

B i t e - S i z e

For its FY26 agency budget, the Public Education Department (PED) has requested a general fund appropriation of \$27.5 million, an expansion of \$2 million from FY25. PED's request includes additional staff for its Office of Special Education and fiscal, accountability, data, and program support roles.

The Southwest Outreach Academic Research (SOAR) Evaluation and Policy Center of New Mexico State University published its 2024 educator vacancy report, showing a 17 percent decrease in public school educator vacancies from the 2022-2023 school year (1,683) to the 2023-2024 school year (1,400).

September 2024 revenues transferred to the lottery tuition fund totaled \$3.69 million, a slight decrease from August 2024 revenues of \$3.72 million. To date, FY25 proceeds total nearly \$11 million (\$10.99 million) compared with \$14.58 million in the same period last year, a decrease of 24.73 percent.



i n f o r m E D

a publication of the Legislative Education Study Committee

Representative G. Andrés Romero, Chair / Senator William P. Soules, Vice Chair / John Sena, Interim Director / November 2024

From the Chair

Each election cycle, public education ranks among the top three issues for voters. Questions about the status of public education in our state is a popular topic for candidates at community meetings, debates, and town halls. Candidates generally respond to these questions by acknowledging the role of schools in the community, describing how schools provide opportunities for all students, and discussing how schools also provide for our educational staff. All of these are necessary and deserving of priority. However, now that the elections are over and representation is set, it's time to put these priorities into legislation and policy that makes a difference.

When the Legislature reconvenes during the upcoming 60-day session, many districts will be represented by new senators and representatives. As new members to the Legislature, there is a lot to follow and learn about: the interim agenda, committee processes, bill writing, managing constituent requests, and working with legislative staff for support, such as our LESC staff team. On the other hand, being a new member can also mean bringing in new ideas and a fresh perspective unaltered by the rhetoric of the Roundhouse. I look forward to working with new members on how best to represent their districts and support public education for the entire state of New Mexico.

It is important to have a thriving public education system. I have found this is a common and shared belief among all legislative districts in our state. To deliver on this, we must focus on tangible solutions that make a difference in day to day lives—after all, our citizens have a keen sense between political rhetoric and actual results.

Better Education Data Means Better Decisions

High-quality data is foundational for evaluating educational programs, allocating resources, and shaping effective policies. In New Mexico, however, inconsistent and fragmented data systems often hinder the ability of policymakers to assess program effectiveness, make informed decisions, and support the state's long-term educational goals. This lack of data integrity is rooted in missing strategic oversight and alignment of the state's many data systems. Establishing a comprehensive data governance framework could be the solution New Mexico needs to improve the quality and usability of educational data.

Currently, PED maintains data systems primarily designed for its own operational purposes, such as tracking student enrollment or budget compliance. However, these systems often lack the accuracy, completeness, consistency, granularity, and timeliness needed by legislators, legislative staff, researchers, and educators for broader uses.

The lack of a unified data governance structure means data inconsistencies, missing information, and fragmented records make it challenging to understand the full

impact of educational programs, leading to potential gaps in funding and support. LESC staff have had to pivot many planned evaluations on topics such as teacher residency programs, literacy, the family income index, and career and technical education this interim alone due to challenges with data quality.

A formal data governance system could provide clear standards for data quality, consistency, and accessibility across New Mexico's various educational data sources. Such a framework could bring together data from multiple state agencies and provide an overarching structure to guide data sharing and ensure accuracy. By creating interagency policies, New Mexico could also address the issues of data quality and coordination that have long hampered comprehensive policy analysis.

Case studies from states like Colorado, Kentucky, and California, which have implemented data governance boards and related longitudinal data systems, demonstrate how coordinated data efforts can significantly enhance a state's ability to assess program impacts and respond to student needs effectively.

For New Mexico, a data gover-
(continued on back)

Proposed Bill Would Define Restraint and Seclusion

Restraint and seclusion has become a pressing school safety issue, particularly in the last 15 years, as allegations of abuse in school settings have increased from advocates and families of students with disabilities, both in New Mexico and nationally.

Data from the federal Office of Civil Rights indicates that while students with disabilities represented 17 percent of the student population in 2020-2021, they accounted for 58 percent of restraint and seclusion incidents. Despite their use, the U.S. Department of Education has found no evidence that restraint or seclusion effectively reduces problematic behaviors that precipitate the use of such techniques. Instead, federal guidance encourages prioritizing less restrictive, de-escalation techniques.

Still, there is an absence of federal legislation on restraint and seclusion,

prompting the majority of states (29) to pass their own laws providing protections for students.

In New Mexico, while state laws and administrative codes governing restraint and seclusion apply to all students—not just those with disabilities—many stakeholders have argued clearer guidelines are needed to protect both students and staff. Since 2017, state lawmakers have introduced legislation to amend existing laws, often emphasizing restraint and seclusion should be used only when there is an imminent threat of serious harm.

In 2023, Senate Memorial 68 (SM68) led to the creation of a working group tasked with reviewing restraint and seclusion practices in New Mexico schools. LESC staff are drafting a bill to clarify the definitions of restraint and seclusion and provide concrete guidelines on appropriate use of such

practices. The proposed bill, which will be presented for LESC consideration in December 2024, is based on the working group's findings, feedback from LESC members during a July 2024 hearing, and federal recommendations.

Key aspects of the proposed legislation include clearly defining restraint and seclusion, as well as mandatory training for school staff in less restrictive interventions. This could include positive behavior strategies and de-escalation techniques. Schools would also be required to monitor, document, and report each instance of restraint to ensure compliance and to guide training for school staff. Through these changes, New Mexico aims to create safer, more supportive learning environments for all students.

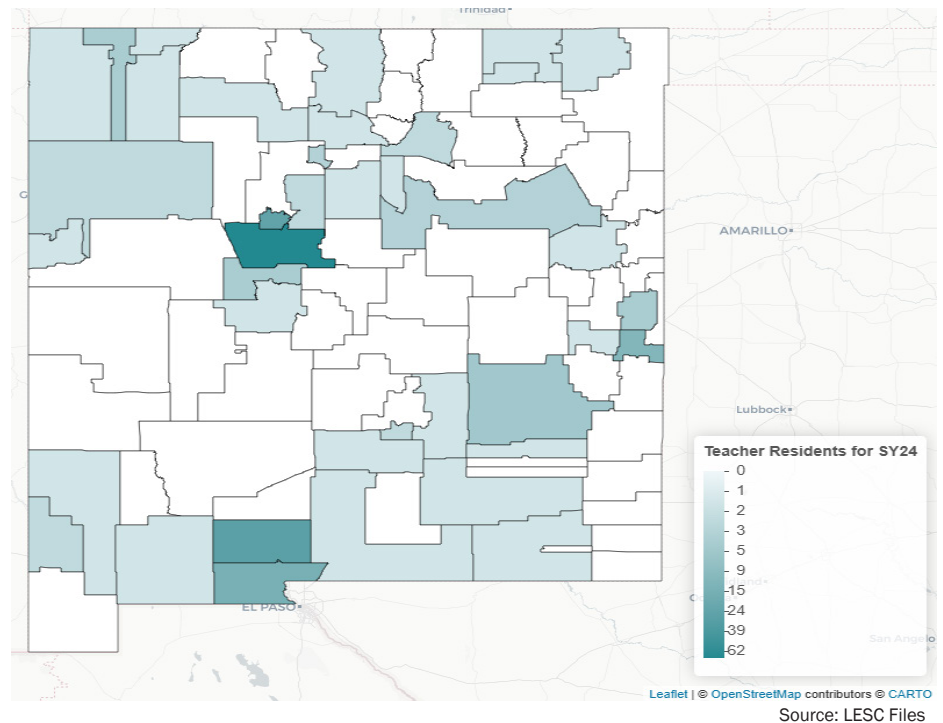
This item will also be discussed as part of LESC's hearing on school safety on November 14.

Better Education Data

(continued from front)

nance system is more than just an administrative tool; it represents a foundational shift toward data-informed decision-making in education. A robust governance system could allow policymakers to rely on accurate, timely data, ensuring that their decisions are backed by clear evidence and that programs supporting New Mexico's students are truly evaluated so they can be allocated needed resources, or just as importantly, amended or discontinued. Learn more at LESC's hearing on November 14.

Teacher Residents Found Statewide



The Legislature appropriated \$33 million for teacher residency programs between FY20 and FY24, and another \$60 million has been appropriated for educator clinical practice programs from FY25 to FY27. LESC staff completed an initial review of teacher residency programs as a first step in understanding how these programs are preparing quality educators. As shown in the graphic above, teacher residents are found statewide, but tend to be concentrated in urban areas or near higher education institutions. In the 2023-2024 school year, there were 202 teacher residents statewide, with 70 of these in Albuquerque Public Schools.

i n f o r m E D

November 2024

Published monthly in the interim by the
Legislative Education Study Committee
325 Don Gaspar, Suite 100
Santa Fe, NM 87501
(505) 986-4591

<https://www.nmlegis.gov/Entity/LESC/Default>

Jessica Hathaway Editor
Marit Andrews Contributing Editor