

NEW MEXICO SENATE DEMOCRATS

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Contact: Arnold Vigil, (505) 986-4263

www.nmsenate.com

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Senate Bill Heading to House Seeks to Grade Schools on Understandable Criteria

On a mostly party-line vote, the Senate passed a bill 23-18 on Tuesday afternoon that will create a School Grades Council to study and make recommendations on school grading and develop understandable guidelines on how to evaluate schools.

Senate Bill 587, sponsored by Senator Howie Morales (Catron, Grant, Socorro, District 28) would amend a section of the Public School Code to eliminate the current administration's policy of grading schools on an A-F grading scale without well-developed criteria. The bill would repeal the A-B-C-D-F Schools Rating Act and prohibit school grades to be used in schools or principal evaluations until the new School Grades Council develops new understandable grading criteria.

Senator Morales told the Senate during an open debate of the bill that the current system of grading schools is weighted too much on the standard-base-assessment tests given to students -- up to 90 percent -- and doesn't take into account many other important aspects of how schools educate and engage students.

"No one knows how the current grading system works," Senator John Sapien (Bernalillo, Sandoval, District 9) said during the debate of the bill. "We owe it to our students, to our teachers and to our schools to easily understand the measurements." Sapien, the chairman of the Senate Education Committee, said that during the past year in many interim meetings with educators, parents and citizens, no one could really determine how the current system to evaluate actually came up with the final grades for schools.

The new council would be directed to develop criteria for grading elementary and middle schools with equally weighted factors. Thirty-three percent of the grade would be based on the following NMSBA results: five percentage points for the a school's current standing, eight points for school growth, 10 points for growth of highest performing students, and 10 points for

growth of lowest performing students. The remaining 67 percent would be based on opportunities made available for students to participate in extracurricular activities, attendance rates, and teacher training and experience. An additional five bonus percentage points credit would be given to the school for good parental participation.

High schools would be evaluated by nine percentage points for their current evaluation standing, 12 percent for growth of highest performing students and 12 points for growth of lowest performing students. Thirty-four percent would be based on the opportunities a school provides students to learn and college and career readiness, including 17 points for graduation rates and school growth; and 17 points for career and college readiness and advanced placement. The remaining 33 percent of an evaluation would be based on the opportunities a school provides for students to participate in extracurricular activities, attendance rates, and teacher training and experience. Good parental participation would also be worth an additional five bonus points credit.

The bill stipulates that the School Grades Council make its recommendations to the Legislative Education Study Committee (LECS) by November 1, 2014, for implementation in the 2015-16 school year. The bill provides for a temporary evaluation system to be used until the council's recommendation is in place. The 21-member School Grades Council would be comprised of three people from the following groups: classroom teachers; instructional support providers; principals; superintendents; local school boards; charter schools; and other educational experts, business or community leaders or interested citizens.

Senator Morales' bill now heads to the House for consideration.

Lottery Tuition and CYFD Funding Bill Passes Senate

The Senate unanimously passed a Senate Finance Committee substitute bill that combines Senate Bill 392, Lottery Tuition Fund Distributions, sponsored by Senator Michael S. Sanchez (Bernalillo, Valencia, District 29), with Senate Bill 113, Tobacco Fund for CYFD Programs, sponsored by Senator John Arthur Smith (Dona Ana, Hidalgo, Sierra, Luna, District 35).

The combined bills, now known only as SB 113, will draw nearly \$20 million from the Tobacco Settlement Fund to shore up the Lottery Tuition Fund and bolster the federal funding provided to the early childhood programs administered by the Children Youth and Families Department (CYFD), as well as additional early childhood education programs. The tobacco settlement fund is the result of a 1998 class-action judgment against tobacco companies. The state's fund balance is estimated at \$160 million.

The bill explains that “twenty-five percent of the total amount distributed to the tobacco settlement permanent fund in that fiscal year shall be distributed from the tobacco settlement permanent fund to the lottery tuition fund.” Approximately \$10 million dollars would be transferred into the lottery tuition fund each fiscal year.

The balance of the lottery tuition fund has recently been depleting because of less money coming in and an increasing number of New Mexico high school graduates utilizing it to further their education. The fund has also been strained by rising tuition costs at institutions of higher learning throughout the state.

“Combining the lottery bill with the CYFD funding bill was logical and necessary since both bills sought to amend the same section of law,” Senator Sanchez said. “I will continue to work to live up to the promise the Legislature made to New Mexico’s high school students in 1996 when the legislative lottery tuition bill was passed and became law.”

The specific CYFD early childhood education services that will benefit from the other half of the distributed tobacco funds are reimbursements to licensed child-care providers, and pre-kindergarten and home visiting programs. The total amount appropriated to CYFD is also approximately \$10 million.

The bill will go to the House of Representatives for consideration.

Senate Passes Bill Requiring New Subdivisions With Smaller Lots to Tap Into Existing Water Sources

Developers that seek to build a subdivision with more than 10 lots, at least one of which is smaller than two acres, would be required to prove to the state engineer that the lots would be supplied with water from an existing water provider before the project would be approved, according to a bill passed on a 30-10 vote in the Senate on Tuesday.

Senate Bill 480/ec, sponsored by Senator Peter Wirth (Santa Fe, District 25), would not apply to subdivisions with lots that are more than two acres each and amends an existing law enacted in 1995 that sets the water requirement on lots in a new subdivision at 20 lots.

“This bill makes sure there’s sufficient water for new subdivisions,” said Senator Wirth. “It prevents large subdivisions from sticking all these straws into the aquifer.” Senator Wirth said the bill received approval from homebuilders, statewide soil and water conservation districts and the Estancia Basin.

“This magnitude of this water crisis cannot be understated,” the senator added.

Senator Wirth explained that developers would still be allowed to purchase and secure water rights from another source and apply them to a proposed subdivision as long as the State Engineer's Office approves the transfer.

"These large subdivisions impact residents with senior water rights in an area," Senator Wirth said. "This is a small step to address our water challenges."

In other Senate action:

* On a party line vote, the Senate Public Affairs Committee voted to table Senate Bill 521, Two-Tiered Drivers' Licenses, sponsored by Senator Stuart Ingle (R, Chaves, Curry, DeBaca, Lea, Roosevelt, District 27). The bill was the purported "compromise" from the administration on the ever controversial issuance of drivers' licenses to undocumented Mexican immigrants. The bill would have created separate levels of compliance for drivers' licensure, adopting rules for children of undocumented immigrants, recently given a path to citizenship by the Obama Administration, to apply for a New Mexico driver's license.

* The Senate Public Affairs Committee was scheduled to hear the controversial C/House Bill 77, the Firearms Transfer Act, sponsored by Representative Miguel P. Garcia (D, Bernalillo, District 14). Check back to the www.nmsenate.com homepage for more details of the action.