p>	<ul style="list-style-type: none"> • Monitor PED’s work on the “school spotlight” dashboard. • Track awards to schools identified as TSI, CSI, or MRI, and ensure schools have enough funding to implement interventions. 	<ul style="list-style-type: none"> • Ensure the state adopts and accountability system that effectively identifies high performing schools and schools in need of support. • Identify specific deficiencies in low performing schools and provide targeted interventions designed to close the achievement gap. 	<p>Bedeaux, PED, school and school district stakeholders.</p>
9	<p>Monitor charter school facility issues. The Public School Facilities Authority (PSFA) recently found charter schools have been using lease assistance payments for spaces that may fall outside of what is allowed by statute. Additionally, the Public School Capital Outlay Oversight Task Force (PSCOOTF) found the state has had difficulty tracking capital outlay award offsets for charter schools that change authorizers from state to local or vice versa.</p>	<ul style="list-style-type: none"> • Continue working with PED and PSFA to ensure charter schools understand the legal uses for lease assistance payments and other resources that may be available for unique facilities. • Visit and work with charter schools to understand facility needs. 	<ul style="list-style-type: none"> • Develop best practices for charter school facilities that meet charter schools’ needs and comply with statutory guidelines. • Contemplate statutory changes that align with charter schools’ needs. 	<p>Bedeaux, PSFA, PSCOC, PSCOOTF, LFC, PED</p>
11	<p>Monitor capital outlay awards for systems, security, and prekindergarten.</p>	<ul style="list-style-type: none"> • Ensure systems awards are needs-based, comply with eligibility guidelines, and that the systems in question would not be better addressed with a standards-based award. • Ensure security awards substantially improve student safety and comply with statute. • Ensure prekindergarten facility awards balance school district needs and capacity, and do not duplicate the efforts of private providers or the Early Childhood Education and Care Department. 	<ul style="list-style-type: none"> • Provide funding for various facility needs in an equitable and responsible manner that complies with statutory guidelines. 	<p>Bedeaux, PSFA, PSCOC, PSCOOTF, LFC</p>
12	<p>Monitor public school facility maintenance. Public school facilities have improved significantly since the creation of the Public School Capital Outlay Council (PSCOC), but many school districts need support in building maintenance programs to help facilities reach their expected life.</p>	<ul style="list-style-type: none"> • Visit schools with exemplary facility maintenance assessment report (FMAR) scores and school districts with struggling maintenance programs. • Work with PSCOC to ensure facility maintenance is a priority. 	<ul style="list-style-type: none"> • Develop best practices to improve maintenance programs statewide. • Extend the lifespan of public schools to maximize the state’s return on investment. 	<p>Bedeaux, PSFA, PSCOC, PSCOOTF, LFC</p>

13	Construct an LESC accountability dashboard. Legislators and other stakeholders are often concerned with data and circumstances specific to their school district or legislative district. While a plethora of public school data is available, there are few resources available to the public that can help contextualize a school district's successes and challenges. LESC has previously constructed "fact sheets" for specific school districts, but the internet presents an opportunity to share even more data on all schools statewide.	<ul style="list-style-type: none"> • Maintain LESC's database with relevant and up-to-date information on school performance, demographics, finance, and facilities. • Construct a data dashboard capable of sharing information by school district, legislative district, or at the individual school level. 	<ul style="list-style-type: none"> • Ensure the state is able to make data-driven decisions by providing stakeholders with all relevant data. 	Bedeaux
14	Monitor implementation of the Early Childhood Education and Care Act, which is effective July 1, 2020.	<ul style="list-style-type: none"> • Work with Early Childhood Education and Care Department (ECECD) staff to better understand how the department will establish a comprehensive early childhood care and education system through an aligned continuum of state and private programs and establish the infrastructure to do so. 	<ul style="list-style-type: none"> • Keep LESC and other stakeholders informed of ECECD's work to implement the provisions of the Early Childhood Education and Care Act. 	Andrews and LESC staff
15	Monitor PED implementation of the new educator evaluation system	<ul style="list-style-type: none"> • Review teacher evaluation task force report when published. • Attend teacher evaluation trainings PED administers for schools districts to implement new system. 	<ul style="list-style-type: none"> • Keep LESC updated on how PED is implementing the system and how it will interact with licensure advancement. 	Canada, PED, LESC Staff
16	Monitor PED implementation of Year 2 of the Teacher Residency program	<ul style="list-style-type: none"> • Review PED's RFA for teacher residency programs to see if they align with HB92 requirements. • Aggregate data from site visits, surveys of participants, and applications to track how funding is used each year and impact on retention rates. 	<ul style="list-style-type: none"> • Update the committee on the progress of teacher residencies funded following best practices. • Keep the committee updated on outcomes from program participants. 	Canada, PED, LESC Staff
17	Monitor PED professional licensure bureau's online licensure application and payment system.	<ul style="list-style-type: none"> • Review recent licensure fee changes and expenditures from the educator licensure fund. • Meet with PED to discuss impact on the professional licensure bureau's current licensure processing system. • Meet with PED to discuss data collection through the new automated system. 	<ul style="list-style-type: none"> • Determine potential and actual cost savings associated with moving to an online system. • Keep LESC and other stakeholders informed on impacts to teacher licensure processes in the state. 	Canada, PED, LESC staff.