

Improving Education the New Mexico Way

An Evidence-Based Approach

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Executive Summary

For more than a year, the Learning Policy Institute (LPI) conducted research in New Mexico, including interviews, site visits, document review, and new analyses of data provided by the New Mexico Public Education Department (NMPED). The purpose of the study was to provide New Mexico leaders a research perspective on the challenges facing education and identify evidence-based ways that state policy can address them. The central finding is that key to system improvement is recognizing that students who face barriers to school success—including poverty and systemic racism—are not exceptions in New Mexico; rather, they are the norm. Accordingly, the state must design a system that places these students at the center and builds the state and local capacity to meet their diverse needs.

Prior to COVID-19, the state had taken promising steps toward such a system. Together, the Office of the Governor, the New Mexico Legislature, advocates, and educators began moving toward a stronger system. The pandemic now threatens this progress, and the most vulnerable children are experiencing the direst effects. This is not the time to settle for simply restarting the state’s demonstrably inadequate education system. The state can act now to define the parameters of a more effective system to guide the Legislature and administration as the economy recovers.

This report provides a road map to help New Mexico leaders focus on long-term improvement as the state recovers from the COVID-19 setbacks. It focuses on system changes at the state level that can enable and support local improvement across New Mexico’s diverse communities and schools. Some ambitious recommendations will take longer to get underway, but even these recommendations should remain part of the state’s long-term plan as the economy strengthens. For the near term, we identify what can be done without a large infusion of new funds. State policymakers, together with leaders from education, business, nonprofits, and tribal governments can begin with these near-term steps as they work to create a coherent, post-COVID-19 approach to deep and lasting improvement in New Mexico schools.

What Are Unique Considerations for Educating New Mexico’s Students?

New Mexico’s rich geographic, cultural, and linguistic diversity is a source of great pride. It has also made achieving a statewide system of effective and equitable schools extraordinarily complex, as a “one size fits all” approach simply will not work. The considerable diversity among New Mexico’s districts, including those in which tribal collaboration is required, makes some measure of local control necessary if education is to adapt to the local context. In fact, leaving decisions to local communities about how to provide education—local control—has been the overarching governance principle throughout the state’s history.

Local control, however, requires considerable local capacity to operate schools effectively and, in much of the state, to do that in collaboration with the state’s 23 sovereign tribes and pueblos. This is capacity that local districts—especially small ones—are unlikely to develop without state assistance. This is the case in both the state-controlled system and the tribal and federal school system. Although attempts have been made, New Mexico’s education system has never achieved the right balance of state direction and support with local control and capacity to educate all students effectively.

At the same time, the state’s distressed economy has brought challenges to the education system. High levels of child poverty persist, creating the need for additional educational resources and support. However, because New Mexico’s revenue and income levels have been exceptionally low, the state has not provided sufficient opportunities, resources, and support to educate children from marginalized and low-income families and communities well.

Together, these features of New Mexico underlie the state’s disappointing student outcomes as well as the state’s falling at or near the bottom of national rankings of education quality and child well-being. They also informed the consolidated *Martinez/Yazzie* 2018 court decision that the state’s education system was constitutionally insufficient.

Education Reform Has Not Accounted Sufficiently for These Considerations

For at least 50 years, New Mexico policymakers have sought to improve education, and recent governors have mounted aggressive reforms. Some of these efforts improved student outcomes at moments in time but were not sustained. Others were never implemented fully, including statutes focused on improving the education of Native students and English learners. None met the challenges of the diversity and geographic spread of New Mexico’s districts and the state’s long tradition of local control. Only recently has the state moved to correct its failure to deliver the additional supports and resources districts require to educate students who are most at risk, defined in the consolidated *Martinez/Yazzie* case as children from economically disadvantaged homes, children who are English learners, Native American children, and children with a disability.

What Can Be Done Now? Focus on Five Fundamental Elements of a High-Quality Education System Supported by a Thoughtful Accountability System

Although New Mexico has unique challenges that must be met, states and nations that have improved education effectively have strengthened five common and fundamental elements of their systems:

1. Meaningful learning goals, supported by
2. Knowledgeable and skillful educators,
3. Integrated student supports, and
4. High-quality early learning opportunities, all made possible with
5. Adequate and equitably distributed school funding.

Making policy changes in all five is possible in New Mexico and could bring significant improvement. As necessary as policy changes in these five elements are, they are not enough to establish and sustain a high-quality education system. In addition to adopting productive policies, every high-performing system has developed a thoughtful accountability system that focuses attention on the right actions at the state and local levels by providing data on what matters for opportunity and outcomes and by developing capacity to implement policy well.

1. Meaningful 21st century learning goals

Both research and local knowledge suggest four specific domains that are central to meaningful learning:

1. **High-level cognitive skills in the core academic disciplines.**
2. **Culturally and linguistically responsive curriculum and instruction.**
3. **Social and emotional learning** to help students develop self-regulation, collaboration, problem-solving, conflict resolution, perseverance, and resilience.
4. **Pathways that integrate college and career preparation** to make high school more engaging and relevant.

Despite rigorous curriculum standards, learning outcomes have been disappointing. Statutes that require schools to incorporate cultural and linguistic diversity have had inadequate attention and funding. Further, the state has not adequately pursued social and emotional learning and trauma-informed practices, in spite of extremely high rates of adverse childhood experiences (ACEs). Few high school innovations have increased students' engagement and outcomes in either academics or career and technical education. Lastly, COVID-19 school closures have spotlighted inadequacies in access to technology—a learning barrier that will continue long after the virus.

The state has made some progress recently, but would benefit from adopting a whole-child approach that improves academic learning opportunities in the content disciplines; affirms all students' cultural and linguistic identities; supports their social, emotional, and mental well-being; and redesigns high schools to achieve these goals through high-quality pathways that integrate college and career preparation.

Immediate, relatively low-cost steps that could be taken during the COVID-19 recovery include the following:

- Expand efforts to close the digital divide statewide.
- Create an online hub that provides access to resources for high-quality curriculum, instruction, and assessment in the disciplines that support deeper learning, are culturally and linguistically responsive, are trauma- and healing-informed, and are designed for remote learning and reconfigured instruction as schools reopen. Include dual-language programs, as well as curricula developed with Native experts.
- Provide useful diagnostic measures and school climate surveys to schools for their own analysis of pupil needs. These should include the Native student needs assessments required by the Indian Education Act.
- Convene a task force to develop a college and career pathways framework and to establish quality standards to guide demonstration pilots and inform high school redesign.

Longer-term steps that could be taken when funding recovers include the following:

- Invest in the development and adoption of high-quality curriculum frameworks, instructional materials, assessments, and professional development that support higher-order thinking and deeper learning in the disciplines, culturally and linguistically responsive curriculum and instruction, and integrated social and emotional learning.
- Develop standards for social and emotional competencies and learning as well as academic learning, along with new approaches to school discipline that feature restorative practices in culturally and linguistically supportive contexts.
- Establish a Pathways Trust as a public-private partnership to fund and implement high-quality college and career pathways.

For more detailed recommendations, see page 15 of the report.

2. Knowledgeable and skillful educators

A strong educator workforce is foundational to public education systems, yet New Mexico faces significant challenges in staffing all schools with a well-prepared, stable, and diverse educator workforce. Knowledgeable and skillful educators are the most important in-school influence on student learning, with the largest positive impact on the achievement of students of color and those from low-income families. Principals are also a crucial school-level factor associated with student achievement—second only to teachers’ classroom instruction.

In order to ensure that New Mexico has a well-prepared, stable, and racially and ethnically diverse educator workforce and that every New Mexico public school student has access to excellent teaching and school leadership, the state should use evidence-based strategies to achieve three goals:

1. **Smart Recruitment:** Boost teacher supply in critical content areas and locations in ways that fill all positions with well-qualified teachers that reflect New Mexico’s diversity.
2. **Stable Retention:** Reduce attrition by providing strong preparation, support, and mentoring, as well as competitive compensation.
3. **Greater Effectiveness:** Improve effectiveness with stronger preservice preparation and ongoing professional development.

New Mexico is experiencing sizable shortages in the number of certified teachers and teachers certified in critical subject areas, though recent salary increases may be helping. Large numbers of teachers are both underprepared and inexperienced—conditions that exacerbate attrition and undermine effectiveness. Students in schools with the highest concentration of children from low-income families are almost twice as likely to be taught by inexperienced teachers. Data point to a significant racial and ethnic diversity gap, whereby the teacher workforce does not reflect student diversity. New Mexico’s administrator workforce has a high annual rate of individuals leaving the profession. Policymakers and stakeholders have called for improvements to educator preparation, licensure, accountability, and professional development.

During the past 2 years, New Mexico has passed important legislation to strengthen its educator workforce, including raising teachers’ salaries; revising the State Equalization Guarantee (SEG) formula to distribute funding for teachers through a new teacher cost index; investing in high-retention pathways into teaching, including teacher residencies and other Grow Your Own programs; funding teacher mentoring for first-year teachers; and increasing its investments in principal professional learning, though some of these investments were scaled back in the 2020 special session in response to COVID-19. However, much more needs to be done.

Immediate, low-cost steps include the following:

- Pilot Grow Your Own teacher pathways that begin earlier in a student’s academic trajectory (e.g., high school and community college), underwriting training for those who will return to teach in their communities.
- Evaluate existing investments in high-retention pathways into teaching, such as residencies and Grow Your Own programs, to inform future investments.
- Evaluate existing mentoring programs for first-year teachers to identify best practices.

- Evaluate implementation of the teacher cost index to assess whether it equalizes the distribution of experienced teachers.
- Convene a task force to recommend strategies for improving educator preparation, licensing, and accreditation to ensure a coherent statewide system that develops educators' skills for applying knowledge of the science of learning and development in the context of students' cultural and linguistic backgrounds.

Longer-term steps that could be taken when funding recovers include the following:

- Consolidate, redesign, and expand funding for existing service scholarship and teacher loan repayment programs.
- Invest in scaling successful high-retention pathways (residencies and Grow Your Own programs) and grow additional pathways that begin in high school and community college.
- Extend mentoring supports to all second-year teachers.
- Provide incentives to National Board–certified teachers to serve as mentors and teacher leaders in high-poverty schools.
- Expand efforts to support school and district leaders' ongoing professional learning.
- Undertake investments in educator preparation improvement, including implementing the new recommendations for preparation, licensing, and accreditation.
- Fund educators' intensive study of new curriculum, teaching, and assessment strategies in collaborative learning communities.

For more detailed recommendations, see page 32 of the report.

3. Integrated supports for students in high-poverty schools

In New Mexico, poverty creates conditions that negatively impact a majority of children's school success and well-being. Although schools alone cannot "fix" poverty, evidence-based school interventions can provide supports and resources to mitigate these barriers to learning and create the opportunities and safety nets children need. The community schools approach is an evidence-based approach for increasing the school success of students living in communities of poverty that should become the norm in New Mexico's high-poverty schools. Although community schools vary to reflect local conditions, they are built with four key pillars: integrated supports, expanded learning time and opportunities, family and community engagement, and collaborative leadership. Community schools address the 2018 findings of the *Martinez/Yazzie* case about the need for and shortage of expanded learning time, including after-school programs and tutoring, and the lack of social and health services available to all at-risk students. Community schools are also promising sites for developing culturally and linguistically responsive programs collaboratively with tribal governments, given their close connections with communities.

Some progress has been made in this direction. Albuquerque, Las Cruces, and Santa Fe have created more than three dozen community schools. In 2019, the Legislature made funding available for every high-poverty elementary school to implement expanded learning time with the state's

K–5 Plus initiative. Although the initiative faced initial implementation challenges, analysis of the state’s earlier K–3 Plus program provided evidence of its positive impact on student learning. The program was placed on hold in response to COVID-19. The 2019 Legislature also amended the unfunded Community Schools Act to establish a stronger implementation framework, provide \$2 million for community school grants, and require NMPED to appoint a statewide Coalition for Community Schools to support implementation.

We recommend that the state make the community school strategy (including expanded learning time) the norm in all schools where at least 80% of students come from low-income families.

Immediate, low-cost steps include the following:

- Support districts to blend and braid state and federal program funds to support community schools by permitting combined applications, budgets, and reporting.
- Position community schools to become hubs for aligned and coordinated programs across state agencies to increase access, as well as efficiencies by avoiding duplication of supports for children and families.
- Develop targeted educator professional development programs that teach the competencies required for managing successful community schools.
- Require sufficient data to enable oversight of community schools and to inform ongoing school improvement.

In the longer term, the state can make new investments that include the following:

- Reinstate funding for K–5 Plus and expanded learning time programs and increase investments in community schools.
- Provide regional technical assistance and professional development to help districts implement community schools and expanded learning effectively, including tribal collaboration where appropriate.

For more detailed recommendations, see page 51 of the report.

4. High-quality early learning opportunities

Although recommending specific policy directions in early childhood education (ECE) is beyond the purview of this project, we certainly encourage the state to stay the course with efforts to improve the quality, access, and workforce issues it has identified as key. ECE represents a powerful, cost-effective lever for closing the achievement gap in later grades and supports other positive long-term outcomes. New Mexico has mounted ambitious efforts to improve the state’s early learning system, but much remains to be done to ensure all children, particularly those in high-poverty and tribal communities, have access to high-quality, culturally and linguistically responsive ECE.

5. Adequate and equitable funding

Building a system with all four of the key elements described here—meaningful learning goals, a highly skilled workforce, additional supports in high-poverty schools, and high-quality ECE—requires adequate funding that is distributed effectively and equitably. Despite New Mexico’s highly acclaimed 1974 reform of the school finance system to equalize funding, the state has resourced its schools inadequately. A major finding of the *Martinez/Yazzie* court was that the state’s investments in the education system were insufficient to fund the programs necessary to provide an opportunity for all at-risk students to have an adequate education.

Significant funding increases in the 2019 and 2020 legislative sessions—a total of \$672 million—provided a good start toward remedying the ongoing shortfall. Those shifts moved New Mexico closer to the national average in per-pupil spending and increased resources for students identified as at risk. However, more is required to support children whose learning needs are greater because of poverty, language, and disability. In general, this means making high-leverage strategic investments in the five key areas addressed in this report.

Going forward, New Mexico needs to maintain its investments during the economic downturn and prepare to increase them when the economy recovers—particularly in schools serving students from low-income families and other vulnerable students. New investments can be used to implement higher-quality curriculum and assessment; educator recruitment, preparation, compensation, and professional development for a skilled workforce; extended learning and community school supports and interventions in high-poverty schools; and targeted state, regional, and local capacity building. To be effective, however, the state should avoid a proliferation of categorical (“below-the-line”) programs that limit the flexibility of communities and districts to tailor their resource use to meet local needs.

Immediate, low-cost steps include the following:

- Leverage federal aid made available by the CARES Act and other federal pandemic relief legislation to augment local efforts to close the digital divide and provide educators training to deliver remote instruction effectively.
- Support districts to align and consolidate (blend and braid) the multiple federal and state funding sources intended to augment the resources and supports for at-risk students.
- Evaluate the SEG’s new teacher cost index and the rural adjustment to assess the extent to which these approaches remedy inadequacies in low-wealth districts.
- Strengthen fiscal accountability and support districts’ effective uses of funds by increasing the data, expectations, and training for school boards, tribal partners, and educators around budget planning, review, approval, and auditing.
- Appoint a high-level, multi-sector task force to develop strategies for generating additional income, reducing current volatility, and ensuring adequate funding for the education system.

Longer-term steps that could be taken include the following:

- Increase the state’s investments in education toward adequacy of funding and set a long-term goal of, for example, reaching the per-pupil national funding average. Such an increase would allow for the state’s 1,054 vacant instructional positions to be filled, for average

teachers' salaries to be increased to above the regional average, and for additional funding to be provided to undertake other recommendations from this report.

- Increase equity in school resources by providing additional funding to high-poverty schools through the state's at-risk funding program (e.g., increase the formula weight for at-risk students, and add a concentration factor to target additional funding to those districts with the highest percentage of traditionally underserved students).

For more detailed recommendations, see page 60 of the report.

How Can State Leaders Promote Effective Implementation? Supportive Accountability That Builds State and Local Capacity for Improvement

Improvement in the five key elements of the education system discussed above requires substantial state and local capacity with differentiated support, given the unique considerations that New Mexico education must address. To build this capacity, the state can develop an accountability system that, in addition to enabling state monitoring and oversight, includes comprehensive data and processes that New Mexico's districts and schools can use regularly to inform and support educator learning, high-quality implementation, and continuous improvement, as well as authentic collaboration with tribal governments, when appropriate. A supportive accountability system is key to providing the constructive balance between state leadership and local control that New Mexico needs.

To achieve such a system, New Mexico needs a comprehensive set of measures that provide data for evaluating the state's and districts' progress toward providing every student with opportunities for sufficient education. Such data shed light on the extent to which resources are being used effectively to achieve a broad array of important outcomes. Also critical are accountability and fiscal auditing procedures, followed up with constructive assistance, to identify areas in which districts need to improve. New Mexico needs to provide ongoing training and technical assistance for educators, school boards, and tribal partners on using data to pinpoint problems and continuously improve in ways that are locally appropriate. That also means making required state and tribal collaboration an integral part of accountability and improvement processes in Native-serving districts and schools.

New Mexico's accountability and investment policies shifted over the last 2 decades in ways that have influenced achievement. As required by the federal No Child Left Behind law, accountability after 2002 took the following form: The state set specific improvement targets for schools, measured student performance, and intervened in schools that failed to meet their targets. Notably, between 2003 and 2008, the state also made considerable new investments in schools and teaching to support improvement—investments that paid off in increased student achievement.

With the onset of the Great Recession and a change of administration in 2011, disinvestments in school funding were accompanied by accountability strategies that emphasized high-stakes standardized testing tied to sanctions associated with test-score targets for schools and teachers. Public reporting and labeling of schools as "failing" and educators as "ineffective," together with the threat of state-initiated school closures, were expected to lead communities to demand improvement and spur schools and teachers to do better. The policy of high-stakes testing without investing in or supporting improvement did not have its intended impact. New Mexico 8th-grade reading and math score progress stalled, and some scores declined. At the same time, the increased

pressure to raise scores diverted attention away from subjects that were not tested, and instruction in tested subjects tended to mimic the content and format of the tests themselves.

The most recent administration has moved quickly to redesign the state’s accountability policies by limiting testing and revamping educator evaluations, acting on the increased flexibility allowed by the new federal Every Student Succeeds Act (ESSA) law. The Legislature eliminated the A–F school grades and adopted new measures to evaluate school quality and student success, including indicators of students’ opportunities to learn. To monitor and support locals to use funding effectively, the Legislature required the NMPED to develop and implement a comprehensive online financial reporting system.

Given the progress of the current administration and Legislature, the following recommendations build on and extend existing policies consistent with research and seek to strengthen their implementation. These recommendations are informed, in part, by California’s recent overhaul of its funding and accountability system, which changed the state’s distribution of resources and has led to significant increases in graduation rates and achievement, particularly among children from low-income families.

Immediate, low-cost steps include the following:

- Make the state’s expectations for learning clearer by developing a state “Profile of the New Mexico Graduate” that includes learning goals and other outcomes that go beyond standardized test scores.
- Further refine the state’s new set of indicators, dashboard, and data system to include multiple measures of students’ opportunities to learn, as well as a broad range of outcomes identified in the graduate profile. The dashboard might also present data on locally determined indicators required for the new Indian Education Act student needs assessments.
- Require robust, community-engaged, local budget planning and accountability processes that use state data combined with local expertise to propose and evaluate the extent to which local spending focuses on community-appropriate, evidence-based strategies for increasing student learning opportunities and outcomes. These processes should include authentic collaboration with tribes and pueblos in Native-serving districts, as specified in the 2019 amendments to the Indian Education Act.
- Monitor implementation of the new Indian Education Act needs assessments, systemic frameworks, and accountability tools for improving educational outcomes for Native students. State support may be particularly beneficial—e.g., aggregating and sharing local best practices in conducting and using needs assessments.

In the longer term, the state could create and fund infrastructure and processes that support local policymakers and educators to use the system’s accountability data in well-defined processes of continuous improvement. This could include the following:

- Invest in a research and accountability unit in NMPED.
- Build a stable infrastructure for professional development to enable educators to contribute to and use the multiple indicators system effectively.

- Provide regionalized technical assistance, learning opportunities, and school reviews to support districts, schools, teachers, and tribes in budget planning and accountability processes, including support for government-to-government collaboration and community engagement. Expertise could be housed at regional education cooperatives, universities, or large districts and become an integral part of a larger state investment in increasing the regional capacity of NMPED.
- Develop memoranda of understanding between tribal governments and their departments of education and the NMPED and local districts for two-way data-sharing agreements of student data covering both the state public education system and the Bureau of Indian Education and tribally controlled school system.

For more detailed recommendations, see page 68 of the report.

How Can New Mexicans Move This Agenda Forward?

Education system improvement is not quick work. It takes comprehensive learning and change, championed by those both in and outside the current system. This is more the case than ever as New Mexico confronts the challenges from the coronavirus pandemic. Ideally, as has been the case in several other states, a bipartisan and diverse cadre of leaders of New Mexico’s public and private sectors can be brought together as an independent statewide commission or task force to assume responsibility for articulating this agenda by setting specific goals and timelines for developing collective and sustained ownership and by leading the state toward a system that complies with the court order in *Martinez/Yazzie* because it works for all New Mexico children.

This is not a new idea in New Mexico. Most New Mexico stakeholders agree that a broad array of people should be involved in guiding education improvement. In the 2019 and 2020 legislative sessions, a bill was introduced that would create a “commission on equity and excellence in education” to address long-term strategies to improve New Mexico public schools.

Next steps toward an independent statewide commission. To support fundamental changes in public education that can be sustained over political transitions, the state can fund, structure, and charge an independent statewide body of diverse and bipartisan leaders with developing a long-term plan and providing long-term guidance for education improvement in New Mexico. This plan and guidance could focus on strengthening the five essential elements of high-performing systems and building an accountability system that provides state direction and support balanced with local control and capacity.

Convening such a body would be a relatively low-cost strategy with a long-term payoff. The process of long-term planning by a commission will take time, compromise, and trust building. But the process can result in proposals that are substantively strong and politically viable, as well as potentially avoid expensive, drawn-out court battles. Without a strong plan rooted in consensus about long-term strategies, New Mexico risks many more years of frustration and disappointment over the failure to educate its children in ways that both they and the state deserve.

For more detailed recommendations, see page 80 of the report.

Introduction

In spring 2020, New Mexico public education was on the brink of significant improvement, with policymakers, educators, and advocates confronting and seeking remedies to long-standing challenges that have diminished the lives and schooling of its children. For decades, New Mexico's diverse and complex districts and schools, including many that share responsibility for educating Native American students with the state's 23 sovereign tribal governments, had struggled with inadequate resources and support to educate all students well. These inadequacies, together with New Mexico's extraordinarily high levels of poverty, limited economic opportunity, and history of cultural marginalization, all contributed to the state's near-bottom rankings on most national indices of educational quality and measures of childhood and adult well-being. The past three governors have focused on improving the education system, but with few successes.

Since late 2018, however, efforts to revamp public education have accelerated and changed directions. Addressing the needs of the state's most vulnerable children is now front and center of the state's education policy agenda. This is partly a result of the court decree in the *Martinez/Yazzie* lawsuit ruling that the state's education system is insufficient, particularly for the children who are placed at risk from poverty, cultural and linguistic differences, or disability, and partly a result of opportunities provided by new revenues flowing into the state from an unexpected oil and gas boom.¹ Together, the Office of the Governor, the New Mexico Legislature, advocates, and educators have begun making progress toward a stronger system—increasing teacher compensation, providing for expanded learning time in high-poverty schools, launching a new statewide community schools initiative, and moving toward a useful and supportive accountability system, to name just a few steps in the right direction.

The current moment is precarious, however. The coronavirus pandemic, which closed schools for one third of the 2019–20 school year, is also damaging the state's economy—made worse by the related plunge in oil prices and the collapse of tourism. The state has already made cutbacks to education funding, as well as to other social and economic supports. At the same time, evidence that the state's most at-risk children are experiencing the direst effects of closed schools, job losses, and declines in state revenue brings into even sharper relief the combined harms of poverty and lack of access to good schooling in New Mexico. For example, a recent national study estimated that 56% of the state's Native households with children under 18 (nearly 15,000 children) lack access to broadband required to make remote learning possible, and 34% of Native households with children (19,250 children) have no computer. The study also estimated that more than half of New Mexico households making less than \$25,000 per year (with more than 59,000 children) lack sufficient internet, and 32% of such households (with more than 34,000 children) are without a computer.² In 2020, New Mexico ranked 49th among states in the percentage of households with sufficient broadband access.³

The momentum toward solving these problems cannot be allowed to stall. Now is not the time to settle for restarting the state's demonstrably inadequate schools. It is the time to continue efforts to make things right. Although changes requiring big new investments cannot be made immediately, every policy and funding decision responding to the current COVID-19 crisis should strengthen New Mexico's drive toward a strong, just, and better education system in which every child can thrive. As implausible as this may sound, this is possible by acting now to define the parameters of a more equitable and effective system to guide the Legislature and the administration as the economy

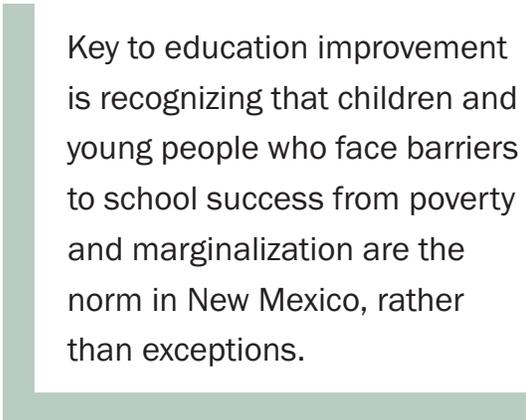
recovers and as funds flow back into schools. For example, immediate pandemic-related efforts to ensure that children in every part of the state have access to devices and Wi-Fi for remote learning can be used as initial steps toward a statewide infrastructure that closes New Mexico’s digital divide that has and (without fundamental change) will continue to undermine equitable education in the state.

This challenge may be more daunting in New Mexico than it is in states with stronger economies and less poverty, but that should not diminish resolve. New Mexicans are ready for change. In summer 2019, only 29% of New Mexicans rated the current system to be either “excellent” or “good.” More than half recognized that out-of-school factors such as poverty pose serious problems for the education system. More than half judged the state’s investments in education as inadequate.⁴

This report addresses both this historic moment and New Mexico’s need for a long-term plan to make fundamental, systemic improvements. It briefly lays out the status of New Mexico’s educational system, paying particular attention to how it has served those who are vulnerable. It recommends evidence-based short- and long-term changes toward a complete revamping of the system with rationality and equity. These changes would create policies, structures, and practices that both center the needs of students facing the greatest challenges and serve more advantaged students well.

For more than a year, the Learning Policy Institute (LPI) conducted research in New Mexico. The purpose of the study was to provide New Mexico policymakers, stakeholders, leaders, and other interested parties a research perspective on the challenges facing education in the state and to identify evidence-based policies that could build a high-quality, equitable system. LPI’s research included (1) a review of state policy documents and analyses produced by stakeholder, research, and advocacy groups; (2) interviews with more than 80 key stakeholders; and (3) new statistical analyses of data from the New Mexico Public Education Department (NMPED) database and publicly available data. This research, together with numerous national and international studies, yielded recommendations that are evidence-based, locally informed, and resonant with the goals of New Mexicans.

The most critical finding from our LPI research, and what guides the recommendations offered in this report, is that key to education improvement is recognizing that children and young people who face barriers to school success from poverty and marginalization are the norm in New Mexico, rather than exceptions. Accordingly, the state must design its educational system with their diverse needs at the center, rather than placing them at the periphery where they might get “special” help. That means developing, adopting, adequately resourcing, and implementing education policies, structures, and practices that both foster high levels of meaningful learning and counterbalance the out-of-school barriers most New Mexico children face. Such an approach aligns with the state’s pledge—already established in statute—that “no education system can be sufficient for the education of all children unless it is founded on the sound principle that every child can learn and succeed.”⁵



Key to education improvement is recognizing that children and young people who face barriers to school success from poverty and marginalization are the norm in New Mexico, rather than exceptions.

This report provides a road map to help New Mexico leaders focus on long-term improvement as the state recovers from the COVID-19 setbacks. It focuses on system changes at the state level that can enable and support local improvement across New Mexico’s diverse communities and schools. For the near term, we identify what can be done without a large infusion of new funds. State policymakers, together with leaders from education, business, nonprofits, and tribal governments, can draw on recommendations in this report as they work to create a coherent post-COVID-19 approach to deep and lasting improvement in New Mexico schools.

This is not short-term work. Even in good times, it cannot be done within conventional political cycles, and it must be protected from the vagaries of political transitions. It is also not work that can be done by policymakers without transparency and significant engagement of educators, community members, and other stakeholders. The transformational change necessary is simply too large to be addressed by any single entity.

Ideally, the long-term agenda can be overseen by leaders in New Mexico’s public, private, and tribal sectors who come together as an independent, bipartisan statewide advisory group or “commission,” as has worked well in other locales. Perhaps the best-known example of such a group is the Prichard Committee of Kentucky that, since 1983, has studied and engaged Kentuckians in improving the education system, including helping to devise a response to a court order that led to the passage in 1990 of Kentucky’s Education Reform Act, a national model for state education reform. More recently formed entities in Maryland (the Kirwan Commission) and in North Carolina (the Leandro Commission) are engaging diverse leaders from across these states to inform and engender broad support for major education system improvement. In New Mexico, a diverse, bipartisan group could explore, articulate, and guide the long-term development of an education system for all New Mexico children, informed, in part, by the analyses provided in this report.

Although deliberations of task forces and work groups can take time as various substantive and political issues are worked through, in the end they can produce approaches that are more durable than what might be developed behind closed doors. Additionally, a task force can serve as an ongoing oversight group monitoring implementation of reforms once developed. For these reasons, we include in our recommendations a call for task forces and working groups that bring New Mexicans together to inform and support the specifics of evidence-based policy directions. Of course, establishing a knowledgeable, representative, and culturally, geographically, and politically diverse task force is no guarantee of success. The obstacles remain considerable. However, without a deliberate plan for consensus building and a sustained commitment to long-term reforms, New Mexico’s students are not likely to see the changes they have been promised and deserve.

The remainder of this report is organized as follows: We begin with a brief overview of the unique characteristics of New Mexico that must be taken into account in educating all the state’s children well. Second, we take a look back at policy strategies to address education challenges that were attempted by recent administrations.

Third, the body of this report focuses on five fundamental elements of education systems that have been the focus in states and other countries that have made significant improvement: (1) meaningful learning goals, supported by (2) knowledgeable and skillful educators, (3) integrated student supports, and (4) high-quality early learning opportunities, all made possible with (5) adequate and equitably distributed school funding. In each of these five elements of the system, we describe where New Mexico stands and recommend key evidence-based policy directions

that include both short-term, low-cost activities and longer-term changes that will require more substantial investment. Notably, inadequacies in each of these five areas were cited by the *Martinez/Yazzie* court as informing its ruling; addressing them would help the state achieve a constitutionally sound education system.

Fourth, because improvement in each of these five areas requires substantial state and local capacity, we also recommend ways for the state to develop an accountability and improvement system that, in addition to enabling monitoring and oversight, provides data that inform and are linked to opportunities for educator learning and district capacity building. Here, too, our research and recommendations are relevant to the *Martinez/Yazzie* final judgment and order of 2019, in which the court noted: “The new scheme should include a system of accountability to measure whether the programs and services actually provide the opportunity for a sound basic education and to assure that the local districts are spending the funds provided in a way that efficiently and effectively meets the needs of at-risk students.”⁶

Finally, we lay out the case for a statewide education advisory group or commission that can bring coherence to the often-piecemeal legislative political processes that occur in the midst of unforeseen local, national, and world events. Such a group could guide the state, even as it confronts the impact of the coronavirus, toward system changes that can bring long-term improvement.

What Are Unique Considerations for Educating New Mexico's Students?

Educating children in New Mexico requires attention to unique characteristics that differentiate New Mexico from other states. This uniqueness has its roots both in the state's most valued attribute—extensive geographic, cultural, and linguistic diversity—and its most troubling one—an economy that perpetuates widespread poverty.

New Mexico's geographic, cultural, and linguistic diversity brings enormous richness and strength. It has also made achieving a statewide system of effective and equitable schools extraordinarily complex, particularly in light of New Mexico schools' past role in cultural and linguistic assimilation.⁷ The considerable diversity among New Mexico's districts, including those where tribal collaboration is required, makes some measure of local control necessary if education is to adapt to the local context. In fact, leaving decisions to local communities about how to provide education—local control—has been the overarching governance principle throughout the state's history.

Local control, however, requires considerable capacity to operate schools effectively—capacity that local districts, especially small ones, are unlikely to develop without state assistance. This is the case in both the state-controlled system and the tribal and federal school system. School boards, tribal governments, and educators need professional knowledge and skills to use their resources well. These include being able to implement evidence-based practices in ways that recognize that students' learning experiences must build on their prior experiences, cultural knowledge, and linguistic capital. They also include the ability to take full advantage of opportunities for collaboration between districts and tribes, particularly in situations in which coherence between the parallel state and tribal systems is crucial to the educational success of Native students.

Although admirable attempts have been made, New Mexico's education system has never achieved the right balance of state direction and support with local control and capacity to educate all students effectively in ways that build on diverse local strengths and meet local needs.

At the same time, the state's distressed economy has brought challenges. More New Mexico children live in low-income families and communities than in most other states. These children experience formidable barriers to learning and school success that come with living in poverty. These barriers can be mitigated, but only with the investment of resources and supports beyond what educating more advantaged children requires. Yet, because New Mexico's overall levels of revenue and income have been exceptionally low, the state has not provided sufficient opportunities, resources, and support needed to educate its students who are most at risk.

Together, these features of New Mexico underlie the state's disappointing student outcomes as well as the state's place at or near the bottom of national rankings of education quality and child well-being. They also informed the *Martinez/Yazzie* 2018 court decision that the state's education system failed to meet the constitutional requirement of sufficiency.

Diverse Districts, Schools, and Students Require State Direction and Support Balanced With Local Autonomy and Capacity

New Mexico, the fifth largest state in size, spreads its relatively small number of students (approximately 336,000) across 121,697 square miles. Most attend 834 state-supported public schools that are governed by 89 districts and 49 state-authorized charters. About 6,000 of New Mexico's students attend schools funded by the federal Bureau of Indian Education on tribal land, including 22 tribally controlled schools and 22 Bureau of Indian Education–operated schools. Most of these schools are elementary and middle schools; only 12 offer high school grades.⁸ Most students living on tribal land move between tribal and state-supported public schools at points in their trajectory through k–12.

The 89 districts range in enrollment from 38 students in Mosquero Municipal Schools in the northeast corner of the state to 91,110 in Albuquerque Public Schools. Thirty-seven of the 89 districts serve fewer than 500 students; 9 have enrollments above 10,000. A majority of schools (63%) are in rural areas (about half in remote towns) and are attended by slightly more than half (52%) of the state's students.

Approximately 77% of students attending New Mexico's 834 state-supported schools are students of color, 16% are English learners, and 15% are identified as having disabilities.⁹ The 62% who are Hispanic include children of families who have lived in the state for 400 years and children who are recent immigrants. Approximately 10% of Native students in public schools identify as Native American. Across public and tribally controlled schools, Native students are enrolled members of or otherwise affiliated with over 100 Tribal Nations, including the 23 that are located wholly or partly in New Mexico. Thirty-five percent of New Mexicans older than 5 years live in homes where languages other than English are spoken.¹⁰ English learners in the schools include those from Spanish-speaking homes, those from indigenous linguistic communities, and recent immigrants whose home languages are not English, Spanish, or indigenous languages. Districts differ greatly in their diversity; for example, 79% of Gallup-McKinley students are Native—predominantly Navajo, Hopi, and Zuni;¹¹ 73% of Los Alamos students are White.¹² In 2019, Albuquerque Public Schools' students represented at least 26 different languages and 88 federally recognized tribes.¹³ Although most Native American students (71%) are located in rural schools, students from other groups are more evenly distributed between urban and rural areas.¹⁴

To educate effectively in this context, local school districts and schools need to balance state leadership and support with local autonomy. Local autonomy, however, requires considerable capacity to operate schools effectively. This is the case in both the state-controlled system and the tribal and federal school system. School boards, tribal governments, and educators need professional knowledge and skills to use their resources well. This includes being able to adopt and implement practices that recognize that students' learning experiences must build on their prior experiences, cultural knowledge, and linguistic capital. It also includes being able to take full advantage of opportunities for collaboration between districts and tribes, particularly where coherence between the parallel state and tribal systems is crucial to the educational success of Native students.

Many New Mexico districts lack sufficient operational capacity, as well as the knowledge and skills to develop culturally and linguistically responsive schooling. According to many of the stakeholders we interviewed, most districts struggle to fulfill their legal requirements to collaborate with the state’s tribal governments in the education of Native students. At the same time, small, rural districts struggle to recruit and retain board members, superintendents, and business managers. This struggle, together with shortages and high turnover of teachers and school leaders, can contribute to a lack of professional knowledge and skill, as well as ongoing instability.¹⁵ Poor financial management practices and flawed accounting systems unnecessarily expose the districts to fraud, waste, and abuse.¹⁶ Although attempts have been made, New Mexico’s education system has never achieved the right balance of state direction and support with local control and capacity to educate all students effectively in ways that build on local strengths and meet local needs. This report suggests that developing state and local capacity should be a central focus of state policymakers and recommends policies and investments to do so.

Mitigating the Harms of Poverty Requires Investments That New Mexico Has Not Made

New Mexico’s education system operates in a social and economic context that has been unable to lift a large proportion of the state’s young people out of poverty or ameliorate the barriers that poverty creates to school success. In 2018, 75% of New Mexico’s students qualified for federally subsidized meals because of their families’ low incomes.¹⁷ More than 1 in 10 children (13%) lived in extreme poverty (i.e., families with incomes that were less than half of the federal poverty line), and 35% lived with families in which no parent had secure employment.¹⁸ A quarter lived in households that were food insecure,¹⁹ and 37% lived with families receiving public assistance. Twelve percent of New Mexico teens between 16 and 19 were neither in school nor working.²⁰

U.S. News & World Report’s ranking of New Mexico as 48th among the states in economic opportunity is illustrative of the state’s relative deprivation. This measure includes the households living below the federal poverty line, along with food insecurity, household income, and the disparity of income between the lowest-income households and the highest (using the Gini index) (Table 1).

Table 1
New Mexico’s Rank on Selected Economic Measures

Rank	State	Food Stability	Gini Index	Household Income	Poverty Rate
47	West Virginia	44	29	50	47
48	New Mexico	50	34	46	48
49	Mississippi	47	38	49	50
50	Louisiana	48	48	47	49

Data source: *U.S. News & World Report*. (2019). Economic opportunity rankings: Determining which states have the least poverty. *2019 Best States Rankings Data*. <https://www.usnews.com/news/best-states/rankings/opportunity/economic-opportunity> (accessed 03/15/20).

Limited economic opportunity undermines a state population’s stability, health, and quality of life. Therefore, it is not surprising that, after reviewing multiple family, school, and socioeconomic indicators that play into students’ prospects for positive adult outcomes, *Education Week* in 2020 ranked New Mexico 50th nationally on its Chance-for-Success Index.²¹ In 2020, the Annie E. Casey Foundation’s annual report on child well-being, *Kids Count*, ranked the state 50th for the third consecutive time.²²

Although it is widely understood that children from poor families perform less well in school (and particularly on standardized tests) than their better-off peers, research also makes clear that “concentrated poverty” makes matters worse.²³ Nearly half (46%) of New Mexico schools (enrolling 39% of the state’s students) have large concentrations of students from low-income families, with 80% or more students qualifying for federally subsidized meals.²⁴ About 45% of the state’s students of color attend such schools (compared to 20% of the state’s White students); a total of 88% of the students in these high-poverty schools are students of color.²⁵

Nearly half (46%) of New Mexico schools (enrolling 39% of the state’s students) have large concentrations of students from low-income families, with 80% or more students qualifying for federally subsidized meals.

The negative effects of concentrated poverty compound the impact of students’ own socioeconomic status. Hundreds of studies have shown that students from low-income families who attend more advantaged schools do better than students from low-income families who attend schools in which most students are also from low-income families. A school’s *average* socioeconomic status has as much of an influence on a student’s academic achievement as his or her individual socioeconomic status.²⁶

Schools cannot “fix” widespread poverty, but evidence-based interventions that provide additional supports and resources can mitigate the disadvantages associated with poverty so that all students can approach having opportunities and safety nets that are comparable to those of more advantaged students.²⁷

Disappointing Student Outcomes

Together, these unique features of New Mexico underlie the state’s disappointing student outcomes as well as the state’s position at or near the bottom of national rankings of education quality and child well-being. They also informed the consolidated *Martinez/Yazzie* 2018 court decision that the state’s education system failed to meet the constitutional requirement of sufficiency.

Notably, in 2018, 74% of New Mexico’s students graduated from high school within 4 years, compared to 85% nationwide.²⁸ In that same year, only 31% demonstrated proficiency in English language arts and 22% in mathematics on the state’s standardized tests.²⁹ Although these tests are limited in the accuracy of their measurement of students’ abilities and potential,³⁰ especially for students from low-income families and for students of color, proficiency rates this low can be trusted as an indicator that the quality of the state’s educational system is insufficient.

Notably, relative to other states, New Mexico ranked 48th, 49th, or 50th on education indicators examined in 2019 by *U.S. News & World Report*—college readiness, high school graduation rates, and achievement in math and reading.³¹ It ranked only slightly better in the percentage of 3- and 4-year-olds participating in state-supported early education. Not only did New Mexico rank far behind the nation’s highest-performing states; it also ranked lower than the neighboring states to which New Mexico is often compared. (See Table 2.)

Table 2
New Mexico’s Rank on Selected Outcome Measures

Rank	State	College Readiness, 2018 (SAT/ACT)	High School Graduation Rate, 2016	NAEP Math Scores, 2017	NAEP Reading Scores, 2017	Preschool Enrollment, 2017
1	Massachusetts	4	13	1	1	5
2	New Jersey	5	2	4	2	2
3	New Hampshire	1	9	3	2	12
4	Vermont	13	11	8	4	1
5	Connecticut	2	15	21	4	4
....						
14	Colorado	6	44	15	8	23
15	Kansas	36	22	20	20	3
22	Utah	34	26	14	11	35
33	Texas	24	5	24	41	38
43	Oklahoma	46	35	42	39	21
44	Arizona	48	42	24	34	46
48	Nevada	39	48	42	41	48
50	New Mexico	50	49	48	49	44

Data source: *U.S. News & World Report*. (2019). Pre-k–12 rankings: Measuring how well states are preparing students for college. *2019 Best States Rankings Data*. <https://www.usnews.com/news/best-states/rankings/education/prek-12> (accessed 03/15/20).

Education Reform Has Not Accounted Sufficiently for These Considerations

New Mexico policymakers have not ignored the state’s educational problems. For at least 50 years, they have struggled to make improvements. To eliminate historical funding inequalities among school districts, New Mexico in 1974 was one of the first states to eliminate local property taxes as the primary source of school funding and replace them with a State Equalization Guarantee (SEG) formula, composed almost entirely of state funds. The statute included a funding formula for spreading state money equally across all the districts. New Mexico’s system became one of the most equally funded in the nation, albeit one of the poorest funded. During this period, the state also was

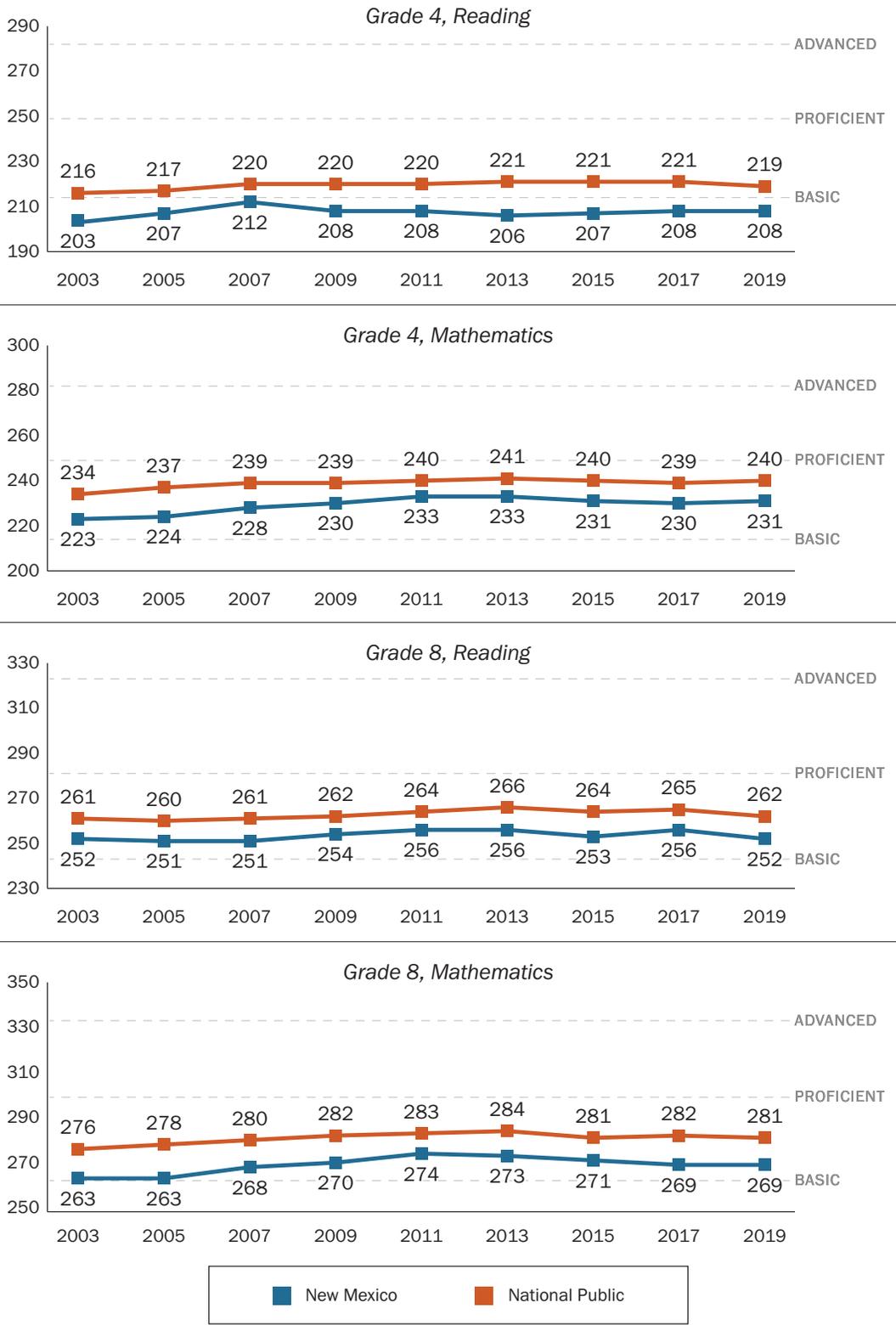
the first in the nation to address in statute the cultural and linguistic needs of the state's diverse population, passing the Bilingual Multicultural Education Act of 1973.

The three governors who have served New Mexico since the turn of the 21st century have mounted aggressive education improvement efforts, in part to align state policy with increasingly prescriptive federal law as defined in the No Child Left Behind Act of 2001 (NCLB). Some efforts that improved student outcomes at moments in time were not sustained. Others were never fully implemented, including provisions of statutes focused on improving the education of English learners and requiring increased tribal control over the education of Native students.³² Implementation remains a lingering challenge. As noted above, the state's long tradition of local control as the way to enable New Mexico's diverse communities to meet local needs has been hindered by insufficient capacity in local districts. It has also been constrained by the lack of sufficient resources to educate children from marginalized and low-income families and communities well. The movement of Native students across state-controlled and tribally controlled schools poses another challenge. Although some state improvement efforts sought to increase local capacity, the "high-stakes" test-based accountability required by NCLB diminished attention to providing supports for local improvement.

Three Education-Focused Administrations

Governor Bill Richardson's administration (2003–11), after securing voters' approval, replaced the superintendent of public instruction (appointed by the elected state school board) with a cabinet-level secretary and agency, thus limiting the authority of the board itself. This followed a national trend of mayors and governors elevating education to a stronger administration priority. Under Richardson, the state also invested in specific improvements. It extended kindergarten to full-day classes and adopted state-provided, free pre-k for 4-year-olds. It established a three-tiered system for teacher salaries and moved the state's ranking from 46th to 36th in teacher compensation. Under Richardson's watch, the state also adopted higher curriculum standards and mounted a federally supported Reading First initiative that provided intensive professional development in early reading for educators teaching the state's youngest students. As a likely consequence of these targeted investments, students' scores in reading and math on the National Assessment of Educational Progress (NAEP) improved (see Figure 1). At the same time, the Legislature strengthened the Bilingual Multicultural Education Act (2004), the Indian Education Act (2003/2007), the State-Tribal Collaboration Act (2009), and the Hispanic Education Act (2010). All of these statutes were meant to ensure equitable, culturally relevant learning environments for Native and Hispanic students, close opportunity and achievement gaps, maintain home languages, and establish partnerships to increase tribal involvement and control over schools.

Figure 1
NAEP Average Scale Scores for 4th- and 8th-Grade Reading and Mathematics, 2003–19



Data sources: National Assessment of Educational Progress (NAEP) Assessment, 2003–2019, from the U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics.

Governor Susana Martinez's administration (2011–18) shifted the agenda and advanced reforms that intensified NCLB's test-based approach. The state adopted new standardized state tests aligned to its curriculum standards, and it revamped the school accountability system to focus more intensively on test results. It adopted A–F grades for schools and a five-level effectiveness rating system for teachers, both of which were driven by standardized test scores of students' academic growth and proficiency. Choice became more central to the accountability system, allowing students to opt out of persistently struggling schools into higher-performing traditional or charter schools. Repeated, but unsuccessful, efforts were made to mandate the retention of 3rd-graders not reading at grade level. These test-based reforms took precedence over funding and implementing the provisions of state statutes mandating culturally and linguistically responsive instruction and language preservation programs and closer collaboration with tribal governments. Unfortunately, these more recent policies were also associated with stalled progress and some declines in student outcomes and a growing gap in achievement between New Mexico and other states. Although achievement tests fail to measure student learning completely and can be distorted in high-stakes contexts, they can provide useful indicators of the system's overall performance. Except for short-lived increases between 2005 and 2011, New Mexico's scores on the NAEP (which is not part of the state's high-stakes testing) have remained far below the national average and below most other states.³³

These indicators and the persistent inadequacies that underlie them were the basis of the 2018 ruling in the *Martinez/Yazzie* litigation. Agreeing with the plaintiffs that the education system violated students' constitutional rights to a sufficient education—particularly students from low-income families, students of color (including Native American students), English learners, and students with disabilities—the court ordered the state to bring the system into compliance. Although the court did not prescribe specific remedies, it noted the importance of increasing overall resources and supports for students and implementing neglected and underfunded policies intended to create linguistic and culturally responsive education and increase the college and career readiness of at-risk students.

In response to the *Martinez/Yazzie* ruling and with the opportunity presented by unexpected state revenue from a surge in oil and gas prices, Governor Lujan Grisham ran on a strong education reform platform, and her administration (2019 to present) spent its first several months trying to address system failures. Together with the Legislature, the administration made changes in the accountability system (eliminating school grades and revamping the teacher evaluation system, for example) that have moved the state toward a support-based (rather than punitive) approach to working with struggling schools. Her administration also adopted long-stalled changes to the Indian Education Act requiring Native-serving districts to develop frameworks and budget priorities to help Native American students succeed. Budget increases for teacher salaries, extended learning programs, and increases in the state's funding formula's allocation for at-risk students (students from low-income families, English learners, and mobile students)—all evidence-based practices—have added hundreds of millions of new dollars into the public education system. But much remains to be done.

In January 2020, the *Martinez/Yazzie* plaintiffs, arguing that the state's recent efforts fall far short of creating a constitutionally sufficient education, filed a motion asking the court to order the state to produce, by mid-March, a specific, long-term plan. The state countered by petitioning the court to dismiss the case, arguing that the state has, in fact, made significant investments and initial

changes that comply with the court order and will continue to do so, despite the state's economic collapse. However, in late June 2020, the court ruled that "Until there are long-term comprehensive reforms implemented by the state the court will maintain jurisdiction over this case."³⁴ The ruling also called for proven programs and reforms that would provide more career and college opportunities for the at-risk students named in the suit.

A Glimpse Into the Future

Despite disagreements around whether the court should continue to oversee the *Martinez/Yazzie* remedy, most New Mexicans acknowledge that the reforms over the past 2 decades, including the most recent ones, have only scratched the surface of deep systemic problems and underfunding in a state whose children face economic and cultural neglect. These challenges are likely to persist, in that projections of the student population overall and its distribution suggest few demographic changes likely to alter the patterns we see today. The state's 1st- and 10th-graders in 2019 are nearly identical in their racial and ethnic backgrounds, the percentage with disabilities, and their distribution across urban and rural settings.³⁵

Moreover, as the state moves through this moment of acute crisis around the COVID-19 pandemic, it should take a long view of education improvement and use processes that will allow it to lift New Mexicans' shared values and use them as a guide for what comes next. Any of the possible paths ahead will be difficult, but the state can choose one that repairs the system in ways that work for all.

What Can Be Done Now?

Focus on Five Fundamental Elements of a High-Quality Education System

To inform next steps in New Mexico, state leaders can look to research and to examples in other states and nations that have effectively and dramatically improved systems of education—including the now top-rated states of Massachusetts, Connecticut, and New Jersey. In each case, these systems have attended to five common and fundamental elements that will be keys to good education.⁵⁶

1. Meaningful learning goals, supported by
2. Knowledgeable and skillful educators,
3. Integrated student supports, and
4. High-quality early learning opportunities, all made possible with
5. Adequate and equitably distributed school funding.

Making policy changes in all five is possible in New Mexico and could bring significant improvement.

In the next sections of this report, we outline New Mexico’s current status in these five essential areas and recommend ways to strengthen them. For each, we identify key goals, describe the current context and conditions, note progress to date, and recommend evidence-based next steps. Notably, as we point out in each section, inadequacies in each of these fundamental elements were cited by the *Martinez/Yazzie* court as underlying its ruling that the state education system failed to meet the constitutional obligation to provide a sufficient education for children characterized as at risk. The final order requires that “as soon as practicable every public school in New Mexico would have the resources, including instructional materials, properly trained staff, and curricular offerings, necessary for providing the opportunity for a sufficient education for all at-risk students.”⁵⁷ Making improvements in each of these five areas would help the state meet its obligation in the litigation while also creating a much stronger system overall.

As necessary as policy changes in these five elements are, they are not enough to establish and sustain a high-quality education system. In addition to adopting productive policies, every high-performing system has developed a thoughtful accountability system that focuses attention on the right actions at the state and local levels by providing data on what matters for opportunity and outcomes and by developing capacity to implement policy well.⁵⁸ Accordingly, we recommend ways New Mexico can align its system of accountability with its improvement goals; in addition to monitoring and oversight, system accountability should provide more useful data and be linked to support for educator learning and school capacity building. Here, too, the *Martinez/Yazzie* court identified a revamped accountability system as part of the needed remedy.

Such fundamental improvement takes slow, steady, and comprehensive change. The Lujan Grisham administration and the Legislature have made significant strides in this direction, and our analyses and recommendations follow from this good start.

1. Meaningful 21st Century Learning Goals

New Mexico has established a strong vision of what it means to offer a sufficient education to the children of New Mexico through its adoption of rigorous academic standards and laws requiring the tailoring of instruction to students' cultural and linguistic backgrounds. However, that vision has not been resourced or implemented sufficiently to have a positive impact on students' learning opportunities and outcomes. The *Martinez/Yazzie* court was particularly concerned about the absence of a framework for districts to use in providing culturally and linguistically relevant education, as required by the Indian Education Act, the lack of services designed to support English learners, and weaknesses in the state's approach to college and career readiness for at-risk students.³⁹

LPI's analysis of an array of New Mexico stakeholder reports on improving education also shows high levels of consensus in the state about developing more meaningful learning goals, including strengthening college and career pathways, improving culturally and linguistically relevant instruction, and integrating social and emotional learning, and strengthening school climate to more holistically support students.⁴⁰ (See Appendix B.)

In what follows, we offer specific goals for meaningful learning and the evidence base for them, the context in New Mexico that makes these goals relevant and important, progress the state is making in moving toward these goals, and recommendations for next steps. Here, as in the remainder of this report, we offer a set of low-cost recommendations for immediate steps that can be taken as schools and the economy recover from the COVID-19 pandemic. We also provide a set of longer-term recommendations that give directions for policy changes as revenues recover in the post-pandemic period.

Key goals for meaningful learning

Both research and New Mexico stakeholders' local knowledge suggest that the state should adopt four specific goals for meaningful learning:

1. Improve students' opportunities to develop **high-level cognitive skills in the core academic disciplines** by engaging in critical and creative thinking as they investigate scientific, social/historical, literary, artistic, and mathematical questions.
2. Implement **culturally and linguistically responsive curriculum and instruction**, recognizing that students' learning must be grounded in their prior experiences, cultural knowledge, and linguistic backgrounds.
3. Build **social and emotional learning** into the curriculum to help students develop self-regulation, collaboration, problem-solving, conflict resolution, perseverance, and resilience—skills that are also essential in 21st century life and increasingly demanded by employers.
4. Develop **high school pathways that integrate college and career preparation** to make high school more engaging and relevant while also advancing the other important goals listed here.

Developing **high-level cognitive skills in the core academic disciplines** requires curriculum and instruction to support deeper understanding of content by focusing on inquiry and complex problem-solving—an approach that is increasingly known as “deeper learning.” Students engage in critical and creative thinking as they investigate scientific, social/historical, literary, artistic, and mathematical questions and develop grounded arguments, solutions, and products.

They develop their verbal, written, and graphic communication skills through written assignments and presentations. Key to this approach is the demonstration of their knowledge through performance assessments that allow them to exhibit what they know and can do in authentic ways.

Researchers have demonstrated that deeper learning generates improved student achievement, particularly for students furthest from opportunity. For example, in a recent set of studies, the American Institutes for Research (AIR) found that access to deeper learning pedagogies in a set of schools organized around project-based learning, work-based learning, and performance assessments improved academic performance, graduation rates, and postsecondary outcomes. Researchers found that students in deeper learning environments outperformed their counterparts on state-mandated tests in math and English language arts, despite those tests’ limitations in measuring deeper learning itself. Moreover, the academic effects of attending schools organized around such learning are positive for both high and low achievers, suggesting that deeper learning can benefit students across the developmental and learning spectrum.⁴¹

Key to improving students’ opportunities to develop these high-level cognitive skills is the state finding ways to incorporate them both into instruction and into assessments that guide instruction. This likely requires developing or adopting new assessment tools that both effectively measure higher-order skills and provide ongoing diagnostic support for learning. Without assessments to guide and monitor teaching and learning, it will be difficult for educators to place curriculum and instruction focused on a deeper understanding of content at the center of their practice. Notably, experiences structured around strong coursework and performance-based assessments support student advancement and can help narrow race, class, and language gaps in secondary and higher education achievement.⁴²

Implementing culturally and linguistically responsive curriculum and instruction effectively is essential for accomplishing meaningful learning goals in diverse settings such as New Mexico. Culturally responsive approaches draw from students’ identities and cultures to reshape traditional teaching and learning, affirming students’ cultural and linguistic histories as they connect new learning to students’ prior knowledge. Consistent with instruction that provides opportunities for deeper learning (described above), teachers set academic tasks in students’ everyday activities and encourage them to tackle relevant issues through carefully structured projects. Here, too, performance assessments serve as an important and effective vehicle for recognizing and exploring students’ learning in the context of their rich and varied cultural identities. Ideally, such programs are shaped locally, with input from families and community members.

Developing **high-level cognitive skills in the core academic disciplines** requires curriculum and instruction to support deeper understanding of content by focusing on inquiry and complex problem-solving.

Culturally responsive instruction was a primary focus of the court findings in the *Martinez/Yazzie* litigation, and its effectiveness is documented in several sources of evidence. For example, emerging findings from the learning sciences reveal that students' cultural contexts are fundamental to their learning.⁴³ Schools that neglect students' cultural identities and experiences add to students' cognitive load, forcing them to expend mental and emotional energy navigating environments that can feel hostile and take away from their ability to learn.⁴⁴ Over time, these adverse school experiences add up and can lead to student withdrawal and loss of motivation and, ultimately, increased gaps in school performance and achievement.⁴⁵ On the other hand, schools that take a culturally responsive approach scaffold learning by connecting instruction to students' cultural resources and individual experiences, which reduces cognitive load and identity threat and creates greater capacity for increased learning.⁴⁶

Bringing those contexts into schools and classrooms provides powerful sources of knowledge and supports an approach to education that recognizes the interconnections among social, emotional, and academic learning.⁴⁷ These findings are not new. They are built upon a rich history of research highlighting how central culturally responsive pedagogy is to providing all students with a high-quality education. Evidence from descriptive studies, often portraits of teachers who are experts in such pedagogies, suggests that students who spend time in high-quality culturally and linguistically responsive classrooms benefit in several ways, including being more engaged and active learners.⁴⁸ Culturally responsive education has also been found to strengthen school connectedness, and when used effectively, it has the ability to help students build intellectual capacity and competence.⁴⁹ Some studies document the effectiveness of programs through high-quality program evaluation.⁵⁰ Similarly, there is high-quality research supporting the positive impact of bilingual and dual-language immersion programs, including in domains beyond acquiring a second language.⁵¹

Importantly, it is not just New Mexico statutes and the court that are calling for this approach. Many New Mexico recent reform reports also note the importance of culturally and linguistically responsive schooling. The *SUN Project Framework*, the New Mexico School Superintendents' Association's (NMSSA) *2019 Policy Recommendations*, and the Learning Alliance of New Mexico's *ESSA Phase II Stakeholder Feedback Report* all identify the need for culturally relevant, equitable, inclusive, and engaging curriculum, as well as the importance of valuing cultural diversity and understanding student identities through their cultures, backgrounds, and community values.⁵² Additionally, Native experts working with academics, cultural institutions, and educators have done considerable work developing such curricula. The curriculum developed in collaboration with the Indian Pueblo Cultural Center, *Indigenous Wisdom: Centuries of Pueblo Impact in New Mexico—A Pueblo-Based Educational Curriculum*,⁵³ and the programs developed by Dual Language of New Mexico⁵⁴ are just two examples.

Building school and educator capacity for creating positive school climates and supporting students' social and emotional development, in ways that are culturally and linguistically responsive, is essential for all students but can be especially beneficial for students dealing with the negative effects of trauma. A growing body of research in the learning sciences demonstrates that all children learn when they feel safe and supported. Each and every child, regardless of background, needs both supportive environments and well-developed abilities to manage stress and conflict. Such environments and learning opportunities are particularly important for children whose learning is impaired when they are fearful, traumatized, or overcome with emotion. As summarized in a recent LPI report,⁵⁵ a review of 78 studies published since 2000 found that a positive school climate is related to improved academic achievement and can reduce the negative effects of poverty on academic achievement. Another review of 327 school climate studies found that support for

student psychological needs and academic accomplishment is reflected in higher grades, higher test scores, and increased motivation to learn and is associated with strong interpersonal relationships, communication, cohesiveness, and belongingness between students and teachers.⁵⁶

Creating nurturing and culturally responsive learning environments also requires teachers to support the development and integration of social and emotional learning (SEL) into academic learning. Social-emotional skills (e.g., self-regulation, collaboration, problem-solving, conflict resolution, perseverance, resilience) are also essential in 21st century life and increasingly demanded by employers. Learning these skills, through explicit lessons and integration into core curriculum, dramatically improves student well-being, achievement, and graduation rates, as well as school climate and safety.⁵⁷ A 2018 meta-analysis found that the positive academic impacts of SEL programming are long-lasting, providing a 13% boost to academic performance 3.5 years after students' last SEL intervention.⁵⁸ Additionally, a 2015 cost-benefit review of six evidence-based social-emotional curriculum interventions found an 11-to-1 return on investment, meaning for every \$1 spent on these SEL programs, there is an \$11 return.⁵⁹ As with academic learning, however, effective SEL requires curriculum and instruction that are culturally and linguistically responsive.⁶⁰ Culturally responsive SEL also provides a means for building skills for critical examination of existing biases and inequities and promotes more equitable outcomes.⁶¹

Restorative discipline practices, which recognize students' behavior as a demonstration of a developmental need and teach students problem-solving skills, also help promote a sense of safety and building of SEL skills. Restorative practices replace punitive, coercive, and exclusionary disciplinary approaches with proactive skill development in self-regulation and conflict resolution and help students develop empathy and understanding of their behaviors in a supportive manner. Exclusionary discipline policies contribute to the experience of shame, student disengagement, grade retention, dropouts, and arrests.⁶² Students who receive even one suspension have an increased risk of repeating grades, dropping out, and being incarcerated and have a reduced likelihood of postsecondary success.⁶³ Not only do exclusionary discipline policies negatively affect the student receiving the suspension; a 2014 study found that these discipline policies also negatively impact the learning, engagement, and sense of safety of students who are not suspended.⁶⁴ Syntheses of research suggest that restorative practices result in fewer and less racially disparate suspensions and expulsions, fewer disciplinary referrals, improved school climate, higher-quality pupil-teacher relationships, and improved academic achievement across elementary and secondary classrooms.⁶⁵

This need for creating supportive school climates that can buffer the effects of trauma and build students' social-emotional skills is clearly recognized in New Mexico. A number of the stakeholders we spoke with identified training teachers to recognize and respond to trauma as essential. Some also said that behavior management is not deep enough. Rather, teachers and the whole school staff have to be trained (with follow-up) to understand trauma-related behavior, as well as social and emotional development. Stakeholder reports from the Learning Alliance, New Mexico Rising, the NMSSA, and the Pueblo Convocation also recognize the importance of supporting sound mental, behavioral, and emotional health for all students, fostering culturally and linguistically responsive SEL environments, and strengthening school climate.⁶⁶

Designing and implementing a set of high-quality pathways that blend college and career preparation is a key strategy for enabling high schools to advance the previous three goals, as well as increasing college and career readiness. It is clear to most New Mexicans that career and technical education (CTE) has an important role to play in making high school relevant and meaningful.⁶⁷ Stakeholder reform proposals point to the need for students to acquire skills to help them after high

school, whether in college, careers, or life in general. These include such life skills, or 21st century skills, as effective communication, teamwork, and using technology; problem-solving, the need to be creative and find different ways to resolve issues, adaptability, budgeting, and balancing aspects of life; and skills necessary for a job or career in local and national industries.⁶⁸

Students are often highly motivated by the hands-on instruction provided through CTE. Research shows that participation in CTE—especially three or more courses of focused, high-quality technical instruction—can produce positive impacts on high school completion, postsecondary transition, and future earnings.⁶⁹ However, these gains are relatively modest. This is not surprising. Most high school students will not take more than two or three CTE courses while in high school. CTE alone, no matter how good, cannot produce major improvement in student outcomes. Additional efforts are needed to improve the rest of students’ high school experience—the 20 or more core academic courses needed for graduation.

A growing body of research supports making CTE and more applied approaches to academic instruction an integral part of students’ larger secondary (and postsecondary) educational experience.⁷⁰ It is a strategy that intentionally prepares all students, especially those furthest from opportunity, for lasting success in both college *and* career, not just one or the other. This strategy ignites students’ passions by creating meaningful learning experiences through college and career pathways in fields such as education, energy, health care, and more. Based on what research can tell us, the direction for New Mexico is clear. Marginal improvements in CTE alone, detached from other major changes, will not create a system that effectively prepares New Mexico students for college, career, and life. Rather, a new approach is needed, grounded in what research is telling us but also attuned to New Mexico’s context.

A growing body of research supports making career and technical education and more applied approaches to academic instruction an integral part of students’ larger secondary (and postsecondary) educational experience.

Reports including *Every Child: Reinventing Albuquerque’s Public Schools*; Governor Michelle Lujan Grisham’s Campaign Education Platform; the Learning Alliance of New Mexico’s *ESSA Phase II Stakeholder Feedback Report*; New Mexico’s ESSA Plan (*New Mexico Rising*); NMSSA’s *2019 Policy Recommendations*; and the *Martinez/Yazzie Proposed Remedy Platform* agree that students must have access to more and better career and vocational training and coursework and that schools need greater resources and capacity to provide such career and technical programming.⁷¹ Here, too, our conversations with stakeholders from the business community echoed the importance of fundamentally reconstructing CTE. They argued that the business community has a role to play in helping to specify what “career ready” means. One stakeholder made clear that high schools should not train people for jobs that do not exist—as is too often done now. Rather, the focus should be on developing 21st century skills, such as communication, collaboration, and critical thinking. Employers will do most of the technical training themselves.

Context of meaningful learning goals in New Mexico

In the past decade, New Mexico’s vision of meaningful learning became more concrete with the adoption of academic standards that focus on higher-order thinking and performance skills that are needed in the 21st century—the Common Core State Standards (CCSS) in Mathematics and

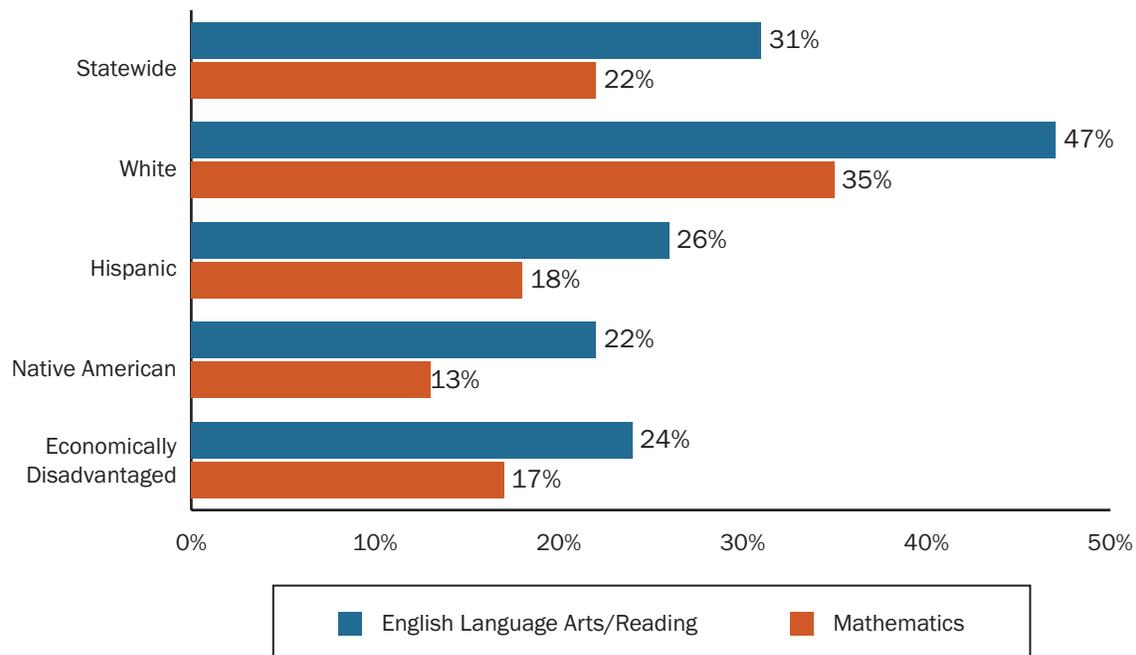
English Language Arts (2010) and the Next Generation Science Standards (NGSS) (2017). These standards added substance to the 2008 reforms that adopted more rigorous high school graduation requirements designed to increase college readiness. Students who entered high school in grade 9 in 2009 were the first to have to complete (pass with a D or better) at least one advanced course (a course designated as an honors or gifted and talented course or designated by the school district as an advanced, Advanced Placement, gifted and talented, honors, or International Baccalaureate course), dual-credit course, or distance learning course.

Despite the adoption of these standards, New Mexico has made little progress in increasing achievement and closing gaps in English language arts and math on standardized tests. Scores on these tests are one indicator of academic performance, although not sufficient to assess students' current proficiency in the content areas. Moreover, because they are so highly correlated with students' socioeconomic status and race/ethnicity, they fail to provide adequate information about learning, growth, and potential.⁷² However, scores as low as those in New Mexico can be used as a clear indicator that the education system is failing to provide sufficient resources and support to most students.

As noted earlier, the state's low scores in reading and mathematics on national assessments were almost the same in 2017 as they were in 1998, and gaps between subgroups of students have not closed. Figure 2 below shows the extent to which students overall and of various racial and ethnic groups performed at or above proficiency on the Partnership for Assessment of Readiness for College and Careers (PARCC), the state's achievement tests.

Figure 2
Average Proficiency Rates on PARCC ELA/Reading and Mathematics Assessments by Subgroup, 2018

Few Students and Far Fewer Students of Color Scored Proficient

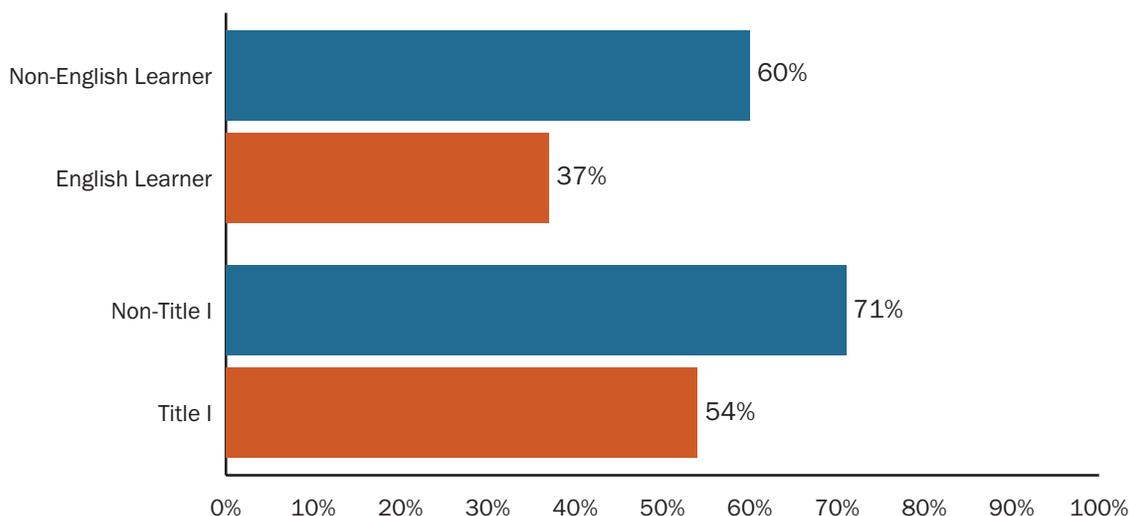


Data source: New Mexico Public Education Department. (2018). 2017–18 student assessment results. <https://webnew.ped.state.nm.us/wp-content/uploads/2018/07/PARCCBriefingPacket2018.pdf> (accessed 05/03/20).

Moreover, at the high school level, New Mexico students have uneven opportunities to participate in advanced courses likely to emphasize higher-order cognitive skills. Recent analyses of the data collected by the U.S. Department of Education’s Office for Civil Rights found that many New Mexico high schools do not even offer advanced courses in math and science. Only half (50%) of the state’s high schools offer calculus, and fewer than half (47%) offer physics.⁷³ Access to such courses is important, given the considerable evidence that students taking such courses have higher graduation and college success rates than those who do not, all other things being equal.⁷⁴

Thus, it is not surprising that a 2017 study of advanced course taking by New Mexico high school students found significant inequities in their participation in such courses. The average number of advanced courses completed was lower among students at schools with large concentrations of students from low-income families, as measured by the school’s eligibility for Title 1 status, compared to noneligible schools (see Figure 3). The percentage of students who completed at least one advanced course was 54% among students at Title I high schools, compared to 71% among students at non-Title I high schools. Across the state, approximately 37% of English learner students completed at least one advanced course, compared to 60% of non-English learner students. The average number of advanced courses completed was 0.8 among English learner students and 2.6 among non-English learner students.⁷⁵

Figure 3
Percentage of Students Completing at Least One Advanced Course



Note: This graph illustrates the percentage of students who entered a New Mexico high school in 9th grade in 2009–11 and remained enrolled for 4 years, who completed at least one advanced course, separately by English learner status and by enrollment in a Title I school.

Data source: Booth, E., Shields, J., & Carle, J. (2017). *Advanced course completion rates among New Mexico high school students following changes in graduation requirements* (REL 2018–278). Washington, DC: Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Southwest. https://ies.ed.gov/ncee/edlabs/regions/southwest/pdf/REL_2018278.pdf (accessed 08/11/20).

Especially with the changes in in-person learning since the COVID-19 pandemic began, the digital divide is a barrier of urgent importance that limits many students’ access to meaningful learning opportunities. Every child needs, at a minimum, access to a computer and a high-speed internet connection in order to participate in remote learning (and in the hybrid learning models likely to

remain during the pandemic). As we noted earlier, 2018 census data revealed that fewer than half of Native children and children in low-income households have sufficient access to the internet. More recent data show that access problems persist. In 2020, New Mexico ranked 49th among states in the percentage of households with sufficient broadband. According to a national survey by Broadband Now in 2020, of the almost 2.1 million people in New Mexico, about 342,000 people still do not have access to broadband connections of at least 25 megabits per second, and 122,000 live in communities without providers that offer internet services.⁷⁶ This lack of infrastructure requires a cross-government solution (currently underway) that goes far beyond buying hotspots or ensuring that all schools have satellite access. To understand the current access of New Mexico's approximately 331,636 public school students, in August 2020 New Mexico's Legislative Finance Committee (LFC) drew on 2018 census data and survey data collected in 2020 by the state Public School Facilities Authority to estimate that 25,620 public school children live in a household without a computer suitable for remote learning and that one in five New Mexico students (66,200) does not have access to the internet at home.⁷⁷ Both the Legislative Education Study Committee (LESC) and the LFC have called attention to the issue and are encouraging districts to address this gap in students' access to meaningful learning. Their figures may underestimate the gap, however, as they do not include the nearly 6,000 Native students attending tribally controlled schools.

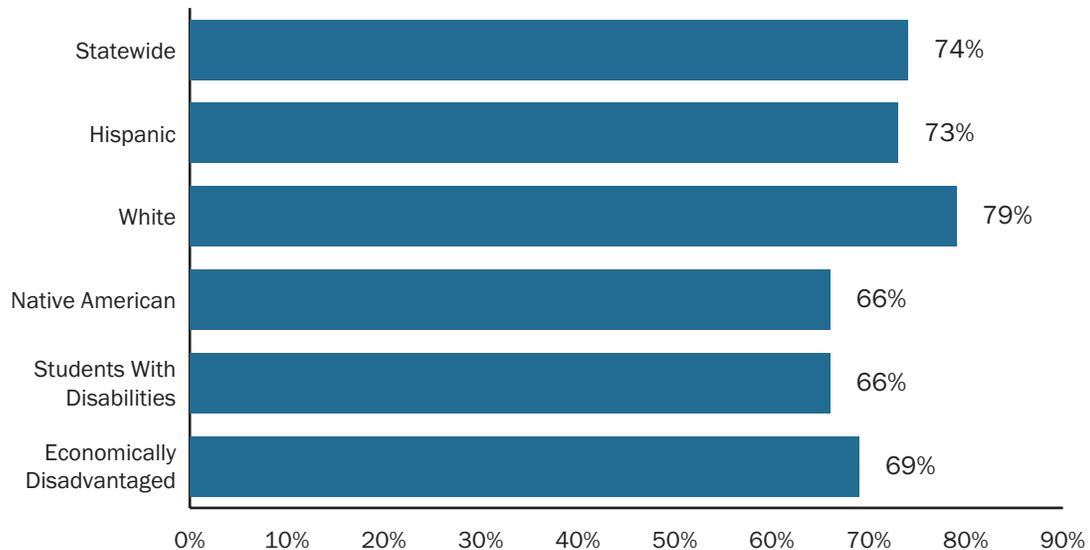
Finally, the limits of New Mexico's high schools to provide career and college preparation in ways that address the comprehensive needs of students are reflected in the state's low graduation rates. In 2018, only 74% of high school students statewide were graduating on time, a full 11 points below the national average of 85%. The percentages were even lower for Native American (66%) and economically disadvantaged students (69%) (see Figure 4).⁷⁸ At nearly 30% of New Mexico's high schools in 2017, the graduation rate was below 67%, the federal cutoff for schools identified as in need of improvement.⁷⁹ It is the case that the state's graduation rate has increased quite dramatically from 2008, when it sat at 54%. That is certainly good news, but the many changes in state graduation requirements and in national methods for calculating graduation rates make it difficult to interpret this rise. For example, until 2008, students were required to pass a competency exam to graduate; subsequently, students were permitted to use alternative means of demonstrating competence, as specified by the NMPED and local districts.

The state's academic expectations and graduation requirements sit side by side with the state's expectations for multicultural and bilingual education, which the state has placed at the center of its vision of sufficient education through statutes focusing on the cultural and linguistic diversity of New Mexico's students—the Bilingual and Multicultural Education Act (1973), the Indian Education Act (2003), and the Hispanic Education Act (2010). Although the state recognizes that in diverse New Mexico, schools must provide a culturally and linguistically responsive learning environment that maximizes students' ability to learn, it is widely acknowledged that little attention or funding has supported the implementation of these goals. The *Martinez/Yazzie* findings of fact and conclusions of law detail the many shortcomings.⁸⁰

Specifically, in 2018, the *Martinez/Yazzie* court noted that the New Mexico Indian Education Act (NMIEA) was meant to result in students having a culturally relevant education “through the cooperation of schools and tribal communities.” It found, however, that “this has not been realized in most districts with significant Native American student populations.” As evidence, the court pointed to a lack of culturally relevant instructional materials, ongoing vacancies at the Indian Education Division, and a failure “to develop the government-to-government relationships needed to achieve the statutory goals under the [NMIEA].”⁸¹

Figure 4 Graduation Rates Lag for At-Risk Students

New Mexico 4-Year Cohort Graduation Rates, 2017–18



Data source: Institute of Education Sciences, National Center for Education Statistics. (2019). Table 219.46: Public high school 4-year adjusted cohort graduation rate (ACGR), by selected student characteristics and state: 2010–11 through 2017–18. *Digest of Education Statistics*. Washington, DC: Author. https://nces.ed.gov/programs/digest/d19/tables/dt19_219.46.asp (accessed 07/10/20).

New Mexico’s students not only need culturally and linguistically responsive learning opportunities; they also exhibit a high need for social and emotional learning programs and trauma-informed restorative practices, although these approaches have not been aggressively funded or pursued by the state. This shortcoming contributes to high rates of chronic absenteeism and the likely overuse of punitive discipline (given high suspension and expulsion rates), as well as low academic performance throughout the grades, low levels of college and career readiness among high school students, and gaps in opportunities and outcomes between demographic subgroups of New Mexican students.

New Mexico has some of the highest rates in the nation of children and youth who have experienced adverse childhood experiences (ACEs)—including food and housing insecurity, lack of health care, physical and emotional abuse, neglect, and exposure to violence. The number of young people in the state who have reported three to eight ACEs is nearly double that of the national average.⁸² Research has shown that for children and youth living on tribal lands, the rates of having at least one adverse experience are even higher.⁸³ Greater exposure to these negative experiences in childhood increases the risk of diminished life outcomes.⁸⁴

New Mexico schools also report significant rates of chronic absenteeism among all students; one in five New Mexico students were reported as chronically absent in the most recent Civil Rights Data Collection.⁸⁵ Research on chronic absenteeism, defined as missing 10 or more days a year through excused and unexcused absences, suspensions, and time moving between schools, finds that students who are chronically absent are at higher risk for disengagement and dropping out.⁸⁶

In New Mexico, students' infractions of school rules are responded to with high and disparate rates of suspensions and expulsions. Notably, students of color and those with disabilities are suspended at a rate that is disproportionate to that of their White and nondisabled peers for comparable behaviors.⁸⁷ More specifically, the most recent analysis of the U.S. Department of Education's Civil Rights Data Collection found that in New Mexico, for every 100 White students, 21 days of instruction are lost each year due to suspensions. Comparable data for Hispanics is 33 days, and for Native Americans, it is 43 days.⁸⁸ Research also shows that the overuse of suspensions and expulsions has contributed significantly to higher dropout rates and the perpetuation of the "school-to-prison pipeline."⁸⁹

Progress toward meaningful learning goals

As noted above, New Mexico has been trying to make progress toward meaningful learning goals for several years. Some of it worked, some of it may have been misguided politically, and some of it never got implemented. An important shift in these efforts occurred beginning in 2019, with the change in gubernatorial administration and the availability of unexpected resources. To enhance students' opportunities to develop higher-order knowledge and skills, for example, the state began implementing the Next Generation Science Standards, which focus on inquiry-based learning. It revised its method of funding curriculum materials to ensure that locals can make available the amount and type of instructional materials students need for learning at school and at home.⁹⁰

The state has also taken some first steps toward having its vision of meaningful education reflected in the state's system of student assessments. Previous state tests are being replaced with new formative, interim, and summative assessments that NMPED hopes will provide educators with more timely and useful information. Going forward, it also wants to develop assessments of higher-level cognitive thinking in the content areas that will encourage and measure deeper learning. Ideally, these assessments would include performance tasks, adaptive supports for English learners (including versions in Spanish and other languages), and supports for students with disabilities.

To improve high school education and increase the college and career readiness of young people, New Mexico is also currently undertaking an important examination of career and technical education (CTE) and its role in the larger k–12 and postsecondary education systems. Unfortunately, however, the Legislature in the 2020 special session reduced the appropriation for innovative pilot CTE programs.

To increase the cultural and linguistic responsiveness of instruction in the state, the NMPED is implementing a strategy to support districts and schools as they create culturally and linguistically responsive frameworks. The frameworks will "be used to guide the allocation of district and charter school resources, professional learning, staffing, culturally and linguistically responsive curriculum development, and assessment toward implementation to support improved student outcomes, adherence to the IEA (Indian Education Act), HEA (Hispanic Education Act), BMEA (Bilingual Multicultural Education Act), and the students' needs identified in the [Martinez/Yazzie] order."⁹¹

NMPED expects schools and districts to engage students, families, tribes, and other community stakeholders in "Equity Councils" charged with the development of the culturally and linguistically responsive framework. In November 2019, the NMPED began intensive training for five early-adopter districts in developing individual frameworks and strategizing how to work with Equity Councils and improve NM DASH—the NMPED school improvement tool—by incorporating subgroup

data and readiness assessments. Additionally, for fiscal year 2020, NMPED awarded four grants totaling \$800,000 to support transformational educational opportunities in New Mexico districts and schools that serve a significant number of Native American students. Here, too, however, COVID-19-related budget cuts were made to indigenous, multicultural, and multilingual initiatives. New provisions of the Indian Education Act now require that schools assess students' needs and develop frameworks to guide collaboration with tribes about culturally and linguistically responsive practice.⁹² However, these have not yet been implemented, and the state has allocated few resources to implement them rigorously.

New Mexico has made a tentative start on social and emotional learning (SEL) and restorative practices but has much more to do to address the huge need in the state. According to an LPI analysis of 13 education plans created by New Mexico stakeholders, approximately half indicate a need for supporting sound mental, behavioral, and emotional health for all students, as well as fostering culturally and linguistically responsive SEL environments and strengthening school climate. Specifically, the Learning Alliance of New Mexico's *ESSA Phase II Stakeholder Feedback Report* engaged over 4,000 stakeholders who recommend including social-emotional skills as part of students' learning goals—e.g., social and emotional awareness, self-awareness, social collaboration, communication skills, emotional regulation, accountability, trustworthiness, positive attitude and perseverance, and trauma sensitivity. A similar demand for a greater emphasis on SEL was heard throughout the statewide stakeholder engagement meetings conducted by the NMPED, New Mexico State University's CORE, and LPI as part of the revision of the educator evaluation system.⁹³ New Mexico's teacher associations have also been advocating vigorously for moving in that direction.⁹⁴ Among schools making progress on this is the Santa Fe School for Arts & Sciences, which uses an Expeditionary Learning model that combines deeper learning with the development of social-emotional skills and community service projects.⁹⁵

The COVID-19 crisis has provided greater impetus for these skills and practices as families are stretched to the breaking point, with large numbers struggling with job losses in an economy characterized by record unemployment rates. Families must also cope with the stresses of being confined at home and being responsible for both the care and education of their children and—for growing numbers—with the stresses of illness and deaths from COVID-19. Children of all ages are struggling with the ensuing stress and trauma, largely cut off from their peers and other adult support systems. The research on the science of learning and development is clear: Learning is impacted when children experience adversity, but when children have strong, trusting relationships, the opportunity to develop social-emotional skills, and a system of supports to meet their physical and mental health needs, the negative effects of adverse experiences can be buffered. In both the short-term pandemic response and the long-term plan for improvement, New Mexico has an opportunity to prioritize a whole-child approach that raises the academic bar and supports students' social, emotional, and mental well-being.

In both the short-term pandemic response and the long-term plan for improvement, New Mexico has an opportunity to prioritize a whole-child approach that raises the academic bar and supports students' social, emotional, and mental well-being.

Next steps for meaningful learning goals

A commitment to 21st century learning in New Mexico requires significant investment and support for implementing the state's strong vision of a sufficient education. That will require supporting educators and schools to emphasize deeper learning instructional approaches across the core academic disciplines, building assessments that reflect and support those practices, implementing cultural and linguistic responsiveness effectively, infusing evidence-based practices for embedding SEL in educators' training and in school climates, and redesigning high schools to achieve all of these goals with high-quality CTE pathways that integrate college and career preparation. Specific steps could include the following:

Immediate, low-cost steps that could be taken during the COVID-19 recovery period

- 1.A** The Legislature, the administration, and local superintendents could expand efforts to close the digital divide by investing in computers and connectivity for students and professional learning for teachers. Using 2018 census data and 2020 survey data from the Public School Facilities Authority, the LFC estimated in August 2020 that it would cost \$7.2 million in one-time expenditures to provide a laptop to about 20,500 students currently lacking devices for remote learning and an additional \$20 million annually to provide sufficient internet access for remote learning at home. It is difficult to determine the exact cost of providing students with high-speed internet at home; \$20 million annually may be too low, to the extent that students without access are concentrated in remote rural areas or on tribal lands where internet connection costs are significantly higher. Providing sufficient high-speed internet access for students in these areas may cost more than the current estimate.

Federal coronavirus relief funds can be used to purchase technology (including hardware, software, and connectivity) that supports substantive educational interaction between students and teachers, focusing on students from low-income families and students with disabilities, such as through the use of assistive technology or adaptive equipment. Although some of the current funding from the CARES Act has been used by the state to backfill revenue shortfalls, the remainder and any future relief to state and local government should be used to solve the state's technology infrastructure problem. Such action would address the finding in *Martinez/Yazzie* that the lack of access to technology, particularly in rural areas, is a key problem with the state's education system. Solving the broader infrastructure issues that leave swaths of the state without connectivity should be shared by state agencies beyond education.

The NMPED should also pair technology investments with federal aid and Title II allocations to provide research-based professional development on the uses of technology for high-quality learning to help teachers learn how to shift their instruction and adapt lessons to a distance learning environment. To be most effective, the professional development should be collaborative, sustained, and job embedded.

- 1.B** The NMPED could establish a state **online resource hub to provide resources for high-quality curriculum, instruction, and assessment** in academic disciplines that are culturally and linguistically responsive, trauma- and healing-informed, and designed for remote learning and reconfigured instruction as schools reopen. The hub should include

dual-language programs, as well as curricula developed collaboratively with Native experts. These resources would include strategies for incorporating collaborative, learning-by-doing approaches; bringing students' cultural and linguistic interests and resources into the curriculum; structuring community-based, problem-solving projects involving many types of people as “teachers”; and implementing diagnostic/formative assessments and performance assessments that measure a broad range of knowledge and skills, to name just a few. Focusing on such instructional approaches now can help pave the way for schools and classrooms to center on deeper learning in the future.

NMPED's re-entry guidance emphasizes the need for schools to prioritize social and emotional wellness, behavioral health, and culturally responsive trauma-informed care during reopening.⁹⁶ This guidance encourages using curricula that teaches students about diversity and anti-racism, as well as developing and maintaining healthy, caring relationships and providing opportunities for students to share and process their emotions, whether in person or online. Within this guidance, NMPED has collected a selection of high-quality SEL, trauma-informed, and culturally responsive resources for students, educators, and families to include in distance and in-school learning plans. Schools may also want to consider—at least for the beginning of the school year—letting students return to the teachers they had last year who know them and their families, who understand their learning approaches and needs, and who are best positioned to welcome them with understanding and compassion. Establishing structures, such as advisory systems, in which a teacher regularly meets with a small group of students in a supportive community, can provide a solid touch point for both students and teachers and establish a system of distributed counseling to check in on their academic, social-emotional, and mental health needs and connect them to appropriate supports.

To support this work, the secretary of public education could join, on behalf of the state, the Collaborating States Initiative (CSI) of the Collaborative for Academic, Social, and Emotional Learning (CASEL), which supports states in networking with one another and gaining assistance in implementing SEL in concert with academic learning, which is how children and adults learn to understand and manage emotions, set goals, show empathy for others, establish positive relationships, and make responsible decisions. The CSI is designed to help state teams create statewide conditions in which districts and schools are encouraged and equipped to engage in equity-focused, evidence-based, systemic SEL. Through the CSI, state education agencies receive access to meetings, review of documents, and one-on-one consultations.

- 1.C The NMPED and the Department of Workforce Solutions could **convene a task force to develop a state college and career pathways framework and establish quality standards** that can guide the launch of pilots and the eventual design of the new system. Its charge should be to adopt an approach that includes adherence to evidence-based principles while respecting local context, needs, assets, and preferences. The framework could be used to guide program design by individual districts and industry partners, as well as establish criteria for state funding and structure technical assistance by state or regional providers.

This framework should include four essential components:

1. **College preparatory core academics** (math, science, English, social studies, world language, and the arts), emphasizing real-world application, project-based learning, and performance assessment; and aligned with
2. **A cluster or sequence of four or more challenging CTE courses** embracing industry standards in the sector that is the theme of the pathway and, whenever possible, offering related industry certifications; both aligned with
3. **A continuum of work-based learning experiences**, beginning with career awareness, mentoring, or job shadowing in grade 9 and evolving into internships and/or school-based enterprise by grade 12; all undergirded with
4. **Personalized student supports**, including college and career counseling, accelerated instruction in mathematics and English language arts, and attention to social and emotional learning.

Using California’s “Linked Learning” initiative as an example, this framework could guide high schools to design meaningful learning experiences through college *and* career pathways in fields such as education, energy, health care, and more. Students are typically organized into pathways or academies of 300–600 students in grades 9–12 and attend their classes as grade-level cohorts, each served by an interdisciplinary team of academic and career and technical education teachers. This organization allows for much greater flexibility in the use of time during the school day and for much more direct links to after-school and summer learning opportunities. This approach also makes learning more like the real world of work, responds to student interests, and helps students answer the question, Why do I need to learn this? When students love what they are learning, they work harder, dream bigger, and learn more.

Standards for pathways that ensure quality and equity of access, participation, and success can reflect the framework above. Such standards could include the following:

- Student outcomes-driven practice
- A culture of high expectations, equity, and inclusion
- Industry-themed programs of study
- Inquiry- and project-based learning and teaching
- Work-based learning
- Personalized student support
- Distributed leadership and engaged partners

The standards should be accompanied by indicators that can be used to monitor pathway implementation and quality as part of the state accountability system and to provide information that could be used to support a process of continuous improvement, locally and statewide. These standards could also be used as criteria for accrediting pathways and, together with the framework, could be used to select schools for additional state funding.

Concurrent with the task force’s work, the NMPED should **expand the focus of the recently enacted H.B. 91**—a 7-year “career and technical education pilot project” to promote high-quality CTE—to reflect the state intention to create college and career pathways as described above.

Longer-term steps to be taken when funding recovers

- 1.D** The Legislature could make new **investments in high-quality curriculum frameworks, instructional materials, assessments, and professional development** that support higher-order thinking and deeper learning in the disciplines, culturally and linguistically responsive instruction, and integrated social and emotional learning.

Moving from high-quality standards and frameworks to high-quality teaching and learning requires high-quality curriculum materials and assessment tools, as well as professional development for meaningful and culturally responsive approaches to content teaching in the core subject areas and in literacy development—all designed to promote students’ deeper learning. Curriculum-embedded assessments, which NMPED is developing, are important for providing formative data. These assessments should be developed and used primarily to document learning and growth. This will reinforce teachers’ ability to diagnose student learning and implement feedback while reducing the burden of external summative testing. Additionally, these assessments should also allow students to demonstrate meaningful learning through authentic performance tasks that assess and encourage development of a full range of higher-order thinking skills.⁹⁷

Assessments that measure complex thinking and problem-solving and that have students demonstrate how they can apply what they have learned will be particularly important, as assessments send a strong signal about what teaching and learning should emphasize. As noted above, such assessments can better reflect the achievements and potential of k–12 students than traditional standardized tests, particularly for those students who are most at risk. More specifically, New Mexico could consider aiming for an assessment system like those developed by the Smarter Balanced Consortium, which includes a bank of rich formative and interim assessment tasks, including classroom-based performance assessments, with a curriculum library and teacher-developed lesson plans—along with summative assessments that evaluate higher-order thinking skills and measure growth in ways that support stronger demonstrations of knowledge from English learners and students with disabilities (because of the accommodations that are routinely provided).⁹⁸

- 1.E** The governor and Legislature could adopt and the NMPED could implement a **statewide “whole-child” approach to learning** through the creation of positive school climates that emphasize SEL and cultural and linguistic responsiveness in concert with academic achievement. Such an approach can ensure all of New Mexico’s students have access to programming that helps develop their social, emotional, cognitive, and cultural competencies. This includes creating positive learning environments built on relational trust, providing SEL opportunities and culturally responsive instruction, and replacing punitive disciplinary policies with restorative and educative practices. Specific steps in this direction include the following:

- The NMPED could encourage districts to **include in their definition of adequate curriculum materials** those that teach social-emotional skills, provide opportunities for students to practice these skills alongside the academic curriculum, and improve school climate in ways that are culturally and linguistically responsive.
- The NMPED could develop **k–12 standards and guidance around the development of students’ social and emotional competencies**. It is critical that a culturally and

linguistically responsive lens be taken during the development of these standards so that these practices do not exacerbate existing inequities.⁹⁹ Once these competencies have been identified, they can provide a framework for educators to guide teaching and learning that supports students' social and emotional competency development.

- The NMPED and local districts could adopt and use **appropriate diagnostic measures to assess students' social and emotional competencies**;¹⁰⁰ use **school climate surveys** throughout the school year to evaluate how students, educators, and families are coping; and identify appropriate supports to ensure student, educator, and family well-being is being addressed. In Native-serving districts, the measures should include the Native student needs assessments required by the 2019 amendment to the Indian Education Act. There will also be a need for analytic capacity both within the NMPED and at the local level to use these data in productive ways. Schools and districts will need training in how to collect and report the data produced from the climate survey, as well as in methods for analyzing and using the data to create actionable plans for sustained improvement.
- The NMPED could develop k–12 standards and guidance for **replacing punitive disciplinary practices with restorative and educative practices**. This could include the Legislature passing new laws that preclude certain reasons for suspension, requiring the reporting of suspensions in the accountability system, and including the results of climate surveys in the accountability system.
- Educator preparation and providers of **professional development** could provide training that enables educators to develop students' social, emotional, and cognitive competencies in ways that are culturally and linguistically responsive. Restorative practices can also be incorporated into educator preservice and in-service training to reduce punitive discipline.
- The Legislature could fund and NMPED could **create the regional capacity** to provide access for every school to curriculum, training, and professional development for SEL, restorative practices, and culturally responsive instruction. This could be located at specialized technical assistance centers in the state housed at regional education cooperatives, universities, or large districts. This investment should become part of a larger state effort to increase the regional capacity of NMPED.

1.F The Legislature could establish a **Pathways Trust as a public–private partnership among the state, the business sector, and philanthropic organizations** to fund and implement a system of high-quality college and career pathways that integrate CTE and core academic curriculum, combine classroom and work-based learning, and align secondary and postsecondary programs.

California provides a well-developed model for how this could be done. To enable and support this approach, California created The Career Pathways Trust—a public–private partnership authorized by the Legislature to create grants to schools to develop college and career pathways. Today in California, there are more than 500 Linked Learning pathways spread across 60 districts, together serving more than 140,000 students. These pathways are often linked to dual-credit courses in community colleges, which give a head start on certifications for a range of fields, as well as a running start for fields requiring 4-year

degrees. As noted earlier, studies show that compared to peers who are not in pathways, students who experience Linked Learning pathways earn more credits, are less likely to drop out, and demonstrate stronger self-management, communication, collaboration, and career navigation skills.¹⁰¹ They are more likely to graduate from high school on time and go on to college at rates 6 to 12 percentage points higher than their peers.

In New Mexico, specific steps in this direction include the following:

- The Legislature could invest in an NMPED-led **demonstration project establishing college and career pathways systems** in 6 to 10 communities throughout the state consisting of the four core components defined **above** and organized around major industry themes reflecting the most promising opportunities in New Mexico for careers in high-wage or high-demand occupations. This could be part of the continuing implementation of the H.B. 91 CTE Pilot by the NMPED. The demonstration sites could provide models that show how this innovative approach to high schools can work in the New Mexico context.
- The Legislature could **incentivize k–12/postsecondary articulation and alignment of college and career pathways** with both 2-year and 4-year institutions by ensuring an appropriate distribution of state funding to both participating institutions for dual-credit courses that are part of pathways, without double funding these courses.
- The Legislature and the Department of Workforce Solutions could **incentivize employer engagement and work-based learning**. New Mexico’s Job Training Incentive Program (JTIP) reimburses 50%–75% of wages of newly hired, eligible trainees for up to 6 months in eligible companies (manufacturers, non-retail service companies such as software developers and product testing laboratories, and certain green industries). Currently, the program serves mainly postsecondary students and adults. New Mexico could consider adapting this program to partially fund work-based learning experiences that are a core component of college and career pathways in high schools. Such a strategy would strengthen connections between employers and pathways in their associated industries, as well as create a stronger through line for JTIP.
- The NMPED, in collaboration with the regional education cooperatives, could **build the capacity of educators, district leaders, and communities** to implement well-designed, high-quality college and career pathways, with attention to the framework and quality criteria. This could include professional development to site leaders (principals and assistant principals) that builds their capacities to support pathway design and implementation. It also could include professional development for both academic and CTE teachers that enables them to realize the potential of pathways to transform learning and teaching in ways that better engage students, elevate relevance, and stress demonstrating competence and understanding in ways that go beyond performance on standardized tests.
- The Legislature could **amend New Mexico’s graduation requirements** to encourage and support students’ participation in high-quality college and career pathways. For example, students’ completion of a pathway could substitute for the completion of an advanced course. Alternatively, completion of a pathway could make graduates eligible for special commendation or a “seal” that certifies them as college and career ready.

2. Knowledgeable and Skillful Educators

Every U.S. state that has made strong gains in achievement has made major investments in the quality of the teaching force as a central aspect of its efforts.¹⁰²

A strong educator workforce is foundational to the success of New Mexico’s public education system. Knowledgeable and skillful educators are the most important in-school influence on student learning and the most important element in closing the achievement gap. A significant body of national research demonstrates that teacher experience, preparation, and qualifications influence student achievement, especially with respect to the achievement of students of color and those from low-income families.¹⁰³ For example, the combined effects on student learning gains of having a teacher who is well-prepared, experienced, and National Board certified is greater than the combined effects of race and parent education.¹⁰⁴ Principals are also a crucial school-level factor associated with student achievement—second only to teachers’ classroom instruction.¹⁰⁵

The combined effects on student learning gains of having a teacher who is well-prepared, experienced, and National Board certified is greater than the combined effects of race and parent education.

The court’s decision in the *Martinez/Yazzie* case identified numerous ways in which New Mexico’s educator workforce fell short of what is needed for a sufficient education for at-risk students. For example, the court found that the state’s low teacher pay was an impediment to recruiting and retaining teachers in schools with high at-risk populations (and especially teachers who are bilingual or certified to teach English learners) and that the state’s high rates of teacher turnover had a negative effect on student outcomes. The court also pointed to a lack of adequate training in colleges of education, insufficient funds to support teachers’ professional development and collaborative learning opportunities, and the minimal participation of schools in those programs that do exist, such as Teachers Pursuing Excellence and Principals Pursuing Excellence.¹⁰⁶

Key goals for creating a knowledgeable and skillful educator workforce

In order to ensure that New Mexico has a well-prepared, stable, and diverse educator workforce and that every New Mexico public school student has access to excellent teaching and school leadership, a more comprehensive policy and investment approach is needed that addresses educator recruitment, retention, and effectiveness. This was also a recurring theme in our interviews with stakeholders across New Mexico, who indicated that no one thing will fix education in New Mexico and that attention to the career continuum, including preparation, retention, and professional development to further teacher effectiveness, will be essential.

Successful strategies for addressing shortages and strengthening the educator workforce include policies that address teachers’ costs of entry and quality of preparation and support, including coaching, mentoring, and opportunities for collaboration and professional learning. Compensation also matters (in various forms, ranging from wages and benefits to loan forgiveness and housing costs), including to achieve a more equitable distribution of qualified teachers.¹⁰⁷ Research finds that preparation, supports, and compensation also matter for recruiting and retaining principals.¹⁰⁸

Research points to these strategies for addressing shortages as being particularly important in recruiting and retaining teachers and school leaders of color.¹⁰⁹

Shortages can be quickly reversed with decisive and purposeful action. Several states and districts have done so within 3 years by leveraging higher salaries, underwriting preparation, and ensuring strong preparation programs, along with beginning-teacher mentoring, which improves retention. In addition, ongoing high-quality professional learning increases effectiveness and reduces turnover. In high-performing states, investments in professional development for the educator workforce typically comprise 2% of education spending. In New Mexico, that would be approximately \$68.4 million annually.¹¹⁰ If properly designed and funded, these strategies could end the state's teacher shortages within only a few years, bringing a more diverse cadre of well-prepared and supported teachers into the state's schools and ending the churn that produces much of the shortage problem.

Research suggests that teachers who enter the profession with more training are far less likely to leave teaching, in part because they feel more efficacious and are generally more effective than those who lack preparation before entry.¹¹¹ However, the cost of high-quality preparation is a significant obstacle to entering the teaching profession, one that serves as an even more significant barrier for candidates of color. Although research finds an association between teachers' level of preparation and both their effectiveness and their likelihood of remaining in the profession, the cost of preparation is increasingly difficult for candidates to afford and often a reason that candidates choose alternative certification pathways, in which they can immediately begin earning a full salary.¹¹²

Additionally, a growing research base points to the importance of a racially and linguistically diverse educator workforce for all students, especially students of color. For example, studies have found that teachers of color boost outcomes for students of color, including increased test scores, improved graduation rates, increased aspirations to attend college, fewer unexcused absences, and lower likelihoods of chronic absenteeism and suspension.¹¹³ However, candidates of color are more likely to enter teaching through alternative routes—which contribute to their high rates of attrition—because they cannot afford the high costs of entry.¹¹⁴

Service scholarship and loan forgiveness programs address this challenge by underwriting the cost of teacher preparation in exchange for a number of years of service in the profession, often in a high-need subject or school. Research has found that effective service scholarship and loan forgiveness programs leverage greater recruitment into fields and locations in which individuals are needed and support retention, suggesting principles for policy design.¹¹⁵

Another key strategy to improve educator training while addressing New Mexico's ongoing teacher shortage and stemming the churn of underprepared teachers cycling through the state's classrooms is to expand high-retention pathways into teaching. Research points to high-retention pathways, including teacher residencies and Grow Your Own programs, as effective models to recruit, prepare, and retain a diverse cadre of new teachers.¹¹⁶ It is also possible to motivate high school students to enter teaching. Well-established programs, such as the South Carolina Teacher Cadet Program,¹¹⁷ have been successful in supporting high school students to become teachers.

Evidence suggests that strong mentoring and induction for novice teachers can also be a valuable strategy to retain new teachers and improve their effectiveness.¹¹⁸ Beginning teachers who receive a comprehensive set of induction supports—having a mentor from the same field, having common planning time with other teachers in the same subject, having regularly scheduled collaboration with other teachers, and being part of an external network of teachers—are twice as likely to stay in teaching as those who do not receive this support.¹¹⁹ Given this research base, many states have invested in mentoring and induction programs for their novice teachers.¹²⁰

Beginning teachers who receive a comprehensive set of induction supports are twice as likely to stay in teaching as those who do not receive this support.

Key to effective programs is their ability to provide in-classroom coaching from trained, expert mentors and support for curriculum planning to new teachers. New Mexico’s National Board–certified teachers (NBCTs) may be a resource to access in terms of providing mentoring. Recent research highlights the effectiveness of NBCTs as mentors, accelerating learning gains of over 6 months for children taught by an NBCT-mentored teacher compared to children whose teachers were mentored by non-NBCTs.¹²¹ Board certification has allowed tens of thousands of teachers to remain in the classroom while pursuing greater recognition, career and leadership opportunities, and increased compensation. A number of studies have found that teachers who become nationally certified are, on average, more effective teachers (as measured by their students’ test score gains) than non-NBCTs with similar experience, when controlling for student and classroom characteristics, and that other teachers benefit by having NBCTs in the school.¹²² Indeed, supports for cohorts of teachers in low-performing schools to pursue National Board Certification can be an effective school improvement strategy.¹²³ Studies have also found that NBCTs appear to offer especially substantial educational benefits to students from low-income families.¹²⁴

Principals are the second most important school-level factor associated with student achievement—right after teachers.¹²⁵ A growing research base points to the association between increased principal quality and gains in high school graduation rates and student achievement.¹²⁶ Research also points to the negative relationship between principal and teacher turnover and student achievement, which disproportionately impacts high-poverty, low-achieving schools.¹²⁷ Principals affect student learning through their support of staff and their influence on culture and climate. They are also a key driver in attracting and retaining qualified teachers.¹²⁸

These findings from the research were also reflected in many of the stakeholder interviews conducted for this project. Several interviewees stated that nothing else the state does and no amount of money in programs will matter unless the state has qualified teachers in the classroom. Several pointed to the need to diversify the teaching profession and to recruit aggressively, with the promise of a good salary.

A long-term plan for strengthening the New Mexico educator workforce could focus on:

- **Smart Recruitment:** Boost teacher supply in critical content areas and locations in ways that fill all positions with well-qualified teachers.
- **Stable Retention:** Stem attrition by providing strong preparation, support, and mentoring, as well as competitive compensation.
- **Greater Effectiveness:** Improve effectiveness with stronger preservice preparation and ongoing professional development.

Current status of New Mexico’s educator workforce

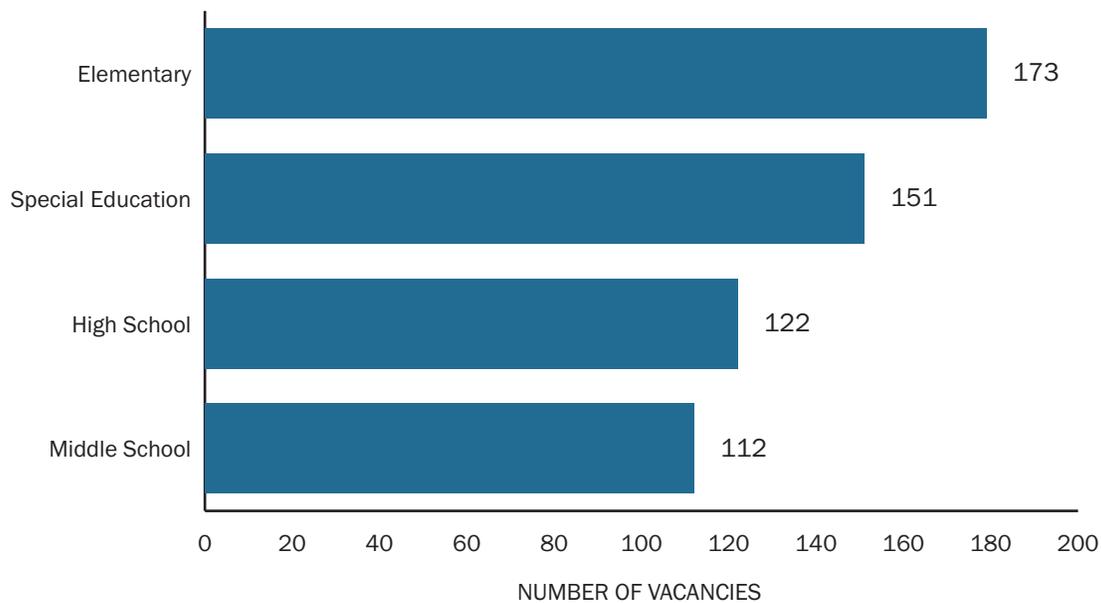
New Mexico is among those states that face significant challenges in staffing all schools with a well-prepared, stable, and diverse educator workforce.

According to the latest data, New Mexico is experiencing sizable shortages in the number of certified teachers and teachers certified in critical subject areas. While the extent of these shortages has diminished slightly in the past year, likely due in part to allocations by the Legislature to increase teacher salaries,¹²⁹ the most recent data point to a teacher workforce in which large numbers of New Mexico teachers are both underprepared and inexperienced, as detailed below. Data also demonstrate that qualified teachers are inequitably distributed, with students from low-income backgrounds disproportionately taught by inexperienced teachers. Finally, data point to a significant diversity gap, whereby New Mexico’s teacher workforce does not reflect the racial and ethnic diversity of New Mexico students.

Overall, our research points to the following trends across New Mexico’s educator workforce:

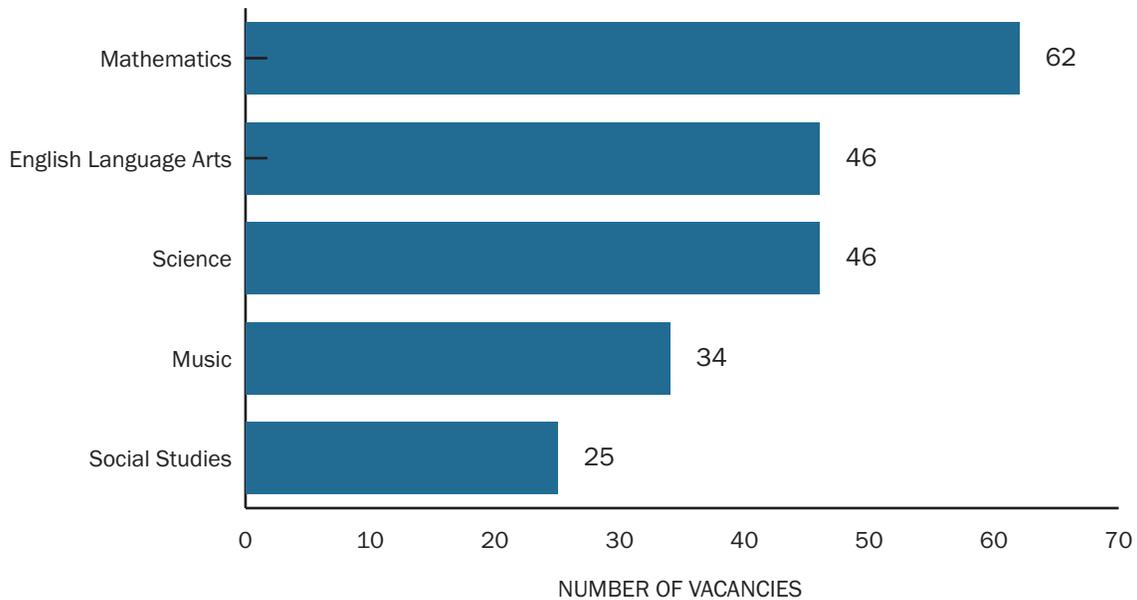
- **Continuing Teacher Shortages.** Of New Mexico’s 21,139 teachers in 2018–19, shortages amounted to an estimated 1,700 teachers, or 8% of teaching positions.¹³⁰ This includes 1,056 underprepared teachers (i.e., candidates in alternative preparation programs) and 644 vacancies.¹³¹ In 2019–20, vacancies were most severe in elementary education (173 vacancies) and special education (151 vacancies) when considering the field overall (see Figure 5). When looking at vacancies by subject (see Figure 6), the most vacancies were in mathematics (62), English language arts (46), and science (46). Additionally, about 10% of teacher vacancies (66) were in bilingual education.¹³²

Figure 5
General Breakdown of New Mexico Teacher Vacancies, 2019–20



Data source: New Mexico State University College of Education Southwest Outreach Academic Research (SOAR) Evaluation & Policy Center. (2019). *2019 New Mexico educator vacancy report*. Las Cruces, NM: Author.

Figure 6
New Mexico Teacher Vacancies by Subject, 2019–20



Data source: New Mexico State University College of Education Southwest Outreach Academic Research (SOAR) Evaluation & Policy Center. (2019). *2019 New Mexico educator vacancy report*. Las Cruces, NM: Author.

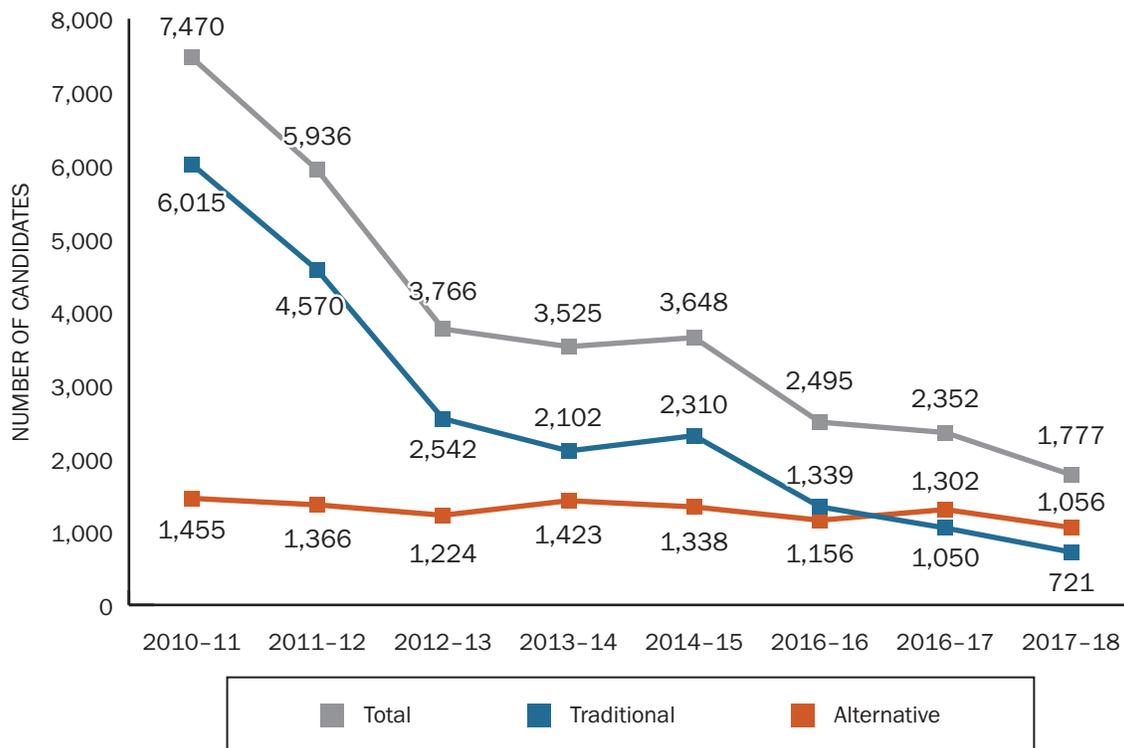
The state also relies on large numbers of foreign teachers to fill positions, another indicator of shortages. For example, in 2018 the state employed 270 teachers on a J-1 visa, a cross-cultural exchange visitor program open to teachers. Only North Carolina and South Carolina employed more such teachers. This number is up over 370% from the 75 teachers on a J-1 visa employed by the state in 2017.¹⁵⁵ Many of these teachers are on temporary visas, which also contributes to the staffing churn.

- **Decline in Teacher Preparation Enrollments.** These shortages are driven, in part,¹⁵⁴ by a dramatic decline in teacher preparation enrollment (down by 76% from 2011 to 2018; see Figure 7) and completion (down 51% during the same period).¹⁵⁵ More than one third of in-state educator preparation program completers teach outside the state after graduation, further exacerbating supply challenges.¹⁵⁶
- **More Teachers Taking Alternative Routes.** A greater percentage of new teachers are entering the profession through alternative route programs. That number was 20% of enrollees in 2011 and had grown to 59% by 2018. In fact, alternative route enrollments in 2017–18 (1,056) far exceeded traditional enrollments (721). (See Figure 7.) Overall, teachers on alternative certifications account for 9% of all teachers in the state.¹⁵⁷ Alternative routes are programs in which candidates are typically teaching in the classroom as teacher of record while they are completing education coursework and do not usually have the benefit of student teaching as part of their training. While successful teachers have emerged from alternative routes, many studies find this a challenging path to entry that, on average,

produces lower levels of effectiveness and higher rates of attrition, contributing to churn in the teaching force.¹³⁸ In fact, a recent study on the status of the teacher workforce in Northern New Mexico found that a majority of beginning teachers who either had just completed or were currently completing alternative licensure programs felt woefully underprepared for the complex work that teachers do.¹³⁹

Figure 7 Declining Teacher Preparation Enrollment

Trend in teacher preparation program enrollment, 2010–11 to 2017–18



Data source: U.S. Department of Education. (n.d.). Title II Reports: National Teacher Preparation Data.

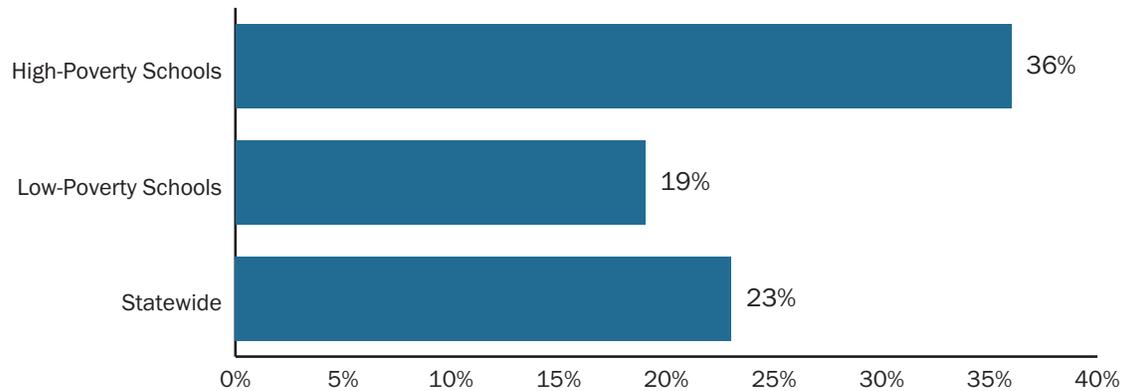
- High Rate of Teachers Leaving the Profession.** In 2019, about 15% of New Mexico teachers left the teaching profession.¹⁴⁰ That is nearly double the most recent nationwide numbers. Data from recent national analyses find the number of “leavers” from year to year is about 8% nationwide.¹⁴¹ Research is clear that rates of teacher turnover negatively impact student learning,¹⁴² which means that students in schools with high turnover and few experienced teachers are at a decided educational disadvantage. In addition, turnover impacts the achievement of all students in a school, not just those with a new teacher, by disrupting school stability, collegial relationships, collaboration, and the accumulation of institutional knowledge.¹⁴³ Financial costs also accrue when replacing teachers, with estimates ranging from about \$9,000 for each teacher who leaves a rural district up to \$20,000 or more for each teacher who leaves an urban district.¹⁴⁴

- **High Number and Inequitable Distribution of Inexperienced Teachers.** In 2019, inexperienced teachers accounted for 23% of the state’s teacher workforce, more than double the national average of 9%.¹⁴⁵ Inexperienced teachers, however, are not evenly distributed across the state. We examine the average school inexperience rate in schools serving different student populations to account for this. On average, 36% of teachers in schools where at least 75% of students come from low-income families were first- or second-year teachers. This is far higher than the 19% average at schools with the lowest poverty rates (schools with poverty rates of 25% or less), raising concerns for educational equity (see Figure 8).¹⁴⁶ A wide body of research shows that inexperienced teachers are, on average, less effective than those with more than 3 years of experience.¹⁴⁷ Furthermore, new teachers typically have higher attrition rates, creating churn that also depresses student achievement. Compared to the state average, inexperienced teachers are even more concentrated in New Mexico’s large urban districts of Albuquerque, Santa Fe, and Las Cruces, where the average percentage of inexperienced teachers rises to over 33%—and 37% in the districts’ high-poverty schools.

Analysis of rural communities serving large proportions of Native American students does not indicate these schools are more likely to employ inexperienced teachers (22%) than the state average (23%).¹⁴⁸ However, there is wide variation, and in a number of such schools, over half the teachers are beginners.¹⁴⁹ Interview data also highlight the challenges of attracting and retaining teachers in these small, isolated communities. Experienced teachers are critical to a high-quality educator workforce, with many studies demonstrating that teaching experience is positively associated with student achievement gains throughout a teacher’s career.¹⁵⁰

While not fully explaining the inequitable distribution of teacher experience, New Mexico’s State Equalization Guarantee (SEG) funding formula inadvertently contributed to it through the Training and Experience (T&E) index, as described in a joint Legislative Finance Committee (LFC) and Legislative Education Study Committee (LESC) analysis.¹⁵¹ Although intended to enable and encourage all districts (even those with fewer resources) to hire the most highly qualified and experienced teachers, this component of the formula provided additional funding to districts and charter schools for teachers with higher academic credentials and more years of experience. However, it resulted in advantaging wealthier districts or charter schools that were already able to afford more experienced staff and discretionary programs. Recognizing these limitations, the Legislature approved a bill in 2018 to phase out the T&E index and replace it with a new teacher cost index to better achieve the T&E’s original intent.¹⁵²

Figure 8
Average Percentage of Inexperienced Teachers by Schools Serving the Most and the Fewest Students From Low-Income Families, 2018–19



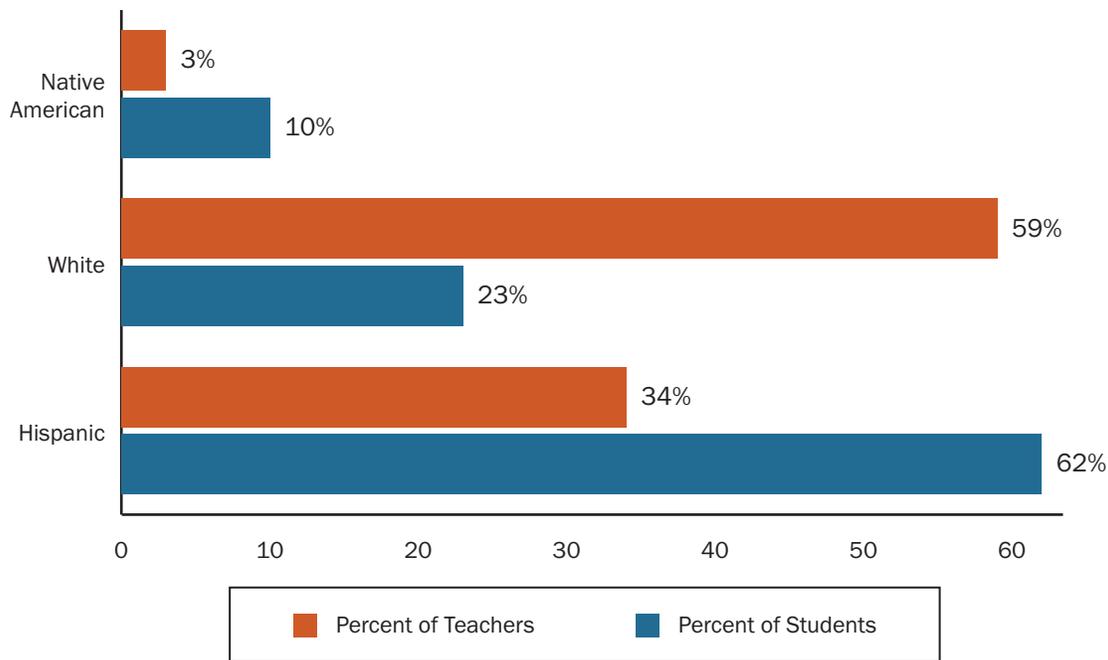
Note: Analysis compares schools in which at least 75% of students are eligible for the Free and Reduced-Price Lunch program and schools in which up to 25% of students are eligible.

Data source: New Mexico Public Education Department. (n.d.). New Mexico Vistas. <https://newmexicoschools.com/> (accessed 07/24/20).

- **Need for Greater Educator Diversity.** Overall, the state’s educator workforce could benefit from greater diversity. Many New Mexicans are interested in providing students with an educator workforce that better reflects the rich racial, ethnic, and linguistic diversity of the state, and many school administrators are seeking ways to better recruit and retain teachers of color, in particular. A wide body of research shows that being taught by teachers of color is associated with benefits to all students, with students of color, in particular, experiencing boosts in academic achievement, graduation rates, and aspirations to attend college, among other benefits.¹⁵³

The demographics of the state’s teacher workforce point to a need for a more racially and ethnically diverse educator workforce. (See Figure 9.) While 77% of students in the state identify as students of color, only 40% of teachers identify as teachers of color.¹⁵⁴ For example, 62% of students in New Mexico identify as Hispanic, while only 34% of teachers do so. That gap is even more considerable for Native Americans: About 10% of New Mexico students identify as Native American students, yet only 3% of teachers do so. Furthermore, the latest teacher preparation enrollment numbers for 2017–18 are broadly in line with these trends: Hispanic individuals make up 37% of teacher preparation enrollment, and Native Americans make up 4.8%.¹⁵⁵ Rural communities serving large proportions of Native American students would particularly benefit from greater teacher diversity. In these schools, about 70% of students identify as Native American, yet only about one in six teachers do.¹⁵⁶

Figure 9
New Mexico’s Teacher Workforce and Student Body by Race/Ethnicity, 2018–19



Data source: New Mexico Public Education Department. (n.d.). New Mexico Vistas. <https://newmexicoschools.com/> (accessed 07/24/20).

The principal and assistant principal workforce could also benefit from greater diversity. The most recent data (2017–18) for administrator licensure program enrollment (407 candidates) show that half identify as White (207), 40% as Hispanic (162), and only 5% as Native American (22).¹⁵⁷ Unfortunately, data are not readily available regarding the racial and ethnic demographics of current principals and assistant principals.

- **Need for Targeted Efforts to Support Recruitment of Native Teachers.** Understanding teacher quality in Bureau of Indian Education schools and schools on or near reservations is challenging. However, underprepared non-Native teachers continue to be recruited to these schools in an effort to address teacher shortages.¹⁵⁸ Further, there is evidence these schools rely on recruiting non-local teachers prepared outside of the country to fill persistent vacancies.¹⁵⁹ In fact, in 2020, rural schools serving the greatest proportion of Native American students, on average, employed teachers prepared out of country at a rate (5.3%) three times the state average (1.8%).¹⁶⁰ More broadly, the significant racial diversity gap between teachers and students (noted above) points to a need for more Native teachers.¹⁶¹
- **High Proportion of Experienced Administrators.** Statewide, about half of school and district administrators have 10 or more years of experience. In contrast, only 2% of administrators are in their first year. Further, 15% of administrators have 2–5 years of experience and 14% have 6–10 years of experience.¹⁶²
- **Need for Stable School Leadership.** The 1-year rate of administrators leaving the profession in New Mexico for 2018–19 is about 16%. However, the total turnover rate of

administrators is not known, as some administrators move schools between years. This high administrator attrition rate is a cause for concern, as research points to the importance of stable school leadership. Turnover in school leadership can result in a decrease in student achievement, especially in high-poverty schools, and can negatively impact school culture and climate.¹⁶³ Statewide, in 2018, only 15% of superintendents (or those in 13 districts) had been in their positions over the previous 6 years, and the remaining 76 districts had experienced a total of 127 superintendent changes during that time frame.¹⁶⁴ This is troubling because studies from multiple states have found a negative correlation between superintendent turnover and student achievement on standardized test scores.¹⁶⁵

These data reflect the status of New Mexico’s educator workforce prior to the COVID-19 pandemic. The ensuing impacts of the pandemic on school budgets and potential impacts on New Mexico’s educator workforce are still unfolding. On the one hand, budget cuts may lead to staffing reductions and reduced demand for teachers; on the other hand, requirements for social distancing for in-person learning may result in smaller class sizes and increased staffing demands. Re-entry guidance released by the NMPED recommends schools and districts employ additional full-time substitutes.¹⁶⁶ Staffing demands are further complicated by the fact that 25% of New Mexico’s teachers are 55 or older, the highest rate in the country.¹⁶⁷ The state’s high proportion of teachers at risk for serious infection could further exacerbate teacher turnover if large numbers of teachers decide to leave the profession for health and safety reasons, though recommendations for a hybrid instructional model—in which some students are taught remotely and others are taught in person—could support the needs of high-risk teacher and student populations.

Progress toward knowledgeable and skillful educators

During the past 2 years, New Mexico has passed important legislation to strengthen its educator workforce, including teacher loan forgiveness and scholarships, a statewide beginning-teacher mentoring requirement, a Grow Your Own teacher pathway for educational assistants, statewide teacher salary increases, and a revision of the T&E index to more equitably distribute funding for teachers. During the 2020 session, the New Mexico Legislature took significant action on this front, building on prior investments. Below, we review progress with respect to educator recruitment, retention, and effectiveness initiatives.

Teacher recruitment

Major policies advanced in the 2020 session to strengthen the educator workforce include raising teacher salaries this year by an average of 4%, on top of an average 6% increase in 2019. More will likely be needed, however. The LFC noted that despite strong investments to increase teacher pay, “other neighboring states have also increased teacher compensation at a similar rate. As such, average teacher salaries in the region have effectively remained the same, comparatively.”¹⁶⁸ Further, cuts due to COVID-19 reduced the average teacher salary increase in 2020 to 1%.¹⁶⁹

The replacement of the T&E index with a new teacher cost index represents another major policy change with significant implications for teacher recruitment. This change (described in more detail in the “Adequate and Equitable Funding” section below), which will be fully implemented by fiscal year 2023, should help to address the challenges created by the prior T&E index within the SEG formula. The prior T&E index provided more funding to those districts and schools that could

recruit educators with higher academic credentials and more years of experience. Although the T&E index was intended to enable all districts to hire highly qualified teachers, it resulted in providing the more affluent with greater funding and more recruiting power.

Two additional major areas of work are needed to recruit a strong, stable teacher workforce: First, the costs of preparation need to be reduced so that candidates can afford to become well-prepared and, thus, have a greater likelihood of succeeding and staying. Second, pathways are needed that bring candidates into the communities where they are most needed in ways that enhance the probability that they will stay.

Financial aid for candidates. New Mexico has four teacher service scholarship and loan forgiveness programs to specifically support teacher recruitment and retention. These include both a loan repayment program for current teachers and a loan-for-service program, a more recent “affordability” scholarship, and an apprenticeship program targeted toward college students. Other sources of financial aid, such as lottery scholarships, are available to teacher candidates as well as students in other fields.¹⁷⁰ However, a 2018 LESC report noted, “While [the first two of] these programs are intended to improve recruitment and retention of individuals in the teaching field, neither program has received significant financial support.”¹⁷¹ Our investigation of the programs shows small numbers of awards, despite large numbers of applicants, and, in the case of the teacher loan-for-service program, high default rates, suggesting a need for program redesign.

One of the more promising initiatives includes the **Teacher Preparation Affordability Scholarship Program** created by the Legislature in 2019 with an initial \$10 million investment. In 2020, the Legislature allocated an additional \$5 million to the fund, which offers scholarships to encourage eligible New Mexico students to attend and complete accredited teacher preparation programs at a New Mexico public postsecondary educational institution or a tribal college. Unfortunately, this investment was eliminated in the 2020 special session. For individuals who received awards in 2019, the scholarship can be used to help pay for tuition, fees, books and course supplies, and living expenses. Scholarship award amounts are based on financial need, not to exceed \$6,000 in an academic year with a maximum eligibility of 5 years, for a maximum total of \$30,000 per candidate. The program is targeted to candidates with demonstrated financial need, and preference is given to English learners, students who are historically underrepresented minorities in New Mexico’s teaching profession, and students who have declared their intent to teach in a high-need teacher position, as defined by NMPED.¹⁷²

More problematic has been the **Teacher Loan-for-Service Program**. This program provides up to a \$20,000 service scholarship (\$4,000 per year for up to 5 years) to undergraduate or graduate teacher candidates who complete an approved educator preparation program in a designated shortage area, commit to teach in the state in that field, and demonstrate financial need. However, a 2018 LESC report notes, “Over the past five years, the program has only awarded eleven scholarships due to the level of funding and the fact that about 49% of students have defaulted.”¹⁷³

A promising program is the **Teacher Loan Repayment Fund**,¹⁷⁴ which offers loan forgiveness to some existing teachers serving in high-need fields (bilingual education, ECE, special education, STEM, or CTE) or serving in high-need schools (defined as 40% or more eligible for the federal Free and Reduced-Priced Lunch program). To be eligible for the program—which provides up to \$6,000 per year for up to 8 years of service, or \$48,000 total—candidates must be a U.S. citizen and New Mexico resident, be a licensed New Mexico teacher teaching in a high-need field, and have

taught at least 3 years in New Mexico. Preference is given to candidates of color and to graduates of New Mexico postsecondary institutions.¹⁷⁵ According to the LESC, “The program is popular, with more than 626 qualified applicants between 2014 and 2018. Funding, however, continues to be an obstacle, and HED [Higher Education Department] granted only 49 awards during that time.” The program was allocated \$10 million in fiscal year 2019, which should help with its reach over the coming years. No additional funding was allocated in 2020, anticipating that the previous year’s investment would be sufficient for a few years of scholarships.

High-retention pathways into teaching. In an effort to increase teacher recruitment and retention, New Mexico has also made recent investments to support the development of teacher residency and other Grow Your Own programs.

Teacher residencies are 1-year postbaccalaureate programs that result in high teacher retention rates for effective teachers in high-need fields by offering high-quality preparation through carefully designed district–university partnerships. Residents—who may enter from other professions (or the military) or after they have finished an undergraduate degree—receive funding for tuition and living expenses (e.g., stipend or salary) while they apprentice with a master teacher in a high-need classroom for an entire school year and take related, tightly interwoven courses that earn them a credential. They repay this investment by committing to teach in the sponsoring district for at least 3 to 4 years after their residency year, while they receive additional mentoring. Research on the impact of the residency model suggests that graduates of teacher residency programs stay in these districts at much higher rates and for longer periods of time than those who have entered through other pathways, stabilizing the teaching force, and they are effective, as judged by principals who hire them and evidence about their students’ performance.¹⁷⁶ Research also suggests that, on average, the pool of residents is more racially diverse than that of other new teachers.

Research on the impact of the residency model suggests that graduates of teacher residency programs stay in these districts at much higher rates and for longer periods of time than those who have entered through other pathways, stabilizing the teaching force.

In 2019, the Legislature allocated \$1 million to launch a **teacher residency pilot program** to help teacher education programs and their partner districts to train and support new educators by moving toward residency models addressing racial and ethnic diversity that also prioritize the needs of districts with large English learner and Native American populations. Funded programs include Northern New Mexico College, which received \$190,000 to support the development of a residency model program in partnership with Española Public Schools and the Jicarilla Apache Department of Education. San Juan College received \$150,000 to work with the districts of Aztec, Bloomfield, Central Consolidated, and Farmington to establish 16 residency sites at the Native American and English learner–serving school sites of highest need in Northwestern New Mexico.¹⁷⁷

The Legislature followed this initial pilot investment with an additional \$2 million in 2020 to fund teacher residency programs.¹⁷⁸ To strengthen implementation following the initial pilot, the 2020 legislation established more rigorous program requirements to ensure recipients establish robust residency programs. For example, the legislation requires that programs must be developed

in partnership with local school districts, offer residents a full-year apprenticeship under an expert teacher, and provide residents \$20,000 stipends to cover preparation costs. Unfortunately, the 2020 investment in teacher residencies was pared back to \$1 million due to the shortfall in revenue related to the pandemic.¹⁷⁹

Another set of high-retention pathways into teaching are **Grow Your Own (GYO) programs**, which recruit and train teacher candidates, often from nontraditional populations that are more likely to reflect local diversity and are more likely to continue to teach in their communities. A particularly effective GYO strategy that many states are using is to recruit paraprofessionals or other teachers' aides and support their training to become licensed teachers, as these are individuals who have demonstrated an affinity for and commitment to working in schools. Research on these programs demonstrates that they have been effective in recruiting diverse teachers who tend to stay in their positions.¹⁸⁰

Recent research from Northern New Mexico demonstrates the importance of local community teachers, or teachers teaching in the community they grew up in. Based on survey and focus group data from teachers in Northern New Mexico, the study finds that local community teachers can provide a range of benefits to strengthen a school community: They live in the communities in which they teach, and they stay in the profession at higher rates than non-local teachers, earn bilingual/TESOL certifications at higher rates than non-local teachers, and feel more prepared to teach children who are bilingual.¹⁸¹

In 2019, New Mexico enacted the GYO Teachers Act, which provides a scholarship for educational assistants (EAs) currently serving in New Mexico schools to earn a B.A. in education and a teaching credential.¹⁸² The program provides for professional leave as needed and a scholarship of up to \$6,000 per year for 5 years (\$30,000 total), based on applicants' financial need. Regulations for the program require postsecondary institutions to prioritize awards to EAs who are closest to completion of a teacher preparation program and those serving in high-need fields (bilingual education, ECE, special education, and other high-need positions as defined by NMPED). There has been much higher demand for this program than available funding.

Efforts to strengthen teacher pipelines from 2- to 4-year institutions are also underway in New Mexico. For example, Santa Fe Community College and Highlands University have implemented a 2 + 2 Career Ladder Licensure Program, which includes intensive advising and mentoring, leveraging federal funds from a 5-year National Professional Development Program Grant.¹⁸³ The state might consider supporting similar pilots in other communities, particularly Native American communities, around the state.

Similar Grow Your Own program efforts within Native American communities in other states have shown promise. For example, the Menominee tribe in Wisconsin has made efforts to recruit more Native American teachers in recent years.¹⁸⁴ These efforts have included partnering with the College of Menominee Nation to prepare teachers, connecting prospective teachers with federal grants to fund their education, and intentionally encouraging students from a young age to think about education as a career. The percentage of Native teachers has nearly doubled from about 20% to 35%, and the graduation rate has climbed from less than 60% in 2008 to over 95% in 2016.

The Blackfeet tribe in Northern Montana similarly established a 2 + 2 program between Blackfeet Community College and the University of Montana allowing teacher candidates to complete their preparation on the reservation through online classes and classes taught by visiting professors.¹⁸⁵

Supported by these efforts to recruit and prepare more local Native American teachers, 63% of teachers in Browning, the local school district, now identify as Blackfeet. The rising proportion of Native American teachers has also coincided with a drop in the district teacher turnover rate. Once as high as 30%, Browning’s teacher turnover declined to 18% in 2015.

Teacher retention

Teacher retention is enhanced both by supporting beginning teachers with strong mentoring and other supports when they enter the profession and by providing veteran teachers with opportunities to share their expertise and grow in the profession.

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Beginning-teacher mentoring. In New Mexico, state law since 2001 has mandated beginning-teacher mentoring for all first-year teachers.¹⁸⁶ However, there has historically not been a stable source of state funding for the program, nor strong accountability for ensuring that districts are providing high-quality support to all their first-year teachers as required by the statute and regulations. For example, while the statute and regulations require that mentors receive training—which research suggests is a key to ensuring high-quality mentoring¹⁸⁷—NMPED does not currently provide such training, and especially among small rural districts, such training is not widely available.

During the 2020 legislative session, New Mexico took significant steps to make mentoring for all first-year teachers in the state a reality. While \$11 million for teacher mentorship and professional development remains, nearly \$4.2 million allocated to mentor stipends was cut in the 2020 special session in response to COVID-19.¹⁸⁸ The legislation also sets forth elements of a framework for the program that NMPED is required to develop and ties receipt of funding to the development of a plan for mentoring at the district level.

These investments build on regulatory changes to strengthen the program in 2019, when the state adopted new rules governing mentorship programs. Among other requirements, the new rules establish that programs be culturally and linguistically responsive and that programs ensure beginning teachers are able to serve diverse learners, such as English learners and students with disabilities.¹⁸⁹

National Board Certification. As noted earlier, National Board–certified teachers (NBCTs) are an important source of expert mentoring, as well as a pathway for growth in the profession. Building on the existing stipend that is available to NBCTs in New Mexico (about \$6,286), in 2020 the Legislature allocated \$500,000 for a newly created National Board Certification Scholarship fund to cover certification fees for teachers pursuing National Board Certification.¹⁹⁰ These funds are sufficient to cover certification fees for approximately 250 teachers who are pursuing Board certification and should contribute to a growing pool of NBCTs in New Mexico who might, with further incentives, be enabled to strengthen teaching in high-need schools by supporting other teachers, including novices. A similar approach was adopted by Loma Linda Elementary in Anthony, NM, which enabled the school to attract and support talented teachers to achieve National Board Certification, supporting school turnaround efforts.¹⁹¹

School leader development. Strong principals are also significantly related to teacher retention, as well as to student achievement gains. New Mexico has recently supported the development of school leaders through the Principals Pursuing Excellence (PPE) Program. Now in its seventh cohort, this program provides cohorts of principals with professional development and mentoring for 2 years, focused on school turnaround. The program has served 240 principals over its first 6 years. According to the NMPED, from 2015 to 2018, schools in cohorts 1 through 4 erased 85% of the achievement gap with non-PPE schools in reading outcomes and 81% of the gap in math outcomes. These results were accomplished while these schools served disproportionately more than the state average of English learners, Native American students, students with disabilities, and students from low-income communities.¹⁹²

The Legislature appropriated \$2 million for PPE programs in fiscal year 2019, serving approximately 40 principals per year. In 2020, the Legislature increased its investment in principal professional learning to \$3 million, an amount that was decreased to \$2.4 million in the special session.¹⁹³

Teacher effectiveness

New Mexico made some significant investments in professional learning for teachers and school leaders during the 2020 legislative session. The state allocated funding for teacher professional development through the State Equalization Guarantee (SEG), with \$11 million in SEG funding and \$3.45 million in line-item funding allocated across both beginning-teacher mentoring and ongoing teacher professional development. Subject-specific teacher professional development opportunities were also funded in early literacy (\$875,000) and computer science (\$200,000).¹⁹⁴ Here, too, these allocations were reduced during the special session.

New Mexico policymakers and stakeholders have also called for improvements to teacher preparation, licensure, accountability, and continuous improvement systems.¹⁹⁵ While significant action has been taken over the past several years, including new approval processes for educator preparation programs and program scorecards, there was not widespread support for these changes within the educator community, and many of these changes have been placed on hold.¹⁹⁶ The development of additional workable and effective policies to strengthen teacher preparation would also benefit from stakeholder input.

Recommendations for next steps

Next steps for teacher recruitment

Immediate, low-cost recommendations that could be taken during the COVID-19 recovery period:

- 2.A** The Legislature could invest in an NMPED and Higher Education Department–led effort to partner with local districts to **pilot teacher pathways that begin earlier in a student’s academic trajectory**, in community college or in high school. Such pathways could be targeted to Native communities, given the significant gap between the percentage of Native students (10%) and Native teachers (3%) in New Mexico. Research suggests that an effective strategy to recruit, prepare, and retain teacher candidates—and especially candidates of color—is to focus on strengthening course articulation agreements, as well as transfer and support programs, for candidates at both 2- and 4-year institutions. Effective supports can include advising, counseling, peer mentoring, support in preparing for teacher

licensure exams, tutoring, and a cohort-based structure.¹⁹⁷ The state could also pilot grants to community colleges and 4-year institutions of higher education to strengthen course articulation agreements, memoranda of understanding, and transfer and support programs for cohorts of teacher candidates, with preference to programs that partner with minority-serving institutions or tribal colleges and universities.

The state could also expand career technical education, Educators Rising, and dual-enrollment programs to support high school students, especially those who have obtained the state seal of bilingualism-biliteracy, who want to enter the field of education.

The state could evaluate existing investments in high-retention pathways into teaching (teacher residency program and GYO Teachers Act) to develop best practices and program implementation guidance that may guide future programs when scaling is feasible.

Longer-term steps that could be taken when funding recovers:

- 2.B** The Legislature could **redesign, restore, and expand funding for existing service scholarship and teacher loan repayment programs** to increase their reach and effectiveness and to ensure all shortage fields and locations are covered. Recent investments to cover the cost of preparation for New Mexico teachers in high-need fields have been substantial, particularly with the creation of the Teacher Preparation Affordability Scholarship. These investments could be restored to pre-pandemic levels and potentially streamlined by merging the loan-for-service program and the “affordability” scholarship program while expanding funding and instituting a service commitment to ensure access, use, and effectiveness. Additionally, to aid retention among existing teachers, the teacher loan repayment program could continue to be funded while eliminating U.S. citizenship as an eligibility requirement and beginning loan repayment in the first years of teaching, so as to encourage new teachers to take positions in New Mexico (rather than in Texas or Arizona, where many are recruited).
- 2.C** The Legislature could invest in **scaling successful high-retention pathways and grow additional pathways** that begin in high school and community college. Given the benefits of local community teachers, these efforts could provide a particular focus on recruiting more high school students and educational assistants into the profession and may be especially beneficial in Native communities. Recent investments in teacher residencies and GYO programs represent an important first step to strengthen the educator workforce but will require additional investment to meet current needs.

Next steps for teacher retention

Immediate, low-cost recommendations that could be taken during the COVID-19 recovery period:

- 2.D** **The NMPED, LESC, and LFC could study implementation of the teacher cost index.** Current reporting requirements include documenting the relationship of licensure-experience factors to actual teacher costs as well as reporting recommended changes. Over time, reporting could examine whether the new approach is supportive of a more equitable distribution of experienced teachers and those with a level 2 or 3 teaching license.

2.E The NMPED could evaluate new teacher mentoring programs for first-year teachers. New Mexico’s recent investments in mentoring programs—and the state’s new accountability system for ensuring that districts provide this support to first-year teachers—mark an important step forward. Attention to implementation will be critical, as will evaluation and continuous improvement of the program. The Legislature required such an evaluation in 2020.¹⁹⁸ As part of the evaluation, the state should collect data on mentoring program supports, availability, and quality, such as the extent to which mentoring supports new teachers’ ability to provide culturally and linguistically responsive instruction, the quality of mentor training, and what kinds of mentor supports first-year teachers find most useful and why. The state should also consider additional funding to NMPED to organize high-quality training for mentor teachers, as it has done in training principals on teacher evaluation.

Longer-term steps that could be taken when funding recovers:

2.F The Legislature could extend mentoring supports to all second-year teachers, as many other states do.¹⁹⁹ This is especially critical given the growth of alternative certification pathways in the state, which, in New Mexico, require less coursework or student teaching for recruits than in some other states.²⁰⁰ This was a source of concern in our interviews, which highlighted the need for continued training and support for these teachers.

2.G The Legislature could provide incentives to National Board–certified teachers to serve as mentors and teacher leaders in high-poverty schools. National Board Certification is a well-established approach for recognizing teacher expertise and is one that New Mexico currently supports through the additional stipend it provides to NBCTs.

To more equitably distribute teaching expertise and increase the retention of effective teachers in high-need schools, the state could provide an additional financial stipend—perhaps \$1,000 to \$2,000 per year—for NBCTs who teach and mentor in high-poverty schools. The state could also target the funding provided through the recently enacted National Board Certification Scholarship Act to support cohorts of teachers already working in high-poverty schools to earn their National Board Certification by covering the cost of assessments and other supports.

In the longer term, the state may want to consider strengthening in statute the current three-tier licensing system so that it formalizes and recognizes teachers’ leadership roles, such as mentoring, curriculum development, instructional coaching, and school improvement, and ensures that the additional compensation is both for reaching tier three and for taking on this additional responsibility. The state can also organize incentives to ensure a share of such teachers in each school who can help lead professional learning.

2.H The Legislature could expand efforts to support school and district leader professional learning by leveraging state resources and the federal Every Student Succeeds Act’s (ESSA) 3% optional set-aside for school leadership. Title II, Part A of ESSA provides states with new opportunities to invest in and improve school leadership in ways that could increase teacher retention, including by reserving up to 3% of their state Title II, Part A funds for school leader development. Based on 2019 allocations, the set-aside amounts to about \$500,000.²⁰¹ ESSA also requires states to set aside up to 7% of funding under Title I, Part

A to support schools identified for improvement, which can be used to invest in strengthening school leadership in those schools. Many states, including New Mexico, are seizing this opportunity.²⁰²

Robust professional learning is currently available to a relatively small number of the approximately 1,200 school leaders (principals and assistant principals) in New Mexico and is largely absent for superintendents and other district leaders. Stakeholders in our interviews identified the need for ongoing learning for principals and other administrators to help them learn how to do their difficult jobs. The state could both evaluate and expand efforts to support principal professional learning by adding to ESSA's 3% optional set-aside for school leadership with federal funds (from Title I, Part A and/or Title IV), with the goal of making robust ongoing professional learning available to all New Mexico school leaders, both school and district based. Special attention should be given to developing professional learning networks and other opportunities for superintendents and other school leaders, given high levels of turnover for superintendents in many districts, which in turn hinder district improvement efforts.

Next steps for teacher effectiveness

Immediate, low-cost recommendations that could be taken during the COVID-19 recovery period:

- 2.I** The governor and the secretary of education could **convene a diverse, high-level task force** of educators (including teacher associations) and educator preparation program leaders to evaluate strategies for **improving educator preparation, licensing, and accreditation**. The goal would be to ensure a coherent statewide system that focuses specifically on developing educators' knowledge of the science of learning and development and building their skills for applying that knowledge in the context of students' cultural and linguistic backgrounds. A coherent and effective system of teacher and school leader preparation is essential to the creation of a strong educator workforce.

Research points to several key policy levers that can influence the quality of teacher education and, ultimately, the quality of the teaching force itself. These policy levers include standards that define the goals of teaching and teacher education and processes for evaluating those standards, such as performance assessments and performance-based accreditation processes; the incentives and opportunities that are constructed for programs to improve their quality and for candidates to seek out and gain access to high-quality preparation, such as teacher residencies and other strong district-preparation program partnerships; the funding available for programs and candidates; and the labor market forces that determine whether high-quality individuals will choose to enter teaching, where they will teach, and whether they will stay, such as underwriting the cost of teacher preparation in high-need fields and locations and adequately funding teacher education as a clinical profession.²⁰³

Over the past several months, New Mexico has utilized a stakeholder engagement and task force process to make recommendations on revisions to the state's educator effectiveness system.²⁰⁴ Such a workgroup could take up issues related to preparing teachers and leaders to provide culturally and linguistically relevant curriculum and pedagogy, as well

as strategies to increase the recruitment, training, and support of language teachers, especially those proficient in tribal languages. These issues have been identified as a high priority by many stakeholders, including NMPED.²⁰⁵

State law mandates an annual educator preparation accountability report, which is required to report data on program demographics and a number of indicators of program success.²⁰⁶ The NMPED revived the New Mexico Educator Accountability Reporting System (EARS) report in 2020, the first published since December 2015.²⁰⁷ The state could continue this reporting structure to inform policy decisions in the area of educator preparation. The state may want to consider reviewing and updating the statute. Additional metrics of success could include data regarding teacher retention by program and preparation route, as well as candidate, mentor, and employer survey data.

Longer-term steps that could be taken when funding recovers:

- 2.J** The Legislature could support improvements in educator preparation by incorporating recommendations identified by the task force for strengthening preparation, licensing, and accreditation into statute, as appropriate, emphasizing the need for a coherent system of programs across the state. NMPED and, where appropriate, HED, could specify in rulemaking the parameters of preparation, licensing, and accreditation that include the recommendations of the task force, as well as the evidence base about effective educator preparation.
- 2.K** The Legislature could **fund ongoing professional learning supports**. There has been considerable discussion and a growing consensus among stakeholders in New Mexico that educators need a growing repertoire of knowledge, skills, and dispositions to meet the needs of today's learners—and that these should be more fully reflected in both preservice programs and in-service programs of professional learning. Among the areas to consider prioritizing for professional development are subject matter teaching, literacy instruction, supports for social and emotional learning, and restorative practices, as well as providing culturally and linguistically responsive instruction to strengthen provision of a multicultural education. The COVID-19 pandemic has exposed a need for additional professional learning in providing high-quality instruction and supports through distance and/or blended learning. It is also important that such professional development makes use of individuals proficient in Native American languages and tribal culture.

High-quality learning for educators needs to be organized with intensive study of new curriculum and teaching strategies conducted in collaborative communities in which teachers can learn, see models, develop plans and try them out, receive coaching, reflect on outcomes with colleagues, and continue a sustained cycle of learning.²⁰⁸ These are the elements of high-quality professional development that research finds are effective in advancing student learning. New Mexico could, like some other states, create standards for professional learning that incorporate these elements and guide state-funded professional development.

This type of effective professional development requires new approaches to professional learning support, which is often provided through teaching academies (such as the Mayerson Academy in Ohio or the North Carolina Center for the Advancement of Teaching)

or curriculum-based initiatives (such as the discipline-based subject matter projects in California) that focus on making high-quality professional development consistently available over time.²⁰⁹ Districts, schools, and individual teachers can access these centers of excellent professional learning at any time, participating in intensive learning events that include training for coaches and follow-up with faculties. While centrally coordinated, the work may be distributed across a number of regional centers, universities, and nonprofit organizations that specialize in particular kinds of learning and supports.

In high-performing states, investments in professional development for the educator workforce typically comprise 2% of education spending. In New Mexico, that would be approximately \$68 million annually.²¹⁰ A strong professional learning infrastructure for New Mexico could be facilitated through a professional development grant program that establishes centers of learning at institutions of higher education, nonprofit organizations, regional education cooperatives, and school districts (or partnerships or consortia). These may be under the umbrella of one or more teaching academies that orchestrate the provision of needed learning resources. The state could develop the framework for these centers, and NMPED could operate the grants program.

The state could also use evaluations of educators and educator preparation programs to provide useful information for ongoing improvement and to guide the design of high-quality, job-embedded professional learning opportunities. Greater coherence in teacher development can be supported through the use of a common set of professional standards to guide educator preparation programs (including program approval and licensure) as well as educator induction and evaluation. This approach can embed standards of professional competence and learning into the state's education workforce infrastructure.

3. Integrated Supports for Students in High-Poverty Schools

The effects of growing up in poverty are not fully revealed by the simple metric of family income. Poverty triggers a constellation of conditions that negatively impact children's well-being and school success: food insecurity, substandard housing or homelessness, unsafe neighborhoods, lack of access to social and health services, and a range of traumatic experiences.²¹¹ We noted the extent of these conditions in New Mexico earlier in this report. Importantly, these conditions tend not to exist in isolation; they compound exponentially, as do the barriers they create. Children in poor families also have less access to enriched or supplemental learning opportunities that wealthier parents can provide to their children; these include books, tutors, computers, summer camps, and more.²¹² Together, these economic and education disparities contribute to the lower educational outcomes of children in low-income families and communities.

Key goals for integrated supports

As noted at the outset of this report, schools alone cannot "fix" widespread poverty. However, evidence-based interventions exist that provide additional supports and resources to mitigate the disadvantages associated with poverty so that all students can approach having opportunities and safety nets that are comparable to those of more advantaged students.²¹³ Community schools are one such intervention.

Community schools use an approach to schooling based on evidence-based principles rather than a “program” that must be implemented uniformly across locales. Community schools are built with four pillars—integrated health and social supports, expanded learning time and opportunities, strong family and community engagement, and collaborative leadership and practice—designed to meet community needs and build on community assets. Together, these pillars provide more than wraparound services.²¹⁴ Under the leadership of a full-time community school coordinator, educators collaborate with local partners to provide health and social supports, expanded learning opportunities, and strong family and community engagement. Research finds that when these schools are well designed and fully implemented, they increase student success and reduce gaps in both opportunity and achievement.²¹⁵ Extensive cost-benefit analyses find a return on investment ranging from \$3 in the short run to \$15 when benefits are tracked later in life for every \$1 spent.²¹⁶

Notably, some of the positive evidence about expanded learning time, specifically, comes from New Mexico. New Mexico has piloted a program (formerly K–3 Plus, now called K–5 Plus) that provides 25 additional days of instruction during the summer for students in the early grades focused on reading, writing, and mathematics. Although there have been implementation problems in New Mexico with the expanded K–5 Plus, a careful evaluation of the K–3 Plus program showed that when implemented with fidelity to the program principles (e.g., having teachers teaching the students they have during the regular year), participating students were far more likely than others to score as proficient.²¹⁷ Specifically, an independent, scientific evaluation found that students enrolled in K–3 Plus in the summer prior to kindergarten were more ready for school and outperformed their peers. They continued to have higher levels of achievement 4 years later.²¹⁸ Embedding expanded learning time within robust community schools could ease the implementation challenges, as it would embed the program in a whole-school approach rather than being considered a separate program.

Community schools are particularly effective in communities of concentrated poverty in which few families and neighborhoods are able to supplement what traditional schools provide. Notably, however, the approach is not designed only for schools in low-income communities. Rather, it can be used to establish and sustain best practices in any school. In fact, there is little in the community schools agenda (or research that supports that agenda) that does not promise to benefit all schools, and many schools in more advantaged communities already provide many of the features of community schools.²¹⁹

In New Mexico, the goal should be to enable all schools with at least 80% students from low-income families to become community schools that provide integrated supports and expanded learning to meet the extraordinary needs of children and families in those settings. This would address the findings of the *Martinez/Yazzie* case focused on expanded learning time, including after-school programs and tutoring, which noted

In New Mexico, the goal should be to enable all schools with at least 80% students from low-income families to become community schools that provide integrated supports and expanded learning to meet the extraordinary needs of children and families in those settings.

that “the efficacy of these programs has been recognized, but unfortunately they have not been funded to the extent that all at-risk children can participate.”²²⁰ It would also address the court’s concern that the system fails to make social and health services, such as those provided by social workers and nurses and wraparound services, available to all at-risk students.²²¹ Community schools are also promising sites for developing culturally and linguistically responsive programs collaboratively with tribal governments, given their close connections with communities.

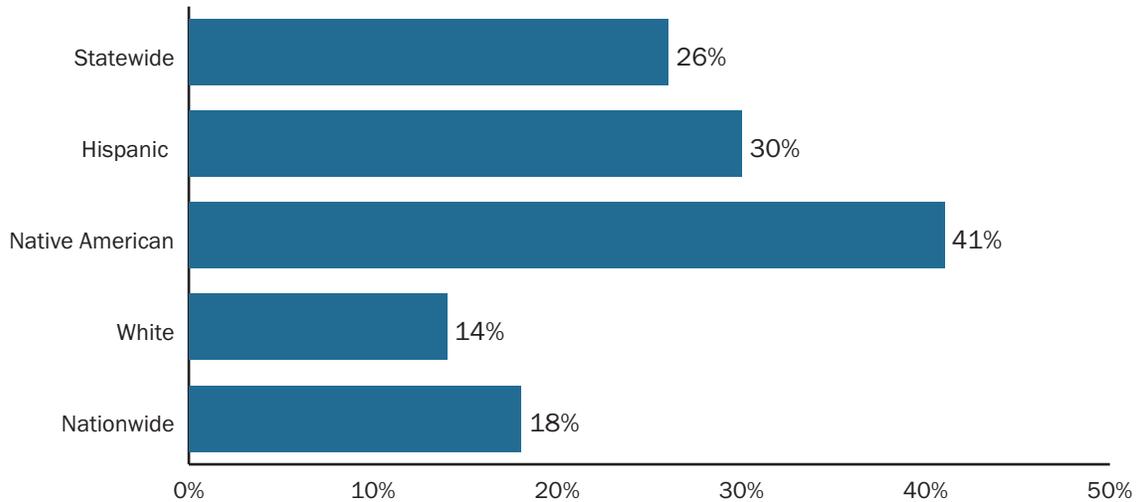
Notably, New Mexico educators, advocates, and the general public are very ready to see community schools go to scale in the state. LPI’s analysis of 13 recent education reform platforms in the state found that all 13 address the need for New Mexico to incorporate whole-child supports into the education system. The most frequently cited recommendations include increasing access to high-quality early childhood programs; providing wraparound services and supportive community partnerships; integrating social and emotional learning and strengthening school climate; increasing parent and family engagement; and extending and enriching learning through after-school and out-of-school programs. Recommended wraparound services for students in reports from the Learning Alliance, the Economic Development & Education Task Force of the Greater Albuquerque Chamber of Commerce (composed of business and industry leaders) in 2000, New Mexico Rising (the state’s ESSA plan), NMSSA, the Pueblo Convocation, and others include access to nutritious food, transportation, assistance with expenses, parental support and training, community wellness and health programs, nursing services, school counseling, and/or mental health services. Acknowledging that wraparound services must recognize both in-school and out-of-school challenges, the *NMSSA 2019 Policy Platform Proposal* calls for a comprehensive conversation about social services and supports and how social services may coordinate with schools to serve children in New Mexico.²²²

Context of community schools, expanded learning, and integrated supports in New Mexico

The need for community schools with integrated supports and expanded learning time for New Mexico students is clear. In addition to the 71% of children living in families whose low incomes qualify them for the federally subsidized meal programs, more than a quarter of New Mexicans under 18 (142,448) live below the federal poverty level.²²³ This statewide rate masks even higher rates for New Mexico’s Native American (41%) and Hispanic (30%) children and its 45,000 English learner students (see Figure 10).

Figure 10
Poverty Impacts Many New Mexico Children of Color

Children in poverty by race/ethnicity, 2018



Data source: Annie E. Casey Foundation. (n.d.). Kids Count Data Center. <https://datacenter.kidscount.org/> (accessed 05/02/20).

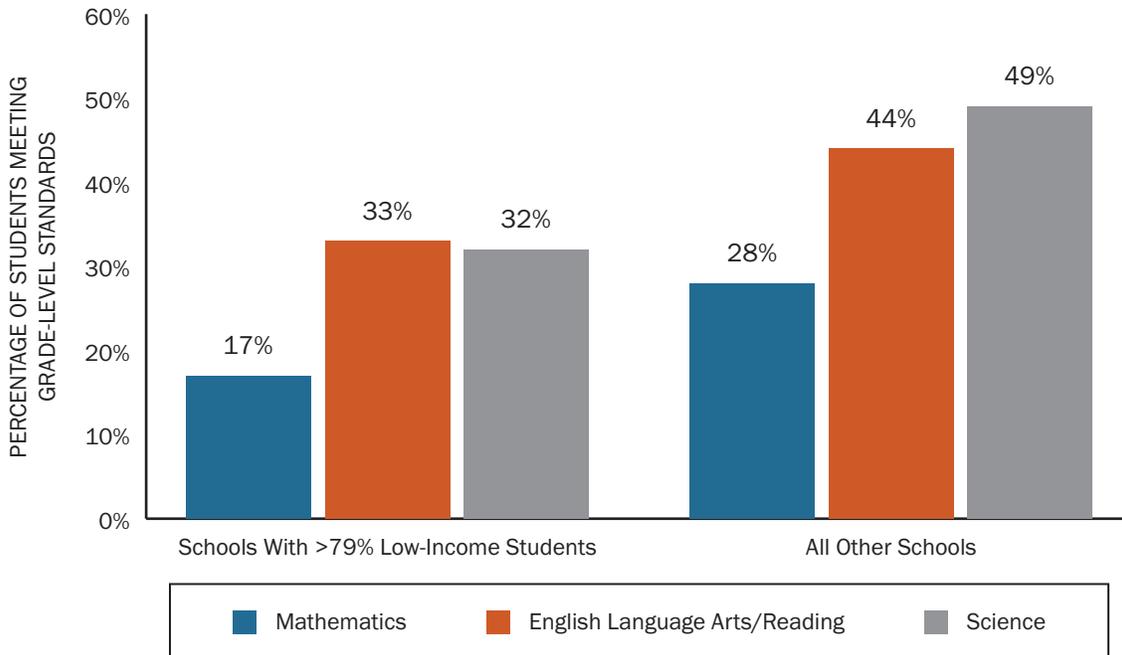
Although those disadvantaged by poverty are found everywhere in the state, 21% of all New Mexico children live in census tracts with poverty rates of 30% or more.²²⁴ These are neighborhoods that are more likely than others to have high rates of crime and violence, physical and mental health issues, unemployment, and other problems. In fact, 8% of New Mexico parents/guardians reported that they “somewhat disagree” or “definitely disagree” that their child is “safe in our neighborhood”—the highest rate of any state.²²⁵

The 40% of public schools with 80% or more of their students from low-income families struggle to provide students with a high-quality education. Students in these schools have less access to high-quality learning resources and supports than schools with fewer such students. This is clearly demonstrated by the disparities in access to experienced teachers described earlier in this report. On average, first- or second-year teachers represented 36% of the teachers in schools with at least 75% of students from low-income families. This is far higher than the 19% average at schools with the lowest poverty rates (schools with poverty rates of 25% or less).²²⁶

These inadequate resources and supports are reflected in the large proportions of students in schools with concentrated poverty that are not learning at grade level (see Figure 11).²²⁷ For example, on average, 40% fewer students were learning at grade level in mathematics in schools where 80% or more students qualify for federally subsidized meals compared to their peers in schools serving fewer such students.

Figure 11
High Concentration of Poverty Harms Student Learning

Average percentage of students meeting grade-level standards, 2017–18



Data sources: New Mexico Public Education Department. (n.d.). District Report Card 2018: Proficiencies by school. <https://webnew.ped.state.nm.us/bureaus/accountability/district-report-cards/> (accessed 05/02/20); New Mexico Public Education Department. (2020). Student success and wellness data: FRL Eligibility Report SY 2017–2018. <https://webnew.ped.state.nm.us/bureaus/student-success-wellness/student-success-wellness-data/> (accessed 05/04/20).

Fortunately, New Mexico has acted on the promising evidence base about both community schools and expanded learning time. The 2013 Community Schools Act allowed any public school to become a community school, but the state provided no funding or other support for high-quality implementation and sustainability. Nevertheless, community schools have been created on tribal lands, including Kha’p’o Community School, Nenahnezad Community School, and Haak’u Community Academy. Additionally, partnerships in Albuquerque, Las Cruces, and Santa Fe have created more than three dozen community schools—some with impressive results. In a study examining these schools, New Mexico’s Legislative Education Study Committee (LESC) found those that had been in operation for more than 5 years and that had fully implemented integrated student supports, expanded learning time, family and community engagement, and collaborative leadership showed better-than-average growth in student achievement scores. Many had a higher proportion of classrooms with highly effective teachers,

The 2013 Community Schools Act allowed any public school to become a community school, but the state provided no funding or other support for high-quality implementation and sustainability.

higher attendance rates, and higher opportunity-to-learn scores than district schools not using the community schools approach.²²⁸ Significantly, comparing achievement growth in community schools with those in other district schools created a very high bar for community schools, given what we know about the effect of poverty on student achievement. That the community schools kept pace with and exceeded other district schools is a notable accomplishment given that they enrolled far greater proportions of students from low-income families than other schools.²²⁹ Moreover, although state data did not permit an assessment of the impact on other key outcomes, local evaluations of community schools in Santa Fe and Albuquerque using district and school data show higher attendance, course grades, and graduation rates, as well as positive impacts on student behavior and well-being.²³⁰ It is important to note, however, that New Mexico's community schools vary considerably in the extent and quality of their implementation and, as a consequence, in their achievements.²³¹

Moreover, the supports and interventions that do exist for these schools have not been integrated into the state's public education system. Nearly all such supports and interventions are voluntary, funded by philanthropic organizations and charities, or dependent upon informal partnerships. Although these are important elements of community schools, their sustainability requires that they also be part of a guaranteed infrastructure supported by public resources.

Progress toward community schools with integrated supports and expanded learning time

New Mexico has begun to provide for the additional needs of students from low-income families by increasing the "at-risk" index in the SEG that distributes additional funding to districts based on the number of students from low-income families they enroll. As described in more detail later in this report, the 2019 and 2020 Legislature increased the at-risk index in the funding formula to .30, for a total of \$300 million—tripling the amount provided in 2018. However, even with these increases, available funds were not enough to address all of the needs. Moreover, many districts are unaware of how to use these additional funds effectively to provide students with the right kinds of supports for learning.

In 2019 and 2020, the Legislature took other significant actions to provide expanded learning time to more students and to support comprehensive community schools. As mentioned above, during that time the Legislature expanded its K–3 Plus opt-in extended learning time program to include students through grade 5 (K–5 Plus). It also made funding available for every elementary school in a high-poverty community in the state to participate in it, adding 25 days to the participants' school year. Additionally, the Legislature allocated enough funding for a new voluntary program called the Extended Learning Time program to enable one third of all k–12 schools to provide an equivalent of 10 additional days in extended learning through enrichment activities and after-school programs. In response to COVID-19, however, NMPED canceled the K–5 Plus program for 2020, and the Legislature eliminated its funding from the state budget.

In an effort to expand and strengthen community schools, the 2019 Legislature amended the 2013 Community Schools Act to establish a stronger framework, require that schools be guided by local assessments of community needs and assets, and provide \$2 million of grant support for community schools. The 2019 law also required that NMPED appoint a New Mexico Coalition for Community Schools. This group includes the National Education Association, the American Federation of Teachers, and organizations including the ABC–Community School Partnership, the Las Cruces Partnership for Community Schools, and Communities in Schools of New Mexico, among others.

To implement the stronger statute, NMPED convened the Coalition to help formulate a detailed rule and grant applications to ensure that state-funded community schools meet the statute's specifications. The response was quite extraordinary. In September 2019, 119 applications were submitted, representing about 12% of the state's schools and all regions of the state—urban and rural. A total of 95 applications were for 1-year \$50,000 planning grants to establish new comprehensive community schools. The other applications were for 3-year \$150,000/year implementation grants to strengthen and sustain existing community schools in the state. The implementation grant ensures that the school can hire a full-time coordinator to be responsible for joint planning with the principal and school leadership team; recruitment and convening of partners; collaboration with school staff; facilitation of regular partner meetings; and using data to assess needs, determine what services could meet them, and recruit partners to help provide them.

The \$2 million allocated was sufficient to fund less than a third of the applicants in each category—26 planning grants and 6 implementation grants. The NMPED prioritized underperforming schools that had been identified under ESSA as needing improvement. The 2020 Legislature doubled the amount of funding to \$4 million. However, that was far too little to support all of the schools that received planning grants in 2019 to move into implementation, and it provided nothing to expand the program to include the growing number of schools seeking grant funding. Moreover, the 2020 allocation was cut to \$3.3 million because of the COVID-19–related budget shortfall.

The Community Schools Act also encourages federal, state, local, and tribal governments to work with community-based organizations to improve the coordination, delivery, effectiveness, and efficiency of services provided to students and families. Accordingly, the grants program has also begun supporting some schools to develop integrated supports, culturally and linguistically responsive practices, and collaborations with tribal governments, including a 3-year implementation grant to support Raíces del Saber Xinachtli Community School in the Las Cruces Public School District to implement a community school rooted in an indigenous curriculum. In Northern New Mexico, the Cuba Independent School District (CISD) is using its state grant to employ the community schools approach in all three of its schools.

CISD plans to offer expanded learning time programs focused on Navajo culture and integrated supports for its mostly rural and impoverished students. The high school will offer Bilingual Seal classes for two world languages: Spanish and Navajo. It also plans to partner with Navajo leaders to use a large Hogan—built in spring 2020 on CISD property in the traditional style of the Navajo tribe—for offering traditional/cultural programs and services. Also planned are traditional Native counseling, a sweat lodge, a Hogan talking circle, and storytelling according to season. After-school programs will be offered as well, such as basket-weaving, silversmithing, moccasin making, jewelry making, farming/agriculture, horticulture, and studies of cultures and languages. Notably, CISD sees the approach as a way to address the challenge of building bridges culturally and geographically with the tribal communities from which a majority of its students come. CISD is also supporting this effort with grant funding under the Indian Education Act. Further, the district participates in the state-funded K–5 Plus and Extended Learning Time programs.

Unfortunately, the state included no funds designated for the technical assistance and professional development required for the strong and sustainable implementation of community schools. This is unfortunate since many community schools lack the capacity to implement the strategy fully. For example, few have been able to make improved teaching and learning a core part of their approach.²³² Others need support and guidance for working collaboratively with tribes. Much more can be done to realize the promise of community schools by building on the state's good first steps.

Next steps for community schools and integrated supports

The recommendations below build on New Mexico’s prior support for community schools. They focus on creating the capacity and infrastructure required for the state to use the strategy for sustainable school improvement statewide. They include ensuring sufficient resources, blending and braiding multiple state and federal programs and funding, providing technical assistance for full implementation, and tracking accountability. Importantly, they avoid creating a blizzard of uncoordinated categorical programs expanding mental health services, increasing learning time, and providing other needed supports.

Immediate, low-cost steps that could be taken during the COVID-19 recovery period

- 3.A** NMPED could support districts, tribally controlled schools, and Bureau of Indian Education schools to **blend and braid education-related funds** to support community schools, including state funding for at-risk students, expanded learning time, and state grants through the Indian Education Act, as well as federal 21st Century Community Learning Center grants and Title I school improvement funding. This could include permitting combined applications, budgets, and reporting. The Legislature could remove any statutory constraints to such consolidation and alignment.
- 3.B** A cross-agency body, such as the governor’s Children’s Cabinet, in collaboration with the Department of Indian Affairs and NMPED, could provide leadership and guidance to districts and other state agencies to **blend and braid state and federal funds across agencies** to support integrated supports and a community schools approach. This would enable the state to use community schools as hubs for aligned and coordinated programs across agencies, which would increase access, as well as create funding efficiencies by avoiding duplication of essential supports for children and families. The Children’s Cabinet could adopt a set of shared indicators of progress and results in increasing educational success and child well-being, including agencies’ support for and engagement with community schools.²³⁵
- 3.C** NMPED could, in collaboration with educators and educator preparation programs, develop targeted **educator professional learning programs that teach the competencies required for managing successful community schools and expanded learning time**, planning and implementing services and strategies in collaboration with communities and tribes, and blending and braiding funding. For example, one strategy might be to develop a “micro-credential” teacher and administrator professional development program modeled after the National Education Association’s set of eight Community Schools Improvement Science Micro-Credentials²³⁴ designed to provide knowledge and skills to implement a best practice version of the community schools strategy.
- 3.D** NMPED could **require sufficient data to enable oversight** of community schools and to inform ongoing school improvement. NMPED could require that each school receiving state Community Schools Act funds conduct and submit an annual report on the progress of the programs and services of the community school. In addition to outcome data, the state should collect process and implementation data to better understand the degree to which the community schools framework is being implemented at community schools and, when appropriate, how tribal collaboration is adding value to the approach.

Longer-term steps that could be taken when funding recovers

3.E The Legislature could reinstate funding for the K–5 Plus and Extended Learning Time programs and increase investments in community schools. These new funds can be combined and supplemented with related state and federal funding (e.g., funds from the at-risk index in the state formula and federal Title I allocations) to ensure that every school in which at least 80% of students come from low-income families has a sustainable community schools infrastructure, including a full-time coordinator and funding for expanded learning.

Specific actions could include increasing the “concentration of poverty” weight in the SEG, which would supplement the formula’s current allocation of at-risk funding to enable all schools with at least 80% students from low-income families to use a community schools approach with expanded learning time. Alternatively, the state could convert its Community Schools Grants program to an entitlement for all high-poverty schools, as New York and Maryland have done, in which every high-poverty district receives an annual formula allocation for community schools (\$150,000 per school in New York; \$250,000 per school in Maryland).²³⁵

3.F The Legislature could fund and the NMPED could implement (in collaboration with the state-appointed Coalition of Community Schools) **a system of regional supports to help districts implement community schools** and expanded learning time in ways that match the needs of diverse locales, including forging local partnerships. Other states, from New York to California, have taken a similar approach to technical assistance.²³⁶ Services should also include teacher and administrator professional development programs (such as the micro-credential programs noted earlier) to build teachers’ and school leaders’ capacity to lead local community school development and serve as community school coordinators. In New Mexico, this assistance could include guidance for effective school and tribal collaboration. These support programs could be housed at specialized technical assistance centers in the state within regional education cooperatives, universities, or large districts. This investment could become part of the larger state effort to increase the regional capacity of NMPED.

4. High-Quality Early Learning Opportunities

For more than a decade, New Mexico, in partnership with and with strong support from philanthropic organizations and early childhood advocates, has mounted ambitious efforts to improve access and quality in early learning. Early childhood education (ECE) represents a powerful lever for closing the achievement gap in later grades and supports other positive long-term outcomes. The evidence about this is clear.²³⁷ As our research focused specifically on k–12 schooling, we provide only a brief summary of where New Mexico stands on early learning.

The Legislature has invested in child well-being as a key strategy to improve long-term outcomes of New Mexicans. Support for family stability programs, such as home visits to new families, has more than doubled since fiscal year 2015, along with steady increases to funding aimed at protecting children from neglect. By 2017–18, New Mexico PreK (NM PreK), launched during the Richardson administration, was offered by nearly 70% of school districts. In 2019, the Legislature appropriated \$206.6 million in recurring general fund revenue for a newly created Early Childhood Education and Care Department. The department, launched in summer 2020, will oversee programs including Home Visiting, Family Infant Toddler early intervention services, Child Care, NM PreK, the Head Start Collaboration Office, and Early Childhood Special Ed services.

New Mexico has also taken good advantage of federal support for ECE. Between 2013 and 2017, the state used a \$37.5 million grant from the federal Race to the Top–Early Learning Challenge to improve the quality of the state’s early education system with a quality rating system, assessment tools, workforce development, and a better data system. In 2019, New Mexico was awarded a **\$5.4 million** Preschool Development Grant Birth to Five from the U.S. Department of Health and Human Services targeted to help states build a quality early learning system for children from birth to 5 years old and their families. The 2020 Legislature established the Early Childhood Trust Fund as a long-term investment strategy. The fund, to be launched with a general fund appropriation of \$320 million (adjusted to \$300 million in the wake of the pandemic), will make distributions to support early childhood programming beginning in fiscal year 2022. This investment should help address the finding in the *Martinez/Yazzie* case that, although the efficacy of pre-k has been recognized, not all at-risk students have access to a quality, full-day program because it is inadequately funded.²³⁸

In sum, New Mexico has made good progress toward expanding access to publicly supported, high-quality ECE. However, much work remains to be done, and there is broad support for increasing access to high-quality early education among many stakeholders across the state.²³⁹ Although recommending policy directions in ECE is beyond the purview of this project, we certainly encourage the state to stay the course with efforts to improve the quality, access, and workforce issues it has identified as key.

5. Adequate and Equitable Funding

Building a system with all four of the key elements described above—meaningful learning goals, a highly skilled workforce, additional supports in high-poverty schools, and high-quality early childhood education—requires adequate funding that is distributed effectively and fairly. New Mexico faced enormous challenges to reaching this important goal, even prior to the current pandemic-related economic downturn. Over the past 5 decades, the state has devoted a substantial share of its resources to education and developed one of the nation’s most equal school funding approaches. Despite these efforts, New Mexico continues to fund its schools inadequately, which has perpetuated inequalities in students’ access to educational opportunity.

This was a major finding of the *Martinez/Yazzie* court, which concluded in 2018 that the overall appropriation was insufficient to fund the programs necessary to provide an opportunity for all at-risk students to have an adequate education.²⁴⁰ The court pointed specifically to shortfalls in funding for English learners, research-based reading programs, class size reductions, and expanded learning time, among others. Although the Legislature in 2019 and 2020 increased funding substantially in ways that address some of the court’s concerns, as of this writing, the financial picture has swung from promising to worrisome—given oil-revenue declines and the pandemic-induced recession. Nevertheless, the state can make important changes now that will pave the way for investing additional resources effectively, as the economy recovers.

Key goals for adequate and equitable funding

The national evidence base for greater and more equitable funding is increasingly strong. Recent studies demonstrate that where more money is spent on education for students from low-income families, achievement and graduation rates improve. Moreover, life outcomes also improve, such as employment, wages, and reduced poverty rates. Investments in instruction, especially in high-quality

teachers, appear to leverage the largest marginal gains in performance.²⁴¹ Stakeholder interviews and analysis of education reform proposals revealed a similar priority among New Mexicans. Many felt progress was made with investments in recent years, yet more resources are needed, particularly to address the barriers to opportunities that exist in low-income communities across the state. The Learning Alliance of New Mexico's *ESSA Phase II Stakeholder Feedback Report* encapsulates many others' views with its call to appropriately, sufficiently, and sustainably fund the public school system and provide more resources to schools serving low-income communities of color.²⁴² Further, a number of people interviewed expressed the need for increased funding with accountability.

Research points to three key goals for leveraging money (both new and existing funds) to achieve adequate and equitable schooling: (1) point the system toward the right goals for learning and accountability; (2) ensure that the state has an adequate supply of well-prepared educators, without which no other education reform can work; and (3) provide sufficient funding to support the needs of children whose learning needs are greater because of poverty, language, and disability. We have offered specific recommendations toward these goals in earlier sections of this report. But, in general, that means making high-leverage strategic investments in order to meet pressing needs while avoiding a proliferation of categorical ("below-the-line") programs that limit the flexibility of communities and districts to tailor their resource use to meet local needs.

Context of education funding in New Mexico

As noted in our brief historical review of New Mexico education earlier in this report, nearly 50 years ago New Mexico sought to eliminate the education funding disparities between high- and low-wealth districts by scrapping local property taxes as the primary source of school funding and replacing local revenue with state funds. The 1974 statute included a State Equalization Guarantee (SEG) funding formula for spreading state money equally across all the districts. The formula has been adjusted numerous times over the decades to better achieve that goal. However, as helpful as this has been in reducing inequalities in districts' access to revenues, the state has fallen short of ensuring adequate resources to meet students' learning needs.

The *Martinez/Yazzie* litigation is simply the latest of a series challenging the inadequacies in the state's current approach. In 1998, New Mexico's *Zuni Capital Outlay* lawsuit successfully challenged the insufficiencies that resulted from the state's practice of leaving the funding of school facilities to local districts.²⁴³ In 1999, the Gallup-McKinley district joined Zuni in an equalization lawsuit challenging the state's right to count, as part of the SEG, the federal impact aid received by districts serving large Native populations.²⁴⁴ Although that case was unsuccessful, the state's approach to distributing impact aid funding among districts remains contentious today.²⁴⁵

Complicating education funding in New Mexico is that, historically, the state's overall levels of revenue and personal income have been exceptionally low, and they dropped precipitously following the Great Recession of 2008. That has meant that the state's education funding has been unable to provide the opportunities, resources, and support needed to educate its vulnerable population.²⁴⁶ A report commissioned by the Legislature in 2008 found that operational expenditures were underfunded statewide by about \$350 million, or nearly 15%, at that time.²⁴⁷ That report was highly controversial, with many New Mexicans challenging both its methods and its conclusions. In any event, the subsequent recession overwhelmed efforts to increase educational spending, and subsequent budgets actually declined. Pre-recession funding levels were not regained until the 2020 fiscal year.

In 2011, the Legislative Finance Committee (LFC) and Legislative Education Study Committee (LESC) issued a joint evaluation of the state’s funding formula. It cited a number of problems that kept the state from allocating its education funding in ways that match the state’s goals. The evaluation stated:

Recent budget challenges, analysis and studies by various groups have highlighted acute formula problems, such as the ineffective allocation of resources to high need areas, administrative complexity, and weakening oversight....

The state’s public school formula is too complicated and difficult to administer. Some elements of the funding formula create incentives that run contrary to, or do not effectively support, recent education policy and research. The combination of unclear statutes, rules and weakening management and oversight have undermined the fair and effective allocation of resources. As a result, some public schools can, and do, make decisions to maximize their revenue at the expense of others. These practices, though “within the rules,” raise serious concerns over basic fairness and undermine the equitable distribution of taxpayer dollars to educate New Mexico’s children.²⁴⁸

In 2017, a follow-up study by this same group concluded that these problems with the formula remained and that “New Mexico still needs significant changes to its public education funding formula to more equitably direct resources to students who need them most.”²⁴⁹ Our interviews with stakeholders echoed this conclusion. Notably, as we describe below, some of the problems with the formula have been fixed in recent legislative sessions.

Perhaps most notable, New Mexico’s SEG formula that was intended to equalize spending has not resulted in an equitable allocation of resources. Although federal data do not account for all of the various ways states and localities fund their schools, what they do account for shows that New Mexico’s low-wealth districts end up spending about 7% less than high-wealth districts, earning New Mexico a ranking of 30th in disparities in spending between low-wealth and high-wealth districts (see Table 3). This contrasts with other states, such as Alaska, Minnesota, Utah, and Wyoming, where low-wealth districts are able to spend at least 30% more than the wealthiest districts. Using the most recent comparative data available, Table 3 also shows that in 2017 New Mexico ranked 39th in the nation with respect to spending per student. The inadequacy of this relatively low spending is augmented by the fact that New Mexico’s high-need student population requires more dollars to meet its educational needs. At the same time, New Mexico did rank above more than half of states (at 22) with respect to spending on education as a share of the state economy, which reveals a populace willing to make sacrifices in spite of its limited resources.



New Mexico’s low-wealth districts end up spending about 7% less than high-wealth districts, earning New Mexico a ranking of 30th in disparities in spending between low-wealth and high-wealth districts.

Table 3
New Mexico’s Spending on Education Relative to the National Average
in 2017

	Rank	New Mexico	United States
Spending per Student			
K-12 Spending per Student ^a	39	\$9,881	\$12,201
Spending as a Share of the Economy			
K-12 Spending per \$1,000 of Personal Income ^a	22	\$38	\$37
Spending Equity			
K-12 Disparities in Spending Between Low- and High-Wealth Districts ^b	33	-6.8%	-32% to +93% (range of 50 states)

Data sources: ^aU.S. Census Bureau. (2017). Public elementary-secondary education finance data. <https://www.census.gov/data/tables/2017/econ/school-finances/secondary-education-finance.html> (accessed 05/02/20); ^b Baker, B. D., Di Carlo, M., & Weber, M. (2020). *The adequacy and fairness of state school finance systems* (2nd Ed.). Washington, DC: Albert Shanker Institute.

As noted earlier, one feature of the formula that impeded equitable spending until recently was the Training and Experience (T&E) index in the SEG. Although the index is being phased out, its past impact is still worth noting. Intended to make it possible for all districts to hire the most highly qualified teachers, the index turned out to favor wealthier districts already employing more experienced teachers and offering more favorable working conditions. That was because the SEG multiplied the T&E index by various other formula components funded separately (e.g., special education, bilingual education, elementary fine arts, and elementary physical education) when determining district and charter school allocations. The multiplication had a substantial fiscal impact. In fiscal year 2017, according to a joint LFC and LESC analysis, including these other components in the T&E calculation accounted for an additional \$41.8 million in program cost.²⁵⁰ In effect, districts and charter schools benefiting from the T&E calculation received duplicative funding. In the next section, we describe the Legislature’s recent effort to fix this problem.

Under federal law, states are permitted to send additional funding outside the per-pupil allocation to districts to pay for the increased costs of educating at-risk students, including students from low-income families, English learners, and students with disabilities. As of 2016, 24 states, including New Mexico, provided such aid through the state’s primary funding formula. As noted earlier, New Mexico’s SEG includes an “at-risk” index that directs additional formula funding to districts, based on their enrollments of students from low-income families, English learner students, and students who are highly mobile.²⁵¹ These funds are earmarked for extra services to improve these students’ academic outcomes. However, as noted earlier, this initial allocation of at-risk funds did not offset New Mexico’s lower average ranking among states in the amount of additional funding available in its highest-poverty districts.²⁵²

As we explain below, much progress has been made in remedying these problems since 2019, and state rankings today, if updated, might be different from what they were in 2017.

Progress in education funding

Significant funding increases occurred in the 2019 and 2020 legislative sessions—a total increase of \$672 million.²⁵³ Notably, these increases could be threatened by the pandemic-related economic crisis. For example, the 2020 special session cutbacks in public school funding reduced state allocations by over \$92 million compared to the original fiscal year 2021 budget.²⁵⁴ Still, appropriations after the special session brought New Mexico’s spending to approximately \$12,107 per pupil compared with the national average of approximately \$13,238 for fiscal year 2021.²⁵⁵ This gap of \$1,100 per pupil represents considerable progress from the 2018 gap of over \$3,000 and demonstrates a good start toward remedying the ongoing shortfall.²⁵⁶

As part of the overall increases, the 2019 and 2020 Legislature tripled the at-risk index in the funding formula, making the total additional allocation \$300 million, compared to \$100 million in 2018. It is too soon to tell how much this new infusion of funds will change New Mexico’s ranking among states generally or in the ratio of funding for the highest-poverty districts compared to the lowest-poverty districts.²⁵⁷

In 2018, the state began phasing out the T&E index and replacing it with a teacher cost index. The new index is based on teacher licensure level and years of experience, rather than highest degree attained.²⁵⁸ The new approach also limits multiplication of the teacher cost index by other formula components, which should reduce the funding advantage for high-wealth districts. The teacher cost index will be fully implemented in fiscal year 2023. Annual implementation reports will be available beginning in 2021. These will be critical to assess whether the new approach adequately allocates funds to cover teacher costs and impacts the distribution of experienced teachers.

In 2020, the state also began phasing out the formula’s small school size adjustment that gave additional funds to small schools.²⁵⁹ Intended as a way to offset the high cost of keeping schools fully operational in tiny, rural areas with few students, the adjustment was being used to fund small charter schools, regardless of their location. That adjustment is being replaced with one that allocates additional funds to geographically isolated, small school districts. Similar to the teacher cost index, the rural cost adjustment in the SEG could be examined by the Legislature to assess the extent to which it more equitably distributes funds to less-wealthy, isolated districts.

The ongoing debate about the distribution of federal impact aid funding to districts that are financially burdened by the nontax status of federal military establishments, national forests, or tribal lands adds complexity to the state’s achievement of its goal of funding districts equitably.²⁶⁰

Next steps for education funding

The New Mexico Legislature’s allocations over the past 2 fiscal years have moved the needle in the correct direction. New Mexico now needs to maintain its investments during the economic downturn and prepare to increase investments in schools when the economy recovers—particularly in schools serving students from low-income families and other at-risk students. Although suggesting a full array of fiscal policy reforms is beyond the purview of this project, we have identified the following major priorities for a New Mexico funding strategy:

Immediate, low-cost steps that could be taken during the COVID-19 recovery period

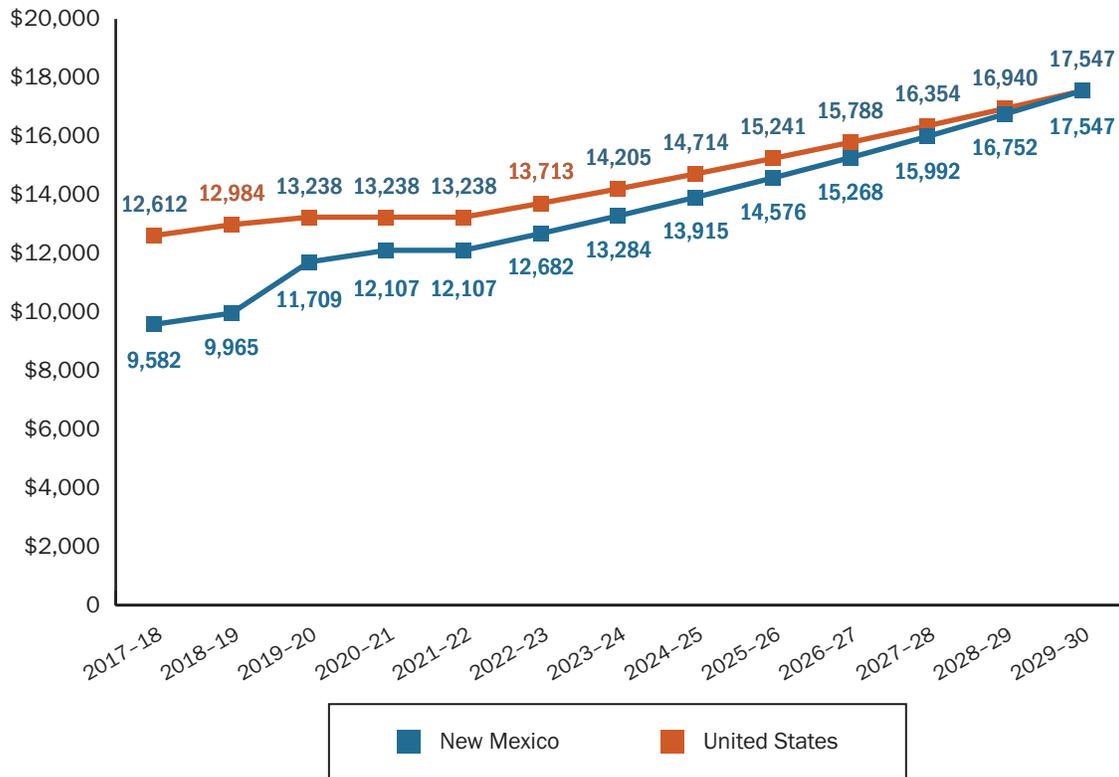
- 5.A The administration and local districts could **take full advantage of the federal aid made available by the CARES Act** and other federal pandemic relief legislation, as noted earlier in this report. These funds could go beyond backfilling shortages to help close the digital divide that, in the wake of COVID-19, has widened the gaps in New Mexico children’s access to education. They could provide the training educators need to deliver remote instruction effectively and adjust to the inevitable changes in teaching and learning as schools resume face-to-face instruction.
- 5.B NMPED, in collaboration with the governor’s Children’s Cabinet, could support districts to align and **consolidate the multiple federal and state funding sources** intended to augment the resources and supports for at-risk students (including state funding through the SEG formula, categorical programs, and funding from other agencies) to develop comprehensive, evidence-based approaches that more equitably distribute high-quality learning opportunities and support across the state. As noted earlier in this report, one example is the transformation of high-poverty schools into community schools that integrate culturally and linguistically responsive instruction with expanded learning time and that provide health and social supports.
- 5.C The Legislature and the NMPED could **focus more on districts’ effective and equitable uses of funds in the state’s approach to fiscal accountability**. This will entail strengthening the data and offering training for school boards, educators, and, when appropriate, tribal leaders. It will also entail providing technical assistance for districts around budget planning, review, approval, and auditing, including the distribution of funds and use of state-provided funding. First steps in this direction include, for example, implementing the 2014 statute authorizing funding through the SEG for at-risk students, which includes a requirement that school districts and charter schools identify how they use at-risk funding and which was amended in 2019 and 2020 to require that at-risk funds be used on research-based interventions.
- 5.D The governor and the Legislature could appoint a multi-sector task force to **develop strategies for generating additional revenue** to ensure adequate funding for the education system. This is a real challenge in New Mexico, given the current economic conditions and the strong level of effort already being made. It will require creative and flexible thinking.

Longer-term steps that could be taken when funding recovers

- 5.E The Legislature could continue to **increase its investments in education toward adequacy of funding** and set a long-term goal, for example, of **reaching the per-pupil national funding average**. Because the cost of living is much lower in New Mexico, a lower level of spending may be needed to reach the level of quality of high-achieving states, such as Connecticut, Massachusetts, and New Jersey, which now spend in the range of \$18,000 to \$20,000 per pupil. But New Mexico will require more funding than states without high levels of poverty. After New Mexico’s significant increase in 2019 and the more modest one in 2020, the state has made considerable progress but still lags behind the national average by about \$1,100 per pupil. Annual increases of 4.8% to 5.5% over the next few years would bring New Mexico to the projected national average within 5 to 8 years (see Figure 12 and Appendix C).

Figure 12
Per-Pupil Expenditures

Closing the Gap by 2029–30



Source: LPI analysis of public elementary–secondary school system finances by state, 2018, from U.S. Census Bureau. (2018). *2018 Annual Survey of school system finances*. Washington, DC: Author. https://www2.census.gov/programs-surveys/school-finances/tables/2018/secondary-education-finance/elsec18_sumtables.xls (accessed 08/12/20); New Mexico Legislative Finance Committee. (2019). *State of New Mexico: Report of the Legislative Finance Committee to the Fifty-Fourth Legislature, first session post-session review*. Santa Fe, NM: Author; New Mexico Legislative Finance Committee. (2020). *Legislating for results: Post-session review, Fifty-Fourth Legislature, second session*. Santa Fe, NM: Author.

These increases could generate funds to support evidence-based recommendations made in this report. For example, the recommended amounts would allow for the 1,054 vacant instructional positions in the state to be filled,²⁶¹ bring average teachers’ salaries above the regional average, and leave additional funding (between \$90.5 million and \$128 million) each year to undertake other policy recommendations from the report (such as community schools).

- 5.F The Legislature could continue to **increase equity and adequacy in the funding system by providing additional funding to high-poverty schools through the state’s at-risk funding program.**²⁶² New Mexico could take a two-pronged approach to increase at-risk funding. First, the state could increase the weight of at-risk students (defined as students from low-income families, English learners, and mobile students) in the state’s at-risk index. Second, the state could target additional funding to those districts with the highest percentage of traditionally underserved students using a concentration formula (e.g.,

schools with at least 75% or 80% students from low-income backgrounds). Concentration formulas provide additional funding to districts that have higher concentrations of at-risk students. Currently, California, Connecticut, Missouri, and New Jersey all make use of concentration formulas to direct more funding to high-need districts. Both of these increases to at-risk funding could be paid for through growth in the state's education budget. As New Mexico's k–12 funding increases, the state can phase in these changes, which will lead to a more adequate and equitable funding system for students in the state.

In addition to funding evidence-based interventions—such as expanded learning time and community schools—the at-risk funding could be used to fund increases to educator salaries in high-poverty schools. Often, the best way to improve education for at-risk kids is to hire and keep better-qualified teachers rather than to maintain unqualified teachers with high turnover rates and use funding to pay tutors to supplement weak instruction.

How Can State Leaders Promote Effective Implementation?

Leverage Supportive Accountability to Build State and Local Capacity for Improvement

Improvement in the five key elements of the education system discussed above requires substantial state and local capacity. To build its capacity, New Mexico should develop an accountability and improvement system that, in addition to enabling state monitoring and oversight, includes comprehensive data that is used regularly to inform and support educator learning and district improvement.

The unique characteristics of New Mexico's education system, described earlier in this report, make it especially important for the state to have an accountability system that couples oversight with strong support for locally successful implementation of policies and programs. Supportive accountability can help the state balance state direction, local control, and tribal collaboration in ways that enable the state's geographically, ethnically, racially, and socioeconomically diverse school districts to adapt state policy to meet significant differences in local needs. Supportive accountability can help local districts develop the knowledge and skills to spend money wisely, identify relevant evidence-based practices, engage educators in ongoing learning, collaborate authentically with tribal governments when appropriate, and implement programs effectively.

As we explain more in this section, New Mexico's approach to accountability over the past 2 decades has not enabled the state to create a high-performing system. The inadequacies of New Mexico's approach were cited in the 2018 ruling in the consolidated *Martinez/Yazzie* litigation. The judge found that NMPED failed to exercise its power to monitor or audit school districts' use of funds, that the state failed to ensure the Indian Education Act and the Bilingual Multicultural Education Act were implemented, and that the state did not sufficiently monitor programs that provide services to English learners. As part of her order that the state bring the system into compliance, the judge pointed specifically to a need for a different approach to accountability:

The new scheme should include a system of accountability to measure whether the programs and services actually provide the opportunity for a sound basic education and to assure that the local districts are spending the funds provided in a way that efficiently and effectively meets the needs of at-risk students.²⁶³

The court's ruling is consistent with what LPI heard from many stakeholders: The state needs to shift from a punitive system to one of support and improvement. What is clearly wanted and needed is comprehensive information that can be used to inform improvement and that is linked with targeted assistance and opportunities to build professional capacity and inform local school operations. Only then will state and local efforts to make significant improvement in the fundamental system elements (funding, learning goals, educator workforce, student supports, and early childhood) be implemented effectively; the funding allocated for those efforts be used responsibly; and, ultimately, students' educational experiences be improved.

Fortunately, New Mexico has made some key changes to its approach to accountability since January 2019 that move the state in the right direction. Therefore, our analyses and recommendations are intended to strengthen current efforts to develop the state's system of education accountability into one that builds capacity and supports improvement.

Goals for Accountability That Supports Improvement

For guidance about developing its accountability system, New Mexico can look to systems that have designed their data and accountability systems to enable state and local use of data as an integral part of a process of continuous improvement. Continuous improvement is a cyclical process intended to help groups of people at many levels of the system—from parents and schools to state agencies—identify shortcomings, set goals, plan ways to improve, and evaluate change.²⁶⁴

Research on education accountability finds that effective systems set expectations for performance and provide adequate support in three key, related domains: (1) meaningful learning enabled by (2) professionally skilled and committed educators and supported by (3) adequate and appropriate resources.²⁶⁵ Such systems include mechanisms for monitoring what schools and districts are doing and to what effect, means of identifying and intervening with support when needed, and strategies for providing useful information to the public to assess the quality of schools. They also use processes that foster conditions for the continuous development of professional capacity.²⁶⁶ The underlying assumption here is that improvement in each of these three domains requires comprehensive and diagnostic data together with support to help educators and leaders (at all levels) understand and use these data to inform practice.

Conceptually, effective accountability systems are reciprocal, are comprehensive, and focus on capacity building. Reciprocity means that in addition to establishing performance goals and holding schools accountable for meeting them, effective systems also ensure states and districts provide schools and educators with the resources and support they need to meet their goals.²⁶⁷ Comprehensive accountability systems focus both on the performance of the system and on the conditions and/or opportunities underlying

Comprehensive accountability systems focus both on the performance of the system and on the conditions and/or opportunities underlying that performance. They do not presume that information about outcomes is sufficient to inform improvement.

that performance. They do not presume that information about outcomes is sufficient to inform improvement. Rather than generating a single grade or score for schools and educators, they produce a dashboard of useful state and local measures of student, educator, school, and system efforts and outcomes.²⁶⁸ That way, they help educators and policymakers identify barriers to and/or facilitators of improvement, including the inputs, processes, and outcomes that produce student learning. Capacity-focused systems support educators to identify and correct problems, informed by data and by processes such as strategic planning, evaluation, school quality reviews, and professional learning opportunities.

Effective systems also need to be *adaptive* systems, acknowledging that school capacities differ greatly and that improvement must be flexible and responsive to particular school and community conditions.²⁶⁹ As such, they provide state direction, support, and oversight alongside the local autonomy districts need to align state and local goals and priorities, strengthen governance, and provide schools with the flexibility they need to serve their communities effectively. Finally, effective accountability systems *serve both external and internal audiences*. They assure the public—through transparency, monitoring, and selective intervention—that their districts and schools align

with societal expectations and requirements. They also help educators take personal, professional, and collective responsibility for continuous improvement and success for all students.²⁷⁰

To become effective, New Mexico's accountability system needs to incorporate **multiple measures of the student outcomes the state values**. In addition to traditional measures of academic achievement and graduation rates, these measures should focus on students' attainment of the meaningful learning goals specified earlier in this report: high-level cognitive skills in the core academic disciplines; knowledge of New Mexico's diverse cultures; competency in one's primary language as well as English; development of social and emotional learning skills that are also essential in 21st century life, such as collaboration, problem-solving, conflict resolution, perseverance, and resilience; and graduating from high school ready for both college and career. A suite of school-level climate and discipline indicators could bolster the dashboard, including rates of student absenteeism, the number of expulsions, in-school and out-of-school suspensions, the length of suspensions, and the number of students receiving multiple suspensions.

New Mexico's system also requires **a comprehensive set of measures for evaluating the state's progress toward providing every student with access to a sufficient education** while measuring the extent to which districts are accomplishing this goal by efficiently and effectively allocating resources. A full set of indicators of students' opportunities to learn and students' access to a sufficient education include the following:

- Access students have to an inclusive and supportive learning environment (e.g., using measures of school climate, chronic absenteeism, in-school and out-of-school suspensions, expulsions, and related discipline measures)
- Access students have to a full array of college preparatory coursework (e.g., using a ratio that takes into account the number of students versus the number of course sections, student completion of coursework, and students' earning of college credit) and high-quality career and technical education (CTE) coursework
- Access students have to learning tools, such as computers, textbooks, and other instructional materials
- Existence of sufficient resources to fund school support staff (ratio of students to counselors, social workers, nurses, and librarians)
- Dollars per pupil
- Class size
- Percentage of fully qualified teachers
- Percentage of inexperienced teachers
- Percentage of National Board–certified teachers
- 1-year teacher turnover rates
- Percentage of teachers assigned outside their area(s) of certification
- Qualifications of principals
- Annual average principal turnover rate at the district level
- Preschool access

Research shows that improvement on these indicators results in improved academic outcomes for students and are predictors of student success.²⁷¹ Additional measures critical to include given

New Mexico's context include student access to culturally and linguistically responsive educational programs, including curriculum focused on Native culture and access to Native language programs and dual-language programs in Spanish or other relevant languages. Further, data regarding school district consultations with district Indian education committees; school-site parent advisory councils; and tribal, municipal, and Native American organizations should be pursued, as these data could be used to assess compliance with statutes.

The inclusion of these indicators within New Mexico's accountability system can provide diagnostic data that can help place students' outcomes in the context of the resources and opportunities to learn they were provided. Such data can be used to identify interventions that are beneficial and programmatic initiatives that need to be implemented when outcomes fall short.

The **processes used in supportive accountability are as important as the data** the system collects and spotlights. In addition to an accessible and timely system of data collection and analysis, New Mexico needs to provide ongoing training for educators, school boards, and tribal partners on using data to pinpoint problems and inform changes in practice. It also needs to make technical assistance available regionally to support schools and communities to develop and evaluate data-based efforts to continuously improve in ways that are locally appropriate. Also critical are accountability and auditing procedures, followed up with constructive assistance, to identify areas in which districts are falling short on legal requirements for providing a sufficient education. In New Mexico, that also means making the required state and tribal collaboration an integral part of the accountability and improvement process in Native-serving districts and schools.

These implementation mechanisms could be most effective if networks of districts were supported by NMPED staff housed in the current regional education cooperatives, in major universities, or in ancillary offices in high-capacity districts. The *Martinez/Yazzie* Proposed Remedy Platform recommended restoring funding to the regional education cooperatives in order to provide technical assistance to school districts; hiring local experts to provide guidance to school districts about the Bilingual Multicultural Education Act, the Indian Education Act, and English learner program implementation; and building the capacity to provide teacher training, social services, etc., for small districts.²⁷² The value of this recommendation was echoed by many of the New Mexico stakeholders LPI interviewed, although colleges and universities were also seen as promising sites for housing regional support centers.

Context of Accountability in New Mexico

New Mexico's education accountability policies over the past 2 decades followed a trend that swept the education policy world in the late 20th century and was incorporated into the federal No Child Left Behind Act (NCLB) of 2001. NCLB's fundamentally top-down approach assumed that schools, teachers, and children would perform better if the state expected them to meet specific improvement targets and administered a regime of suitable sanctions and interventions on those who failed. Because the consequences of unsatisfactory performance had to be severe enough to be "motivational," this approach became known as "high stakes." In New Mexico, those stakes included the threat of school closures and tying teachers' evaluations to compensation or advancement.

At the heart of this approach were standardized tests of reading/language arts and mathematics. It was widely believed that scores on such tests were sufficient and scientific metrics to determine which schools were supporting students to meet the state's learning goals. In 2003, Governor

Richardson established an Office of Educational Accountability to oversee a statewide database and conduct ongoing analyses to monitor and understand progress. The Martinez administration discontinued that office and developed a system of test-based A–F grades for schools and five ratings of effectiveness for teachers. These changes were grounded in the view that publicizing simple test-based school and teacher ratings would make educators and students work harder to reach ambitious targets and that the labeling of schools and educators as “failing” would generate leverage the public would use to demand improvement.²⁷³

Notably, this approach was identified as inadequate nearly 40 years ago in the business community when management scholar W. Edward Deming’s work on “total quality management” made it clear that most people want to be competent and successful in their work and are motivated by the opportunities to gain knowledge and skill and work with others to achieve quality.²⁷⁴ And, not surprisingly, flaws in this high-stakes, test-based approach began appearing wherever it was used, including in New Mexico.

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Ample evidence demonstrated a narrowing of curriculum; attention was diverted away from subjects that were not tested (everything except reading/language arts and mathematics), and instruction in tested subjects tended to mimic the content and format of the tests themselves.²⁷⁵ At the same time, little evidence emerged that the approach brought increases in student learning.²⁷⁶ The public labeling of many schools and educators as failing severely undermined the morale of educators.²⁷⁷ Researchers and policymakers came to believe that these disappointing results stemmed, in part, from the absence of comprehensive information or support in the system that could build the capacity (school funding, curriculum resources, improved assessments, professional development) of educators and schools to help students achieve the high goals that states set for them.²⁷⁸

Progress Toward Accountability That Supports Improvement

In response to the court’s order and to the negative impact of the high-stakes approach on New Mexico educators, Governor Lujan Grisham’s 2018 campaign promised to redesign the state’s system of accountability, including limiting school testing and using qualitative data to track student and school achievement. She also pledged to “reform school and teacher evaluations to focus more on holistic measures of achievement and progress and make evaluations part of a system that provides training to educators.... Evaluations should be more than an assessment; this should also be a tool to promote professional development and help educators support students.”²⁷⁹

The Legislature paved the way for these changes by introducing The School Support and Accountability Act on the first day of the 2019 session, which made three fundamental changes in the state’s assessment and accountability system.²⁸⁰ One was to abandon the A–F school grades in favor of a school quality and student achievement dashboard that includes academic achievement data, school demographics, and opportunity-to-learn indicators. A second was to use a combination of measures to comply with ESSA’s requirement for school quality and student success indicators, including the following: chronic absenteeism, including excused and unexcused absences; student engagement and well-being as measured by a rigorous statewide student survey;

college, career, and civic readiness as measured by participation and success in specific college and career opportunities; and an “on-track to graduate” indicator based on early warning signs and a survey of parents and families to better understand attendance and student disengagement. A third provision was that the state develop school accountability dashboards that include indicators of both outcomes and students’ opportunities to learn—i.e., some measurement of curriculum and instruction, teacher resources and professional development, and the school’s physical environment to identify whether schools are providing the conditions for success.

The NMPED has begun implementing many of these changes. Its recently released school dashboard website, NM Vistas, includes an expanded range of indicators of school quality and student success as well as a wealth of information on educator quality and spending per pupil.²⁸¹ The NMPED plans to continue expanding the site—for example, to include more detailed information on programs offered at individual schools and districts. NM Vistas also has initial measures for assessing the extent to which sufficient resources and funding are provided to schools and districts. The website reports total funding and total expenditure per pupil. The new dashboard implements many of the measures highlighted above that would comprehensively measure student access to a sufficient education and to opportunities to learn, but critical steps remain. In 2019, the Legislature also amended the Indian Education Implementation Act to require school districts with concentrations of Native American students to assess the needs of their Native American students as well as develop systematic frameworks and budget priorities to help those students succeed.

Two bills that would have created new guidelines for teacher evaluation died in the 2019 legislative session. Nevertheless, the governor directed the NMPED to redesign the system so that it emphasized professionalism, preparation, creating an environment for learning, and engaging with students. The new system should also minimize the heavy reliance on students’ achievement scores. To initiate the process, the state immediately dropped the use of test scores and teacher attendance in teacher evaluations but kept observations and parent surveys.

The Legislature in 2020 also created a new section of the Public School Finance Act requiring NMPED to develop and implement an online financial reporting system. The new reporting system would allow for comparisons among schools, districts, and regional education cooperatives; identify administrative costs separately from classroom costs; report how districts budget for services to at-risk students, bilingual multicultural education, and special education; report actual expenditures by major category, including salary and benefit expenditures at the school site level; and report revenue received by funding source.

These are all moves toward a more effective system.

Next Steps Toward Accountability That Supports Improvement

Given the progress of the current administration and Legislature toward a more effective accountability system, the following recommendations are intended to strengthen existing policies that are consistent with the research and to develop new ones to fill remaining gaps in New Mexico’s approach.

These recommendations are informed, in part, by California’s recent overhaul of its funding and accountability system. California’s changes are relevant to New Mexico for three important reasons. One, California is a state that has moved from the very bottom toward the middle of states

in quality and performance. New Mexico can learn from that progress. Second, California is like New Mexico in ways that make financing and governing the education system challenging. It is an ethnically and socioeconomically diverse state with high rates of childhood poverty in which education is funded primarily with state dollars. It has also struggled to balance state direction (through categorical programs) with the local autonomy and flexibility that districts need to use resources in ways that serve their communities well. Third, California’s approach was conceived and developed during the Great Recession, when a lack of available funds made it impossible to act immediately, but it allowed for a process of planning for the time when money flowed back into the system.

In 2013, California adopted its Local Control Funding Formula (LCFF). LCFF simplified a previously complex funding system that relied on dozens of categorical programs into a formula that provides significantly greater dollars to high-need districts through a weighted student formula, providing additional funding allocations for poverty, English learner status, and foster youth or homeless status and providing “concentration” funding for districts serving large percentages of these students. It also provided all districts with broad flexibility to develop—in partnership with parents, students, and staff—spending plans aligned with local priorities and needs. Instead of the culture of compliance to the state that had permeated the public education system, California reoriented districts, counties, and the state to the principle and practice of “subsidiarity,” or local control. In partnership with students, families, and communities, school and district leaders are charged with assessing local needs, identifying priorities, making decisions collaboratively, and focusing on progress on a “whole child, whole school” agenda. In place of the state’s prior test-based accountability system, the LCFF established multiple measures of student and school success—eight priorities in all—ranging from availability of resources to parent engagement and from opportunities to learn a full and rich curriculum to wide-ranging indicators of academic and other outcomes. These measures are used in every community throughout the state to guide planning and budget decisions and to assess school progress and improvement efforts.

Districts are expected to engage communities as they develop their Local Control and Accountability Plans (LCAP) every 3 years and update them annually, an integral component of the LCFF. In doing so, districts must evaluate the progress of their students overall and by subgroup on each of the indicators that is part of the state dashboard, plus a set of required local indicators. These include the following:

- Mathematics achievement
- Literacy achievement
- Graduation rates (4 and 5 years)
- College and career readiness (a set of indicators including course taking for college and career technical fields, dual-credit courses, and a seal of biliteracy)
- Chronic absenteeism rates
- Suspension rates
- School climate indicators
- Provision of basic inputs for education, including qualified teachers, sufficient instructional materials, and school facilities

With community input, the plans must identify what the district will do to improve progress for students on these indicators and close gaps among groups. The plans are translated into budgets. County offices review these plans and budgets, support ongoing improvement, and together with a state agency developed for this purpose, intervene when progress is not being made.²⁸² Each year, districts also report on how they used their funds, including how they used them to address the needs of the high-need students weighted in the school funding formula and how they invested in the initiatives outlined in their plans the year before.

This approach to accountability ensures that data are available and extensively used for monitoring progress, that communities are involved, and that funds are allocated to meet identified needs. Professional learning opportunities are available to help districts meet these needs. When progress is not made, skilled intervention is available.

Since passage of California’s LCFF in 2013, researchers have documented important shifts in practices and spending.²⁸³ The funding formula has created a more equitable distribution of the state’s k–12 resources among districts. It has also changed the conversation in districts throughout the state, attending to equity among students and schools and to the specific needs of students identified in the new funding formula. A recent study found that, throughout the state, districts are hiring additional staff and experimenting with new strategies in ways that are producing significant improvements. Perhaps most promising is the finding that LCFF-induced increases in school spending led to significant increases in high school graduation rates and academic achievement, particularly among children from low-income families.²⁸⁴

While it is impossible to causally link particular outcome changes to specific policy decisions, the general trends suggest progress. Whereas California once ranked in the bottom five states on every achievement measure on the National Assessment of Educational Progress (NAEP), it has improved in both absolute and relative terms. California has shown some of the greatest gains of any state in the last few years and now typically ranks between 25th and 35th among the states.²⁸⁵

Learning from California, New Mexico can complete and solidify its current efforts to create a supportive accountability and improvement system by taking the following steps. Much fundamental change in the accountability systems can be accomplished without the infusion of new resources. Rather, it will require the NMPED and the Legislature to use existing resources differently.

Immediate, low-cost steps that could be taken during the COVID-19 recovery period

6.A The administration could focus the system on key learning goals that **make the state’s expectations clearer, more concrete, and accessible** and provide information that can guide improvement. This process could be achieved by NMPED developing a state **“Profile of the New Mexico Graduate,”** as many New Mexicans say they would like to have. The profile should identify the academic achievement, cultural and linguistic responsiveness, social and emotional learning, and college and career readiness that New Mexico expects students to attain. Created with community participation, this profile would communicate to both educators and parents the breadth and depth of the New Mexico education system’s expectations and what it will be held accountable for. It would create a “whole child, whole school” vision and agenda that would inform the development of standards for student and school success.²⁸⁶ In this way, the profile and its analysis would serve like the eight priorities California’s LCFF established in place of the state’s test-based accountability system. For

the system to be reciprocal, these standards must be supported by the state’s development and distribution of high-quality curriculum frameworks, materials, and formative assessments that reinforce teachers’ abilities to assess student learning and implement feedback, while reducing the burden of external summative testing.²⁸⁷

- 6.B** The NMPED could also **further develop the state’s new multiple measures and dashboard system** to ensure these tools provide comprehensive data both on outcomes of concern and on important inputs and processes. The dashboard should include indicators that track progress toward meeting the goals embedded in the graduate profile, as well as more formative indicators that provide insight into school resources and processes that underlie those outcomes.

For example, NMPED could augment assessments of student achievement and growth with measures of meaningful learning that require students to demonstrate what they know and can do through authentic performance tasks that assess and encourage development of a full range of higher-order thinking skills; cultural and linguistic knowledge; and skills such as collaboration and problem-solving, among others.²⁸⁸ The teacher and administrator turnover rate could be calculated for each school and district in the state and displayed on the state school dashboard. Existing educator quality measures can be augmented by including measures such as the percentage of teachers who are National Board certified. Other additions could report the ratio of students to teachers and various school support staff (guidance counselors, social workers, nurses, librarians, and educational assistants); measures of the availability of instructional materials, textbooks, and computers; programs affirming New Mexico’s cultures and languages; and class size. School climate can be assessed with a suite of discipline indicators, such as the number of expulsions, in-school and out-of-school suspensions, the length of suspensions, and the number of students receiving multiple suspensions—all disaggregated by student groups. The dashboard could also present data on locally determined indicators required for the new Indian Education Act student needs assessments.

This comprehensive approach will require NMPED to **upgrade the state’s data system** so that it eases the process of data entry and data analysis and makes both data and analyses available in a timely manner to policymakers, educators, and the public. Data quality checks and data entry professional development and support for districts, especially small districts, would help improve the system. Additionally, the existing STARS system and the NM DASH tool need to be more accessible, timely, and easy to use to inform local improvement as well as for state accountability purposes. To support data-driven improvement processes, the state will need both a deeper set of data and a rich, developed, and significant data analytics process.

- 6.C** To ensure that data are available to understand the schooling experiences of all New Mexico students, including Native students moving in and out of state-supported schools, the NMPED—with input from the Indian Education Advisory Council—could develop memoranda of understanding between tribal governments and their departments of education for two-way data-sharing agreements of student data covering both the state public education system and the Bureau of Indian Education and tribally controlled school system. These memoranda could serve as templates for local districts to further strengthen data sharing by also entering into agreements with local tribal governments.

6.D The NMPED could **develop innovative ways to use its federal Title I dollars to support struggling schools** that are identified through its newly adopted School Spotlight and Levels of Support accountability process as needing additional state support for improvement. As noted earlier in this report, the last administration favored an aggressive takeover approach in its school improvement processes funded by federal Title I under ESSA, rather than efforts to rebuild schools and programs. This, too, is undergoing change by the current administration, but it is still under-resourced. Additionally, the state and local partnerships necessary to succeed and sustain the new approach are still in limited development. It is essential that school improvement initiatives be neither narrow nor rigid. To combat this, the approach should allow struggling schools to choose, with input from school staff, from a variety of strategies. Any new initiatives must be suited to the circumstances of the particular school and its community and be designed to include evidence-based elements that address the needs of students and teachers and to include roles for engaging parents and community:

- **Strategies that focus on students' needs:** standards-based, common curriculum; small class sizes; individual and small-group tutoring before or after school; extended day/year (with commensurate additional compensation for staff); schoolwide behavioral expectations in a safe and orderly environment; same student populations in redesigned schools; and block scheduling in secondary schools.
- **Strategies that focus on teachers' concerns:** ongoing, embedded professional development; data-driven instruction and ongoing supports for novice and experienced teachers alike; teacher voice in instructional and school decision-making; common planning time for staff, including the flexible schedules to allow for this, such as time beyond the prescribed day, week, or year; early involvement and buy-in with turnaround planning; and peer involvement in staffing selections.
- **Strategies that focus on parent and community roles:** early input and support from parents and the community; ongoing parental involvement in all aspects of school life; appropriate wraparound services, such as health screening and other social services and referrals; increased opportunities for parent-teacher interaction; and programs to educate and involve parents regarding instructional programs and supports that reflect the diversity of families, including language, family composition, and cultural differences.

6.E The Legislature could require robust **community-engaged, local budget planning and accountability processes** that use state data combined with local expertise to propose and evaluate local investments focused on community-appropriate, evidence-based strategies for increasing student learning opportunities and outcomes. In Native-serving districts, these processes should include authentic collaboration with tribes and pueblos, incorporating needs assessments, systemic frameworks, accountability tools, and status reports to tribal governments that are required by the Indian Education Act.

Augmenting the district educational plan and budget submission process established for 2020–21, these plans would also explain how proposed activities reflect the intent of the state's funding (e.g., support for bilingual students, providing expanded learning time, community schools). Additionally, they would describe how their delivery systems will

accommodate local needs and context. In consultation with districts' already-established finance and audit committees and their new "Equity Councils," educators and communities could use the planning process to specify how local plan approaches and spending provide research-based support for students to make progress on key indicators in their cultural and linguistic contexts.

The review process by the state before approving plans should be supportive while ensuring the responsible use of funds. For example, these processes could help guide districts so that aligned and consolidated funds meant to support at-risk students are allocated and used responsibly in the local context. The Tribal Consultation Guide developed by the Navajo Nation Department of Diné Education is one model that could be used in Native-serving districts to ensure the meaningful and respectful participation of tribal partners in this process.²⁸⁹

This recommendation draws from the experience of California, which embedded in the LCFF groundbreaking stakeholder engagement requirements designed to help realize the law's vision of local control. Every year in every school district around the state, district leaders are required to convene and solicit input from students, parents, staff, and the broader community on their LCAPs, which detail district priorities and spending. The new requirements have been embraced by organized parents and students, in particular, who have leveraged them as an opportunity to advance their interests and priorities. The requirements have also prompted significant outreach efforts on the part of many districts. Researchers have identified exemplary districts that have taken an in-depth approach, often by partnering with local community groups.²⁹⁰

The Legislature could direct the NMPED to monitor implementation of the new Indian Education Act needs assessments, systemic frameworks, and accountability tools for improving educational outcomes for Native students. Developing a state repository of "best practices" being used locally could also provide much-needed support to both districts and tribes.

Longer-term steps to be taken when funding recovers

The investments recommended below can create and fund an infrastructure and processes that will enable local policymakers and educators to use the system's accountability data to inform a process of continuous improvement at the state, district, and school levels.

- 6.F** The Legislature could fund within NMPED **a research and accountability unit that is resourced and staffed to examine program implementation and effectiveness.** This would entail using the state's rich student-, school-, and district-level data in the state's data system to answer key policy-relevant questions. These tasks would augment NMPED's current capacity, which is limited to managing the data system, providing school- and district-level reports on performance on the multiple indicators, and providing compliance reports to the federal government. Staff of this unit would be uniquely well prepared to develop the technical assistance and professional development that educators require to use the state's multiple indicator data system as part of their ongoing school improvement processes.

- 6.G** The Legislature could fund **extensive professional development for teachers and administrators** that will enable them to contribute to and use the multiple indicators system effectively. This could go beyond teaching the processes of data collection and reporting to ensure compliance. Rather, it could also include opportunities to review, analyze, and use data and analytics to inform decision-making. Such professional development could be provided by higher education or regional education cooperatives, in conjunction with the research and accountability unit described in 6.F.
- 6.H** To accommodate the local implementation and capacity problems likely to occur because districts are spread across the state in diverse and often isolated communities, the Legislature could support NMPED to **regionalize its provision of technical assistance, learning opportunities, and school reviews** to support local school boards, district administrators, tribal partners, and educators. Such assistance will be needed as districts develop local plans in collaboration with communities and implement strategies aimed at improving teaching and learning in ways that enable students to meet state goals.²⁹¹ Specifically, this could include support for the community-engaged budget planning, budget review, and accountability processes described above. This could become part of a larger state investment to increase the regional capacity of NMPED described in earlier sections of this report. Engaging community members and tribal partners can also help address problems in local districts related to high-quality implementation and governance. This potential benefit was noted in the 2011 report to the New Mexico Grantmakers Association:

Assuming that school districts, especially school boards, are a weak link in the efforts to improve our schools, community members need to have the knowledge and skills to effectively engage local leadership in overcoming barriers and conflict. Over time, community organizations working at the local level can coalesce, forming a powerful voice at the state level—perhaps powerful enough to reshape policies for greater clarity and alignment toward accountability and autonomy between the state and the district.²⁹²

Moving the Agenda Forward

We noted at the outset of this report that system improvement is not quick work. Other states and systems have not made significant progress in the areas we have discussed with short-term or single-dimension reforms. It cannot be accomplished within conventional political cycles, and it must be protected from the vagaries of political transitions. Rather, such improvement takes slow, steady, and comprehensive learning and change, championed by those outside the current system and elected office as well as those within. This is more the case than ever as New Mexico confronts the economic and educational setbacks from the coronavirus pandemic, as its full effects are unknown, and recovery is likely to be slow.

Ideally, a bipartisan and diverse cadre of leaders of New Mexico's public, private, and tribal sectors will come together as an independent statewide committee, commission, or task force. That group would assume responsibility for articulating and leading this agenda, drawing on research evidence, members' experiences, and local knowledge about what the state needs to do to redesign the education system so that it works for all New Mexico children. Many other states have taken this route with considerable success. Below, we recommend how such a group could be established and sustained over time in New Mexico.

Most New Mexico stakeholder groups agree that a broad array of people should be involved in guiding education improvement. Many stakeholder reports call for increased partnerships and collaborations, including strengthened regional cooperatives and joint efforts among communities, tribal communities, families, schools, teachers, nonprofits, state agencies, and leaders from all sectors to strengthen and support students' learning environments and career paths. For example, the *New Mexico First 2018 Town Hall on Higher Education Final Report* recommends that greater collaboration could be achieved by task forces, workgroups, councils, and/or a new government agency that identifies options for government agencies to work more effectively together through, for example, clear goals and accountability measures. The *NMSSA 2019 Policy Platform Proposal* suggests creating the Education Vision Taskforce, a committee that would be codified in state law and whose purpose would be to provide guiding principles to policymakers used to inform day-to-day operations of schools.²⁹³

A diverse, high-level group or commission could foster comprehensive, durable improvement in the state's education system in the following ways:

- **Recommend long-term system changes.** A commission could be a critical next step in the governor's moon shot on education, transforming the good starts into lasting system changes. It could recommend ways to build a strong and stable educator workforce ecosystem; create coherent college and career pathways that reach all students; place cultural and linguistic responsiveness, social and emotional learning, and attention to childhood trauma into the instructional core; and bring the community schools approach to all high-poverty communities. Importantly, a commission could also develop plans for adequate and equitable funding for these system changes and outline the parameters of a strong accountability and improvement system to ensure that taxpayer dollars are used responsibly and focus on student success. Commissions' recommendations for system changes have been enacted recently in Maryland (Commission on Innovation and Excellence in Education, or "The Kirwan Commission") and Delaware (Vision Coalition).

- **Build collective ownership of a long-term plan.** A commission composed of leaders in multiple sectors (including those in and out of government and in and out of education) who are culturally, geographically, and politically diverse would help ensure that the bold steps being taken now carry forward into the future regardless of the next governor. The commission could develop collective and sustained ownership of a long-term plan that could keep it from falling prey to self-interested and competing “plans” from special interest groups. Kentucky’s 30-year experience with the Prichard Committee for Academic Excellence is the nation’s premier example.
- **Avoid future litigation over adequacy and equity.** A commission’s long-term plan could move the state toward compliance with *Martinez/Yazzie*. Several states successfully developed long-term system changes in the wake of such lawsuits (including California, Kentucky, and Massachusetts) after their governors, legislatures, and private sector leaders convened high-status commissions or task forces composed of concerned citizens and government leaders (California’s Governor’s Committee on Education Excellence, Kentucky’s Prichard Committee for Academic Excellence, and the Massachusetts Business Alliance for Education). Those groups were charged with making recommendations that would remedy court-identified problems and make other large-scale systemwide changes. Other states that did not engage in such a process (e.g., Arkansas, Kansas, and Ohio) stayed in an adversarial mode, wasting time and millions of dollars in ongoing court fights. Years of delay and resistance brought continued inadequacy, inequality, and disappointing results.

New Mexico’s state government currently has several commissions and advisory bodies that support and guide the work of government, including the Indian Education Advisory Council and the Hispanic Education Advisory Council. These groups play an important role, engaging New Mexicans who can contribute relevant expertise about the effective administration of government policy. However, none of these bodies is charged with creating a long-term vision and plan. None is expected to recommend system changes to the governor, the Legislature, colleges of education, and local school boards. None has a bipartisan, cross-sector membership that works across the many differences of its members to forge agreement on bold ideas and workable policy options as the type of group who could move this agenda would require. However, these groups could serve as valuable resources for such a commission.

In the 2019 and 2020 legislative sessions, Senator Mimi Stewart sponsored a bill that would, like in successful states, create a “commission on equity and excellence in education”— to address long-term strategies to improve New Mexico public schools. The proposed commission was responsive to the *Martinez/Yazzie* plaintiffs’ call for a long-term state plan since the bill charged it with developing a “long-term vision and action steps for the legislature, executive, school districts, public schools and colleges of education to consider to ensure New Mexico’s public education students are prepared to meet the challenges of a changing national and global economy, prepared for post-secondary education and the workforce and prepared to be successful, civic-minded citizens in the twenty-first century.”²⁹⁴ However, that bill was never considered by the full legislative body during either session.

Next Steps Toward an Independent Statewide Oversight/Advisory Group

To establish a group that could develop a long-term plan and provide broad guidance for improvement that could be sustained over political transitions, the state could do the following:

- 7.A The Legislature could fund, structure, and charge an independent statewide body with studying, advising policymakers, and educating the public about fundamental education system change. To foster an open, inclusive, and bipartisan group of leaders from diverse sectors and communities in the state, legislative direction could include categories of people to be appointed to serve on this body (and those who should make appointments). Elected and appointed government officials could serve as members of this group, as long as its charge and composition make clear that this body is not owned by a particular political interest. Most New Mexico stakeholders agree that a broad array of people should be involved in guiding education improvement. To ensure that the independent statewide oversight/advisory group convenes regularly, engages in serious study, and communicates effectively to various education policy actors, communities, and parents, the Legislature could fund NMPED or a joint administrative and legislative body to provide infrastructure and staff support.

A process of long-term planning by a commission will take time, compromise, and trust building. But the payoff will be proposals that are substantively strong and politically viable and will have the potential of avoiding expensive, drawn-out court battles. Without it, New Mexico risks many more years of frustration and disappointment over the failure to educate New Mexico's children in ways that both they and the state deserve.

Appendix A: Additional Acknowledgments

LPI thanks the New Mexico leaders and educators listed below for sharing their knowledge and experiences about education and policymaking in New Mexico during the course of this research. The New Mexico Public Education Department, the Legislative Education Study Committee, and the Legislative Finance Committee graciously provided us access to data and guidance about using it. Several community groups, including the United Way of Central New Mexico, the Deans and Directors of Teacher Education, and Transform Education New Mexico, welcomed us to board meetings and public convenings. Although all of these interactions provided valuable insights that informed the research, LPI remains responsible for the analyses and interpretation reported here.

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- Charles Goodmacher, Director of Government Affairs, Transform Education NM; Former State Government and Media Relations Director, National Education Association
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- David Abbey, Director, Legislative Finance Committee
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- Matt Pahl, Executive Director, New Mexico Coalition for Charter Schools
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Appendix B: New Mexico Crosswalk Analysis

New Mexico Crosswalk Analysis														
Recommendations	Number of Plans Addressing Recommendation	9 Building Blocks for a World-Class Education System	Every Child: Reinventing Albuquerque's Public Schools	Governor Michelle Lujan Grisham's Campaign Education Platform	Learning Alliance of New Mexico ESSA Phase II Stakeholder Feedback Report	New Mexico Every Student Succeeds Act (ESSA) Plan	New Mexico First 2018 Town Hall on Higher Education Final Report	New Mexico Rising: Engaging Our Communities for Excellence in Education Final Report	New Mexico School Superintendents' Association (NMSSA) 2019 Policy Recommendations	No Time to Lose Recommendations	Pueblo Convocation Recommendations	The SUN Project Logic Model	Think New Mexico Reallocation Plan	Yazzie Proposed Remedy Platform
Domain 1: High-Quality Curriculum, Instruction, and Instructional Resources to Prepare All Students for College, Career, and Civic Engagement														
Develop an Effective System of Career and Technical Education	9	X	X	X	X	X		X	X	X				X
Provide Culturally and Linguistically Relevant Curriculum, Materials, and Training	8		X	X	X			X	X		X	X		X
Ensure Access to Technology and Technological Literacy	7		X	X	X	X		X	X					X
Strengthen High School-to-Postsecondary Pathways	7	X	X	X		X	X		X		X			
Develop High-Quality, Well-Sequenced Curriculum	6	X	X				X		X	X				X
Adopt Benchmarked Academic Content and Performance Standards	4	X	X			X				X				
Strengthen STEM and STEAM Education for All	3			X		X		X						
Ensure Access to Art, Music, and Movement	3							X				X	X	
Limit Class Sizes	3	X			X									X
Develop Opportunities for Civic Engagement	1								X					

New Mexico Crosswalk Analysis

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Increase Educator Compensation	11	X	X	X	X	X	X		X	X	X		X	X
Improve Teacher Recruitment and Preparation	10	X		X		X	X	X	X	X	X		X	X
Increase Opportunities for Collaborative Teaching and Professional Learning	9	X		X	X	X		X	X	X	X			X
Improve Leadership Training	8	X		X		X		X		X	X	X		X
Strengthen Teacher Induction and Mentorship	7	X		X	X	X			X	X				X
Raise Teacher Licensure Standards	6	X		X		X			X	X			*	X
Increase the Number of Qualified Teachers for New Mexico's Most At-Risk Students	5			X		X			X		X			X
Train Teachers in Culturally and Linguistically Relevant Instruction	4				X	X						X		X
Create Teacher-to-Leadership Career Ladders	4	X	X					X		X				
Improve Leadership Pay	3				X				X				X	

Domain 2: Ensuring a Well-Prepared, Stable, and Diverse Educator Workforce

* This plan does not present recommendations about raising teacher licensure standards. However, it mentions the efforts that are being made in the state on this regard.

New Mexico Crosswalk Analysis

Recommendations	Number of Plans Addressing Recommendation	9 Building Blocks for a World-Class Education System	Every Child: Reinventing Albuquerque's Public Schools	Governor Michelle Lujan Grisham's Campaign Education Platform	Learning Alliance of New Mexico ESSA Phase II Stakeholder Feedback Report	New Mexico Every Student Succeeds Act (ESSA) Plan	New Mexico First 2018 Town Hall on Higher Education Final Report	New Mexico Rising: Engaging Our Communities for Excellence in Education Final Report	New Mexico School Superintendents' Association (NMSSA) 2019 Policy Recommendations	No Time to Lose	Pueblo Convocation Recommendations	The SUN Project Logic Model	Think New Mexico Reallocation Plan	Yazzie Proposed Remedy Platform
Increase Access to High-Quality Early Childhood Programs	8	X	X			X		X	X	X			X	X
Provide Wraparound Services and Supportive Community Partnerships	8		X	X	X	X		X	X		X			X
Integrate Social and Emotional Learning and Strengthen School Climate	7		X	X	X			X	X	X				
Increase Parent and Family Engagement	6		X	X	X			X				X		
Extend and Enrich Learning Through After-School and Out-of-School Programs	4		X			X			X					X

Domain 3: Whole Child Supports

Domain 4: Accountability and Improvement Systems														
Adopt Better Accountability and Continuous Improvement Indicators	8		X	X	X	X	X	X	X			X		X
Adopt Higher-Quality Assessments	8	X	X	X	X	X		X		X		X		
Redesign Teacher Evaluations	7			X	X	X		X		X				X
Include School Climate Measures (e.g., Student Surveys)	5			X	X	X		X						
Improve School Report Cards by Using School Dashboards	3			X	X	X								
Provide Data Systems Training and Improve Data Use	2			X							X			

New Mexico Crosswalk Analysis

Recommendations	Number of Plans Addressing Recommendation	9 Building Blocks for a World-Class Education System	Every Child: Reinventing Albuquerque's Public Schools	Governor Michelle Lujan Grisham's Campaign Education Platform	Learning Alliance of New Mexico ESSA Phase II Stakeholder Feedback Report	New Mexico Every Student Succeeds Act (ESSA) Plan	New Mexico First 2018 Town Hall on Higher Education Final Report	New Mexico Rising: Engaging Our Communities for Excellence in Education Final Report	New Mexico School Superintendents' Association (NMSSA) 2019 Policy Recommendations	No Time to Lose	Pueblo Convocation Recommendations	The SUN Project Logic Model	Think New Mexico Reallocation Plan	Yazzie Proposed Remedy Platform
Domain 5: Adequate, Equitable, and Sustainable School Funding														
Steer Resources to At-Risk Students	9	X		X	X	X	X	X	X	X				X
Adopt and Fund a Stable, Sufficient Funding Formula	5				X		X		X			X		X
Ensure That Evidence-Based Practices Guide the Allocation of Funding Programs Outside the Formula, Including Grant Programs	2								X					X
Shift Money to Classrooms and Classroom Resources	1												X	
Strengthen Accountability for the Use of Funds	1													X
Domain 6: Coordinated and Effective Governance														
Create Stakeholder and Interagency Partnerships	4			X			X	X	X					
Strengthen K-12, Higher Education, and Workforce Alignment	4		X	X			X				X			
Align and Connect Reforms in a Comprehensive System	3		X						X	X				
Increase Interjurisdictional Collaboration	2							X						X
Strengthen the Regional Education Cooperatives (RECs)	2								X					X
Attend to the Constraints and Opportunities of School Choice and Charter Schools	2		X						X					

New Mexico Crosswalk Analysis

Recommendations	Number of Plans Addressing Recommendation	9 Building Blocks for a World-Class Education System	Every Child: Reinventing Albuquerque's Public Schools	Governor Michelle Lujan Grisham's Campaign Education Platform	Learning Alliance of New Mexico ESSA Phase II Stakeholder Feedback Report	New Mexico Every Student Succeeds Act (ESSA) Plan	New Mexico First 2018 Town Hall on Higher Education Final Report	New Mexico Rising: Engaging Our Communities for Excellence in Education Final Report	New Mexico School Superintendents' Association (NMSSA) 2019 Policy Recommendations	No Time to Lose	Pueblo Convocation Recommendations	The SUN Project Logic Model	Think New Mexico Reallocation Plan	Yazzie Proposed Remedy Platform
Students With Disabilities	4			X		X		X						X
Native American Students	4					X		X			X			X
English Learners	3					X		X						X
Hispanic Students	2					X								X
Students From Low-Income Families	1						X							

Domain 7: Supporting Student Subgroups

Appendix C: New Mexico Per-Pupil Funding Estimate Methodology

The below steps describe the approach that Learning Policy Institute (LPI) researchers used to update New Mexico’s per-pupil public school spending using data from the most recent fiscal years:

1. **Base year of 2017–18:** LPI started with per-pupil expenditure data from the most recent year available—2017–18—from the U.S. Census Bureau and used the data to create a national average of per-pupil spending for that year. For a copy of these data, see U.S. Census Bureau. (2020). *Table 1: Summary of public elementary-secondary school system finances by state: Fiscal Year 2018. 2018 Annual Survey of School System Finances.* Washington, DC: Author. https://www2.census.gov/programs-surveys/school-finances/tables/2018/secondary-education-finance/elsec18_sumtables.xls (accessed 08/12/20).
2. **To determine the 2018–19 expenditure:** LPI adjusted the 2017–18 national average by the rate of inflation, as reported by the Bureau of Labor Statistics. Researchers also adjusted the New Mexico estimate by 4.0%, to reflect the percentage change in total public school support for fiscal year 2019. See New Mexico Legislative Finance Committee. (2019). *State of New Mexico: Report of the Legislative Finance Committee to the Fifty-Fourth Legislature, first session post-session review.* Santa Fe, NM: Author.
3. **2019–20 expenditure:** LPI adjusted the national number by the rate of inflation, as reported by the Bureau of Labor Statistics, and adjusted the New Mexico estimate by 17.5%, the percentage change in total public school support for fiscal year 2020. See New Mexico Legislative Finance Committee. (2020). *Legislating for results: Post-session review, Fifty-Fourth Legislature, second session.* Santa Fe, NM: Author.
4. **2020–21 expenditure:** Because of the current condition of the U.S. economy, LPI assumed a zero growth rate for education budgets nationally. For New Mexico, LPI adjusted the estimate by 3.4%, the percentage change in total public school support for fiscal year 2021 following the July 2020 special session. See New Mexico Legislative Finance Committee. (2020). *2020 post special session finance report including executive action.* Santa Fe, NM: Author.
5. **2021–22 expenditure:** Because of the current condition of the U.S. economy, researchers assumed that there would be a zero growth rate in education budgets.
6. **Projecting 2022–23 to 2029–30 expenditures (United States):** Researchers assumed that nationally education spending would increase at 3.58%. This is based on average per-pupil increases over a 20-year period (1998–99 to 2017–18).
7. **Projecting 2022–23 to 2029–30 expenditures (New Mexico):** For New Mexico’s per-pupil expenditure amount to equal the national average in 5–8 years, it would have to grow at the following rates after the 2021–22 school year:

5-Year	5.453%
6-Year	5.140%
7-Year	4.916%
8-Year	4.748%

Endnotes

1. In January 2015, the New Mexico court consolidated two related education finance cases: *Martinez v. State of New Mexico* and *Yazzie v. State of New Mexico*. The consolidated case is also cited by the court as *Martinez v. State*. However, the case is variously referred to as *Yazzie/Martinez*, *Yazzie, et al. v. State of New Mexico*, and *Martinez/Yazzie*. Although *Yazzie/Martinez* is used most often in print and public discourse, we refer to the case as *Martinez/Yazzie* as that is the order in which the court lists the consolidated case.
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233. The Children’s Cabinet includes the NMPED, the Children, Youth, & Families Department (including Juvenile Justice Services), the Department of Health, the Early Childhood Education and Care Department, the Higher Education Department, the Department of Workforce Solutions, the Indian Affairs Department, and other agencies. As a body, it can facilitate information exchange, data sharing, and the blending and braiding of funding and initiatives to provide resources and support to community schools. Member agencies can locate services (and funding) for families and children at community schools to address adverse out-of-school conditions in high-poverty communities (e.g., health, food distribution services, housing, public safety, immigration services, workforce programs, youth involvement). See <https://www.childrenscabinetnm.org/> for more information.
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243. *Zuni Pub. Sch. Dist. v. State*. (1998). (11th Jud. Dist. of N.M., No. CV-98-14-11).
244. *Zuni Pub. Sch. Dist. No. 89 v. Dept. of Educ.* 550 U.S. 81 (2007).
245. For example, in April 2020, a letter to New Mexico Secretary Ryan Stewart from Marilyn Hall, Director of the Impact Aid Program, U.S. Department of Education, communicated that the department had determined that the state was out of compliance with the federal rules about disparities among districts. It reported that ESSA determines that a state aid program equalizes expenditures among LEAs “if the disparity in the amount of current expenditures or revenues per pupil for free public education among LEAs is no more than 25 percent.” (34 C.F.R. § 222.162(a)). As of this writing, this dispute has not been resolved.
246. In addition to state tax revenue, a significant source of state funding for schools is New Mexico’s \$19.7 billion Land Grant Permanent Fund (LGPF), also known as the Permanent School Fund, established through New Mexico’s entry into statehood in 1912. The LGPF has grown over time due to revenue from leases and royalties produced by nonrenewable natural resources in New Mexico (primarily oil and gas) and income from returns on invested capital (with annual returns of approximately 11%–12% over the past decade). Every year, LGPF distributes 5% of its assets to New Mexico’s public schools, universities, and other beneficiaries (\$784.2 million in fiscal year 2020). Given the pace of growth of the LGPF, advocates have sought to let New Mexico voters decide on a constitutional amendment calling for an additional 1% withdrawal to support early childhood and k–12 programs. Such proposals have been rejected by the Legislature several times, arguing that those funds are to be preserved for a state emergency.
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251. To qualify as mobile, a student fails to remain in school for an entire year or consecutive years.
252. Baker, B. D., Di Carlo, M., & Weber, M. (2019). *The adequacy and fairness of state school finance systems*. Washington, DC: Albert Shanker Institute.
253. These amounts were calculated from the total public school support appropriations included in the following: New Mexico Legislative Finance Committee. (2020). *Legislating for results: Post-session review, Fifty-Fourth Legislature, second session*. Santa Fe, NM: Author; New Mexico Legislative Finance Committee. (2019). *State of New Mexico: Report of the Legislative Finance Committee to the Fifty-Fourth Legislature, first session post-session review*. Santa Fe, NM: Author.

254. These amounts were calculated from the total public school support appropriations included in the following: New Mexico Legislative Finance Committee (2020). *Legislating for results: Post-session review, Fifty-Fourth Legislature, second session*. Santa Fe, NM: Author; New Mexico Legislative Finance Committee. (2020). *2020 post special session financial report including executive action*. Santa Fe, NM: Author.
255. The total increase was calculated using the Total Public School Support values for fiscal year 2020 and 2021 available from the following: New Mexico Legislative Finance Committee (2020). *Legislating for results: Post-session review, Fifty-Fourth Legislature, second session*, Appendix L. Santa Fe, NM: Author; New Mexico Legislative Finance Committee. (2019). *State of New Mexico: Report of the Legislative Finance Committee to the Fifty-Fourth Legislature, first session post-session review*, Appendix O. Santa Fe, NM: Author. Total number of students used for the calculations was 331,636 as reflected in the following: New Mexico Public Education Department. (n.d.). New Mexico Vistas. <https://newmexicoschools.com/> (accessed 07/09/20). Estimates of New Mexico's and the national average per-pupil spending for 2018 are available from: U.S. Census Bureau. (2020). Table 1: Summary of public elementary-secondary school system finances by state: Fiscal Year 2018. 2018 Annual Survey of School System Finances. Washington, DC: Author. https://www2.census.gov/programs-surveys/school-finances/tables/2018/secondary-education-finance/elsec18_sumtables.xls (accessed 07/31/20). National estimates are adjusted for inflation, while New Mexico estimates are adjusted for actual total public school support increases for fiscal years 2019, 2020, and 2021, including the most recent special session. For additional details regarding the methodology for developing these estimates, see Appendix C: New Mexico Per-Pupil Funding Estimate Methodology.
256. The national average per-pupil spending in 2017–18 was \$12,612, while in New Mexico it was \$9,582, representing a difference of \$3,034. See U.S. Census Bureau. (2020). Table 1: Summary of public elementary-secondary school system finances by state: Fiscal Year 2018. 2018 Annual Survey of School System Finances. Washington, DC: Author. https://www2.census.gov/programs-surveys/school-finances/tables/2018/secondary-education-finance/elsec18_sumtables.xls (accessed 07/31/20). National estimates are adjusted for inflation.
257. Baker, B. D., Di Carlo, M., & Weber, M. (2019). *The adequacy and fairness of state school finance systems*. Washington, DC: Albert Shanker Institute.
258. See H.B. 188, Phased-in teacher cost index, 53rd Leg. 2nd Sess. (N.M. 2018). <https://www.nmlegis.gov/Legislation/Legislation?chamber=H&legtype=B&legno=188&year=18> (accessed 08/05/20).
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260. In 2020, disparities between New Mexico districts in their share of state funding through the SEG led the U.S. Department of Education to rule that, when properly calculated, the state's funding formula fails to pass the "disparity test" of the federal Every Student Succeeds Act. Under the U.S. Department of Education's calculations, the revenue per pupil in relatively well-off Carlsbad was \$7,438, a difference of 29.8% from that in low-wealth Socorro, at \$5,731. The immediate impact of that ruling is that, unless successfully appealed, New Mexico is prohibited in fiscal year 2020 from the calculating practice of crediting, as it has for decades, 75% of a district's federal impact aid as part of the state payments allocation to districts. The April 15 determination was communicated in a letter to New Mexico Secretary Ryan Stewart from Marilyn Hall, Director of the Impact Aid Program, U.S. Department of Education. It reported that ESSA determines that a state aid program equalizes expenditures among LEAs "if the disparity in the amount of current expenditures or revenues per pupil for free public education among LEAs is no more than 25 percent." (34 C.F.R. § 222.162(a)).
261. New Mexico State University College of Education Southwest Outreach Academic Research (SOAR) Evaluation & Policy Center. (2019). *2019 New Mexico educator vacancy report*. Las Cruces, NM: Author.
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263. The *Martinez/Yazzie* plaintiffs' motion to the court dated October 30, 2019, cites the court ruling on the deficiencies in the state accountability system, with a special set of complaints about lack of accountability related to English learners.
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The Learning Policy Institute conducts and communicates independent, high-quality research to improve education policy and practice. Working with policymakers, researchers, educators, community groups, and others, the Institute seeks to advance evidence-based policies that support empowering and equitable learning for each and every child. Nonprofit and nonpartisan, the Institute connects policymakers and stakeholders at the local, state, and federal levels with the evidence, ideas, and actions needed to strengthen the education system from preschool through college and career readiness.