

THINK NEW MEXICO

A Results-Oriented Think Tank Serving New Mexicans



**A ROADMAP FOR RETHINKING
PUBLIC EDUCATION IN NEW MEXICO**

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About Think New Mexico

Think New Mexico is a results-oriented think tank whose mission is to improve the quality of life for all New Mexicans, especially those who lack a strong voice in the political process. We fulfill this mission by educating the public, the media, and policymakers about some of the most serious challenges facing New Mexico and by developing and advocating for enduring, effective, evidence-based solutions to overcome those challenges.

Our approach is to perform and publish sound, nonpartisan, independent research. Unlike many think tanks, Think New Mexico does not subscribe to any particular ideology. Instead, because New Mexico is at or near the bottom of so many national rankings, our focus is on promoting workable solutions that will lift New Mexico up.

Results

As a results-oriented think tank, Think New Mexico measures its success based on changes in law we help to achieve. Our results include:

- Making full-day kindergarten accessible to every child in New Mexico
- Repealing the state's regressive tax on food and defeating attempts to reimpose it
- Creating a Strategic Water Reserve to protect and restore the state's rivers
- Redirecting millions of dollars a year out of the state lottery's excessive operating costs and into college scholarships
- Establishing New Mexico's first state-supported Individual Development Accounts to alleviate the state's persistent poverty
- Reforming title insurance to lower closing costs for homebuyers and homeowners who refinance their mortgages
- Streamlining & professionalizing the Public Regulation Commission
- Creating a one-stop online portal to facilitate business fees and filings
- Establishing a user-friendly health care transparency website where New Mexicans can find the cost and quality of common medical procedures
- Enacting the New Mexico Work and Save Act to expand access to voluntary state-sponsored retirement savings accounts for private sector workers
- Making the state's infrastructure spending transparent by revealing the legislative sponsors of every capital project
- Ending predatory lending by reducing the maximum annual interest rate on small loans from 175% to 36%
- Repealing the tax on Social Security for middle and lower income New Mexicans with incomes under \$100,000 as individuals or \$150,000 as married couples

Think New Mexico's Board of Directors

Consistent with our nonpartisan approach, Think New Mexico's board is composed of Democrats, Independents, and Republicans. They are statesmen and stateswomen, who have no agenda other than to help New Mexico succeed. They are also the brain trust of this think tank.



Clara Apodaca, a native of Las Cruces, was First Lady of New Mexico from 1975–1978. She served as New Mexico's Secretary of Cultural Affairs under Governors Toney Anaya and Garrey Carruthers and as senior advisor to the U.S. Department of the Treasury. Clara is the former President and CEO of the National Hispanic Cultural Center Foundation.



Jacqueline Baca has been President of Bueno Foods since 1986. Jackie was a founding board member of Accion and has served on the boards of the Albuquerque Hispano Chamber of Commerce, the New Mexico Family Business Alliance, and WESST. In 2019, she was appointed to the Federal Reserve Bank of Kansas City's Denver Branch Board of Directors.



Paul Bardacke served as Attorney General of New Mexico from 1983–1986. He is a Fellow in the American College of Trial Lawyers, and he handles complex commercial litigation and mediation with the firm of Bardacke Allison in Santa Fe. Paul was a member of the National Park System Advisory Board for seven years.



Notah Begay III, Navajo/San Felipe/Isleta Pueblo, is the only full-blooded Native American to have played on the PGA Tour, where he won four tournaments. He now works with Native communities to develop world-class golf properties. Notah founded The Notah Begay III Foundation (NB3F), which works to reduce obesity and diabetes among Native American youth.



Garrey Carruthers served as Governor of New Mexico from 1987–1990 and as Chancellor of the system and President of New Mexico State University from 2013–2018. In between he served as Dean of the College of Business at NMSU and as President and CEO of Cimarron Health Plan. Garrey was instrumental in establishing the Arrowhead Center for economic development in Las Cruces.

LaDonna Harris is Founder and Chair of the Board of Americans for Indian Opportunity. She is also a founder of the National Women’s Political Caucus. LaDonna was a leader in the effort to return the Taos Blue Lake to Taos Pueblo. She is an enrolled member of the Comanche Nation.



Edward Lujan is the former CEO of Manuel Lujan Agencies, the largest privately owned insurance agency in New Mexico. Ed is also a former Chairman of the Republican Party of New Mexico, the New Mexico Economic Development Commission, and the National Hispanic Cultural Center of New Mexico, where he is now Chair Emeritus.



Liddie Martinez is a native of Española whose family has lived in northern New Mexico since the 1600s. Liddie is the Market President -Los Alamos for Enterprise Bank and Trust, and a past Board Chair of the Los Alamos National Laboratory Foundation. She also farms the Rancho Faisan. Liddie served on Governor Michelle Lujan Grisham’s Economic Recovery Council.



Judith K. Nakamura was a member of the New Mexico judiciary from 1998–2020. She was appointed to the New Mexico Supreme Court in 2015, and in 2017, she became only the fourth woman to serve as Chief Justice in the Court’s 108-year history. Judy is an avid hot air balloon pilot and she serves on the board of the Albuquerque International Balloon Fiesta.



Fred Nathan, Jr. founded Think New Mexico and is its Executive Director. Fred served as Special Counsel to New Mexico Attorney General Tom Udall from 1991–1998. In that capacity, he was the architect of several successful legislative initiatives and was in charge of New Mexico’s lawsuit against the tobacco industry, which resulted in a \$1.25 billion settlement for the state.



Roberta Cooper Ramo is the first woman elected President of the American Bar Association and the American Law Institute. Roberta has served on the State Board of Finance and was President of the University of New Mexico Board of Regents. In 2011, she was inducted into the American Academy of Arts and Sciences. Roberta is a shareholder in the Modrall Sperling law firm. *Roberta abstained from participation in this report due to a conflict of interest.*



EXECUTIVE SUMMARY: A TEN-POINT PLAN FOR RETHINKING PUBLIC EDUCATION IN NEW MEXICO

Think New Mexico recommends that the legislature and governor address New Mexico's last in the nation ranking for education by enacting legislation to:

1 Optimize Time for Teaching and Learning pages 8–13

- Increase the minimum instructional time for elementary, middle, and high school students to 1,170 hours — the equivalent of an extra hour a day for elementary school students and a half hour a day for middle and high school students
- Exclude home visits, parent teacher conferences, professional development, and early release from the calculation of the minimum requirement for instructional hours
- Incentivize districts to adopt a balanced calendar to reduce summer learning loss

2 Improve Teacher Training pages 14–17

- Make year-long clinical training experiences (teacher residencies) available to every teacher entering the profession and require residencies for teachers receiving alternative licensure
- Create a Level 4 license for master teachers who will train student teachers
- Provide teachers with at least 10 paid days for professional development and require that those professional development programs be evidence-based

3 Revamp the Colleges of Education pages 18–20

- Make continued accreditation of the colleges of education contingent on a determination that their curricula are consistent with current best practices for teacher preparation
- Maintain high-quality licensure exams for prospective teachers

4 Enhance Principal Pay & Training pages 21–24

- Create a specialized principal licensure track that includes a semester-long residency with an experienced and effective principal
- Provide professional development and coaching for every principal
- Increase minimum principal salaries to at least 30% higher than Level 3 teachers, and limit the salaries of central office staff to no higher than the average principal in that district

5 Upgrade School Board Quality pages 25–29

- Require school board members to resign from their seats as soon as they file paperwork to run for another elected office
- Require all school board members to disclose their political contributions
- Require school board members who violate the law against nepotism to forfeit their seats
- Require that school board meetings be webcast and archived to improve transparency and public access
- Increase the annual training requirements for school board members from five hours a year to 24, improve the quality of those trainings, and pay school board members to attend them

6 Right-Size to Smaller Districts, Schools, & Classes pages 30–36

- Allow voters to choose to deconsolidate Albuquerque Public Schools, and any other districts that exceed 35,000 students, into several smaller districts
- Incentivize school districts to build smaller schools, with 900 or fewer students for high schools and 400 or fewer students for elementary and middle schools
- Incentivize school districts to restructure existing large schools into smaller learning communities or schools within schools
- End the use of waivers allowing schools to exceed statutory class size limits

7 Maximize the Benefits of Charter Schools pages 37–41

- Make it easier to close charter schools that are failing to meet performance measures
- Streamline the process for replicating successful charter schools
- Streamline the process for opening charter schools in districts that currently lack them
- Allow charter schools to give enrollment preference to at-risk students and students with special needs

8 Provide a Relevant and Rigorous Curriculum pages 42–45

- Reject the Public Education Department’s proposal to water down high school graduation requirements
- Enhance the existing high school graduation requirements by including a half-credit of financial literacy, one credit of civics and government, two credits of foreign language, and two credits of career and technical education

9 Depoliticize Student Assessments pages 46–48

- Replace the major year-end state assessment with shorter interim tests that promote student learning rather than being used to punish or reward the adults in the school system
- Establish a merit-based process that must be followed before changing state assessments

10 Pay for These Reforms pages 49–51

- Use the approximately \$84 million of new monies likely to be generated from the passage of Constitutional Amendment 1 and earmarked for at-risk students to pay for the recurring expenses of these recommendations
- Shift more dollars from school district central administrative spending to the school sites and classrooms where the actual learning takes place by requiring the Public Education Department to reject school district and charter school budgets that grow central office administration spending faster than classroom spending

Dear New Mexican:

Think New Mexico’s policy report this year is different from our previous policy reports. In the past we have generally proposed a single core recommendation, like making full-day kindergarten accessible to every child in the state or repealing the regressive food tax.

This report, several years in the making, presents a sweeping ten point plan with 30 separate legislative recommendations to improve the performance of New Mexico’s struggling public education system, which has recently been ranked last in the nation in five separate evaluations by Education Week, Forbes, Kids Count, WalletHub, and U.S. News and World Report.

The reason for this different approach is that all of these solutions are inter-linked. For example, New Mexico needs better prepared principals in order to recruit and retain good teachers, and highly effective teachers are essential in order for students to benefit from an extended school calendar.

While there are many good ideas for improving our schools, we focused on those ideas that the evidence demonstrates can significantly move the needle for student achievement, based on experience in New Mexico and elsewhere.

We placed a special emphasis on reforms that are urgently needed to help at-risk students, as the 2018 Yazzie-Martinez court ruling found that the state has failed to provide an adequate education for them as required by the New Mexico constitution. At-risk children comprise nearly three out of four students in New Mexico’s public schools, and they have suffered disproportionately from the learning disruptions caused by the pandemic.

If you would like to be part of this effort to revitalize public schools in New Mexico, please visit our website at www.thinknewmexico.org where you can sign up for email updates on our progress and contact your legislators and the governor to express your opinion.

You are also invited to join the more than 1,200 supporters who invest in Think New Mexico’s work by making a contribution online or in the yellow reply envelope you will find enclosed in this report.



Founder and Executive Director

**Think New Mexico
STAFF**



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INTRODUCTION

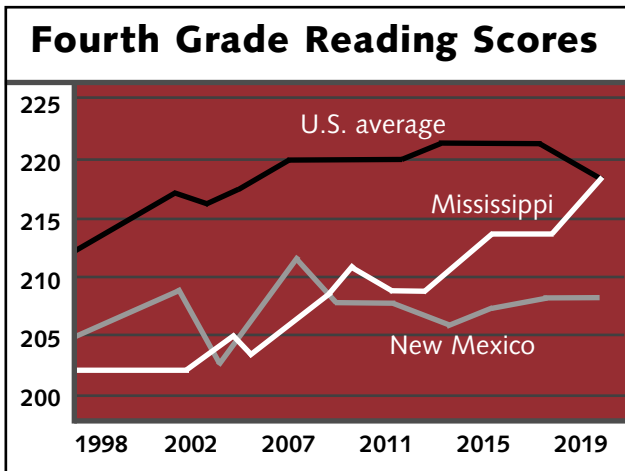
The first policy report published by Think New Mexico, in the fall of 1999, opened with the familiar refrain, “Thank God for Mississippi!” Mississippi was the state that kept New Mexico off the very bottom of the national rankings in poverty, child welfare, and education.

But over the past decade, something interesting happened. Mississippi leapfrogged ahead of many other states on national reading and math tests, rising from 49th in the nation for fourth grade reading in 2013 to 29th in 2019. In fourth grade math, Mississippi students rose from 50th to 23rd.

State Superintendent of Education Carey Wright, who oversaw these gains, attributed them to a variety of reforms: the state brought a laser focus to early literacy, hired coaches to train all of its teachers in the science of reading, and raised the bar with more rigorous and relevant student assessments, among other innovations.

Wright explained, “There was a culture of low expectations here. We’d been 50th for so long that I think people had just given up on education getting any better.”

That sentiment sounds awfully familiar here in New Mexico. For many years, our state has been stuck at the bottom of national rankings alongside Mississippi. This year’s statewide assessments found that only 34% of third through eighth graders are proficient in reading, while just 25% are proficient in math. Some have argued that with so many children coming from generations of poverty, our students will always lag behind the rest of the nation. We reject that way of thinking about New Mexico’s students.



Average scores for fourth grade reading on the National Assessment of Educational Progress. Source: National Center for Education Statistics.

So with this report we say “thank God for Mississippi” for a new reason: because that state has demonstrated that a relatively poor state with many challenges can dramatically improve student outcomes. If Mississippi can do it, so can New Mexico.

Indeed, we have already begun to take the first steps. In recent years, New Mexico has made major investments in raising our teacher pay to the highest of any of our surrounding states, and expanding access to early childhood education, among other things.

The specific recommendations laid out in this report provide a roadmap to build on those initial steps and lift New Mexico out of the spot it has held for too long at the bottom of the nation, ensuring that all New Mexico students will have the opportunity to succeed as well-educated members of our community.

OPTIMIZE TIME FOR TEACHING AND LEARNING

The Connection Between Time on Task and Student Outcomes

Nearly four decades ago, in 1983, the National Commission on Excellence in Education (NCEE) produced a report titled, *A Nation at Risk*, which described the public school system in America as suffering from a “rising tide of mediocrity” and documenting that students in the U.S. were falling behind students from other industrialized nations on many performance measures.

The NCEE recommended, among other things, increasing time for teaching and learning, and specifically called for a seven-hour school day and a 200–220-day school year. The NCEE observed that the school calendar in Europe was 190–210 days, and in Japan was as high as 240 days, while noting, by contrast, that the standard school calendar in the United States was only 180 days.

Since the release of *A Nation at Risk*, many additional studies have examined the relationship between “time on task” and student achievement, and the vast majority have found adding time to the school day and the school year has a positive impact on academic proficiency.

For example, in 2009, Caroline Hoxby and Sonali Murarka, economists at Stanford and the Wharton School of the University of Pennsylvania, led an effort to measure 21 education characteristics to determine their impact on student achievement. Fewer than half of the characteristics showed a statistically significant positive correlation. Those that did included longer school days, longer school years, and the number of minutes studying English.

Specifically, Hoxby and her colleagues found that the longer school year was the “most important” characteristic of the 21 characteristics studied, with an “extremely robust” association with higher student achievement.

The effectiveness of extended learning time (ELT) was demonstrated in 2012 when the Meriden, Connecticut school district added 100 minutes per day of personalized learning time at three low-performing schools. Meriden’s ELT schools now receive the equivalent of 40 additional days of instruction time. The three schools changed their schedules to include an “enrichment block.” (Twenty of the 88 elementary schools at Albuquerque Public Schools do something similar and call it “Genius Hour.”) By 2015, two of the three participating schools saw gains in attendance rates, core subject test scores, and teacher ratings, all of which exceeded districtwide averages.

Another good example of the effectiveness of ELT was seen in New Mexico’s K-3 Plus pilot project, sponsored in 2007 by Senate President Pro Tem (then Representative) Mimi Stewart. K-3 Plus funded high-poverty elementary schools to extend their school year by 25 days for kindergarten through third grade.

An independent evaluation by researchers at Utah State University found that New Mexico students who participated in K-3 Plus during the summer before starting kindergarten scored 8% higher on math assessments and 11% higher on reading assessments compared to similar students who did not participate.

The gains continued four years later, and were particularly powerful for students who had the same teacher for the extra days that they had during the school year. Those students gained 25%

on their math scores and 20% on reading. With the growing evidence of the gains of extended calendars, the legislature has now expanded K-3 Plus to K-5 Plus for students from kindergarten through fifth grade.

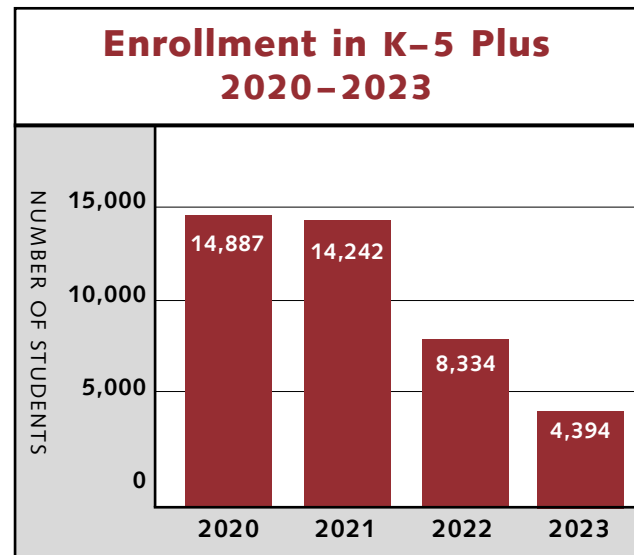
One of the most powerful findings from schools where learning time has been extended is that additional time for teaching and learning can “effectively close achievement gaps between poor and minority students and their more affluent peers,” as Elena Silva, senior policy analyst at the nonpartisan think tank Education Sector put it. A systemic review of the research on extending learning time concluded that the biggest beneficiaries of extended learning time—such as summer school, added hours for tutoring, and extended school day programs—were at-risk students, who comprise 74.8% of public school students in New Mexico.

Learning Time in New Mexico is Inadequate

Unfortunately, New Mexico has been going in the wrong direction in terms of providing more time for teaching and learning. Although the legislature and governor have appropriated enough funding to provide extended learning time for every school in the state, school districts had the option of whether or not to implement the additional school days, and many have chosen not to.

In July 2022, the Legislative Finance Committee and the Legislative Education Study Committee reported that “participation in K-5 Plus [25 additional days] and ELT [10 additional days] programs has decreased and schools have foregone \$400 million of available state funding for these interventions.”

The current state budget includes \$279 million in recurring appropriations for K-5 Plus and ELT,



Source: Legislative Finance Committee and Legislative Education Study Committee. “Hearing Brief: Extended Learning Time Proposals.” July 27, 2022.

including additional salary incentives and transportation funds for participating schools. That is nearly 8% of the entire K-12 budget. The legislature is generously funding these highly effective programs, but too many school districts are choosing not to take advantage of the funding. The LFC estimates that only about 1.4% of all elementary students will participate in K-5 Plus in the 2022–2023 school year.

In addition to the failure of many school districts in New Mexico to implement K-5 Plus and ELT, students in New Mexico do not even receive the bare minimum of statutory instructional hours that caused the NCEE to write *A Nation at Risk* four decades ago.

Like many states, New Mexico measures the school year in hours per year rather than days per year. New Mexico statute sets minimum hourly requirements of five and a half hours per day or a total of 990 hours per school year for full-day-

kindergarten through sixth grade, and six hours per day or a total of 1,080 hours per school year for seventh through twelfth grade. In both cases, that equates to 180 school days per year.

However, not all of those hours are actually used for teaching. In fact, a 2016 analysis by the Legislative Finance Committee estimated that students lose approximately 32% of instructional time each year to non-instructional activities. That's because time spent on parent teacher conferences, home visits, and professional development counts towards the minimum instructional hours required by statute, even though these activities do not constitute instructional time from the point of view of students.

New Mexico law carves out from the minimum instructional time up to 22 hours for home visits and parent teacher conferences in grades first through sixth and up to 12 hours for grades seventh through twelfth.

In addition, school districts that together serve nearly half of New Mexico students have regular “early release” days—for example, some schools release students at noon every Friday. New Mexico regulations prohibit school districts from counting hours after students have been released as instructional time; so, for example, a district may add 15 minutes to Monday–Thursday to make up for subtracting an hour on Friday. However, an LFC analysis notes that, since early release days are not required to be tracked or reported, it is difficult to determine whether districts are correctly accounting for those lost hours.

Teacher planning time, professional development, home visits, and parent teacher conferences are, of course, very valuable and necessary activities that can lead to better student outcomes, but

hours spent on these tasks should not count as instructional time because these hours are not spent teaching and learning. These activities should be in addition to the minimum instructional hours required by state law and teachers should be fairly compensated for them.

The legislature and governor should explicitly exclude home visits, parent teacher conferences, professional development, and early release from the calculation of the minimum requirement for instructional hours.

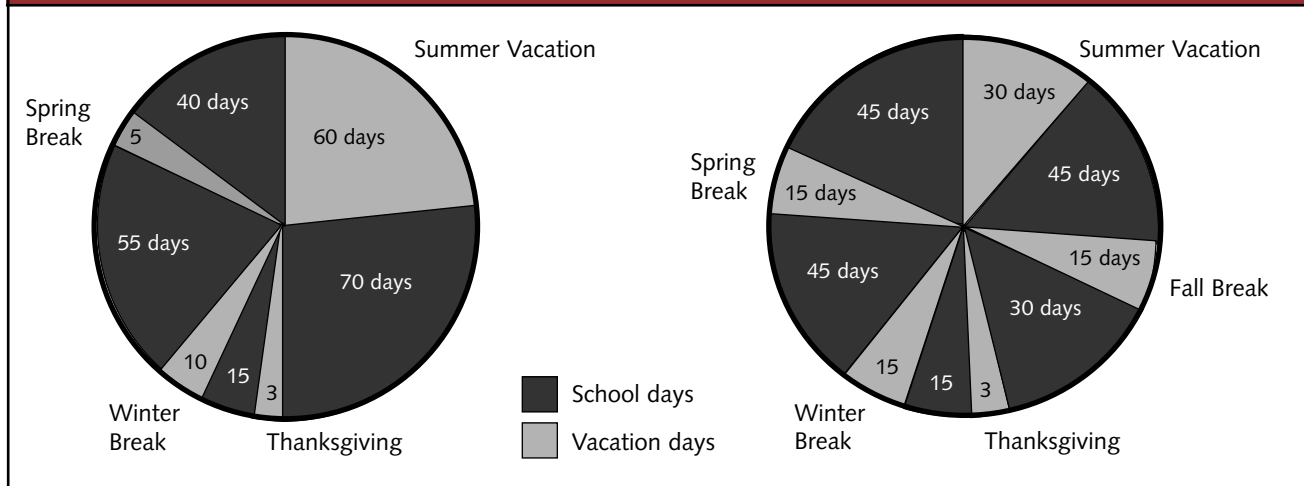
In addition, the legislature and governor should increase the minimum instructional time for all students to 1,170 hours—the equivalent of an extra hour a day for elementary school students and a half hour a day for middle and high school students.

School districts would have the flexibility to design how to deliver these additional hours. Some schools may choose to add additional days, modeled on the existing K-5 Plus and ELT programs, while others may keep the number of days the same and simply lengthen them.

One way the extra hours might be used in the elementary grades, for example, is to provide focused instruction on early literacy. There has been much debate over whether third graders who are not yet reading should be held back; a better option than either retaining those students or passing them on without the skills they need would be to spend the time building those essential literacy skills in the early grades so that students never fall behind in the first place.

These recommendations are consistent with proposals from the Legislative Finance Committee, whose Chair, Representative Patty Lundstrom, highlighted in July 2022 the urgency of extending

Traditional vs. Balanced Calendar



With a balanced calendar, students get two or three weeks off for every nine weeks of classes and six weeks for summer break. Source: National Association of Year-Round Education.

learning time to address the learning loss caused by the pandemic.

Because the legislature is already budgeting enough money for the associated costs of additional learning time for all schools, these reforms would not require additional funding. All they require is legislation to make the extra time mandatory, rather than voluntary, since the voluntary approach has failed to reach the vast majority of New Mexico's students.

Addressing Summer Learning Loss by Adopting a Balanced School Calendar

In addition to the need to add more time to the school day and the school year, New Mexico students would benefit academically from a balanced school calendar.

The current school calendar dates as far back as territorial days and is one of the remaining artifacts of a very different economy and society than New

Mexico has now. Under this antiquated system, most school district calendars generally allow for 10–12 weeks of summer vacation. Abundant research has shown that this lengthy break leads to “summer learning loss,” which forces many teachers to re-teach skills and content in the fall that had been taught in the previous spring because students forgot them during their long summer vacation. In the process, valuable time to teach new material is also lost.

What if the summer break were shortened and there were more frequent and longer breaks throughout the rest of the school year? Districts and schools that have implemented this sort of calendar have found benefits not only for students but also for teachers and staff. Teachers in the current system report that the stretch of time between the start of school in mid-August and Thanksgiving without a significant break is exhausting for both them and their students.

To better understand how a balanced calendar can work, hear from Ralph Ramos, who has worked for Las Cruces Public Schools (LCPS) for nearly three decades. Ramos began as a teacher, and then rose to an assistant principal, middle school principal, and for the past two years, interim Superintendent and Superintendent of LCPS.

As Superintendent, Ramos has implemented a balanced calendar that has expanded the district's calendar by ten school days, shortened the summer break to six weeks to minimize learning loss, and added longer breaks throughout the school year to reduce teacher burnout.

In a recent interview, Ramos explained the decision to adopt a balanced calendar:

“Last year, just as I was starting as interim Superintendent, our calendar was presented. ...

This extended year and balanced calendar was one of the options that had been presented. I thought this calendar was a great idea. It's better for students, and the more frequent breaks help with staff burnout. ...

I know as a middle school principal, this was the kind of calendar we had always wanted. Throughout the southwest, in El Paso and places in Arizona, they've been using this new balanced calendar... By rejecting the Extended Learning Time Program last year, we lost, gosh, probably \$13 million we could have gotten from the state.”

Similarly, the school board of Truth or Consequences Municipal School District (TCMSD) adopted the balanced calendar for the 2021–2022 school year under the leadership of its superintendent, Dr. Channell Segura.



Superintendents Ralph Ramos and Dr. Channell Segura.

Dr. Segura told us that she was able to win support for a balanced calendar with her board and the community by emphasizing the benefits of substantially reducing summer learning loss and minimizing teacher and student burnout with more frequent breaks. Dr. Segura added that in its first year of implementation, many of the teachers who had initially opposed the balanced calendar found the more frequent breaks “refreshing” and changed their minds about opposing it. (TCMSD did not add hours or days to the calendar.)

Nationally, there is growing momentum toward balanced calendars among districts and charter schools. In 1985 there were 410 public schools with a balanced calendar, according to the Congressional Research Service. By 2000, public schools with balanced calendars had grown to 3,059 schools serving almost 2.2 million students in 45 states. By 2012, the last year for which data has been reported, more than 3,700 public schools were on a balanced calendar, according to the National Center for Education Statistics. That is about 4.1% of all public schools. (Around 11% of them are charter schools.)

Jim Talison, Superintendent of Michigan's Beecher Community School District in which 95% of students are eligible for free and reduced lunch, shifted to a balanced calendar in 2013. His assessment: "It's been the best thing we've ever done for my at-risk population, and we're seeing the results." Among the results, student and teacher attendance rates improved and reading and writing scores on state tests for grades 3 through 6 doubled.

In 2018, Michigan began offering financial incentives to encourage school districts to shift to a balanced calendar. Ten districts have taken them up on it. Media coverage of the calendar change in the Akron-Fairgrove District noted that families appreciated that they were able to plan vacations during less expensive times of the year, and it was easier to find childcare for a six-week summer break than a 12-week one. Virginia has recently followed Michigan's lead, and that state's first grants to school districts will be awarded during the coming year.

To be most beneficial to families, a balanced calendar should be adopted districtwide rather than school by school. This would prevent situations in which a family with multiple children has to juggle different school schedules. A districtwide schedule also makes it easier for community organizations to fill the two-week breaks with camps, library activities, and other resources for parents who need childcare while their children are out of school, just as these organizations currently do during the long summer break.

New Mexico's legislature and governor should adopt the model developed by Michigan and Virginia and financially incentivize districts to shift to a balanced calendar in order to reduce summer learning loss.

Optimizing time for teaching and learning is not only a proven reform, it is also an essential part of meeting the state's obligations under the Yazzie-Martinez court ruling. In this lawsuit, the plaintiffs, on behalf of New Mexico's at-risk students, argued that the educational system in New Mexico had failed to provide them with an "adequate education," as guaranteed by the New Mexico state constitution.

In 2018, Judge Sarah Singleton ruled that New Mexico's education system had indeed violated these students' constitutional right to an adequate education. The court ordered the state to develop a court-approved plan to remedy the quality of education for at-risk students, and specifically called for providing extended learning time for all students enrolled in high-poverty schools. The recommendations laid out in this section would respond to that ruling and directly benefit the state's most at-risk students.

IMPROVE TEACHER TRAINING

Additional time for teaching and learning will only improve student outcomes if it is used well, and that requires highly effective teachers. Indeed, the research is clear and extensive that the single most important factor in a student's success is the effectiveness of that student's teacher.

Students being taught by the top 20% of most effective teachers gain two to three months more learning in math and reading in a given year than students being taught by less effective teachers. Students who have a highly effective teacher are more likely to graduate, to go on to higher education, to be employed, and to earn higher salaries as adults.

In fact, teacher quality has two to three times the impact on a student of any other factor in a school, which helps explain why the Yazzie-Martinez ruling specifically identified well-trained educators as essential to ensuring that all students have access to a high-quality education.

The challenge, of course, is how to ensure that more students have access to highly effective teachers.

A few years ago, James Surowiecki, author of *The Wisdom of Crowds*, wrote an article examining how the "performance revolution" has transformed a diverse array of professions over the past half century. He began by describing the evolution of sports.

Fifty years ago, it was assumed that a person was either a natural athlete or they weren't, and there wasn't much that could be done to improve on natural skill. Then, in the 1970s, a handful of professional athletes began intensive training to master the skills they needed to play their sports, like

footwork, positioning, and shooting in basketball, and these athletes leapfrogged ahead of their peers.

Suddenly more and more athletes started hiring personalized coaches to improve the skills they needed, and as a result the overall quality of play has risen dramatically. "The depth of excellence has never been greater. In baseball, a ninety-mile-per-hour fastball used to be noteworthy. Today, there are throngs of major-league pitchers who throw that hard."

Similar revolutions happened in fields as diverse as classical music—where Surowiecki writes that "virtuosos are now a dime a dozen"—and manufacturing, where competition from high-quality Japanese products pushed American factories to improve their productivity and product reliability, leading to advancements like cars that last twice as long and have only a fraction of the defects of prior models.

Yet even as the performance revolution has transformed so many aspects of our lives, Surowiecki writes that we continue to make the same mistakes with teachers that we once made with athletes, musicians, and manufacturers. We assume that someone is either talented at teaching or not, and far too little time and emphasis is placed on training teachers in the essential skills of teaching:

"If American teachers—unlike athletes or manufacturing workers—haven't got much better over the past three decades, it's largely because their training hasn't, either. ... [T]eacher training in most of the United States has usually been an afterthought. Most new teachers enter the classroom with a limited set of pedagogical skills, since they get little experience beforehand, and most education courses don't say much about how you run a class. Then teachers get little ongoing, sustained training to help them improve."

The National Conference of State Legislatures came to a similar conclusion in its influential report on education reform, *No Time to Lose*, writing that one way in which state education reforms have fallen short is “increasing teacher pay without demanding better preparation.”

During its most recent legislative session, New Mexico raised teacher salaries to the highest levels in the region. Now we need to take the next step and raise the bar for teacher preparation.

Building the Skills of Beginning Teachers

When it comes to building the skills of future teachers, the most effective technique is spending time practice teaching alongside an experienced and effective teacher. As one teacher put it: “Actually teaching in the classroom is what provided me with the best preparation—courses helped and provided some theoretical background, but it was the practice of teaching that did it.”

The benefit to students from this hands-on teacher preparation is substantial. While teachers generally improve significantly in their first few years in the classroom, the National Council on Teacher Quality reports that “first-year teachers can be as effective as typical third-year teachers by spending their clinical practice in a classroom of a highly effective teacher.”

Clinical experience does more than just raise teaching quality; by better preparing teachers, it reduces teacher burnout and attrition. According to research compiled by the Education Commission of the States, teachers who enter the profession with more training in the classroom are significantly less likely to leave in their first few years.



Many aspects of teaching can only be learned by practice. Illustration by David Sipress, courtesy Cartoonstock CX304632.

Yet despite all of these benefits, more than half of the state’s new teachers currently enter a classroom without any student teaching experience at all because they receive their teaching credentials via alternative licensure programs.

While students in New Mexico’s traditional teacher preparation programs must complete at least 16 weeks of student teaching, alternative licensure programs have no requirement for any clinical education. A person who is seeking to become a teacher via alternative licensure simply begins teaching, on their own in the classroom, and simultaneously completes additional courses to earn their license.

A decade ago, New Mexico’s eight traditional colleges of education produced 1,094 new teachers. By 2020–2021, that number had fallen to just 439 graduates. Meanwhile, the percentage of teachers entering the profession through the state’s 13 alternative licensure programs has risen from 16% (206 teachers) in 2010–2011 to 55% (540 teachers) in 2020–2021.

Not surprisingly, a 2012 survey of New Mexico principals reported that they consistently found

alternatively licensed teachers to be less prepared than graduates of traditional programs. Nationally, alternatively licensed teachers leave the profession at a rate 25% higher than that of other teachers.

Rather than placing new teachers into classrooms with no training in the skills they need to succeed, the legislature and governor should enhance the requirements for alternative licensure to require clinical experience.

The best way to do this would be to require a teacher residency as part of the alternative licensure pathway. Teacher residencies are paid, year-long experiences in which a beginning teacher teaches alongside an experienced teacher.

Approximately 80% of teachers who complete residency programs remain in the teaching professions after five years, compared with just 50% of teachers who did not complete residency programs. New Mexico's Legislative Education Study Committee has identified residencies as one of the best returns on investment in the education system, given how profoundly they can improve teacher skills and student outcomes.

For the past three years, the state has dedicated just \$1 million to fund teacher residencies, funding only around 40 residents per year. The good news is that this year, the legislature and governor increased their investment in teacher residencies to \$15 million, with a goal of funding 374 residents. They also increased the pay for resident teachers to \$35,000 a year from \$20,000, and added stipends of \$2,000 each for the experienced teachers hosting residents and the principals at their schools, to incentivize participation in the program.

The legislature and governor should continue to grow this investment so that a high-quality residency is available to every teacher entering from



Inadequate training increases teacher burnout and attrition. Illustration by Jonny Hawkins, Courtesy Cartoonstock CS490108.

the alternative licensure programs, as well as any graduates from the traditional programs who would like to complete one.

The additional investment required to expand residencies to all teachers would be about \$24.5 million a year. (The final section of this report addresses how to pay for this and other reforms.)

Beyond ensuring that every new teacher enters the profession with hands-on experience, it is essential to ensure that those experiences are high quality. The National Council on Teacher Quality emphasizes the importance of matching student teachers with experienced teachers who have demonstrated effectiveness—and they note that New Mexico fails to meet this goal because the state does not have a system for identifying highly effective teachers to mentor student teachers.

To address this problem, the legislature and governor should enact a law to use measures like

teacher evaluations by principals and by their fellow teachers to identify teachers who are consistently producing high student achievement. These master teachers would be categorized as Level 4 Teachers, a new level above the state's three current teacher tiers (which are based on years of experience and completion of various requirements).

Level 4 teachers would receive a higher base compensation, rather than a small stipend, in exchange for hosting student teachers and residents.

High-Quality Professional Development

The professional growth and development of a teacher doesn't end the day they graduate from a school of education or complete an alternative certification program.

Yet too often professional development is ineffective, a waste of precious resources and teachers' time. A national study found that about 60% of teachers reported that their professional development activities were not a good use of their time. Here in New Mexico, a survey of teachers by the teacher advocacy organization Teach Plus found that about 62% were not satisfied with their professional development.

Des Moines, New Mexico does it differently. This 97-student school district in northeastern New Mexico has for years ranked in the top five best performing districts in the state in math proficiency, reading proficiency, and graduation rates.

Their superintendent, Kodi Sumpter, attributes some of that success to a commitment to providing all her teachers with high-quality professional development:

"We really focus on ensuring that our teachers have access to high-quality training throughout the school year, and have enough time to collaborate with one another on how to implement what they learn. That follow-through after the initial seminar or training is critically important. It would be ideal to have at least 10 paid days of high-quality professional development for every teacher in the state."

The research backs up Des Moines' approach. A 2007 meta-analysis by the U.S. Department of Education concluded that well-designed professional development that averages 49 hours (about six days) over six to twelve months increased student achievement by 21 percentage points.

A 2018 study by the Legislative Finance Committee noted that teachers in New Mexico schools receive an average of seven days of professional development a year (charter school teachers in the state receive an average of 13.6 days). The National Center for Teacher Quality reports that teachers nationwide receive an average of 10 professional development days a year. Twenty-one states require that teachers receive a certain number of paid professional development days each year, with five of them setting that level at 10 days or more.

The legislature and governor should require that teachers attend at least 10 days of paid professional development, and that those professional development programs be evidence-based.

Together, better initial and ongoing training for teachers will lift the quality of teaching, reduce costly attrition, and minimize teacher shortages that negatively impact student outcomes.

REVAMP THE COLLEGES OF EDUCATION

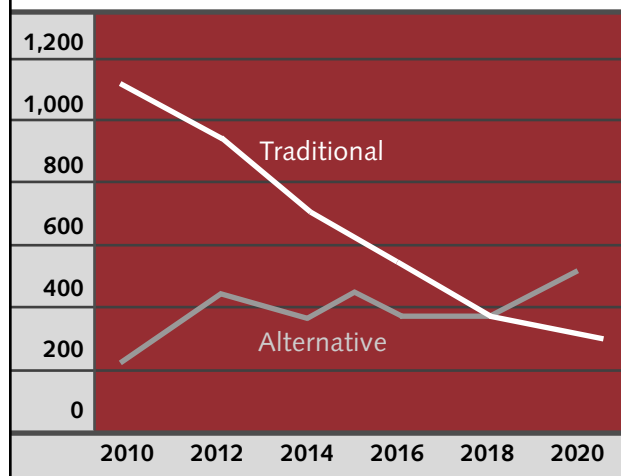
Colleges of education nationwide have experienced a decline in enrollment, with the number of people completing these traditional teacher training programs falling by nearly a third in the past decade. The trend in New Mexico has been particularly precipitous, plummeting by 75% during the same time period. Meanwhile, as described in the prior section, the number of teachers entering the profession via alternative licensure has been gradually increasing.

Why are potential teachers voting with their feet and pursuing alternative rather than traditional pathways into education careers? One reason is that the curriculum at the state’s colleges of education too often emphasizes abstract theory over the practical, skills-based learning that is most valuable to future teachers.

There are eight colleges of education in the state, located at Eastern New Mexico University, New Mexico Highlands, New Mexico Tech, New Mexico State University, Northern New Mexico College, the University of New Mexico, University of the Southwest in Hobbs, and Western New Mexico University. The curricula at the different colleges are not aligned with one another, and they have not generally evolved to keep up with new research about best practices.

This situation has frustrated many graduates of the colleges of education who find themselves having to fill in the gaps on the job. For example, thousands of New Mexico teachers are currently completing a two-year, 80+ hour course in the science of reading, an evidence-based system for improving early literacy. Numerous teachers, principals, and district leaders we interviewed during our research for this report questioned why that

Number of Graduates from New Mexico’s Traditional and Alternative Teacher Preparation Programs

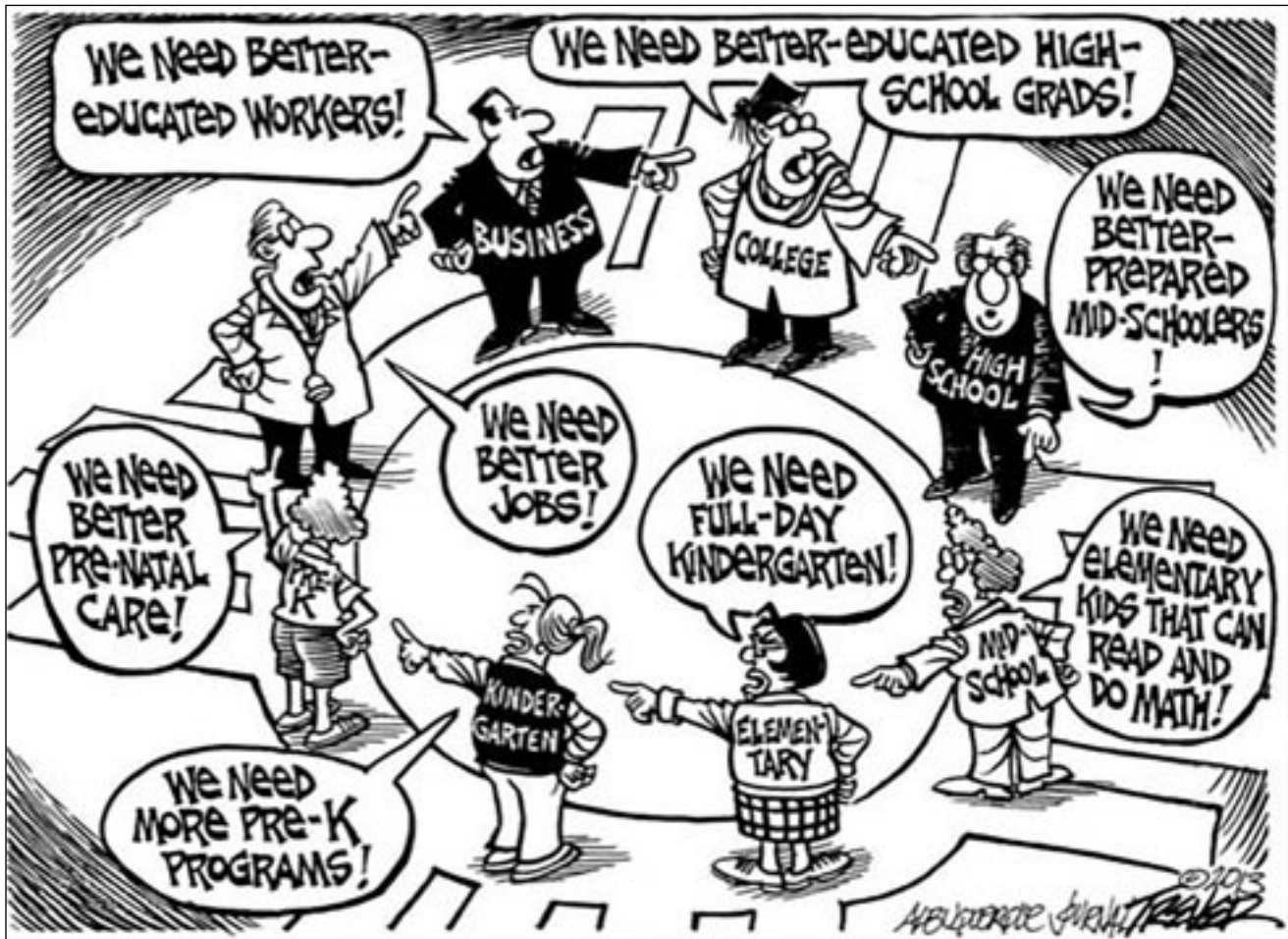


Source: Legislative Finance Committee. Hearing Brief: Colleges of Education. September 24, 2021.

important topic had not been covered by the schools of education, and instead had to be learned after they graduated.

By contrast, the alternative licensure program LEAP (Leading Educators through Alternative Pathways), which is dedicated to recruiting and retaining teachers from diverse backgrounds, has a curriculum tightly focused on building skills that are immediately applicable, including 67 hours in structured literacy and instruction on building curricula for struggling readers. One LEAP participant, Renato Estacio, noted that: “LEAP is very, very practical. There’s a lot of work, but there’s no fluff in the program. ... We applied what we learned immediately.”

To increase the value of the colleges of education to potential teachers, the legislature and governor need to ensure that they are providing relevant, up to date curricula that reflect the best current practices on teaching, and also expand the clinical



The circle of blame in New Mexico's K-12 education system. Cartoon by John Trever, copyright 2013.

requirement from a single semester of student teaching to a full-year teacher residency.

In addition, colleges of education should emphasize the hiring of instructors who have experience as teachers and principals. One former teacher from Las Cruces told us that she was frustrated to have several professors in her college of education program “who had never set foot in a classroom,” which made it impossible for them to ground their theories of teaching in practical experience.

The legislature and governor should enact a law requiring that, beginning in 2023 and then every

five years thereafter, the Public Education Department evaluate the schools of education to determine whether their curricula reflect the best research on effective teacher preparation, and make continued accreditation of the colleges of education contingent on meeting that standard.

Maintain High Standards for Teacher Licensure

About a decade ago, the Legislative Finance Committee (LFC) evaluated the teacher pipeline and recommended that the state raise its standards both for admission to the colleges of education and

for teacher licensure. The report noted that the state's "low teacher admission requirements and licensure standards perpetuate low student performance" and urged the colleges of education to increase their minimum GPA requirements and the PED to increase the scores that teachers need to achieve on their licensure exams.

In 2018, the LFC published a follow-up report noting that progress that had been made toward accomplishing both recommendations. Unfortunately, amid rising concerns about the teacher vacancy rate in the wake of the pandemic, those gains are at risk of being lost.

New Mexico's teacher vacancy rate has been closely tracked since at least 2016, when the New Mexico State University College of Education began publishing statewide reports on the subject. The number of vacancies has consistently been high, never more so than this year, with a reported 1,084 vacant teaching positions.

However, the issue is complicated by the fact that the total number of teachers working in New Mexico has risen by nearly 1,000 in the last four years, to 23,314. Meanwhile, student enrollment has dropped by about 8% over the last decade. The challenge appears to be less about an overall shortage of teachers and more about shortages of specific specialties, like special education, or in specific places, like rural districts.

This report does not include any specific recommendations targeted toward recruiting new teachers into the profession, as the New Mexico legislature and governor have already done a commendable job of investing in scholarship and loan forgiveness programs for aspiring teachers, which together have eliminated any financial barriers that might deter someone from pursuing a teacher education program.

In addition, the Public Education Department is currently launching an effort to work with nonprofits like Golden Apple to recruit and mentor high school students who have potential as future teachers, especially from underrepresented demographics and rural communities. The substantial increase in teacher salaries in recent years should also help improve recruitment.

However, the wrong approach to addressing any potential teacher shortages is watering down teacher qualifications.

As of this year, New Mexico is no longer requiring teachers to take a series of tests known as the Praxis exams as part of their licensure requirements, keeping only one exam in elementary reading that is required by statute. This takes New Mexico in the opposite direction of the 48 states that require teachers to pass Praxis exams in order to become licensed. Research compiled by the National Council on Teacher Quality found a consistent positive correlation between testing rates of incoming teachers and student achievement.

The legislature and governor should maintain the requirement that entering teachers must demonstrate proficiency on high-quality licensure exams.

Retaining effective teachers by improving teacher training—as well as improving the learning environment through reforms like ensuring manageable class sizes and improving the quality of school leadership, as we describe in later sections of this report—are more effective approaches than fast-tracking new teachers into classrooms with reduced qualifications.

ENHANCE PRINCIPAL PAY AND TRAINING

After teacher quality, principal quality is the second most impactful factor in student success, and the two are closely connected: principals are the key to recruiting and keeping excellent teachers.

As former New Jersey Commissioner of Education Christopher Cerf explains: “Pick the right school leader and great teachers will come and stay. Pick the wrong one and, over time, good teachers leave, mediocre ones stay, and the school gradually (or not so gradually) declines.”

Indeed, a survey by the Legislative Finance Committee found that poor school leadership is the top reason New Mexico teachers give for leaving their positions. This is consistent with extensive national research on teacher retention, such as a McKinsey survey that found that highly-qualified teachers were more interested in working at a school with an excellent principal than at a school that would offer them double their salaries.

Unfortunately, there are warning signs that New Mexico’s school leadership is struggling. According to a report from the Learning Policy Institute, New Mexico ranks second highest in the nation for teacher attrition, with nearly a quarter of teachers leaving their positions in the year studied — nine points higher than the national average. This attrition is expensive as well as detrimental to student achievement, with the cost of replacing a teacher estimated at \$9,000 – \$21,000.

The state’s high teacher attrition is likely linked to our high rate of principal attrition. A 2018 report by the New Teacher Center identified New Mexico



Principals, like teachers, need better training and support. Illustration by Conan de Vries, courtesy Cartoonstock CS555385

as one of the ten worst states for principal retention, with principals staying an average of well under four years in a position. The cost of replacing a principal is estimated at \$75,000.

When researchers investigated why principals leave their jobs, among the top reasons were inadequate preparation, insufficient professional development, and low salaries. For example, a 2005 survey of principals who had left the profession after just a few years found that one of their main complaints was “preservice training that left them feeling unprepared for the challenges of the job.”

Similar to teachers, when it comes to building the skills of new principals, actual practice is more effective than academic study. As the authors of *No*

Time to Lose put it: “In high-performing countries, the school leader is highly trained and carefully selected. ... Principals receive training in curriculum, instruction, and school administration.”

Yet New Mexico’s current licensure process for principals is identical to that for all other types of administrators, like school district central office staff and finance managers. As a result, the coursework is heavy on concepts like school finance and law, but it falls short in terms of training future principals in skills like organizational management, how to fairly and accurately evaluate teaching quality, best approaches to improve the skills of their teachers, and understanding the special needs of at-risk students.

Prospective principals are only required to complete 180 hours of apprenticeship or internship before applying for the position—with six-hour school days, that’s only about a month of shadowing another principal before stepping into the job.

There is a better way to prepare principals. In 2010, Illinois enacted the nation’s first Principal Licensure Law, which separated the training for principals from that for central office administrators. The state significantly increased the practical training requirements for incoming principals, including not just a four-week full-time residency but also 200 additional clinical hours and 20 more hours working specifically with Special Education teachers, curriculum, and Individualized Educational Plans for students with disabilities.

A study of Illinois’s enhanced principal preparation by the University of Chicago found that stakeholders in the education system overwhelmingly felt that the new system had resulted in better prepared principals. One person involved in implementing the new training reflected: “You cannot

States with Higher Clinical Training Requirements for Principals Than New Mexico

STATE	HOURS
Georgia	750
Delaware	600
Washington	540
Massachusetts	500
Utah	450
Iowa	400
Pennsylvania	360
Minnesota	320
Virginia	320
Colorado	300
Missouri	300
New Jersey	300
Rhode Island	300
Vermont	300
Nebraska	250
North Dakota	240
Illinois	220
Montana	216
New Mexico	180

Source: Education Commission of the States. School Leader Certification and Preparation Programs. April 2018.

learn to lead by reading about it. And yet our programs were largely based on that presumption.... What we’re seeing in this new legislation is a much increased attention to the quality of the clinical experience or the field experience that people are having so that they can learn to lead by leading and getting appropriate feedback on that.” As of this year, Illinois has also added a mentorship component, allowing all new principals to be matched with veteran principals for continued support as they enter the job.

Eighteen states, including some of the highest performing in the nation, have higher clinical experience requirements for principals than New Mexico, with 14 of them requiring at least 300 hours in field-based experiences.

We have seen the positive impact that enhanced principal preparation can have at a small scale here in New Mexico. The Alliance of Leading and Learning, a partnership between the University of New Mexico and Albuquerque Public Schools, runs a principal preparation program in which, after completing coursework co-taught by UNM faculty and APS principals, principal candidates complete a semester-long, full-time internship alongside an experienced mentor principal. In the decade since the program began, it has mentored 126 principals and assistant principals, and 83% of its graduates are still in their positions.

The legislature and governor should follow the lead of Illinois and create a specialized principal licensure track that includes a semester-long paid residency with an experienced, highly effective principal.

To be effective, this principal residency would require identifying master principals to train the resident principals. Master principals could be identified through measures like the principal's evaluation by district leadership, the principal's longevity in the position, teacher turnover under that principal, and an annual survey asking teachers to evaluate the effectiveness of the principal. This sort of data could be used to select principals who would make the best mentors.

Once a principal enters the profession, ongoing support is needed to help them keep developing

their skills over time. Studies of principal coaching show that it makes a difference. For example, one study in Oakland found that principals who worked with coaches raised the academic performance index score of their schools by nearly three times the average districtwide increase. Yet as a Brown University study put it, "principals have traditionally been thrown into their jobs without a lifejacket, and they are expected to sink or swim."

In the past, New Mexico provided coaching support only to principals in the most high-need, underperforming schools, and reached only about 3.5% of the state's principals each year. More recently, the state has begun to expand access to principal coaching through three programs: "Lead," a one-year program for principals with under three years of experience; "Thrive," a one-year program specifically focused on developing skills in evaluating and coaching teachers, and "RISE," a two-year program focused on skills like using data to improve instruction and building a culture of achievement. These programs are a good first step.

The legislature and governor should expand access to professional development and coaching programs, and require that principals at all 864 public schools in the state participate in these programs.

Currently, Lead, Thrive, and RISE are funded at a rate of \$2.5 million a year, and they reach approximately 233 participants a year. Expanding access to coaching for all principals could be achieved for an additional investment of about \$6.8 million.

Finally, principal salaries need to be adequate to compensate them for the time and work required to do the position well. Unfortunately, our current

compensation schedule makes it hard to recruit and keep principals.

Under the most recent salary schedule, a New Mexico elementary school principal receives a minimum salary of \$84,000, about 20% higher than the \$70,000 minimum salary for a Level 3 teacher. However, principals' annual contracts are about 30% longer than those of teachers, averaging 250 days compared with 190 days for teachers.

It gets worse: in some New Mexico schools, the principal's salary is actually lower than that of a Level 3 teacher who holds multiple endorsements and national board certification. This sort of salary compaction discourages experienced teachers from moving up to the role of principal.

Even more concerning is the salary gap between principals and central office administrators in many districts. According to the most recently available data from the Public Education Department, as of 2018, principals in districts larger than 2,500 students are paid nearly \$20,000 less than administrative associates in those school districts' central offices. (Districts smaller than 2,500 students have fewer central office staff and smaller pay gaps.)

The pay gap in some districts is even more extreme. In Albuquerque, the average salary of a principal in 2018 was \$69,457, while the average salary of an administrative associate in the central office was \$122,760, despite the fact that a principal has a far more profound impact on the lives of students. This salary imbalance incentivizes great teachers and principals to leave their schools and become central office administrators.

The legislature and governor should increase the minimum principal salaries to at least 30% higher than Level 3 teachers, reflecting the difference in

workload—and they should also cap the salaries of central office administrators (other than the superintendent and perhaps one or two other top district staff) at no higher than the average principal in that district.

Right-sizing principal salaries and providing them with the preparation and support they need to succeed in their roles should improve principal performance and reduce principal attrition, which in turn should reduce teacher turnover and raise student achievement.

UPGRADE THE QUALITY OF SCHOOL BOARDS

Just as principals shape the working environment for teachers, school district leaders shape the working environment for principals and other school staff. So it is not surprising that there is a large body of research indicating that local school boards can positively impact student learning when their decisions and actions are focused on elevating student achievement.

This was the conclusion of an international review of the research on school board effectiveness in 2018, which examined hundreds of separate studies about the effect of local boards on educational quality.

Local school boards in New Mexico exercise a variety of duties that can positively influence students. These include overseeing the school district's annual budget (where boards can, for example, choose to spend less on central office administration and more in the classroom) and recruiting, hiring, and firing superintendents, whose leadership and longevity in the job can also improve student outcomes.

Local school boards in New Mexico date to 1855, more than a half century before statehood. At first, each board governed a single school and a small number of students. Fast forward to 2022 and the job of a local school board has become exponentially more complex and demanding as school boards oversee much larger budgets and many more students with vastly different backgrounds and needs. Albuquerque Public Schools (APS), the largest district in the state, has more than 72,000 students, 143 district schools, and 31 charter schools.

As this trend has continued both nationally and in New Mexico, it has become difficult to attract highly qualified people to run for the school board. Chester Finn, a former Professor of Education and Public Policy at Vanderbilt University and an Assistant Secretary of Research and Improvement at the U.S. Department of Education, summarized the situation well:

“There may still be some tranquil towns...where the platonic ideal of the elected local school board flourishes: with the community’s foremost citizens running in nonpartisan elections, then selflessly devoting themselves to the best interests of all the community’s children. But in the parts of U.S. education that cause the greatest concern...today’s typical elected local school board resembles a dysfunctional family, comprised of three unlovable sorts: aspiring politicians for whom this is a stepping stone to higher office, former school system employees with a score to settle, and single-minded advocates of diverse dubious causes who yearn to use the public schools to impose their particular hang-ups on all the kids in town.”

William Howell, Professor in American Politics at the University of Chicago and the Director of the Center for Effective Government, adds a fourth category of “unlovable sorts”: “In still darker corners of the education system, school boards are dens of cronyism and corruption wherein members reward friends and political supporters with hefty contracts and cushy administrative jobs.”

Unfortunately, Finn and Howell's assessment of the types of school board members rings true with some school boards here in New Mexico. The fundamental problem is that school board members who are focused on their own political ambitions or on finding jobs for their connections are not

focused on students, and the research shows that this worsens student outcomes.

The legislature has enacted one important reform to increase the accountability of school boards to members of their communities: starting in 2019, school board elections were consolidated with other local elections in November of odd-numbered years. Prior to this reform, school board elections were held separately in February and only about 3–5% of voters generally participated. In the 2021 consolidated local election, statewide turnout was up to nearly 20%.

Those voters still need highly qualified candidates for the school board to vote for. Here we describe a series of reforms that would ensure that New Mexico's 89 school boards are more professional and more focused on serving the academic needs of students.¹

Detering the Use of School Board Seats as Political Stepping Stones

There are many examples of candidates in New Mexico using the school board as a political stepping stone, but one particularly good example of this phenomenon can be seen in the recent history of the Santa Fe Public Schools (SFPS) board. In the 2016–2017 school year, three members of that board ran for higher office while at the same time serving on the school board.

¹] Some argue for replacing school boards with an entirely different type of governance system, but it needs to be acknowledged that the decentralized, locally elected school board model that began with the pilgrims in the 1600s in New England has endured in part because there is not a better alternative. In some places the school board has been replaced by mayoral control, but that has been met with less than mixed success, except for a handful of the largest cities like New York, Washington D.C., Boston and Chicago.

The current chair of the school board was elected in February 2017 but by September had announced her candidacy for mayor. According to the *Santa Fe New Mexican*, "During her campaign for mayor, she missed parts of meetings, showing up late or slipping out early to attend public events."

Meanwhile, another member of the school board, after being re-elected in 2015, ran for and won a seat in the state legislature in 2016. (Commendably, she voluntarily resigned her school board post in 2017.)

Her four colleagues then appointed her successor, who, within three months, announced his campaign for the Santa Fe County Commission. He missed seven of 17 school board meetings in 2019 while he simultaneously occupied seats on both the school board and the county commission.

The end result was that too many members of the school board were more focused on their political careers than the academic needs of the 13,232 students under their trust. A *Santa Fe New Mexican* editorial noted that: "...a commitment [by school board members] to serve a full term would be welcome."

To deter candidates who seek to use the local school board as a political stepping stone, the legislature should enact a law requiring school board members to resign their school board seat as soon as they file paperwork to run for another elected office.

The remaining members of the school board would then fill that vacancy until the next election, just as they currently do whenever a seat comes open.

States with Penalties for School Board Members who Violate Nepotism Prohibitions

Felony	Ohio, Wisconsin
Criminal Misdemeanor	Arizona, Arkansas, Massachusetts, Montana, Nebraska, Nevada, North Carolina, North Dakota, Rhode Island, South Carolina, Utah, Virginia
Removal from Office or Removal + Other Penalty (misdemeanor, civil action, or fine)	Alabama, Indiana, Kentucky, Louisiana, Missouri, Oklahoma, South Dakota, Texas, Vermont, West Virginia, Wyoming
Civil Penalty or Fine	Connecticut, Florida, Maine, Mississippi, Washington

Source: State statutes, compiled by Think New Mexico.

Deterring Nepotism

New Mexico state law already prohibits district superintendents from hiring immediate family of school board members.

Yet, despite this law, a quick internet search reveals that egregious instances of alleged nepotism involving school board members are common occurrences among school districts of every size and every part of New Mexico:

- Cobre Consolidated School District: a school board member's daughter was hired as coordinator of special education (meanwhile another school board member voted for his son-in-law to be appointed to the school board over five other candidates);
- Jemez Mountain School District: the school board chairman's wife received a job as a bookkeeper over other candidates. She is also the sister-in-law of another school board member who is the brother of the school board president;

- Los Lunas Schools: multiple board members demanded that the district hire their family members, according to a May 26, 2021 letter from the Public Education Department suspending several members of the board; and
- Mesa Vista Consolidated Schools: the district auditor recommended that the district's business manager, who was married to the school board's president, be removed because she was unqualified for the job and had demonstrated gross incompetence.

This type of corruption obviously undermines morale among the vast majority of school employees who earned their jobs through merit.

It also distracts the school board from its core mission. Former Interim Los Lunas Superintendent Walter Gibson said that, in his nine-month tenure, he "never heard any serious conversation about teaching and learning, about instruction, about curriculum at board meetings."

The reason why there have been so many cases of alleged nepotism involving school board members, even when New Mexico law specifically prohibits it, may be that New Mexico's statute is silent about any legal consequences or penalties for nepotism.

As the chart on the previous page illustrates, in a majority of other states, nepotism by a school board member carries a penalty that ranges from from a fine to a civil action to a criminal misdemeanor to removal from office to even a criminal felony in two states. New Mexico is one of just 13 states with a prohibition but no penalty. We believe that school board members who violate the prohibition against nepotism should be removed from office, just as they are in our neighboring states of Oklahoma and Texas.

Going beyond the hiring of family members, to deter those who run for the school board in order to reward friends and political supporters, the legislature should also require the disclosure of all political contributions in school board races.

It was not until 2013 that any of New Mexico's school board candidates were required to disclose political contributions. However, the law enacted that year only applies to candidates in districts with 12,000 or more students. Of the 89 school districts in New Mexico, only five school districts meet that threshold today. That means of the 447 school board members in New Mexico, only 27 (less than 7%) are required to disclose their political contributions, even though school boards for even the smallest districts oversee the doling out of lucrative public contracts.

To deter those who would use their school board position to reward relatives and political supporters, the legislature and governor should require

that school board members 1) forfeit their office if proven to have engaged in nepotism and 2) disclose all of their political contributions and contributors.

Professionalizing School Boards with Transparency and Paid, High-Quality Training

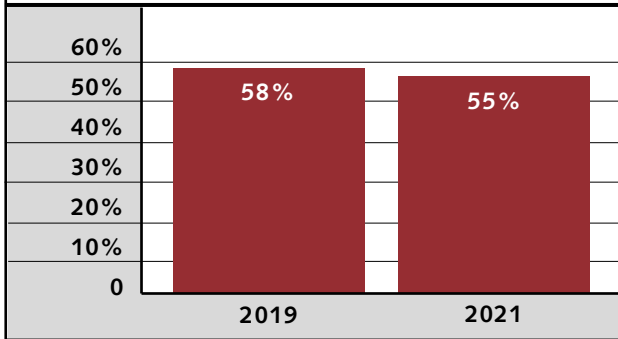
Deterring potential school board members who run for the office for the wrong reasons is one part of the solution to improving the quality of school boards. The other part is attracting good candidates to run for this essential office.

Currently, there are too few candidates running for New Mexico school boards. For example, in the last round of school board elections in 2021, only 45% of the school board seats were even contested by more than one candidate.

One reason why good candidates may not run for this office is the reputation that too many school boards have for dysfunction. Just as teachers want to work in schools led by good principals, the best potential school board members want to serve alongside other members who are focused on student achievement, not politics or personal interests. In other words, a better functioning school board can attract better candidates, who in turn sustain the high quality of the board.

A growing body of research has shown that school board performance can be improved by providing members with high-quality training. A 2020 meta-analysis of two decades worth of research found that school boards that dedicated more time to training their members in good governance practices demonstrated an increased focus on student performance, which in turn was correlated with higher student achievement in those districts.

Percent of Uncontested School Board Elections in New Mexico



Source: New Mexico Secretary of State, Election Results 2019 and 2021.

Currently, New Mexico school board members receive just five hours a year of training, which provides a very basic foundation in school finance and law. Considering that most school board members enter their positions without any background or expertise in how to oversee a school district, they would benefit from significantly more training in how to succeed in their roles.

In addition, based on the research, school board members should receive focused training in best practices around school district governance and how the board can bring up student achievement. This year, Colorado is launching a pilot project to provide exactly this sort of training to school board members in high-needs school districts, with a goal of improving academic outcomes in those districts.

The legislature and governor should increase the annual training requirements for all school board members from five hours to 24, and focus those expanded trainings on how school board governance can improve student outcomes. The Legislative Finance Committee and Legislative Education Study Committee should review and approve

the training programs, and school board members should receive a stipend for attending the trainings.

A final reform to improve school board culture is by increasing transparency. Although many school board meetings went remote during the pandemic, there is no requirement that school board meetings be webcast or that families have options to participate remotely. The sunshine of transparency can deter bad behavior and make it easier for community members to participate.

The legislature and governor should require that all school board meetings be webcast, and those webcasts archived, just as they are for legislative hearings.

By implementing this package of reforms, we can make our school boards more professional and put school district leaders in a position to focus on the things that really matter, like increasing student achievement.

RIGHT-SIZE TO SMALLER DISTRICTS, SCHOOLS, AND CLASSES

Student learning is impacted not only by teachers, principals, and school district leaders, but also by the environment in which it takes place, particularly the sheer number of students in a given district, school, or class.

The research overwhelmingly shows that students tend to do better in smaller, more personalized learning environments. Perhaps counterintuitively, smaller (or at least medium-sized) districts and schools are also often more cost-efficient as well as more effective for student performance.

Smaller Districts: Deconsolidate Albuquerque Public Schools

New Mexico has 89 school districts, and questions are often raised about whether some of the smallest ones should be consolidated to make the system more economically efficient. (Much consolidation has already occurred, as the total number of districts in the state is down from 947 in 1940.) However, from an academic standpoint, the smallest districts are disproportionately the highest achieving ones.

For example, this year, 15 of the top 18 districts for reading proficiency (83%) had fewer than 600 students; the same holds true for 13 of the top 15 (86%) districts for math proficiency. Considering

Top Districts for Math Scores 2022		
RANK	DISTRICT	ENROLLMENT
1	Roy	73
2	Des Moines	97
3	Corona	73
4	Los Alamos	3,713
5	Dora	219
6	Grady	176
7	Texico	555
8	Cloudcroft	387
9	Maxwell	119
10	Logan	284
11	Rio Rancho	17,342
12	Estancia	547
13	Melrose	267
14	Ft. Sumner	260
15	House	75

Source for both charts: New Mexico Public Education Department. All Valid Proficiencies by Entity SY 2021-22, ESSA-Aligned.

Top Districts for Reading Scores 2022		
RANK	DISTRICT	ENROLLMENT
1	Corona	73
2	Des Moines	97
3	Los Alamos	3,713
4	Roy	73
5	Cloudcroft	387
6	Quemado	162
7	Texico	555
8	Grady	176
9	Logan	284
10	Dora	219
11	Lake Arthur	125
12	Maxwell	119
13	Rio Rancho	17,342
14	Clayton	385
15*	Animas	609
	Mosquero	95
	Santa Rosa	165
	Tatum	310

* Four districts tied for 15th with the same reading proficiencies.

that only about 48% of school districts in New Mexico enroll fewer than 600 students, these districts are impressively over-represented among the highest achieving in the state. If small school districts are overwhelmingly succeeding at their academic mission, it does not make sense to consolidate them.

However, on the other end of the spectrum from these small, high-achieving districts is Albuquerque Public Schools (APS), the 35th largest school district in the nation according to the National Center for Education Statistics, with a current enrollment of 72,088 students (not counting the district's charter schools).

Sadly, APS students underperform the rest of the state. As a 2022 analysis by the Legislative Finance Committee (LFC) put it, APS is plagued by “low proficiency rates, large achievement gaps, lower post-pandemic learning growth, lagging high school graduation rates, and falling college enrollment and readiness.” Because about a quarter of all students in New Mexico attend APS, the underperformance of this district weighs heavily on the entire state—and likewise, improving the performance of APS students would lift the entire state's education rankings.

In previous policy reports, Think New Mexico called for deconsolidating APS into multiple smaller districts. Our reason for making this recommendation was grounded in APS's significant financial inefficiencies.

This was a somewhat counterintuitive conclusion, since a general assumption is that larger entities tend to benefit from economies of scale. However, decades of research have shown that, once school

districts exceed a certain size, they actually begin to suffer from diseconomies of scale, becoming more expensive to operate than medium-sized districts.

According to the most recent data available from PED, the average cost per pupil of school districts enrolling 15,001–25,000 students, the size tier just below APS, is \$7,284. The cost per pupil at APS is \$7,532. That \$248 difference, when multiplied across APS's 72,088 students, adds up to nearly \$18 million. The single most cost-effective district in the state is Roswell (10,147 students) at \$7,033 per pupil, followed closely by Los Lunas (8,295 students), at \$7,070 per pupil. (These dollar amounts consider only state taxpayer dollars for general operations, not including federal funding or special appropriations for food services or transportation.)

These diseconomies of scale result largely from the layers of bureaucracy that begin to develop once a district exceeds about 15,000 students. In 2017, for example, the Public Education Department (PED) issued a scathing letter to APS directing it to examine its “inflated and bloated executive team,” which at that time included 35 “top bureaucrats” with salaries of over \$100,000 each. APS has 113 departments and programs, ranging from Esports to the Extended Leave Department, and two office towers to house its extensive administrative personnel.

Even more important than the cost savings is the fact that deconsolidating APS would likely improve student outcomes. Research going back more than four decades, in jurisdictions ranging from California to West Virginia, has found that larger school districts tend to have negative impacts on student achievement, particularly for students from low-income families.

For example, a meta-analysis of the research as of the year 2000 concluded: “in impoverished communities, small schools in small districts boost school performance. In general, more impoverished locales should have smaller districts and schools.” The analysis also noted that smaller districts and smaller schools tended to have smaller achievement gaps between poorer and wealthier students: “smaller units seemingly work to reduce the link between poverty and achievement.”

This is particularly intriguing in light of the LFC’s finding in its 2022 analysis of APS that “the over 51,000 low-income students in APS show larger achievement gaps than low-income students state-wide.”

The enormous size of APS makes it impossible to govern well. For example, with 143 schools (not counting the charters), even the most active and committed superintendent could not visit all of them more than once during a school year.

Similarly, each APS school board member represents over 90,000 people. Compare this to the state’s most successful small districts where each board member represents just a few hundred to a few thousand New Mexicans. As with the superintendent, it would be impossible for even the hardest-working, most dedicated school board member to effectively communicate with and be responsive to over 90,000 people. (By contrast, in the New Mexico legislature, state representatives are asked to represent just over 30,000 constituents, while state senators represent around 50,000.)

Deconsolidating APS into smaller districts would allow board members to be closer to their constituents, better representing the diverse interests of different parts of the city.

The only credible objection to breaking up APS is the question of equity: since the city has poorer and wealthier neighborhoods, splitting APS into 4–6 smaller districts could easily result in districts with concentrations of wealth and poverty.

There are two way to address this. First, the new districts created in Albuquerque could be required to have relatively equal numbers of economically disadvantaged or at-risk students so that they are not concentrated in a single district.

The objection to that proposal might be that, as with legislative redistricting, it would break up communities of interest and group together schools and families that do not share similar challenges. So another alternative would be to keep communities of interest together and rely on the state’s school funding formula to promote equity among the new districts.

Because most public school funding comes from the state, and those dollars are distributed based on a formula that delivers more dollars to at-risk students, districts with higher percentages of at-risk students receive more funding. This could result in more funding going to schools in a new district based in the South Valley of Albuquerque, for example, than those schools currently receive as part of APS.

Think New Mexico is not alone in calling for the deconsolidation of APS: state policymakers have been introducing legislation to break up the district for at least two decades. In 2002, Representative James Taylor (D-Albuquerque) sponsored a bill that would have allowed voters in any district with more than 35,000 students to vote to split it into at least three smaller districts.

(Currently, APS is the only district in the state that exceeds 35,000 students; the second largest district in the state, Las Cruces, enrolls around 24,000 students.)

Taylor, who represented the South Valley, explained that “the big problem with APS is that it’s just too big,” and as a result the district’s administration was not able to serve the needs of individual schools like the ones in his community. That bill passed the House 56-10 and the Senate 26-14 but was vetoed by Governor Gary Johnson. In the years since, similar bills have been introduced by Albuquerque-based legislators from both parties, but none have made it all the way through the legislative process.

The legislature and governor should enact a law requiring any district larger than 35,000 students to place a question on the next election ballot asking the public whether they would like to deconsolidate it into smaller districts.

Smaller, Safer, More Successful Schools

A dozen years ago, Think New Mexico published a report detailing the benefits of smaller schools and calling on the legislature to limit the size of new schools.

At the time, we cited three decades of research showing that students perform better in smaller, more personalized settings. Numerous studies found that smaller schools tend to have higher graduation rates, higher student achievement, and higher levels of satisfaction among students, families, principals, and teachers. Smaller schools can also dramatically improve the performance of low-



Larger schools tend to have higher dropout rates.
Cartoon by John Trever, copyright 2008.

income children, which helps to narrow the achievement gap. The data indicated that high schools should be no larger than about 900 students, and elementary and middle schools should be no larger than about 400 students.

Since then, the research has continued to accumulate in favor of smaller schools, and one issue has become unfortunately more relevant than it was at the time our earlier report was published: in an era of increasing school violence, smaller schools tend to be safer.

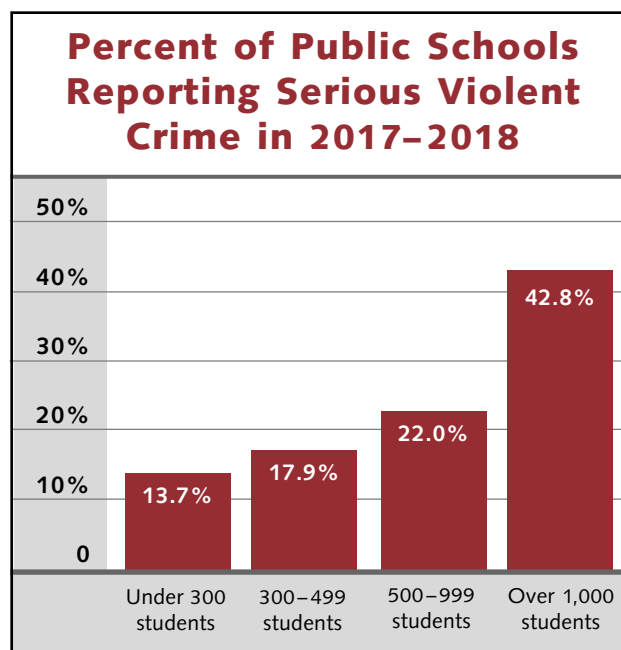
In 2017, researchers at Vassar College published an analysis of the mass school shootings that had occurred between 1995–2014. They discovered that schools where mass shootings occurred had significantly higher student enrollments than the average in their states. The researchers concluded that, because perpetrators of school shootings often report feelings of social isolation and exclusion, “large, impersonal school settings may create a unique and dangerously toxic environment” for individuals with a tendency toward violence.

These findings are consistent with two decades of research by the U.S. Department of Education. Between 1998 and 2019, the Department issued a series of studies on violence in schools, and identified large school size as one of only five characteristics that increased the likelihood of a serious violent incident occurring.

Yet in the 2021–2022 school year, more than half of New Mexico ninth graders entered high schools with populations larger than 1,000 students, and the state continues to spend millions of dollars annually building large schools.

For the past two decades, New Mexico has spent an amount ranging from about \$40 million to over \$250 million a year in state taxpayer dollars on school construction projects through the Public Schools Facilities Authority (PSFA) funding process. Those funds have been used to construct a number of schools enrolling more than 1,000 students in communities ranging from Gallup to Deming to Las Cruces. Multiple districts have also consolidated small elementary schools into larger facilities enrolling 700–800 students. Albuquerque’s two newest high schools, built with PSFA funding, have student populations of 2,152 and 2,251.

Where districts have instead chosen to invest in smaller schools, they have been popular and successful. For example, in 2010, the Las Cruces Public Schools opened an Early College High School affiliated with New Mexico State University (NMSU). The school was small by design, capped at around 500 students, and it has achieved impressive student success, being recognized as a national Blue Ribbon School and reporting student proficiencies in 2019 of 73% in reading and 45% in math (more than twice the state average), along with a 93% graduation rate.



Source: National Center for Education Statistics. “Indicators of School Crime and Safety,” 2019.

Many families, students, and teachers strongly prefer small schools, which helps explain why many are drawn to charter schools. Even charters that are abysmal academic failures have defenders among teachers who appreciate teaching in a smaller school setting and among families who value having their children in a small environment where they are known personally and bullying can more easily be prevented.

The main argument against building smaller schools has been that it can cost more to build and operate multiple smaller schools than a single large one. But like school districts, larger schools experience diseconomies of scale due to increasing costs for more layers of administration, more transportation (since students must be brought in from a larger area), and more security.

A 2005 study funded by the Gates Foundation examined 25 high-performing small schools across

the nation and found that they spent an average of 17% less per student than the overall per pupil expenditures for their districts, while achieving better student outcomes.

Another study comparing the cost and performance of New York City's large and small high schools found that although small schools (with fewer than 600 students) cost about \$800 more per student per year than large schools (with 601–2,000 students), the small schools cost \$3,300 less per graduate, because the dropout rate was more than twice as high at the larger schools. If our focus is on producing high school graduates, smaller schools do so more effectively and at a lower cost.

The legislature and governor should revise the public school capital outlay funding formula to incentivize school districts to build smaller schools: 900 or fewer students for high schools, and 400 or fewer students for elementary and middle schools.

Incentivizing school districts to build smaller schools will improve learning conditions over the long term. However, in order to improve conditions for students who are attending the large schools that already exist, those existing large schools should be restructured into smaller schools within schools.

Schools within schools keep smaller groups of students and teachers together in separate wings of a school building, creating a more personalized learning environment for students even while they share some common spaces like athletic facilities and libraries.

This approach of restructuring large schools into smaller schools within schools has been implemented successfully in New York City over the past two decades, and studies have shown that students who attended those smaller schools within schools were more likely to graduate, enroll in college, and earn college degrees.

Similarly, Chicago created about 150 small schools within schools concentrated in the city's poorest neighborhoods, and saw increases in student attendance, grades, and reading scores. As Think New Mexico's 2008 report noted, when smaller learning communities were implemented in large high schools in Albuquerque and Santa Fe, they resulted in higher test scores, better attendance, and lower dropout rates.

The legislature and governor should revise the public school capital outlay funding formula to incentivize school districts to split large schools (elementary and middle schools with over 400 students and high schools with over 900 students) into smaller learning communities or schools within schools.

Smaller Class Sizes

Just as with school districts and schools, smaller class sizes also have the potential to benefit students. One landmark study randomly assigned students in Tennessee to either small classes (averaging 15 students) or larger classes (averaging 23 students) and found that the students in the smaller classes gained the equivalent of an additional three months of schooling, and that the positive effects continued to be measurable years later.

An analysis of multiple studies by the Brookings Institute concluded that “very large class-size reductions, on the order of magnitude of 7–10 fewer students per class, can have meaningful long-term effects on student outcomes.” However, the research is much less clear that smaller reductions have a significant impact. As a result, reducing class size has been disfavored as a reform because significantly reducing the number of students in a class is expensive, and other reforms, like improved teacher training, yield a better return on the investment.

However, while the research is mixed on how much impact class size has on student learning, studies and surveys have shown that smaller class sizes do have a positive impact on the working environment for teachers. Smaller classes reduce teacher stress and allow teachers to provide more personalized instruction, which is particularly important as they deal with increased behavioral problems in the wake of the pandemic. As noted earlier in this report, effective teachers are the most important factor in student achievement, and the teaching environment is one of the primary factors determining whether teachers remain in the profession.

Fortunately, large class size is not a problem in most of New Mexico. In fact, the statewide student-teacher ratio has been dropping as overall student enrollment has fallen and the number of teachers has grown. As of 2021, the overall student-teacher ratio had fallen to just under 15:1, right around the national average.

Since 1986, New Mexico has capped class sizes in statute. Currently, those caps are 20 students for kindergarten; 22 for grades 1–3; and 24 for grades

4–6. In high school, the class size caps are specific to English courses, and are 27 students for grades 7–8 and 30 students for grades 9–12.

However, since at least 2005, the state has issued waivers to allow classes to exceed these caps.

Starting in 2007, legislators of both parties began to introduce bills to reduce or end the use of those waivers, or even to incorporate K–12 class size limits into the state constitution. In 2014, Senate President Pro Tem (then Representative) Mimi Stewart passed a bill to end the use of waivers, at a total cost of \$20 million. Unfortunately, the waivers returned two years later when the state budget again grew tight.

The legislature and governor should prohibit the granting of waivers of class size limits and keep the student-teacher ratio at a manageable level.

The positive impacts of smaller districts, schools, and classes are particularly important for the at-risk students who need the most support from the school system—in other words, the students the state has committed to serving better in response to the Yazzie-Martinez court ruling.

MAXIMIZE THE BENEFITS OF CHARTER SCHOOLS

Charter schools have been part of the landscape of public education in New Mexico since 1993, when five public schools in the state were authorized to convert into charters. Six years later, the legislature and governor enacted the Charter School Act, authorizing the widespread creation of charter schools, and ever since, the number of schools and the number of students enrolled in them have grown steadily.

Today, there are 98 charter schools in New Mexico, constituting over 11% of all public schools and enrolling 29,217 students, about 9% of all public school students in the state. This level of enrollment makes charter schools the equivalent of the second largest school district in New Mexico.

Charter schools are public schools that are created by a contract, or charter, between a school's founders and the state or local school district. That charter specifies the school's specific mission and lays out performance targets that it is aiming to meet. Charter schools are exempt from many, though not all, of the rules and requirements that apply to traditional public schools.

Charter schools have been the subject of heated debate, both within New Mexico and beyond. Advocates argue that charter schools develop innovative models and techniques that can be incorporated into traditional public schools, improving the entire school system. Critics claim that they skim the students who are most likely to succeed and drain resources away from traditional public schools (since school funding is based on enrollment).

The debate about the pros and cons of charters sidesteps a key point: thousands of New Mexico families are actively choosing charter schools for their children, and charters will continue to play a significant role in the state's public school system into the future.

What if we refocused the debate to instead ask what is the best way to maximize the benefits of charter schools for all public school students in the state?

In terms of student achievement, charter schools overall perform about the same as traditional public schools. However, that aggregate performance hides a wide variation: some charter schools significantly outperform traditional public schools serving similar students, while others fall well below their traditional counterparts.

For example, take the GREAT Academy in Albuquerque. This charter school has drawn criticism from almost the moment it opened in 2011. The school was founded by a husband and wife who paid themselves combined salaries of \$305,652, including a car allowance. This pay was approximately 30% of the school's budget and was more than three times higher than the average pay for that position statewide. (By way of comparison, the Superintendent of Albuquerque Public Schools, who is responsible for more than 72,000 students, is paid \$240,000.) The founders also hired their daughter, failing to ask the board for the required nepotism waiver until the issue was flagged by a state audit. Meanwhile, the school paid its teachers an average of \$38,000 a year, among the lowest teacher salaries in the state.

The GREAT Academy's academic performance has been as troubling as its fiscal mismanagement. In 2019, 21% of its students were proficient in reading, compared with 34% statewide; in math, only 8% were proficient, compared with 21% statewide. The school's graduation rate ranged from 20–38%. Not surprisingly, its enrollment has fallen from 223 students in its first year of operation to 115 as of 2021.

In 2020, the Public Education Commission (PEC), which authorizes state charter schools, voted 10-0 to close the GREAT Academy. However, the school appealed first to the Secretary of Education, who rejected the appeal, and then to the courts, which ruled in favor of the GREAT Academy, and the school has been allowed to continue operating.

The GREAT Academy is just one of a number of charter schools that have remained open for years despite a track record of underperformance. Only a handful of charter schools have ever been required to shut down in New Mexico, and most of those closures were for fiscal mismanagement, rather than academic failure.

By contrast, 13 states have charter school laws that require the closure of schools that fail to perform academically for a certain number of years. This makes sense, as charter schools are meant to be innovative experiments that offer a different sort of education than traditional public schools: some of those experiments will inevitably fail, and if they are not benefitting the children who attend them, they should be shut down.

The legislature and governor should revise the state charter law to require the closure of charter schools that have failed for several years to meet their own performance standards or are perform-

ing significantly below traditional public schools with similar student demographics.

On the other side of the ledger, there are some excellent charter schools that have unfortunately been prevented from serving as many students as they could.

One is the Albuquerque Institute for Math and Science (AIMS), located just seven miles south of the GREAT Academy but about as far as it could be academically. AIMS has been a nationally recognized Blue Ribbon school since 2013, and in 2022, U.S. News and World Report ranked it the 8th best charter school in the nation, and the 53rd best school nationwide. In 2019, 90% of AIMS students were proficient in reading and language arts, 74% were proficient in math, and 93% in science. The graduation rate exceeds 90%. AIMS serves a diverse student body of 354 students, and has a waiting list that has sometimes exceeded 2,000 students.

In 2014, AIMS sought to open a second campus affiliated with the UNM campus in Rio Rancho. (Because AIMS students are required to complete 30 college credit hours in order to graduate, its model requires proximity to a college campus.) However, under current New Mexico law, if a charter school seeks to locate a new campus in a different school district—in this case, AIMS's second campus would be in the Rio Rancho district rather than Albuquerque Public Schools—it must apply for a whole new charter, just as if it were a brand new school, and it must recruit an entirely new governing board for each branch located in another district.

AIMS requested a waiver of this requirement from the Public Education Department so that it could open a second branch under its existing charter

States with Laws Requiring the Closure of Under-Performing Charter Schools

Alabama	Missouri
D.C.	Nevada
Florida	Ohio
Indiana	Oklahoma
Kansas	South Carolina
Louisiana	Tennessee
Michigan	

States with Streamlined Processes for Replicating Successful Charter Schools

California	Louisiana
Delaware	Missouri
D.C.	North Carolina
Florida	Texas

States that Allow Charter Schools to Give Enrollment Preference to At-Risk Students

Delaware	Massachusetts
Florida	Minnesota
Hawaii	Missouri
Illinois	Nevada
Indiana	Oregon
Louisiana	Utah
Maine	Washington

Sources: Education Commission of the States. Charter School Policies. January 2020; and Education Commission of the States. "Charter Schools: Does the state set a threshold beneath which a charter school must automatically be closed?" January 2018.

and leadership. Unhappy about the prospect of AIMS attracting students — and revenues — away from district schools, the Rio Rancho school board strenuously objected, and the application was shut down. AIMS has still not been able to open a second campus, despite its success and clear community interest in the education it is providing.

The prohibition on opening new campuses in different districts under a single charter has meant that the only high-performing charter that has managed to replicate is Mission Achievement and Success (MAS). MAS was founded in 2012 and opened a second campus in Albuquerque in 2017 in order to serve some of the 1,000+ students on its waiting list. The school serves a student body that is 90% minority and 81% economically disadvantaged, and has proficiency rates about 10% above the state averages in math and reading. Even so, its request to replicate was just barely approved by the PEC, on a vote of 5-3.

The legislature and governor should allow academically successful charter schools to open multiple campuses in New Mexico under a single charter contract.

Beyond making it easier to open successful charters and close failing ones, New Mexico should also make it easier for charters to serve the students who would gain the most benefit from them. Some of the highest value that charters can provide is serving students whose needs are not being met by traditional public schools. For example, students with disabilities, teen parents, and the at-risk students at the heart of the Yazzie-Martinez lawsuit are populations who would benefit from the specialized instruction that well-designed charter schools can provide.

State law currently requires that charter schools must enroll students using a pure lottery system, in which all students are eligible to apply to attend and are selected by a random drawing.

The problem with this system is that it favors children whose parents have the knowledge, time, and fluency in English to successfully navigate the lottery application process. As a result, a 2019 report on charter schools in New Mexico found that, as a whole, they enrolled 18% fewer children in poverty than traditional public schools, 3% fewer Hispanic students, 5% fewer Native students, and 7% more White students. The lottery process, intended to be fair to everyone, has not resulted in a charter school enrollment that is representative of the state.²

Fourteen states allow charters to give priority to disadvantaged populations of students. For example, a charter school in one of these states might be permitted to hold two different lotteries, one for children living in poverty and one for children who are not, and select a larger percentage of its enrollment from the pool of children living in poverty.

This sort of reform would make it easier to develop schools like the Native American Community Academy (NACA), which is designed to provide culturally relevant education tailored to New Mexico's indigenous students. Today, it is not allowed by law

² The current charter application system has one other big drawback: because each charter school has its own application process and deadlines, it is extremely challenging to navigate the process of applying for admission to multiple charters. The legislature and governor should consider requiring a single, unified application process and schedule for all charter schools in a district in order to level the playing field among families.

to give Native students preference in its admissions lottery, and must rely on extensive outreach to ensure that large numbers of Native students apply.

The legislature and governor should reform the charter school law to allow charters to give enrollment preference to the sort of students who would benefit most from a specialized education, such as at-risk students, students with disabilities, and English language learners.

Finally, if one key goal of charter schools is to create options for students who are underserved by the traditional public schools, then those students should have reasonable access to them regardless of where they live in New Mexico. However, because charter schools are located in places where their founders live (or want to live), they have ended up concentrated in a few New Mexico communities: 69% of charter schools in New Mexico are located in Albuquerque, Santa Fe, and Las Cruces. (Albuquerque alone, with just about a quarter of the state's population of students, is home to 54% of the state's charter schools.)

Meanwhile, school districts like Artesia, the City of Las Vegas, West Las Vegas, Hobbs, and Portales all have just one public high school, and zero charter schools for any high school students who are not being well-served by that single school.

Making it easier for successful charters to replicate could help address this disparity, as schools like AIMS could be encouraged to expand to communities that currently lack charter options.

The legislature and governor should streamline the application process to open new charter schools in school districts that currently lack

PROVIDE A RELEVANT, RIGOROUS HIGH SCHOOL CURRICULUM

To understand why students drop out of high school, researchers funded by the Gates Foundation hit upon a novel idea: why not just ask high school dropouts directly? So in 2006, they hired a major polling company to conduct a national poll of high school dropouts.

Nearly half (47%) of the respondents said a major reason for dropping out was that they were bored and their classes were not interesting. Their top suggestion to help students stay in school was to make school more engaging and enhance the connection between the classroom and work. In other words, make the curriculum more relevant.

In addition, while most dropouts blamed themselves for failing to graduate, two-thirds of the survey respondents said that they “would have worked harder if more was demanded of them (higher academic standards, more studying and more homework).”

Likewise, the Center for American Progress, a progressive think tank, undertook an audit in 2018 of all 50 states’ high school graduation requirements and concluded: “rigorous expectations for a high school diploma are a critical first step to preparing all students for success after graduation,” whether their path takes them to college or directly into a career.

The Public Education Department (PED) may not have been aware of this polling data and research when they unveiled a proposed redesign of New Mexico’s high school curriculum in June 2022. That plan diluted academic rigor by shifting courses in government, economics, and New Mexico his-

tory from graduation requirements to optional electives. It also rejected the idea of adding financial literacy/personal finance and civics, courses that have been shown to be engaging and relevant, to the high school graduation requirements.

The PED high school curriculum redesign was “developed with the help of working groups made up of around a quarter of PED staff across different bureaus,” according to comments by a PED employee to the *Albuquerque Journal*.

Had the PED also consulted with students, families, and teachers prior to rolling out their proposed redesign, these stakeholders might have highlighted the value that personal finance, civics, government, and economics provide to students, which is reflected in the fact that a healthy majority of states have made them graduation requirements.

For example, 30 states have made personal finance a graduation requirement, with 22 states adding it in the last decade. A few months ago, South Carolina became the 15th state to guarantee a standalone personal finance course to all high school students prior to graduation. Fifteen other states require personal finance to be taught within another course, such as economics.

Personal finance is currently offered as an elective in New Mexico, yet only about 11% of students actually take the course. A recent poll conducted by the National Endowment for Financial Education found that 88% of U.S. adults think their state should require a personal finance course for high school graduation. Furthermore, 80% of U.S. adults say they wish they had been required to complete a course focused on personal finance education during high school.

Meanwhile, 41 states require civics education

States Requiring Standalone Financial Literacy Classes for High School Graduation

STATE	YEAR ENACTED
Utah	2003
Missouri	2005
Virginia	2005
Mississippi	2008
Tennessee	2009
Alabama	2013
Iowa	2018
North Carolina	2019
Nebraska	2021
Rhode Island	2021
Ohio	2021
Florida	2022
Georgia	2022
Michigan	2022
South Carolina	2022

Laws adding standalone financial literacy courses to high school graduation requirements have gained momentum in recent years. Source: State statutes, compiled by Think New Mexico.

through some sort of coursework about the rights and obligations of citizenship, and 39 states require a class in government in order to graduate from high school. Public schools should prepare students not just for college and careers, but also for civic life. Voter participation in the last four statewide elections in New Mexico has averaged just under 50% of eligible voters, and a 2022 Annenberg Civics Knowledge Survey found that less than half of Americans can name the three branches of government.

Requiring students to learn about civics and government for high school graduation would seem to be essential for a functioning democracy, which may explain why so many states make this class a graduation requirement.

The legislature and governor should make the high school curriculum more engaging and relevant by adding a semester course in personal finance to the graduation requirements, maintaining the current requirement for a course in government, and requiring civics education be a part of that government course.

Along with adding financial literacy and civics, the legislature and governor should maintain the existing requirements for economics and New Mexico history.

Twenty-nine states require students to either take a course in economics to graduate (25) or integrate economics into another course (4). The PED proposal to shift economics from a required course to an optional elective means that many students would not gain the analytical tools they need to understand events in the economy that directly affect them.

It also seems counterproductive to shift New Mexico history from a required course for graduation to an optional course when the PED is under a court order from the Yazzie-Martinez lawsuit to increase instruction that is culturally relevant to Hispanic and Native American students.

The value of a New Mexico high school diploma relative to those of other states has been a longstanding challenge, with many graduates finding that they must take remedial courses in college and are academically behind students from other states. Watering down New Mexico's high school graduation requirements would take public schools in the opposite direction from the majority of states, and is also at odds with what the data tells us about what students need and what would keep them in school.

The legislature and governor should reject the PED’s proposed redesign of New Mexico’s high school curriculum because watering down the high school curriculum is more likely to increase dropouts than to boost the graduation rate.

Rather than watering down the high school curriculum in New Mexico, the legislature and governor should bolster it.

For example, current New Mexico law does not include a foreign language requirement. (The statute requires students to complete either a foreign language or a career and technical education course.) The Center on American Progress (CAP) conducted a state by state comparison of graduation requirements in 2018 and graded New Mexico as “deficient” in foreign languages. CAP noted that by failing to require foreign language study, the state puts our high school curriculum out of alignment with state university admissions requirements. Except for Alabama, every state university requires two years of foreign language study.

The study of foreign languages in an increasingly globalized world is important not only to be college ready but also to be career ready. In a 2017 study titled, *Not Lost in Translation: the Growing Importance of Foreign Language skills in the U.S. Job Market*, the bipartisan think tank New American Economy found that approximately 60% of occupations with the highest demand for bilingual work do not require a college degree.

The legislature and governor should require two credits of foreign language study for high school graduation and align the curriculum with what state university admissions require.

Like foreign language study, CTE (Career and Technical Education) is another area where stu-

dents have been underserved and graduation requirements need to be strengthened. The authors of *No Time to Lose*, the influential 2016 study published by the National Conference of State Legislatures, found that CTE is emerging as a hallmark of high-performing education systems in the United States and internationally.

Today’s CTE is a far cry from the vocational-technical education of yesteryear. The emphasis today is on the “career” aspect, with classes that expose high school students to business management, fine arts, health science, legal studies, culinary arts, and so on.

Whether students are preparing for college or plan to go straight into the workforce, they all benefit from CTE. Even private college preparatory schools, like Albuquerque Academy and Santa Fe Prep, require their high school seniors to complete an internship or similar experience before graduating. Most school districts and charter schools in New Mexico offer some type of CTE, but CTE is not required for every public school student in New Mexico.

Empirical data in a report to Congress from the U.S. Department of Education that examined CTE and graduation rates found that that New Mexico high school students who take at least two CTE courses in a program area, such as film or health care, consistently graduated at rates above 90%—nearly 20% higher than the statewide average of 74%. However, only about 16% of New Mexico high school students currently complete more than one CTE course.

The legislature and governor should require two credits of CTE for high school graduation and encourage high schools to offer more CTE courses, such as through internships in the local community.

Current High School Graduation Requirements

- 4 units in English**
- 4 units in math**
- 3 units in science**
- 3.5 units in social science**, including
 - U.S. History & Geography
 - World History & Geography
 - New Mexico History (0.5 unit)
 - Government & Economics
- 1 unit CTE or foreign language**
- 1 unit physical education**
- 7.5 units of electives**

Sources: New Mexico Statutes Annotated 23-13-1.1.

Redesigning the high school curriculum is a zero sum game: if required courses are added, then an equal number of courses must be subtracted in order to remain at the current 24 overall credits required for graduation.

Interestingly, New Mexico is an outlier when it comes to the number of electives required for graduation. New Mexico currently requires students to complete seven and a half electives to graduate. Only one state, Florida, requires more, at eight electives. Nevada also requires seven and a half credits to graduate. The other 47 states require fewer credits than New Mexico, and 21 states do not require any electives.

The concept of “mandatory electives” is a bit of a contradiction in terms, since graduation requirements should ideally focus on the core studies that all students need. Students may, of course, take more credits than the bare minimum needed to graduate, and they may take as many electives as their schedule allows.

Think New Mexico Recommendation

- 4 units in English**
- 4 units in math**
- 3 units in science**
- 4 units in social science**, including
 - U.S. History & Geography
 - World History & Geography
 - New Mexico History (0.5 unit)
 - Government & Civics (0.5 unit)
 - Economics (0.5 unit)
 - Financial Literacy (0.5 unit)
- 2 units foreign language**
- 2 units CTE**
- 1 unit physical education**
- 4 units of electives**

Adding a half credit for personal finance, two credits for foreign language, and two credits for CTE would add four and a half credits; however, one of those credits is already accounted for, since students must currently complete one credit of either foreign language or CTE. If three and a half required electives are subtracted, the total graduation requirements would remain constant at 24, but would be refocused on relevant and rigorous core subjects.

The legislature and governor should reduce the number of required electives for graduation from seven and a half to four.

Making all of the changes recommended here would yield a total requirement of 20 core courses for graduation plus four elective courses, which can be taken in art, music, theater, dance, additional CTE, or any other courses that students find engaging.

DEPOLITICIZE STUDENT ASSESSMENTS

The school testing debate has raged fiercely in New Mexico in recent years. As one of her first acts in office, just two days after being sworn in, Governor Michelle Lujan Grisham signed an executive order ending the PARCC (Partnership for Assessment of Readiness for College and Careers) standardized testing that outgoing Governor Susana Martinez had put into place four years earlier. PARCC has now been replaced with NM-MSSA (New Mexico Measures of Student Success and Achievement).

Martinez in turn had brought in PARCC testing to replace SBA (Standards-Based Assessments), which was used under Governor Bill Richardson's administration.

As a result of this political tug-of-war over testing, New Mexico students have had to take three different varieties of year-end assessments in the last decade, and educators have had to adapt to a new testing regime every few years. The constantly changing baseline means that policymakers do not have good longitudinal data about how New Mexico students are performing over time. None of this serves students.

The primary objections to standardized tests in New Mexico have been less about the tests themselves than about the high stakes that have frequently been attached to them. The central criticism of the PARCC exams, for example, was that they were the main factor used in teacher evaluations and school grades.

The problem with using student assessments to punish or reward the adults in the system is that it detracts from the core purpose of assessments: to

advance student learning. As Andre Perry, Senior Fellow at the Brookings Institute, writes:

“Achievement tests were not designed for the purposes of promoting or grading students, evaluating teachers, or evaluating schools. In fact, connecting these social functions to achievement test data corrupts what the tests are measuring. ... When a score has been connected to a teacher's pay or job status, educators will inevitably be drawn toward teaching to the test, and schools toward hiring to the test and paying to the test, rather than making sure students get the well-rounded education they deserve.”

What if we redesigned the state assessment system with student learning at the center?

A certain level of student testing is mandated by federal law. Since 1969, Congress has required students to participate in the National Assessment of Educational Progress (NAEP), known as the Nation's Report Card. NAEP exams test fourth, eighth, and twelfth grade students in math, reading, science and writing, among other subjects. The same tests are given nationwide, making NAEP the only assessment that allows for apples-to-apples comparisons of student performance between states.

In addition, under the Every Child Succeeds Act (ESSA, which replaced No Child Left Behind), states must test reading and math every year in grades 3–8 and once in grades 10–12, as well as science once in grades 3–5, once in grades 6–9 and once in grades 10–12. However, states have the option to choose the exams they administer to meet these testing requirements. New Mexico has complied with these federal requirements with the year-end SBA-PARCC-MSSA tests that have changed every time a new governor is elected.



Student assessments should center the goal of student learning. Illustration by Andrew Toos, courtesy Cartoonstock CS436375.

New Mexico is not the only state that has experienced controversy and pushback over its testing regime. Interestingly, Florida, one of the first states to embrace high-stakes testing, has recently become a leader in the movement to de-emphasize single, year-end, “summative” tests. During the 2022 legislative session, the Florida legislature and governor enacted a law replacing summative tests with interim assessments, a series of three shorter tests given to students at the beginning, middle, and end of the school year. (The third and final of these assessments satisfies Florida’s federal testing requirements under ESSA.)

Interim assessments have several advantages over summative exams. First, they can give students, teachers, parents, and principals timely feedback about how students are doing as the school year progresses. Teachers can use this data to identify

students in need of intervention, and adjust their instruction to address gaps in student proficiency. By contrast, a single major test at the end of the year provides that information far too late for any course correction.

Interim assessments also have the potential to provide a better window into student growth over the course of a year, which in turn also gives teachers and principals a better sense of how teachers are doing in terms of growing their students’ skills and knowledge during the year.

Finally, interim assessments reduce the stakes and stress of tests for students by spreading out testing into several shorter exam periods over the course of the year, rather than concentrating preparation and test-taking into a marathon session at the end of the year. They also have the potential to reduce testing time: Florida hopes that its new regime will reduce total testing time by as much as 75%.

Florida is not alone in seeking a better way to use assessments to advance student learning. Louisiana and Georgia have also launched pilot projects of replacing summative testing with interim testing.

During the spring of 2020, as students and teachers struggled to adjust to remote learning during the early months of the pandemic, the U.S. Department of Education temporarily waived testing requirements, and the percent of New Mexico students taking year-end summative tests fell from 95% to 10%. The following year, as some testing requirements began to return, PED Secretary Kurt Steinhaus issued a memo requiring school districts to administer interim tests at the middle and end of the 2021–2022 school year in order to meet the federal standards.

The reform the state embraced out of necessity during the pandemic shows promise as a better way to do student assessments. At a legislative committee hearing in late 2021, Secretary Steinhaus testified that he would like to see New Mexico permanently “move from a single, end-of-year summative assessment to a statewide, three times a year—beginning, middle, and end of the year—assessment, where the teachers, the parents, and you in the legislature get data pretty quickly after that test.”

PED is currently allowing school districts to opt in to interim assessments, but those would be in addition to the summative assessments, which the state still requires. Adding interim exams rather than using them in place of a single summative test risks increasing total testing time rather than decreasing it. By contrast, an initial PED analysis estimated that switching from summative to interim tests could reduce testing time by six to nine hours annually, or around a day to a day and a half of the ten days that students currently spend testing. (As discussed in the section of this report on optimizing time for teaching and learning, it is crucial to make the most of every hour students spend in school.)

The legislature and governor should update New Mexico’s assessment law to replace the summative assessment with interim assessments, and require that teachers, parents, and students receive the results of those interim assessments in a timely manner so that they can act on them.

Beyond shifting from a summative to an interim testing regime, one other reform that would help drain the politics out of student testing would be to make it more difficult to change the tests on a political whim.

Under the current law, the Public Education Department has the sole discretion to select the state’s exams, and since the PED Secretary is appointed by the governor, student assessments can—and have—changed with every new governor.

A better system would be to require stakeholder input and thoughtful analysis before tests are replaced. This could be accomplished by establishing a process in law that must be followed before a state assessment is replaced. The test-selection process should involve notice and a public hearing and comment period, as well as an evaluation by an independent third-party organization that examines how well the existing assessment is achieving goals such as fairness, accuracy, equity, and cultural responsiveness, as well as potential improvements and alternatives.

The legislature and governor should enact a law establishing a thorough, merit-based process that must be followed before state assessments are changed.

HOW TO PAY FOR THESE REFORMS

Several of the reforms outlined in this report have no cost associated with them and simply require the political will to enact them. These include, for example, streamlining the processes for closing underperforming charter schools and replicating high-performing ones.

Other reforms would actually save taxpayer dollars while improving student outcomes, like deconsolidating the Albuquerque Public School District.

However, it should be acknowledged that several of the reforms outlined in this report would require millions of dollars in recurring revenues, such as expanding residencies for teachers and principals, and increasing principal salaries.

We estimate that the net cost of all of the reforms described here would be between \$65–\$85 million annually. Yet if legislators and the governor desire to enact them, that price tag should not be a barrier.

First, the costliest reform recommended in this report, extending the instructional hours for students, is already being paid for as part of the annual education budget. Those dollars are being appropriated but not spent. Nearly \$400 million was returned to the state last year for all of the extended learning time programs that school districts declined to implement. In the coming year, those appropriations have been scaled back, but the Legislative Finance Committee (LFC) still estimates that \$130 million will not be spent.

In addition, right now state coffers are overflowing with new revenue. Legislators and the governor are projected to have an additional \$2.45 billion

Sources of Funds for Education Reform	
New Revenues	\$2.45 billion
Funds Appropriated for Extended Learning but not spent	\$130 million
Dollars Being Spent on Administration that could be reallocated to the classroom	\$100 million
New Funds from Constitutional Amendment 1	\$84 million

Source: Compiled by Think New Mexico.

dollars of new revenues to spend in the budget year that starts in July 2023, according to estimates by state legislative and executive branch economists in August 2022 (shortly before this report went to press).

These funds do not include the additional revenues that would be generated by Constitutional Amendment 1, which is on the ballot for the November 2022 election and likely to pass based on polling. Specifically, Constitutional Amendment 1 would increase the amount that the state receives from its \$25.5 billion Land Grant Permanent Fund from 5% to 6.25% a year, resulting in approximately \$211 million annually in additional revenues for public education.

Constitutional Amendment 1 is often referred to as the “early childhood amendment,” but only 60% of the revenues that it would produce are earmarked for early childhood services. The other 40%, or an estimated \$84.4 million, is designated

for “enhanced instruction for students at risk of failure, extending the school year and public school teacher compensation.” That language is consistent with the reforms detailed in this report, and \$84 million is close to our best estimate of what, at most, the whole package of reforms described in this report would cost.

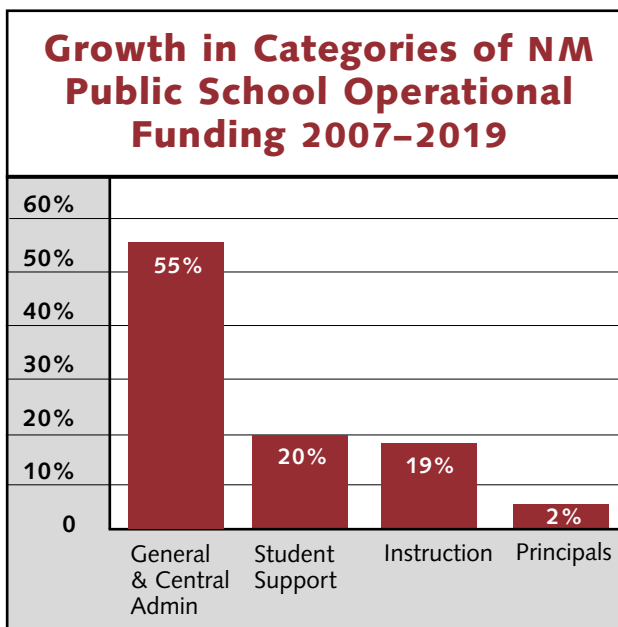
The Legislature and the Governor should use the approximately \$84 million of new monies likely to be generated from the passage of Constitutional Amendment 1 and targeted for at-risk students to pay for the recurring expenses of the recommendations in this report.

New Mexico is currently spending \$3.7 billion in this fiscal year on K–12 education, but a lot of that money is not being spent as effectively as it could be, as Think New Mexico documented in our 2017 policy report, *Improving our Public Schools by Reallocating Dollars from Administration to the Classroom*. In that report, we described how the state could shift \$100 million from school district central administration to the classroom.

Independent analyses from Education Week, Forbes, Kids Count, WalletHub, and U.S. News and World Report have each recently ranked New Mexico last in the nation for education quality, yet the U.S. Census Bureau ranks New Mexico 36th in the nation for per pupil spending at \$11,332 in 2020, the last year for which nationwide data is available.

As we concluded in our 2017 report, what matters is not just how much the state spends on education, but how well that money is spent.

Our 2017 findings were reinforced by a 2020 analysis by the LFC. The LFC study revealed that between 2007 and 2019, school district central and general administration grew by 55%, while spending on instruction and student support grew by just 19–20%.



Source: Legislative Finance Committee, 2020.

In other words, during this 12-year time period, spending on school district administration in New Mexico grew nearly three times faster than the rate of growth in school and classroom spending!

Classroom spending includes instruction, instructional support, and student support: the teachers, educational assistants, librarians, counselors, social workers, school psychologists, nurses, and coaches who work directly with students every day. Every dollar going to administration is not going to them. (We also consider principals to be part of classroom spending, although they are technically classified as “school administration” — the category of education spending that has grown most slowly in New Mexico over the past dozen years.)

This disturbing pattern of spending over a long period of time is especially tragic when one considers that allocating a higher amount of total operational dollars to instruction leads to higher student outcomes. This has been the conclusion of numerous studies over decades, including most re-

cently a 2018 study by researchers at Lamar University who examined the relationship between school district spending on instruction and state exam scores in school districts across Texas.

As mentioned throughout this report, Judge Sarah Singleton ruled in the 2018 Yazzie-Martinez case that New Mexico has not properly funded the education of the state's at-risk children. In response to this decision, the legislature and governor embarked on a historic increase in state education funding that was labeled a "moonshot for education." Unfortunately, because of budget decisions by many school boards and superintendents, not enough of that money has made its way to principals, teachers, and students in New Mexico's schools and classrooms.

Senate Memorial 30, drafted by Think New Mexico and passed unanimously in 2022, seeks to change that. Senate Memorial 30 directs the LFC to research the causes behind the concerning growth of central administrative spending and to develop legislation to make sure that more new funding goes to the schools and classrooms where it can make the greatest impact on student outcomes.

States ranging from blue Illinois to red Oklahoma have enacted laws to maximize the amount of their education budgets that are reaching teachers, principals, and students in schools and classrooms. It is time that New Mexico joins them.

In order for this reform to succeed, the PED needs to exercise better budget oversight of districts and charter schools and reject budgets that grow administration spending faster than school and classroom spending. As Judge Singleton noted in the Yazzie-Martinez decision:

"PED fails to exercise its authority over the districts to require that the money that is allocated is used for programs known to advance the educational opportunities for at-risk students.

...

Reforms to the current system of financing public education and managing schools should ... include a system of accountability to measure whether the programs and services actually provide the opportunity for a sound basic education and to assure that the local districts are spending the funds provided in a way that efficiently and effectively meets the needs of at-risk students."

The legislature and governor should require the PED to reject school district and charter school budgets that grow central office administration spending faster than spending at the school sites.

If the PED is unable or unwilling to exercise this authority, then that power should be given to the Department of Finance and Administration, which oversees budgets for every agency in the state other than the schools.

The money is there to pay for every reform described in this report, and these reforms will deliver a strong return on investment in improved student performance and outcomes.

CONCLUSION

If we follow the roadmap laid out in this report, our destination will be a New Mexico public school system that looks very different from the status quo in which we consistently rank last in the nation for education quality.

The school year will last long enough for educators to teach a rigorous and relevant curriculum, with extra time for early literacy programs and high school classes that prepare students for higher education and careers that benefit themselves and their communities.

Teachers and principals will enter their jobs with extensive, hands-on training in the skills they need to succeed, from colleges of education providing cutting-edge, evidence-based programs to year-long residencies with master teachers and principals. Once they enter their careers, teachers and principals will be well-paid and will receive continuing support and training from school board members and superintendents who are laser-focused on student achievement.

School districts, schools, and classes will be small enough to provide safe, personalized learning environments that prevent children from falling through the cracks. Charter schools will focus on providing the most at-risk children with specialized education in every corner of the New Mexico.

Fair and consistent assessments will accurately track student learning and identify what is working and where more resources need to be invested. A larger proportion of the state taxpayer dollars appropriated for education will be spent at the school sites and classrooms where the teaching and learning take place.

Most importantly, New Mexico's student proficiency will be on an upward trajectory, with each year showing new progress, just as Mississippi has achieved. This will change the expectations that New Mexicans have for their schools, creating a virtuous cycle in which we come to expect high achievement and continued advancements in student success.

All of the reforms proposed in this report are interdependent, and each of them amplifies the effectiveness of the others. In improving our public schools, the whole is truly more than the sum of its parts.

The thread that ties each of these recommendations together is that they put the academic needs of children above all other interests.

As the Yazzie-Martinez ruling made clear, New Mexico's children have a constitutional right to a better education than the one they are currently receiving. Fulfilling this obligation is a moral imperative. It is also an economic necessity, as students need a high-quality education in order to pursue careers that will support their families, and all New Mexicans need an educated workforce to strengthen and diversify our economy.

We owe it to New Mexico's children to rethink and reform the public school system so that every one of them has the opportunity to succeed.

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