

Public Comment on Proposed rulemaking 6.19.7

Debbie M. Cooper <cooperdm@hobbsschools.net>

Wed 6/20/2018 4:09 PM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

Cc:Debbie M. Cooper <cooperdm@hobbsschools.net>; Parks, T.J. <parkstj@hobbsschools.net>;

Here are our comments:

- **It seems to me that the purpose clearly provided only the standard option. How do we handle career and ability options? (D. Students with an individualized education program (IEP) that provides for individualized graduation indicators shall adhere to the expectations for either the modified or ability option outlined in the graduation manual.)**
- **The options for graduation are great however it is very hard to track the student information. We need a plan to collect information and store in Information system.**
- **There is portfolio option for Science, Writing and Social Studies but not in Math and Reading.**
- **Course grade is counted in Graduation courses with B grade or passing grade at least 4 subjects (good grade or PL=3)**
- **Program of Study or Dual Credit Coursework are crucial for seniors who are not passing PARCC.**
- **Students need to take PARCC/Science twice before applying the EOC results for the ADC**

FW: ADC Proposed Rule Change

Gonzales, Jamie, PED

Tue 6/26/2018 9:54 AM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

 1 attachment

ADC Proposed Rule change 06.26.18.pdf;

From: Reedy, Raquel M [mailto:reedy@aps.edu]

Sent: Tuesday, June 26, 2018 9:39 AM

To: Gonzales, Jamie, PED

Cc: Blakey, Gabriella M; Garcia, Yvonne M; Gonzales, Gabriel Antonio; Hughes, Troy L; SernaMarmol, Madelyn P

Subject: ADC Proposed Rule Change

APS is writing to provide comments on the NMPED proposal to repeal and replace 6.19.7NMAC Please see attached.

Thank you –

Sent from [Mail](#) for Windows 10



June 26, 2018

Jamie Gonzales
New Mexico Public Education Department
300 Don Gaspar Avenue
Santa Fe, NM 87501

Dear Ms. Gonzales:

Albuquerque Public Schools is writing to provide comments on the New Mexico Public Education Department's (NMPED) proposal to repeal and replace 6.19.7 NMAC. We agree with the overall goal of providing students with the opportunity to utilize alternative measures in order to demonstrate college and career readiness resulting from a rigorous, high-quality education. We have, however identified several items in the proposal that are problematic.

- The proposed tool for “Demonstration of Competency by content area” is a fourteen-page flowchart documenting a complex system of requirements, which will create confusion for schools, parents, and communities. The current system of graduation requirements is difficult to explain and this proposed rule makes it more challenging. We recommend simplifying the system of requirements.
- NMPED provides all tenth graders with the opportunity to take the Preliminary Scholastic Aptitude Test (PSAT), a valuable tool that provides information related to a student’s college and career readiness. PSAT results are also scaled to the Scholastic Aptitude Test (SAT). PSAT cut scores have been available in the NMPED’s annual Alternative Demonstration of Competency (ADC) manual. It has been noted that in the proposed tool for “Demonstration of Competency by content area” the PSAT is no longer included as an Alternative Assessment. Our request is that it be included on the list of Alternative Assessments (level 1 or level 2).
- The cut scores that have been selected for Alternative Assessments (Level 1 and Level 2) such as the American College Testing (ACT) or Compass Mathematics are set above the national average as well as the state average in all content areas. We request that these cut scores in all content areas be re-evaluated and adjusted so they are not gating a large percentage of students from graduating in New Mexico with a high school diploma.
- The proposed “Demonstration of Competency by content area” requires an intricate data tracking system that encompasses all possible options for a student to graduate. This data tracking system needs to be capable of including: student achievement data on 63 assessments (9 primary, 54 alternative), four-year college acceptance, Free Application for Federal Student Aid (FAFSA) completion, apprentice programs, internships, offer letters from the United States armed forces, student grade point averages (GPAs) in programs of study, industry recognized certificates or credentials and student grades in dual credit coursework. These requirements will place an increased burden on our guidance counselors requiring additional administrative support, which distracts us from the primary focus of student learning. We recommend the system be simplified.



June 26, 2018

Page Two

- A two-part requirement for the competency-based alternative is complex. A student who is accepted into the US Armed Forces – military service (paragraph 1) is demonstrating career readiness and should not require an additional certification, career pathway, and/or dual credit course. We recommend eliminating paragraph two of competency-based alternative requirements for each content area.
- Paragraph one of the competency-based alternative requires that a student not only obtain acceptance to a four-year institution of higher education (without an open acceptance policy) but students must also prove that they have completed the FAFSA. This adds undue pressure on the student to get their parents to complete a complex online form related to their finances. This requirement is both exclusionary and discriminatory, as undocumented students cannot apply for the FAFSA. In addition, New Mexico school districts educate undocumented students. We recommend removing the requirement that the FAFSA is completed.
- As a New Mexico school district, we are committed to reducing the gaps in graduation rates between subgroups. This proposal does not address English Learners and has the potential to widen the gap for subgroups who traditionally underperform on standardized tests.
- When taking into account lifetime earnings by degrees, we know that students who do not obtain a high school diploma earn on average \$331,000 dollars less than those who have a high school diploma. Students with an associate's degree on average earn \$423,000 dollars more than a high school graduate. (*The College Payoff: Education, Occupations, Lifetime Earnings a report from Georgetown University Center of Education and the Workforce*). We recommend that the state add a competency requirement for students who plan to attend a two-year college in order to obtain an associate's degree.

We respectfully request that NMPED consider recommendations from school districts across the state. The state of New Mexico has high standards for graduation. This rule would raise the bar even higher, preventing a high percentage of students from graduating. Due to the lasting impact that this would have on our state more time should be spent studying the impact.

Sincerely,

Raquel Reedy
Superintendent
Albuquerque Public Schools

cc: Gabriella Blakey, Yvonne Garcia, Antonio Gonzales, Troy Hughes, Madelyn Serna Marmol

Public Comment on Graduation Requirements

Rita Granberry <rita@gordonbernell.org>

Thu 6/28/2018 11:49 AM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

I have been teaching in NM for 10 years and those have been with students in an alternative setting and giving them a second chance at a diploma. I have the following comments about the proposed changes.

I have worked with many students to get them to pass an EOC specifically Science; taking away the different options would hurt alternative students. If they don't pass the Biology the first time because they did not care but a couple of years later they want to do it but say miss it by a point, then according to your plan they would have to take Chemistry or Physics. These students would not have done well in either of these course. They are difficult for many student. I find that ENVIRONMENTAL SCIENCE is an option along with Physical Science. Some students are not good test takers and need many different chances to pass. I have had success with students passing the Environmental Science and it is a good test and shows that they have learned the material. Please let any EOC for Science count for graduation. We would have so many students who would not receive their diploma if it were not for these other EOC. I also would like to go back to having 3 chances for each test. Many students blow off the first test and then are left with only one chance of passing. AGAIN this would hurt the alternative student which we are trying so hard to get to graduate. Your graduation rate would decline. The SBA is not an option for many of our students because we have a rolling enrollment. It is not something that can be given anytime like the EOC. I have also poured a lot of time into preparing study guides for Environmental and Physical Science EOC's, I would hate to think that the over 75 hours I have put into that was for nothing.

Since I work in a continuous enrollment school getting students motivated is a challenge and then if they do buy into the program, they panic with the testing piece. I understand that testing is an important part of education and is needed but we need to have many options like the TABE reading and Math cut scores. We see so many success stories of students that come back to school after they have dropped out because of many different reasons and begin to build success. We don't want to limit them on the types of competencies that they can take. I had a student last semester that enrolled after SBA and was close to graduation, so he was able to take the Environmental EOC and passed. We need to continue to work with those students that need other alternatives to SBA and the 3 main EOC's.

Also I feel that the Math and Reading TABE cut scores are critical for our students also.

Having been a public school Science teacher for 31 years, the need form any Science EOC for a graduation requirement is so critical for student success and graduation rates. Many students choose Environmental Science as an option because they like and respond to the area instead of chemistry or physics. They need this option to be successful for graduation.

Thank you for your time.

Rita Granberry

Public Comments for 6.19.7 NMAC

Pauletta White <PWHITE@gmcs.k12.nm.us>

Thu 6/28/2018 1:14 PM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

 1 attachment

GMCS Public Comments 6.19.7 NMAC.docx;

Ms. Gonzales,

Attached is a summary of the public comments regarding the Proposed Rulemaking on 6.19.7 NMAC regarding Demonstration of Competency for High School Graduation from Gallup McKinley County Schools located in Gallup, NM.

Thank you very much.

Pauletta White
Assistant Superintendent
GMCS

**Gallup-McKinley County Schools' Public Comments to
NOTICE OF PROPOSED RULEMAKING REGARDING 6.19.7 NMAC**

Questions for Demonstration of Competencies

1. "Acceptance at a four year...+ completed FAFSA"
How do schools prove that parents have completed a FAFSA? What criteria would be used to document completion of FAFSA?
2. "Acceptance at a four year institution..."
Would one letter of acceptance cover all 5 content areas?
How do high schools determine if colleges/universities have open enrollment policy?
3. "Apprenticeship program"
What specific apprenticeship programs will qualify? What are the parameters?
4. "Earn a 3 on PARCC ELA"
Would the score of a 3 be the composite PARCC score since there is the reading and writing components?
5. "Internship for credit"
Is there specific criteria for Internship class?
6. "Offer letter from a branch of the US military" Does this mean documentation of enlistment?
7. "Dual Credit Coursework"
Would dual credit courses be specific for each content area (one dual credit course for math, one course for science, etc) or will one dual credit course be sufficient to meet all 5 areas (math, ELA, writing, science and social studies)?
8. "Earn a score qualifying as 'approaching expectations' on a qualifying social studies EOC"
Schools are given cut scores. What score would be considered as 'approaching expectations'?
9. "Program of Study"
How long does a student have to be in a program of study for it to count?
How many courses need to be completed in this course of study for it to count?

FOR PORTFOLIOS 6.19.7.15

1. B "...no later than May 1..." We feel this is too late in the year. April would be a better time frame.
2. C.2 "...highly effective or exemplary high school teacher..." Would this be the content teacher? For example, science teacher on the science portfolio team. Does the teacher have to be currently employed or can they be retired?
3. C.4 "...tribal leadership or a designee, if applicable..." What does 'applicable' mean? Will the district be accountable if the person agrees to the portfolio review, but doesn't show up?
4. C.6 "...member of the local school board or governing board." What is the purpose of a board member on this team? School boards set policy, not necessarily get involved in the running of district processes.

FOR STUDENTS WITH DISABILITIES

1. For students with IEPs, would the course of study in the IEP's qualify as the program of study?
2. Some students take the NMAPA and do not make the cut score identified in the IEP. For such students, would portfolios be considered as an option? If so, would the IEP team establish the criteria instead of meeting the district's portfolio requirements?

3. Some students take the NMAPA. At times, the graduation pathways change and the students do not meet the assessment requirements. Would NMAPA qualify as an assessment when attempting to meet requirements?

RRPS Comments on Proposed Rule 6.19.7

Bethany Pendergrass <bethany.pendergrass@rrps.net>

Fri 6/29/2018 8:53 AM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

Cc:Happy Miller <happy.miller@rrps.net>; Carl Leppelman <carl.leppelman@rrps.net>; Cleveland, Dr. Sue <sue.cleveland@rrps.net>; LaJuana Coleman <lajuana.coleman@rrps.net>;

 1 attachment

Comments on Proposed Rule 6.19.7.pdf;

Good morning,

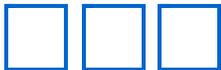
Please see the attached letter.

Thank you,

Beth Pendergrass

Chief Communications, Strategy and Engagement Officer

Rio Rancho Public Schools
500 Laser Rd. NE
Rio Rancho, NM 87124
Office: 505.896.0667





500 Laser Road NE
Rio Rancho, NM 87124
P. 505.896.0667
F. 505.896.0662

June 28, 2018

Christopher N. Ruszkowski
Secretary
NM Public Education Department
300 Don Gaspar Avenue
Santa Fe, NM 87501

Dear Secretary Ruszkowski:

Rio Rancho Public Schools supports the development of the knowledge, skills and dispositions that will allow students to be successful in the career or higher education setting of the student's choice. We also support demonstration of competency options of equal rigor for high school graduation across the state and appreciate the efforts of the Public Education Department to allow students multiple options for demonstrating competency within defined parameters.

The district recommends that the Public Education Department insert language in the beginning of the rule stating that districts may offer some or all of these options within a district's alternative demonstration of competency plan but a district may not provide options that are not listed within the rule. This would allow districts the flexibility to determine which options best meet the needs of their unique context but maintains some standardization across the state.

The district does have some clarification questions and some concerns with specific portions of proposed rule 6.19.7.

6.19.7.8.D "Students with an individualized education program (IEP) that provides for individualized graduation indicators shall adhere to the expectations for either the *modified* [emphasis added] or ability option outlined in the graduation manual".

The term "modified option" is not defined in rule or in statute and it is unclear to us. Does modified refer to the career graduation option?

6.19.7.8.E "Schools shall ensure that all grade eleven students participate in the readiness assessment system pursuant to 22-2C-4.1 NMSA 1978. Students shall select and participate in one or more of the following as defined by the department at no cost to the student: (1) a college placement assessment; (2) a workforce readiness assessment; or (3) an alternative demonstration of competency.

Several years ago, PED issued an RFP and identified vendors to provide eleventh grade students with the option of taking either a college readiness or career readiness assessment at no cost to the student. However, implementation of the identified assessments (the ACT and WorkKeys) was suspended due to the state budget crisis and the state has not provided these assessments

for eleventh grade students since. Does this portion of the rule require that districts provide these assessments to eleventh grade students at no cost to the students? If so, this constitutes a significant unfunded mandate.

If districts are not required to provide these assessments to eleventh grade students at no cost to the student, then the district recommends removing 6.19.7.8.E from the proposed regulation since college and career readiness assessments are already included as options within the approved Level 1 and Level 2 assessments.

6.19.7.9.A “LEAs shall report the percentage of students having graduated under the following categories, disaggregated by the federally required subgroups of students: (1) recipients of the New Mexico diploma of excellence who did not utilize an ADC; and (2) recipients of the New Mexico diploma of excellence who utilized at least one ADC to demonstrate competency for high school graduation, disaggregated by the type of ADC used and the core content area.”

The proposed rule provides a number of different options and, in many cases, requires that students meet criteria in two or more categories in order to use a particular option. Furthermore, the types of data that need to be tracked and combined are diverse: test scores, number of test attempts, grades, certificates, letters, etc. The PED does not appear to be providing the tools to track this complex data set nor do most districts currently have the capacity to collect and manage all of these data points much less disaggregate by content, type of ADC and federally required subgroups of students. This requirement would be another potential unfunded mandate and burdensome for districts, especially mid- to large-size districts.

RRPS recommends that the Public Education Department identify which data points are not currently captured in STARS and adjust STARS to capture the relevant information from districts so that PED staff members are able to disaggregate the data.

6.19.7.10.C(1)(a), 6.19.7.11.C(1)(a), 6.19.7.12.C(1)(a), 6.19.7.13.C(1)(a), 6.19.7.14.C(1)(a) “earn acceptance into a four-year institution of higher education that does not have an open acceptance policy and complete a free application for federal student aid”.

The district is concerned about two potential unintended consequences. First, four-year institutions of higher education within New Mexico may receive a surge of applications from students who do not intend to matriculate at the institution. This may negatively impact their application review and acceptance procedures.

Second, the district shares the PED’s concern that the complexity of the financial aid process is a barrier to the college application process for first-generation college attendees and low income students (Hodara, 2017 -- <http://educationnorthwest.org/sites/default/files/resources/FAFSA-research%20handout-jan2017.pdf>). The district fully supports providing assistance with navigating the financial aid process but is opposed to making this a requirement for high school graduation. While parents may provide their financial information without entering a social security number and have the FAFSA processed or students may submit a FAFSA without parental information and not be eligible for federal aid, there may be parents and students who are reluctant to provide any information to the federal government.

6.19.7.10.C(1)(b), 6.19.7.11.C(1)(b), 6.19.7.12.C(1)(b), 6.19.7.13.C(1)(b), 6.19.7.14.C(1)(b) earn a grade of at least 3.0 on a 4.0 scale in the coursework required for graduation in algebra II, geometry, or integrated mathematics II or III, grade eleven or twelve English language arts, high school science, U.S. history and geography, world history and geography, U.S. government, or economics.

The district is concerned that this option could encourage grade inflation in order to have more students obtain their diploma and to raise graduation rates.

6.19.7.10.C(1)(e), 6.19.7.11.C(1)(e), 6.19.7.12.C(1)(e), 6.19.7.13.C(1)(e), 6.19.7.14.C(1)(e) “earn an offer letter from a branch of the United States military”.

The nature of this option is unclear. For example, does this include an offer to participate part-time guard or reserve activities?

6.19.7.10.C(2)(b), 6.19.7.11.C(2)(b), 6.19.7.12.C(2)(b), 6.19.7.13.C(2)(b), 6.19.7.14.C(2)(b) completion of a program of study with courses that integrate state standards for mathematics, as determined by the department, with a minimum grade point average of 3.0 on a 4.0 scale

A definition of “program of study” should be included in the rule. Furthermore, the district is concerned that this option could also encourage grade inflation in order to ensure more students obtain their diploma and to raise graduation rates.

6.19.7.15.B and 6.19.7.15C “LEAs and charters shall establish local review teams to score portfolios. Local review teams shall complete annual, department-approved rubric training. Members of a local review team shall complete trainings required by the department prior to the review of any portfolios. The review team shall include, at a minimum:

- (1) a representative from a partnering postsecondary institution or a member of the business community;**
- (2) a highly effective or exemplary high school teacher as measured by the NMTEACH evaluation system as defined in 6.69.8 NMAC;**
- (3) a district level employee or school administrator;**
- (4) a member of tribal leadership or designee, if applicable;**
- (5) the student’s IEP case manager, if applicable; and**
- (6) a member of the local school board or governing body.**

The district appreciates the efforts of the Department to include non-testing options into the rule. However, the development, management, and scoring of portfolios in an equitable and objective manner is a complex undertaking and another potential large unfunded mandate. While the use of department-approved scoring rubrics would assist with the equity of implementing this option statewide, there is still the potential to have very little inter-rater reliability. Furthermore, the proposed rule does not require that members of the review team have a deep understanding of the state standards for specific core content areas and the level of rigor expected; indeed, the composition of the review team would almost guarantee that the majority of the reviewers would not have that understanding. Finally, convening such a group of individuals to thoroughly review portfolios, particularly in larger districts, could result in days, if not weeks, of concerted work without compensation. The district recommends that the state

convene a panel of knowledgeable teachers to review all of the portfolios within a certain course statewide. This will help ensure the inter-rater reliability of scoring.

In conclusion, Rio Rancho Public Schools appreciates the willingness of the Department to review and revise the current rule regarding the alternative demonstration of competency. The district further appreciates the Department's willingness to include some non-testing based measures and to include more career readiness options. However, the proposed rule may not yet have the proper balance of options. There is a need to weigh the openness of options for students with the logistical practicality. This proposed rule creates a system that is too complex to manage effectively within current resource constraints. Therefore, the district recommends further revisions to find a reasonable balance or to provide districts the option of selecting which measures work best within their context.

Respectfully,

A handwritten signature in black ink, appearing to read "V. Sue Cleveland". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

Dr. V. Sue Cleveland,
Superintendent of Schools

AFT New Mexico Written Feedback re: NMAC 6.19.7

John Dyrzcz <john@nmaft.org>

Fri 6/29/2018 1:58 PM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

Cc:Stephanie Ly (AFTNM) <stephanie@nmaft.org>; Kathy Chavez <katc8601@gmail.com>; Bernstein, Ellen <ellen@atfunion.org>;

 1 attachment

6.29.18 AFT NM NMAC 6.19.7 Comments.pdf;

Ms. Gonzales:

Please find attached a PDF of written comments regarding the New Mexico PED's proposed rule changes, *Demonstration of Competency for High School Graduation*, NMAC 6.19.7, submitted on behalf of the 23,000 public educators represented by the American Federation of Teachers New Mexico.

If you have any questions or concerns, please do not hesitate to contact.

Best,
John Dyrzcz
AFT NM

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John Dyrzcz || State Affiliate Political Organizer, AFT-NM
505-554-8679 || 530 Jefferson Street NE, Albuquerque, New Mexico 87108

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An affiliate of the
American Federation
of Teachers, AFL-CIO

June 29, 2018

Jamie Gonzales, Policy Division
New Mexico Public Education Department, Room 101
300 Don Gaspar Avenue,
Santa Fe, New Mexico 87501

Higher Education
PSRP
Teachers

MAIN OFFICE
530 Jefferson Street NE
Albuquerque, NM 87108
T: 505/266-6638
F: 505/266-1967

Re: *"Demonstration of Competency for High School Graduation"*

nm.aft.org

Ms. Gonzales:

Please accept the below comments on the proposed new administrative Rule 6.19.7 NMAC, *"Demonstration of Competency for High School Graduation"*:

AFT New Mexico has multiple reservations with proposed NMAC Rule 6.19.7, as it constitutes an ill-timed creation and implementation of significant changes to graduation/demonstration of competency requirements, as well as codifying both tests and evaluation systems which are likely to be repealed, replaced, or significantly amended in the near future.

AFT New Mexico recognizes that not all students follow the same path towards graduation from our public schools; however, some aspects of this proposed rulemaking require us to speak out.

Definitional Changes and Reduction in Local Control

We are concerned particularly with definition "J" in proposed rule 6.19.7.7, which reads: *"Primary demonstration of competency means the assessments adopted by the state to serve as the first and preferred indicator of student competency in each core content area."*

It is our position that utilizing a single state-selected test not only reduces local decision making ability and participation, but we are deeply concerned that the NM PED is planning to implement the use of the PARCC exam in order to fulfill this requirement.

As a reminder, only 8 states or entities of an original cohort of 25 continue to use the PARCC in whole or part as a primary statewide exam. It is our belief the continued use of this exam as the sole, statewide first indicator of student competency is shortsighted and ignores the test's validity and viability, long term.

Additionally, in section 6.19.7.8.B.2, we are concerned that locally developed methods of student competency are explicitly listed as insufficient indicators of competency. This language deprives local school districts, educators, and other professional stakeholders from creating sound methods of evaluating individual students in favor of a top-down, state-centric approach.

In section 6.19.7.9.B, we fear the NM PED's scheme of randomized audits will have the opposite effect of its intent. We assume on its face that this section is attempting to create a system of uniformity across districts; however, its likely result will be greater mistrust of an already heavy-handed approach to student assessment and creates a reduction of autonomy for local districts and educators.

AFT New Mexico has consistently voiced its support for greater local control in areas of public education, including teacher autonomy, and we echo that sentiment in these instances.

Alternative Competencies

While we appreciate the recognition that apprenticeship is a valid career trajectory for students and are pleased to see its inclusion as an alternative method to demonstrate competency for graduation, we are equally concerned with aspects of other options listed.

During the 2018 Legislative Session, we spoke strongly against House Bill 23, which would have required (as originally introduced) students to show acceptance into college or a military branch as a new prerequisite for graduation. While this proposed rule does not mandate either of these options as a *requirement* for graduation, their inclusion as a major secondary option for demonstrating competency is troubling.

We maintain that the cost of college applications is prohibitive for some students and their families, and this inclusion is problematic. Further, proof of military branch acceptance is equally troubling. For students who are not adept at taking standardized (and often computer-based) tests, we are reluctant to elevate military service as a pathway out of high school. To be clear, serving one's country is an honorable pursuit, but it should be a decision made freely, and not offered as a substitute for academic proficiency.

Portfolio Review Teams

We reject the limitation in 6.19.7.15.C.2 to only have teachers rated "highly effective or exemplary" as part of the portfolio review teams.

As you are aware, New Mexico's First Judicial District Court has ruled the current NMTEACH evaluation system to be "irreparably flawed," and it is our concern that students will be deprived from access to potential qualified evaluators based on a clearly and court-determined faulty system.

Additionally, we reject the further attempts of the NM PED to encode this discredited system into the NMAC through administrative rulemaking, considering that both major party candidates for Governor or New Mexico have said their administrations will make major changes to the NMTEACH system in their tenures.

Timing of Rule Change

At least one of the two major candidates for Governor of New Mexico has called for New Mexico to withdraw from use of the PARCC exam. Additionally, legislation has been introduced in the New Mexico State Senate to discontinue the use of the PARCC exam in

previous years, and is likely to be re-introduced in the 2019 Legislative Session. For reasonable observers, it seems that the continued use of PARCC in New Mexico is limited.

As with all NM PED administrative rule changes over the summer of 2018, we question the wisdom of instituting such sweeping changes when it is likely to result in repeals, modifications, or confusion in the coming year. As educational professionals, we know that disruptions in student learning are problematic, and it is unwise to institute such changes at this time.

We assume that such changes are not purposely being made to tie the incoming administration's hands, but rather that this political reality has simply not been considered until this point.

We sincerely hope you will take these comments into consideration as you begin to reflect on the feedback you are receiving from stakeholders on these proposed changes. It is our firm belief the NM PED has the ability and obligation to respond in a meaningful way to this feedback and relent from this proposed course of action.

Sincerely,

Stephanie Ly
President, AFT NM

Kathy Chavez
Executive Vice President, AFT NM

Ryan Ross
K-12 Vice President, AFT NM

Ellen Bernstein
President, Albuquerque Teachers Federation

Public comment regarding new graduation requirements

Bernice Gentry <bernice@gordonbernell.org>

Fri 6/29/2018 2:39 PM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

Cc:Pena-Hanson, Kimberlee <kimberlee@gordonbernell.org>; Beth Dorado <beth@gordonbernell.org>; Bernice Gentry <bernice@gordonbernell.org>;

📎 1 attachment

PED Public Comment Letter.docx;

Good Afternoon,

Please see the attached letter regarding the Test of Adult Basic Education (TABE) proposed changes for graduation requirements.

Bernice Gentry, Math Teacher



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June 29, 2018

Jamie Gonzales
Policy Division
New Mexico Public Education Department
300 Don Gaspar Avenue, Room 101
Santa Fe, New Mexico 87501

Good Afternoon,

My name is Bernice Gentry and I am a Math Teacher at Gordon Bernell Charter School which is located at the Metropolitan Detention Center in Albuquerque, New Mexico. I wish to make a public comment on the following position regarding TABE scores for our students.

Position 2

Both TABE reading and math scores are essential for understanding the basic adult skills and knowledge our returning citizens are equipped with. Literacy and numeracy skills are central to our vision, mission, and 90 day plans. Recognized nationally as a standardized measure, TABE deserves a place on the list of approved assessments.

As stated above, Gordon Bernell Charter School (GBCS) is located within the walls of the Metropolitan Detention Center (MCD) in Albuquerque, New Mexico. GBCS is a high school, not a GED program, which strives not only to educate the incarcerated, but to provide guidance and life skills in the hopes of redirecting their choices when they are released. Our mission is "Changing Lives From The Inside Out" as we realize that it is not only the education factor that changes a person, but learning to deal with past trauma, recovery from addictions, relationships, and self-worth as well.

For many of our inmate students incarcerated at MDC, GBCS is a last chance program that will help them to regain their sense of dignity as they begin to walk the road of education once again. When they enter our classrooms and find that they can actually do the work, they are often surprised and highly motivated to change. Living lives of chaos is stressful so many are ready and willing to work hard in order to make the difference. Confidence plays a big role in that transition and teachers at

GBCS are always ready to simultaneously encourage and educate students in that transition.

The Test of Adult Basic Education (TABE) is one of the tools we use to measure academic skills and to build confidence. We use cut scores provided by the state when using this assessment for graduation as our student population is very different from other high schools because the majority of our students have been out of school for several years. TABE scores allow us to evaluate the basic adult skills and knowledge of individual students when they enter our program as well as to re-evaluate them as they grow with us. As stated above, literacy and numeracy skills are central to our vision, mission and 90 day plans so TABE is an essential tool we use to measure student growth.

Students are re-tested on TABE every three months, so we have a clear picture of student strengths and weaknesses. Teachers can then work with students individually on their weaknesses and check for comprehension on the next TABE test. As a math teacher, TABE has helped me to help my students when I can reflect on their scores and have a clear understanding of where they are struggling. TABE also helps the students themselves to see where they are having problems and builds self-esteem and confidence as they see better scores over time. I believe that this confidence is the caboose that pushes our students forward and is the critical factor in changing their perspectives and lives.

The journey for our students has been longer than teenage students on the outside and they may not achieve all that younger students can achieve, but they are worth the effort as many of them have futures that they can see through the education and guidance they receive through GBCS. Many will not reach the skills to do PARCC or SBA, but they can reach the skills to do life. This is why TABE deserves a place on the list of approved assessments as it is a nationally recognized assessment.

Thank you for your time.

Bernice Gentry
Math Teacher
Gordon Bernell Charter School

GBCS Graduation Requirements feedback

Beth Dorado <beth@gordonbernell.org>

Sun 7/1/2018 11:11 AM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

 2 attachments

GBCS public comment 6.19.7 NMAC_Strikethrough.docx; GBCS public comment 6.19.7 Overview.docx;

Please find attached two documents from Gordon Bernell Charter School outlining several requests for consideration. Please enable the "see comments" feature to view comments on the strikethrough document. I would appreciate some acknowledgement that this public comment was received before the 7/3 deadline.

Thank you,

Elizabeth Dorado
Academic Counselor
401 Roma NW, 3rd Floor
Albuquerque, New Mexico 87102
Phone: 505-839-8954
Fax: 505-468-7711

[Description: Bernell_Logo_BW](#)

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Gordon Bernell Charter School's following statement is in response to the received Notice of Proposed Rulemaking to obtain input on the proposed repeal of 6.19.7 NMAC, High School Readiness Assessment System for Career and College to be replaced with 6.19.7 NMAC, Demonstration of Competency for High School Graduation.

GBCS recognizes the PED's effort to establish pathways for demonstrating graduation competency that ensure that students are college and career ready and that every student in New Mexico is given an opportunity to earn a meaningful diploma. Our non-traditional students are attempting to re-engage with education after the 'drop-out point' and recognize from experience how meaningful this diploma can be.

As PED collects public comment, GBCS is requesting that several points are taken into review.

Please find attached a copy of the 6.19.7 NMAC_Strikethrough which includes several comments and suggested language requests which address the following themes.

- The rule bestows an incredible amount of authority on the department to release annual publications of a graduation manual. A small team at the Assessment Bureau will be responsible for identifying approved assessments and determining passing scores, screening and selecting approved apprenticeship and internship programs, approving specific programs of study, and attempting to create an exhaustive list of department approved, industry recognized certificates and credentials which apply to each core subject area. This rule is asking the department to stay constantly informed regarding state-wide programming, assessment, and workforce opportunities. Industry and Education experts will all agree that workforce, career, and college requirements are in constant flux. GBCS requests language in the rule which requires the department to maintain multiple stakeholders' involvement in the determination of these very impactful annual decisions. Although the department has historically worked to provide fair and informed guidance, this new rule requires a new level of state-wide awareness of quickly evolving information. As any school counselor who has tried to keep an updated resource binder knows: community partners, program funding, and opportunities often change with the season. Ideally the department should provide well informed industry and education leaders an opportunity to review and provide comment before each impactful update to the department's annual guidance. Additionally, annual guidance could include non-descriptive options available through petition/waiver to account for unanticipated opportunities.
- The exclusion of several current state developed and approved EOCs as options for demonstration of competency negatively impacts students. Especially in science, the exclusion of Anatomy and Physiology, Environmental Science and Physical Science severely limit both the graduation options and programs of study available to students. Due to

the nature of New Mexico's primary demonstration of competency in science only being administered once in high school and the limited opportunities for non-traditional students to participate in the SBA, as well as limited workplace readiness Level 2 assessments available for science, schools need the additional options provided by state developed end of course exams. GBCS requests PED includes EOC exams in the assessment options provided in the guidance of the annual graduation manual, but not specifically name them in rule. Once named in rule, PED eliminates the needed options indefinitely, undermining the work that has been done to create and establish these options, as well as eliminating the option for the state to develop additional EOC options moving forward.

- GBCS students re-engaging with education in a self-paced, mastery-based, continuous enrollment, year round option often miss their opportunity to participate in standardized testing during the prescribed administration windows. The use of ADC's for our students not does necessarily indicate an inability to meet the standards of the primary demonstration of competency, but often is merely a matter of timing. Denying students the opportunity to graduate based solely on their enrollment timeline contradicts the purpose of this document: to provide all students with an opportunity to earn a meaningful diploma. Currently, PED provides the ADC Implementation Waiver as an option for schools serving non-traditional students who are unable to participate multiple times in high stakes standardized testing due to inflexible test administration windows. Ideally, PED could solidify this opportunity to demonstrate extraordinary circumstance in the application of ADC use by including language in this rule protecting the waiver process.
- The deadline for submission of portfolio review should be relative to graduation dates, and not calendar dates, as some institutions do not follow a traditional school calendar.

In relation to the published DRAFT: Demonstration of Competency | Class of 2022 (assumed to be the graduation manual mentioned in rule) GBCS requests several points be considered.

- The EOC option is not mentioned in the tool. GBCS has requested it be removed from language in the rule, and instead be approved through the guidance provided by the annual graduation manual. In the provided draft, EOCs are only present in the flow charts for social studies as the identified primary demonstration of competency and are missing from the Level One and Level Two Assessment lists. Reducing EOC options is detrimental. Preserving options is preferred.
- The TABE assessment and passing score has been preserved for Math, but is now absent in Reading. This instrumental assessment is key to SAM schools who have dedicated funding and training to utilizing this nationally normed standards based assessment.

- GBCS awaits both initial lists of approved assessments, workforce and industry benchmarks, and transitional opportunities as well as continued opportunity to include stakeholders' input on these decisions as the labor and education markets evolve.

In closing GBCS recognizes the PED's intent and supports the desire to hold schools accountable to high standards, as long as multiple pathways are provided and their interpretations remain informed.

PROPOSED REPEAL AND REPLACE_5-25-18

**TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 19 PUBLIC SCHOOL ACCOUNTABILITY
PART 7 DEMONSTRATION OF COMPETENCY FOR HIGH SCHOOL
GRADUATION**

6.19.7.1 ISSUING AGENCY: Public Education Department, herein after the department.

[6.19.7.1 NMAC – Rp, 6.19.7.1 NMAC, 07/24/2018]

6.19.7.2 SCOPE: This rule shall apply to public schools, state educational institutions, and state agencies enrolling high school students except for institutions of higher education and the New Mexico military institute. The rule shall apply beginning with the graduating class of 2022. If any part or application of this rule is held invalid, the remainder of the rule or its application in other situations shall not be affected.

[6.19.7.2 NMAC – Rp, 6.19.7.2 NMAC, 07/24/2018]

6.19.7.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-2-2, 22-2C-4.1, and 22-13-1.1, NMSA 1978.

[6.19.7.3 NMAC – Rp, 6.19.7.3 NMAC, 07/24/2018]

6.19.7.4 DURATION: Permanent.

[6.19.7.4 NMAC – Rp, 6.19.7.4 NMAC, 07/24/2018]

6.19.7.5 EFFECTIVE DATE: July 24, 2018 unless a later date is cited at the end of a section.

[6.19.7.5 NMAC – Rp, 6.19.7.5 NMAC, 07/24/2018]

6.19.7.6 OBJECTIVE: The objective of this rule is to establish pathways for demonstrating competency in mathematics, reading, writing, science, and social studies for high school graduation. This rule defines eligibility requirements, establishes appropriate assessment options, and outlines requirements for standards-based portfolios.

[6.19.7.6 NMAC – Rp, 6.19.7.6 NMAC, 07/24/2018]

6.19.7.7 DEFINITIONS:

A. “Alternative demonstration of competency” or “ADC” means department-approved, alternative options used to demonstrate competency in mathematics, reading, writing, science, or social studies for high school graduation, specifically alternative assessments and competency-based alternatives as defined in Subsections B and E of 6.19.7.7 NMAC.

B. “Alternative assessment” means a department-approved assessment such as a college placement assessment, end-of-course exam, or diagnostic assessment used to demonstrate competency for high school graduation. Assessments shall be published in the department’s graduation manual, categorized as a level one or level two assessments, and include only nationally and statewide-normed standardized assessments.

(1) Level one assessments are college placement assessments as defined in Subsection D of 6.19.7.7 NMAC and are outlined in the graduation manual.

(2) Level two assessments are workforce readiness assessments and diagnostic assessments as defined in Subsections F and M of 6.19.7.7 NMAC and outlined in the graduation manual.

C. “Artifacts” means independently created student work that demonstrates competency in core content areas. Artifacts may include work from as early as grade ten.

D. “College placement assessment” means a department-approved assessment measuring the readiness of a high school student for success in higher education. College placement assessments shall include nationally-normed standardized assessments used for college admissions, international baccalaureate assessments, or advanced placement exams. Assessments shall be published in the department’s graduation manual.

E. “Competency-based alternative” means department-approved options such as, industry- recognized credentials or certificates, programs of study, dual enrollment credits or standards-based portfolios used to demonstrate competency of state standards for high school graduation.

F. “Core content areas” means mathematics, reading, writing, science, and social studies.

G. “Diagnostic assessment” means a department-approved assessment that measures the accurate placement of students in postsecondary courses.

H. “End-of-course exam” or “EOC” means the department-approved exams administered to assess student content knowledge upon completion of a course.

I. “Local Education Agency” or “LEA” means local school district or state-chartered charter school.

J. “Primary demonstration of competency” means the assessments adopted by the state to serve as the first and preferred indicator of student competency in each core content area.

K. “Program of study” means a progressive continuum of courses that may be offered across grades nine through twelve to provide technical training, training to prepare for employment, and training to prepare for entry into postsecondary education.

L. “Standards-based portfolio” means the collection of artifacts that demonstrate mastery of state standards in writing, science, or social studies.

M. “Workforce readiness assessment” means a department-approved assessment developed for the purpose of measuring the readiness of a high school student for success in a career. Workforce readiness assessments may include department-approved standardized assessments or industry-recognized certifications or credentials. [6.19.7.7 NMAC – Rp, 6.19.7.7 NMAC, 07/24/2018]

6.19.7.8 GENERAL REQUIREMENTS FOR DEMONSTRATIONS OF COMPETENCY:

A. In accordance with 6.19.7 NMAC, the department shall annually develop and publish a graduation manual for each graduating class starting with the class of 2022. The manual shall be published on the department’s website or available upon request. The graduation manual shall include information on graduation requirements, primary demonstrations of competency, alternative assessments, and competency-based alternatives.

B. Students may demonstrate competency in each of the core content areas through the primary demonstration of competency, alternative assessments, or competency-based alternatives as outlined in Sections 10 through 14 of 6.19.7 NMAC.

(1) Standards-based portfolio. Portfolios may only be used for demonstration of competency in writing, science, or social studies. Portfolio artifacts may include student work from as early as grade ten.

(2) Insufficient indicators. Alternative demonstrations of competency of state standards for high school graduation shall not include the following:

(a) artifacts which are not the product of the student's independent work;

(b) collaborations in which an individual student's contributions cannot be distinguished;

(c) teacher or employer recommendations;

(d) artifacts that are not related to content areas required for graduation;

(e) letters of acceptance from higher education institutions with open acceptance policies;

(f) assessments not included in the graduation manual; or

(g) assessments developed by LEAs, schools, or individual teachers.

C. If at the end of grade twelve a student has not demonstrated competency of state standards in the core content areas, the student shall be issued a certificate indicating course credits earned and grade level completed. Students issued a certificate may provide alternative demonstrations of competency within five years of exiting a public school or state educational institution in order to satisfy competency in required core content areas and earn a New Mexico diploma of excellence.

D. Students with an individualized education program (IEP) that provides for individualized graduation indicators shall adhere to the expectations for either the modified or ability option outlined in the graduation manual.

E. Schools shall ensure that all grade eleven students participate in the readiness assessment system pursuant to 22-2C-4.1 NMSA 1978. Students shall select and participate in one or more of the following as defined by the department at no cost to the student:

- (1) a college placement assessment;
- (2) a workforce readiness assessment; or
- (3) an alternative demonstration of competency.

[6.19.7.8 NMAC – Rp, 6.19.7.8 NMAC, 07/24/2018]

6.19.7.9 DATA REPORTING AND GRADUATION RATES:

A. **Data reporting.** LEAs shall provide data documenting the use of ADCs on a timeline and in a format that is in alignment with end of year data reporting requirements. LEAs shall report the percentage of students having graduated under the following categories, disaggregated by the federally required subgroups of students:

- (1) recipients of the New Mexico diploma of excellence who did not utilize an ADC; and
- (2) recipients of the New Mexico diploma of excellence who utilized at least one ADC to demonstrate competency for high school graduation, disaggregated by the type of ADC used and the core content area.

B. **Department audits.** The department may conduct annual, randomized audits at the school and LEA level to ensure the rigor of ADC policies and projects. LEAs shall cooperate with department audits. Audits may include review and analysis of any of the following:

- (1) standards-based portfolio projects;
- (2) scoring of completed standards-based portfolios;
- (3) student records indicating graduation pathways; or
- (4) other information or materials deemed necessary by the department.

C. **Recordkeeping.** Electronic records of alternative demonstrations of competency shall be kept by LEAs for no fewer than five years and in accordance with federal and state requirements.

[6.19.7.9 NMAC – Rp, 6.19.7.9 NMAC, 07/24/2018]

6.19.7.10 DEMONSTRATION OF COMPETENCY IN MATHEMATICS:

A. **Primary demonstration of competency in mathematics.** Students shall attempt to demonstrate competency in mathematics using the primary demonstration of competency in one or more of the following: algebra II, geometry, or integrated mathematics II or III.

B. **Alternative assessments in mathematics.** A student who does not demonstrate competency on the primary demonstration of competency may leverage an alternative assessment. Students shall meet the following eligibility requirements to leverage an alternative assessment to demonstrate competency in mathematics:

- (1) If a student has made one attempt on the primary demonstration of competency in mathematics, the student shall be eligible to use a department-approved level one assessment in mathematics, as defined in the graduation manual.
- (2) If a student has made no fewer than two attempts on the primary demonstration of competency in mathematics, the student shall be eligible to use any of the following assessments to demonstrate competency:

or III;

- (a) EOC in algebra II, geometry, or integrated mathematics II
- (b) level one assessments in mathematics as defined in the graduation manual; or
- (c) level two assessments in mathematics as defined in the graduation manual.

(3) Passing scores to qualify for demonstration of competency using an alternative assessment shall be determined by the department and provided in the graduation manual.

C. Competency-based alternatives in mathematics. A student who does not demonstrate competency on the primary demonstration of competency in mathematics after making no fewer than two attempts may leverage a competency-based alternative.

(1) Students leveraging competency-based alternatives shall accomplish at least one of the following in addition to completing one of the competency-based alternatives outlined in Paragraph 2 of Subsection C of 6.19.7.10 NMAC:

- (a) earn acceptance into a four-year institution of higher education that does not have an open acceptance policy and complete a free application for federal student aid;
- (b) earn a grade of at least 3.0 on a 4.0 scale in the coursework required for graduation in algebra II, geometry, or integrated mathematics II or III;
- (c) meet the performance level of “approaches expectations” on the primary demonstration of competency for algebra II, geometry, integrated mathematics II or III;

- (d) enroll in and pass no fewer than four courses over the duration of grade twelve, including a course in algebra II, geometry, or integrated mathematics;

- (e) earn an offer letter from a branch of the United States military;

- (f) earn acceptance into a department-approved apprentice program; or

- (g) complete a department-approved internship for credit.

(2) A competency-based alternative in mathematics shall be one of the following:

- (a) attainment of a department-approved, industry-recognized certificate or credential in an area that incorporates skills in mathematics, as determined by the department;

- (b) completion of a program of study with courses that integrate state standards for mathematics, as determined by the department, with a minimum grade point average of 3.0 on a 4.0 scale; or

- (c) attainment of at least one dual enrollment credit with a minimum grade of 3.0 on a 4.0 scale in a mathematics course approved by the department.

[6.19.7.10 NMAC – Rp, 6.19.7.10 NMAC, 07/24/2018]

6.19.7.11 DEMONSTRATION OF COMPETENCY IN READING:

A. Primary demonstration of competency in reading. Students shall attempt to demonstrate competency in reading using the primary demonstration of competency in grade eleven English language arts.

B. Alternative assessments in reading. A student who does not demonstrate competency in reading on the primary demonstration of competency may leverage an alternative assessment. Students shall meet the following eligibility requirements to leverage an alternative assessment to demonstrate competency in reading:

(1) If a student has made one attempt on the primary demonstration of competency in reading, the student shall be eligible to use a department-approved level one assessment in English language arts, as defined in the graduation manual.

(2) If a student has made no fewer than two attempts on the primary demonstration of competency in reading, the student shall be eligible to use any of the following assessments to demonstrate competency:

- (a) EOC in grade eleven or twelve reading;

(b) level one assessments in reading as defined in the graduation manual; or
 (c) level two assessments in reading as defined in the graduation manual.

(3) Passing scores to qualify for demonstration of competency using an alternative assessment shall be determined by the department and provided in the graduation manual.

C. Competency-based alternatives in reading. A student who does not demonstrate competency on the primary demonstration of competency in English language arts after making no fewer than two attempts may leverage a competency-based alternative.

(1) Students leveraging competency-based alternatives shall accomplish at least one of the following in addition to completing one of the competency-based alternatives outlined in Paragraph 2 of Subsection C of 6.19.7.11 NMAC:

(a) earn acceptance into a four-year institution of higher education that does not have an open acceptance policy and complete a free application for federal student aid;

(b) earn a grade of at least 3.0 or higher on a 4.0 scale in the coursework required for graduation in grade eleven or twelve English language arts;

(c) meet the performance level of “approaches expectations” on the primary demonstration of competency for grade eleven English language arts;

(d) enroll in and pass no fewer than four courses over the duration of grade twelve including a course in grade twelve English language arts;

(e) earn an offer letter from a branch of the United States military;

(f) earn acceptance into a department-approved apprentice program; or

(g) complete a department-approved internship for credit.

(2) A competency-based alternative in reading shall be one of the following:

(a) attainment of a department-approved, industry-recognized certificate or credential in an area that incorporates skills in grade eleven or twelve reading, as determined by the department;

(b) completion of a program of study with courses that integrate state standards for reading, as determined by the department, with a minimum grade point average of 3.0 on a 4.0 scale; or

(c) attainment of at least one dual enrollment credit with a minimum grade of 3.0 on a 4.0 scale in an English language arts course approved by the department.

[6.19.7.11 NMAC – Rp, 6.19.7.11 NMAC, 07/24/2018]

6.19.7.12 DEMONSTRATION OF COMPETENCY IN WRITING:

A. Primary demonstration of competency in writing. Students shall attempt to demonstrate competency in writing using the primary demonstration of competency in grade eleven English language arts.

B. Alternative assessments in writing. A student who does not demonstrate competency on the primary demonstration of competency may leverage an alternative assessment. Students shall meet the following eligibility requirements to leverage an alternative assessment to demonstrate competency in writing:

(1) If a student has made one attempt on the primary demonstration of competency in writing, the student shall be eligible to use a department-approved level one assessment in writing, as defined in the graduation manual.

(2) If a student has made no fewer than two attempts on the primary demonstration of competency in writing, the student shall be eligible to use any of the following assessments to demonstrate competency:

(a) EOC in grade eleven or twelve writing;

(b) level one assessments in writing as defined in the graduation manual; or

(c) level two assessments in writing as defined in the graduation manual.

(3) Passing scores to qualify for demonstration of competency using an alternative assessment shall be determined by the department and provided in the graduation manual.

C. Competency-based alternatives in writing. A student who does not demonstrate competency on the primary demonstration of competency in grade eleven English language arts after making no fewer than two attempts may leverage a competency-based alternative.

(1) Students leveraging competency-based alternatives shall accomplish at least one of the following in addition to completing one of the competency-based alternatives outlined in Paragraph 2 of Subsection C of 6.19.7.12 NMAC:

(a) earn acceptance into a four-year institution of higher education that does not have an open acceptance policy and complete a free application for federal student aid;

(b) earn a grade point average of at least 3.0 on a 4.0 scale in the coursework required for graduation in grade eleven or twelve English language arts;

(c) meet the performance level of “approaches expectations” on the primary demonstration of competency for grade eleven English language arts;

(d) enroll in and pass no fewer than four courses over the duration of grade twelve including a course in grade twelve English language arts;

(e) earn an offer letter from a branch of the United States military;

(f) earn acceptance into a department-approved apprentice program; or

(g) complete a department-approved internship for credit.

(2) A competency-based alternative in writing shall be one of the following:

(a) attainment of a department-approved, industry-recognized certificate or credential in an area that incorporates skills in grade eleven or twelve writing, as determined by the department;

(b) completion of a program of study with courses that integrate state standards for writing, as determined by the department, with a minimum grade point average of 3.0 on a 4.0 scale;

(c) attainment of at least one dual enrollment credit with a minimum grade of 3.0 on a 4.0 scale in an English language arts course approved by the department; or

(d) completion of a standards-based portfolio demonstrating mastery of grade eleven or twelve state writing standards.

(3) A student leveraging a standards-based portfolio to demonstrate competency in writing shall provide artifacts that demonstrate the student’s ability to apply the knowledge and skills articulated in grade eleven or twelve writing state standards. Portfolio artifacts shall demonstrate the student’s ability to produce clear and coherent writing in which the development, organization, and style are appropriate to the task, purpose, and audience.

[6.19.7.12 NMAC – Rp, 6.19.7.12 NMAC, 07/24/2018]

6.19.7.13 DEMONSTRATION OF COMPETENCY IN SCIENCE:

A. Primary demonstration of competency in science. Students shall attempt to demonstrate competency in science using the primary demonstration of competency in grade eleven science.

B. Alternative assessments in science. A student who does not demonstrate competency on the primary demonstration of competency in grade eleven science may leverage an alternative assessment. Students shall meet the following eligibility requirements to leverage an alternative assessment to demonstrate competency in science:

(1) If a student has made one attempt on the primary demonstration of competency in science, the student shall be eligible to use a department-approved level one assessment in science, as defined in the graduation manual.

(2) If a student has made no fewer than two attempts on the primary demonstration of competency in science, the student shall be eligible to use any of the following assessments to demonstrate competency:

- (a) EOC in biology, chemistry, or physics;
- (b) level one assessments in science as defined by the graduation manual; or
- (c) level two assessments in science as defined by the graduation manual.

(3) Passing scores to qualify for demonstration of competency using an alternative assessment shall be determined by the department and provided in the graduation manual.

C. Competency-based alternatives in science. A student who does not demonstrate competency on the primary demonstration of competency in science after making no fewer than two attempts may leverage a competency-based alternative.

(1) Students leveraging competency-based alternatives shall accomplish at least one of the following in addition to completing one of the competency-based alternatives outlined in Paragraph 2 of Subsection C of 6.19.7.13 NMAC:

- (a) earn acceptance into a four-year institution of higher education that does not have an open acceptance policy and complete a free application for federal student aid;
- (b) earn a grade of at least 3.0 on a 4.0 scale in the coursework required for graduation in high school science;
- (c) meet the performance level of “approaches expectations” on the primary demonstration of competency in grade eleven science;
- (d) enroll in and pass no fewer than four courses over the duration of grade twelve including a course in high school science;
- (e) earn an offer letter from a branch of the United States military;
- (f) earn acceptance into a department-approved apprentice program; or
- (g) complete a department-approved internship for credit.

(2) A competency-based alternative in science shall be one of the following:

- (a) attainment of a department-approved, industry-recognized certificate or credential in an area that incorporates skills in science, as determined by the department;
- (b) completion of a program of study with courses that integrate state standards for science, as determined by the department, with a minimum grade point average of 3.0 on a 4.0 scale;
- (c) attainment of at least one dual enrollment credit with a minimum grade of 3.0 on a 4.0 scale in a science course approved by the department; or
- (d) completion of a standards-based portfolio demonstrating mastery of grade eleven or twelve state science standards.

(3) A student leveraging a standards-based portfolio to demonstrate competency in science shall provide artifacts that demonstrate the student’s ability to apply the knowledge and skills articulated in the state standards for biology, chemistry, or physics.

[6.19.7.13 NMAC – Rp, 6.19.7.13 NMAC, 07/24/2018]

6.19.7.14 DEMONSTRATION OF COMPETENCY IN SOCIAL STUDIES

A. Primary demonstration of competency in social studies. Students shall attempt to demonstrate competency in social studies using the primary demonstration of competency in one or more of the following: U.S. history and geography, world history and geography, U.S. government, or economics.

B. Alternative assessments in social studies. A student who does not demonstrate competency on the primary demonstration of competency may leverage an alternative assessment. Students shall meet the following eligibility requirements to leverage an alternative assessment to demonstrate competency in social studies:

(1) If a student has made one attempt on the primary demonstration of competency in social studies, the student shall be eligible to use a department-approved level one assessment in social studies, as defined in the graduation manual.

(2) If a student has made no fewer than two attempts on the primary demonstration of competency in social studies, the student shall be eligible to use a level one assessment in social studies as defined in the graduation manual.

(3) Passing scores to qualify for demonstration of competency using an alternative assessment shall be determined by the department and provided in the graduation manual.

C. Competency-based alternatives in social studies. A student who does not demonstrate competency on the primary demonstration of competency in social studies after making no fewer than two attempts may leverage a competency-based alternative.

(1) Students leveraging competency-based alternatives shall accomplish at least one of the following in addition to completing one of the competency-based alternatives outlined in Paragraph 2 of Subsection C of 6.19.7.14 NMAC:

(a) earn acceptance into a four-year institution of higher education that does not have an open acceptance policy and complete a free application for federal student aid;

(b) earn a grade of at least 3.0 on a 4.0 scale in the coursework required for graduation in U.S. history and geography, world history and geography, U.S. government, or economics;

(c) meet the performance level of “approaches expectations” on the primary demonstration of competency in U.S. history and geography, world history and geography, U.S. government, or economics;

(d) enroll in and pass no fewer than four courses over the duration of grade twelve including a course in U.S. history and geography, world history and geography, U.S. government, or economics;

(e) earn an offer letter from a branch of the United States military;

(f) earn acceptance into a department-approved apprentice program; or

(g) complete a department-approved internship for credit.

(2) A competency-based alternative in social studies shall be one of the following:

(a) attainment of a department-approved, industry-recognized certificate or credential in an area that incorporates skills in social studies, as determined by the department;

(b) completion of a program of study with courses that integrate state standards for social studies, as determined by the department, with a minimum grade point average of 3.0 on a 4.0 scale;

(c) attainment of at least one dual enrollment credit with a minimum grade 3.0 on a 4.0 scale in a social studies course approved by the department; or

(d) completion of a standards-based portfolio demonstrating mastery in U.S. government and economics.

(3) A student leveraging a standards-based portfolio to demonstrate competency in social studies shall provide artifacts that demonstrate the student’s ability to apply the knowledge and skills articulated in the state standards for U.S. government and economics.

[6.19.7.14 NMAC – Rp, 6.19.7.14 NMAC, 07/24/2018]

6.19.7.15 PORTFOLIO: Portfolio projects may be developed by LEAs.

A. Portfolio completion and scoring shall be based on the following:

(1) state standards for specific core content areas; and

(2) department-approved scoring rubrics.

B. Portfolios shall be submitted to a local review team no later than May 1 of the year of graduation under the guidance of a school administrator.

C. LEAs and charters shall establish a local review teams to score portfolios. Local review teams shall complete annual, department-approved rubric training.

Members of a local review team shall complete trainings required by the department prior to the review of any portfolios. The review team shall include, at a minimum:

- (1) a representative from a partnering postsecondary institution or a member of the business community;
 - (2) a highly effective or exemplary high school teacher as measured by the NMTEACH evaluation system as defined in 6.69.8 NMAC;
 - (3) a district level employee or school administrator;
 - (4) a member of tribal leadership or a designee, if applicable;
 - (5) the student's IEP case manager, if applicable; and
 - (6) a member of the local school board or governing body.
- [6.19.7.15 NMAC – Rp, 6.19.7.15 NMAC, 07/24/2018]

HISTORY OF 6.19.7 NMAC: [RESERVED]

~~TITLE 6 PRIMARY AND SECONDARY EDUCATION CHAPTER 19 PUBLIC SCHOOL ACCOUNTABILITY PART 7 HIGH SCHOOL READINESS ASSESSMENT SYSTEM FOR CAREER AND COLLEGE~~

~~**6.19.7.1 ISSUING AGENCY:** Public Education Department
[6.19.7.1 NMAC – N, 1/30/2009]~~

~~**6.19.7.2 SCOPE:** This rule shall apply to public schools, state educational institutions except for institutions of higher education and the New Mexico military institute, and state agencies enrolling high school students.
[6.19.7.2 NMAC – N, 1/30/2009]~~

~~**6.19.7.3 STATUTORY AUTHORITY:** Sections 22-2-1, 22-2-2, 22-2C-4.1, and 22-13-1.1, NMSA 1978.
[6.19.7.3 NMAC – N, 1/30/2009]~~

~~**6.19.7.4 DURATION:** Permanent
[6.19.7.4 NMAC – N, 1/30/2009]~~

~~**6.19.7.5 EFFECTIVE DATE:** January 30, 2009 unless a later date is cited at the end of a section.
[6.19.7.5 NMAC – N, 1/30/2009]~~

~~**6.19.7.6 OBJECTIVE:** The objective of this rule is to establish procedures for implementing the high school readiness assessment system, including: (a) the process for identifying acceptable short cycle diagnostic type assessment instruments for grades nine and ten; (b) identification of acceptable college placement and workforce readiness assessments; and (c) specific requirements for alternate demonstration of competency in the New Mexico's academic content standards required for high school graduation.
[6.19.7.6 NMAC – N, 1/30/2009]~~

~~**6.19.7.7 DEFINITIONS:**~~

~~**A. "Academic content standard"** means a statement about performance that describes what students should know and be able to do in the content areas at each grade level and for high school. The purpose of content standards is to create a common curriculum so that students who move from school to school or from district to district have access to the same curriculum, and so that teachers know what they are supposed to teach.~~

~~**B. "Artifacts"** means works independently created by students that serve as evidence addressing the standards based indicators.~~

~~**C. "Career cluster"** means a grouping of occupations in industry sectors based on recognized commonalities. Career clusters provide an organizing tool for developing instruction within the educational system.~~

D. “College placement assessment” means a nationally normed exam used for placement into postsecondary courses.

E. “Department” means the public education department (“PED”).

F. “District” means the geographic boundary in which a K-12 set of schools resides, under the supervision of a locally elected board of education.

G. “Electronic student management system” means an individual student-based, interactive system for personal management and review of requirements associated with graduation and being ready for college or the workforce.

H. “End of course examination” means an exam administered to assess student content knowledge upon completion of a course.

I. “Performance standard” means a statement describing the specific level of mastery expected in achieving the content standards.

J. “Portfolio” means a collection of student produced artifacts that demonstrate competence of standards using standards-based indicators in a set electronic format with fixed categories of student information and artifacts.

K. “Postsecondary school” means a public postsecondary educational institution operating in the state, including a community college, branch community college, and four year educational institutions.

L. “School administrator” means the superintendents, and administrators of public schools, state educational institutions, and state agencies.

M. “Short cycle diagnostic type assessment” means a formative measure that is regularly used to assess student performance over a short time period.

N. “Standards based indicators” means multiple and varied measures that are aligned to the state content and performance standards and that demonstrate student competency in the subject areas required for graduation.

O. “State educational institutions” means those institutions enumerated under Article 12, Section 11 of the New Mexico State Constitution, except for institutions of higher education and the New Mexico military institute.

P. “Workforce readiness assessment” means a criterion referenced assessment developed for the purposes of assessing skill levels needed for clusters or categories of related jobs or for employment in a specific field of work. Workforce readiness assessments may include standardized assessments, industry certifications or licensure. [6.19.7.7 NMAC – N, 1/30/2009]

6.19.7.8 NINTH AND TENTH GRADE SHORT CYCLE DIAGNOSTIC TYPE ASSESSMENTS

A. Short cycle diagnostic type assessments in reading, language arts and mathematics shall be administered to all ninth and tenth grade students in the fall of each year and at least two other times during the school year. The tenth grade short cycle diagnostic type assessment shall also serve as an early indicator of college readiness.

B. Any student who may have skipped either the ninth or tenth grade for whatever reason, must take at least one of the three administered grade level short cycle diagnostic type assessments in each of reading, language arts and mathematics for whichever grade level that was skipped.

C. No later than September 30, 2009, the department shall approve at least one short cycle diagnostic type assessment for statewide administration subject to the results of an impartial alignment study with the New Mexico content standards and performance benchmarks.

D. Any school district, charter school, state educational institution or state agency wishing to develop or adopt their own local short cycle diagnostic type assessments must present the assessment instruments to the department for approval before administering them to satisfy the requirements of 6.19.7.8 NMAC.

E. Accommodations for students with disabilities and limited English proficiency shall be made in accordance with Subsection K of 6.30.2.10 NMAC.

F. Results of the short cycle diagnostic type assessments shall be reported in written form in a format and language understandable to students, parents and school administrators as soon as possible, but no later than four weeks from the date of administration of the assessments.

~~G. The assessments and written or orally provided assessment results specified in Subsections A and B of 6.19.7.8 NMAC shall be provided to all ninth and tenth grade students at no cost to students or parents.
[6.19.7.8 NMAC – N, 1/30/2009]~~

6.19.7.9 ELEVENTH GRADE COLLEGE AND WORKFORCE READINESS ASSESSMENTS

~~A. By fall of 2009, school administrators shall ensure that all eleventh grade students choose and participate in one of the following: a college placement assessment, a workforce readiness assessment, or alternate demonstration of competency using standards based indicators.~~

~~B. By fall of 2009, the department shall approve one college placement assessment for statewide implementation.~~

~~C. By fall of 2010, the department shall approve at least one workforce readiness assessment and identify industry certifications that are appropriate for each of the state's designated career clusters.~~

~~D. Participation in the high school readiness assessment system shall be provided at no cost to students.
[6.19.7.9 NMAC – N, 1/30/2009]~~

6.19.7.10 ALTERNATE DEMONSTRATION OF COMPETENCY USING STANDARDS BASED INDICATORS

~~A. Alternate demonstration of competency of high school exit requirements using standards based indicators may include, but is not limited to the following:~~

- ~~(1) results from post secondary nationally normed assessments;~~
- ~~(2) results from workforce readiness assessments;~~
- ~~(3) results from end of course examinations;~~
- ~~(4) school based projects such as extended papers, themes, theses, or research projects;~~
- ~~(5) performances or works of art that can be recorded in an electronic format; and~~
- ~~(6) community based projects such as internships, service learning, pre-apprenticeship, or after school job performance.~~

~~B. The alternate demonstration of competency must not contain the following:~~

- ~~(1) products not the result of the student's independent work;~~
- ~~(2) projects that involve vertebrate animal subjects;~~
- ~~(3) collaborations where an individual student's contributions cannot be distinguished;~~
- ~~(4) course grades, teacher or employer recommendations or testimonials;~~
- ~~(5) artifacts that are not related to the content standards required for graduation;~~
- ~~(6) material that is inflammatory, derogatory, or humiliating.~~

~~C. All projects, including those involving human subjects and microorganisms, or other potentially hazardous biological agents, must follow the international rules and guidelines governing the international science and engineering fair.~~

~~D. Requirements for alternate demonstration of competency using standards based indicators:~~

- ~~(1) Students must have participated in the short cycle diagnostic type assessments at ninth and tenth grades in the required subject areas at least once and before submitting artifacts to be considered for alternate demonstration of competency.~~
- ~~(2) Students who have participated in a college placement or workplace readiness assessment may create a portfolio of artifacts as further evidence of competency or to submit to postsecondary institutions, potential employers, businesses, community organizations, or any institution that requires educational credentials for admission, scholarships, employment, partnerships, internships, apprenticeships, or any opportunity for advancement in learning, earning potential, military service, and citizenship.~~

~~(3) Assembly of the portfolio may incorporate artifacts from as early as grade nine.~~

~~(4) Students may submit a portfolio in English, Spanish, or in a Native American language of an Indian nation, tribe or pueblo located in New Mexico as per conditions of a tribal/public education department memorandum of agreement.~~

~~(5) Alternate demonstrations of competency shall not be used for federal accountability requirements and will not be included in adequate yearly progress (AYP) calculations. Students who receive a New Mexico diploma of excellence and who have demonstrated competency through the compilation of a portfolio shall be considered to have graduated and shall count as high school graduates.~~

~~(6) Students may provide alternate demonstrations of competency using standards based indicators within five years of exiting a public school or state educational institution in order to satisfy competency in required subject areas and receive a New Mexico diploma of excellence.~~

~~(7) Unless special accommodations are required, portfolios shall be submitted to school authorities electronically, use uniform templates, and follow procedures established by the department.~~

~~(8) School administrators shall establish local procedures for determining whether the alternate demonstration of competency:~~

~~(a) is complete and scorable;~~

~~(b) addresses the appropriate academic content standards; and~~

~~(c) be determined as adequately showing competency.~~

~~(9) Electronic documentation of alternate demonstrations of competency shall be stored electronically by the district for five years from the time of submission.~~

~~(10) If at the end of grade 12 a student has not demonstrated competency in the required subject areas on standards based indicators, the student will be issued a certificate indicating course credits earned and grade level completed.~~

~~[6.19.7.10 NMAC – N, 1/30/2009]~~

~~**6.19.7.11 ELECTRONIC STUDENT MANAGEMENT SYSTEM:** The results from the student's participation in the high school readiness assessment system, along with the next step plan and other graduation related requirements in accordance with Section 22-13-1.1, NMSA 1978, shall be maintained in the electronic student management system.~~

~~[6.19.7.11 NMAC – N, 1/30/2009]~~

~~**HISTORY OF 6.19.7 NMAC: [RESERVED]**~~

RE: New Graduation Requirements - Public Comment Appreciated

Simon Gutierrez <simon@gordonbernell.org>

Mon 7/2/2018 11:26 AM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

Position 1:

Proposed rule specifically names a limited number of EOC exams that can be used as a demonstration of competency for graduation. Gordon Bernell Charter School is requesting that EOCs (like other alternative assessments) not be specifically named in the new rule, which solidifies and bounds options indefinitely, but instead includes EOC exams as an option in the annually published guidance known as the graduation manual. This would allow for the inclusion of current state developed EOC exams like Environmental Science (currently eliminated in the proposed rule) and the possibility of additional state developed EOC exams in the future. Science options are particularly important as there is limited access to the primary demonstration of competency in this area.

Position 2

Both TABE reading and math scores are essential for understanding the basic adult skills and knowledge our returning citizens are equipped with. Literacy and numeracy skills are central to our vision, mission, and 90 day plans. Recognized nationally as a standardized measure, TABE deserves a place on the list of approved assessments.

One of our students have been able to measure his success through the TABE assessment throughout the year, which has helped him better prepare for college and his own progress. As a result of his measurements he scored high on his Accuplacer college exam this summer.

Position 3

Re-engaged students participating in a self-paced, mastery-based program utilizing a continuous enrollment, year-round model often miss standardized assessment windows. Use of an alternative assessment by our students doesn't necessarily imply an inability to meet the primary demonstration of competency, but is often due to timing of enrollment. GBCS requests language which provides an opportunity to explain extraordinary circumstances and allow for alternative options even when required 2 PARCC and SBA attempts are not met.

At one of our campuses, we had a returning student after a year, who needed to pass an environmental EOC (alternative assessment) test to complete his graduation requirements. Because of his determination, he was able to study, take, and pass this EOC. As a result he is now attending college this summer 2018.

Position 4

Proposed rule requires portfolios be submitted for local review by May 1st. This is restrictive for students utilizing continuous enrollment, self paced, year round programs. GBCS requests language is tied to time period leading up to graduation date instead of a calendar date

For example, one of our students started late in the year, missing one credit to graduate and obtain his diploma. He is a special education student, but because of his commitment and support, he completed the required credit and graduated this year. As a result, he will start CNM this Fall.

Position 5

GBCS is requesting that the Assessment and Evaluation Bureau adopts a community mentality and not be responsible for identifying approved assessments and determining passing scores, screening and selecting approved apprenticeship and internship programs, approving specific programs of study, and attempting to create an exhaustive list of department approved, industry recognized certificates and credentials which apply to each core subject area in a void. Proposed rule requires the department to release annual update to the graduation manual which includes all of this information. Recognizing this is a mighty task to remain informed about state-wide programs and opportunities, we request the department release updates early, giving stakeholders in education and the labor market time to review and respond before options are solidified for the upcoming year.

Thank you for your time and effort, as well as your service for our state.

Simon Gutierrez

Special Education Coordinator/ Teacher

Gordon Bernell Charter School

505-468-7701

Fax: 505-468-7711

simon@gordonbernell.org

Changing lives from the inside out.



Public Comment for 6.19.7 NMAC

Monica Almond <malmond@all4ed.org>

Tue 7/3/2018 9:58 AM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

Cc:Gonzales, Jamie, PED <Jamie.Gonzales@state.nm.us>; Phillip Lovell <plovell@all4ed.org>;

 1 attachment

NM_ADC_PublicCommentAll4Ed (Final).pdf;

Good day, we appreciate the opportunity to comment on the proposed changes to 6.19.7 NMAC. Please accept our enclosed public comment. Don't hesitate to contact us with any questions.

Thank you kindly,

Monica

Monica R. Almond, Ph.D.

Senior Associate, Policy Development and Government Relations
Alliance for Excellent Education
1201 Connecticut Avenue, NW, Suite 901
Washington, DC 20036
P: 202.828.0828 F: 202.828.0821
www.all4ed.org

[@MonicaRAlmond](#)

"We ought not to seek greatness; we ought to seek to serve, and when we seek to serve, we will bump into greatness along the way." [Dr. Benjamin E. Mays](#) (teacher, preacher, mentor, scholar, author, civil rights activist, and former president of Morehouse College)



July 3, 2018

Christopher N. Ruszkowski
Secretary
New Mexico Public Education Department
300 Don Gaspar Avenue
Santa Fe, NM 87501

Dear Secretary Ruszkowski:

The Alliance for Excellent Education (All4Ed) applauds the New Mexico Public Education Department (the NMPED) for further strengthening its high school graduation requirements through its proposed Demonstration of Competency for High School Graduation policy.

All4Ed is a national policy, practice, and advocacy organization dedicated to ensuring that all students, particularly those underperforming and those historically underserved, graduate from high school ready for success in college, work, and citizenship. Having analyzed high school graduation requirements across the country in a recent report, [*Paper Thin: Why All High School Diplomas Are Not Created Equal*](#), All4Ed applauds New Mexico's efforts to strengthen the quality of the state's high school diploma.

In the NMPED's proposed rule change that would repeal 6.19.7 New Mexico Administrative Code (NMAC), High School Readiness Assessment System for Career and College with 6.19.7 NMAC, Demonstration of Competency for High School Graduation, All4Ed supports several recommendations, including the following:

- Provide an opportunity for students who have been unsuccessful in passing an assessment option to pursue a non-assessment alternate demonstration of competency (ADC) in a window of time that ensures a non-assessment ADC is a viable option leading to a high school diploma.
- Require the disaggregation of data by each ADC and by student subgroup (differentiated from students not graduating with an ADC) to determine which students are graduating with which ADC. Transparency in data reporting is essential to ensure that unique student subgroups are afforded opportunities to access both rigor and diverse and supportive pathways to high school graduation.
- Strengthen the standards-based portfolio option by ensuring parity in rigor across school districts and requiring local review teams to complete annual department-approved rubric training and utilize department-approved scoring rubrics. These efforts can lead to consistency of scoring across schools and districts and lead to the satisfactory completion of

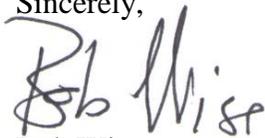
standards-based portfolios that reflect student mastery of the state’s academic standards and provides for a robust alternative to high-stakes assessments.

- Enable students to demonstrate competency through attainment of at least one dual-enrollment credit in a subject the student did not demonstrate proficiency. Research shows that participation in dual-enrollment programs has positive effects for students. For example, one study finds that students who participate in dual-enrollment programs immediately enroll in college after high school graduation at a rate that is 19 percentage points higher than the national average.¹

Although All4Ed supports the above recommendations, reservations remain with the current recommendations that will prevent a student from earning a high school diploma if the student fails to satisfy an ADC for any of the five required demonstrations of competency. Rather than penalizing a student from graduating with his or her peers if the student fails to satisfy an ADC—particularly if the student passed the required course work and was promoted from grade to grade throughout the system—All4Ed recommends allowing the student to earn a high school diploma but not including the student in the local/district/state graduation rate. This would place the accountability appropriately on the system for poorly preparing students to meet state-set graduation requirements, rather than punishing the student once he or she reaches the end of the system.

All4Ed values greatly the work the NMPED is doing to improve the educational experience for students in the state and appreciates the opportunity to offer these public comments. All4Ed looks forward to the continued partnership as the NMPED strengthens both policy and practice that will ensure all students have access to resources, supports, and opportunities to receive a meaningful college- and career-ready high school diploma.

Sincerely,

A handwritten signature in black ink that reads "Bob Wise". The signature is written in a cursive, slightly slanted style.

Bob Wise
President

¹ J. A. Edmunds et al., “Smoothing the Transition to Postsecondary Education: The Impact of the Early College Model,” *Journal of Research on Educational Effectiveness*, 10, no. 2 (2017).

FW: ADC Response Letter

Gonzales, Jamie, PED

Tue 7/3/2018 12:33 PM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

 2 attachments

PED 1.jpeg; Scan 1.jpeg;

From: Ruszkowski, Christopher, PED
Sent: Tuesday, July 03, 2018 9:33 AM
To: Gonzales, Jamie, PED; Mastalir, Dawn, PED; Alikhani, Lida, PED; Eden, Ashley R, PED; Henzerling, Jane, PED; Montano, Matthew, PED; Pelayo, Icela, PED
Subject: FW: ADC Response Letter

Please read the attached.

Christopher N. Ruszkowski
Secretary of Education
New Mexico Public Education Department
300 Don Gaspar Ave
Santa Fe, NM 87501
Office: 505.827.6688

From: Stan Rounds [mailto:stan@nmccl.org]
Sent: Monday, July 02, 2018 9:18 PM
To: Ruszkowski, Christopher, PED
Subject: ADC Response Letter

Dear Mr. Secretary:

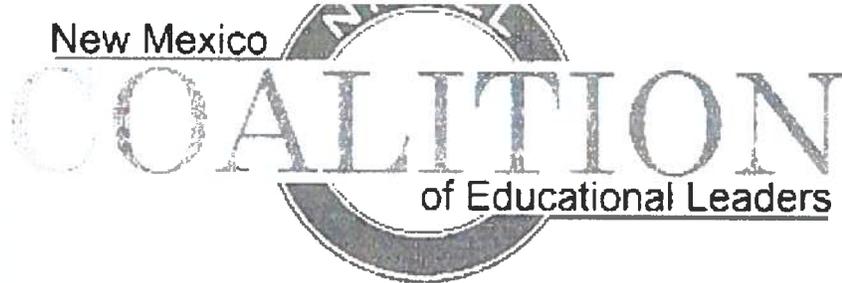
Pursuant to our multiple conversations and our recent telephone call, please find attached a joint letter from myself and Joe Guillen on behalf of our two organizations regarding the proposed rule 6.19.7 NMAC being heard on July 3, 2019 for student graduation requirements and corresponding rules on ADC. We request that you make the correspondence part of the record for the hearing. In our recent telephone conversation you indicated that such correspondence would be held in equal regard with a physical appearance by us at the hearing.

We look forward to a follow through conversation and consideration of our concerns. Thank you for the opportunity to react to the proposed rule and thanks in advance for the subsequent collaboration.

Best Regards:

Stan

Stan Rounds
Executive Director
New Mexico Coalition of Educational Leaders and
New Mexico School Superintendents Association
6600 Palomas, NE
Albuquerque, New Mexico 87109
Cell: 575-915-7868
Office: 505-217-2345
stan@nmcel.org



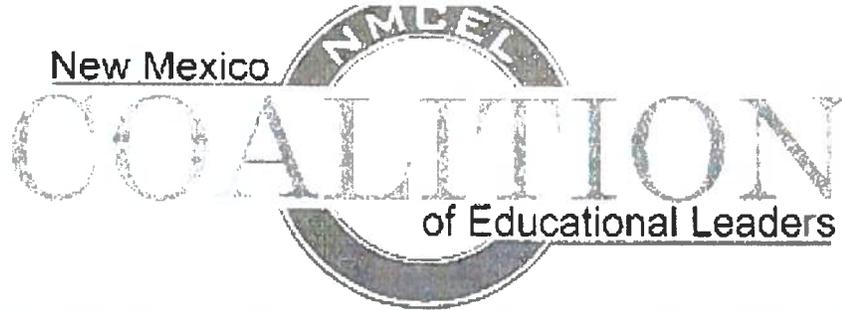
July 2, 2018
Christopher Ruzowski
Secretary
New Mexico Public Education Department
Jerry Apodaca Building
300 Don Gaspar
Santa Fe, New Mexico 87501

Dear Mr. Secretary:

This letter is filed via e-mail with you today in response to your NMPRM Notice for 6.19.7 NMAC and is filed on behalf of the New Mexico Coalition of Educational Leaders, the New Mexico School Superintendents Association and the New Mexico School Boards Association. We request that it be read into the record during the published hearing on July 3, 2019 in Santa Fe, New Mexico. We ask that it become part of the consideration of modification to the proposed rule and that the information and position of those practitioners who will be required to implement the rule be heavily considered. Herewith are the points that we make:

1. The implementation of a rule such as the one being considered for the graduating class on 2022 is likely to be changed by the incoming administration of either party in January, 2019. This makes the implementation schedule for entering freshmen of the class of 2022 likely to be the only class that would be drawn into the requirement and place improper differential treatment on them. For that reason, we suggest that the implementation be postponed until the class of 2023 allowing for the appropriate consideration to be given the "new administration" that will be empowered in January, 2019. This is in keeping with a resolution adopted by the NMSBA for the Legislative Session of 2018. Action – amend 6.19.7.8 to read 2023 in lieu of 2022.
2. Competency based alternatives should be made available to students immediately upon the completion of the first attempt to become eligible to utilize "competency based alternatives." It is unreasonable and ineffective and unreasonable to require students to "sit for" two attempts before being allowed to utilize alternative means to demonstrate competency. If such "competency-based alternatives" are to be used, then local opportunity should be provided immediately to deal with the student's demonstration of competency.

New Mexico Coalition of Educational Leaders
Stan Rounds, Executive Director
6600 Palomas, NE
Albuquerque, NM 87109
Phone: (505) 217-2345 | Email: nmcel@nmcel.org



3. The "Primary List of Competency-Based Alternatives" for which each student must complete appears to over-reach the purview of the State PED. Further, it substantially expands the duties of high school counselors during a time of "over extension" already in place in their work loads. It is unlikely that the current resource allocation for high school counselors and other "operatives" necessitated by this rule is insufficient to support the rule as written and will provide a disservice for the students of the class of 2022. Furthermore, the timing for the actual processing of many of the components appear to be dangerously out of sequence with the practical aspect of implementation by local districts and associated organizations. These include the letter of acceptance by a four-year institution with a completed (FAFSA); producing and processing the letter of acceptance from a branch of the US military; acceptance not a PED approved apprentice program; earning a 3.0 on a 4.0 scale in the subject specific class; and completing a department-approved internship for credit. We question the wisdom and the scope of assumptions that underlie these requirements and further wonder if the State is over-reaching local authority in determining the component parts for a diploma.
4. Finally, we see that there has, historically, been a careful balance stricken that enabled local decision making to integrate with state level rules that allowed for reasonable accommodations for local conditions. In this rule, it appears that little consideration has been made for such a balance and, instead, a substantially overbearing weight given to the State. We find this unlikely to be upheld by future administrations and the Courts.

Therefore, we stand ready to provide the "on-the ground analysis and planning to the PED as consideration of this rule moves forward. We propose a final review by the practitioners to guide any potential implementation of this and future rules.

Sincerely,

Handwritten signature of Stan Rounds in black ink.

Stan Rounds
Executive Director
NMCEL/NMSSA

Handwritten signature of Joe Guillen in black ink.

Joe Guillen
Executive Director
NMSBA

New Mexico Coalition of Educational Leaders
Stan Rounds, Executive Director
6600 Palomas, NE
Albuquerque, NM 87109
Phone: (505) 217-2345 | Email: nmcel@nmcel.org

FW: Graduation requirements

Gonzales, Jamie, PED

Tue 7/3/2018 12:35 PM

To:FeedBack, Rule, PED <Rule.FeedBack@state.nm.us>;

From: David Steiner [mailto:d.steiner@jhu.edu]

Sent: Tuesday, July 03, 2018 8:46 AM

To: Gonzales, Jamie, PED

Cc: Ruzzkowski, Christopher, PED

Subject: Graduation requirements

Jamie,

I am writing to provide feedback to New Mexico Public Education Department's proposed 6.19.7 NMAC, Demonstration of Competency for High School Graduation.

1. In recognition of the importance a high school diploma, I commend the fact that this proposal requires students to both take rigorous coursework and to also demonstrate subject-competency. In addition, the proposal offers many high-quality paths for students to show subject level competency—through PARCC, AP, IB, or SAT test scores, for example.
2. I also commend the support of high-quality curricula, by incorporating IB, AP, and dual-credit coursework and tests in the graduation requirements.
3. In addition, I commend the incorporation of career-readiness measures, such as credit-bearing internships, apprentice programs, programs of study, and industry recognized certificate/credential. These measures might pose some challenges, however, which are addressed below.
4. Some of the flexibility in the plan might be confusing to students and/or parents. Why, for example, is there a distinction between if a student has failed to achieve a level four on the PARCC once versus twice? Why create a distinction between a level one assessment and a level two assessment? These distinctions provide complications that might not be necessary.
5. It is unclear exactly how some of the alternative pathways to high-school graduation, or “competency-based alternatives”, options work. For example, if a student fails to

achieve a level 4 on any of their subject-level tests, does an offer letter from the military count towards all subject level requirements (even though the ASVAB does not test for science or social studies)? Does dual-credit coursework *in any subject* count towards all subject competency-based alternatives?

6. The competency-based alternatives also appear to have uneven levels of quality control. For example, part of one competency-based alternative is “an offer letter from a branch of the US military”. Students must demonstrate some academic competency on the Armed Services Vocational Aptitude Battery (ASVAB) (a score ranging from the 31st to 36th percentile) in order to meet this requirement. In contrast, other competency-based alternatives include “Acceptance at a four-year institution of higher education (without an open acceptance policy) + completed FASFA”. This requirement delegates quality control to colleges, some of which do not have “open acceptance” policies, but do accept 98% of applicants. Similarly, the academic rigor of apprentice programs and credit-bearing internships is likely varied.

7. An additional challenge of this proposal is the detailed level of accurate record-keeping required by these standards, especially for students who elect the competency-based alternative graduation requirements. Attention will need to be paid to ensure that schools and districts have the capacity to collect this data.

With best wishes,
David

Dr. David Steiner
Executive Director,
Johns Hopkins Institute for Education Policy
Professor, School of Education
Johns Hopkins University
2800 N. Charles St.
Baltimore, MD 21218
Tel. 410-516-7896

From: Gonzales, Jamie, PED <Jamie.Gonzales@state.nm.us>
Sent: Thursday, June 28, 2018 1:15 AM
To: David Steiner
Cc: Ruskowski, Christopher, PED
Subject: Graduation Requirements Rule