

*State of New Mexico*  
**LEGISLATIVE EDUCATION STUDY COMMITTEE**

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June 17, 2024

**MEMORANDUM**

**TO:** Representative G. Andrés Romero, Chair, Senator William P. Soules, Vice Chair, and  
LESC Members

**FR:** Gwen Perea Warniment, Ph.D., Director

**RE: Activity Report for Week Ending June 14, 2024**

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**Child Wellbeing in New Mexico and Related Legislative Investments in Public Schools**

- The 2024 Kids Count data book, published by The Annie E. Casey Foundation, found New Mexico trails much of the nation in key indicators, including economic wellbeing, education, health, and family and community. Overall, the state was ranked 50<sup>th</sup> in the nation for child wellbeing.
- The report recommended states address the root causes of student absenteeism, such as housing insecurity, poverty, unmet basic needs, health disparities, challenges with mental health, and student disengagement. One key data point in the report was 50 percent of children in New Mexico have experienced at least one adverse childhood experiences, tied with Mississippi for the highest percentage in the nation.
- Other proposals for improving education outcomes included providing universal school meals, reliable internet connectivity, literacy supports, intensive tutoring, community schools, and additional learning time.
- In FY25, the Legislature appropriated \$41 million for universal school meals, \$14 million for literacy, \$5 million for secondary educator literacy, \$30 million for the summer literacy program, \$15 million for out-of-school learning, summer enrichment, and high-dosage tutoring programs, \$5 million for attendance initiatives, \$8 million for community schools, and an additional \$60 million for the K-12 Plus program.
- LESG staff is also currently assessing strategies for revising the SEG, specifically for low-income students, English learners, and secondary students.
- Overall, since FY20, the Legislature has increased its appropriation to public school support by 37.8 percent, or approximately \$1.2 billion.

## **PED Adopted Rules**

- The Public Education Department (PED) gave [notice](#) that it adopted two rules on June 13 to be effective on June 25: new rule NMAC 6.29.18, Braille Standards, and the repeal of NMAC 6.19.7, Demonstration of Competency for High School Graduation. Both rules will be published in the New Mexico Register XXXV, Issue 12, on June 25.
- There have been no changes to either rule from the proposed versions. The new rule NMAC 6.29.18, Braille Standards, establishes standards specifically designed to support students who are blind and visually impaired in developing braille literacy across all subjects, and also outlines standards for learning environments and educators working with students who are blind and visually impaired. The repealed rule NMAC 6.19.7, Demonstration of Competency for High School Graduation, repeals demonstration of competency as required for high school graduation in alignment with Laws 2024, Chapter 2 (House Bill 171).

## **Restraint and Seclusion**

- The Restraint and Seclusion Working Group, convened pursuant to [Senate Memorial 68](#) from the 2023 legislative session, reviewed its draft report at its most recent meeting June 13. The working group will be providing its final report to LESC and other committees on June 30.
- The report will include conclusions and recommendations on behalf of the working group on the use of restraint and seclusion practices in New Mexico public schools, including but not limited to the topics of oversight and monitoring, data, school board policies and procedures, practice and implementation, training, and proposed statutory changes.
- The working group plans to present its report at the July LESC meeting.

## **New NCES School Safety Data**

- The National Center for Education Statistics has released new [2023-2024 school year data](#) on school crime, preparedness, and safety procedures.
- This survey data, collected in April 2024, offers insight into the actions K-12 schools nationwide are taking to develop emergency procedures and operations, identify students with potential risk for violent or harmful behavior, and keep families apprised of developing situations and emergency protocols.
- A notable trend from previous NCES surveys on this topic was the modest rise in the percentage of schools that use behavioral threat assessment as part of their approach to school safety. The April 2024 survey results indicated that 85 percent of U.S. public schools operate behavioral threat assessment teams, representing a 3-percentage point increase from 2022, when 82 percent of schools reported the presence of a behavioral threat assessment team.
- Of the schools using behavioral threat assessment, 71 percent report having identified students who posed a potential risk to themselves, while 49 percent indicated they had identified students as potential risks to others.
- Behavioral threat assessment is a preventative safety measure involving a multidisciplinary team and is intended to address potential threats before they escalate. Preventative school safety measures like this have a [broad body of research](#) demonstrating their effectiveness.

- As of 2024, [nine states](#) require schools to implement threat assessment teams: Washington, Texas, Florida, Kentucky, Ohio, Pennsylvania, Maryland, Virginia, and Rhode Island.

### **Developing Practical Responses to Social Media Threats Against K-12 Schools**

- A [report](#) from the Homeland Security Operational Analysis Center, a RAND Corporation-operated research and development center funded by the U.S. Department of Homeland Security, outlines trends and social media threats for K-12 schools and considers tools for K-12 officials to use in addressing social media-based threats against them.
- The report notes that these threats, even when found to be a hoax, take a heavy emotional toll on educators, students, and families and cause major disruptions to the school community and the work of law enforcement.
- In reviewing existing literature on the subject, the report offers five key takeaways for K-12 schools to consider when developing response procedures for social media threats:
  - Investigation of threats should be done by a multidisciplinary team.
  - Schools should be wary of “both under- and over-responding.” Officials should develop a protocol that starts with low level responses before escalating as the need arises.
  - A national “Standard of Care” is needed for social media-based threats of violence. Local officials need a common set of guidelines by which to assess threats, identify response options, determine appropriate communications with the broader community, and establish shared vocabulary for all parties involved in the response.
  - In developing new approaches to detecting and responding to social media-based threats, K-12 schools must take care to select tools that emphasize accuracy, limiting of bias, and privacy and civil rights protection.
  - Future research should focus on identifying which tools are most effective at limiting disruptions caused by social media threats, assessing the veracity of threats, and incorporating principles from existing threat assessment guidelines (ex. National Threat Assessment Center).

### **Transforming School Systems Policy Convening**

- LESC staff attended the “Transforming School Systems Through Whole Child State Strategies” Convening in Washington, D.C. on June 12-13, 2024. The event was organized by the Learning Policy Institute and co-sponsored by the Council of Chief State School Officers, the National Association of State Boards of Education, the National Conference of State Legislatures, the National Governors Association, the Collaborative for Academic, Social, and Emotional Learning, and the Education Commission of the States.
- Panels and topics included in the convening spanned a variety of topics including cross-agency efforts to support student and school staff well-being (especially mental and behavioral health), state roles in supporting positive school climates, building an educator workforce for whole child education, supporting summer learning, transforming high schools, school finance and funding to support holistic student needs, and the impact of artificial intelligence on education. Of note, New Mexico was highlighted during a presentation on transforming high school by The GRAD Partnership, which was

been working with Albuquerque Public Schools (APS) to transform early warning systems established by the Attendance for Success Act into “student success systems” better designed to use data to drive interventions toward student success, such as attendance challenges. New Mexico was also noted for its work to better leverage graduate profiles as a way to transform secondary school systems. LESC staff will continue to monitor the development of graduate profiles (currently underway statewide with an effect date of the 2025-2026 school year) as part of ongoing engagement with updates to high school graduation requirements.

### **Career and Technical Education Research Grants**

- The National Center for Education Research (NCER) at the national Institute of Education Sciences released a federal funding announcement for Education Research Grants related to career and technical education (CTE). Grants of up to \$4 million are available to researchers in 11 different topic areas, including CTE. As reported by the Association for Career and Technical Education (ACTE), specific CTE topics mentioned as eligible for funding include work-based learning (career pathways and apprenticeship programs), CTE educator recruitment and retention, and exploration of how middle school CTE and competency-based education initiatives might support academic achievement and attainment. More information is available on the NCER website [here](#). Letters of intent are due June 27, 2024, and final applications are due September 12, 2024. NCER notes eligible applicants include, but are not limited to, non-profit and for-profit organizations and public and private agencies and institutions, such as colleges and universities.

### **Legislative Finance Committee Education Reports**

- LESC and Legislative Finance Committee (LFC) staff presented a joint report on [supporting teachers to improve student outcomes](#) to LFC in Carlsbad on June 13. The joint report highlights research on class sizes indicating that efforts to reduce class sizes generally have a small positive effect on student achievement, but the cost-to-benefit ratio of decreasing class sizes make such investments unattractive. Based on available data from the public education department, class sizes in New Mexico appear to be lower than statutory requirements and in alignment with national averages; the data suggest that at the statewide level, there is little evidence that classrooms are overloaded. At the local level, some individual classes may still be large, but it is difficult to systematically identify these classrooms given poor data quality.
- The report also highlights programs that have a strong, evidence-based impact on student achievement, including teacher residency program, mentorship for new teachers, and innovative staffing models. One such innovative staffing model discussed in depth is the Opportunity Culture model in Carlsbad, where highly effective teachers are selected to take the role of a multi-classroom leader (MCL). MCLs are responsible for leading a team of teachers and providing small group instruction and receive a sizable stipend for their new role. LESC analysis of student growth data showed that a middle school in Carlsbad implementing Opportunity Culture showed significantly greater growth from the beginning of the year to the end of the year compared with a middle school that did not implement the program.
- LFC also published and presented [a program evaluation on attendance](#). The program evaluation highlights issues with chronic absenteeism in New Mexico, providing evidence that chronic absenteeism in New Mexico decreases student academic proficiency and graduation rates, consistent with national research on the topic. School attendance teams report that illness, parent decisions, and student disengagement are the primary drivers of absenteeism. The report also points out that schools have inconsistent methodologies for reporting attendance, and have inconsistent approaches to implementing absenteeism interventions.

- The program evaluation recommends the legislature consider amending the Attendance for Success Act to require extra instructional time for excessively absent students, though some members of LFC noted that additional time may not be helpful for students when the time that is currently offered is not engaging or high-quality.
- The program evaluation also recommends that the Public Education Department take several administrative actions to improve statewide consistency of attendance policies and practices, including establishing rules to guide district attendance policies, and improvements to data collection to ensure data on attendance is accurate.

### Public School Capital Outlay

- The Public School Capital Outlay Council (PSCOC), during their June meeting, made standards-based and systems-based awards totaling \$26.9 million, out-of-cycle awards totaling \$42.4 million, prekindergarten (Pre-K) awards totaling \$1.6 million, and teacher housing pilot awards totaling \$532 thousand.

#### June Standards-Based Awards (in thousands)

District/School	Local Match	State Match	Total Project Cost
Artesia – Roselawn Elementary School	\$2,012.6 (63%)	\$1,182.0 (37%)	\$3,194.6
Hagerman – Hagerman Combined	\$624.5 (12.5%)	\$4,371.7 (87.5%)	\$4,996.3
Hondo – Hondo Combined	\$500.0 (7.1%)	\$6,513.7 (92.9%)	\$7,013.7
Albuquerque – Harrison Middle School	\$1,685.5 (63%)	\$989.9 (37%)	\$2,675.4
Albuquerque – Van Buren Middle School	\$2,036.4 (63%)	\$1,196.0 (37%)	\$3,232.4
<b>TOTAL (Average Percent)</b>	<b>6,859.0 (32.5%)</b>	<b>\$14,253.4 (67.5%)</b>	<b>\$21,112.4</b>

#### June Systems-Based Awards (in thousands)

District/School	Local Match	State Match	Total Project Cost
Melrose – Melrose Combined	\$600.0 (20%)	\$2,400.0 (80%)	\$3,000.0
Clayton – Demolition of Old Junior High Building	\$0.0 (0%)	\$2,456.3 (100%)	\$2,456.3
Albuquerque – Demolition of Taft Middle School Admin. Building	\$0.0 (0%)	\$376.4 (100%)	\$376.4
<b>TOTAL (Average Percent)</b>	<b>\$600.0 (10.3%)</b>	<b>\$5,232.7 (89.7%)</b>	<b>\$5,832.7</b>

#### June Out-of-Cycle Awards (in thousands)

District/School	Local Match	State Match	Total Project Cost
Carrizozo – Carrizozo Combined School	\$0.0 (0.0%)	\$42,393.6 (100.0%)	\$42,393.6
<b>TOTAL (Average Percent)</b>	<b>\$0.0 (0.0%)</b>	<b>\$42,393.6 (100.0%)</b>	<b>\$42,393.6</b>

**June Prek Awards**  
(in thousands)

District/School	Local Match	State Match	Total Project Cost
Albuquerque – Duranes Elementary School	\$734.8 (47%)	\$828.6 (53%)	\$1,563.4
<b>TOTAL (Average Percent)</b>	<b>\$734.8 (47%)</b>	<b>\$828.6 (53%)</b>	<b>\$1,563.4</b>

**June Teacher Housing Pilot Awards**  
(in thousands)

District/School	Local Match	State Match	Total Project Cost
House – Teacher Housing	\$101.1 (19.0%)	430.9 (81.0%)	\$532.0
<b>TOTAL (Average Percent)</b>	<b>\$101.1 (19.0%)</b>	<b>430.9 (81.0%)</b>	<b>\$532.0</b>

**Media Highlights**

**Local**

- [La Cueva fence causes community uproar.](#) (Albuquerque Journal)
- [New Mexico a leader in chronic absenteeism in public schools according to state reports.](#) (Source NM)
- [Report: No 'silver bullet' solution to improve New Mexico schools.](#) (SF New Mexican)

**National**

- [Public Funding, Private Education.](#) (New York Times)
- [Gains in Teacher Pay May Not be Enough to Ease Shortages.](#) (National Education Association)