RAISING NEW MEXICO
A new governor has taken office. All 70 seats in the House of Representatives are newly filled. The state's education system is grinding for a monumental overhaul. And a $1.5 billion windfall has unexpectedly dropped into the state coffers, a bonanza of oil and gas revenues that lawmakers rank and rate as best in the nation. High school graduation? At 71 percent, the second worst showing after Washington, D.C. Violence crime? Double the national average.

Real Change Depends on Political Will

Mexico can't provide the services that citizens of a First World country presume to be their due. Now, after years of whittling away at the corporate tax, the capital gains tax, gross receipts tax, and personal income tax, state legislators are openly talking about revising "the revenue stream": bureaucratese for raising taxes.

"So when we tell people what we want to do, we can do it," said Susan Harris of the newly elected representative of the 41st District. "If you're not talking about raising taxes you're not talking straight to people.

The state also appears to be on the verge of enacting significant education reform. Not that it has a choice. In her landmark Yazzie/Martinez v. State of New Mexico decision last September, First District Judge Sarah Singleton ruled that the Public Education Department has violated the constitutional rights of at-risk children by denying them a sufficient education. The department must present a plan to remedy the problem by April.

This is a time when politicians must think beyond the two-year electoral cycle. Businesses don't plan for the short-term, they look far into the future when making long-term investments.

"The single biggest problem is that people think they're going to find a quick solution," said Jeff Mitchell, director of the Bureau of Business and Economic Research at the University of New Mexico. "The successes won't play out in the present and future of New Mexico itself.

We know what works. Home visiting—a national program introduced in New Mexico 21 years ago—fosters healthy families and alleviates child abuse and neglect by sending trained professionals into the home to support and enhance the parent-child relationship. Pre-K confers a competitive advantage into the parent-child relationship. Pre-K confers a competitive advantage into the parent-child relationship. Pre-K confers a competitive advantage into the parent-child relationship.

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CONTRIBUTORS

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How Devastating Childhoods Leave Kids at Risk

BY AMY LINN

AT 7, LINDA FRITTS SLEPT IN HER SAFE PLACE in the closet. She arranged the shelves and fashioned a nest for herself atop a chest of drawers.

“I would take stuffed animals in there and my books in there,” she says now. She read by flashlight.

That was 1968 or so, when she had a puppy, “and I would take her in the closet too. And that’s how I survived. That and alcohol.” She took her first drink at age 6.

The family lived in Paradise Hills, then a new development in northwest Albuquerque. Linda remembers eating out of cans and scavenging for food, going to the neighbor boy’s house for refuge.

Her mother was bipolar, a blackout drunk and drug abuser. Linda remembers being pinned down and sexually abused, and the smell of her mother’s Wind Song perfume. Her father worked as an airplane mechanic; he had schizophrenia.

Linda is 56 now, with a fierce determination to tell her story. She’s worked for 25 years to recover from her ACEs — short for adverse childhood experiences, the official term for what she survived. Looking at the past doesn’t scare her anymore.

“I don’t really mind talking about what happened to me,” she says. “Maybe because, when I was a kid, I never had a voice.”

TOXIC STRESS, LASTING EFFECTS

Today, everyone should be talking about ACEs. That’s the view of a growing legion of experts who regard childhood trauma as one of the most profound and urgent public health challenges in the country.

Hundreds of studies link adverse childhood experiences to a huge array of diseases, mental illnesses and lifelong problems. An ACE is defined as one of 10 kinds of trauma, among them: sexual, physical or psychological abuse; emotional or physical neglect; mental illness, drug or alcohol abuse, domestic violence; an absent parent or incarcerated household member.

Exposure to these assaults at a young age can alter brain architecture, interrupt neural circuits, damage endocrine and immune systems and have lifelong harmful impacts on health and the human condition, potentially for generations to come. The “toxic stress” of trauma can impair learning and emotional regulation, undermine social functioning and even change the signature of DNA.

The number of children affected is staggering. In 2016, an estimated 34 million children, nearly half of all U.S. kids under 18, had at least one adverse childhood experience, according to an October 2017 report from the Johns Hopkins Bloomberg School of Public Health. More than one in five had two or more ACEs. So did three-quarters of kids 3 to 5 who got expelled from preschool.

In New Mexico, the study found two or more ACEs among 30 percent of children — the fourth-highest rate in the country.

The state’s own agencies catalogue long lists of adversities that have profound affects on children’s lives, including some of the nation’s highest rates of alcohol abuse, opiate and other drug abuse, child abuse, domestic violence, poverty and suicide.

A 2016 study by the New Mexico Sentencing Commission established a clear connection between traumatic experiences and juvenile delinquency, underscoring what could be called an ACEs-to-prison pipeline.

“You’re basically creating a group of kids who are going to have lifelong learning problems — they’re basically going to be like human roadkill on the economic highway,” says primary care physician Andrew Hsi, who co-wrote the report. Hsi is the medical director of a University of New Mexico program founded to help traumatized mothers create nurturing bonds, which are known to promote babies’ brain development.

Early trauma doesn’t merely devastate lives; it gets embedded in the brain and body, research shows.

‘PROTECTIVE FACTORS’ FOR KIDS

If this picture appears unremittingly bleak, the bigger message is that all early childhood experiences are powerful. Positive experiences are as determinative as negative ones. They build resilience and give children “protective factors” that help them thrive.

Resilience helps children calm themselves and bounce back from defeats. Even children who suffer severe adversity can develop it, according to Harvard University’s Center on

COMMON TRAUMAS

LIFELONG HARM
Early trauma doesn’t merely devastate lives; it gets embedded in the brain and body.

the Developing Child, a national leader in toxic stress and brain research. Resilience is built upon healthy early parent- ing and bonding, which make infants feel safe and nurtured.

“Loving the baby, kissing, holding, massaging, breast- feeding. The baby understands that language,” says San- jeev Arora, a UNM physician whose project delivers medical treatment to remote places. “The entire human experience is very intricately linked to feelings of security and lack of fear.”

Resiliency therapy works, affirms Christina Bethell, an au- thor of the Johns Hopkins study, because the infant brain has the capacity to restore itself. “History isn’t destiny,” she says. “No one is doomed.”

HOPE THAT BRINGS CHANGE

If Linda Fritts had received counseling when she was a child, back in the late 1960s and early 1970s, no one would have given her trauma-informed care. The concept wasn’t born yet.

“I didn’t fall through the cracks,” she says. “I blasted through them.”

Linda managed to get her GED and a nursing certificate. But as she neared 30, severe depression took over. Plagued by thoughts of suicide, she finally ended up in a hospital clinic. Help came in the unlikely form of a therapist who filled out her intake papers. She offered to take Linda on as a patient: Therapy lifted the veil.

She moved into a battered women’s shelter and entered a 12-step program. She got a divorce and came out as a gay woman.

She took a job with a program run by Andrew Hsi. Linda stopped him in his tracks, Hsi recalled, when she told him how, even at age 6, alcohol helped her dissociate from the abuse.

He knew, of course, that people used addiction to cope. But he’d never heard someone describe the need for numb- ness at such a young age.

“She was the first person to really make me understand,” Hsi says.

Linda has marked 25 years in therapy. She married the woman she calls her soul mate. Her goal is become a social worker. She can talk to her about anything.

“History isn’t destiny. No one is doomed.”
BREAKING THE CYCLE

The Services That Save Children
WHEN DIEGO GALLEGOS WAS NAMED EXECUTIVE
director of Youth Development Inc. in 2015, a staff member
boasted to him about how well the organization had served
families over the course of several generations.
“‘We’re so excited because we’re serving the grandchil-
dren of kids who used to be with us,’” Gallegos recalls being
told. “I said, ‘And that’s a good thing?’ No, no, no,
it’s not a good thing.”

Breaking the cycle of poverty and all its associated
ills—poor schools, high school dropouts, teen pregnancy,
substance abuse, incarceration—has never been easy. In
New Mexico, it has met with decades of resistance, despite
the efforts of dozens of state agencies and hundreds of
nonprofits.

What does it take to break the cycle? Child advocates
say it takes interrupters—be it in the form of social service
agencies, wraparound programs, loving foster parents or
doting grandparents.

For Santiago Turrieta, a one-time Albuquerque gang mem-
ber, it took the birth of a child—along with a lot of help
from Children, Youth and Families Department (CYFD), the
U.S. Department of Housing and Urban Development (HUD),
the Supplemental Nutrition Assistance Program (SNAP) and
Social Security.

CYFD pays the bill for Mya’s day care program. HUD covers
the cost of the father and daughter’s one-bedroom apart-
ment. The father also gets food stamps and Social Security
disability, due to a knee injury and PTSD from years spent in
a New Mexican prison’s solitary confinement. There are pro-
grams that surround Mya with the type of support she needs
in the critical early years, during which her body and brain are
growing rapidly.

She is also surrounded by something just as important to
the development of a happy, successful child: people who
love her, protect her and put her interests first. There is a place
to nap at Grandma’s house after day care in the afternoon.
Dinner together most evenings with her dad, grandma and
often her auntie. Healthy food, and a father who has learned
to sneak the carrots into the mashed potatoes.

POSTSCRIPT:
Since this story was published in April, Mya’s life has changed.
Single parenthood is difficult for anyone, and after some
months, Santiago decided it would be best for his daughter
to live with the foster parents who loved and cared for
her in her first year of life. Today, the couple has kinship
guardianship of Mya, while Santiago sees her twice a week
and remains a positive force in her life. Father, guardians
and little girl regularly share holidays and birthdays together.
They are family.
The risks are especially acute for New Mexico, which holds the dubious distinction of being the state hardest to count because of its large rural population, its hard-to-count regions and its pockets of poverty.

BY CHRISTIAN MARQUEZ

YOU WON’T FIND JAMES IRONMOCCASIN’S HOUSE on Google Maps. To get to his place on the northeastern edge of the Navajo Nation, head east from the gas station in Shiprock, take the sixth turn into “Indian Village,” a neighborhood of small, unnumbered houses on a winding, ungraded and nameless dirt lane, then follow for about a quarter mile and turn at the old horse corral.

“If you are kind of familiar with the area and you’re good with directions, it’s OK,” Ironmoccasin chuckles.

Though his family has lived on this square plot of land for 60 years, he says a U.S. census every 10 years has yet to count any family member in their isolated place. “Living on the reservation, I just don’t feel like we are fairly accounted for,” he says. “When it comes down to numbers, or state funding, or government funding, or even tribal funding, I am very offended that we have been put on the back burner, neglected.”

The census has a history of undercounting New Mexicans. In 2000, the undercount amounted to nearly 2 percent, or about 35,000 people, according to the Census Monitoring Board. And though the problem was substantially corrected in 2010, the correction was a temporary fix.

That is in part because the U.S. Census Bureau is moving to an online survey, introducing cost-cutting measures, new technology and a reliance on the internet to count every resident in the country. The approach is problematic throughout the U.S., but nowhere more so than in New Mexico, where, according to the bureau’s own statistics, only 67 percent of households have broadband internet subscriptions. Census experts, including former directors of the bureau, fear the budget is insufficient to make adequate preparations for the 2020 Census.

“The time that’s been lost and the opportunities that have been lost cannot be made up,” says Cynthia Guy, a researcher at the Annie E. Casey Foundation.

The stakes are high—especially in a state such as New Mexico, which depends on federal funding for programs that lie at the heart of child well-being.

“You’re not going to have enough classrooms, and your share of federal resources, if you don’t get a complete count,” Guy says.

In 2015, an undercount cost New Mexico $2.6 billion, according to the The George Washington Institute of Public Policy, an independent public policy research group in Washington, D.C. “But remember, we’re stuck with that error for 10 years, so a 1 percent undercount costs us $400 million dollars just for Medicaid,” said Robert Rhatigan, who oversees the 2020 count in the state.

A research scientist who specializes in geospatial population studies at UNM, Rhatigan oversees a statewide program that aims to manually update missing addresses on the census master list. “A census can only be as good as the address list that informs census enumerators where to go looking for people,” he said.

As important as they are, the five children’s programs represent only a fraction of the state’s funding across 16 programs accounting for more than $6 billion for New Mexico in 2015.

Budget cuts over the past few years have forced the Census Bureau to reduce staff and limit field testing, leading the Government Accountability Office to list the 2020 Census as at risk.

The risks are especially acute for New Mexico, which holds the dubious distinction of being the state hardest to count because of its large rural population, its hard-to-count regions and its pockets of poverty.

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SCHOOL FIGHT

In the Battle for 4-Year-Olds, State and Feds Don't Play Nice

BY LAUREN VILLAGRAN

ANTHONY — A tall chain-link fence splits the preschool campus at Anthony Elementary in southern New Mexico. Federally funded classrooms on one side, state-funded classrooms on the other.

The fence literally and symbolically segregates two sets of classrooms outfitted with the same child-size tables, chairs and toys; two sets of highly trained teachers; two playgrounds—and a bitter competition for 4-year-olds.

As New Mexico has expanded early education over the past decade, the state has created a system that bars providers from mixing state and federal funds in one classroom, effectively separating kids into rival programs, often divided by income.

Head Start serves the lowest income families in New Mexico, the state programs serve families from a range of income levels.

An investigation by Searchlight New Mexico found multiple instances of federal preschool programs, known as Head Start, losing money or slots for kids. At the same time, the state is paying to educate more 4-year-olds in pre-K in private child care centers or elementary schools.

Instead of cooperating, state and federal programs are competing. One consequence is that New Mexico taxpayers are shouldering more of the cost of preschool programs, while federal money is being sent back to Washington.

“We have this crazy quilt pattern of some private day care for 4-year-olds, public preschool for 4-year-olds and federal Head Start programs that are all in competition,” says Fred Nathan, executive director of Think New Mexico, a Santa Fe-based think tank. “Trying to create a coherent system is a little bit like trying to put the toothpaste back in the tube.”

A Head Start program in Doña Ana County returned $75,000 to Washington in 2015. In the two years following the startup of state pre-K in 2005, Las Vegas program sent back $850,000. Around the state, Head Start directors say, the startup of state pre-K in 2005, a Las Vegas program sent $75,000 to Washington in 2015. In the two years following the startup of state pre-K in 2005, a Las Vegas program sent $75,000 to Washington. In the two years following the startup of state pre-K in 2005, a Las Vegas program sent $75,000 to Washington. In the two years following the startup of state pre-K in 2005, a Las Vegas program sent $75,000 to Washington.

“Trying to create a coherent system is a little bit like trying to put the toothpaste back in the tube.”

While federal money is being sent back to Washington, federal funding into the same classrooms.

Federal law doesn’t prohibit different funding sources from being poured into the same classroom. The state legislature doesn’t say no to mixing funding streams either, said Alejandra Robledo-Raú, CYFD Early Childhood Services Division director.

With some exceptions, she confirmed, state policy prevents organizations from mixing state and federal funds or sharing classrooms or teachers.

The state’s policy breeds competition and effectively segregates low-income preschoolers from those with higher-income families, the Legislative approved funding for preschool in 2005.

Other states and localities have found ways to create high-quality preschool programs for all or most 4-year-olds using those federal funds. Oklahoma, Oregon, Georgia and Washington, D.C., all have managed to channel state and federal funding into the same classrooms.

Neuroscientists know there is a critical window in development between birth and age 5 that can determine a child’s chances of success later in life. The enrichment babies and toddlers get—or don’t—plays out in school attendance, test scores and graduation rates.

FUNDING CONFLICT

Neuroscientists know there is a critical window in development between birth and age 5 that can determine a child’s chances of success later in life. The enrichment babies and toddlers get—or don’t—plays out in school attendance, test scores and graduation rates.

While the rate of child poverty has risen in New Mexico over the last decade, Head Start now serves some 600 fewer kids than it did 10 years ago, according to the National Institute for Early Education Research. Nearly half of 4-year-olds and more than three-quarters of 3-year-olds in New Mexico aren’t attending any kind of preschool program, according to the NIEER.

SUFFER THE CHILDREN

Investigation Reveals Serious Abuses in Treatment Foster Care System

BY ED WILLIAMS

THE 11-YEAR-OLD BOY showed up Sept. 25, 2015, at San Juan Regional Medical Center in Farmington — purple bruises covering his body, ligature marks on his neck, a patch of hair ripped from his head and black eyes so badly swollen he couldn’t latch his glasses behind his ears. Doctors feared he had a skull fracture.

He insisted he’d tripped in his front yard while practicing soccer.

His foster mother, Hope Giracano, hovered nearby, accompanied by a social worker from the private agency that six months earlier had placed the boy and his younger sister under her care.

A security guard later told police that when she walked past the boy, he looked up at her and whispered, “Help me.”

It didn’t take long for police investigators to uncover what they believed was an appalling chain of abuse. Their reports laid out their allegations in vivid detail. The boy had been starved, forced to eat his own vomit, and made to exercise till his body gave out. He had been locked in his room, his doors outfitted with alarms and motion sensors. The bruises on his face had nothing to do with soccer, he later admitted; they were the result of a savage beating by Giracano with a metal piece of a bed frame — punishment for getting a math question wrong on his homework, he told police.

His little sister had also suffered serious abuse, police later said.

Detective Chris Bla, who led the Farmington Police Department’s four-month investigation, said he didn’t un-
But as rising numbers of children flood the 2017 Legislative Finance Committee report, programs, with a cost of $25,000 per child, according to a dy. In any given year, more than 900 kids cycle through these foster families to care for children and youth in CYFD custody in New Mexico, all of which train, vet, license and oversee should have known the children were in danger.

In Tucumcari, a treatment foster care company licensed a suspected pedophile as a foster father. He went on to abuse and one count of felony sexual assault on a minor.

In Albuquerque, a 2017 lawsuit claims a girl was placed in a treatment foster home after being sexually abused by her biological family, only to be abused repeatedly by her foster father. That family was also licensed by La Familia-Namaste.

In Bernalillo County, a 2012 lawsuit alleged a treatment foster father repeatedly sexually assaulted his foster daughter, who had severe intellectual disabilities. The case was settled.

In each of those cases, attorneys argue the treatment foster care company missed obvious warning signs and should have known the children were in danger.

Eleven treatment foster care companies currently operate in New Mexico, all of which train, vet, license and oversee foster families to care for children and youth in CYFD custody. In any given year, more than 9,000 children are served through these programs, with a cost of $25,000 per child, according to a 2017 Legislative Finance Committee report.

Treatment foster care is meant to be a specialized program for youth with especially high behavioral health or emotional needs. But as rising numbers of children flood the foster system – 2,639 at last count, a 44 percent increase over the past five years – advocates and attorneys say youth are cycling in and out of treatment foster care at much higher rates than the companies are equipped to handle.

Searchlight’s investigation found that numerous oversights and lapses in safety protocols have put children in grave danger! The reporting for this story included dozens of interviews with police, attorneys, social workers, treatment foster employees and former foster children. Searchlight also requested and examined hundreds of pages of CYFD audits, police documents and other public records.

**LICENSE FIRST, ASK QUESTIONS LATER**

CYFD relies on a number of safety checks, carried out by the department and by treatment foster care companies, to screen public and private foster homes for potential risks and to prevent cases of abuse like the one in Farmington.

The agency’s own rules stipulate that a license cannot be renewed unless those checks have been put in place. CYFD said in an email that “the licensing standards of foster and adoptive parents must be followed and any deviation from those standards will be handled accordingly within the regulations and laws.”

It turns out, however, that CYFD routinely renews treatment foster licenses in the absence of required safety checks, department audits show. Between late 2015 and 2017, CYFD auditors found problems with home inspection reports filed by every one of the treatment foster care companies currently operating in New Mexico.

Auditors identified at least 28 instances in which treatment foster care companies broke rules on checking for reports of abuse and neglect by foster families; at least 38 cases in which courts records were inadequately reviewed; and at least 19 instances in which documentation—a academic records, medical records, the child’s history throughout the foster system—was either missing or incomplete.

According to CYFD audits, one company, Familyworks Inc., a treatment foster care operation run by the for-profit residential youth treatment center Desert Hills in Albuquerque, racked up massive, repeated violations—288 in total—since 2013. Among those violations were missing criminal records checks and incomplete home inspection studies.

Despite those findings, CYFD has regularly renewed Familyworks’ license, noting “a commitment by staff to correct deficiencies and improve the process of managing the records.”

CYFD has also renewed the license of every other treatment foster care company in New Mexico since at least 2012.

“There’s no reason unless they’re put in a licensed placement,” said Bette Fleshman, director of Pegasus Legal Services for Children, an Albuquerque-based nonprofit law office that advocates for children and families. “So they license them quickly and then backtrack around.”

Placing a traumatized child with the right family is a high-stakes gamble. Get it right, and the child can find a healthy environment and position himself or herself for a productive future. Get it wrong, and the consequences can ripple across the child’s life.

**A PATTERN OF RED FLAGS**

Hopa Graciano was a regular at Farmington Magistrate Court, a defendant in nine debt collection cases since 2004. Her husband, Eristeo Graciano, was a co-defendant in six of those cases.

While those cases wouldn’t on their own have disqualified Graciano as a foster parent, they should have set off alarms, according to Rosaisela Bucio, CYFD’s bureau chief of foster care and adoptions. Evidence of financial stress is a signal, she said, that “a more robust evaluation” is required.

Even more critically, Graciano had a long and document-ed history of abusive and violent behavior.

“Anybody that looked hard enough would have seen a pattern of conduct,” Blea, the Farmington police detective, said. “We were able to find a pattern of conduct that went back 20, 30 years of pretty severe physical abuse.”

For many years, that abuse was directed against Hope Graciano’s stepdaughter, Erika Graciano-Stahl. According to police reports, Graciano repeatedly slapped, kicked, screamed and pushed her stepdaughter into a wall. She once threw a plastic chair at the girl’s face, leaving a permanent dent in her nose.

Graciano-Stahl said she often feared for her life.

“One of the reasons I didn’t tell anyone she was abusing me was because she would tell me, ‘If you tell anybody, I will bury you in the backyard six feet under and nobody will ever find you or knew that you are gone,’” she told detectives who contacted her during their investigation of the 11-year-old boy’s abuse.

During the period of Graciano’s employment, CYFD found that La Familia-Namaste documented minimal information about its foster parent applicants and also failed to follow protocols for criminal background checks, abuse and neglect checks, and courts records checks.

Between 2015 and 2016, CYFD investigators verified two cases of abuse in other La Familia-Namaste foster homes. Yet, La Familia-Namaste enjoys a unique position among New Mexico’s child-focused nonprofits, earning over $16 million to conduct home studies for CYFD-run foster homes across the state — the only company not subject to that responsibility according to CYFD contracts.

In 2017, months before the 11-year-old boy and his sister ended up in Graciano’s home, CYFD awarded La Familia-Namaste a two-year license extension — an unusual move reserved for companies “with an excellent track record,” Bucio said.

“It’s preventable, and that’s really the heartbreak here,” said Sara Cicco, an Albuquerque attorney who has worked 17 years as a court-appointed guardian for children in CYFD custody. “Our system needs changing from every aspect, from every angle. The whole entire apple cart needs to be turned over.”

Neither did Jocelyn Wilson. La Familia-Namaste declined to respond to numerous requests for comment. Neither did Jocelyn Wilson. La Familia-Namaste declined to comment.
RAISING GRANDKIDS

All the Work and None of the (State) Benefits

BY ED WILLIAMS

ALBUQUERQUE — Like hundreds of grandparents, Joan Marentes trusted that the state would help her deal with the sudden financial stress of taking in a child.

Instead, she got a categorical rejection.

Her salary as a police officer, the case worker told her, was too high to qualify for child care assistance, cash assistance, food stamps, or any public benefit except Medicaid for her granddaughter.

Unable to afford the expense of child care—which, in New Mexico, costs more than public university tuition—Marentes trusted that the state would help her deal with the sudden financial stress of taking in a child.

“My life doesn’t come first, her life comes first,” Marentes says.

The number of children being raised by grandparents has exploded across New Mexico, nearly doubling to more than 55,000—10 percent of all the state’s children—since 1990. Today, grandparents in this state are caring for their grandchildren at astounding rates—more than three times the national average in some opioid-ravaged counties.

And each child a grandparent takes in saves the state up to $25,000 a year in foster care costs.

But like Marentes, many of those grandparents have found themselves locked out of assistance programs, even when they meet eligibility requirements.

Dozens of grandparents interviewed for this story described myriad consequences, many arriving at the edge of financial ruin after being unable to access public benefits.

Some, turned away at the window of the local benefits office, must choose between paying for child care or paying the mortgage. Others, told they earn too much money to qualify, are selling off their personal belongings to pay for groceries and school supplies. Still others, unable to pay rent and cover the sudden unanticipated costs of caring for young ones, have ended up homeless—with their grandchildren in tow.

New Mexico’s handling of applications for assistance has long been under attack from lawyers and child advocates, who allege that state agencies consistently and illegally deny benefits to needy families.

“I HAD NO CHOICE”

Access to child care assistance and other public benefits, a hurdle for low-income residents in many states, is a particularly high-stakes issue in New Mexico.

Even as rates of poverty have remained stubbornly high, enrollment for certain benefits, such as Temporary Assistance for Needy Families, or TANF, has dwindled—a result of stricter requirements, according to some analysts.

CYFD Secretary Monique Jacobson acknowledges that access to child care assistance and other benefits is a long-standing problem—particularly for grandparents—underscored by the fact that only 10 percent of the state’s eligible families currently receive child care assistance.

Jacobson, who says she has made assistance for grandparents a priority, created a new stipend for grandparents that took effect in December 2016.

“We’ve done a huge push to make people more aware that child care assistance exists,” she says, referring to the “Pull Together” campaign, a multimillion-dollar publicity initiative that includes the delivery of information pamphlets about CYFD programs to various state offices.

Yet more than a dozen people interviewed for this story described a baffling and often contradictory application process.

Many, whose earnings fall within federal income eligibility guidelines for child care assistance, say they were unable to determine the basis on which their application was denied, even with help from attorneys.

Some say they were told they were ineligible without having their application even processed.

Others found themselves caught in a labyrinthine quest, often involving multiple state agencies, to produce documents for their application.

“I spent months on the phone . . . just circles and circles,” recounts Angela, an exasperated grandmother who asked for her last name to be withheld because she is currently in custody hearings. She describes having to travel constantly between various CYFD and HSD offices over a period of months after recently taking in her young granddaughter.

Finally, unable to take further time off work to complete her application, she gave up.

She is now paying for child care with a credit card, to the tune of $750 a month.

GRANDPARENTS IN CRISIS

Social workers report increasing numbers of grandparents in crisis. Faced with an overnight increase to their household, confronted with a waiting list for housing assistance 3,000—people long, some have ended up in homeless shelters with their grandchildren.

“It can be terribly overwhelming,” says Delfinia Romaro, a longtime facilitator of support groups for stressed-out grandparents.

In 2015, Romaro was appointed to a task force formed by the state legislature to identify obstacles that these grandparents face. The task force determined that the state’s public benefits system, designed for individuals or traditional family units, was unprepared to handle the urgent and immediate needs of grandparents, many of whom do not hold possession of their grandchildren’s legal documents.

The legislative task force first published its report on grandparents raising children in 2015. That report recommended appointing eligibility experts to local benefits offices and allowing grandparents to receive child care assistance regardless of income.

Neither of those recommendations has been enacted.

BY ED WILLIAMS

ALBUQUERQUE — Like hundreds of grandparents, Joan Marentes trusted that the state would help her deal with the sudden financial stress of taking in a child.

Instead, she got a categorical rejection.

Her salary as a police officer, the case worker told her, was too high to qualify for child care assistance, cash assistance, food stamps, or any public benefit except Medicaid for her granddaughter.

Unable to afford the expense of child care—which, in New Mexico, costs more than public university tuition—Marentes trusted that the state would help her deal with the sudden financial stress of taking in a child.

“My life doesn’t come first, her life comes first,” Marentes says.

The number of children being raised by grandparents has exploded across New Mexico, nearly doubling to more than 55,000—10 percent of all the state’s children—since 1990. Today, grandparents in this state are caring for their grandchildren at astounding rates—more than three times the national average in some opioid-ravaged counties.

And each child a grandparent takes in saves the state up to $25,000 a year in foster care costs.

But like Marentes, many of those grandparents have found themselves locked out of assistance programs, even when they meet eligibility requirements.

Dozens of grandparents interviewed for this story described myriad consequences, many arriving at the edge of financial ruin after being unable to access public benefits.

Some, turned away at the window of the local benefits office, must choose between paying for child care or paying the mortgage. Others, told they earn too much money to qualify, are selling off their personal belongings to pay for groceries and school supplies. Still others, unable to pay rent and cover the sudden un anticipated costs of caring for young ones, have ended up homeless—with their grandchildren in tow.

New Mexico’s handling of applications for assistance has long been under attack from lawyers and child advocates, who allege that state agencies consistently and illegally deny benefits to needy families.

“I HAD NO CHOICE”

Access to child care assistance and other public benefits, a hurdle for low-income residents in many states, is a particularly high-stakes issue in New Mexico.

Even as rates of poverty have remained stubbornly high, enrollment for certain benefits, such as Temporary Assistance for Needy Families, or TANF, has dwindled—a result of stricter requirements, according to some analysts.

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Staffing shortages, crushing employee caseloads and a glitch-prone computer system at the state Human Services Department all make navigating those nuances unnecessarily complicated.

As a result, Romaro says, grandparents unable to figure out the process often give up and cut corners at the expense of medical needs.

“A lot of grandparents will not buy their medications because the kids need shoes or they need food,” she says. “That’s not a solution.”

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PHOTOGRAPHERS AND WRITERS have chronicled Northern New Mexico’s maelstrom of heroin addiction for many years now. Most of the dramatic images are from Rio Arriba County or adjoining northern Santa Fe County, the epicenter of a drug crisis in New Mexico—and a place that also happens to be my querencia, my home of the heart.

I grew up there. Although I saw domestic violence and alcoholism ruining families, found my home robbed more than once and knew overdose deaths were almost commonplace, I avoided addressing these facts of life in Chimayó. But then I lost someone I loved, and I began to explore the plague of drug abuse around me and the devastating stories of loss due to addiction. I saw a great irony: darkness persists perniciously amid a culture of deep-rooted familial strength.

I met Emilia, a woman caring for her fifth child while pregnant with her sixth, even as she was fighting an addiction to opioids. Six months in a residential program had put her on a path to a clean life, but she relapsed during her pregnancy—even though she knows staying clean is critical for her and her baby.

Emilia’s first impulse in telling her story was to guide me north of Española to her childhood home in Cañones: green fields, her grandmother’s rambling adobe home, the chicken coop, the horse corrals.

It was at first difficult to see a straight line between this tranquil place and the torment that ultimately led Emilia to seek escape in mainlining heroin. She relived childhood memories of violence in the home and other traumas, revealing a bitter irony: her rich family history and connection to place were not enough to save her from an agonizing battle with addiction.

The same could be said for other norteños who come from outwardly serene places but nevertheless take a hard
The seclusion that brings tranquility also means an absence of economic opportunity and limited access to social services, medical and mental health care, education and entertainment. Tight families create a strong impression of community but also foster mutual protectionism that hides problems like addiction and domestic violence.

Heading to Gallina to see her two middle children, Emilia described her teenage trajectory to drug abuse, smoking pot regularly until she was 19, when a first snort of cocaine progressed to an addiction to crack by the time she was 23, when she had her second child—a baby prised from her arms in the hospital and removed from her custody.

In Gallina, Emilia’s children ran to greet her. For eight years, this place had represented hope for Emilia. She almost broke free of her addictions. She had two babies born healthy and managed life with her boyfriend. Hope didn’t last. Emilia began drinking heavily, left for Española and developed at 32 a dependency on heroin. When a boyfriend “pulled her in,” heroin use followed. She had her fifth child, a girl born heroin-dependent.

Emilia grew somber as past met present and she talked of the imminent arrival of her sixth child, her anxiety growing with her realization that this baby would not have an easy entry into the world.

Emilia’s mood darkened as we drew near to her crowded Española neighborhood. The fields in Cañones seemed worlds away. It was a harsh return to reality.
IN 2015, JANE BARNES, a research scientist in her early 60s — “a mild old woman,” in her words — was desperate to rescue her grandsons. Their mother — Barnes’s daughter, Emma, 28 — was in and out of jails for drug arrests. Barnes’s grandsons, developed brain injury and were in foster care. At one point, the boys, aged 5 and 3, were on seven medications a day. The boys screamed in their sleep. The baby, bangs his head in the crib. All the doctors needed was to knock out the boys’ teeth and send them to the hospital. In early 2015, Barnes elapsed 8-year-olds who gained 60 pounds in a single year on drugs. She had been traumatized by years of domestic violence, abuse and neglect. The agency placed them in foster care, where they were abused and neglected at all over again.

BY AMY LINN

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New Mexico’s Lax Oversight Puts Kids in Danger

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The boys had morning meds, and spark terribly different outcomes in a child. Relations for whom there is no proof of effectiveness or safety. This off-label application is legal, but it means the medication is used in ways that aren’t FDA-approved, on populations for whom there is no proof of effectiveness or safety. Psychotropic drugs can be lifesavers, says Mark Olfson, a Columbia University psychiatry professor and leading researcher in the field. They can reduce suffering and dramatically turn a child’s life around. “These children may be small, but they have enormous problems,” says Olfson, who stresses that the key is to prescribe wisely and with appropriate monitoring.

In a 2010 study, researchers at Tufts University studied psychotropic drug use in children and teens in 47 states over a 10-year period. They found that its use in the general population hovered at 4 percent, while in the foster system it was high as 62 percent. In some states, more than 40 percent of foster children took three or more of the drugs.

That is the case in New Mexico, which has one of the highest “polypharmacy” rates in the nation. Child poverty, excessive trauma, scant oversight and a severe shortage of mental health professionals have created the perfect storm in New Mexico, leaving thousands of children needing services they don’t receive, and thousands of others receiving services they shouldn’t get.

Doctors in New Mexico wrote 136,000 psychiatric drug prescriptions for nearly 30,000 New Mexican children, an average of 4.5 prescriptions per child.

It takes monitoring, expertise and regulatory teeth to solve this problem. The state lacks all three.
“When you help an adult with a young kid, and the adult graduates from high school, the kid is going to graduate from high school, you can almost guarantee it,” says Mary Beth Folia, program director of Literacy Link-Leamos.

The tiny nonprofit operates out of the Silver City Public Library, about eight miles west of where Flores lives. The program was her salvation, she says.

To master the math skills for the equivalency test, Flores, now 40, spent one or two days a week for two years with a Literacy Link volunteer tutor. One of dozens of adult literacy programs around the state, Literacy Link offers free and confidential one-on-one tutoring in a wide variety of skills, from English language to computer literacy. One volunteer makes regular visits to the Grant County Detention Center to videotape inmates reading a children’s book, for example, then brings the video to their kids—offering them the same book to read, free, so they can follow along with their parent.

The emotional benefits are unmistakable, Folia says. “You see these big, strong guys in jail, reading Guess How Much I Love You to their kids and apologizing for what they’ve done. And the kids are so thrilled to see their dad!”

Adult ed is one the most effective tools to break the cycle of family poverty, helping children and parents achieve better jobs, wages, health and well-being, while also boosting the economy, potentially by billions of dollars, according to a 2014 evaluation by the Legislative Finance Committee (LFC).

It helps the under-educated escape welfare, lowers incarceration rates and even improves voting rates and civic participation, other studies have shown.

Extensive research describes both the daunting extent of the problems and the huge upside if they’re solved. Consider:

- If New Mexico increased its four-year graduation rate by 10 percent—just an additional 2,600 students annually—the state would receive an estimated $700 million in net benefits to taxpayers, society, and the students over their lifetimes, according to a 2014 cost-benefit analysis from the LFC.

- Adults who aren’t proficient in English or have a high school education or less are at least two times more likely to be unemployed, three times more likely to be in poverty, four times more likely to be in poor health, and eight times more likely to be incarcerated, according to COABE.

- The children of low-literate parents are exposed to 30 fewer words and anter kindergarten with a much larger skills gap than their peers.

- The average high school dropout, over a lifetime, costs the economy approximately $60,000. That’s due to lower tax contributions, increased poverty-related health problems, higher reliance on Medicaid, Medicare and welfare, and higher rates of criminal justice system involvement, the U.S. Department of Education found.

- The average high school graduate generates a positive lifetime net fiscal contribution of $287,000, a bachelor’s degree yields $793,000, and a master’s degree or doctoral degree contributes $1.1 million, according to Northeastern University’s Center for Labor Market Studies.

New Mexico High School Dropout Becomes Education Advocate

BY SETH SAAVEDRA

HALFWAY THROUGH MY SENIOR YEAR of high school, I found I didn’t have enough credits to graduate on time. Between boredom and an hour-long bus ride each morning, I had missed so many classes that I’d earned Fs in U.S. Government and World History. I even had too many absences to pass P.E.—an irony for me, the lifelong athlete.

I was in the honors track and had a nearly perfect ACT score, yet I was painfully uninterested in academics. In fact, I thought Harper Lee’s classic novel was called “Tequila Mack- ingbird” until I read it in college.

I knew I couldn’t make up all those missed credits, and soon, I stopped attending classes altogether. This is how I ended up dropping out of high school in 1999.

In many ways, it was an unremarkable thing to do. Both of my parents had dropped out of school—my father, just like me, from Del Norte High School in Albuquerque. When they learned I’d be following in their footsteps, they were of course disappointed. But they were also pragmatic, reminding me that it didn’t have to define my life.

Married young, they both worked many jobs to support their five children, making ends meet with help from Section 8 housing and food stamps. Their own parents had also had children at a young age and never went to college. This was the era when families could get by on a single income, with a high school diploma or less.

Some call this the cycle of poverty or generational trauma. Whatever the label, it’s a very real phenomenon across New Mexico and a central question was how a state must answer. How do we disrupt these generational patterns and—most pressing to me—what roles do schools and education play in that intersection?

A version of this question runs in my head every day. What am I doing to break this cycle? It’s the question that brought me to education in the first place, and it’s the one that absorbed me for more than a decade.

‘A WHOLE NEW WORLD’ OPENS

After dropping out, I followed my parents’ path: I got my GED from Youth Development Inc. in Albuquerque. I worked two or three jobs at a time, paid my bills, lived hand-to-mouth. This is the razor-thin existence for many without a high school diploma or college degree. One week of being sick leads to missed rent, which leads to eviction . . . and so on. It’s a fraught way of life.

One day, after working a double shift at Saagil Street restaurant in Albuquerque, I knew I couldn’t live like that for ever. I saw how low my ceiling was and felt suffocated. The shame of not having a high school diploma was a constant reminder of opportunities unavailable.

On a whim, I walked over to the Technical Vocational Institute, enrolled for about $200, and picked what I thought was the most college-sounding class I could find: “Philosophy: Logic and Critical Thinking.”

That semester, I was a mind on fire. The course was a revelation, and at the end of it my professor, Dr. John Havens, said, “Philosophy is the most college-sounding class I could find.”

His influence was subtle but invaluable. Someone with a collection of college degrees was telling me I should go to college—and helped show me the way there! I doubt he has any idea the influence he had on my life. But I’m forever grateful.

UNM opened a whole new world to me and I grabbed every opportunity I could. I joined a fraternity for a semester, which was not my cup of tea. I worked in the Economics lab. I triple-majored in English, Philosophy, and Economics. I grad- uated magna cum laude.

I found myself overlapping with my mother, who had also caught the college bug. Without realizing it, we were setting new patterns and creating a family legacy.

In the 20 years since leaving Del Norte High School, I’ve learned that dropout stories like mine are commonplace. Attending and finishing college are rarely part of the story.

And I’ve gained an appreciation for the complexities behind the reasons why. Far too many of our schools reinforce the historic and systemic biases we see throughout the country. They are places where students learn they can’t or aren’t supposed to reach high.

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The best schools tell a different story: they inspire self-confi- dence instead of self-doubt. With so many New Mexico students coming from backgrounds similar to my own, we must redefine what we think is possible and never waver from those high expectations.

Far too many of our schools reinforce the historic and systemic biases we see throughout the country. They are places where students learn they can’t or aren’t supposed to reach high.
Good Education Leads to a Strong Economy

BY SARA SOLOVITCH

OVER THE LAST TWO DECADES, New Mexico has turned its pockets inside out to keep old businesses from leaving and attract new ones to open their doors.

It cut the capital gains tax, letting corporate interests retain more of their profits. It slashed the personal income tax for top earners by almost half, allowing the wealthy to hold onto more of their earnings. It chipped away at the gross receipts tax, so consumers could save money on their purchases.

And every year it gave away more than $250 million in incentives, rebates, grants and loans—all with the intent of luring new business to the state and growing the economy.

But when it came to return on investment—be it in New Mexico or anywhere else—many economists maintain there’s a different kind of start-up, one that has a much surer payoff kids.

“Think of a firm coming into New Mexico,” said James Peach, a New Mexico State University economist with an interest in workforce readiness. “They want good schools for the kids of their employees. They also want good schools because good schools eventually produce good workers. It’s not all about the tax rates.”

There is emerging consensus that economic development and early childhood education go hand in hand. And nowhere is the relationship between child and economic well-being more apparent than here in New Mexico, where poverty and a troubled education system lie at the heart of economic morass.

“If you ask me what relevance an underperforming education system has on our economic development and ability to attract and grow companies, the answer is everything,” said Terri Cole, president of the Greater Albuquerque Chamber of Commerce.

Ask local business leaders about the effect of child poverty on the state economy and the response, almost invariably, is: “Have you heard of James Heckman?”

The reference is to the Nobel laureate economist at the University of Chicago, whose research over the past 30 years has zeroed in on the link between early childhood development and economic well-being.

“Character development. Those are the skills employers are looking for.”

Heckman is a bottom-line reality, and business leaders around the state are aware of it. Yet despite their awareness, the growth of childhood initiatives has continued to lag. In New Mexico, it has taken a particular toll on workforce readiness.

“The thing we constantly hear as we travel around the state is about the soft skills,” said Jason Espinoza, president of the Association of Commerce and Industry, a statewide advocacy group that represents 250 small and large businesses. “Teamwork. Showing up on time. Communication skills. Advocacy. Those are the skills employers are looking for.”

The Heckman Equation has been corroborated many times, most recently by the Center for American Progress, a nonpartisan policy institute based in Washington, D.C. In 2017, it reported the U.S. would see a net benefit of $83.3 billion for every year of high-quality preschool for 4-year-olds. Some studies have found a $17 return on every dollar invested.

Studies in New Mexico have found a $4.60 return on investment for every dollar invested in preschool education. The return is significantly less than the national figure due to a lack of full-day, high-quality programs in the state.

Many of the benefits accrue to the education system itself, with reductions to special education and children being held back a grade. New Mexico has one of the highest rates of grade retention in the country, and research has shown that being held back can negatively impact a child’s self-esteem. At a cost of $5,000 per child, it is also expensive for the state, according to a report by the Legislative Finance Committee.

Most of the monetary benefits can’t be measured in a year’s time. The rates of return for longitudinal early childhood education studies compare favorably with the U.S. stock market, according to a 2006 report.

“We know of the positive return on investment to such programs yet we haven’t invested at the necessary rate to support children and families and our state’s economic vitality,” said Claire Durley Chavez, executive vice president for policy and stakeholder engagement for the New Mexico Early Childhood Development Partnership.

It is a bottom-line reality, and business leaders around the U.S. are well aware of it. Yet despite their awareness, the growth of childhood initiatives has continued to lag. In New Mexico, where poverty and a troubled education system lie at the heart of economic morass, the return is significantly less than the national figure due to a lack of full-day, high-quality programs in the state.

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by health, income, IQ, schooling and crime. The mothers’ incomes increased as well, since they were able to depend on high-quality childcare after they returned to work.

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Studies in New Mexico have found a $4.60 return on investment for every dollar invested in preschool education. The return is significantly less than the national figure due to a lack of full-day, high-quality programs in the state.

Many of the benefits accrue to the education system itself, with reductions to special education and children being held back a grade. New Mexico has one of the highest rates of grade retention in the country, and research has shown that being held back can negatively impact a child’s self-esteem. At a cost of $5,000 per child, it is also expensive for the state, according to a report by the Legislative Finance Committee.

Most of the monetary benefits can’t be measured in a year’s time. The rates of return for longitudinal early childhood education studies compare favorably with the U.S. stock market, according to a 2006 report.

“We know of the positive return on investment to such programs yet we haven’t invested at the necessary rate to support children and families and our state’s economic vitality,” said Claire Durley Chavez, executive vice president for policy and stakeholder engagement for the New Mexico Early Childhood Development Partnership.

I think folks are interested in talking about it as long as it doesn’t involve a tax,” she said. “Anything that even smells like a tax.”

The tax cuts initiated by Gov. Bill Richardson have effectively stripped the state of its ability to provide education and other services to the people of New Mexico.

“Those tax cuts profoundly impacted the state’s ability to pay for its own services that residents need—and in a lasting way,” said Kelly O’Donnell, who served as director of state tax policy under Richardson in 2003-'04. In that role, she oversaw many of that administration’s tax rollbacks—decisions she today regards as ill advised.

“Even if the economy took off, we still couldn’t do what we need to do,” O’Donnell, now a research economist at University of New Mexico. “We’re seeing the consequences of that playing out.”

Most of the monetary benefits can’t be measured in a year’s time. The rates of return for longitudinal early childhood education studies compare favorably with the U.S. stock market, according to a 2006 report.
Lack of Opportunity Leads to Exodus of Best and Brightest

BY AMY LINN

**BETWEEN 2011 AND 2016**, New Mexico experienced an alarming brain drain as an estimated 42,000 more people left the state than entered it.

Most of those who left New Mexico in search of new jobs and homes were college-educated, including 17,000 people with a bachelor’s degree, economists say. The loss of talent represented one of the highest rates of “out-migration” anywhere in the country, according to labor and census statistics.

“The data clearly indicate that out-migration is occurring at a disproportionate rate in better-educated younger adults and people with bachelor’s degrees,” says Jeff Mitchell, director of UNM’s Bureau of Business and Economic Research.

No state can afford to lose high-quality, educated workers, the key ingredient for a thriving economy. Impoverished New Mexico can afford to lose them least of all. But state officials say there is no telling when the out flow will end.

“We’ve already seen five or six years of this story,” says Mitchell, who identifies it as a clear sign that New Mexico has entered perilous and uncharted territory. “The single biggest problem is that people think they’re going to find a quick solution. But successes won’t play out in the two to four years after the economic incentives are in place.”

In New Mexico, meanwhile, the dial is moving backward. For the first time in state history, the older generation is better educated than the younger generation; the New Mexico Higher Education Department reported in 2013. When a state starts losing its qualified workforce, economic contract, unemployment rises and more people join the out-migration. It is a vicious circle.

In 2018, New Mexico dropped to 50th—dead last—in the Annie E. Casey Foundation child well-being rankings. For decades, New Mexico has had one of the nation’s highest rates of childhood poverty, high school dropouts, substance abuse and teen suicide.

“Child well-being is a major issue, of course,” he says. But communities can still be good candidates if they’re aggressively tackling the problem.

“In the end, the executives are going to be living in these places,” Rasmussen says. “‘Can I see myself living here? My employees living here? Can I see my kids going to these schools? That’s what they’ll be asking themselves’

In New Mexico, only 71 percent of high school students graduated on time, the nation’s second worst rate. The rate of bachelor’s degrees for 25- to 34-year-olds—22 percent—is also the second-lowest, according to the U.S. Census. In No 1 Massachusetts, the rate is 51 percent.

WHERE THE JOBS ARE — AND AREN’T

For corporate consultant Doug Rasmussen, site selection is a no-stones-unturned process that begins with a demographic study and expands to modeling, analytics and examining hundreds of data points.

Rasmussen travels to cities, looks at schools, and examines local and state government. He analyzes taxes, legal codes, environment, regulations, utility costs, bond ratings, infrastructure, mass transit, airport schedules, real estate and labor costs, cell towers and broadband, building sizes and economic incentives.

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SCHOOL BELL TOLLS IN LANDMARK DECISION

Years of Frustration Lie Behind Landmark School Lawsuit
FOR WILHELMINA YAZZIE, joining the lawsuit against New Mexico wasn’t an easy thing to do. It was the only thing to do.

The Navajo mother of three says she’s no different from the dozens of other parents who were party to Yazzie v. New Mexico, which declared the state’s public education system unconstitutional. By most accounts, she is no different from tens of thousands of New Mexico parents in general.

“I want the same things that every parent wants for their children,” the 20-year-old legal administrator said.

Yazzie lives in Gallup, on the edge of the Navajo Nation, where schools in the Gallup-McKinley district lack everything from funding and qualified teachers to counselors, tutors, social workers and computers. They are waning in advanced placement classes, fail flat in after-school programs, and in the main, fail to offer the language and culture programs, summer school, or other services that help children succeed.

“All we’ve heard is ‘Sorry we can’t do that or sorry we don’t have that or sorry we can’t give that to your children,’” she said. Those sentiments are front and center in what is being called one of the most significant education lawsuits in New Mexico history, a case filed in March 2014 and concluded July 20 in a blistering 54-page ruling from First Judicial District Judge Sarah Singleton. The judge declared the state’s public education system a “dismal failure” that violates students’ rights under the constitution to a sufficient education.

This suit is part of a decades-long national trend that’s seen coalitions of parents, children and school districts challenge their states’ public school systems. These cases argue that funds are distributed in arbitrary and inequitable ways, leaving at-risk students without the basic education they need to go to college, pursue careers, contribute to society, and succeed in the modern world.

School finance litigation has unfolded in more than 17 states in the past decade, where plaintiffs include low-income students, those who aren’t fluent in English and others who are at risk of academic failure. In New Mexico, at-risk children include Native Americans, English language learners, Hispanic-Latino students and students who have disabilities.

Pursuing equality in court has its cost: New Mexico has already dedicated more than $4 million in legal fees to defend itself in the Yazzie lawsuit and in a second school-funding suit filed a month later. That amount of money is enough to cover the salaries of 93 teachers for a year, at the current average of $47,000 annually.

The New Mexico Center on Law and Poverty (NMCLP), the legal advocacy group that represented the Yazzie plaintiffs, seconds that opinion. In this run-up to filing the lawsuit, the Albuquerque-based nonprofit gathered substantial evidence from parents, advocates, experts and educators that New Mexico’s method of allocating funds to schools violated the “education clause” of the state constitution as well as state statutes.

The plaintiffs’ argument was fortified and expanded when the Los Angeles-based Mexican American Legal Defense and Education Fund (MALDEF) filed a second spending suit, in April 2014. Martinez v. New Mexico, brought on behalf of more than 50 plaintiffs, argued that New Mexico’s K-12 system not only violated the constitution’s education clause, but also violated the state’s Indian Education Act, its Bilingual Multicultural Education Act and its guarantees of equality for bilingual Spanish speakers and children of Spanish descent.

The two cases were consolidated, forming a single suit with plaintiffs from nearly all corners of the state, including 13 school districts.

“The state of New Mexico is failing its public school students and has failed them for so long that there now exists an entire generation of children in this state who do not possess the basic capabilities to meaningfully function in modern society,” the plaintiffs argued.

Singleton agreed, ruling that the state “is responsible for assuring that students receive an adequate education.”

The decision is personal validation for Yazzie, whose mother was a college graduate and a school teacher on the Navajo Nation for more than 30 years. Yazzie herself graduated from the University of New Mexico and recently passed the Navajo Nation Bar Exam. She recalled how during her own school days she lugged home textbooks from Smith Lake Elementary School that essentially described Native Americans as savages. Some of her teachers sang the praises of Christopher Columbus. The school never had enough teachers, counselors, computers, classrooms or even school buses.

But at least it had books.

One year, her son Xavier’s school, Jefferson Elementary, didn’t even have enough money to buy basic supplies.

“His teacher asked parents to bring in old socks to clean the dry-erase boards,” Yazzie recalled.

At John F. Kennedy Middle School she was even more alarmed by what she saw. More accurately, what alarmed her was what she didn’t see: textbooks. Xavier didn’t bring his books home to study. The school didn’t allow it. There weren’t enough textbooks to go around, his teachers told her.

A SCHOOL SYSTEM THAT LACKS SOMETHING AS CENTRAL TO EDUCATION AS SCHOOLBOOKS?

THE THOUGHT CAN’T HELP BUT RANKLE HER.
NEW MEXICO’S PUBLIC SCHOOLS welcomed the state’s 320,000 students back from summer break to buildings characterized by missing fire alarms, nonexistent sprinkler systems, defective emergency doors and leaking roofs.

Problems with school “systems”—which include everything from broken furnaces to mildewed carpets and shredded electrical wires—are rampant, according to a Searchlight New Mexico analysis of data collected by the state agency charged with awarding money to help keep the public schools running.

Searchlight reviewed records of 18,000 separate systems in 700 schools across the state and found:

- Four out of five have reached or surpassed their recommended lifespan.
- Twenty-two percent are on the edge of system failure.
- Nearly 150 schools are operating despite systems that have been judged to pose a risk to life, safety or health.

The state’s data flag concerns that range from chipping asbestos tiles to dead pigeons in HVAC systems.

In March 2018, inspectors with the state’s Public School Facilities Authority (PSFA) found six sets of exterior doors at Newcomb High School in San Juan County that were hard to open, posing a safety hazard in the event of a fire or other emergency.

In February, “very strong raw sewage odors” in two rooms alarmed officials of Gadsden Middle School in Anthony; inspectors attributed the odors to structural errors made during a 2009 renovation.

In January, inspectors from PSFA came to Española Valley High School’s gym and found electrical panels with tape covering breakers and an attached sign that read “Do not touch. Ever.”

All systems are consequential in a structure that houses young people for a third of every weekday.

Researchers have found that poorly ventilated classrooms increase the chances of illness and lead to lower-attendance rates for students and teachers. Ill-maintained school facilities are associated with truancy and suspensions, while decent lighting and acoustics have been widely linked to healthy attention spans and better memory.

Searchlight sought comment on this article from superintendents of 15 school districts around the state, as well as the PSFA, the agency charged with helping districts assess and maintain their facilities. Only two districts responded, despite multiple phone messages and emails to the others.

Bobbie Gutierrez, superintendent of Española Public Schools, decried the problems of the high school in her district—with its dilapidated electrical panels, broken lights, decrepit floor tiles and toilets that don’t flush.

But New Mexico has come a long way in improving schools, according to David Abbey, director of the state Legislative Finance Committee and chairman of the Public Schools Capital Outlay Council (PSCOC), which governs the facilities authority. He pointed to nearly two decades of state investment in renovating school buildings—the result of a lawsuit alleging inequities in capital funding—totaling $2.5 billion since 2005.

“We’re a model for the nation in how to manage our school infrastructure in an equitable way and complying with the constitutional requirements for adequacy,” Abbey said. “Most kids are in safe, modern buildings, and the exceptions, we’re working on.”
For their jobs—said they felt misled by recruiters and didn’t understand the extent of the debt they were getting themselves into until they were here a year or more. 

Among the cases Searchlight documented:

- A science teacher in Hobbs signed over 25 percent of her first-year $44,000 salary to Texas-based recruiter Gina Chiang of International Expert Resources (IER). He lives in a house with three other Filipino teachers, including one who brought his wife and two kids. “We are emotionally drained,” he said. “We are financially drained.”

- A special ed math teacher in Clovis arrived from India at the start of the 2017 school year. “The one thing I am missing is transportation,” he said. A medical issue over the summer set him back and he still isn’t able to afford a car. He agreed to pay 15 percent of his roughly $55,000 salary—about $8,250—to Presidio Teach every year for three years.

- A Hobbs math teacher paid $3,000 in fees to a placement agency in the Philippines and Chiang of IER. She also agreed to pay Chiang an additional $9,000 in “program costs” upon her arrival in New Mexico in 2017. “When you get here, you realize something is wrong,” the teacher said. She had assumed her fees would cover the basics: airport pickup, temporary accommodations and help finding permanent housing. They didn’t.

- A Rosswell math teacher owes $15,000—due in monthly installments—to her recruiter, Janice Bickert of Total Teaching Solutions International (TTSI), based in Ruidoso. This is despite the fact that the teacher handled most of the logistics on her own, she says. TTSI helped secure the J-1 visa sponsor. “From what I have heard, some firms do right by the teachers, and some firms are totally exploiting these people,” said Ellen Bernstein, president of the Albuquerque Teachers Federation.

- Dan Ewert of Cultural Vistas, an official U.S. State Department sponsor of J-1 “cultural exchange” visas, said no regulations prohibit recruiting fees. But, he added, “we have found there has been a lack of clarity on whether the teachers knew what they were getting into.”

Across the U.S., 2,876 J-1 visas were issued to teachers in 2017, up 140 percent since 2010. In New Mexico, the State Department issued 166 J-1 visas to teachers between 2015 and 2017, compared to 70 in the prior three years.

The J-1 visa lasts three years and may be extended an additional two years. Unlike the H-1B guest worker program—capped by foreign workers because it lasts six years, must be paid by the employer and is regarded as a stepping stone to U.S. residency—the J-1 is temporary, paid by the teacher and cannot be easily parlayed into permanent residency.

Recruiters say they are paid to handle a complicated international exchange program. Recruiter Chiang said: “We do a lot. Initially, we have to recruit the teacher into the program. Get their credential, their interview. Then the flight arrangement and housing, and we have to work with the school. We have to help with official documents. Pretty much the whole time they are in the J-1 program we have to guide them.”

Some job recruiters demand their fees in monthly installments while others ask for thousands of dollars at the outset. Either way, the teachers typically borrow at high interest rates to pay upfront costs. In New Mexico, they often don’t know their salary level until they get here.

Foreign teachers like Mangilit say this risky business is worth their while. New Mexico teacher salaries—which start at $36,180 and rank near the bottom in the nation—appear astronomical to Filipino teachers accustomed to earning $410 to $985 a month at home.

“The United States is the crown jewel for teachers coming here,” said Colin Taylor, a former superintendent in eastern New Mexico who founded Presidio Teach, a recruitment agency that has placed dozens of New Mexico teachers.
Three-fourths of fourth- and eighth-graders are not proficient in reading.

“This is a time when we could see a big system change,” says Jenny Parks, director of the Los Alamos National Laboratory Foundation, which invests in education in Northern New Mexico.

The state spends about 44 percent of its overall budget on K-12 schools, $2.8 billion for Fiscal Year 2018. Schools here are not funded by local property taxes, but by state dollars. The money is distributed to the 89 school districts according to a complicated formula called the State Equalization Grant.

This system, established in the 1970s, was designed to avoid resource inequalities in resources between poor and rich neighborhoods. It was intended to lead to “all boats rising,” according to Daniel Yohalem, who helped push for the reform as a civil rights attorney in the 1970s. “But rather than all boats rising, what we ended up with was all boats sinking.” (Full disclosure: Yohalem is a member of Searchlight’s board of directors.)

The high school graduation rate, 71 percent, is the lowest in the nation.

He and other advocates variously blame tax cuts, a long recession, institutional racism, lack of political will and even a cynical belief that nothing ever changes in New Mexico. Whatever the reason, the upshot has resulted in standardized schools, said San. Majority Whip HM Stewart, D-Albuquerque.

Lawmakers commissioned a comprehensive study in 2007 that estimated the state was underfunding education by $360 million. By 2015, the plan’s author estimated the figure had grown to $560 million.

The state is ranked 50th for child well-being, according to the Annie E. Casey Foundation.

The cuts were so deep some lawmakers likened them to “amputations.”

“And now we’re in this astonishing place where we are looking at a revenue projection unlike anything I’ve seen in my 15 years in the legislature,” Wirth said.

The volatility of the energy market makes it difficult to rely on the oil and gas industry to fund education programs that require continuing revenue. While energy experts predict the boom will last for at least the next few years, Wirth said he would be “cautious” about using oil and gas money to pay for recurring programs.

“We’ve been on this rollercoaster. It’s nice when you’re going up, but we know what it’s like when you’re screaming straight down,” he said. “Using windfalls to pay for recurring programs is a recipe for disaster.”

Which begs the question: How will the legislature pay for an ambitious overhaul of education that will both improve student achievement and satisfy the court?

“I’ve read the state constitution and I don’t see an escape clause that says you don’t have to fund education adequately in bad oil and gas years,” said Tom Sullivan, a retired superintendent of the Edgewood-Moriarty schools and one of the plaintiffs in the lawsuit.}

BY BARBARA FERRY

WHAT WILL IT TAKE FOR LAWMAKERS TO PASS LAWS AND BUDGETS THAT IMPROVE CHILD WELL-BEING IN NEW MEXICO?

Positive change may be on the way, according to observers. All it took was a glut of oil money and a court order to fix the schools.

Going into this session, the legislature is facing both, along with a new governor. The combination of forces has lawmakers and activists feeling optimistic for positive change.

House Speaker Brian Egolf (D-Santa Fe) says conditions have created “an historic opportunity” to advance child well-being, according to the Annie E. Casey Foundation.

The state is ranked 50th for child well-being, according to the Annie E. Casey Foundation:

SHOW ME THE MONEY

Just two years ago, lawmakers were sweeping money from every corner to come up with a balanced budget, said San. Majority Leader Peter Wirth, D-Santa Fe.

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