

THE ADVOCATE

Gearing Up for the 2007 Legislative Session

As of September 26th, only 47 of the 89 school districts had signed the following Funding Resolution for the 2007 NM Legislature. Funding is key to school district's ability to serve New Mexico's children. Please call the office in order to receive the e-mailed version of the resolution if your district hasn't already participated. (For more information, see Mack Mitchell's article on page 2.)

NMSBA PROPOSED FUNDING RESOLUTION

Title: Enlisting Sufficient Funding Support for New Mexico Schools

- *Whereas*, on an aggregate basis, the New Mexico taxpayer and the New Mexico Legislature have been generous with the New Mexico school children the past 25 years, and
- *Whereas*, on an aggregate basis funding has increased from \$603 million in 1982 for the operation of New Mexico public schools to almost \$2.3 billion in 2006, and
- *Whereas*, on a relative basis the percentage of funding has decreased from 51.5% of the state budget in 1982 to 45.3% of the State budget in 2006, and
- *Whereas*, over that period more and more is being asked from our public schools, and
- *Whereas*, graduation requirements have increased, teacher accountability, standards and requirements have increased, more rigorous curriculum standards have been mandated, class sizes have been lowered, school districts' contributions to Educational Retirement has increased, insurance and other fixed costs have increased dramatically, state wide full day kindergarten program has been instituted, pre-Kindergarten programs have been added, alternative educational opportunities have been increased, significant salary increases have been mandated and policies and laws have been adopted that have dramatically increase special education programs by at least 150%, from \$136.4 million \$354 million in the last fifteen years, and
- *Whereas*, many measures mentioned above are sound educational policy and were whole heartedly supported by parents, teachers, principals, superintendents, school board members and others affiliated with education in New Mexico, and
- *Whereas*, the cost of increased testing and reform measures brought about by NCLB are extensive and are largely unfunded mandates, and
- *Whereas*, New Mexico voters recognized the increased financial strain on public education, and in 2003, adopted a Constitutional amendment to dedicate an increased portion of the Land Grant Permanent Fund to public education and even with this infusion of approximately \$60 million per year, the percentage of the State Budget has continued to decline.
- *Now, Therefore, Be It Resolved*, if school districts are to implement and meet those challenges outlined above and those to be required in the future, this trend must be reversed and the first step would be to assure that at least 50% of the new money available for appropriation in the 2007 Legislature be dedicated to public education.
- *Be It Further Resolved*, that copies of this resolution be transmitted to the legislators and appropriate legislative committees to influence the accomplishment of this resolution.



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DIRECTOR'S PERSPECTIVE

By Joe Mack Mitchell

New Mexico Educational Partners are approaching this year's legislature a bit differently. Who are the Partners you ask? We are a group of educational associations that have a common legislative goal. As you will see from the list, our associations don't always agree, but when we have common goals, we stick together for a more united front. The Associations that are a part of the group are NMPTA, NMSBA, NMCSA, NEA-NM, and NM-AFT. Because this year is an election year, we are attempting to get candidates to declare their willingness to support the idea that 50% of the state's new

money should go to education, and that we should work to get our percentage of the general fund back to where it used to be, above 50%. We are asking teachers, administrators and parents in the state to sign a pledge to support this effort. Also, we have asked ALL the school boards in New Mexico to pass a resolution to that effect. As of the date of this writing, we have 28 boards that have passed the resolution. We hope that all the rest of you are planning on passing it as well. Here are some of the facts on what has happened in the state to educational funding over the last twenty years.



Funding has **increased** from \$603 million in 1982 for the operation of New Mexico public schools to almost \$2.3 billion in 2006; however, the percentage of funding has

DECREASED from 51.5% of the state budget in 1982 to 45.3% of the State budget in 2006. Over that period, more and more is being asked from our public schools, such as, graduation requirements have increased, teacher accountability standards and requirements have increased, more rigorous curriculum standards have been mandated, class sizes have been lowered, school districts' contributions to Educational Retirement has increased, insurance and other fixed costs have increased dramatically, state wide full day kindergarten program has been instituted, pre-Kindergarten programs have been added, alternative educational opportunities have been increased, significant salary increases have been mandated and policies and laws have been adopted that have dramatically increased special education programs by at least 150%, from \$136.4 million \$354 million in the last fifteen years.

Most of the measures mentioned above are sound educational policy and were whole heartedly supported by parents, teachers, principals, superintendents, school board members and others affiliated with education in New Mexico, but it is important that the funding keep pace with the mandated changes.

This is why the NMSBA has agrees with the Partners that we must ask the legislature to implement funding changes to help meet the challenges outlined above and those to be required in the future. This downward trend of the public schools' portion of the General Fund must be reversed. **The first step would be to assure that at least 50% of the new money available for appropriation in the 2007 Legislature be dedicated to public education.**

Association Planning Session - This last July, at the Leaders' Retreat, we conducted an afternoon planning session with the local board presidents and the NMSBA Board of Directors. At this session, we tried to discuss all of the issues that might be troubling any of our members who were present.

We began by having the attendees fill out the same 2006 Membership Survey that was completed by some boards last year. Only a few boards actually returned it. We had the attendees fill it out so we would get a better number of responses to the questionnaire. These responses to the survey that we received from the presidents and Board of Directors were a great deal similar to the ones we had received earlier. After they finished completing the survey at the Retreat, we began a discussion focused on ALL of the services of the Association, including all of the conferences and their value to the membership.

The two topics around which there seemed to be the most concern were the regions, the region meetings, and the Board Institute. We will be dealing with the subjects at the Board of Directors meeting in December; therefore, if you have comments or thoughts on these topics, please discuss them with your region officers who serve on that board.

THE ADVOCATE

The mission of *The Advocate* is to provide information to the members of the New Mexico School Boards Association.

Articles published in *The Advocate* represent the ideas or beliefs of the respective writers and are not necessarily the views of the NMSBA unless otherwise noted.

The Advocate is the official publication of the NMSBA and is published quarterly. *The Advocate* is supported by membership dues and is sent to all school board members and superintendents of its member districts as well as education stakeholders. Non-profit postage paid in Santa Fe, NM.

Letters to the Editor are welcome. The editorial staff reserves the right to edit article submissions for clarity and length. Deadlines falling on a holiday or weekend will be extended to the next business day. The deadline for submissions is 4 PM:

Winter Issue - December 10th
Spring Issue - March 10th
Summer Issue - June 10th
Fall Issue - September 10th

STAFF

EXECUTIVE DIRECTOR
Joe Mack Mitchell

FINANCE DIRECTOR
Carolyn Mole

PROGRAMS DIRECTOR
ADVOCATE EDITOR
Elizabeth Egelhoff

DIRECTOR OF POLICY SERVICES
Donn Williams

ATTORNEY
John F. Kennedy

**New Mexico School Boards Assoc.
300 Galisteo Street, Suite 204
Santa Fe, New Mexico 87501**

Phone: (505) 983-5041
Fax: (505) 983-2450
e-mail: nmsba1@nm.net
website: www.nmsba.org
Policy Service 1-800-238-4701

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2007 Appropriations

Both the House and Senate Appropriations Committees have reported their recommended funding levels for education programs. The two bills (HR 5647 and S 3708) would underfund Title I and the Individuals with Disabilities Act (IDEA), and impose significant cuts in other areas including education technology and teacher quality grants. School board members and administrators are strongly encouraged to contact their representatives in Congress to advocate for increased funding. ***The amounts proposed for Title I and IDEA alone represent more than an \$18 billion difference between the funding levels Congress promised for 2007 when passing the No Child Left Behind Act (NCLB) and IDEA.*** Background information, talking points and sample letters and resolutions are available in an online toolkit by the National School Boards Association at www.nsba.org.

IDEA Regulations

On August 3, the Department of Education released the final regulations to implement the reauthorized IDEA. The formal regulations are extensive (1700+ pages), but a more user-friendly version is expected to be published. The regulations will become effective in late October (60 days later).

Vocational Education Funding

Although President Bush's proposed 2007 budget called for the elimination of funds to support career and technical education, Congress reauthorized the Carl D. Perkins Career and Technical Education Improvement Act and restored the programs \$1.3 billion funding. The Perkins Act is the primary funding mechanism for career and technical education programs in public high schools and community colleges.

The new bill changes all references from "vocational education" to "career and technical education," changes already made by many states and local school districts. The new bill also requires more rigorous standards and accountability in alignment with NCLB, but delegates more authority and flexibility to local school districts.

The new Perkins law permits states to award incentive grants and combine their Perkins funding with tech-prep program into a single program, eliminating duplicative reporting and separate accountability standards. It also allows schools to pay for secondary school students who attend nonprofit and private career and technical education programs.

Medicaid

President Bush's 2007 budget request would prohibit, through administrative action, federal reimbursement for school-based administration and transportation costs for Medicaid-eligible students. The Centers for Medicare and Medicaid Services (CMS), which oversees the federal-state entitlement program, is expected to initiate a rulemaking process to implement the changes soon.

Legislation, the Protecting Children's Health in School Act 2006, has been introduced to prevent this administrative action and codify school district's authority to claim reimbursement for these expenses incurred as a result of providing services to Medicaid-eligible students with disabilities.

In addition, the Senate Appropriations Committee included language in its 2007 Labor-Health and Human Services-Education Appropriations bill directing CMS to submit a report by March 1, 2007 examining the impact of the proposed policy change on the availability of services for students with disabilities and requesting that CMS take no additional action until the committee has received and reviewed the report.

If the legislative efforts are not successful and the CMS proceeds, the elimination of administrative and transportation reimbursement is expected to cost school districts \$3.6 billion over the next five years.

● Sources: NSBA Legal Clips and Wisconsin Association of School Boards newsletter

Adequacy Plaintiffs Win Summary Judgement in New Hampshire

Plaintiff districts in New Hampshire's school funding adequacy lawsuit won summary judgement before a state superior court. Justice William Groff said the legislature was failing its constitutional educational duty because it had not defined and adequate education, determined its cost, funded it, or ensured its delivery to all New Hampshire students.

South Carolina Rules State Fails to Fund Early Childhood Education

A trial judge ruled that South Carolina's school children were being denied their right to an education under the South Carolina Constitution because of the state's failure to develop and fund early childhood intervention programs that can address the impact of poverty on children's education achievement. The trial court concluded the children were deprived of their constitutional right to a minimally adequate education because the impact of poverty was not addressed at the preschool through third-grade level of the educational process.

Florida Court Says Vouchers Unconstitutional

The Florida Supreme Court nixed a voucher program based on the "uniform" clause of the Constitution. Rather than approach the case from a separation of church and state perspective, the court ruled that the program "diverts public dollars into separate, private systems" and that this diversion "not only reduces money available to the free schools, but also funds private schools that are not 'uniform'."

● Sources: North Dakota School Boards Association newsletter

Federal Officials Will Explain IDEA Rules

The U.S. Education Department will hold a series of "Community-based public meetings" to explain the new regulations for implementing the 2004 reauthorization of the Individuals with Disabilities Education Act (IDEA). Some dates include November 2nd in Dallas, November 8th in Denver and November 14th in Sacramento.

The Office of Special Education Programs (OSEP) IDEA website can be searched at <http://idea.ed.gov/explore/home>. The site is still being updated, but when fully implemented, is supposed to provide searchable versions of IDEA and the regulations, access to cross-referenced content from other laws (NCLB and FERPA), video clips on selected topics, links to OSEP's Technical Assistance and Dissemination Network and a Q&A Corner where you can submit questions.

CELEBRATING EDUCATIONAL OPPORTUNITIES FOR HISPANIC STUDENTS

MARCH 23-25, 2007

HOTEL ALBUQUERQUE AT OLD TOWN
800 RIO GRANDE BLVD, NW
ALBUQUERQUE, NM

SAVE THE DATE!

The 16th annual conference will feature programs and strategies that have increased educational opportunities for Hispanic/Latino students, the fastest growing segment of our student population in the Southwest.

CALL FOR MODEL PROGRAM SUBMISSIONS

The Arizona, California, New Mexico and Texas school boards associations are seeking model programs to share at the conference. Submissions should be made in one of the following categories: Community/Parent Involvement; Language and Achievement; Use of Technology; and Data-Driven Analysis and Accountability. The Model Program is available via pdf at www.nmsba.org under "conference information" on the homepage. Deadline for Model Program submissions is November 6, 2006.

CALL FOR STUDENT PANELISTS

During CEOHS, there will be a Student Panel presentation with one student from each of the four participating states. During the panel discussion each student will share their educational goals, successes and some obstacles they have overcome. Contact your state association to find out more about nominating a student from your district to represent your state!

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NMSBA NEWS

Call for Topics & Talent

NMSBA Annual Convention will be held **December 1-2, 2006 at the Marriott Hotel**, Albuquerque, NM. The Convention offers a variety of programs to help school board members become more efficient in their leadership roles. NMSBA is accepting topic suggestions from Board members on topics you need more information on to become more effective school leaders. Also, those members who want to give presentations toward their Master Board Member Certification should also submit topic ideas and let us know they are MBM candidates. We are open to suggestions for student talent as well. You can e-mail Mack Mitchell, Executive Director at nmsba1@nm.net. Be sure to include your name, district, and a daytime contact number.

New Training Year Began September 1st

State mandated school board member training is tracked from **September 1 – August 31** each year. Board members are **required to have 5 hours of approved training** per year. NMSBA tracks school board member training and sends quarterly reports to Superintendents. Final 05-06 reports were sent to Superintendents in September. Any changes or corrections will be made before submitting the information to the Public Education Department's Office of Accountability for publication in the School District's Fall Report Cards. If you have questions or concerns regarding training, please contact the NMSBA office.

Online Learning Center's New Environment

The NMSBA Online Learning Center (OLC) is still unavailable to new students. The National School Boards Association facilitated a move from the program Blackboard to Avatar in order to improve service and end some reoccurring technical difficulties. NSBA has finished the transfer process and now training for state administrators is underway. The New Mexico OLC will be updated and restored to the webpage one course at a time. The change was undertaken to improve each student's overall online learning experience. Stay tuned for updates!

Boardbook Offers Districts Paperless Meetings

This tutorial link is available from the NMSBA homepage at www.nmsba.org. BoardBook is an electronic means to have Paperless Board Meetings and is now being offered through a partnership between NMSBA and Texas Association of School Boards (TASB) to New Mexico school districts. Some NMSBA districts that are using Board Book in their Paperless Board Meetings include Albuquerque, Gallup and Roswell. Please call Elizabeth at NMSBA for more information or to register for a demonstration.

Subscription Policy Service Available

NMSBA now offers districts the option of a Subscription Policy Service. This service offers policy development by a consultant/lawyer and provides up-to-date Policy Service Advisories. For further information or clarification, contact Mack Mitchell, Executive Director of NMSBA via e-mail at nmsba1@nm.net or by phone at (505) 983-5041. The subscription service is different from the NMSBA Policy Bank.

Technology & Leadership Conference

The NSBA T&L2 Conference will be held November 8-10, 2006 in Dallas, Texas. For more information about the specific programs and registration, you can log onto www.nsba.org/t+l.

NMSBA REGIONS & 2006 FALL MEETINGS

Region I

Wednesday, Oct. 4 in Central

Aztec, Bloomfield, Central, Dulce, Farmington, Gallup, Zuni

Region II

Thursday, Oct. 14* in Santa Fe

Chama Valley, Espanola, Jemez Mountain, Los Alamos, Mesa Vista, Pecos, Penasco, Pojoaque Valley, Questa, Santa Fe, Taos

Region III

Monday, Oct. 16 in Cimarron*

Cimarron, Clayton, Des Moines, Las Vegas City, Las Vegas West, Maxwell, Mora, Mosquero, Raton, Roy, Santa Rosa, Springer, Wagon Mound

Region IV

Wednesday, Oct. 11 in Vaughn

Albuquerque, Belen, Bernalillo, Grants-Cibola, Cuba, Estancia, Jemez Valley, Los Lunas, Magdalena, Moriarty, Mountainair, Quemado, Rio Rancho, Socorro, Vaughn

Region V

Tuesday, Sept. 19 in Clovis

Clovis, Dora, Elida, Floyd, Fort Sumner, Grady, House, Logan, Melrose, Portales, San Jon, Texico, Tucumcari

Region VI

Monday, Sept. 25 in Roswell

Artesia, Carlsbad, Dexter, Eunice, Hagerman, Hobbs, Jal, Lake Arthur, Loving, Lovington, Roswell, Tatum

Region VII

Tuesday, Oct. 24 in Las Cruces

Alamogordo, Capitan, Carrizozo, Cloudcroft, Corona, Gadsden, Hatch Valley, Hondo Valley, Las Cruces, Ruidoso, T or C, Tularosa

Region VIII

Wednesday, Nov. 1 in Cobre

Animas, Cobre, Deming, Lordsburg, Reserve, Silver City

**Indicates a change from previous published information.*

38th Annual Phi Delta Kappa/Gallup Poll Results for the Public's Opinion on NCLB

Nearly six in ten Americans who are familiar with the federal No Child Left Behind (NCLB) Act believe it has had no effect on our schools or has actually harmed them, according to the latest Phi Delta Kappa/Gallup Poll released in August. In probing the public's opinions of NCLB, the PDK/Gallup poll finds that there is widespread support for the law's goals – closing the achievement gap between African American and Latino students and their white peers and improving educational outcomes for all students – but broad disagreement with its specific strategies. When asked whether testing students in only English and math, as currently required by NCLB, can give a fair picture of a school, 81% of the public say no. And 78% are worried that the law's focus on these two subjects will mean less emphasis on other subjects. The poll finds that two-thirds of those surveyed oppose measuring school success by the percentage of students passing a single statewide test, while 81% prefer measuring the improvements that students make during the year.

In contrast to the public's pessimistic view of NCLB, the poll finds strong support for the public schools. When asked where we should focus efforts to improve education, 71% of those surveyed say they prefer improvement to come through the existing school system, rather than through an alternative system. The public is consistent in this view – 60% oppose the use of public funds for children to attend private schools, 80% prefer that students who attend schools that fail to meet NCLB performance requirements receive help in their own schools rather than offer to transfer to another school, and 69% oppose contracting out to private companies the operation of local school systems.

In addition to this vote of confidence for the existing school systems, the poll finds that there is a strong public support for local schools – 49% of those surveyed give the schools in their community A's or B's – and that level of support increases to 56% when respondents are public school parents. Lowell Rose, co-author of the Poll remarks that, "Proposals based on the assumption that the schools are failing are unlikely to gain public support needed to make them effective." The PDK/Gallup poll also sought out the public's view on the challenges the nation's schools face as well as on potential solutions. When asked about those challenges, such as the achievement gap and high drop out rate among poor and minority students, 77% of Americans blamed societal factors and only 16% fault the performance of the schools. Perhaps in recognition of the societal origin of these problems, 81% of those surveyed believe that preschool programs for at-risk children have the potential to improve their long-term school performance. More important, two of three Americans indicate their willingness to pay higher taxes to fund these programs.

"The views expressed in this year's PDK/Gallup poll should serve as a wake-up call to our nation's policy makers as they begin the process of reauthorizing NCLB in 2007," cautions William Bushaw, Executive Director of PDK International, an association of educational professional that has been advocating for high-quality education for all since 1906. "The public rejects the punitive approach found in NCLB, favors a broad curriculum, prefers more appropriate measures of school performance that a single high-stakes test, and supports efforts targeted at helping our most vulnerable students."

● Source: *Phi Delta Kappa International* – www.pdkintl.org (8.06)

Charter School Students Score Lower in Reading and Math

Fourth graders in traditional public schools are doing better in both reading and math than students in charter schools, the government says in a report fueling fresh debate over school choice. The report said fourth graders in regular public schools scored an average of 5.2 points better in reading than students in charter schools on the 2003 National Assessment of Educational Progress test. Students in traditional schools scored an average of 5.8 points better in math. Charter school opponents said the findings show that the schools are a failing experiment that drains resources from traditional public schools. Charter school supporters called the report flawed and outdated and said charters improve public education by creating competition. The Bush administration supports charter schools. The head of the government agency that produced the report cautioned against reading too much into it.

"This was a pilot study and not meant to be definitive," said Mark Schneider, commissioner of the National Center for Education Statistics, which did the report for the Department of Education. "What does this report say to a parent? Not much, frankly," Schneider said. Still, he said the report provides solid data for researchers to do more studies. "My advice to parents based on this report is: Shop around carefully," he said.

The report offered some good news about charter schools: Reading scores at charter schools in central cities serving mostly minority students were comparable to scores at traditional public schools. However, math scores at such charter schools still lagged behind those at traditional schools. "On average, they're not doing harm," Schneider said of charter schools.

Charter schools are public schools that are sometimes run by private entities and are usually free of many of the regulations that govern traditional public schools. They have become popular in many areas where traditional public schools are struggling.

The NCES studied fourth-grade math and reading scores at 150 charter schools and 6,764 traditional public schools nationwide. At the time, there were nearly 2,700 charter schools in 36 states. There are now more than 3,600. The test scores were from the 2003 NAEP, an assessment given to students across the country.

The American Federation of Teachers said the report confirms its research showing that charter schools are not improving education in America. "It says that they were not able to deliver on their promises on a consistent basis," said Nancy Van Meter, deputy director of the teachers union. Nelson Smith, president of the National Alliance for Public Charter Schools, said the report was flawed because it did not measure academic progress over time. He said many students enter charter schools after struggling in traditional schools, only to improve their test scores over time. He also noted that many charter schools in the study had been operating only a short time. "It takes charters a year or two to get their sea legs, and then their performance goes up," Smith said.

The Center for Education Reform, which supports charter schools, issued a list of studies showing that charter school students in several states outperform students in traditional public schools.

● Source: *CNN.com* (8.06)

California Gov. Signs Mayor's Dream Into Law

By Duke Helfand and Howard Blume, *Times* Staff Writers

Gov. Arnold Schwarzenegger handed Mayor Antonio Villaraigosa a much-anticipated prize Monday, signing a law that will give the mayor substantial control over the Los Angeles public schools. Appearing together for a bill-signing ceremony at the Los Angeles Central Library, the officials said the change would bring new accountability to a system that fails students, teachers and parents. "With this bill, the community will gain more control over its schools," Schwarzenegger told the audience packed into the children's reading room. "We will move graduation numbers up. We will move test scores up. And we will move our dropout rate down." Villaraigosa, who was flanked by more than three dozen ministers, parents and politicians, called the effort to pass the bill the toughest political battle of his career, but added that it was only a beginning. "Together we are standing up for the idea that we are all accountable for the state of public education in the city of Los Angeles," Villaraigosa said. "We all have a responsibility to lead this historic journey."

The complex law, which takes effect Jan. 1, faces an impending legal challenge from one of its staunchest critics, the board of the Los Angeles Unified School District. The law stops short of the complete takeover that Villaraigosa had sought, instead giving the mayor a dominant position on a new council of mayors that would, in conjunction with the school board, oversee the district budget and hire and fire the superintendent of schools. Villaraigosa also would have direct responsibility over three high schools and their feeder elementary and middle schools. "I'm asking for people to hold me personally accountable for leading improvement in the schools," the mayor said. He urged school board members to drop their challenge. "Accept the will of the people," he said. His call was echoed by Assembly Speaker Fabian Nunez (D-Los Angeles), who shared center stage with the governor and mayor.

District officials said they intended to swiftly move forward with litigation. "The Constitution of the state of California for 60 years has stated that cities and their officials are not to be in the business of operating public schools," said L.A. Unified General Counsel Kevin Reed. Joining the district will be the California School Boards Association and the Los Angeles administrators union, said officials of those organizations. The lawsuit probably will be filed within the next week, said Scott Plotkin, executive director of the school boards association. "Notwithstanding all the happy talk coming from the governor and the mayor, it's a bad bill," Plotkin said. "It diffuses accountability. It is a bad precedent."

Even as district officials were moving forward with their legal challenge, school board President Marlene Canter signaled strongly, for the first time, that she was personally willing to

include Villaraigosa in the process to replace Supt. Roy Romer, who plans to retire when a successor is found. Canter disclosed that she met privately with Villaraigosa earlier this month for a "substantive conversation." "I'd like to be able to roll out the red carpet for the next leader and I'd like to do that with the mayor," Canter said. "I believe and have believed from the beginning that it would be important to have the mayor's input."

On Monday, Villaraigosa stepped up pressure on the district to give him a specific role. In a letter to Canter, Villaraigosa requested, among other things, that he receive all relevant information about applicants and that his reactions be considered before finalists are determined. With his request, Villaraigosa is seeking more information than even school board members are privy to during the confidential search and screening process. Villaraigosa also wants a designee from the council of mayors to participate in the board's interviews with finalists. In addition, he wants a "working group" — consisting of members of the council of mayors — to conduct independent interviews.

Only one school board member, Villaraigosa ally Monica Garcia, was present for Monday's library ceremony and the mayor singled her out for praise. Other school board members and Romer were not asked to attend, Canter said. A spokeswoman for the mayor's office insisted that they would have been welcome. Otherwise, the gathering was a veritable who's who of local politicians, labor leaders and community allies. Half of the 15 members of the Los Angeles City Council were present. Also prominent were several African American pastors — support for the bill has been notably mixed in the black community.

During much of the ceremony, Villaraigosa had his arm around 5-year-old Kaylyn Tulloss, the daughter of one of the ministers and a student at a charter school in Watts. And at one point, the mayor directed reporters to interview one of the guests, a parent, about how another charter school had turned her son's life around. The charter school boosterism was one of several potentially uncomfortable moments for United Teachers Los Angeles, whose leadership is frequently critical of charters. They also had to watch as the popular Democratic mayor and the Democratic Assembly leader traded praise with the incumbent Republican governor. UTLA has strongly endorsed lagging Democratic gubernatorial challenger Phil Angelides. Nunez praised Schwarzenegger for supporting the bill even before he had seen it. Later this month, the UTLA leadership faces an internal referendum, initiated by dissidents, on whether to continue supporting the Villaraigosa-backed legislation. UTLA leaders worked hard to pass the bill. "It's after the fact," said union President A.J. Duffy later. "But it's a good opportunity for UTLA to reach out to its members and clear away the veil of misinformation."

Literacy Educators and the Public Deeply Concerned About NCLB

A National Council of Teachers of English (NCTE) study of the experiences and perceptions of more than 2,000 literacy educators (April 2006) shows that among these teachers charged with implementing the No Child Left Behind Act (NCLB), **76% believe that the Act has had at least a somewhat negative influence on teaching and learning in English/reading classrooms.** This study confirms findings from several recent public opinion polls that the more people know about NCLB, the more inclined they are to have an unfavorable opinion about its effects on public schools, teachers, and students.

Virtually every poll shows public support for the four goals established by Congress when the No Child Left Behind Act was passed in 2001. But, literacy educators agree with the public that the law has failed to improve the education system for schools, teachers, students, and their families by not effectively meeting these goals. The table below shows a striking majority of literacy educators see NCLB as being ineffective when asked how well it was meeting its four stated goals:

When asked “based on what you’ve seen in your school and classroom over the past four years, to what extent do you think NCLB has been effective in reaching the four reform goals described by the U.S. Department of Education?” The majority responded generally ineffective”. In addition, only 15% of literacy educators reported that NCLB has been effective in improving educational equity in their schools, a core rationale for passage of the Act in 2001.

Literacy educators are not alone in their concerns about NCLB implementation. As demonstrated by a recent [Phi Delta Kappa \(PDK\)/Gallup Poll](#), while 55% of Americans still don’t know much about NCLB, among those who know at least a fair amount about the law, 47% have a generally unfavorable view of it compared to 42% who have a generally favorable view. These results are consistent with findings compiled by the [Public Education Network \(PEN\)](#) in nine public hearings held across the country between September 2005 and January 2006.

What’s the Problem with NCLB?

The views of literacy educators who participated in the NCTE study, respondents to the PDK public opinion poll, and those offering testimony at the PEN hearings converged on some of the underlying problems with the way NCLB has been implemented to date.

● *Results from Statewide High-Stakes Tests Are Poor Measures of School Performance*

Seventy-two percent of respondents to the PDK poll who know at least a fair amount about NCLB felt that results from a single statewide test do not provide a fair picture of whether a public school is in need of improvement. Further, 67% of PDK respondents felt that the current educational environment encourages “teaching to the test” and three-fourths of those respondents thought that this was a “bad thing.”

In the NCTE study, participants weren’t asked specifically about state tests. However, overall, comments about the negative effects of testing outnumbered comments on positive effects by more than a fifteen to one margin. Eighty-six percent of NCTE study respondents report that more time is now spent on test preparation, while only 5% agree that students are positively motivated by test results.

● *Teaching to the test is a widespread, detrimental practice*

While NCTE members were not asked directly about the efficacy of statewide testing as a means of measuring school performance, 1,248 offered a comment in response to being asked about how the emphasis on testing has affected them most. Here’s a sampling of their comments: “Taken class time away from meaningful instruction.” “NCLB is strangling authentic learning; very damaging.” “Too much time testing/too few interesting projects.” “Lost over a month of teaching time.” “It has lowered the bar and made teaching robot-like.”

● *“Growth Models” that track learning improvements for students over the course of a year are seen as more constructive than simply looking at changes in the percentage of students who pass mandated state tests*

Eighty-one percent of those responding to the PDK poll felt that measures that track growth in learning of specific students in a school over a period of time are better measures of school effectiveness than simply looking at the percentage of students earning passing scores on end-of-year state tests. While the NCTE study did not explore this specific question, open-ended responses to a question about how federal policy could best advance literacy education yielded these responses:

“. . . standardized tests are ONE measure only of ability and preparedness. Testing is not going to reform schools. We need to change the way we deliver curriculum, and we need to redesign the school day. Assessment needs to be more performance based and authentic. How well would you perform your job if someone had you on a timer and labeled you as novice for your failure to meet standards on ONE day without a retest or an alternative measure of proficiency?”

“Find a way other than standardized test scores to measure student achievement. Look to authentic assessment and portfolio development.”

● *Emphasis on math and English (reading) to judge a school’s performance leads to less emphasis on other subject matter areas*

According to the NCTE study, 78% of literacy educators reported that as a result of NCLB, less time is spent in their school on non-tested subjects. This view was echoed in the PDK poll, where equally 78% of all respondents reported concerns that subjects other than math and English would be de-emphasized as a result of NCLB.

● *Reporting disaggregated testing scores is not constructive in improving schools*

Seventy-four percent of literacy educators report that more time is spent on improving scores for students identified in subgroups (race, ethnicity, disability status, English-speaking ability, poverty level) but only 39% report that more attention is being paid to actually improving learning for students from these groups as a result of NCLB. Fifty-four percent of the general public responding to the PDK poll oppose reporting scores of subgroups as required under NCLB.

● *NCLB Seen as Lowering Teacher Retention and Motivation*

Sixty-two percent of the literacy educators participating in the NCTE study reported that changes associated with NCLB were having a negative influence on their satisfaction with work as a teacher. Only 12% of NCTE respondents reported that they were more committed to professional growth as a literacy educator as a

result of NCLB, while 41% said that they were less committed to remaining in the profession because of the law. A few revealing comments about teacher motivation follow:

“I have to spend more time trying to motivate staff. They are professionals and are doing a wonderful job, but are demoralized by the government constantly suggesting they are incompetent.”

“My ability to teach all aspects of writing has been taken away. My freedom to be innovative and creative in the classroom has been severely limited.”

“We work under a sense of impending doom—always aware of the mythical ‘they’ who are going to come in and take over my classroom, and in doing so give my students more than I give them every day. My junior students will leave me not having had time to dive into Mark Twain because they had to drown in a variety of test prep activities. Is doing a succession of ‘timed readings’ really more valuable than taking the time to tear apart some really good American literature?”

NCLB Has Been Neutral or Has Had a Negative Influence on:

Literacy educators use of research-based methods

Roughly one-third of NCTE study participants reported that NCLB has made no difference in their decisions to use teaching methods supported by reading or writing research, while 45% reported that the law has had at least a somewhat negative influence on their use of research-based methods.

Collaboration between parents and literacy educators

Nearly half of the NCTE study participants reported that the law had had a negative influence on working with parents to improve student learning while 42% said that it had made no difference at all.

Selection of materials and assessment practices that promote student learning

Forty-nine percent of literacy educators reported that NCLB had a negative influence on their ability to select teaching materials that meet students’ needs, while 36% said it had made no difference, and 15% reported a positive influence. The negative influence of NCLB on the use of literacy education assessment practices that promote student learning was even more pronounced — 58% of respondents reported a negative influence, while 26% said the law had made no difference at all.

Summary

More than four years after the landmark No Child Left Behind Act was passed by Congress and enacted into law, there is considerable doubt by the public and by educators about its efficacy as a transformative school reform measure. The results from the NCTE study agree with those from the PDK/Gallup poll and the PEN hearings, suggesting that Congress should consult carefully with teachers and local school officials to fashion revisions to the Act as it comes up for renewal. If we want schools that are equitable and accountable, where teachers have more freedom to use proven educational methods to educate their children, and schools where all children have the opportunity to learn to their highest abilities and parents have more choices, we need less emphasis on prepping for a single test, more emphasis on significant teaching and formative local assessment, and much more emphasis on all students learning and teachers teaching.

●Source: *The Council Chronicle Online*, September, 2006

Gym Students Sweat for an Average of 16 Minutes

Researchers report that in the **typical high school gym class** — where there are a few jumping jacks before a halfhearted game of softball — **students are active for an average of just 16 minutes**. The report by Cornell University researchers also found that adding 200 minutes more of physical education time per week had little effect. “What’s actually going on in gym classes? Is it a joke?” asked John Cawley, lead author of the study and a professor of policy analysis and management at Cornell. The study was based on annual surveys of 37,000 high schoolers by the Centers for Disease Control and Prevention. The data come from the annual youth behavior surveys from 1999, 2001 and 2003, which include questions about students’ exercise habits.

As obesity rates climb among children, the role of schools in shaping students’ eating and exercise habits has come under intense scrutiny. In recent years, nearly all states have introduced bills to increase or reform physical education. Healthy People 2010, a federal initiative to improve physical fitness, has made it a goal to improve curriculum and diminish the amount of time students waste being sedentary in gym class.

The National Association of Sport and Physical Education has long recommended 45 minutes a day of gym class for middle and high school students. But most schools fall short of that goal, according to the group. Even limited class time can be wasted since gym is not considered a core subject like math or reading, said Jackie Lund, president of NASPE, an association of fitness educators and professionals. “There’s no national standard, so there’s limited accountability,” she said.

According to the Shape of the Nation, an annual report by NASPE and the American Heart Association, only 15 states required student assessments in physical education last year. The Cornell report found that adding an additional 200 minutes of physical education a week resulted in boys spending only about 7 1/2 more minutes being active in gym class. For girls, an additional 200 minutes of PE resulted in about 8 more minutes of being active in gym each week.

The rest of the extra gym time is likely spent being sedentary — most likely standing around idly while playing sports like softball or volleyball that don’t require constant movement, Cawley said. “We’re not saying schools should get rid of (physical education), but that increasing time alone has no effect. There has to be a meaningful change in the curriculum,” Cawley said.

The findings are supported by a past study that showed most gym time in Texas **elementary schools** was spent being completely sedentary or minimally active. **Only about 3 minutes was spent being moderately or vigorously active**. However, Lund says that merely counting how many minutes students are moving may not be a fair measure of a gym class. “It’s not supposed to be aerobics class. The activity level is going to vary depending on the sport they’re learning,” she said.

Electives like aerobics and yoga can boost physical activity and complement gym class, but Lund said traditional PE class is also critical to develop the cognitive and social skills needed to appreciate sports. At its best, gym class can improve the physical fitness of students, said Amy Winterfeld, a health policy researcher at the National Conference of State Legislatures. “But if it’s not a high quality program, then making kids spend more time in them obviously isn’t going to help,” she said.

● Source: *CNN.com*, September 2006

Nancy Martine Alonzo Chosen as Assistant Secretary for Indian Education

In June, Secretary of Education Veronica Garcia named Nancy R. Martine Alonzo, a member of the Ramah Band of the Navajo Tribe, as the new Assistant Secretary of Indian Education for the Public Education Department.

With 33 years of experience in New Mexico education, Alonzo began her career by teaching ten years in the Pine Hills, New Mexico schools, followed by five years as Principal of the Pine Hills K-12 school. She spent 12 years with the former New Mexico State Department of Education as the Director of Indian Education. She is currently completing her fourth year with Albuquerque public schools as the Director of Indian Education. Alonzo replaces Carlotta Penny Bird who retired from the PED to complete work on her Doctorate from UNM.

Ms. Alonzo has a B.S. degree in Elementary Education and a Masters in Education, Curriculum and Supervision from Eastern New Mexico University. She also has a Masters in Education Administration and her Education Specialist Certificate from the University of New Mexico. Her Doctorate in Education from UNM is pending the completion of the thesis. She is also an Adjunct Professor for the Teacher/Administration at Dine College. She is bilingual in Navajo and English and has served on numerous Navajo Tribal Government committees and councils.

● Source: NM PED

Governor Richardson Names Don Duran to Oversee Charter Schools

In June, Governor Richardson and Secretary of Education Veronica Garcia announced Dr. Don Duran as the state's first Assistant Secretary for Charter Schools – a position that reflects the state's commitment to provide more flexibility, along with accountability for charter schools.

Governor Richardson worked with the Legislature to create a new Charter School Division within the Public Education Department. The division and assistant secretary position are part of a comprehensive package of charter school reforms that Governor Richardson published to allow people the option of applying to start a new charter school through the Public Education Department.

Dr. Duran served as Superintendent of Belen Consolidated Schools from 2001 through 2005. He served as principal for many years at Albuquerque High School, Cibola High School, Ernie Pyle Middle School and assistant for Taft Middle School where he was also a teacher. He has a B.A. in Social Studies from the University of Texas, an M.A. in Latin American Studies from California State University at Long Beach, and his Ed.D from the University of New Mexico. Dr. Duran has been a consultant for charter schools in Albuquerque and Deming over the last five years.

● Source: NM PED

New Mexico Scores Second in the Nation for Getting Junk Foods Out of Schools

The Public Education Department proudly announced in August that The Center for Science in the Public Interest, CSPI, released a state-by-state comparison of each state's policy on food available to students at school. This includes foods sold out of vending machines, school stores, a la carte and other foods sold outside of school meals.

New Mexico scored second in the nation receiving a B+ on nutrition standards. Kentucky was ranked first. Two out of three states received D's or F's for their weak policies which allow poor nutrition and sugary drinks in schools.

● Source: NMPED

New Mexico Averages 89.6% Highly Qualified Teachers in State Classrooms

In response to an Education Trust Report released in August, Secretary of Education Dr. Veronica Garcia announced that New Mexico had an average of 89.6% Highly Qualified Teachers in all core classes in state public schools during the 2005-2006 school year. This is an increase of 12.1% from the 2004-2005 school year.

"After the 40th day of the 2006-2007 school year, I expect that number to be in the 90s," said Garcia. "New Mexico has made dramatic strides in improving the numbers of highly qualified teachers, but I will not be satisfied until we achieve 100% of classes taught by highly qualified teachers." She went on to say, "The NM PED is committed to improving both the quality and quantity of its teachers over the last six years. New Mexico no longer faces a shortage of teachers and the number of core academic classes taught by highly qualified teachers has risen dramatically each year."

Education Week's annual *Quality Counts* reports that New Mexico has raised its grade for teacher quality from a D in 1998 to a B in 2006, and the state was recognized by the US Department of Education for making serious attempts to address the complex and challenging issues of teacher quality.

● Source: NM PED

Congratulations

The following school districts have submitted programs that were selected to be presented at the Nation School Boards Association Annual Convention:

*Central Consolidated School District
Estancia Municipal Schools
Gadsden Independent School District*

NSBA Opposes Internet Restrictions

NSBA is urging members of the Senate to reject legislation that would require unnecessary restrictions on the use of online social networking websites in schools. The Deleting Online Predators Act (HR 5319) already passed the House by a large margin, would require schools that receive E-rate funds to bar students from accessing MySpace, Facebook, or similar sites or online chat rooms.

It was sponsored by Rep. Michael Fitzpatrick (R-PA) a member of the congressional suburban caucus. While NSBA supports the intended goals of the legislation, "we are concerned that the bill in its current form would not substantially improve the safety of students and would place an added and unnecessary burden on schools," said NSBA Associate Executive Director Michael Resnick. "Furthermore, the legislation does not address the real issue of educating children about the dangers of the Internet and how to use it responsibly and wisely," he said.

The Children's Internet Protection Act of 2000 already requires schools to block children's access to obscene or harmful material on the Internet.

● Source: *School Board News*, September 2006

COMMERCIAL MEMBERS

DSA Construction Management

702 South 13th St, Lovington, NM 88260
John W. Wilbanks, Consultant
phone: (505) 396-1667 e-mail: jwilbanks@leaco.net

Exerplay, Inc. Playgrounds, Parks & Athletic Facilities

P.O. Box 1160, Cedar Crest, NM 87008
phone: 1-800-457-5444 or (505) 281-0151
fax: (505) 281-0155
website: www.exerplay.com e-mail: david@exerplay.com

George K. Baum & Company

One Park Square, Suite 360
6501 Americas Parkway, NE
Albuquerque, NM 87110
A.L. Clemmons, PhD, Sr. Vice President
phone: 1-800-446-5998 or (505) 872-2320 fax: (505) 872-2733
e-mail: clemmons@gkbaum.com

RBC Dain Rauscher

6301 Uptown Blvd, NE Suite 110
Albuquerque, NM 87110
Paul J. Cassidy, Managing Director
phone: (505) 872-5999 fax: (505) 872-5979
website: www.rbcdain.com
e-mail: paul.cassidy@rbcdain.com

Summit Food Service Management

1508 St Francis Drive, Santa Fe, NM 87505
David R. Brewer, President
phone: (505) 983-3663
website: summitfoodservice.com

Zia Bus Sales, Inc.

2655 Baylor Dr, SE Albuquerque, NM 87106
phone: 1-800-658-2710 or (505) 924-2181
fax: (505) 924-2189

Survey Looks at Future of Digital Schools

Schools will see a rapid transition from desktop to mobile computing over the next five years, and online learning is expected to grow exponentially during that same period, according to a national survey of 2,500 districts.

America's Digital Schools 2006, a survey of superintendents, curriculum directors, and technology directors representing more than 11 million students nationwide, predicts that more than half of all student computing devices will be mobile by the year 2011. Online learning is expected to grow at a compound annual rate of 26 percent over the next five years.

Fueling rapid growth is one-to-one computing, in which each student and each teacher has one Internet-connected wireless computing device for use both in the classroom and at home.

Among the study's key findings:

- Almost 90 percent of the schools offering one-to-one computing report substantial academic improvement where results were tracked.
- Superintendents rank low TCO (total cost of ownership) as the single most important factor in one-to-one computing implementation.
- Many school districts are unaware of a looming bandwidth crisis resulting from the growing number of student computers and applications.

The study, released at the National Education Computing Conference in July, was conducted by The Hayes Connection and The Greaves Group and sponsored by Discovery Education and Pearson Education.

For more information about the study, visit www.ads2006.org

● Source: *American School Board Journal*, September 2006

Can You Hear Me Now?

Some students' cell phones are ringing in class and many of their teachers don't know it. That's because they've downloaded a ring tone off the Web that is too high-pitched for most adults to hear. They're taking advantage of what is known as "aging ear," which causes many people, as they grow older, to lose the ability to hear higher-frequency sounds. Called Teen Buzz, the tone lets students surreptitiously send text messages to each other. It's the latest example of how technology's rapid evolution continuously creates new challenges for educators. Teen Buzz spun off from technology meant to repel teens, not help them. A Welsh security firm originally developed the tone – naming it the Mosquito – to help shopkeepers disperse young people loitering in front of their stores, while leaving adults unaffected.

● Source: *The Associated Press*

MARK YOUR CALENDAR!

Annual Convention
December 1-2, 2006
Marriott Hotel
Albuquerque, NM

Board Institute
March 2-3, 2007
El Dorado Hotel
Santa Fe, NM

Celebrating Opportunities
March 23-25, 2007
Hotel Albuquerque
Albuquerque, NM

Information will be available on the NMSBA website.
Go to www.nmsba.org, and from the homepage choose "Conferences"

Tidbits...

Children's Advocates Ask Companies Not to Advertise on BusRadio or Channel One

On Thursday, September 14, 2006 the National PTA joined more than 100 organizations and children's advocates in sending a letter to the 100 leading national advertisers and the top 50 advertising agencies, requesting that they pledge not to advertise on BusRadio or Channel One. Channel One and BusRadio compel schoolchildren to watch or listen to advertising as a condition of their schools' receiving financial assistance from the companies. The letter from children's advocates to advertise is the first step in a new campaign to remove Channel One and BusRadio from every school in the United States.

Channel One is a marketing company and television show that delivers news and advertising to children in schools. Channel One provides schools with VCRs and TVs as well as a satellite dish that can pick up only Channel One's signal. In return, school must play the daily news shows from Channel One on a majority of school days in a majority of classrooms. The programs must be shown in their entirety, including the commercials, the vast majority of which are for junk foods, sodas and sports drinks. Schools can also receive several hours of documentaries that contain no commercials.

BusRadio is a new product that plays a combination of music, advertising, and contests on school buses. Each hour of radio programming includes eight minutes of advertising and two minutes of contests. BusRadio's contracts with school districts do not specify any guidelines regarding advertised products; there is nothing to prohibit the advertising of junk food, sodas, or any other objectionable products or services. In addition, school districts have no control over what music is played on the buses. BusRadio is planning to expand across the country in the next year from its original operations in Massachusetts.

National PTA opposes the exploitation of students through commercial operations that require students to view advertising or to study specific instructional programs as a condition of the school's receiving a donation of money or loan of equipment. Parents will not be able to "opt-out" of having their children hear what is playing throughout the school bus. Furthermore, children as young as 6 years old will hear the BusRadio programming, even though BusRadio boasts that it will "take targeted student marketing to the next level" and that it gives advertisers a "unique and effective way to reach the highly sought after teen and 'tween market".

NSBA has no written position on this topic at this point.

● Source: National PTA

website: www.nmsba.org
e-mail: nmsba1@nm.net
FAX (505) 983-2450
Phone (505) 983-5041

THE ADVOCATE
New Mexico School Boards Assoc.
300 Galisteo Street, Suite 204
Santa Fe, NM 87501



NON-PROFIT ORG
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