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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
53rd Legislature, 2nd Session, 2018

Bill Number	<u>SM111</u>	Sponsor	<u>Campos</u>
Tracking Number	<u>.210562.1</u>	Committee Referrals	<u>SEC</u>
Short Title	<u>Education Employee Paperwork Reduction</u>		
Analyst	<u>Macdonald</u>	Original Date	<u>2/13/18</u>
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BILL SUMMARY

Synopsis of Memorial

Senate Memorial 111 (SM111) requests the Public Education Department (PED) to convene a task force to study the feasibility of a reduction in paperwork required of education employees and a moratorium of unfunded mandates in schools.

FISCAL IMPACT

Legislative memorials do not carry appropriations. However, less paperwork for teachers and other school employees may translate into more available full-time equivalent hours for schools and school districts, and reduction in costs associated with processing and administering paperwork.

SUBSTANTIVE ISSUES

Paperwork Reduction. In January 2017, the Martin Consulting Group presented an efficiency evaluation to the Legislative Education Study Committee (LESC), working in partnership with PED, which focused on public education reporting requirements in the state. Reviewing both statutory and regulatory reporting requirements, as well as PED's data processes, the evaluation concluded that New Mexico spends 66 percent more on resources on reporting than states with advanced data collection systems, and spends approximately 1,500 staff hours annually complying with reporting requirements. Local schools and school districts were required to submit approximately 140 sets of information to PED annually, much of which is redundant, meaning PED requested the same set of information multiple times, although the information may be reconfigured in the redundant reports. Interviews with local school officials also revealed that they saw little balance or connection between the burden of compliance and the value of the required data. Key elements New Mexico lacks compared with the other states studied (Texas, Nevada, and Delaware) include centralized data requirements, consistent definitions of data elements, and mapping local information to their state repository, permitting data extraction and report-configuration at the state level, rather than requiring multiple data configurations of the same information from schools and school districts. The Martin Group noted that federal funds have

helped pay for data system updates in many states, but New Mexico has not yet received federal funds for this purpose. The group anticipates new requests for proposals for the funding in 2018, possibly coinciding with the work PED is requested to undertake by SM111. Ultimately, the Martin Group recommended several courses of action to improve and streamline data collection:

- Establish a data governance program and data governance board at PED.
- Engage district and charter representatives regularly via formalized roles in the governance program.
- Focus on better communication regarding school district and charter data requirements.
- Prepare to seek grant funding to support state level system improvements and provide local education agencies with the information they need to plan and seek funding for transition costs.
- Notify the Data System Council of PED's plans.

Paperwork Burdens in Other States. A 2013 survey of New York Public Schools from the United Federation of Teachers (UFT) revealed that most teachers felt that compliance-related paperwork dominated their time, infringing on time that could be better spent collaborating with other teachers and communicating with parents. Depending on grade level, between 34 percent and 44 percent of surveyed teachers indicated they spent three or more hours each week on paperwork.

According to the survey, approximately 26 percent of surveyed teachers felt that they spent more time on paperwork than any other non-instructional activity. Of teachers surveyed, 46 percent indicated they spent more time on paperwork than in collaboration with other teachers; 74 percent indicated so for other administrative duties; 47 percent spent more time on paperwork than attending staff meetings; and 45 percent indicated so for communicating with parents. The survey indicated that, of elementary teachers, only 2 percent reported engaging in more than 10 hours of collaboration each week; for middle school and high school teachers, that number is 3 percent and less than 1 percent, respectively.

Of teachers surveyed, only 46 percent expected to be teaching at their current school after three years, with 31 percent planning on leaving teaching entirely, either to retire, pursue nonteaching positions in education, or otherwise leave the field.

In 2012, the North Carolina Department of Public Instruction, in response to the 2011 passage of the state School and Teacher Paperwork Reduction Act, identified 80 reports required of teachers by the federal government, 52 required by the North Carolina General Assembly or State Board of Education, and another 22 required by both. In 2016, the North Carolina Teacher Working Conditions Survey reported that 65 percent of teachers agreed that, “[e]fforts are made to minimize the amount of routine paperwork teachers are required to do,” an increase 7 percent over the previous survey, from 2014; however the rate of agreement for that question was still the third lowest of the 85 questions in the survey. Teachers in North Carolina still indicate that the amount of time spent on paperwork, which the majority reported at eight to 14 hours, was too much, exceeding the amount of time teachers have during planning periods in a given week. Comments to the survey suggested the paperwork added undue stress to teachers, prompting some to speculate that they may leave the profession. More than half of respondents believed these administrative burdens had no real impact on instructional decisions, and many commenters believed they could be more effective teachers with less paperwork.

Teachers in Texas increasingly noted burdensome, needlessly detailed, or duplicative paperwork requirements imposed on them since the repeal of the state Paperwork Reduction Act in 1995. The increase in paperwork was due to increased accountability and testing requirements in public schools, detailed lesson plan requirements, and dual attendance reporting requirements. Additionally, excessive amounts of paperwork were driving effective teachers in Texas out of the classroom. According to a survey of former teachers in Texas, 10 percent of these teachers left the profession because of too much paperwork.

As a result, the state Paperwork Reduction Act was enacted in Texas in 1997 and amended in 2003. This act required the board of trustees of each school district to limit redundant requests for information and the number and length of written reports that a classroom teacher is required to prepare. A classroom teacher may not be required to prepare any written information other than: (1) any report concerning the health, safety, or welfare of a student; (2) a report of a student's grade on an assignment or examination; (3) a report of a student's academic progress in a class or course; (4) a report of a student's grades at the end of each grade reporting period; (5) a textbook report; (6) a unit or weekly lesson plan that outlines, in a brief and general manner, the information to be presented during each period at the secondary level or in each subject or topic at the elementary level; (7) an attendance report; (8) any report required for accreditation review; (9) any information required by the school district that relates to a complaint, grievance, or actual or potential litigation and that requires the classroom teacher's involvement; or (10) any information specifically required by law, rule, or regulation.

Proponents of the law stated this provides teachers with a means for effective lesson planning and less time devoted to menial tasks. However, opponents of the law have filed numerous lawsuits against some of the biggest school districts in Texas alleging the school districts are violating provisions of the state Paperwork Reduction Act. There is no evidence that this state law has improved the quality of life for teachers or improved teacher retention.

To offer another perspective of how teachers spend their time, according to *No Time to Lose, How to Build a World-Class Education System State by State* — a report from the National Conference of State Legislatures (NCSL) that compares education systems and policy in the United States with those of the most effective educational systems in the world — the highest-performing countries, such as Singapore or Finland, focus on a supportive work environment that encourages professional development and collaboration. Teachers in those countries tend to spend 30 percent to 35 percent of their work time in collaboration and consultation with other teachers, comparing notes, exchanging ideas, and formulating instruction strategies. Sustained learning opportunities are built into teacher practice. According to Dr. Linda Darling-Hammond, the Charles E. Ducommun Professor of Education at the Stanford Graduate School of Education and CEO of the Learning Policy Institute, teachers in high-performing countries spend 15 to 25 hours per week in collaboration with other teachers, and have additional paid time for professional development. They regularly engage in lesson study action research and peer observation and coaching to evaluate and improve their practice.

Unfunded Mandates. Unfunded mandates are a result of increased or new legislative or regulatory requirements imposed without specifically dedicated funding to those particular purposes, that necessitate the reallocation or diversion of resources such as funding and staff time. For example, legislation from the state requiring an increase in minimum wage without an appropriation to school districts to cover the increased expense for employees currently making minimum wage would be an unfunded mandate; local school districts and charter schools would be in the position of having to shift funds from other purposes in order to fulfill the requirement.

Another example might be a required program for district-supplied teacher mentoring programs that lack any accompanying appropriation.

In their pre-session presentations of legislative priorities to LESC, the New Mexico School Boards Association and the New Mexico Coalition of Educational Leaders consistently note that unfunded mandates continue to be an issue for local school districts, which ask the state to sufficiently fund all current and new programs. Albuquerque Public Schools, the state's largest local school district, in its Board of Education 2017 Resolution on Sufficient Funding, also encouraged the Legislature to avoid prescribing further programs without sufficient funding.

ADMINISTRATIVE IMPLICATIONS

A reduction in the amount of administrative paperwork required of teachers could have a profound effect on the amount and quality of instructional time students in New Mexico receive. If the reduction in time spent on administrative paperwork was replaced by time for teacher collaboration and lesson planning, the *No Time to Lose* report suggests that teacher performance would improve, accompanied by improvement in student achievement and growth. Often, however, teachers must fit these sorts of administrative tasks into an already busy schedule; there is no guarantee that less paperwork would translate into more collaboration or instructional time.

RELATED BILLS

HM34, Education Employee Paperwork Reduction, which requests PED to convene a task force to study the feasibility of a reduction in paperwork required of education employees and a moratorium of unfunded mandates in schools.

SOURCES OF INFORMATION

- LESC Files
- Regional Education Cooperatives

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