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HOUSE BILL 191

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

John A. Heaton

AN ACT

RELATING TO EDUCATION; CREATING THE OFFICE OF EARLY EDUCATION
IN THE STATE DEPARTMENT OF PUBLIC EDUCATION; PROVIDING DUTIES;
TRANSFERRING APPROPRIATIONS AND PROPERTY OF THE OFFICE OF CHILD
DEVELOPMENT IN THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT TO
THE OFFICE OF EARLY EDUCATION; REPEALING SECTIONS 32A-16-1
THROUGH 32A-16-4 NMSA 1978 (BEING LAWS 1989, CHAPTER 290,
SECTIONS 1 THROUGH 4, AS AMENDED); MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public School Code is
enacted to read:

"[NEW MATERIAL] OFFICE OF EARLY EDUCATION CREATED--
DUTIES.--The "office of early education" is created in the
department of education. The office shall:

- A. develop and recommend to the state board

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1 certification and licensure requirements for persons, required
2 by law to be certified or licensed, who work in early education
3 programs for children through third grade;

4 B. develop and recommend to the state board
5 licensure requirements that are based on the age of the
6 children served, for nonpublic school personnel, the training
7 facility used and the programs in which nonpublic school
8 employees are employed;

9 C. provide leadership to prioritize, link,
10 coordinate, integrate and consolidate early education programs
11 to maximize the effectiveness and efficiency of resources,
12 eliminate duplication, improve quality and provide all New
13 Mexico children with equitable access to a seamless continuum
14 of quality early education programs;

15 D. work with relevant federal and state agencies
16 responsible for early education programs to establish
17 interrelated rules and overarching systems of accountability;

18 E. develop and propose to the state board program
19 criteria for state-funded early education;

20 F. recommend rule changes, policies and legislation
21 that support the integration of early education programs;

22 G. ensure the coordination and effectiveness of
23 training and technical assistance for early education programs,
24 including the management of quality set-aside childcare
25 funding;

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1 H. establish criteria and administer a
2 comprehensive scholarship and compensation initiative for early
3 education program personnel and new faculty scholarships;

4 I. establish and maintain data and information
5 regarding all aspects of the early education system;

6 J. administer the head start collaboration project;

7 K. develop a strategic plan to ensure equal access
8 to quality early education programs for three- and four-year-
9 old children in New Mexico;

10 L. work with the department of health to develop
11 levels of licensure for nonpublic school personnel serving
12 children, from birth through two years of age, who are
13 developmentally delayed or at risk for developmental delay;

14 M. develop and recommend to the state board program
15 criteria for state-funded preschool programs serving children
16 from birth to five years of age, provided the criteria shall
17 not apply to programs serving children, from birth through two
18 years of age, who are developmentally delayed or at risk for
19 developmental delay, and programs serving children, from three
20 through five years of age, who are developmentally disabled;
21 and

22 N. work with other state agencies to monitor the
23 implementation of state-funded preschool program criteria. "

24 Section 2. Section 22-8-19.1 NMSA 1978 (being Laws 1992,
25 Chapter 83, Section 1, as amended) is amended to read:

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1 "22-8-19.1. PRESCHOOL PROGRAMS--SELECTED DISTRICTS. --

2 A. The [~~children, youth and families~~] department
3 shall fund preschool programs for zero- to five-year-old
4 children in selected school districts. The [~~children, youth
5 and families~~] department, through the office of [~~child
6 development~~] early education, shall distribute any
7 appropriation for this purpose to local entities upon [~~approval
8 by the children, youth and families department of an~~]
9 application from an individual school district or community-
10 based early childhood education program. The preschool
11 programs shall collaborate, where possible, with existing
12 headstart programs or with other appropriate early childhood
13 education programs in the community, and the preschool programs
14 shall use one of the following three models:

- 15 (1) a community-based early childhood
16 education program;
- 17 (2) a school-based early childhood education
18 program; or
- 19 (3) a home-based early childhood education
20 program.

21 B. School districts may choose to contract with
22 licensed community-based early childhood education programs
23 already in existence. School-based early childhood education
24 programs may be housed in a school accredited by the department
25 [~~of education~~]. A home-based early childhood education program

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1 may include a parents-as-teachers program, which supports
2 parents in meeting the developmental learning and social growth
3 needs of their young children.

4 C. Each preschool program shall have a strong
5 parental involvement component, a staff development component
6 and a procedural process to enable the office of [~~child~~
7 ~~development~~] early education to monitor and evaluate the
8 program. The curriculum for each program shall comprehensively
9 address the total developmental needs of the child, including
10 physical, cognitive, social and emotional needs, and shall
11 include aspects of health care, nutrition, safety, the needs of
12 the family and multicultural sensitivity, in coordination with
13 other resources for families."

14 Section 3. TEMPORARY PROVISION--TRANSFER OF PERSONNEL,
15 PROPERTY, CONTRACTS AND REFERENCES IN LAW.--On July 1, 2003:

16 A. all functions, personnel, appropriations, money,
17 records, equipment, supplies and other property of the office
18 of child development of the children, youth and families
19 department are transferred to the office of early education of
20 the state department of public education;

21 B. all contracts of the office of child development
22 shall be binding and effective on the office of early
23 education; and

24 C. all references in law to the office of child
25 development shall be deemed to be references to the office of

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1 early education.

2 Section 4. APPROPRIATION. -- Five hundred thousand dollars
3 (\$500,000) is appropriated from the general fund to the state
4 department of public education for expenditure in fiscal year
5 2004 to establish the office of early education. Any
6 unexpended or unencumbered balance remaining at the end of
7 fiscal year 2004 shall revert to the general fund.

8 Section 5. REPEAL. -- Sections 32A-16-1 through 32A-16-4
9 NMSA 1978 (being Laws 1989, Chapter 290, Sections 1 through 4,
10 as amended) are repealed.