

# THE ADVOCATE

## Gov. Announces Healthy Kids Initiative

Governor Bill Richardson announced his Healthy Kids agenda designed to keep New Mexico students ready to learn, in the classroom and out of the doctor's office. Under the Governor's plan the state will publish an annual "Healthy Kids Report Card." This report will track progress including information on school vending choices and lists of New Mexico's 10 healthiest and unhealthiest schools. "When I ran for Governor, I promised that I would work tirelessly to move New Mexico forward – by making our schools work and creating better learning opportunities for students," said Governor Richardson. "Every kid deserves a top notch education and a healthy start in life. We have made much progress on this front – but we must do more to help prepare our children to compete in the 21st century." These initiatives will be introduced for approval from the Legislature during the 30-day 2006 Legislative Session, January 19-February 16.

Background information on Healthy Kids Initiatives:

**Junk Food** – The Governor is moving forward with the elimination of junk food in public elementary schools. The Governor's recommendation for the new regulations is that no food vending of any kind will be allowed in elementary schools, and the only drinks allowed to be sold will be milk and water. In middle schools, no carbonated drinks will be sold. Only milk, water, and fruit juices with certain restrictions on calories and serving sizes will be available. Foods at middle schools and high schools allowed in vending will be nutritious snacks such as nuts, seeds, cheese and all snacks will be limited to 200 calories per serving. In high schools, there will be more flexibility after the last lunch period - sports drinks and diet caffeine-free soft drinks can be sold. For after school activities such as ball games, the Governor wants to have at least 50% of the foods sold be healthy choices.

**Physical Education** – The Governor's goal is to have universal physical education for every New Mexico elementary school student. The Governor is proposing \$7.8 million in the 2006 legislative session to fund an additional 200 physical education teachers and equipment. Within four years, this will increase to 760 new elementary physical education teachers. During the 2005 legislative session, \$1.4 million was allocated for an elementary physical education pilot. This resulted in funding 25 teachers serving 34 sites.

**Elementary School Breakfast** – Governor Richardson is proposing \$4.2 million to provide every elementary school in New Mexico with a breakfast program. Over 800 schools in New Mexico operate one or more meal programs. On a daily basis, nutritionally balanced, free or low cost meals/milk are provided to more than 190,000 New Mexico's students.

**Insuring children** – The Governor is proposing an additional \$3.5 million to help insure nearly 8,000 more children. It the Governor's goal to make it easier for New Mexico families to insure their children through Medicaid by changing what is counted as income. Currently Medicaid serves 411,000 New Mexicans, two-thirds of which are children. Almost 50,000 low-income children eligible, but not enrolled in the Medicaid program. The goal to insure an additional 7,800 New Mexico children by making administrative changes to Medicaid, including changing income qualifications. The Governor will also improve access to prenatal care and assistance for 1,200 new moms a year by expanding eligibility. The Governor will also provide a tax benefit for small employers with less than 10 employees that offer family health insurance coverage.

**Immunizations** – The Governor's goal is to have 100 percent of New Mexico children protected from vaccine preventable diseases. This will be accomplished by increasing vaccines given at public health clinics and at New Mexico schools. The State has worked hard with its health partners to bring immunization rates up for children in New Mexico. It has been incredibly successful and the Center for Disease Control gave New Mexico an award for the most improved immunization rates from 2000 to 2004. After ranking near the bottom in the nation in 2002, New Mexico is now ranked 15th for fully immunizing almost 84 percent of its toddlers.

● Source: Jon Goldstein, Governor's Office, November, 2005



### IN THIS ISSUE

#### **FEATURES**

Convention.....	4
Spring '06 Region Mtgs.....	5
Social Issues.....	6
Commercial Members.....	6
State News.....	7
Student Achievement.....	8
Boardsmanship.....	9
Technology.....	9
Legal Issues.....	10
National News.....	11
Tidbits.....	12

#### **DEPARTMENTS**

Director's Perspective.....	2
President's Comments.....	3
NMSBA News.....	5
Calendar.....	12

# DIRECTOR'S PERSPECTIVE

By Joe Mack Mitchell

Some of you may have attended the “Key Work of School Boards” session at the Annual Convention just held in Albuquerque. The session was facilitated by Lora Harlan, your President-Elect. The reason I mention this is to segway into another Key Work item that I feel is important for all of you to be aware of. I just returned last week from Alexandria, Virginia where I attended a meeting on a research study to be conducted by five states concerning the Key Work of School Boards. The five states involved now are Idaho, Rhode Island, New Mexico, Maryland, and Virginia. The purpose of the study is to find out to what extent the Key Work, if used by a school board, will improve student achievement. The study will be a comprehensive study of approximately twenty-five districts (five from each state) who will volunteer to learn as much as possible about the Key Work and will do its best to implement the processes in their board behaviors.



Personally, I think the Key Work is a great program, and I think using the Key Work will improve a board’s ability to accomplish a number of tasks, including student achievement. The first part of the study will include a questionnaire for board members around the state, and I am hopeful that many of you, or ALL of you will take the time to fill it out and return it to us. At this time, I am not sure exactly when the survey will be coming out, but it will concentrate on what we know now about the process and if we are implementing any of its components currently.

We will be concentrating on the Key Work at the February Board Institute, so that all of you will be getting a refresher course on its eight component parts. We are lucky to have Dr. Joseph Villani, the Deputy Executive Director of NSBA and the author of a number of books on the Key Work, with us to go over the process with you. Remember, we had a workshop on this topic about four or five years ago. I hope you will plan to attend. The Institute will be held this year at the El Dorado Hotel in Santa Fe.

Another topic that I feel it is important that I share is my response to some of your evaluations of the Annual Convention. It is not my intention to give excuses why things happened the way they did, but only to give you the information that I think is important. First of all, to the many of you who loved the convention, even with its many small problems, thank you for your comments. As it relates to many of the problems that the Association does not have control over, let me just say that the hotel where the convention was held is now under new management and is not the same-old hotel we have been dealing with in the years prior to this convention. Many of the concerns you expressed were items that NMSBA requested, but the hotel did not seem to think were important. There was one person who thought the convention was a big waste of time. To that person, let me say I am personally sorry that you felt that way. If it was a waste of your time, you can blame it on me, because the program was put together by me. It would be more helpful to me in the future if you would give us some constructive comments concerning the specifics of your concerns. That way I am able to improve the program for ALL people. To the many of you who thought it was great, thanks for taking the time to fill out the evaluation sheets and give your positive comments. Doing a convention program is a bit difficult, in that you need to try to have something for everyone. Obviously, I am not always successful in that attempt.

## 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.

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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

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

# PRESIDENT'S COMMENTS

By Lilliemae G. Ortiz

## NMSBA Executive Board

Lilliemae G. Ortiz, President  
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Donna Archuleta, Vice-President  
Joe Price, Secretary-Treasurer  
Vicki Smith, Immediate Past-President

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Dean Pecotte (Farmington)

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Susan Lutterman (Ruidoso)  
Randy Manning (Central)  
Mary Lee Martin (ABQ)  
Ray Hilburn (Tatum)

It is truly a pleasure and honor for me to serve as President of the New Mexico School Boards Association. I have been looking forward to this opportunity from the day I began serving on the Executive Committee as Secretary-Treasurer several years ago. I thank you from the bottom of my heart for the privilege and opportunity and I want you to know that I will give this Association and each and every one of you my best efforts.

I congratulate all of our Executive Committee Officers: Lora Harlan, President-Elect; Donna Archuleta, Vice-President; Joe Price, Secretary-Treasurer; and Vicki Smith, Immediate Past-President on their new positions. I have worked with them all before, and I know first hand what a "first rate" "dedicated to students" kind of crew they are. Our Executive Committee coupled with our extremely capable Executive Director, Mack Mitchell, as well as our equally competent staff will place us in an advantageous position to tackle whatever crosses our path.

I am looking forward to 2006 and all the activities we as an Association will be involved with. We have a lot of work to do in many different areas with many challenges before us. As one of the many tasks we begin to work on, it is my hope that the Association will re-visit our current Strategic Plan and see if it clearly outlines the direction we want to be working towards. Regarding two areas specifically, I believe we have the ability to grow as an Association and continue to provide services to our constituents in the areas of policy service and legislative advocacy.

**Policy Service:** Through the collaboration with the Arizona School Boards Association, NMSBA began providing comprehensive policy development services to various school boards statewide. I believe this service is an excellent avenue for school districts to assure compliance with all state and federal laws, rules and regulations in a consistent and thorough manner. It is my hope that the NMSBA will work to double this effort in 2006 and ultimately hire full time staff within our organization to fulfill the needs of New Mexico school boards.

**Legislative Advocacy:** Over the years, we have steadily built a foundation of strong legislative advocacy and expertise through the lobbying efforts of our Executive Director. We have added the efforts of a contracted lobbyist at the legislature and have been urging, encouraging and promoting active participation from each school board as a whole and school board members individually through our "legislative advocacy network." It is my hope that we continue to shore up these forces and strengthen our Association's ability to affect change in the best interests of our students and school board members statewide. We cannot afford to lose momentum now and must be diligent in our lobbying efforts, and we need each of you to help us in this regard.

It is my hope that your Executive Committee will continue to focus on these two areas and bring other initiatives before your Board of Directors; and, entire membership, if needed, to further strengthen the New Mexico School Boards Association.

I hope you all had a very Merry Christmas and a wonderful New Year celebration. Please know that I look forward to 2006 as being a very productive and prosperous new year for the New Mexico School Boards Association.



# 2005 NMSBA Annual Convention

The New Mexico School Board Association Annual Convention was held December 9-10, 2005 at the Marriott in Albuquerque, New Mexico. Over 300 school board members, superintendents and education stakeholders participated in the conference.

The keynote speaker was Dr. Tom Steiner, a management consultant and teacher for the past twenty years. In the first General Session, he spoke about "Learning to Love Constant Change" and in the second General Session, he shared "The Art of Selling Ideas".

After lunch on Friday, the Delegate Assembly met. The Nominations report was shared and the officer elections were held. Vicki Smith (Cobre) moved into the office of Immediate Past-President; Lilliemae Ortiz (Pojoaque) moved into the office of President; Lora Harlan (Clovis) moved into the office of President-Elect; Donna Archuleta was elected to the office of Vice-President; and Joe Price was elected to the office of Secretary-Treasurer. Each term of office is one year in

length. A special thanks to our door prize contributor, Al Clemmons of George K. Baum and Company for donating ten \$100 checks to be distributed to members during the Delegate Assembly.



*Ralph Garcia of West Las Vegas School District recieved the 24-Year Service Award.*



*Mary Moore of Alamogordo (2nd from Left) recieved the Hall of Fame Award from NMSBA Executive Officers, Joe Price, Vicki Smith, Donna Archuleta and Lora Harlan.*

That evening the Awards Banquet was held. Those participating in the Leadership Development Program and earning 24 cumulative hours of training received the "Leadership Achievement Award" distinction and a certificate and lapel pin. Those earning 36 cumulative hours of training received the "Outstanding Leadership Award" distinction and a certificate and lapel pin. There were no "Master Board Member Award" distinctions earned at this conference. For the second year, NMSBA recognized "Exemplary Award" recipients as those members earning ten or more training hours within the training year, September 1, 2004 through August 31, 2005. All certificates and pins were combined by district and available for pick-up at the end of the banquet or on Saturday at the registration desk. Those not picked up will

be available at the February Board Institute or the Spring Region Meetings.

For the 2005 Award Recognitions, Randy Manning of Central was recognized as Board Member of the Year (He was in Washington D.C. for an NSBA Board Meeting and could not attend, but will be given his award in February at the Board Institute.); Aztec was recognized as the Board of Education of the Year; the 24-Year Service Award was presented to Ralph Garcia of West Las Vegas Schools; and the Hall of Fame Awards were given to Nancy Seemann, formerly of Los Lunas and Mary Moore, formerly of Alamogordo.

Also at the Awards Banquet, the Executive Officers roasted outgoing President Vicki Smith with humorous anecdotes that happended during her term. Lilliemae Ortiz, the incoming President attended the ceremony and accepted the President's gavel for the upcoming year.

On Saturday morning, there were twenty-four breakout sessions offered for board members to receive relevant training. With the Master Board Member offering, up to six hours of training were possible at this conference.



*The Board of Education Award was given to the Aztec Municipal School Board. Pictured from Left: Roger Collins, Wayne Ritter, Joe Price and Mitch Waggoner. Not pictured: Christine Lillywhite.*



*Nancy Seemann of Los Lunas (3rd from Left) received the Hall of Fame Award. Pictured with her are former Los Lunas Superintendent, Fred Pomeroy, NMSBA Past-President Vicki Smith and NMSBA Executive Director Mack Mitchell.*

# NMSBA NEWS

## CALL FOR CEOHS STUDENT PANELIST NOMINATIONS

NMSBA sent out a Call for Nominations reminder in December for a Student Panelist nomination for the **April 28-30, 2006 Celebrating Opportunities Conference to be held in Tempe, Arizona at the Wyndham Buttes Resort Hotel**. During CEOHS there is a Student Panel presentation with a representative student from each of the four states who discusses how they have overcome obstacles and achieved educational success. **New Mexico is responsible for a Male College Student in a Baccalaureate program**. The student chosen will receive a \$500 stipend, paid travel, paid hotel for one evening and a complimentary registration to the conference. **The deadline for nomination packets is January 23rd**.

## CALL FOR STUDENT ACHIEVEMENT AWARD NOMINATIONS

NMSBA sent out reminders in December for nominations for the annual Student Achievement Award. This award program is in its third year. Each year, local boards decide who in their district they wish to recognize for their role in improving student achievement at the local level. Recipients may include, but are not limited to staff members, parents, community members, students or school and community volunteers. Each district decides their local recipient and **submits a name to NMSBA by March 13th**. Then, NMSBA provides the awards to be presented by districts to the recipients in May.

## NATIONAL CONVENTION MOVES TO CHICAGO

The 66<sup>th</sup> Annual National School Boards Association Convention originally scheduled to take place in New Orleans, **April 8-11, 2006** has moved to Chicago. Conference registration opened on November 1st and housing reservations opened on November 29<sup>th</sup>. The conference will be headquartered at McCormick Place, 2301 S. Lake Shore Drive. The three-building complex is the nation's largest convention center, with a combined 2.2 million square feet of exhibit space. It has 112 meeting rooms, four theatres and 8,000 parking spaces. This is the first time Chicago has hosted the event, which currently rotates among four cities – New Orleans, San Francisco, Orlando and San Diego. On average, NSBA draws approximately 13,000 people to its annual conference. For more information, visit the NSBA website at [www.nsba.org](http://www.nsba.org).

## NMSBA ONLINE LEARNING CENTER

NMSBA offers online courses to fulfill the mandated training requirement of New Mexico school board members. Each class is worth one credit hour and costs \$75. Please note, however, that only two hours per year may be from independent training such as online courses.

Courses available for the 2005-2006 training year include:

- Compliance with the New Mexico Open Meetings Act
- Constructive Superintendent Evaluation
- Keywork of School Boards
- Leaders for Student Learning
- Introduction to Parliamentary Procedure
- Media Relations

To access a course you just go to the NMSBA website homepage, [www.nmsba.org](http://www.nmsba.org), and click on the Online Learning logo midway down the page. Create a username and password (write this down for future reference) and review the courses overviews to see which course would be best for you. If you decide on a course, then you fill out the billing information. Each course cost \$75 and is payable via credit card or school district purchase order. Each course offers one hour of training credit. For more information call Elizabeth at NMSBA (505) 983-5041.

## NMSBA REGIONS & 2006 SPRING MEETINGS

### Region I

#### Wednesday, April 5 in Aztec\*

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

### Region II

#### Thursday, March 23\* in Pojoaque

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

### Region III

#### Monday, March 6\* in Las Vegas West

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

### Region IV

#### Wednesday, May 10\* in Los Lunas

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

### Region V

#### Tuesday, March 21 in Floyd

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

### Region VI

#### Monday, February 27\* in Dexter

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

### Region VII

#### Tuesday, April 25 in Corona

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

### Region VIII

#### Wednesday, May 3 in Lordsburg

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

*\*Indicates a change from previously published information*

## Civic, Social Disengagement Impacting Schools

An alarming national trend is impacting the way Kentucky school leaders try to involve their communities in schools, and the way they teach students to become active citizens. That was the message heard from Harvard University Professor Dr. Robert Putnam in his keynote speech. The trend is the drastic drop since the late 1960s in the formal and informal networks that people form, which he calls social capital. This trend was the subject of his seminal 2000 book, *Bowling Alone*, named for one of those indicators, the decline in bowling leagues.

Social capital is important to communities at large, to individuals and to schools, Putnam said. "I know for sure that with the same teachers and the same energy and the same dollars, that you would have higher test scores and lower drop out rates if you magically could raise the degree of parental and community involvement," he said. "The power of parental and community involvement in producing measurable outcomes like positive test scores and lower dropout rates and so on is big."

Pointing to two large bodies of research, the Malkin professor of public policy at Harvard said participation in every kind of informal and formal connection that people for is down – from membership in civic clubs, PTAs and scouting, to dinner parties, bridge games and picnics. There is only one exception: older people – the so-called "Greatest Generation." This group still forms strong social connections, Putnam said, "but they didn't pass those habits on to their kids or their grandchildren. So the problem is going to get worse and not better."

There is no definitive reason for the downward trend in social networking, Putnam said, but some factors include television, busy lifestyles, suburban sprawl – which increases commuting time and cuts into time for socializing – and, to a lesser degree, the entry of women into the work force. It also preceded the advent of the Internet, he said, which may ultimately be part of the solution by strengthening ties through e-mail communication. However, Putnam said, the Internet is not going to create the same kind of community as "real people who can give me real hugs." The anonymity of a virtual community, he added, "is deadly for trust."

Putnam said schools are in a position to produce social capital for the next generation. "If you could increase by 10 percent the likelihood that the kids who are now in your school will, when they become adults, be involved in community life, that's an investment in social capital exactly like investing in some physical plant," he said. In *Bowling Alone*, Putnam lists several ways schools can help rekindle civic engagement in the next generation:

- Improve civics education in high school
- Service learning programs, both mandatory and voluntary
- Extracurricular activities

The evidence suggests that students who are involved in each of these approaches will continue those kinds of activities as adults. Putnam also suggests "de-concentrating" very large schools, because "we know that smaller schools encourage more active involvement in extracurricular activity than big schools..." Outside of schools, Putnam urges comin up with an updated Internet-age equivalent "of scouting's ingenious

combination of values and fun" for today's youth. The kind of social networking that brings together different kinds of people will become essential as America becomes more diverse with the current second great wave of immigration, Putnam said. Schools are among the best places for this social "bridging," he said. "I do think at a deep level, that's the challenge that yet lies in front of schools nationwide," he said. "That is, thinking about their role in as helping to create one nation."

Putnam said the situation is not insurmountable, because this same kind of disconnectedness was occurring 100 years ago when society was coping with the changes caused by the industrial revolution, urbanization and immigration. Within a relatively short period of time, which also corresponds to when the country's major civic organizations were founded, the trend was reversed. "They invented new ways of connecting through the new ways they lived." We can't go back to the 50s, he said, but, "we have to invent new ways of connecting that fit the way we have come to live."

●Source: Mafelynn Coldiron, Staff Writer for the Kentucky School Boards Association

### COMMERCIAL MEMBERS

#### DSA Construction Management

702 South 13<sup>th</sup> 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  
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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

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fax: (505) 924-2189

## Education Secretary Dr. Veronica C. García Appoints Temporary Members to Gadsden Independent School Board

New Mexico Education Secretary Dr. Veronica C. García announced four community members to serve in a temporary capacity while she reviews applications to fill vacancies on the Gadsden Independent School Board as a result of the Tuesday, November 15 recall election that removed four of the five members of the Board. The Board member who was not removed and continues to serve is Maria Saenz.

“It is vital that the students of the Gadsden Independent Schools experience minimal disruption of the educational process,” said Secretary García. “It is my intention to work closely with the community to effect a smooth transition. I am announcing today the appointment of four community members to carry out the duties and financial responsibilities of the Gadsden School Board until I make my appointments to the Board.”

The four temporary appointments include:

- District 1- Elsa Porras, a banker who has a daughter in Gadsden schools
- District 2 – Jennifer Viramontes, PTO President of Santa Teresa Elementary School and mother of three children who attend school in Gadsden
- District 4 – Daniel Castillo, a 1983 graduate of Gadsden High School and father of four children who attend school in Gadsden
- District 5 – Charles Gonnell, PTO President of Chaparral Middle High School and father of three children who attend or graduated from Gadsden schools

They will serve until Secretary Garcia makes the announcement of her choices to fill the four vacancies on the Gadsden Independent School Board. Legal requirements for applicants include that they must be qualified electors (registered voters) of the state. They must reside within the Gadsden Independent School District and within the single-member district for which he or she is seeking appointment. Copies of the boundaries of the single-member districts are available from the Public Education Department and from the Administrative Office of the Gadsden Independent Schools. Individuals appointed to vacant positions will hold office until the next regular or special school district election when an election shall be held to fill the vacancies for the un-expired terms.

● *Source: Public Information Office, PED - November 2005*

## School Employee Raise Pitched; Legislative panel recommends across-the-board 6 percent salary increase

A legislative panel recommended an across the-board 6 percent salary increase starting July 1 for all public school employees. The proposal, part of a \$2.34 billion public schools budget endorsed by the Legislative Education Study Committee, sets up a possible fight over how much to increase the pay of public education employees in the legislative session set to begin Jan. 17. Gov. Bill Richardson has proposed an average pay raise of 6 percent for teachers, administrators, counselors and education assistants but 4 percent for bus drivers and cafeteria workers. The Legislative Finance Committee last week recommended 4.5 percent increases for all public school employees, with an additional 5 percent pay increase for teaching assistants.

The Legislative Education Study Committee plan differed in another respect from the others. It calls for accelerating the phase-in of the state’s three-tiered teacher licensure system. Under the committee’s plan, starting July 1 New Mexico would raise the minimum salary for the state’s most experienced public school teachers to \$50,000 - rather than to \$45,000 as called for in current law. The state Public Education Department and the Legislative Finance Committee have recommended raising the minimum to \$45,000 on July 1 and to \$50,000 a year later. Public Education Secretary Veronica Garcia was unavailable for comment on the Legislative Education Study Committee’s proposal, which was \$40 million larger than the department’s request for program and categorial costs and \$67 million larger than the funding sought by the Legislative Finance Committee.

“We are not prepared to discuss those recommendations because we just received the (committee’s proposed) budget, and we are in the process of reviewing and analyzing it” said Beverly Friedman, a spokesperson for the public education department. Eduardo Holguin, president of National Education Association of New Mexico, meanwhile, saw a good sign in the Legislative Education Study Committee’s plan. “This is a promising-looking session for public school education,” Holguin said.

● *Source: Albuquerque Journal, NM - December 2005. Article by Trip Jennings, Journal Capitol Bureau*

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## NM NAEP Reading and Math Scores Remain Stable

About 20% or 10,700 New Mexico students from 279 public schools and 66 New Mexico school districts participated in the 2005 NAEP math and reading assessments. This year’s results reflected only a two-year span from the last NAEP test; the test had been administered every three to four years in the past. Results for the science portion of the NAEP will be released in the spring of 2006. “New Mexico’s NAEP scores are similar to many other states with high levels of poverty and English Language Learners,” said Dr. García. “The test is another indication of how our schools are performing and the work that needs to be done, but I question how these results are going to help us identify the schools and districts that need assistance. There is no real accountability with the NAEP test because it does not report district, school, or individual student results. Therefore schools do not place as much emphasis or importance on NAEP as our New Mexico standards based assessment test.” For more information on NAEP and New Mexico results go to [www.PED.state.nm.us](http://www.PED.state.nm.us) and click on the NAEP link or go to [http://nationsreportcard.gov/reading\\_math\\_2005/](http://nationsreportcard.gov/reading_math_2005/)

# Audio Books Can Be A Great Learning Tool

Parents, want to get your kids to read more? Plug them into an audio book. For years, educators have sung the praises of audio books for students with reading challenges or those whose first language isn't English. These days, however, experts say that audio books are a great tool to expose children to books. The audio format attracts kids because it's a different — and cool — reading alternative, especially now that they can download a book right to their MP3 players. And audio "reading" can be combined with another activity, such as running or cooking, which is an important consideration for today's multi-tasking kids

"The spoken word is the world's oldest form of dialogue; it's how people have predominantly learned for centuries," said David Joseph, a spokesman for Audible.com, the fast-growing company that markets digital downloads of books, magazines and newspapers. "It's not surprising that, when delivered in a format on a device that makes sense for students, it resonates with them." Lisa Dennis, coordinator of children's collections at the Carnegie Library of Pittsburgh, adds, "Audio books can enhance enjoyment, making reading seem like fun rather than work and add interest through the use of accents, sound effects, etc. "And, of course, they offer busy or less literate parents the opportunity to ensure that their children have access to books read aloud."

In fact, many families now listen to audio books together, particularly in the car. That's especially true at vacation time, but families also use audio books to while away the time while shuttling to and from after-school activities. "This is a good solution to the problem of which radio station will be tuned in," said Sharon Grover, the youth services collection specialist for the Arlington, Va. library system and a veteran audio book reviewer.

Over the past decade, the audio industry "has experienced steady growth," even as formats have moved from cassettes to CDs and digital downloads, said Shannon Maughan, the audio book reviewer for Publishers Weekly. The latest figures from the Audio Publishers Association show that the industry had sales of \$800 million in 2003. Sales for Audible.com, the major seller of digital downloads, jumped from \$5.1 million in 2001 to \$18.5 million in 2003. "The rule of thumb over the years has been that the audio industry is about 10 percent of what the book industry is in size," Ms. Maughan said. "However, in recent years, audio has withstood the economic downturns or a flat retail market better than books."

Children's audio books remain a small segment of the overall audio book market. "But sales have increased over the years, following the trend of the entire industry," Ms. Maughan said. And, also, more publishers have gotten into the children's audio segment." About 10 percent of Audible.com's catalog are kids' books, Mr. Joseph said. "And the number of children's titles and downloads have grown substantially over the past few years." Tim Ditlow, vice president and publisher of Listening Library, noted that his company has moved from selling a mix of adult and children's audio titles to concentrating just on the children's market.

"There are so many fine books for children published each year. I just saw a tremendous need out there," said Mr. Ditlow, whose company, founded by his parents and now part of Random House, is celebrating its 50th anniversary this year. "All these educators kept telling us, 'Give us unabridged audio versions of these books for children.' It's really an educational tool."

## A Wizard Leads the Way

A major force behind the increased sales of audio books, especially children's audio books, in recent years has been the wild popularity of audio editions of J.K. Rowling's "Harry Potter" books. Published by Listening Library, "Harry Potter" audio books are read by

Jim Dale, who has earned an entry in the Guinness Book of World Records for the more than 100 voices he has created for the various characters. Ms. Maughan said "Harry Potter" releases "are the fastest-selling audio titles of all time, [for] children or adults." The titles helped propel increased consumer sales of audio books, which previously had been purchased mainly by public and school libraries, Mr. Ditlow added.

## Reading vs. Listening

While some people still believe that listening to books is no substitution for reading them, reading experts believe that listening to books is a great tool to help students develop their reading skills. In fact, the Listening Library cites a Commission on Reading report, entitled "Becoming a Nation of Readers" that states, "The single most important activity for building the knowledge required for eventual success in reading is reading aloud to children," "And, said Mr. Ditlow, "A million teachers can't be wrong. They wouldn't be using audio books in classrooms across the country if it were 'cheating.' The exponential growth in sales to school libraries is the best validation that audio books can be a valuable literacy tool."

Studies have shown that audio books help students expand their vocabulary and develop reading fluency because they can listen to books that would be too hard for them to read in a printed form. Ms. Grover said. "Additionally, listening without worrying about decoding [the printed words] helps readers to develop a concept of story." In a 2002 article in The Horn Book magazine titled "As Good As Reading?," Pamela Varley also noted that audio books can help children see the humor in books. Interestingly, that's something they often miss when they are reading the printed version, she noted.

## Learning Tool

Listening to an audio version of a book can help children better comprehend themes and difficult language, such as with Shakespeare's plays. Teachers also will have students listen to the first chapter or two of a book to whet their interest before sending them home to read the print version. And some parents have their children read along in the print version of a book while listening to it as a way of developing both auditory and visual skills.

"Ideally, children should have the opportunity to enjoy books in as many ways as they please: through independent reading, sharing books with family and friends, and audio books," said Ms. Dennis. "Whether they are used independently to provide a listening experience for the child or used to support reading of a printed text, audio books add another dimension to the experience of reading."

● Source: Karen MacPherson, Pittsburgh Post-Gazette, December 2005

**Celebrating Educational  
Opportunities for Hispanic Students  
April 28-30, 2006  
Wyndham Buttes Resort  
Tempe, AZ**

## January is School Board Recognition Month

As citizens who serve children and their communities, individual school board members face complex and demanding challenges. Yet, few people fully understand the scope and far-reaching implications of board members' responsibilities. All New Mexicans should recognize the vital contributions of these men and women and focus attention on the crucial role these elected public officials play in the education of our children. They make a difference for students.

Their job is to establish a vision for the education program, design a structure to achieve that vision, assure schools are accountable to the community and strongly advocate continuous improvement in student learning. That job entails an endless string of meetings and school functions to attend; reams of reports, agendas, proposals and other information to read and study; and a host of difficult decisions to make.

School board members come from all walks of life. They are farmers, secretaries, doctors, lawyers, homemakers, teachers, architects, truck drivers, professors, business owners and real estate agents, to name just a few. While they wear many hats in the workday world, school board members put on a collective hat when they get down to the business of leading their school districts. Board members must pull together as a team toward a common goal — helping students achieve. While they may individually disagree on certain issues, their role as a board is to consistently strive toward that goal.

Board members contribute hundreds and hundreds of hours each year leading their districts. Whether crafting policies, hiring top-notch administrators, listening to staff and student concerns, or recognizing outstanding programs, board members always keep their eyes on the prize of student achievement.

The time spent in board meetings represents just a small fraction of the hours school board members devote to leading their districts. They also work hard at seminars and training sessions to keep abreast of the latest trends in educational leadership, are deeply involved in community activities, and spend many hours in the schools and at extracurricular events.

Their love of learning, and concern and caring for students, staff and the community, drive board members' desire to lead so students can achieve.

In recognition of this service, January is designated School Board Recognition Month. NMSBA leaves the appreciation activities up to each individual district. Many states, such as Ohio, who have hundreds of state association staff have developed a "Recognition Kit" that is downloadable for those looking for some recognition ideas. Their site is: [www.osba-ohio.org/sbrm.htm](http://www.osba-ohio.org/sbrm.htm).

One board member, when asked, "What recognition activities mean the most to you?" said, "Anything that comes from the kids." Others said they also appreciate sincere comments from the community and school staff. This kit offers suggestions about what students, parents and the community can do to recognize school board members. Be sure to recognize them in public forums and invite news reporters and editors to attend.

**Be creative — actions speak louder than words!**

## Bangor School Board Changes Laptop Policy to Stop Abuses

Students damaging their school-provided laptops or using them to visit chat rooms and sexually explicit Web sites have prompted the SAD 24 board of directors to prevent the computers from leaving school grounds. In SAD 24, all students from fourth grade to 12th have portable computers, and up until last week, seventh through 12th graders had been allowed to take their laptops home to work on special projects. That policy was changed last week at the prompting of the school board's Tech Committee, according to SAD 24 Superintendent Clayton Belanger. Belanger said too many students were using their laptops to visit and download information from pornographic sites and other Web pages with scantily clad women doing sports, like wrestling. The youngsters also were downloading music and visiting chat rooms, which they were not supposed to do. He said principals were trying to check some of the units when they returned to school, but that it was becoming too difficult to control the information getting into the machines and then being passed around to other students. "There was no way to control how they were used," Belanger said Friday. There also was a problem with students mishandling the laptops and breaking them. He related one example involving a fight between two students, where one used his laptop to hit the other. "Screens were broken, and kids would not own up to the damage," Belanger said. "It was becoming very expensive." He said the school district has had to make repairs costing more than \$9,000. Though parents had previously paid a \$25 deposit to cover potential problems with damaged laptops allowed to go home with students, Belanger said the amount was not enough to cover the costs. Some parents who were at the board meeting when the policy was changed wanted their \$25 back, Belanger said. He said that would be arranged. About 80 percent of the seventh through 12th graders in SAD 24 participated in the program that allowed them to bring their laptops home. "It was a good idea that turned out to be unmanageable," Belanger said. "I guess we were just too optimistic." He said the policy may be looked at again in the future, if the attitude and maturity level of students changes. "This new policy will certainly cost us less for breakage," he said.

● Source: *Bangor Daily News* Bangor Daily News, Maine - November, 2005

### Mandated Training

Just a reminder to school board members that the training year begins anew each September. All training is compiled annually, September 1 through August 31st. School board members must earn a minimum of **five** hours each training year. Quarterly training reports are sent to Superintendents via fax. The final training hours for each board member are published on the school district report card by the NM PED.

Note: Only 2 hours per year can come from individualized training. For training hour questions, contact Elizabeth in the NMSBA office.

# Walking (a fine line) in a Winter Wonderland

By Samantha Fenrow, Cuddy Law Firm

There seems to be a lot of recent discussion about referring to this time of year as “the Christmas season.” Why is this an important issue? The answer for school officials is that the U.S. Supreme Court has articulated a three-part test which is used to determine whether a particular policy or practice violates the Establishment Clause of the First Amendment (which bars excessive governmental entanglement with religion): (1) the policy must have a secular purpose; (2) its principal or primary effect must be one that neither advances nor inhibits religion; and (3) the policy must not foster an excessive entanglement with religion.” *Lemon v. Kurtzman*, 403 U.S. 602, 612-13, 91 S.Ct. 2105, 2111, 29 L.Ed.2d 745 (1971). Schools must tread carefully during the holiday season to ensure that their holiday observances do not violate this test, and to avoid holiday activities which are likely to invite lawsuits.

There is no U.S. Supreme Court case or Tenth Circuit case defining the parameters of which holiday activities are and are not constitutional. Although this lack of case law implies that there haven’t been many lawsuits over how schools observe religious holidays, in fact, claims that holiday observances were unconstitutional have been litigated in New Mexico, but did not proceed to an appellate decision. This lack of appellate case law, however, also leaves a lot of question as to what will pass legal muster.

The Supreme Court did allow an Eighth Circuit case to stand that provides some guidance on what is permissible during this festive and potentially legally incendiary time of year. In *Florey v. Sioux Falls School Dist.* 49-5, 619 F.2d 1311 (8<sup>th</sup> Cir.), *cert denied*, 449 U.S. 987 (1980). The court decided that a public school policy allowing the observance at school of holidays that have both a secular and religious basis, including the performance of Christmas musical programs, satisfied the requirements of the *Lemon* test. In upholding the Sioux Falls policy, the *Florey* majority held:

Only holidays with both religious and secular bases may be observed; music, art, literature and drama may be included in the curriculum only if presented in a prudent and objective manner and *only as a part of the cultural and religious heritage of the holiday; and religious symbols may be used only as a teaching aid or resource and only if they are displayed as a part of the cultural and religious heritage of the holiday and are temporary in nature.* Since the materials must be presented in a prudent and objective manner and symbols used as a teaching aid, the advancement of a ‘secular program of education,’ and not of religion, is the primary effect of the rules.

*Id.* at 1317 (emphasis added).

That’s all well and good, but just what will pass muster as a “prudent and objective” presentation could leave any school administrator scratching his or her head. There are some activities, however, that a school can feel fairly confident will not be found to violate the Constitution. Some of these activities include: scheduling school breaks to coincide with religious holidays; acknowledging religious holidays through *secular academic instruction* about the holidays; holding programs emphasizing the *cultural rather than religious* aspects of the holidays; having programs that include religious music, *which also include secular music* and a variety of religious traditions (Gratuitous inclusion of “The Dreidel Song” or “Jingle Bells” along with a program of predominantly religious music, is not likely to be sufficient); decorating or maintaining *temporary* displays, as long as the decorations and displays do not favor one religion in particular or religion in general.

Note that although schools may have activities which could be offensive to some— schools are not required to avoid the controversial, just the unconstitutional— these activities are not required and things that offend people could result in the school defending a costly lawsuit even if the activity is ultimately found to be Constitutional. This is not to say the wise course is to ban all religious holidays; that too can run afoul of the Constitution. In *Clever v. Cherry Hill Township Board of Education*, 838 F.Supp 929 (D.N.J. 1993) the court observed that a policy that is hostile to religion could also be unconstitutional. Also, bear in mind that this article is addressed to *school sponsored activities* not activities run by extracurricular student groups. Schools can also run into trouble when they seek to restrict activities by these extracurricular student groups.

Some activities schools should clearly avoid are: *requiring* student participation in holiday activities or penalizing a student for not participating (it is always a good idea to have a liberal excusal policy from holiday activities); celebrating purely religious holidays or celebrating holidays in a religious way; setting up religious displays; and having music performances of exclusively or predominantly religious music. The *Foley* case gives an excellent example of a clearly unconstitutional activity: a program at an elementary school which included a responsive discourse between the teacher and the class entitled, ‘The Beginners Christmas Quiz,’ in which a class is taught to recite, in religious prose, the story of baby Jesus being found in the manger. *Foley*, at 1318.

Remember, there is nothing a school can do or avoid doing which will guarantee that it won’t be sued. But following these guidelines can reduce the likelihood of suit and increase the likelihood of a favorable outcome should there unfortunately be a lawsuit. This is a time of year that it is imperative that we are sensitive to differences, and make every effort to be inclusive. When in doubt, err on the side of caution and contact your school attorney.

## Intelligent Design Decision on Pennsylvania School Boards Stirs Controversy

A federal judge ruled in December that the Dover, PA school board violated the Constitution when it ordered that its biology curriculum must include the notion that life on Earth was produced by an unidentified intelligent cause. "We find that the secular purposes claimed by the Board amount to a pretext for the Board's real purpose, which was to promote religion in the public school classroom," he wrote in his 139-page opinion. The controversy divided the community and galvanized voters to oust eight incumbent school board members who supported the policy in the November 8 school board election, the Associated Press reports.

One thing seems clear: Those on ALL sides politically love to use public schools as their convenient culture war battleground. But kids don't have time for this. Especially these days. Save the politicizing of the classroom for another era, long after this country's academic challenges have all been solved.

The National School Boards Association praised the decision handed down by a federal court that ruled a school board cannot require the teaching of intelligent design in science classes. The court stated that the policy, passed by the Dover, PA, School Board, violates the Establishment Clause, which ensures the separation of church and state.

"We applaud the decision because in his well-reasoned opinion, the judge expertly applied sound Supreme Court precedent that declares unconstitutional the teaching of intelligent design as an alternative to evolution in a public school science classroom," said Anne L. Bryant, NSBA Executive Director. "We especially agree with the judge's statement that intelligent design is creationism 'masquerading' as science."

The court recognized that public schools are the battlegrounds for culture wars and lamented the drive of special interest groups in seeking a test case that "resulted in an imprudent and ultimately unconstitutional policy."

"NSBA wholeheartedly endorses the court's opinion that students, parents, and teachers deserve better than to be dragged into a 'legal maelstrom, with its resulting utter waste of monetary and personal resources,'" said Francisco Negrón, NSBA general counsel. The court also recognized that the case arose as a result of "ill-informed" activism aided by national special interests.

● Source: *Board Buzz, NSBA weblog, December, 2005*

## National Indian Education Association Releases Report on NCLB's Effect on Indian Education

You can access the National Indian Education Association's "Preliminary Report on NCLB in Indian Country" in a 28 page PDF file at: [www.niea.org/sa/uploads/policyissues/29.23.NIEANCLBreport\\_final2.pdf](http://www.niea.org/sa/uploads/policyissues/29.23.NIEANCLBreport_final2.pdf)

## Roberts is No Stranger to Education Issues

John Roberts, the newly confirmed Supreme Court member, has extensive knowledge of and experience with public education issues. "Among the names that were floated, I think he was the best candidate for schools," said Julie Underwood, former general counsel for the National School Boards Association, and current Dean of the University of Wisconsin Law School. As deputy solicitor general for President George H.W. Bush, Roberts wrote briefs representing the White House positions on several important Supreme Court decisions related to graduation prayer, school desegregation and other school issues. Underwood pointed out these were not court opinions written by a judge, but in essence a lawyer making the case of his client. Roberts has been a speaker at several events sponsored by NSBA's Council of School Attorney's (COSA) and participated in several COSA moot courts. When Roberts was nominated to his previous position on the U.S. Court of Appeals for the District of Columbia, NSBA submitted a letter of support.

● Source: *School Board News, August, 2005*

## District to Post Ads on Buses

Cherry Creek school officials are climbing on board a national trend of selling advertising space on the outside of their 230 yellow school buses, a move they say is intended to improve bus safety. The ads - which must pass muster with a district committee - will begin appearing in mid-January, said a spokeswoman. The revenue raised will buy a global positioning system and digital cameras for each bus.

Nationally, school districts in Arizona, Florida, Massachusetts and Michigan have recently approved similar revenue-generating contracts. In Scottsdale, Ariz., bus ads began appearing a year ago and have included a toy store, a car dealership and an ambulance company. Media Advertising in Motion, based in Menifee, Calif., contracts with the Scottsdale school district and Cherry Creek to broker the bus ads. School board members for the 48,000-student district southeast of Denver approved a five-year deal with the ad company earlier this month. Mary Terch, assistant superintendent for Cherry Creek schools, said the extra money will allow the district to upgrade bus safety "much more quickly" than waiting for dollars to be available from the district general fund. That's partly because fuel prices have spiked this year, she said, eating into the general fund. Officials estimate the ad deal will generate up to \$95,000 in net revenue for the district in the first year of the deal, increasing to as much as \$390,000 by year five. The ad company receives a 40 percent commission in the first year, decreasing to 30 percent in the fifth year.

Gary Ruskin, executive director of the Oregon-based Commercial Alert, said "It's a bad idea that's bubbled around for a while - our children should not be for sale." The policy for buses utilizes the same procedures for ads sold in district athletic stadiums. "We're not sure yet who the advertisers will be," Amole said, "Obviously we want the advertising to be something appropriate for a public school district."

● Source: *Nancy Mitchell, Denver Rocky Mountain News, December, 2005*

# MARK YOUR CALENDAR!

**Board Institute**  
**February 10-11, 2006**  
**Eldorado Hotel**  
**Santa Fe, NM**

**Celebrating Opportunities**  
**for Hispanic Students**  
**April 28-30, 2006**  
**Wyndham Buttes Resort**  
**Tempe, AZ**

**School Law Conference**  
**June 9-10, 2005**  
**Sheraton Old Town**  
**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...

### IBM Encouraging Staff to Teach Math and Science

Worried that the nation will lose its competitive edge, IBM is offering financial assistance to employees who want to leave the company and become math and science teachers. Workers could get up to \$15,000 in stipends and tuition reimbursement while they pursue teaching credentials. IBM officials describe the shortage of math and science teachers as "a ticking time bomb... for the US economy."

● Source: *Ohio School Boards Association "Briefcase", December 2005*

### Amish Hold Clues to Autism Causes

Dan Olmsted, a senior editor for United Press International (UPI), found the lowest rates for autism in Lancaster County, PA suggesting the Amish community is not experiencing the national trend of rising autism rates. The findings raise some interesting questions about the expected causes associated with autism. Currently, autism affects one in 166 children born in the US. Those with the disorder exhibit "markedly abnormal or impaired development in social interaction and communication and a markedly restricted repertoire of activities and interests." The Amish community may hold more clues to the causes of autism as their lifestyle is one which shuns electricity, purchasing commercially processed foods, and electronic gadgets and household comfort items, such as wall-to-wall carpeting. Many parent groups consider the increase in the disorder to be a result of several factors such as higher levels of government approved immunization preservatives that are shown to affect immune systems in children, and an increase in environmental hazard agents such as smog, chemically treated household items (such as carpeting), and the genetic food manipulation, irradiation of meats, and antibiotic useage to treat dairy cattle.

● Source: *Wisconsin Association of School Boards, "Connection", Spring 2005*

THE ADVOCATE  
New Mexico School Boards Assoc.  
300 Galisteo Street, Suite 204  
Santa Fe, NM 87501  
Phone (505) 983-5041  
FAX (505) 983-2450  
e-mail: [nmsba1@nm.net](mailto:nmsba1@nm.net)  
website: [www.nmsba.org](http://www.nmsba.org)



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