

MINUTES

Legislative Education Study Committee Santa Fe, New Mexico December 18-20, 2024

Wednesday, December 18

The following voting, advisory, and guest members were present. Voting: Chair G. Andrés Romero, Vice Chair William P. Soules, Representatives Brain G. Baca, Joy Garratt, Susan K. Herrera, and Raymundo Lara, and Senators Craig W. Brandt, Harold Pope Jr., and Mimi Stewart.

Advisory: Representatives John Block, Tara L. Lujan, Cristina Parajón, Patricial Roybal Caballero, Debra M. Sariñana, and Senator Linda M. Lopez.

Call to Order, Introductions, and Approval of November Minutes and December Agenda. Representative G. Andrés Romero, Chair, LESC, called the meeting to order. Chair Romero facilitated introductions of LESC members and staff. In a motion by President Pro Tempore, Senator Mimi Stewart, and a second by Representative Joy Garratt, the agenda for the December LESC hearing was approved. The meeting minutes for the November LESC hearing were approved with a motion by Representative Raymundo Lara and a second by President Pro Tempore, Senator Mimi Stewart.

Update on New Mexico Vistas and School Designations. Tim Bedeaux, Senior Policy Analyst II, LESC, presented a policy brief summarizing changes to New Mexico Vistas (NM Vistas), the state's accountability system created to comply with the federal Every Student Succeeds Act and the state School Support and Accountability Act. Based on feedback from the federal U.S. Department of Education, the Public Education Department (PED) recently updated methodologies used to calculate school support ratings, which resulted in many schools exiting support status. While the changes to the system move toward valid, reliable metrics to evaluate student success, LESC staff remain concerned that the changes may result in fewer schools receiving school improvement funding, potentially diminishing academic gains in struggling schools.

David Winjum, Ph.D., Director of Research, Evaluation, and Accountability for PED, presented details on the updated methodologies, as well as a summary of schools designated for targeted support and improvement, comprehensive support and improvement, and more rigorous interventions in the current school year. Unlike proficiency rates, the new "proficiency index" awards schools partial weighted credit for students that are nearing proficiency and students that far exceed proficiency. In addition, the switch to "student growth percentiles" creates a deeper focus on individual student growth relative to academic peers, replacing the prior year's schoolwide proficiency changes. PED plans to hold the new methodologies consistent in the future to improve

the continuity and allow for reliable comparisons of school performance over time.

LESC members asked questions regarding the availability of school support and accountability data and the continuity of metrics over time. LESL members requested that school ratings be visualized on a map, showing where the greatest areas of need are statewide. LESL members shared concerns that the metrics used to identify schools for support have not been consistent over time, due to turnover at PED, and noted that schools in need of support will likely lose funding due to these decisions.

Preventing Abuse in Schools. Marit Andrews, Senior Policy Analyst II, LESL began by reviewing a staff brief on sexual misconduct in public schools. Ms. Andrews presented on New Mexico Public Schools Insurance Authority (NMPSIA) data on educator sexual misconduct and student-on-student sexual misconduct over the past 10 years; the national policy landscape and efforts in other states to prevent child sexual abuse in schools; current work in New Mexico to keep student safe; and recommendations for lawmakers, PED, and schools. Julie Garcia, Regional Director, Civil Rights Specialist for POMS Risk Control and Insurance, presented on NMPSIA efforts to prevent sexual and ethical misconduct in kindergarten through 12th grade public schools. Ms. Garcia explained NMPSIA provides training to staff, students, and parents on boundaries and ethical misconduct, offers anonymous reporting through STOPit, and conducts audits for compliance with Laws 2021, Chapter 94 (House Bill 128).

Committee members asked questions including, but not limited to, educator on educator sexual abuse, if New Mexico law requires reporting of suspected child abuse in schools to both the Children, Youth, and Families Department (CYFD) and PED, NMPSIA efforts to increase training, and settling of sexual misconduct claims.

Education Apprenticeships and On-Ramps to Education Careers. Julie Lucero, Chief Program Officer, Golden Apple, provided the committee an overview of Golden Apple and an update on their work in New Mexico. Golden Apple recruits diverse, high-potential students in New Mexico to the teaching profession and supports their transition to the classroom. Their three cohorts include a total of 120 scholars that are dispersed across 23 counties and have attended 15 universities across the state. Ms. Lucero requested \$1 million to fund an additional 80 Golden Apple scholars in fiscal year 2026 (FY26).

Phoebe Walendziak, Director, Educator Pathways, PED, presented on the department's vision for multiple on-ramps to teacher residencies. The four basic ramps include high school recruitment efforts, undergraduate degrees, graduate degrees, and career changers and alternative candidates. Director Walendziak reported numbers of teacher resident and educator fellow completers from school year 2021-2022 (SY22) to SY24. The number of Educator Fellow graduates decreased to 100 in SY24 from

150 in SY23. However, the number of teacher resident graduates increased over the same period from 275 to 320. PED recently won two federal grants: an Education Innovation and Research grant to bolster and evaluate teacher residency programs, and an Apprenticeship Building America grant to develop a teacher apprenticeship program in the state. PED is also working on a website to centralize information and resources for individuals interested in pursuing a career in teaching at TeachNewMexico.org.

Committee members asked whether the state's programs have reduced teacher vacancy rates and what proportion of teacher candidates go on to teach in New Mexico schools. Committee members also asked about the potential interplay between the Educator Fellows and Grow Your Own programs, and for more information about plans for both. Committee members asked whether Government Results and Opportunity (GRO) funds could be used for Golden Apple, but also suggested Golden Apple should not rely solely on state funds.

Innovation Zones and High School Transformation. Amanda DeBell, Deputy Secretary of Teaching, Learning and Innovation, PED shared an overview of PED's College and Career Readiness Bureau and how the department's efforts on "Innovation Zones" fit into the bureau's broader college, career, and civic readiness efforts. Innovation Zones are a department created initiative to redesign the high school experience and include components such as career and technical education (CTE), developing graduate profiles, offering work-based learning, and supporting social and emotional development for students.

Deputy Secretary DeBell noted the department has funded Innovation Zones since FY23, using a portion of a legislative appropriation earmarked for CTE. For FY25, the department plans to allocate \$14 million in awards, which flow out directly to school districts and charter schools, most of which use the funding for CTE programs, developing graduate profiles, and work-based learning opportunities such as paid internships.

Deputy Secretary DeBell requested the Legislature consider creating a structure for dependable, three-year awards for Innovation Zones rather than relying on a year over year appropriation structure. Martin Madrid, Superintendent, Santa Rosa Consolidated Schools (SRCS), then shared his perspective as a school district receiving Innovation Zone funding. Mr. Madrid shared his view that the additional funding has allowed SRCS to offer additional career pathways in field such as welding, construction skills, education (through the district's daycare center), and capstone experiences in cosmetology and volunteer fire department partnerships. Mr. Madrid also noted SRCS uses Innovation Zone funding to support a summer math camp offered by the district.

Members inquired about how Innovation Zones relate to CTE and how student experiences in Innovation Zone school sites allow for college, career, and civic readiness development.

Thursday, December 19

The following voting, advisory, and guest members were present. Voting: Chair G. Andrés Romero, Vice Chair William P. Soules, Representatives Joy Garratt, Susan K. Herrera, Raymundo Lara, and Tanya Mirabal Moya, and Senators Craig W. Brandt, Harold Pope Jr., and Mimi Stewart.

Advisory: Representatives John Block, Tara L. Lujan, and Patricia Roybal Caballero, and Senators Linda M. Lopez and Shannon D. Pinto.

2025 Legislative Budget and Policy Priorities: New Mexico Education Partners and Stakeholders. Kindergarten through 12th grade (K-12) education advocates representing the New Mexico School Board Association, the New Mexico Coalition of Education Leaders, the New Mexico School Superintendents' Association, National Education Association of New Mexico, Albuquerque Teachers Federation, American Federation of Teachers New Mexico, and Public Charter Schools of New Mexico presented to the committee on their shared and individual policy and budget priorities in the 2025 legislative session.

Common themes in the presentations included stable and sufficient funding for K-12 schools, salary increases for school employees, and a renewed emphasis on policies to improve the middle school experience. Education partners also broadly expressed support for LESC's proposed revision to the state equalization guarantee (SEG). Individual partners also called for increased support for community schools, flexible funding for K-12 schools, and measures to help support school employees manage increasing insurance costs. Public Charter Schools of New Mexico urged the Legislature to support funding equity for charter schools in FY26.

Committee members asked presenters for their views on a state board of education, salary and licensure for school employees, and ways to prepare the state for federal education policy changes with the start of a new federal administration, among other topics.

LESC Budget Considerations. Daniel Estupiñan, Senior Fiscal Analyst II, LESC provided an overview of LESC staff's public school support proposal for FY26, including recommended increases in the appropriation to the SEG, proposals for increases to the transportation distribution, and considerations for below-the-line programs.

Committee members asked for context on the committee's recommendations for the statewide student information system, proposed revisions to the basic program components in the SEG, supports for the Hispanic Education Act, the Black Education Act, and the Indian Education Act, and how the staff recommendation corresponds to the projected increase in state revenue for FY26. Staff informed committee members a final staff proposal for public school support in FY26 will be presented for committee endorsement at the committee's final meeting before the 2025 legislative session.

Review of Potential LESC Endorsed Legislation. John Sena, Director, LESC, presented two draft bills for the committee to consider for endorsement. Director Sena first presented a draft bill on revisions to the SEG. Senator Stewart moved the committee to endorse the bill. Members expressed support for the revisions, as well as concerns about CTE provisions. The revision of the SEG bill was endorsed by the committee.

Director Sena presented another draft bill, capital outlay waiver criteria refinement and extension of temporary local match reduction. Stewart moved the committee to endorse the bill, and the bill was endorsed by the committee.

Director Sena presented six additional proposed bill ideas for committee consideration, including:

- Changes to administrator preparation programs and establishing separate licenses for principals and superintendents;
- Limiting the use of restraint and seclusion;
- Raising minimum teacher salaries at each tier level;
- Establishing a science, technology, engineering, and math (STEM) innovation network;
- Universal basic income pilot program for pregnant people; and
- Establishing a minimum annual salary of \$30 thousand for public school personnel.

Director Sena noted formal bill drafts for these ideas would be presented at the January 2025 LESC hearing, at which time the committee would consider these for formal endorsement.

Members expressed support for the universal basic income pilot program for pregnant people and asked if the program would require parent drug testing.

PED Public School Support Request. Mariana D. Padilla, Secretary Designate, PED, presented a highlight of priorities and initiatives from the FY26 PED public school support request. Secretary Designate Padilla started with high-level changes to the budget request which included a 7.3 percent increase in funding from the general fund and an overall 5.5 percent increase in total public school support funding from FY25. This includes a 5.3 percent (\$235 million) increase in recurring spending from the general fund and an 86.2 percent (\$121.3 million) increase in nonrecurring funds compared to FY25.

Committee members asked questions about sources of poverty metrics and their methodology, funding for the Office of Special Education, the Black Education Act portal, PED bills to be proposed for the 2025 Legislative Session, progress on the statewide individual education plan (IEP), and adequacy funding for transportation.

Friday, December 20

The following voting and advisory members were present. Voting: Vice Chair William P. Soules, Representatives Brian G. Baca, Joy Garratt, Susan K. Herrera, Raymundo Lara, and Tanya Mirabal Moya, and Senator Harold Pope Jr.

Advisory: Representatives John Block, Tara L. Lujan, Cristina Parajón, and Patricial Roybal Caballero.

Director's Report. John Sena, Director, LESC presented the December 2024 LESC newsletter and provided a personnel update including the hiring process for the deputy director position and the vacant research assistant I/committee services position.

Committee members asked questions including, but not limited to, the scheduling of the January 2025 LESC meeting.

Indian Education Division Initiatives and Funding. KatieAnn Juanico, Assistant Secretary of Indian Education, PED, presented on the operation, functionality, and long-term goals of the Indian education fund. She highlighted that her team has completed its first round of quarterly check-ins with tribal grantees and will continue meeting with them in January and twice thereafter in 2025. These meetings aim to assist grantees in using remaining funds, identifying necessary support systems, and reviewing achieved objectives and outcomes.

Assistant Secretary Juanico reported the Indian Education Division received \$20 million in FY24 as part of multi-year funding. For FY25, the division was allocated \$20.5 million, of which \$500 thousand was designated for artificial intelligence and STEM professional development for teachers statewide. Additionally, \$4 million were allocated to the Navajo Nation, and \$1 million to the Pueblo of Zuni, to implement provisions of the Indian Education Act. Assistant Secretary Juanico shared PED plans to use the remaining fund balance for teacher preparation programs, language and culture programs, tutoring initiatives, and support for 520 certificate holders.

Assistant Secretary Juanico also introduced PED's \$50 million Indian education funding proposal. The proposal would provide direct funding to the 22 pueblos, tribes, and nations at the start of each fiscal year without requiring application. However, districts and charter schools would still have to apply. Any unspent funds would not revert, ensuring continuous availability. Additional allocations would support students with special needs. Eligible recipients include tribally controlled schools, Bureau of Indian Education schools, and local education agencies.

Committee members inquired about tribal consultation, professional development regarding tribal communities' internal financial structures,

the operational cost of tribal libraries, additional funding from federal programs, and tribal involvement in IEP processes.

PED Response to *Martinez-Yazzie* Motion. John Sena, Director, LESC provided an overview of the PED response to the *Martinez-Yazzie* plaintiffs' recent motion of noncompliance and request for a remedial action plan.

Members spoke of the importance of tribal sovereignty, the long-term nature of investments in public education, and the measures that could be used to measure progress toward compliance with the lawsuit.

Rules Update. Conor L. Hicks, Policy Analyst I, LESC, presented an update to the proposed revision of New Mexico Administrative Code 6.29.1 General Provisions by PED. This proposed rule was previously discussed by the committee at the November 2024 hearing in Santa Fe.

The proposed changes to general provisions included amendments to high school graduation requirements, school board and charter school governing body training requirements, and revisions to programs of study. In an update to the proposed rule, PED included additional language to clarify a student's eligibility or the modified and ability programs of study. The proposed language prohibits enrollment in the modified program of study for students entering ninth grade later than SY26, beginning a planned phase-out of the modified program of study to align with the elimination of demonstrations of competency. The critical role of a student's IEP team in determining their program of study would also be affirmed.

Mr. Hicks noted the proposed rule would also amend the existing language around student participation in standards-based assessments by encompassing all students in kindergarten through 12th grade rather than only students in third grade through 12th grade. Mr. Hicks indicated this change was likely an effort by PED to ensure administrative rule more accurately reflects the state's system of assessments.

Committee members asked clarifying questions about whether these proposed changes would create any new requirements for schools or were primarily intended to align administrative rule with existing practice.