



New Mexico Legislating for Results

Charles Sallee, Director
September 2024



Fiscal management and accountability arm of the state legislature

Interim committee

Bicameral and proportionate to political make up of each chamber

Staffed by a permanent nonpartisan team of fiscal analysts (budget-making), economists (revenue estimating and tracking), program evaluators, and support staff

A Brief History

LFC established in 1957

1990: Program Evaluation Unit moves from State Auditor's Office to LFC

1994: NM Legislation calls for the creation of the *New Mexico Horizons Task Force* which recommended development of an AGA

1998: Urban Institute & NCSL begin examining practices in results-based state government

2000: Accountability in Government Act (AGA) established performance-based budgeting

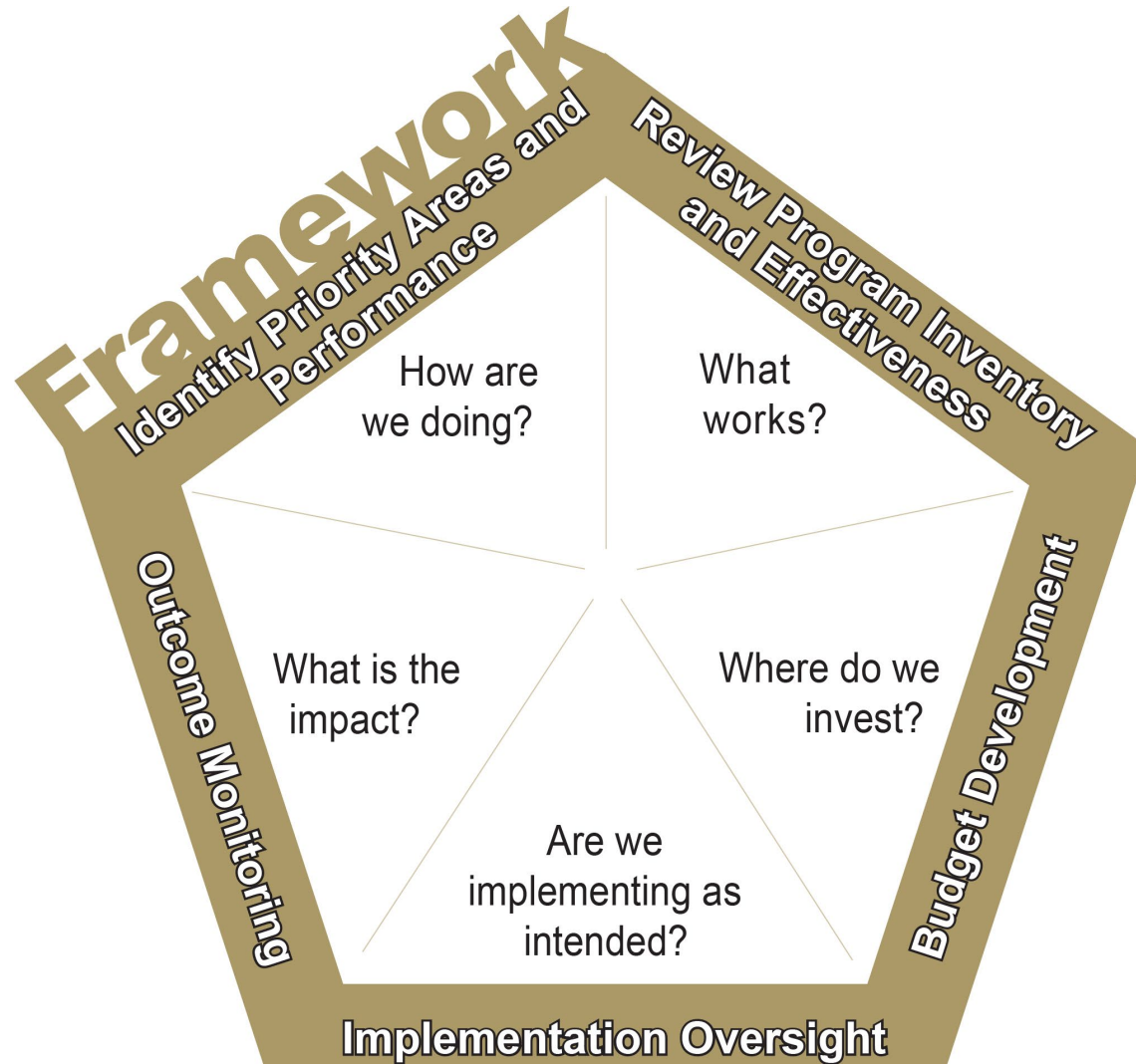
2003: NCSL publishes best practices for performance hearings and using data

2005: AGA amended to require quarterly performance reporting

2019: SB58 – Evidence and Research-Based Funding bill passed

2021: LFC holds its first LegisStat hearing

2023: LFC develops and implements its seven elements to guide budget decision-making



Legislating for Results Framework

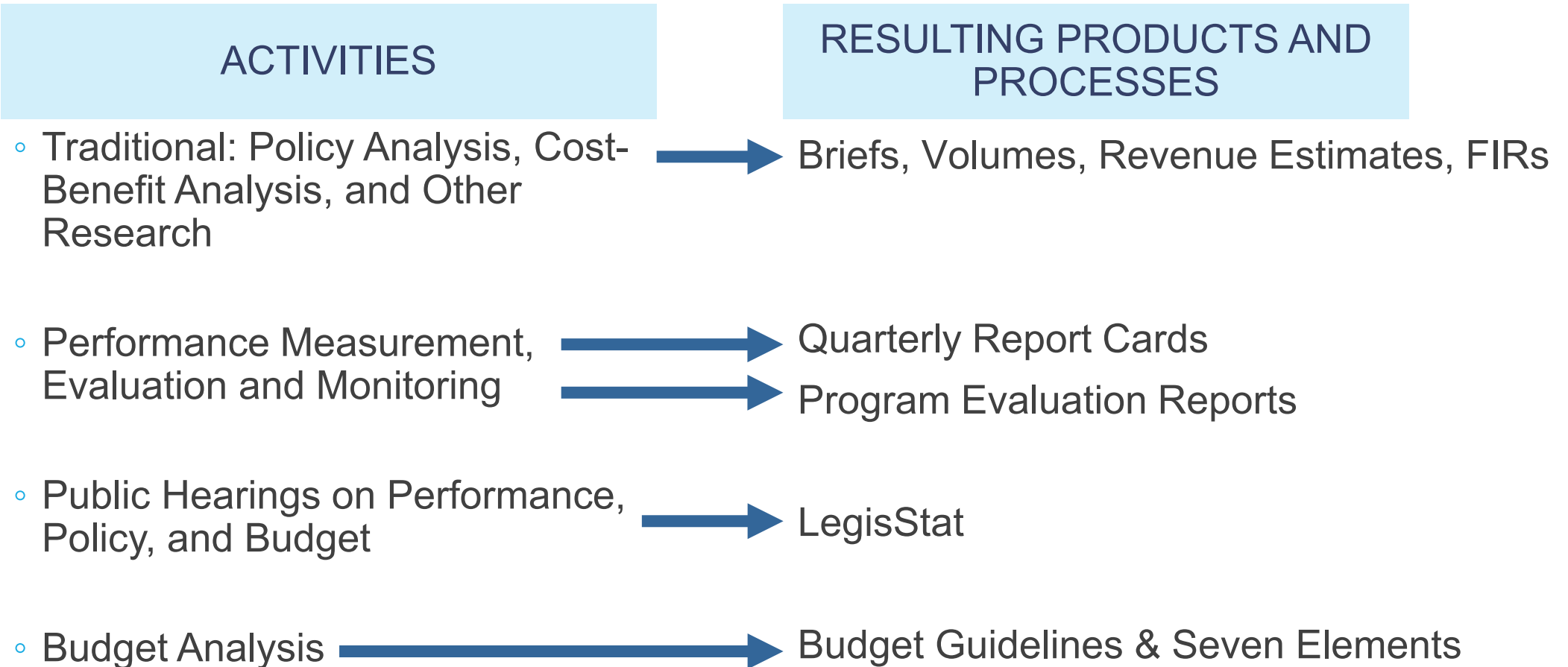
Legislating for Results Tools

ACTIVITIES

- Traditional: Policy Analysis, Cost-Benefit Analysis, and Other Research
- Performance Measurement, Evaluation and Monitoring
- Public Hearings on Performance, Policy, and Budget
- Budget Analysis



Legislating for Results Tools



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ACTIVITIES

RESULTING PRODUCTS AND PROCESSES

- Traditional: Policy Analysis, Cost-Benefit Analysis, and Other Research → Briefs, Volumes, Revenue Estimates, FIRs
- Performance Measurement, Evaluation and Monitoring → Quarterly Report Cards
→ Program Evaluation Reports
- Public Hearings on Performance, Policy, and Budget → LegisStat
- Budget Analysis → Budget Guidelines & Seven Elements

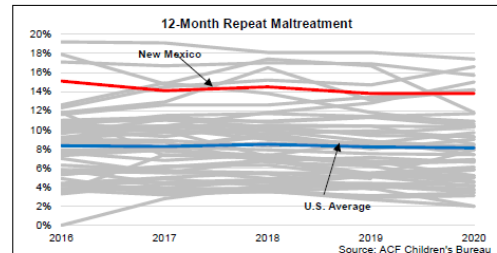
**This
Presentation**



New Mexico consistently ranks among the top six states for repeat maltreatment occurring within 12 months of an initial allegation. There are several evidence-based options to reduce and prevent repeat maltreatment and better leverage the child welfare workforce, including improving the use of screening and assessment tools, intervening early with the level of intervention based on the level of risk, and following through with the appropriate supports and services. In recent years, the state enacted legislation and significantly increased appropriations in support of these objectives. However, delivering the right interventions to the right people at the right time is easier said than done. In a February 2023 press release the governor declared the child welfare system "is fundamentally broken." This came 32 years after the taskforce that led to the establishment of the Children, Youth and Families Department (CYFD), said the system was crisis-oriented and failed to support families. For FY24, the Legislature increased appropriations significantly for the child welfare system to adjust salaries, fill vacancies, improve access to behavioral health services, and boost prevention programming for evidence-based programs.

Protective Services

Prevention and early intervention is the key to reducing repeat child maltreatment. Over the long-term, child maltreatment causes physical, psychological, and behavioral consequences leading to increased costs to the child welfare, behavioral health, and physical healthcare systems. Several evidence-based options for preventing repeat maltreatment could be expanded and leveraged to garner more federal revenue and improve outcomes. Between FY18 and FY22, CYFD preventive services expenditures grew from about \$1.1 million to \$11.1 million, a tenfold increase, with most of the increase occurring in the last two years. The number of children placed in either foster care, relative foster care, or other placements increased by 14 percent since December 2022 or about 242 children. Prior LFC program evaluation reports pointed out that the state may be over-removing children and that many of these children end up in short-term placements. The increased number of children in custody of the department reverses a trend going back to at least 2018 of fewer children in foster placements.



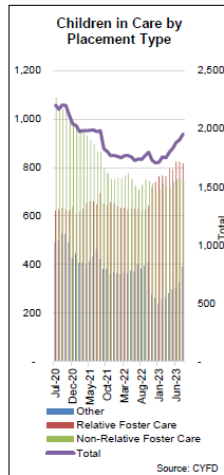
ACTION PLAN

Submitted by agency? No
Timeline assigned? No
Responsibility assigned? No

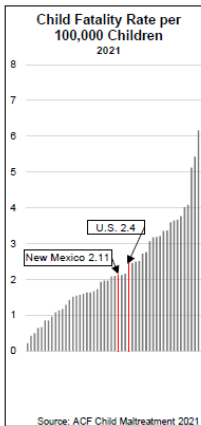
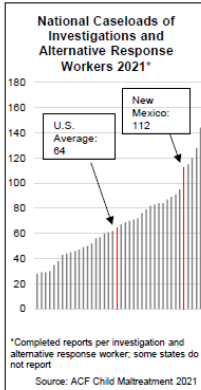
Kevin S., et al. v. Blalock and Scrase Lawsuit Settlement

The lawsuit against CYFD alleged

- Systemic failures resulting in harm to children in foster care,
- Lack of stable placements,
- Behavioral health needs unmet,
- No trauma sensitive system, and
- Little behavioral health capacity.



Children, Youth and Families



Budget: \$195,773.8 FTE: 1,111

Maltreatment

Children who were victims of a substantiated maltreatment report during a 12-month period who were victims of another substantiated maltreatment allegation within 12 months of their initial report

Rate of maltreatment victimizations per one hundred thousand days in foster care

Families with a completed investigation that participated in family support or in-home services and did not have a subsequent substantiated abuse report within 12 months

Serious injuries with prior protective services involvement in the last year

Turnover rate for protective service workers

Average statewide central intake call center wait time in seconds

Foster Care

Children in foster care who have at least one monthly visit with their caseworker*

Children in foster care for more than eight days who achieve permanency within 12 months of entry into foster care

Children in foster care for 12 to 23 months at the start of a 12-month period who achieve permanency

Children in foster care for 24 months, or more, at the start of a 12-month period who achieve permanency

Foster care placements currently in kinship care settings

Indian Child Welfare Act foster care youth who are in an appropriate placement

Relative placements that transition to permanency or are still stable after 12 months

Children who enter care during a 12-month period and stay for >8 days, placement moves rate per 1,000 days of care

Program Rating

Juvenile Justice Services

The Juvenile Justice Services (JJS) secure population continues shrinking and in November 2022 there were a total of 80 clients in secure facilities, a 63 percent decrease since FY13. Because of the continual downward population trend, in January 2022 the department closed the Camino Nuevo Youth Center after ceasing to hold clients at the San Juan County Detention Center in FY21. Physical assaults in the facilities are significantly down and there is currently a two-to-one student teacher ratio. With the reduced population and low ratios, the program should start performing better on improving math and reading scores. The turnover rate for youth care specialists increased from 18 percent in FY21 to 42

	FY21 Actual	FY22 Actual	FY23 Target	FY23 Actual	Rating
Children who were victims of a substantiated maltreatment report during a 12-month period who were victims of another substantiated maltreatment allegation within 12 months of their initial report	14%	14%	9%	13%	R
Rate of maltreatment victimizations per one hundred thousand days in foster care	14.7	10.1	8.0	13%	R
Families with a completed investigation that participated in family support or in-home services and did not have a subsequent substantiated abuse report within 12 months	New	75%	20%	91%	G
Serious injuries with prior protective services involvement in the last year	New	43%	26%	33%	R
Turnover rate for protective service workers	26%	37%	30%	37%	R
Average statewide central intake call center wait time in seconds	27	30	180	29	G
Children in foster care who have at least one monthly visit with their caseworker*	98%	98%	N/A	92%	
Children in foster care for more than eight days who achieve permanency within 12 months of entry into foster care	30%	36%	30%	33%	G
Children in foster care for 12 to 23 months at the start of a 12-month period who achieve permanency	40%	42%	35%	34%	Y
Children in foster care for 24 months, or more, at the start of a 12-month period who achieve permanency	41%	38%	32%	31%	Y
Foster care placements currently in kinship care settings	42%	49%	35%	52%	G
Indian Child Welfare Act foster care youth who are in an appropriate placement	73%	72%	35%	67%	G
Relative placements that transition to permanency or are still stable after 12 months	78%	74%	35%	73%	G
Children who enter care during a 12-month period and stay for >8 days, placement moves rate per 1,000 days of care	5.6	5.7	4.0	7.6	R
Program Rating	Y	Y		Y	

*Measure is classified as explanatory and does not have a target.

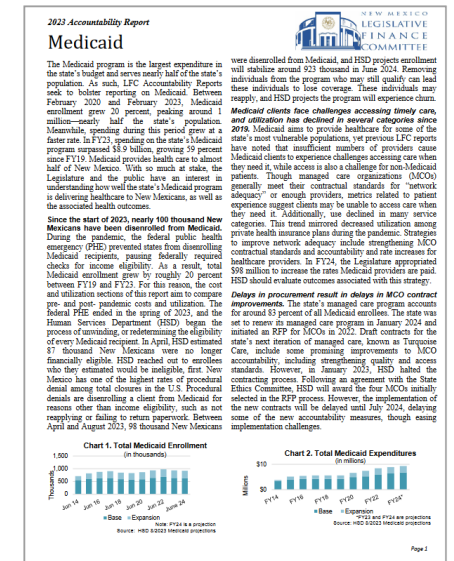
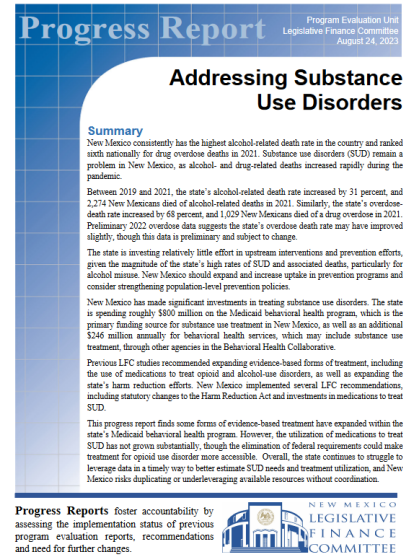
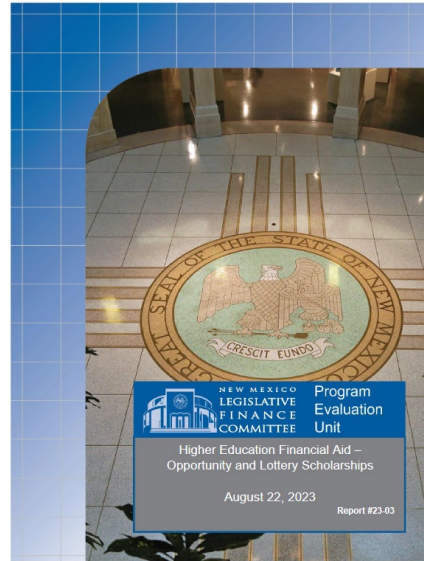
Quarterly Report Cards

Required by statute – New Mexico's Accountability in Government Act

Only key (large) agencies

Measures and targets negotiated annually between executive and legislature

Agencies must identify their core services and ways to measure effectiveness and report on whether programs are demonstrating that effectiveness.



Program Evaluation

Deep dive research that covers the gamut of government and outcomes analysis on outcomes, management, compliance, effectiveness, and efficiency.

Contain far-reaching recommendations, which may include changes to law, rule, appropriations, or implementation

Often spurred by changes in performance noted in report cards

https://www.nmlegis.gov/Entity/LFC/Program_Evaluation_Search?Query=&StartYear=1991&EndYear=2023&Category=ALL&PubType=ALL

NAEP: Student Achievement Changes



Grade 4 Math – Differences since 2019

	All Students	Male	Female	Eligible for NSLP	Students with Disabilities*	English Learners
NM	↓10	↓9	↓11	↓10	◆	↓10
National Public	↓5	↓4	↓6	↓6	↓2	↓4

↑ Higher

↓ Lower

◆ No significant change

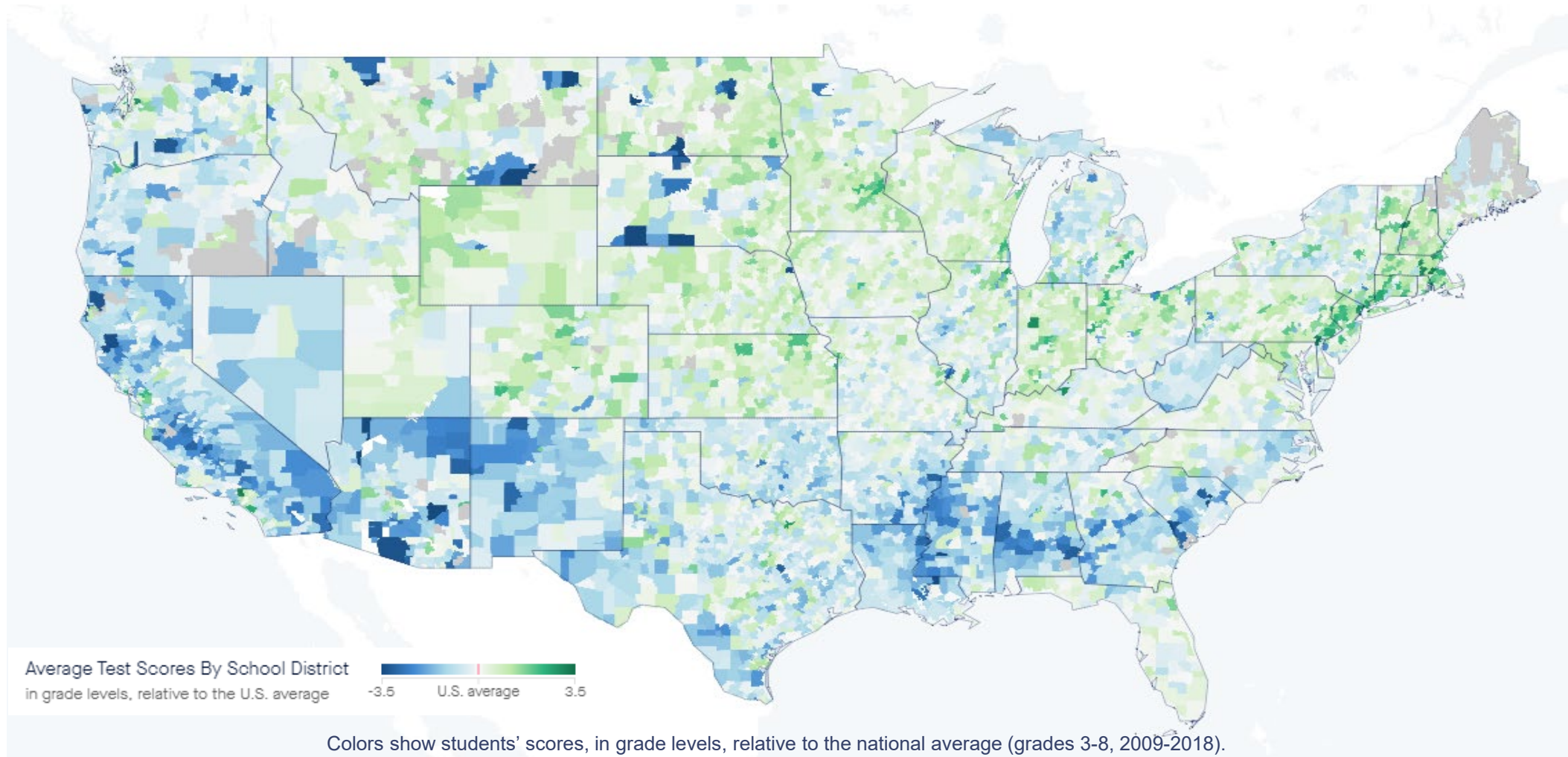
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	White	Black	Hispanic	Asian/ Pacific Islander	American Indian/ Alaska Native	Two or more races
NM	↓9	—	↓9	—	◆	—
National Public	↓4	↓7	↓7	↓4	↓8	↓5

*Students with disabilities including those with a 504 plan.

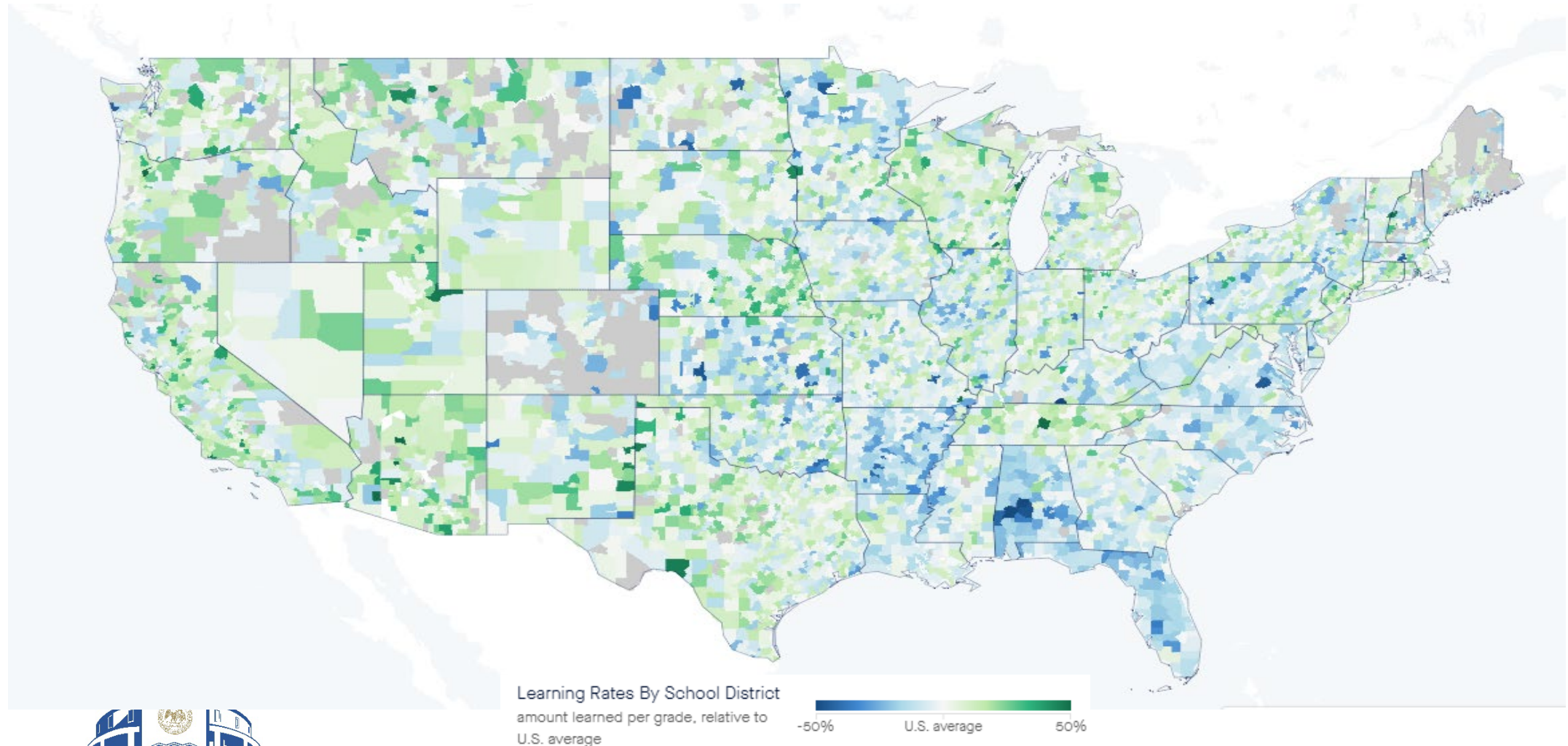


National Student Average Test Scores, Grades 3-8, 2009-2018 (Green = Positive, Blue = Negative)



Learning Rates Compared to National Average

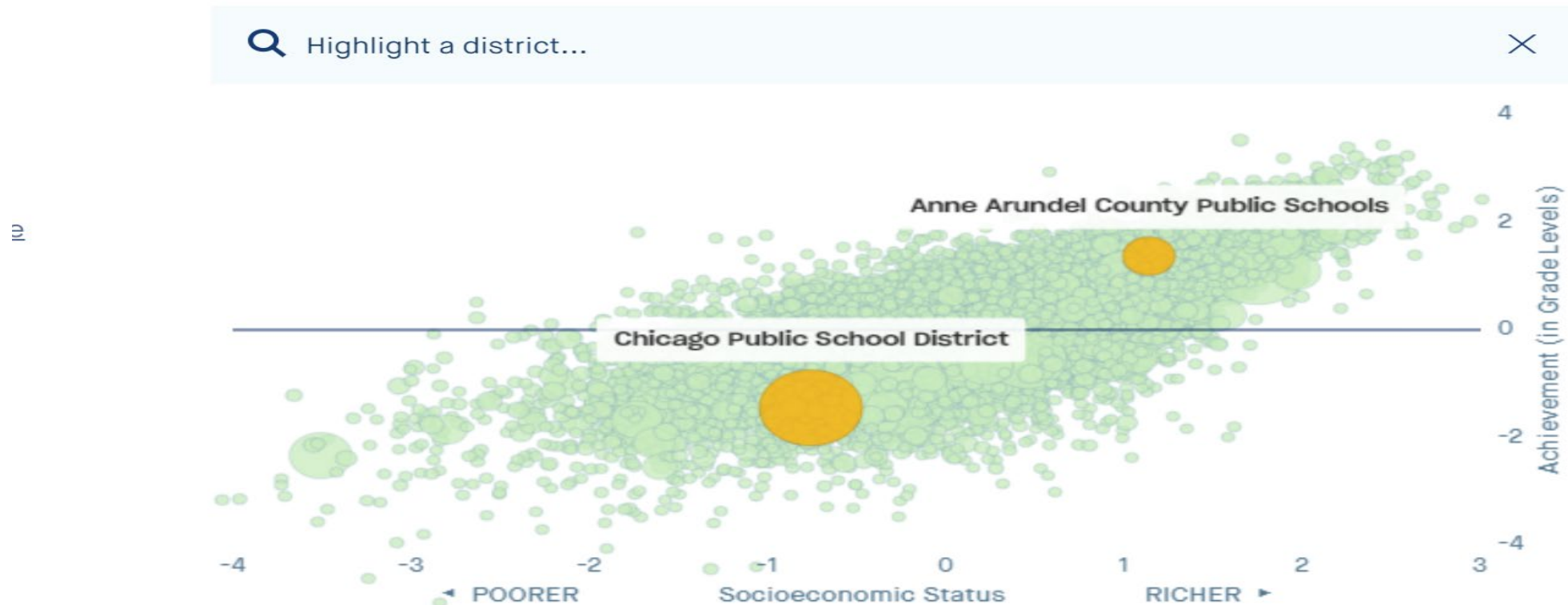
Grades 3-8, 2009-2018 (Green = Positive, Blue = Negative)



Colors show how much students learn each year relative to the national average (grades 3-8, 2009-2018).
Source: The Educational Opportunity Project at Stanford University

Affluent Schools Aren't Always the More Effective Ones

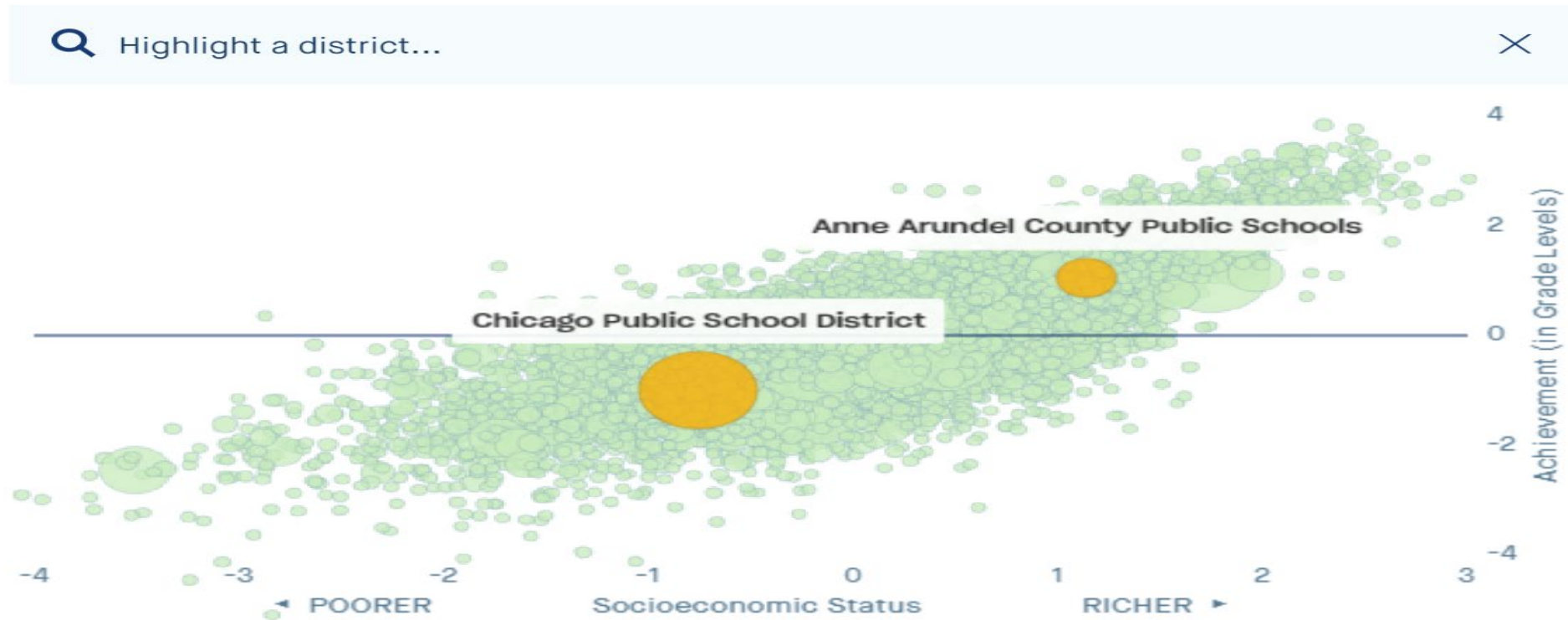
Average Test Scores, Grade 3



Source: The Educational Opportunity Project at Stanford University

Student Cohort Making Gains in Chicago

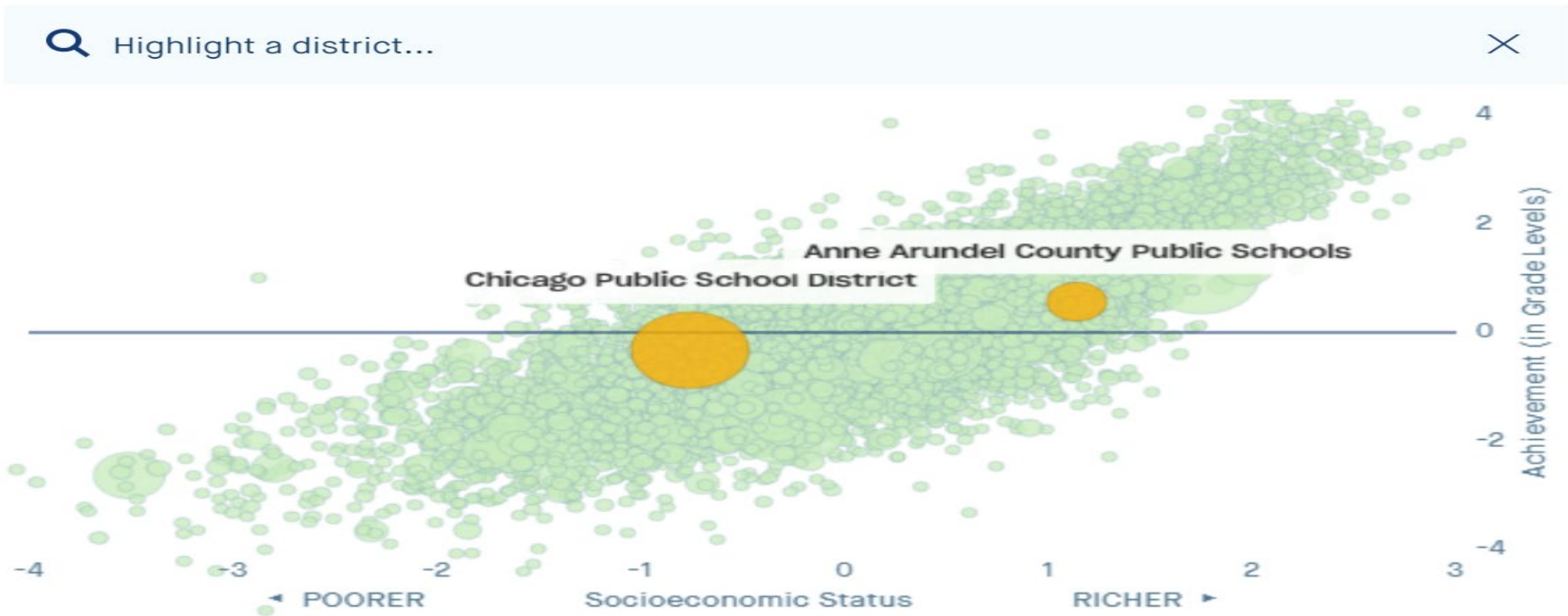
Average Test Scores, Grade 5



Source: The Educational Opportunity Project at Stanford University

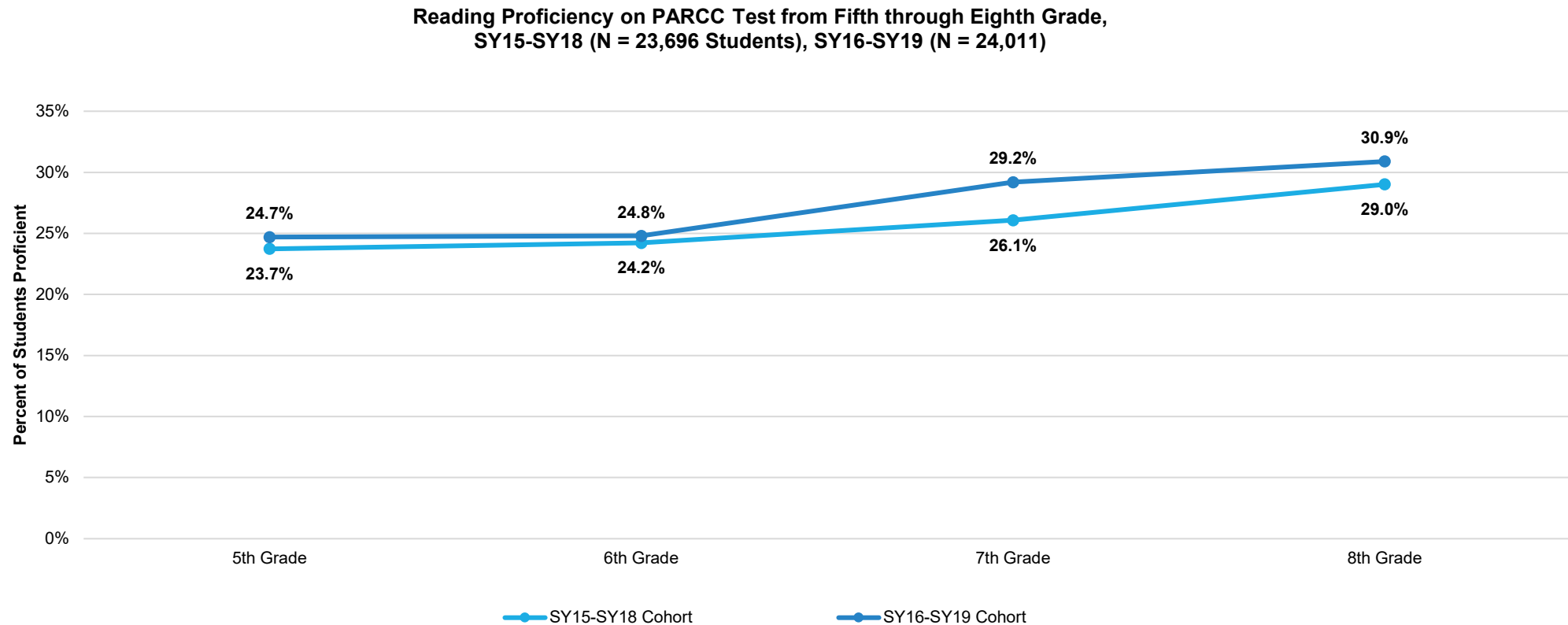
By 8th Grade Chicago Students At the National Average – Gaining the Equivalent of 6 years of Learning in 5

Average Test Scores, Grade 8



Source: The Educational Opportunity Project at Stanford University

Findings from NM Longitudinal Data: Students Gaining a Year's Worth of Learning Each Year & Improve Proficiency



What's driving NM student performance and what works to improve it? No surprise more and better schooling

- Students often show up to Kindergarten far behind where the K12 system expects students to start school. (2-2.5 years behind)
- NM students, including from low income families and students learning English, do well academically while in school – often making a year's worth of academic growth.
- High poverty schools, with good leadership and implementing best practices can and do help students make tremendous progress – but not enough.
- What works? Just what the court found students need more of. Additional learning time with high quality teaching and supports.



What Else Works in Public Education: Eight Characteristics of High-Performing Schools.

**High
Expectations
and Standards**

**High Levels of
Collaboration
and
Communication**

**Strategic
Assignment
of Principal
and Staff**

**Focused
Professional
Development**

**Regular and
Targeted
Parent and
Community
Involvement**

**Caring
Staff
Dedicated
to
Diversity
and Equity**

**Curriculum,
Instruction,
and
Assessment
Aligned with
Core
Standards**

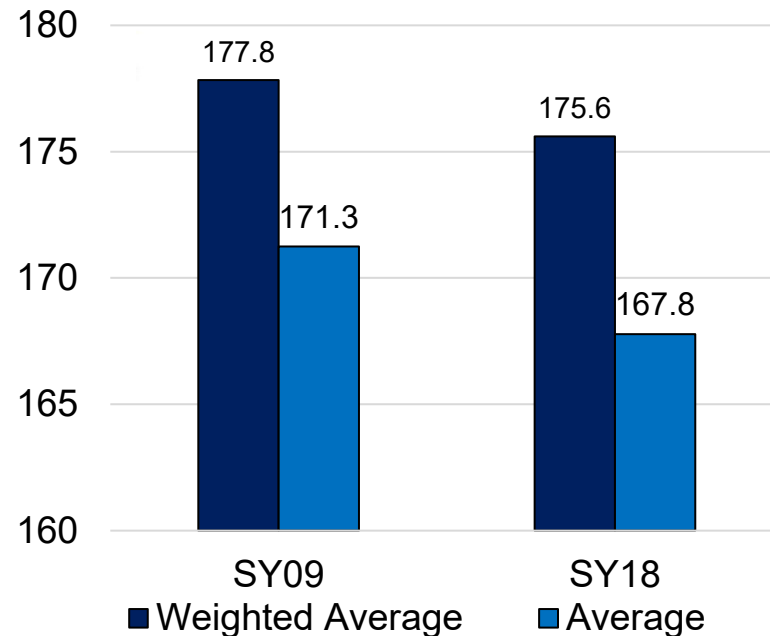
**Data-Driven
Focus and
Frequent
Monitoring of
Student
Achievement**



Source: LFC (2014) Performance and Improvement Trends: A Case Study of Elementary Schools in New Mexico. p.12

Available Learning Time

THE TRADITIONAL 180 SCHOOL CALENDAR HAS SHRUNK IN NM



SCHOOLS ALREADY HAVE A LONGER SCHOOL DAY AND TOTAL HOURS EXCEED REQUIREMENTS

From a 2016 LFC Evaluation:

Almost all districts report they exceed the statutory minimum number of hours.

This allows for fewer days in the school calendar.

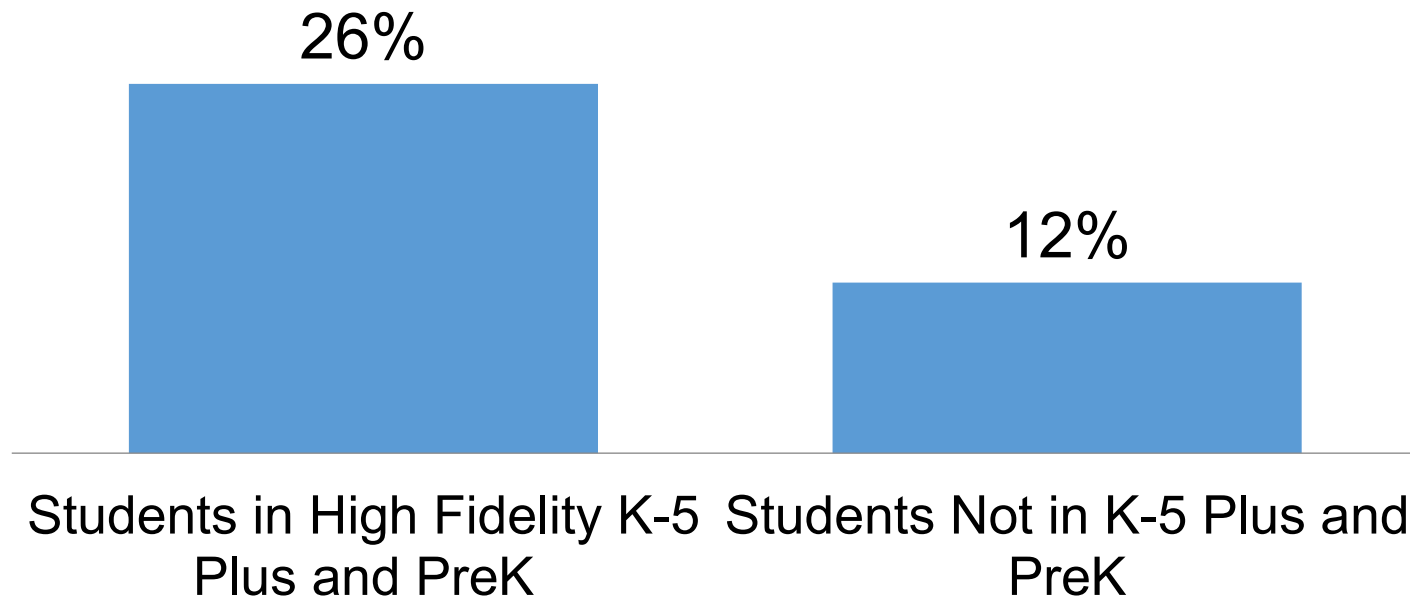
Schools added a weighted average of 79 hours to school days – the equivalent of 14 instructional days.

Source: LFC. (2018). Program Evaluation: Instructional Time and Extended Learning Opportunities. p.16
Note: LEAs weighted average instructional days were weighted by their percent of total student membership.



Although “more of the same” has proven effective. PreK and K-5 Plus can help close the Achievement Gap

Low Income Students in Both Prekindergarten and K-5 Plus Reading Proficiency on Istation



Source: LFC Files



Results and Impact on Budget and Services

- Universal 4 year old access to Preschool (State PreK, Headstart)
- State Prek extended to 3 year olds
- State Prek runs 200+ days a year, full day with wrap around care for working families
- Universal K-12 extended learning time
 - Elementary learning time equivalent to a 205 day 6 hr per day school year
 - Secondary learning time equivalent to 190 day 6 hr per day school year

Still early - Impact on learning depends on implementation



LegisStat

LegisStat is an **initiative of the LFC** designed to help the committee become a more effective partner with New Mexico state agencies in continually improving agency programs and policies.

Based on a leadership strategy known as **PerformanceStat**.

LegisSTAT **adapts the PerformanceStat approach to a legislative context.**

The goal is to ensure **focused conversations** between the LFC (as a committee or subcommittee) and agency leaders about addressing high-priority agency performance challenges and opportunities.

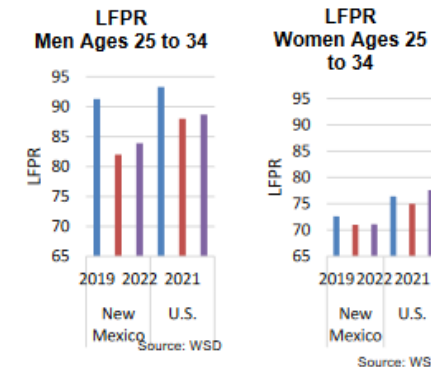
Principals of LegisStat

- **Focused:** Meetings focus on most important challenges facing agencies, identified ahead of time.
- **Committee-driven:** Meetings driven by the committee chair and by members' questions; only short presentations.
- **Emphasizing deeper dives:** Use of follow-up questions by members to get to the root causes of problems... "the Five Whys."
- **Action-oriented:** Agencies ideally commit to specific actions by the next meeting, representing near-term actions even if long-term challenges.
- **Strong on accountability:** Meetings designed to start with agency updates on action items from previous meeting.
- **Collaborative:** Meetings require ongoing collaboration between legislators and agency leaders.
- **Aiming for impact:** Important part of the initiative's impact occurs between meetings, when agencies work to achieve action items committed to during the meetings.

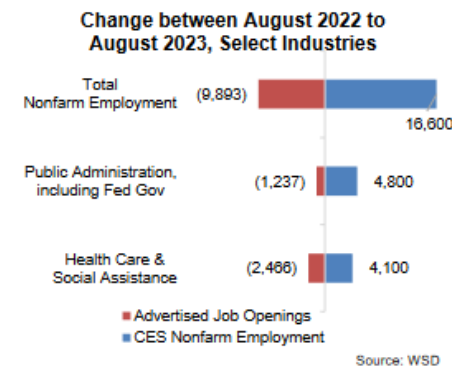
Key Data



- Between 2008 and 2021, the state lost about 26 thousand workers.
- An estimated one-quarter of the state's population is not employed but is of working age.
- Between February 2023 and July 2023, as the state began to unwind benefit programs that were enhanced during the pandemic, the LFPR increased slightly, from 56.5 percent to 57.1 percent.
- The national LFPR in July 2023 was 62.6 percent.



- While national labor force participation rates have increased for both men and women who are 25 to 34 years of age between 2021 and 2022, in New Mexico they only increased for men.
- Overall, 60.4 percent of working age men participate in the labor force, compared to 50.5 percent of working age women in New Mexico.
- Among men and women of prime working age, more men participate in the workforce than women.
- An estimated 77 thousand men and women in this prime working age range are not participating in New Mexico's labor force.



- Over the last year, employment trends have returned to those that were more normal before the pandemic.
- The number of advertised job openings overall and in select industries has declined, while the number of workers employed has increased

Budget Guidelines & Seven Elements

- Budget guidelines approved by committee
- Guides approach to budget development
- Prioritizes funding recommendations for evidence-based programs and initiatives.
- Instructs analysts to evaluate requests on the “seven elements” of quality program design
 - Program Premise
 - Needs Assessment
 - Program Description
 - Research and Evidence
 - Implementation Plan
 - Fidelity Plan
 - Measurement and Evaluation
- Staff use rubric to rate expansion requests based on these seven elements



Legislating for Results: Budget Development Tool

New Mexico agencies making significant requests to expand agency budgets, other than workload changes, or for large special appropriations that appear to expand an agency's recurring budget are being asked to assess the proposals and report on their purpose, potential for success, and plans for implementation and accountability in accordance with the [Budget Guidelines of the New Mexico Legislative Finance Committee \(LFC\)](#) and LFC's [Legislating for Results Framework](#).

Program Premise

What public problem does this program seek to address? How will this program address the problem? Does the proposed program link to a goal in the agency's strategic plan?

What is the extent of the problem stated in numerical, geographic, and equity terms? What portion of the total need identified does this program seek to address?

Needs Assessment

Program Description

What specific activities in the program will achieve these expected program outcomes? What are costs per person or activity? Once the program is fully operational, what are the estimated ongoing annual costs?

Is the program based on evidence or research or a promising practice? Will it need formal evaluation?

Research and Evidence

Implementation Plan

What activities are needed to implement the program? How much will it cost? What is the timeline for each startup activity?

Will the program be implemented with equity and fidelity? Do you have a checklist of the program components need to achieve the impacts?

Fidelity Plan

Measurement and Evaluation

What specific outcomes are expected? What are key performance measures? How often will the program be measured and evaluated?

Results Focused Government

Best Practices in Leadership

- ☐ Practice #1: Demonstrating that agency leadership values evidence and results

Best Practices in Evidence-Related Strategies

- ☐ Practice #2: Using evidence-based budgeting
- ☐ Practice #3: Developing a learning agenda
- ☐ Practice #4: Creating an evaluation policy
- ☐ Practice #5: Using rapid experimentation (also known as A/B testing)
- ☐ Practice #6: Implementing results-driven contracting
- ☐ Practice #7: Adding evidence incentives to grants

Best Practices in Performance Management

- ☐ Practice #8: Using performance information
- ☐ Practice #9: Implementing strategic planning
- ☐ Practice #10: Collaborating with other agencies or levels of government

Best Practices in Using Data

- ☐ Practice #11: Expanding data sharing and usage



For More Information

- <http://www.nmlegis.gov/lcs/lfc/lfcdefault.aspx>
 - Session Publications
 - Performance Report Cards
 - Program Evaluations

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