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HOUSE BILL 208

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Mimi Stewart

AN ACT

RELATING TO PUBLIC EDUCATION; MAKING CONSISTENT THE AMOUNT OF
THE UNIT VALUE TO BE USED TO DETERMINE ANNUAL K-3 PLUS PROGRAM
REIMBURSEMENT; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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, as amended) is amended to read:

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

A. The six-year K-3 plus pilot project has
demonstrated that increased time in kindergarten and the early
grades narrows the achievement gap between disadvantaged
students and other students and increases cognitive skills and
leads to higher test scores for all participants.

B. The "K-3 plus" program is created in the

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1 department to provide funding for additional educational time
2 for disadvantaged students in kindergarten through third grade.
3 K-3 plus shall be administered by the department and shall
4 provide the funding for approved full-day kindergarten and
5 grades one through three to be extended by at least twenty-five
6 instructional days, beginning up to two months earlier than the
7 regular school years.

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 percent or
11 more of the students are eligible for free or reduced-fee lunch
12 at the time the public school applies for the program or an
13 elementary school with a D or F grade the previous year.

14 D. The department shall promulgate rules for
15 application requirements and procedures and criteria for
16 evaluating applications. In evaluating applications for K-3
17 plus, the department shall grant priority to those schools with
18 research-based, scientific reading strategies and programs. An
19 applicant shall demonstrate that its K-3 plus program will meet
20 all department standards and employ only qualified teachers and
21 other staff.

22 E. K-3 plus programs shall be funded at no less
23 than thirty percent of the unit value per student based upon
24 the final unit value set by the secretary for the immediately
25 preceding year. Up to two percent of the money received by a

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1 school district shall be used for student recruitment and to
2 ensure regular attendance by K-3 plus students. Funding for
3 individual school programs shall be based on enrollment on the
4 fifteenth day of the program.

5 F. School districts and charter schools that meet
6 the qualifications for K-3 plus funding may submit applications
7 by March 15 for the succeeding fiscal year. The department
8 shall notify all school districts and charter schools by
9 February 1 that applications will be accepted until March 15
10 and that final funding is [~~contingent on~~] based upon the final
11 unit value set by the secretary for the immediately preceding
12 school year. The notification shall include the application
13 and any requirements for supplementary documentation.
14 Applications may be submitted electronically or by mail or
15 other delivery. Schools that are awarded funding for K-3 plus
16 for the next school year shall be notified by April 15 of the
17 calendar year.

18 G. The department shall provide additional
19 professional development for K-3 plus teachers in how young
20 children learn to read. Teachers and educational assistants
21 shall be paid at the same rate and under the same terms for K-3
22 plus as teachers and educational assistants are paid for
23 regular educational programs.

24 H. Students participating in K-3 plus shall be
25 evaluated at the beginning of K-3 plus, and their progress

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1 shall be measured through department-approved summative and
2 formative assessments.

3 I. The department shall establish reporting and
4 evaluation requirements for participating schools, including
5 student and program assessments. The department shall report
6 annually to the legislature and the governor on the efficacy of
7 K-3 plus.

8 J. The department may use up to four percent of any
9 appropriation made by the legislature for K-3 plus for
10 professional development for participating educators and
11 department administrative costs.

12 K. The department shall develop and disseminate
13 information on best practices in the areas of student
14 recruitment, retention and academic success of early learners.

15 L. The secretary shall appoint a "K-3 plus advisory
16 committee" composed of representatives of school districts that
17 participate in K-3 plus and other stakeholders. The advisory
18 committee shall meet twice a year to advise the department on
19 K-3 plus implementation."

20 **SECTION 2. APPROPRIATION.**--Twenty million dollars
21 (\$20,000,000) is appropriated from the general fund to the
22 public education department for expenditure in fiscal year 2015
23 to support implementation of the K-3 plus program. Any
24 unexpended or unencumbered balance remaining at the end of
25 fiscal year 2015 shall not revert to the general fund.

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SECTION 3. EMERGENCY.--It is necessary for the public
peace, health and safety that this act take effect immediately.