

# THE ADVOCATE

## **PED Releases New Mexico Cost Study:\$26 million gap in federal funding for NCLB in '04 -'05**

The Public Education Department today released a No Child Left Behind cost-study report, which revealed an estimated \$26 million gap between what New Mexico received in federal funding and what it spent to implement the federal education program for the 2004-2005 school year.

As part of a national consortium sponsored by the Council of Chief State School Officers, the New Mexico study shows that the state is not receiving the money necessary to implement the federal mandates. The study of five New Mexico school districts was used to estimate the costs of implementing NCLB throughout the state. The study showed the following gaps between the estimated costs and revenue for implementing NCLB statewide:

NCLB costs NCLB New \$ Funding gap:

2002-03 school year: \$82 million \$45 million \$37 million  
2003-04 school year: \$108 million \$77 million \$31 million  
2004-05 school year: \$121 million \$95 million \$26 million

An executive summary of the report is available on the PED website at [www.ped.state.nm.us](http://www.ped.state.nm.us)

The report is broken into two parts. The first portion of the report deals with the costs exclusively at the State level. The second part of the report shows the costs at the District level. Additional data is available on the U.S. Department of Education's website which identifies revenue available to offset the costs.

The report shows that for districts both large and small, the cost of implementing NCLB vastly outstrips the limited district revenue allocated for the purpose of implementing NCLB. The results from the five districts that participated in the study show the following gaps for the 2004-05 school year:

- Albuquerque Public Schools reported \$21.9 million estimated costs versus \$10.4 million of administrative revenue
- Gallup Public Schools reported \$7.5 million estimated costs versus \$3.5 million administrative revenue
- Jemez Valley Schools reported \$918 thousand estimated costs versus \$145 thousand of administrative revenue
- Las Cruces Public Schools reported \$2.3 million estimated costs versus \$2 million administrative revenue
- Rio Rancho Public Schools reported \$1.1 million estimated costs versus \$201 thousand administrative revenue

Governor Richardson in 2004 wrote a letter to former US Secretary of Education Rod Paige, detailing many of the problems with the No Child Left Behind Act. Secretary Garcia met with U.S. Education Secretary Margaret Spellings three times during May 2005 to discuss NCLB and its impact on New Mexico. Secretary Garcia also traveled to Washington DC with other Chief State School Officers to get further clarification on the No Child Left Behind Act.

On April 6, 2005, the state of Connecticut released its cost study report, which highlighted similar problems found in the New Mexico report. Connecticut's Attorney General has indicated he will file a lawsuit suing the US Department of Education. The lawsuit is being filed as a last resort, but the Connecticut Education Commissioner felt it was their only avenue since prior requests for more flexibility were denied from the US Department of Education. On May 3rd, Utah's republican governor signed a measure which lets Utah education officials ignore provisions of the federal law that conflict with the state's program. The federal education secretary is warning that it could cost Utah approximately \$76 million in federal aid.



### ***IN THIS ISSUE***

#### ***FEATURES***

<i>Grant Funding Resources</i> .....	4
<i>Bylaws &amp; Constitution regarding Nominations</i> .....	6
<i>Nomination Form</i> .....	7
<i>2005 Leg.Program</i> .....	8,9
<i>Legal Issues</i> .....	10
<i>National News</i> .....	11
<i>Book Reviews</i> .....	12
<i>Student Achievement</i> .....	13
<i>Commercial Members</i> .....	13
<i>Student Health</i> .....	14
<i>Congratulations</i> .....	14
<i>Boardsmanship</i> .....	15
<i>State News</i> .....	15
<i>Tidbits</i> .....	16

#### ***DEPARTMENTS***

<i>Director's Perspective</i> .....	2
<i>President's Comments</i> .....	3,4
<i>NMSBA News</i> .....	5
<i>Calendar</i> .....	16

# DIRECTOR'S PERSPECTIVE

By Joe Mack Mitchell

The Legislative Education Study Committee has met and discussed their interim calendar. HM 52, which addresses the issue of board authority over personnel hearings, will be discussed at the October 5, 6, and 7th meetings in Albuquerque. I may have given out another date in August, but this is the last date I have received. Of course, the hearing will only take place on one of these days and as soon as I know for sure when it is, I will be giving out that information. For those of you who don't have a clue what I am talking about, I will try to give you a brief explanation.

In the last legislative session, after much deliberation on this topic, the House decided to pass a memorial to study the issue of board/superintendent authority as it relates to personnel hearings. Currently, the board has the authority to do the hearings and HB 914 would have transferred that authority to someone else (superintendent or arbitrator). It was our impression, at the time of passage, that this would entail a number of hearings around the state on the issue so local board members, superintendents, community and staff could express their feelings. However, it was decided by the committee to have only one hearing - that being on October 5, 6, or 7th. I hope that you will put this date on your calendar and plan to attend this hearing. We will notify you of the specifics of this hearing at a later date.



## We Need to be Careful

Do you remember hearing the old saying, "I have seen the enemy, and it is us?" I am beginning to think that this might just be the case when it comes to local boards getting the respect they deserve in New Mexico. Why is it that when local school boards remove a superintendent it always seems to be blamed on the board. It never seems to be a problem with the superintendent. Since I am a former superintendent, it is easy for me to feel sorry for the person who is getting terminated, however, after hearing some of the horror stories, I can also sympathize with the position of the local board.

The thrust of this article is to deal with this issue head on and be realistic about the problem. It makes ALL boards look bad when one board does something that appears to be self-serving or instantaneous, even if the board has the purest of motives. Boards need to be aware of the political fallout of their actions.

It is wise to meet with your superintendent in a goal-setting atmosphere with a consultant, maybe someone from the NMSBA. Goals can be set with the superintendent present and taking part in the discussion of the issues. Ask the superintendent to report periodically on the progress being made on the goals that were set. This way, the board and the superintendent both know EXACTLY what is expected. Let the progress made on the board's goals be a factor in whether or not the superintendent is renewed for another year. Make the evaluation process a long-term process, not just a January night happening. If you are not happy with the way the superintendent is progressing, before taking steps to remove a superintendent, give him/her a chance to improve. If the superintendent does not improve *within a reasonable time*, then do what has to be done. It does not help our cause when a board does not have a process by which to evaluate their superintendent and one minute every thing is fine and the next minute the relationship has gone south. This happens because an evaluation process, A REAL process, does not exist in that district.

Fair and reliable terminations don't happen overnight. No one is surprised when the superintendent is released when the ground work has been done as it should be done. The reason: You have set goals and had high expectations that those goals would be met. You, as a board, have had numerous opportunities to discuss the progress on these goals with your only employee, the superintendent. When the superintendent does not accomplish these goals *in a reasonable length of time*, then the inevitable must happen. The board must find someone who can get the goals accomplished.

Local boards need to make decisions about the hiring and termination of a superintendent in the long term, not in the short term. Be willing to spend the time to do it properly. Positive relationships within a board/superintendent team do not happen overnight, they are nurtured by the individuals on the team.

## 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

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# PRESIDENT'S COMMENTS

By Vicki Smith

## HIGH-\$TAKES\$ TESTING: WHO IS\$ BENEFITING?

I've been in and around educational testing for over 44 years and I've yet to see anything like what's happening in education today. Gerald Bracey, an independent educational researcher and writer, calls it TIC, Test-Induced Craziness. Many school people today think only of test scores and sanctions for low test scores, and, because of the pressures they are facing, can no longer entertain or talk about the idea of "education". Today, in our state, parents can pull their children out of sex education, but not out of the state required tests.

In the state of Washington, a district suspended a nine-year-old fourth grader for a week for not completing the state test. Not for declining to take the test or for having parents who kept him home on test day. **FOR FAILING TO COMPLETE THE TEST.** This student was doing fine until he hit a writing prompt that said he should create a fanciful story about the flying principal. Six times the teacher or principal commanded him to write. Six times he sat there. His mother was summoned to the school—still no luck. Mom told reporters that he simply didn't know how to answer the question because he was trying to save face for the administrator: "I couldn't think of what to write without making fun of the principal." The letter to Mom said, in part, that he had refused, on six separate occasions, to comply with a reasonable request to work on the WASL (the test's acronym) "which constituted blatant defiance and insubordination." The principal said that this was "a particularly egregious wound to his classmates whose average score was lowered because of his refusal to complete the test."

In Texas, four students who don't speak English very well and who have already failed the Texas reading test twice, are pulled out of their regular classroom each day and taken to another teacher who spends all morning teaching them "new" strategies. The strategies aren't new, only taught by yet another person. While they are tutored, they don't get physical education, music or library. If these children should fail again, they will have to go to summer school and if that isn't successful, they must repeat the grade. Of course, all of this increases the probability they'll leave school without graduating. Policies that are supposed to improve achievement end up driving kids out of school. *Accountability is one thing; abuse is something else.*

I have utilized these examples from Gerald Bracey's writings as only a small sample of what's really happening in our schools. All of these cases are state-level programs, but they also function as part of the even more punitive federal No Child Left Behind Act.

What does the future hold? In February, a committee hearing was held in the basement of the Texas Capitol which may give us a glimpse of the next phase of public school reform in this country and what we may expect. It is fairly safe to say that Texas has become the school reform blueprint for the rest of the country and this new legislation will add additional "accountability" into public education by expanding testing in high schools and tying funding, including teacher salaries, to performance on state exams.

The only person testifying for this bill is one of the principal designers of the No Child Left Behind Act. Not only that, but he uses his knowledge and connections to earn millions as a high-powered lobbyist for test publishers. "Accountability" with its powerful allies, seems unstoppable. Among the supporters of additional testing are those who believe that the only way accountability will be accomplished is through public humiliation of the "low-performing" schools. Others advocating more tests, are those who create the tests and the tools it takes to pass them. This lobbyist has pushed accountability as the final solution for poor and minority students stuck in under-



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*Continued on page 4...*

## High Stakes Testing cont from page 3...

performing public schools, while at the same time, he's made about \$4 million in lobbying contracts from companies that profit from the provisions of the law he helped to design.

Business leaders have suggested that the only solution is to treat failing schools like failing corporations by establishing clear standards, monitoring whether they're met, and either rewarding the successful or punishing the failures.

The General Accounting Office predicts states will spend between \$1.9 and \$5.3 billion a year meeting the testing requirements of NCLB. However, this is only a fraction of the law's costs, other provisions are even more expensive — and to the suddenly growing education industry, even more lucrative. Only about 1 percent of eligible students are opting for the transfer under the so called "choice" provision. Instead, parents are taking advantage of the provision that requires low-performing schools to provide free after-school tutoring services, using a state-approved, "research-based" tutoring program. NCLB also demands a highly qualified teacher in every classroom by the end of next year (2006). This requirement has opened up a new market in materials geared toward teachers. Most major publishers now offer professional development products and services — many of which merely train teachers to use another of the publisher's classroom products.

In this time of exploding budget crises, few states — let alone districts and schools — have the time or the money to develop the programs mandated by No Child Left Behind. That's where business and this particular lobbyist comes in. The following companies have profited substantially at the expense of the education of our students: NCS Pearson, CTB McGraw-Hill, Harcourt Educational Measurement, Educational Testing Services, Inc., Kaplan, Inc., HOSTS Learning, and Community Education Partners. "The top four or five players in the textbook market are also top players in the testing market," says Mark Jackson, a senior analyst with Eduventures, "what fits into the testing model gets bought, and what doesn't, doesn't." As the focus on testing gets more fierce, the test prep materials these companies are offering are becoming the standard curriculum. We all know that what gets tested — gets taught.

The schools under the most pressure are those that educate large populations of poor, minority, and limited-English students. These are the kids who speak very little English or have no academic language at all; children without the kinds of experiences that kids elsewhere in more affluent neighborhoods have; they usually come from homes without books; and, some don't even have televisions (much less computers in the home). In order to raise test scores, time and money is spent on test prep materials and the temptation is always there just to "drill and kill". (Of course, this isn't meaningful for the kids, but teachers know that the scores will go up.) Accountability's supporters continue to push testing as the surest, fastest solution for poor kids in weak schools. That a handful of companies are making their own "killing" off accountability, they say is just incidental — another example of the beauty of the free market system.

If Texas is our model, let's look at their graduation rates. According to a report released this year by the Intercultural Development Research Association, almost two out of five Texas high school students never earn a high school diploma. The report estimates dropouts have cost the state \$500 billion in lost productivity and in costs of social services, courts, and jails. IDRA points out that Texas' dropout rate predates high-stakes testing. But the tests, instead of being a solution, have become a part of the problem. Narrowed curriculum bores and daunts

some students into dropping out. There's also a tendency to "push" potentially low-scoring students to drop out before the exam. State scores on college entrance exams show minority students losing ground since the tests were instituted. Fewer Texas high school students are taking the ACT and SAT now than 10 years ago, and data from the Texas Education Agency shows, on average they are scoring worse. The average SAT scores for Hispanic students has fallen 17 points since 1996. The average score for black students has also drifted downward. Only Anglo students show slight improvement. Since the data on high schools isn't good, proponents of accountability offer more tests as the solution.

As board members we have a *political* problem in regard to this testing dilemma. The media articulates the testing proposals very succinctly, and, we are losing because we have yet to counter it with ideas with which the general public can relate. Can't we do something to stop this? Not too many years ago, we spoke of "lifelong learning," "learning for learning's sake" and developing a "love of learning." This testing mania is taking the place of genuine education. As for long term—what child, after enduring such assaults, will consider later returning to our schools as teachers? I can only hope that one day we will be able to look back on the "TIC Years" and ask, "What on earth were we thinking?" ●

## Grant Funding Resources

### [eSchool News school funding center](#)

Information on up-to-the-minute grant programs, funding sources, and technology funding.  
<http://www.eschoolnews.com/resources/funding>

### [Federal Resources for Educational Excellence \(FREE\)](#)

More than 30 federal agencies formed a working group in 1997 to make hundreds of federally supported teaching and learning resources easier to find. The result of that work is the FREE website.  
<http://www.ed.gov/free/>

### [Grant-writing tips](#)

SchoolGrants has compiled an excellent set of grant-writing tips for those who need help in developing grant proposals.  
<http://www.schoolgrants.org/tips/htm>

### [GrantsAlert](#)

GrantsAlert is a website that helps nonprofits, especially those involved in education, secure the funds they need to continue their important work.  
<http://www.grantsalert.com/>

### [Information for school health programs and services grants](#)

<http://www.cdc.gov/healthyyouth/funding/index.htm>

### [School Grants](#)

A collection of resources and tips to help K-12 educators apply for and obtain special grants for a variety of projects." <http://www.schoolgrants.org>

● Source: Cari Hinkle, Communications Specialist, Ohio School Boards Association

# NMSBA NEWS

## CALL FOR... TOPICS & TALENT

### NMSBA ANNUAL CONVENTION December 9-10, 2005 Marriott Hotel, ABQ, NM

The NMSBA Annual Convention will offer a variety of programs to help school board members become more effective in their leadership roles.

We want to hear from **you** - the school board members - about what topics you need more information on in order to be effective board members.

Those members who want to give presentations toward their Master Board Member Certification should also submit topic ideas and let us know that they are MBM candidates.

We are open to suggestions for student talent as well.

Please fax your suggestions to the NMSBA office at (505) 983-2450 with the following information:

Program Topic  
-or-  
Student Talent  
(Individual or Group Name &  
Contact Information)

Suggested Presenter

Your Name

Your School District

Daytime Phone #

Your e-mail Address

### CALL FOR CEOHS MODEL PROGRAMS

NMSBA will be asking for model programs from school districts in November for the March 2006 Celebrating Opportunities Conference to be held in Tempe, Arizona. Please consider submitting programs that are:

- the result of appropriate board involvement and collaboration with others
- successful in view of the program's primary objectives
- important in promoting the district's mission and advancing student learning
- capable of being replicated by other school boards with similar conditions and resources

### CALL FOR NOMINATIONS

See pages 6-7

### CALL FOR RESOLUTIONS

See pages 8-9

### TRAINING YEAR TO CLOSE AUGUST 31

State mandated school board member training is tracked from September 1 - August 31 each year. Board members are required to have **five** hours of approved training per year. NMSBA tracks school board member training and sends quarterly reports to Superintendents. Final 04-05 reports will be sent to Superintendents the first week in September. Any changes or corrections will be made before submitting information to the Public Education Department's Office of Accountability for publication in the fall school report cards. If you have questions about training, please contact the NMSBA office.

### E-MAIL CHANGE

Due to a large amount of spam and junk e-mail, the NMSBA e-mail has changed to nmsba1@nm.net. Please note this in your e-mail addresses.

### NMSBA REGIONS & 2005 FALL MEETINGS

#### Region I

#### Wednesday, Sept. 28\* in Bloomfield\*

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

#### Region II

#### Thursday, Sept. 22\* in Penasco\*

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

#### Region III

#### Monday, Oct. 17 in Santa Rosa

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

#### Region IV

#### Wednesday, Oct. 12 in Albuquerque

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

#### Region V

#### Tuesday, Sept. 20 in Melrose

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

#### Region VI

#### Monday, Sept. 26 in Artesia\*

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

#### Region VII

#### Tuesday, Oct. 25 in Alamogordo

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

#### Region VIII

#### Wednesday, Nov. 2 in Deming

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

*\*Indicates a change from previously published information*

# NOMINATIONS

## NEW MEXICO SCHOOL BOARDS ASSOCIATION

### NMSBA CONSTITUTION ARTICLE CVI Officers and Duties

#### Section 3. Vice-President

The Vice-President shall perform all the duties of the President-Elect in his/her absence.

The Vice-President shall perform such other duties as may be assigned by the President or the Board of Directors.

The Vice-President shall attend the National School Boards Association Convention, Federal Relations Network and Western Region meetings. The Vice-President shall serve as an official delegate to the National School Boards Association Delegate Assembly, as first alternate delegate to the Federal Relations Network and Western Region business meeting. However, NMSBA must comply with the NSBA policy ruling that at least one member of any state's delegation to the NSBA Delegate Assembly be a member of an ethnic minority group when the delegation has three or more members. If the President, President Elect or Vice President is not a member of an ethnic minority group, the Board of Directors shall select a person who is a member of an ethnic minority group to serve in the place of the Vice President on the state's delegation, giving preference to the Secretary Treasurer, the Immediate Past President or a member of the Board of Directors.

#### Section 4. Secretary-Treasurer

The Secretary-Treasurer shall perform the usual duties of such office and such additional duties as may be assigned by the Board of Directors.

The Secretary-Treasurer shall attend the National School Boards Association Convention, Western Region, and Federal Relations Network. The Secretary-Treasurer shall be an alternate delegate to the National School Boards Association Delegate Assembly and second alternate to the Federal Relations Network.

### ARTICLE CVII NOMINATION AND ELECTION OF OFFICERS

#### Section 1. Nominations

Nominations of the Nominating Committee shall be reported in writing to the members of the Association at least 30 days prior to the annual meeting. Failure to meet this deadline will result in no nominations report.

Nominations may be made from the floor at the annual meeting, for the offices of Vice-President and Secretary-Treasurer, provided verbal or written consent of the nominee has been obtained.

#### Section 2. Elections

The President-Elect, Vice-President and Secretary-Treasurer shall be elected by ballot vote at the annual meeting by a majority of the members present and voting.

In the event that no candidate receives a majority vote, there shall be a runoff between the two candidates receiving the greatest number of votes on the first ballot. Such runoff election shall be conducted prior to the conclusion of such annual meeting.

#### Section 3. Qualifications

Only voting members of NMSBA, shall hold an office in the Association. (See Article C IV, Sec. 1)

#### Section 4. Term of Office

The term of office shall be for one year, commencing at the end of the Annual Conference, and ending at the conclusion of the following Annual Conference or upon the election of a qualified successor.

#### Section 5. Vacancy

- a. A vacancy in the office of President shall be filled by the President-Elect, who shall serve the remainder of that term of office. The President-Elect shall also serve the succeeding term as President.
- b. A vacancy in the office of President-Elect shall be filled by the Vice-President, who shall serve the remainder of that term of office and shall assume the office of president-elect the following year.
- c. A vacancy in the office of Vice-President or Secretary-Treasurer shall be filled by the Board of Directors.
- d. A vacancy in the office of the Immediate Past-President shall be filled by a former NMSBA President currently serving on a local school board.
- e. In filling the vacancies, the Board of Directors should consider the suggestions outlined in By-Laws Article B V, Section 2, paragraph 4.

### NMSBA BYLAWS STANDING COMMITTEES

#### Section 2. Nominating Committee

The eight (8) region presidents and past presidents of the Association shall serve on the Nominating Committee. The President shall serve as the chairman of the Nominating Committee. In the event that the President cannot serve, the President shall appoint a chairman. A minimum of two members from the committee for the previous year shall be retained for continuity.

The duty of the Nominating Committee shall be to report the nominations they recommend, in writing, to members of the Association at least 30 days prior to the annual meeting.

The following guidelines are presented for consideration by the Nominating Committee in an effort to provide continuity and to reduce the possibility of personal, regional, and school district conflicts.

1. President-Elect - There will be no nominated opposition for this office. There will be no nominations from the floor for this office.
2. Vice-President - There should be no more than two people nominated for this office by the Nominating Committee.
3. Secretary-Treasurer - There should be no more than three people nominated for this office by the Nominating Committee.
4. Consider nominating board members whose terms of office will allow them to serve NMSBA through the presidency.

NEW MEXICO SCHOOL BOARDS ASSOCIATION  
**EXECUTIVE OFFICER NOMINATION FORM**

Local Boards and Region Officers are invited to submit names to the Nominating Committee for consideration as nominees for NMSBA officer positions. Nominees must be members of a board of education belonging to NMSBA.

Please complete this nomination form for each nominee and submit it, along with a brief biographical sketch, to:

MAIL: Nominations FAX: (505) 983-2450  
NMSBA  
300 Galisteo Street, Suite 204  
Santa Fe, NM 87501

**DEADLINE: SEPTEMBER 30, 2005**

The Nominating Committee will meet in October to consider all nominations and prepare their report to the membership at the Annual Convention December 9-10, 2005.

See page 6 for the provisions from the NMSBA Constitution and ByLaws relative to the nomination and election of officers.

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I hereby place the following name before the NMSBA Nominating Committee for consideration as a nominee for NMSBA Officer:

**NOMINEE INFORMATION (please print)**

Nominated for office of:  Vice President  Secretary/Treasurer

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

e-mail: \_\_\_\_\_

Contact Numbers: Home \_\_\_\_\_ Cell: \_\_\_\_\_  
Work \_\_\_\_\_ Fax: \_\_\_\_\_

Local School District \_\_\_\_\_ Number of years on Local Board \_\_\_\_\_

Current Term Expires: \_\_\_\_ mo. \_\_\_\_ yr. Committed to seek election to another local term? YES \_\_\_\_ NO \_\_\_\_

Local Board Positions held \_\_\_\_\_

Region – State Positions held \_\_\_\_\_

Occupation \_\_\_\_\_

Availability to attend NMSBA Events \_\_\_\_\_

*Please attach a brief biographical sketch if possible.*

I have contacted the above nominee and have obtained a firm commitment that he/she will actively seek election and serve if elected.

\_\_\_\_\_  
Signature-Nominator

\_\_\_\_\_  
Print Name Clearly

\_\_\_\_\_  
District Board of Education

\_\_\_\_\_  
Date

# 2005 NMSBA Legislative Program

## **ACCOUNTABILITY PROGRAM**

NMSBA supports *immediate* services and staff be provided by the Public Education Department to schools not meeting AYP.

## **CAPITAL OUTLAY**

NMSBA supports the continued development of a comprehensive statewide capital outlay process. Control of construction funds must be retained at, and under, the direction of the local school boards as part of the resulting plan.

NMSBA supports a plan that consistently provides adequate funding on an annual basis to meet the needs identified as being beyond the capacity of the local districts on a priority basis through the criteria currently set forth in the Public School Capital Outlay Act and the Public School Capital Improvements Act.

NMSBA supports the findings of the Capital Outlay Task Force and supports efforts by the legislature to approve other sources of revenue for capital outlay.

NMSBA supports reducing capital outlay expenditures by amending the Public Works Minimum Wage Act to exempt public schools, or at least increase the \$20,000 minimum eligibility project cost to \$25,000.

NMSBA supports legislation exempting public schools from impact fees by other governmental entities.

## **CHARTER SCHOOLS**

NMSBA supports changing a portion of current law to grant the chartering authority full oversight authority over charter schools.

## **COMPULSORY ATTENDANCE**

NMSBA supports additional funding from the legislature to those state agencies responsible for the enforcement of the Compulsory Attendance Law in order to assist the statewide efforts to educate all children. Funding is to be used only for the expressed purpose of enforcement of the compulsory attendance laws.

NMSBA supports the concept of developing intergovernmental agreements to effectively and appropriately enforce habitual truancy laws within districts serving Indian populations.

## **DISTRICT GOVERNANCE**

NMSBA does not support governance structure changes that move the governance of school districts to the school level.

## **DROP-OUT RATES**

NMSBA supports the method for calculating student graduation and drop-out rates in the State of New Mexico be changed to a cohort system which includes all students who graduate or discontinue their education before meeting the requirements for graduation as established by the New Mexico Public Education Department.

## **GOVERNMENT COLLABORATION**

NMSBA encourages passage of legislation requiring that municipalities and other government entities, include school districts as part of the process when discussing long-range master plans and when it considers approval of new business and residential development.

## **GROSS RECEIPTS TAX**

NMSBA supports amending the state laws to exempt all New Mexico school districts from paying gross receipt tax on school construction projects, thereby increasing the ability of the New Mexico school district's boards of education to fund construction of more facilities to the benefit of all New Mexicans.

NMSBA supports the implementation of appropriate legislation to allow purchases of clothing and school supplies to be exempted from

state gross sales receipts tax during a specified period of time prior to the beginning of each school year.

## **HIRING PERSONNEL**

NMSBA supports revision of the law to give the local school boards authority to hire school personnel, at the superintendent's recommendation.

## **LENGTHENING THE SCHOOL YEAR**

NMSBA supports fully funded legislation to increase the number of minimum instructional days to 185 days or its equivalent.

## **PERMANENT SCHOOL FUND**

NMSBA believes the Permanent School Fund increased distribution shall be included in the public school education as additional funds, and that progress to increase the General Fund allocation for public education continue.

## **PROFESSIONAL DEVELOPMENT**

NMSBA shall support any legislation fully funded by the State to add five (5) days to the minimum school year for the purpose of providing professional staff development.

## **PUBLIC SCHOOL SUPPORT**

NMSBA supports appropriations by the New Mexico Legislature of at least 51% of all available general fund revenues to the public schools and that such funds be distributed in an equalized manner that allows local districts the flexibility to meet their respective educational goals.

NMSBA supports continuation of the efforts made by the Legislature to increase the "unit value" of the funding formula to permit school districts increased flexibility to address local needs.

NMSBA supports a study of the state equalization formula to ensure equity in per-pupil spending among all New Mexico public school districts.

NMSBA supports retaining the current T&E schedule, and having a reform appropriation added to it to pay for the mandated minimum salaries. This categorical appropriation and distribution would be determined using actual teachers, their licensure status, current salaries, and the actual amount needed to fund teacher salary raises based upon the three-tiered licensure system.

NMSBA supports increased funding be provided to school districts by the State of New Mexico to offset higher employee insurance costs, allowing districts to provide employees full benefit of annual salary increases.

NMSBA opposes vouchers, tuition tax credits, tuition tax subsidies, tuition tax deductions, or any other such program which diverts public monies from public schools.

## **RETIREE HEALTHCARE**

NMSBA supports an independent actuarial analysis to determine the advisability and fiduciary soundness of consolidating the state retirement health care system.

## **STAFF RETENTION**

NMSBA supports legislation that promotes programs for retention of educational staff in New Mexico schools.

NMSBA supports legislation to improve educational retirement by moving it towards parity with PERA.

## **STUDENT ACHIEVEMENT**

NMSBA maintains that student achievement is the number one priority of local school boards.

**TECHNOLOGY**

NMSBA supports a continued effort to fully implement and maintain approved local district technology plans; support multi-district distance learning efforts; provide for a statewide network between districts and centers for teacher preparation and in-service.

**TOBACCO USE**

NMSBA supports extending the law to prohibit the use and possession of tobacco products on a school campus or at the school-sponsored activity for those individuals under eighteen years of age.

**TRANSPORTATION/BUS SAFETY**

NMSBA supports added funding for local district transportation budgets that would allow districts to promote safety programs for school buses and to maintain safe levels of school bus operation, provide for replacement buses (due to condition of routes and the mileage of the bus), and provide buses to accommodate enrollment growth.

**UNFUNDED MANDATES**

NMSBA opposes any state or federal mandates that do not include adequate funding, including any related to the provision of services to home school children and parents.

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# CALL FOR RESOLUTIONS

The New Mexico School Boards Association invites school districts to submit resolutions on any education-related topic that the districts wish to have considered by the NMSBA Resolutions Committee. The committee will then make their recommendations to the Delegate Assembly at the NMSBA Annual Convention, December 9, 2005. Resolutions adopted by the Delegate Assembly determine NMSBA policy and will guide the 2006 Legislative Program. (For reference, see the 2005 Legislative Program on facing page)

Proposed Resolutions should reflect the official position of the submitting school board: however, please note that these resolutions should pertain to statewide issues.

Deadline for submission of Resolutions is **August 29, 2005**. You can fax your submissions to NMSBA at (505) 983-2450

Subject: \_\_\_\_\_

Submitted by (District): \_\_\_\_\_

WHEREAS, \_\_\_\_\_

WHEREAS, \_\_\_\_\_

WHEREAS, \_\_\_\_\_

NOW, THEREFORE, BE IT RESOLVED \_\_\_\_\_

## Parents Resist Military Recruiting in Schools

As the war in Iraq continues to claim U.S. casualties and the military finds it increasingly difficult to attract new recruits, schools are reporting a growing resistance to military recruiters and to the requirement that they be given student contact information. "It's definitely heating up," said Bruce Hunter of the American Association of School Administrators. "And the concern is all being generated by mothers and fathers and their children." A particular focus of attention is a provision tucked into the voluminous No Child Left Behind Act of 2001 that requires high schools to release student contact information to military recruiters or lose their federal funding.

Anti-war organizations have held several "Opt Out" days across the country to highlight the fact that parents can sign a form to prevent schools from providing information about their children to the military. In the Pittsburgh Public Schools, a resolution to give more information to parents for all students from 9th grade up is before the board. It will likely be voted on next week. The organizations also have stepped up "counter-recruitment" efforts that focus on alternatives to military service, such as the Peace Corps.

"We don't like the law. But it exists, and it should exist with all the necessary protections for protecting students' privacy," said Oskar Castro, director of the National Youth and Militarism Project of the American Friends Service Committee, a Quaker organization. Castro said anti-war activists are particularly incensed that the federal government has given so little formal guidance to schools about informing parents of the military recruiting provision in the No Child Left Behind Act or the opt-out alternative. In many cases, information about the law is lost among a flood of flyers sent home at the beginning of the school year. Many parents only learn of it only when a recruiter calls their sons or daughters at home.

The issue was spotlighted in April when the American Civil Liberties Union in New Mexico sued the Albuquerque Public School District for failing to adequately inform parents of their right to withhold student information. As more parents do learn of the situation, and as Americans continue to die in Iraq, the issue is building in schools across the country. "Absolutely there has been more and more concern as time has gone on," said Lisa Soronen, staff attorney at the National School Boards Association. "There is a heightened sensitivity about what it means to serve your country at a time of war."

In Pittsburgh, as in other parts of the country, school officials are getting an increasing number of phone calls from parents, said Kaye Cupples, executive director of support services for Pittsburgh Public Schools. She attributed the upsurge to growing awareness that schools are obliged to release student information and that recruiters often focus on certain types of students, such as minorities or those from low-income homes. Military recruiters, scrambling to meet quotas, also "are getting very aggressive out there," Cupples said. "Sometimes there are recruiters every day in the building in some of the larger high schools."

Military officials say the provision giving them access to student information is needed to help them staff all-volunteer services, which require hundreds of thousands of young people to enter active duty or the Reserves and National Guard each year. The cost of recruiting also has increased over the past decade, from \$6,500 to \$11,500 per recruit. "We want the same

access as postsecondary educational institutions and/or other prospective employers to the best and the brightest that this country has to offer," said Lt. Col. Ellen Krenke, a Pentagon spokeswoman. The Pentagon reported on Friday that the Army fell 25 percent short of its recruiting goal in May, the fourth consecutive monthly shortfall, although the Marine Corps met its target. The Army and Marine Corps have suffered the vast majority of the casualties in Iraq.

Many of the nation's 22,000-plus high schools have long welcomed recruiters, saying they offer an important career alternative for students. School officials also take advantage of the results from the extensive and expensive vocational aptitude test administered to students by military recruiters. According to Krenke, only one school district, in Fairport, N.Y., has publicly refused to comply with the requirement to release student information. Fairport officials say they don't oppose military service but believe parents should have to agree to give the military information about their children rather than being forced to "opt out" of a legal provision of which many are not aware. Fairport officials have refused to budge despite appeals by the Pentagon and the potential loss of thousands of dollars of federal funds, Krenke said. In other school districts, such as in Montclair, N.J., activist students have ensured a high percentage of "opt outs." More than 80 percent of Montclair High School students have opted out of providing contact information to the military since a student-led campaign began last year. At Garfield High School in Seattle, a parent-teacher group has voted to ban military recruitment. School officials say they cannot legally stop recruitment, but they plan to increase efforts to notify parents about their right to opt out.

In Congress, Rep. Mike Honda, D-Calif., is sponsoring legislation that would reverse the way the current provision works and require parents to formally "opt in" if they want a child's name, address and telephone number released to military recruiters. House GOP leaders hope to prevent it from coming to a vote, but the San Jose Democrat said he will try to attach it to other bills that seem sure to pass. "While I support the right of the armed services to recruit high school students, I don't believe successful military recruitment efforts require access to students' personal information without their consent," Honda said.

Given increased parent concern, Pittsburgh school officials — like many elsewhere — are rethinking their policies. Over the past few years, high school principals in Pittsburgh have sent out one letter each fall telling parents they could shield information about their children from military recruiters by signing a form. Under the new policy, parents would receive a letter telling them they can keep the information from the military, colleges, prospective employers or all three. Notices also would be included in the "graduation requirements" booklet sent to all incoming 9th graders and on the school district's Web site. Guidance counselors would keep a list of which students can be contacted by which types of recruiters, Cupples said. He expects the school board to approve the policy at its next meeting this month. Anti-war activists, meanwhile, plan to intensify their "opt out" campaign. "Our goal is to achieve one million opt outs sometime this fall," Castro said.

● *Source: By Karen MacPherson, Post-Gazette National Bureau, June 2005*

## House Subcommittee Approves Federal Education Budget

The House Labor-HHS (Health and Human Services)-Education subcommittee on appropriations approved its fiscal year 2006 (FY06) bill yesterday, moving the bill to full committee consideration. Education received an increase of only \$115 million or 0.2 percent; the smallest increase in a decade though more than the President's budget, which called for a \$530 million cut from FY05 levels.

If enacted, the bill would provide an increase of \$100 million to Title I of the No Child Left Behind Act, for a total of \$12.7 billion, and a \$150 million increase in state grants to help educate disabled students, for a total of \$10.7 billion. Head Start would receive \$56 million more than last year. Pell Grants would get an increase of more than \$1 billion in funding, \$800 million of which would be used to decrease the existing shortfall in Pell funding, and \$200 million of which would be used to raise maximum annual grants by \$50, to \$4,100.

Twenty-three programs were terminated totaling \$500 million, while \$3.6 billion in programs were restored that the President's budget had marked for cuts. Restorations included

- **TRIO**—Originally just three programs (hence the name TRIO) established and funded under Title IV of the Higher Education Act of 1965, these programs help students overcome class, social, and cultural barriers to attain a higher education.

- **GEAR UP**—Gaining Early Awareness and Readiness for Undergraduate Programs is designed to better prepare middle and high school students for college through mentoring programs and scholarships as well as new academic preparation and awareness programs for students and parents.

- **Regional education laboratories**—The 10 regional

educational laboratories that work to help educators and policy makers solve education problems in their states and districts. The labs research education issues, print publications, and provide training programs to teachers and administrators.

- **Perkins career and technical education**—These grants help state and local schools offer programs to develop the academic, vocational, and technical skills of students in high schools, community colleges, and regional technical centers.

- **LEAP**—The Leveraging Academic Assistance Partnership program provides grants to states to assist them in providing need-based grants and community service work-study assistance to eligible postsecondary students.

- **Perkins cancellations**—Enabling Perkins loan recipients to cancel all or part of their loan (including interest) for engaging in teaching, public service, service in the Peace Corps or ACTION, or service in the military.

If not eliminated, most education programs were funded at last year's levels with no allowance for inflation or enrollment growth.

Most of the President's initiatives were not funded, notably the \$1.5 billion high school initiative. His teacher incentive fund received \$100 million instead of the \$500 million requested. Programs not funded include Parent Information Resource Center (PIRCs), arts in education, dropout prevention, and gifted and talented education.

The full House appropriations committee is expected to consider this bill June 15th. Senate appropriators have indicated that they will consider their own legislation in July.

● *Source - Nation PTA "This Week in Washington" e-zine alert*

## Schools Told to Hold "Constitution Day"

A law added to appropriations bill Congress has ordered all federally funded schools and colleges to hold an educational program each year on or around Sept. 17 to commemorate the anniversary of the 1787 signing of the U.S. Constitution, according to a notice sent to educators yesterday. Department of Education officials acknowledged their reluctance to dispatch the notice to chief state school officers and college and university presidents instructing them to conduct the program. "We provided the notice consistent with the law's requirement," said Susan Aspey, Department of Education spokeswoman.

The congressional requirement was slipped into an omnibus appropriations bill in December by Sen. Robert C. Byrd, West Virginia Democrat. Mr. Byrd prides himself as the Senate's chief proponent of America's historical legacy. The five-page notice said: "Pursuant to legislation passed by Congress, educational institutions receiving federal funding are required to hold an educational program pertaining to the United States Constitution on Sept. 17 of each year." Neither the legislation nor the Department of Education's notice spells out what the educational programs should be, and no federal funds were allocated for the program or its implementation. Miss Aspey said federal laws prohibit curriculum mandates, but the Byrd mandate "doesn't dictate to schools the content or the specifics of their Constitution Day program." The notice did say, however, that if Sept. 17 falls on a weekend or holiday, "Constitution Day shall be held during the preceding or following week."

Some conservative supporters of President Bush, who say they share his patriotism and push for a better American history curriculum, criticized the provision tucked into the spending bill as Congress rushed to adjournment last year. "Seems to be a Byrd-authored law that none of us knew about," said Chester E. Finn Jr., president of the Thomas B. Fordham Foundation and senior fellow of the Hoover Institution at Stanford University. He also questioned how the provision could be enforced. "What happens to a school that doesn't teach about the Constitution on that day?" he asked. "And how will Uncle Sam even know?"

Mr. Byrd said he was pleased the Education Department guidelines reflect his motivation for legislation "to allow students to learn more about our cherished Constitution [but] do not impose a particular view or interpretation." "Each school can rely on the ingenuity of its educators to determine how best to present its own program on the Constitution," he said.

The provision brought expressions of concern from national education group leaders, who said Congress has no right to dictate what schools do on a particular day. Dan Fuller, director of federal programs for the National School Boards Association, told the Associated Press that such dictates interrupt regular lessons on other subjects. "Local schools cover the Constitution, and they've been doing it for a long time," he said. "We don't need the federal micromanagement. Congress has been acting more like a school board."

● *Source - George Archibald, THE WASHINGTON TIMES, May 25, 2005*

### **Changing Minds: The Art and Science of Changing Our Own and Other People's Minds**

By Howard Gardner. Harvard Business School Press. 244 pp. \$26.95

If one of your multiple intelligences reveres Howard Gardner, you won't want to miss *Changing Minds*. The Harvard University professor who first identified seven types of learning styles now lays out seven "levers" – factors that are at work when people change their minds. These factors are reason, research, resonance, representational redescription, resources and rewards, real world events, and resistances.

### **Genius Denied: How to Stop Wasting Our Brightest Young Minds**

By Jan and Bob Davidson with Laura Vanderkam. Simon & Schuster. 242 pp. \$24

Think how much time and money your school district spends on third-graders (or, more pathetically, on 10<sup>th</sup>-graders) who cannot read. Now think how much time and money are spent on 3-year-olds who *can* read. Neither the precocious nor the protracted learner thrives under the standard instruction and curriculum in most schools, but which kid is more likely to get help suited to his or her needs?

For Jan and Bob Davidson, this is a no-brainer. In their highly readable manifesto for gifted and talented children, they write: "Gifted education is largely haphazard, ineffective, and underfunded. It is more style than substance and rarely provides what gifted kids truly need: work that challenges them to the extent of their abilities in an environment with other kids who love to learn."

The Davidsons – founders of both the Davidson Institute for Talent Development and the Davidson software company that was best known for developing Mathblaster – tell story after story of bright children who have been held back, bored, discouraged, and even mocked because of their intelligence. Some of the holding back, boredom, and discouragement (but, thankfully, none of the mocking) are matters of policy. Many districts have no gifted programs until third grade, for instance, or throw up barriers to students who want to take algebra early.

The Davidsons come close to calling for nationwide standards on educating the gifted, but in the end, they back away. They say decisions about gifted education should be made at the local and state level, and they insist they don't want to take anything away from the pressing needs of special-education students.

Still, they wonder, why do we have to make a choice? Why can't we raise both the floor *and* the ceiling?

### **Improving Literacy in America: Guidelines from Research**

By Frederick J. Morrison, Heather J. Bachman, and Carol McDonald Connor. Yale University Press. 240 pp. \$35

Stop looking for silver bullets to solve the nation's literacy crisis. That's the message of three researchers who've grown tired of debates over school vouchers, class size, and social promotion. The challenge of teaching every child to read is simply too complicated, they say, for any of these quick-fix solutions.

The authors say the literacy crisis is the result of a "perfect educational storm" that was created by a confluence of scientific, medical, technological, educational and cultural changes that ranged from upheavals in family structure to the adoption of whole language as a method of teaching kids to read.

Most of the authors proposed solutions involving reaching children before they start school, with early intervention, effective parenting, and high-quality child care. Recommendations for the school years include more opportunities for individualized instruction, better-trained teachers, and more interaction between researchers and teachers.

Surprisingly, that last recommendation is not just another shot at teachers who blithely ignore research recommendations. Researchers need to shape up, too, the authors say: "researchers should feel some obligation to explain the meaning and relevance of their work... as well as to consider research that addresses teachers' most pressing questions in the classroom."

### **Many Children Left Behind: How the No Child Left Behind Act is Damaging Our Children**

Edited by Deborah Meier and George Wood. Beacon Press. 132 pp. \$13

There's nothing subtle about this collection of essays and where it stands on No Child Left Behind – a.k.a., according to the contributor Linda Darling Hammond, No Child Left Untested, No School Board Left Standing, and No Child's Behind Left. But this book is more than a liberal vent; the authors also set forth elaborate alternatives aimed at ensuring accountability without inflicting damage to anyone's behind.

### **Ready or Not, Here Life Comes**

By Mel Levine, M.D. Simon & Schuster. 280 pp. \$26

Pediatrics professor and best-selling author Mel Levine diagnoses "an epidemic of work-life unreadiness" among 20-somethings bent on extending adolescence. Behind the epidemic, says Levine, lies the simple fact that "life for many adolescents has been saturated with pleasures that the banality of the workplace cannot match."

The good doctor prescribes tactics for schools and families to use as early as middle school in hopes of heading off problems among start-up adults. Our favorite: Work with kids to find what one adviser calls their "sweet spot" – a passion that can turn into a gratifying career.

### **You Don't Have To Do It Alone: How to Involve Others to Get Things Done**

By Richard H. Axelrod, Emily M. Axelrod, Julie Beedon, and Robert W. Jacobs. Berrett-Koehler Publishers. 100 pp. \$16.95

Want to get more people involved in working toward your school district's success? Four consultants tell how to reel the right people in and keep them motivated without getting caught in shouting matches, finger-pointing, and other time wasters. Of special interest is the section on dealing with troublemakers who, the authors say, "can be your best friends" – if you can keep them from driving everyone else away.

● Book reviews written by *American School Board Journal*  
Contributing Editor Rebecca Jones.

## Study Reports Public Schools Outperform Private Schools in Student Achievement

A new study turns conventional wisdom on its head about the academic performance of public and private school students, finding that public school students significantly outperform their private school peers in math after controlling for demographic and socioeconomic factors. The overall achievement advantage held by private schools is attributed to the stark differences in student body demographics and socioeconomic status between public and private schools, according to the study by researchers at the University of Illinois at Urbana-Champaign. The researchers examined 4th graders' and 8th graders' math scores from the 2000 National Assessment of Educational Progress (NAEP).

### Key findings:

- When accounting for demographic / SES (socioeconomic status) differences among public and private school students, public school students performed "significantly better" than Catholic and other private school students.
- When the researchers looked at public and private school students' performance across four SES quartiles (low SES, low-mid SES, mid-high SES and high SES), public school students outperformed private school students in each one. Public school 4th graders' average scores were 6-7 points higher within each quartile, and public school 8th graders' average scores were 1-9 points higher.

- Public schools enroll "much higher" percentages of African-American, Hispanic, lower-SES students, and students with disabilities than do Catholic and other private schools. At each grade level, less than 40 percent of the public schools were high SES (meaning their SES was above the median for all schools) while more than 80 percent of private schools were of high SES.

- While the average overall math scores of private school students was "significantly higher" than that of public school students, the advantage is explained by the demographic and socioeconomic differences of the student bodies.

- The researchers found that SES-related achievement gaps were smaller in Catholic and other private schools among 4th graders than in public schools, and the achievement gap for 8th grade Hispanic students was smaller in Catholic schools than in public schools.

- Most of the research that has led to common assumptions that private schools are more effective at raising student achievement than public schools is three decades-old and was largely limited to high school students. For more information on this study, go to the Phi Delta Kappan May 2005 issue, or read the full study posted by the National Center for the Study of Privatization in Education. More also from the University of Illinois at Urbana-Champaign.

● Source: *Phi Delta Kappan*, May 2005; *National Center for Privatization in Education*; *University of Illinois at Urbana-Champaign*

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## Achievement Scores Rising, But Report on NCLB Asks: At What Cost?

Thirty-six states report rising achievement scores, but most agree that the No Child Left Behind Act (NCLB) will fail to reach most at-risk students unless the U.S. government spends more and reduces NCLB demands.

So says a report by the Center on Education Policy (CEP), an independent, non-partisan national advocate for public education and for more effective public schools. The report released in March is the most comprehensive analysis of the NCLB law.

CEP found nearly half of surveyed school districts report having cut instructional time in science, social studies, music, art, and other subjects to meet NCLB demands in reading and math.

"No Child Left Behind has shined a spotlight on the areas that need the most attention, but the success of this effort will depend on whether education officials can fix problems, not just know where they are," CEP Director Patricia Sullivan said.

Forty-five of the 49 responding states said limited staff size is a serious problem and 80 percent of states reported that NCLB funding does not cover the costs of implementation.

The full report can be viewed at [www.ctredpol.org](http://www.ctredpol.org).

● Source: *Illinois School Board Newsbulletin*

## Mercury Spills Close Down School

When Madison County Superintendent Mike Caudill heard about a mercury spill in a LaRue County school in November 2004, he paid it little attention. Until one day in March when he received a phone call from officials at Madison Central High School about a mercury accident. "I thought it was the size of a BB, but my assistant, just out of his knowledge of chemicals, checked the next room the way you're supposed to by turning out the lights. When he did, the room lit up like the evening sky," Caudill said. "He called back and told me I needed to get over there and we realized we had a mercury incident."

Caudill said one of the first calls he made after the necessary ones to emergency personnel was to LaRue County Superintendent Sam Sanders. Sanders says he has had a few calls from other districts since their original mercury incident asking what procedures they followed.

In both instances, officials from the state and federal environmental protection agencies were quickly summoned to the sites to monitor air for toxic levels of mercury. They also checked other rooms in the schools, the buses ridden by the students who brought the mercury and even their homes. The families of those students who brought the mercury had to be housed elsewhere while officials decontaminated their homes.

"The EPA officials were complimentary of how the situation was handled as far as notification of them. They got word of the spill within a couple of hours and they said that was very unusual," Sanders said. But despite the quick phone calls, mercury was found to have spread beyond the initial site in both cases. "Mercury spreads through vapor, and our fear was how many kids were 'hot' and how far had it spread," Caudill said. "Start with 25 kids in a classroom where the initial spill happens. Then 25 kids come into that room for second period, then, another 25 other kids come in for third period. It spreads throughout the school as the kids walk in and out of the room. Then, they get on the bus and it's contaminated."

"It went from a few kids bringing mercury to possibly 1,600 students exposed to it, in addition to staff." Caudill also

said district officials had to track down teachers to check their belongings and homes for levels of contamination. The LaRue Superintendent said parents had to bring clothes and shoes in from the students to be checked for contamination levels. One home's contamination level was so high, it had to be destroyed.

Sander's said no more than a half dozen drops of mercury were spilled at the district's high school. "If you had told me we'd have to close the school for two days to clean and de-contaminate, I wouldn't have believed it," he said. "What happens is once it is dropped, beads and vapor go everywhere."

After the students were cleared to return to the schools, school and EPA officials sat down to discuss what the district did well and what could be done differently. EPA officials stressed that schools shouldn't try to "mop up" contamination spills. This spreads contamination if the right chemicals aren't used or if the spills aren't contained correctly.

Both Superintendents said dealing with the media during the cleanup gave them some ideas for improved communication. "We would make a statement, but then the media would try to separate me from the emergency management expert," Caudill said. "If needed in the future, we'd plan to announce that there would be one public statement with everyone there to take questions." LaRue County is looking into a calling system that will allow the district to more quickly contact parents.

Is there a way to keep students from bringing toxic substances like mercury onto campus? After all, cleaning up a toxic spill is not a planned expense. "You have to have a blank check for the decontamination people. I think our cost was \$20,000, but I can definitely use that elsewhere," Caudill said. "We tell kids not to bring things like that, but as you get bigger and more diverse, you never know what they will do. The main thing is that we have to understand there is no turf. We as administrators tend to want to take over, but in this case, you're a player and have to cooperate."

●Source: By Steve McClain, Kentucky *School Advocate*

## Comments on Special Education Regulations Sought

The U.S. Department of Education will soon request public input on draft regulations designed to implement the newly reauthorized individuals with disabilities Act of 2004 (IDEA). Signed into law in December of 2004, the new IDEA addresses federal funding of special education, legal process, teacher certification and other issues. The department is currently drafting these regulations following a series of public meetings in January and February. Hearings to be held in June and July will allow public comment on the draft. Hearing dates, times and locations may be found at [www.ed.gov/policy/speced/guid/idea/idea2004.html](http://www.ed.gov/policy/speced/guid/idea/idea2004.html). A copy of the draft regulations is available from the site.

Comments may also be submitted electronically to [IDEAComments@ed.gov](mailto:IDEAComments@ed.gov). Specify "Comments on IDEA 2004" in the subject line.

For more information contact the Office of Special Education and Rehabilitative Services at (202) 245-7468.

## Congratulations

The National School Boards Association Indian Caucus met in April at the Annual Convention in San Diego. Congratulations to **Clyde Vicenti** of Dulce Independent School District who moved up from President-Elect and is now the President. **Bernadette Todacheene** of Central Consolidated School District was elected to the position of the Secretary-Treasurer. They will both serve a two-year term from 2005-2007.

A past board member **Eugene Pino** of Pojoaque Valley Public Schools was an Indian Caucus Board Member representing the Western Region from 2003-2005.

## The Five Habits of High Impact Boards

In the book, *The Five Habits of High Impact Boards*, Doug Eadie shares his experience in working with hundreds of public and nonprofit boards, including many school boards, over the past 25 years. In his book he shares that school boards that make a significant difference in the affairs of their districts by doing truly high-impact governing share five key behavioral traits.

### **1: High impact school boards concentrate on governing above all else.**

This isn't just creating policies. It also includes, among other things, "playing the leading role in partnership with your superintendent and leading administrators in making decisions and judging that answer to help determine the shape and direction of your school district".

### **2: High impact school boards develop their capacity to govern.**

They develop the school board team as a human resource, which involves building board member governing knowledge and skills – developing a comprehensive strategy for board members to receive education and training.

### **3: High impact school boards play an active role in leading innovation and change.**

This includes the process of coming up with new responses to address the challenges confronting your district and the process of implementing planned initiatives.

### **4: High impact school boards pay close attention to the board-superintendent partnership.**

They keep the marriage healthy – negotiating the relationship, defining goals, and staying in constant contact.

### **5: High impact school boards reach out externally and internally.**

Play a "hands-on, but non-governing role" to key constituencies in your community as well as playing a visible role in building a positive internal climate within the school system. A few examples shared of the "hand-on, non-governing role" included a board speakers bureau, a board member facilitation of community forums, and board member participation in maintaining particularly high-priority stakeholder relationships.

If you are interested in learning more, check out the book! Just as your district budgets time and money for teacher professional development, consider budgeting time and money for your school board professional development.

*The Five Habits of High-Impact Boards* by Doug Eadie. Published in 2005 by Scarecrow Education in conjunction with NSBA. ISBN 1578861764

## 844 Teachers Move from Level I to Level II Licensure

The Public Education Department announced that 844 teachers have progressed within the Three Tier Licensure system, moving from a Level I license to a level II license. Of the 960 teachers that applied approximately 88% passed to the next level of licensure. This means that the 844 teachers who submitted a dossier which was reviewed by 2 independent reviewers and also had reviews by their principal were deemed to be meeting or exceeding the requirements of a Level II license. On average the teachers who work in public schools will receive a pay increase that ranges from \$5,000-\$8,000. An average level one teacher in New Mexico is making \$33,000 and they will now make a minimum of \$40,000.

As a result of the passage HB212 during the 2003 legislative session, the Public Education Department implemented a system that relates teacher performance to minimum salary guarantees statewide. This system is commonly referred to as Three Tier Licensure (3TL). The system raises the level of accountability for teachers in the classroom. It requires teachers after a minimum of three years of teaching and a maximum of five years of teaching, to submit a professional development dossier which demonstrates competency in the teacher's teaching methods, a record of their professional development and demonstrable student outcomes with their students. If a teacher had problems in their dossier, that teacher was referred to the Institute for Professional Development and the College of Education at University of New Mexico where they were given the proper support to help teachers work on areas where they needed improvement.

## Public Education Department and PNM Team Up to Help Students get their GED

In a partnership between PNM and the Public Education Department's (PED) New Mexico State GED Testing Office, PNM is offering to pay the GED testing fees for New Mexicans who wish to participate. Last year, hundreds of students took advantage of this offer. The partnership began in 2002.

According to the 2002 Census, 34 million persons over age 18 did not graduate from high school. Worldwide, over 600,000 adults completed the GED Tests in 2002. Of those, approximately 70 percent passed, thus earning their jurisdiction's high school diploma-360, 000 or one of every seven high school graduates. The average age of GED passers was just under 24. On average, a person with a GED earns \$6,000 a year more than a person without his or her GED diploma.

Ninety-seven percent of colleges and universities accept the GED as equivalent to a traditional high school diploma; over five percent of first year college freshman have earned a GED credential.

More than 90 percent of U.S. employers regard GED holders as equivalent to high school graduates in hiring, salary and opportunity for advancement, according to the Society for Human Resource Management. Leading employers offer employees reimbursement for GED instruction classes and test fees.

# MARK YOUR CALENDAR!

**Leader's Retreat**  
**July 22-23, 2005**  
**The Lodge**  
**Cloudcroft, NM**

**Annual Convention**  
**December 9-10, 2005**  
**Albuquerque Marriott Hotel**  
**Albuquerque, NM**

Information will be available on the NMSBA website.  
Go to [www.nmsba.org](http://www.nmsba.org), and from the homepage choose "Conferences"

## Tidbits...

### TEXAS REALIZES RESULTS OF FIRST "NUTRITION YEAR"

You can take away the Snickers bars. But they'll just eat twice as many cookies. Take the curly fries. They'll go for the chips. Texas schoolchildren found plenty of empty calories at school despite sweeping changes in nutrition policies that debuted in 2005. If they weren't interested in carefully regulated school lunches, they could still find non-nutritious snacks in the lunch lines, at the a la carte counters or at soda machines in high school hallways. The push - which included everything from counting sugar grams in drinks to weighing Little Debbie snack cakes to setting rules about where the tennis team sold pizza slices - also brought more fruits and vegetables to school kitchens. School nutrition experts say they believe they are headed in the right direction, but there are pressures that keep cafeterias from dumping the junk entirely. Lunchrooms must operate as businesses, and demand remains from students and their parents for the food court culture that got them into the obesity mess in the first place.

Wylie school district revamped its snack, or "a la carte," offerings this year to follow the complicated new rules. Snack portions are smaller. The beloved curly fries are gone. Consequently, it's been a tough year financially, said Theresa Johnson, the district's director of student nutrition. Most school food services departments are expected to be self-sufficient - to make enough money to pay staff and maintain equipment, and even, in some districts, to pay utilities and rent. Directors of student nutrition are expected to wear the hats of nutritionist and business person, tasks that sometimes clash. "It's a Catch-22," said Ms. Johnson. In a perfect world, she wouldn't offer the snack line. But it helps her department meet the bottom line.

"Kids today have experienced food courts at the mall, and that's what they expect us to be," said Cafeteria manager Pat Coleman. She went on to say life lessons are learned in the lunch lines. "Kids this age especially, they need to make choices."

In just a year, the Carrollton-Farmers Branch school district's consumption of fries, hash browns and tater tots fell by 66 percent. Rachele Fowler, director of Student Nutrition, decided to go beyond the state-imposed french fry limitation. She also plucked candy bars from the cafeteria - eliminating the 95,000 sold the year before. But cookie dough purchases skyrocketed, from 23,000 pounds last year to 44,000 pounds this year. Chip consumption also was up. Even though students were required to buy smaller bags of chips, they bought 62 percent more bags this year, or about 14 percent more chips. Ms. Fowler said she's not surprised. If students had 50 cents to spend on candy last year, they'll use that money this year to buy cookies. But the offerings are healthier, including baked and reduced-fat chip varieties. The district also restricted the amount of fat in items where the state has not and has more than doubled the money the department spends on fruits and vegetables, from \$112,000 to \$255,000.

● Source: Kim Breen, Dallas Morning News, June 2005

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