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May 5, 2025

MEMORANDUM

TO: LESC Members

FR: John Sena, Director

RE: Activity Report for Week Ending 5/2/2025

ESSA Consolidated State Plan

- The U.S. Department of Education (ED) approved amendments to New Mexico's [consolidated state plan \(CSP\)](#), a plan required by the federal Every Student Succeeds Act (ESSA) that describes how the state will [comply](#) with federal laws. ED's March 2024 [report](#) found 60 instances in which New Mexico's previous CSP was not in compliance with federal laws, requiring revisions by PED.
- The plan sets ambitious long-term goals for proficiency rates and graduation rates for all student subgroups. For example, by 2033, the state is expected to increase proficiency for economically disadvantaged students from 30 percent to 65 percent proficient in reading and from 19 percent to 60 percent proficient in math.
- To accomplish this goal, LESC staff estimate an additional 6,000-7,500 economically disadvantaged students will need to reach proficiency each year between 2025 and 2033, with the proficiency rate for economically disadvantaged students increasing by about 5 percent, per year.
- Previous LESC [analysis](#) has pointed out moving a single student in every classroom from "nearing proficiency" to "proficiency" would increase the statewide proficiency rate by about 5 percentage points.
- PED reports the amended CSP updates the descriptions of how the state will support at-risk students and provide technical assistance for schools identified for support and improvement.

- The CSP notes that federal funds support PED’s educator and school leader evaluation systems, [Elevate NM](#) and [Excel NM](#). Federal regulations require PED to report and publicly post the percentage of “ineffective teachers” by school and school district, which PED defines in the CSP as teachers rated as “not demonstrating” elements of the Elevate NM [framework](#).

Update on Martinez-Yazzie Hearing

- A hearing was held Tuesday, April 29, 2025 in the First Judicial District Court of New Mexico regarding the Martinez-Yazzie consolidated education lawsuit. The hearing was scheduled to address a September 4, 2024 motion by plaintiffs to appoint LESC to lead the process to develop a comprehensive remedial action plan.
- Judge Matthew Wilson ruled the Public Education Department (PED) and the State of New Mexico are not in compliance with the Court’s Final Judgement and Order, meaning constitutional obligations to New Mexico’s “at-risk” students—defined as Native American students, English language learners, students with disabilities, and children from economically disadvantaged households—have still not been met. Judge Matthew Wilson also ruled, however, that because LESC is not party to the case, he did not believe the Court had the authority to order LESC to develop a comprehensive remedial action plan.
- Instead, the ruling charges PED with developing a plan that LESC can provide input to. Judge Matthew Wilson gave PED until July 1, 2025 to identify an “outside expert and consultant” to assist with developing the plan. PED then has until October 1, 2025 to develop a draft plan, and until November 3, 2025 to submit a final plan.
- LESC staff will be presenting a more comprehensive update on the ruling at the committee’s May hearings.

Reach of School Breakfast and Lunch Programs in 2023-2024

- An April [report](#) from the Food Research & Action Center (FRAC), a school nutrition advocacy and research organization, analyzes participation in the National School Lunch Program (NSLP) and the School Breakfast Program (SBP) in the 2023-2024 school year (SY24).
- Nationwide data indicates in SY24, approximately 15.4 million children received school breakfast, and 29.4 million received school lunch; of those students, 12.2 million (79.2 percent) were SBP meals and 21.2 million (71.9 percent) were NSLP meals.

- Participation in free and reduced-price meals increased nationwide between SY23 and SY24. SBP increased by 8 percent while NSLP increased by 6.8 percent.
- FRAC credits the expansion of the [Community Eligibility Provision](#) (CEP), as well as the adoption of federal and [statewide](#) school meal policies, for the reported growth in meal participation. Under current federal rule, schools with at least 25 percent of students qualifying for free meals can provide free meals to all students regardless of family income due to the CEP.
- In New Mexico, FRAC reports participation growth in both SBP and NSLP. In SY24, SBP rose 4.3 percent to nearly 109 thousand students, while NSLP rose by 1.5 percent to 150.4 thousand students. Over 95 percent of schools in New Mexico are currently enrolled in CEP.

Implementation of HB63

- The Legislature passed [Laws 2025, Chapter 89, \(House Bill 63\)](#) during the 2025 legislative session, raising the cost differential factor for grades six through 12, revising the poverty metric used in the at-risk index, adding a factor for current and recently exited English learners, and appropriating \$132.9 million to the state equalization guarantee (SEG), the state's public school funding formula, to enact those changes.
- LESC staff has collaborated with the Public Education Department (PED) on calculations for the implementation of the revised at-risk index and the new English learner factor in the SEG.
- Preliminary estimates indicate 70 percent of school districts and charter schools gained program units because of HB63, with an average program cost increase of 5.6 percent for those that gained units, and an average decrease of 4.2 percent for those that lost units.
- Of the 57 school districts and charter schools that lost secondary and at-risk program units in FY26, approximately 43 had enrollment declines contributing to the loss.
- The remaining 14, mostly charter schools, lost units due to receiving at-risk and English learner program units based on their school's demographics rather than the at-risk index of their geographic school district.
- Some charter schools have raised concerns about the \$1 million hold-harmless appropriation, which is insufficient to cover the approximate \$8.7 million in program unit losses.
- LESC staff will continue monitoring the impact of the revised at-risk index as FY26 budgets are submitted.

Congressional Action on Reconciliation Bill

- The U.S. House of Representatives Education and Workforce Committee shared its [draft](#) of the budget reconciliation bill, which outlines proposed federal education funding and policy changes Congress is debating.
- Budget reconciliation allows Congress to pass spending, revenue, or debt limit legislation with a simple Senate majority. However, under the “Byrd Rule,” only policies that directly affect federal spending or revenue can be included.
- Most proposals in the committee’s draft focus on higher education, including changes to Pell Grant eligibility and student loan forgiveness programs.
- Information from the Education Data Initiative, a research collaborative that collects data and statistics about the U.S. education system, suggests there may be approximately [44 thousand](#) Pell Grant recipients in New Mexico.
- LESC staff will monitor the congressional reconciliation process for potential impact on K-12 public education.

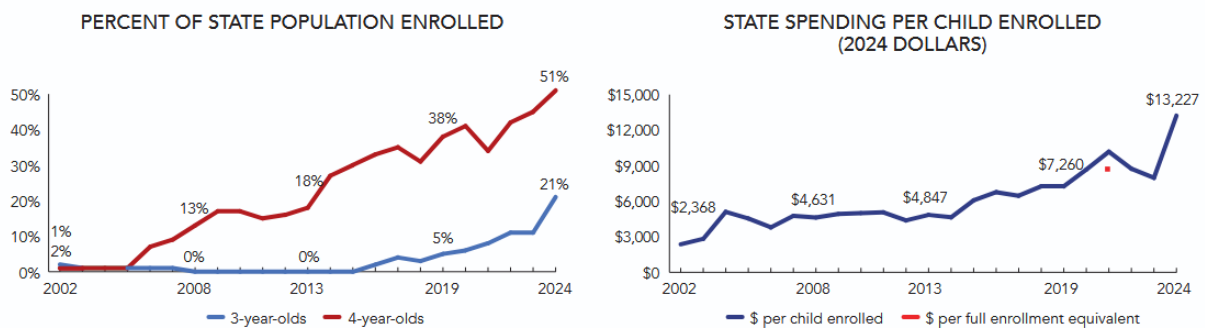
Federal Administration Budget Request for Fiscal Year 2026

- The Trump Administration released an [overview](#) of its recommendations for discretionary funding levels for FY26.
- On kindergarten through 12th grade (K-12) public education, the administration recommended an increase of \$60 million to expand the number of high-quality charter schools.
- The administration recommends a \$127 million (30 percent) reduction for program administration at the U.S. Department of Education (ED), a \$70 million reduction for teacher quality partnerships, a \$428 million reduction for migrant education, a \$890 million reduction for the elimination of the English Language Acquisition program, and a \$1.6 billion reduction for the elimination of the [TRIO](#) and [GEAR UP](#) initiatives, which target low-income students.
- The recommendation holds funding for special education flat at FY25 levels but makes structural changes to those programs that are intended to provide greater flexibility to states and school districts.
- The recommendation maintains flat funding for Title I but also cites unspecified changes to the funding structure of the program.

- LESC staff will continue to monitor congressional action on discretionary funding levels as well as updates from the administration on the recommendations listed above.

Increased Prekindergarten Enrollment in New Mexico

- The National Institute for Early Education Research (NIEER), a national nonpartisan research center dedicated to improving early childhood education access and quality, [reports](#) preschool investments across the United States are at an all-time high in SY24, with states spending \$13.6 billion—a 17 percent increase from the prior year. National enrollment reached 37 percent of four-year olds and 8 percent of three-year olds.
- Six states, including New Mexico, increased preschool spending by more than \$100 million.
- In New Mexico, the report found in SY24:
 - Prekindergarten enrolled 16.1 thousand children, an increase of 2,868 (21.7 percent) from the prior year.
 - Total spending was \$212.9 million, an increase of \$107.5 million (102 percent) from SY23;
 - Per child, spending equaled \$13,277 in SY24, an increase of \$5,258 (65.6 percent) from SY23; and
 - Nine out of 10 research-based quality standard benchmarks recommended by NIEER, were met.



Source: NIEER

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PERF Evaluation Instructions

- On May 1, LESC staff, in collaboration with staff from the Legislative Finance Committee (LFC) and the Department of Finance and Administration (DFA) issued instructions to PED regarding the evaluation of three-year initiatives funded through the public education reform fund (PERF).

- As required by [Laws 2025, Chapter 72 \(Senate Bill 201\)](#), beginning in FY26, the PERF will become a source of multi-year funding for pilot programs that will be evaluated for impact on student achievement. The Legislature appropriated \$63.8 million to PERF in FY26 to support three years of funding for five pilot programs: \$18.6 million for attendance supports, \$15.6 million for secondary educator literacy, \$13.5 million for math achievement, \$7.8 million for innovative staffing strategies, and \$6.3 million for support for students who are unhoused.
- In compliance with [Laws 2025, Chapter 72 \(Senate Bill 201\)](#), the instructions ask PED to:
 - Describe the problem each initiative is targeting,
 - Describe the responsibilities of each actor within the program,
 - Determine the data and methods that will be used to evaluate each initiative's effectiveness.
- Staff plan to work closely with PED to help department staff think through implementation considerations and complete the evaluation plans. Initial drafts of evaluation plans are due to LESC, LFC, and DFA by July 1, with final plans due September 1.

Call for Culturally Sustaining Educational Content Creators

- San Juan College's Teacher Education Department is seeking experienced content creators to develop high-quality, culturally sustaining educational resources that center Indigenous cultures, languages, and histories. These materials will support the academic success and cultural identity of Native students and communities.
- The department is requesting two types of deliverables:
 - *Professional Development Courses*: Self-paced, asynchronous online modules for higher education faculty and licensed prekindergarten through twelfth grade (PreK-12) teachers.
 - *Curriculum Materials*: Instructional resources for PreK-12 and higher education classrooms that reflect Indigenous cultural perspectives.
- All content should be substantial, interactive, and aligned with educational standards. Some examples include lesson plans, multimedia resources, and classroom activities designed to promote culturally responsive teaching. Completed materials are due by June 27, 2025. For more information, contact teachup@sanjuancollege.edu, or to apply, visit [here](#).

Nationwide Analysis of Infant and Toddler Homelessness

- SchoolHouse Connection, a national non-profit organization working to overcome homelessness through early care and education, released a [report](#), “Infant and Toddler Homelessness Across 50 States: 2022–2023” that analyzes homelessness among children under age three across the United States during the 2022–2023 program year. The authors reported the following findings:
 - Nearly 446 thousand infants and toddlers experienced homelessness nationwide in 2022–2023, representing a 23 percent increase over the previous two years.
 - About 10 percent of these children were enrolled in early childhood programs such as Home Visiting, Early Head Start, and local education agency-funded programs, indicating significant gaps in service access.
 - New Mexico identified 2,899 homeless infants and toddlers, with only 684 currently enrolled in an early childhood program, leaving 2,215 unserved.
- The report emphasizes the urgent need for improved identification, data collection, and targeted support for this vulnerable population. It also calls for policy reforms to invest in affordable housing, enhance access to early childhood programs for homeless children, and provide resources for immediate assistance and educational opportunities for parents.