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HOUSE BILL 73

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Mimi Stewart

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING EARLY ALLOCATION OF K-3 PLUS PILOT PROJECT FUNDS EACH YEAR IF MONEY IS AVAILABLE.

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

**SECTION 1.** Section 22-13-28 NMSA 1978 (being Laws 2007, Chapter 12, Section 1) is amended to read:

"22-13-28. K-3 PLUS--PILOT PROJECT--ELIGIBILITY-- APPLICATION--REPORTING AND EVALUATION.--

A. "K-3 plus" is created as a six-year pilot project that extends the school year for kindergarten through third grade by up to two months for participating students and measures the effect of additional time on literacy, numeracy and social skills development. The purpose of K-3 plus is to demonstrate that increased time in kindergarten and the early grades narrows the achievement gap between disadvantaged

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1 students and other students and increases cognitive skills and  
2 leads to higher test scores for all participants.

3 B. K-3 plus shall be administered by the department  
4 and shall provide the funding for approved full-day  
5 kindergarten and grades one through three to be extended by at  
6 least twenty-five instructional days, beginning up to two  
7 months earlier than other classes.

8 C. K-3 plus shall be conducted in high-poverty  
9 public schools. For the purposes of K-3 plus, "high-poverty  
10 public school" means a public school in which eighty-five  
11 percent or more of the students are eligible for free or  
12 reduced-fee lunch at the time the public school applies for the  
13 program.

14 D. The department shall determine application  
15 requirements and procedures and criteria for evaluating  
16 applications. In evaluating applications for K-3 plus, the  
17 department shall grant priority to those schools with  
18 kindergarten plus programs that have received one or more  
19 satisfactory annual evaluations. An applicant shall  
20 demonstrate that its K-3 plus program will meet all department  
21 standards and employ only qualified teachers and other staff.  
22 The department shall provide additional professional  
23 development for K-3 plus teachers in how young children learn  
24 to read. Teachers and educational assistants shall be paid at  
25 the same rate and under the same terms for K-3 plus as teachers

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1 and educational assistants are paid for regular educational  
2 programs.

3 E. Students participating in K-3 plus shall be  
4 evaluated at the beginning of K-3 plus, and their progress  
5 shall be measured through standardized assessments as follows:

6 (1) in literacy, the dynamic indicator of  
7 basic early literacy skills in kindergarten and in grades one  
8 through three; and

9 (2) in numeracy, in grades three and four.

10 F. The department shall establish reporting and  
11 evaluation requirements for participating schools, including  
12 student and program assessments. The department shall provide  
13 interim and final reports annually to the legislature and the  
14 governor on the efficacy of K-3 plus.

15 G. The department may use up to four percent of any  
16 appropriation made by the legislature for the K-3 plus pilot  
17 project for professional development for participating  
18 educators and department administrative costs.

19 H. If the legislature has made money available  
20 before July 1 of any year, the department shall allocate up to  
21 fifty percent of each school's allocation before June 1 of that  
22 year."