

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** SB 448

**50th Legislature, 1st Session, 2011**

**Tracking Number:** .184646.1

**Short Title:** Child Care or Pre-K Program Requirements

**Sponsor(s):** Senators Linda M. Lopez and Sue Wilson Beffort

**Analyst:** Craig J. Johnson

**Date:** February 24, 2011

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**Bill Summary:**

Senate Bill 448 specifies that the Children, Youth and Families Department (CYFD) not require a bachelor's degree for any person owning or employed by a licensed child-care program or private pre-kindergarten.

**Fiscal Impact:**

SB 448 does not contain an appropriation.

**Substantive Issues:**

SB 448 removes the requirement for owners and caregivers at licensed child-care or private pre-kindergarten programs to possess a bachelor's degree.

The bill analysis from CYFD notes the following:

- The department would not be able to distribute funding to licensed child-care or private pre-kindergarten programs from sources that have a bachelor's degree requirement as part of the funding or staffing requirements.
- The bill would make child-care programs ineligible for NM PreK funds. Other non-public and governmental agencies would maintain their eligibility and be able to apply for and operate PreK programs, such as community action programs, institutions of higher education, head start agencies, United Way agencies, cities and counties.
- The bill would make child-care programs ineligible for any funding from a funding source that requires a bachelor's degree.
- This bill would result in different degree requirements for NM PreK programs operated under the auspices of the CYFD from those operated under the auspices of the Public Education Department. Historically the program standards have been the same for this jointly administered program.

**Background:**

The CYFD website contained the following description of the star level of licensure program: “Early Childhood Services encourages child care programs to meet higher levels of quality through the Look for the STARS Quality Rating System. This system contains five levels – the higher the Star level, the higher the level of quality. The level of quality is indicated on each program’s license with one, two, three, four or five stars; one star indicates that the program meets basic licensing requirements and five stars indicate that the program has received national accreditation. Licensing surveyors work closely with Early Childhood Training and Technical Assistance Programs who rate the quality of licensed child care programs.”

**Related Bills:**

None as of February 24, 2011