

1 SENATE BILL 323

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Bill Tallman

5
6
7
8
9
10 AN ACT

11 RELATING TO PUBLIC SCHOOLS; ALLOWING EARLY ENROLLMENT IN
12 KINDERGARTEN FOR CHILDREN WHO TURN FIVE YEARS OLD BETWEEN
13 SEPTEMBER 1 AND DECEMBER 15; REQUIRING ASSESSMENTS FOR
14 KINDERGARTEN READINESS FOR THOSE CHILDREN.

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 22-13-3.2 NMSA 1978 (being Laws 2000,
18 Chapter 107, Section 3, as amended) is amended to read:

19 "22-13-3.2. FULL-DAY KINDERGARTEN PROGRAMS--EARLY
20 ADMISSION FOR CERTAIN CHILDREN.--

21 A. The [~~state board~~] department shall adopt rules
22 for the development and implementation of child-centered and
23 developmentally appropriate full-day kindergarten programs.
24 Establishment of full-day kindergarten programs shall be
25 voluntary on the part of school districts, and student

.206561.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 participation shall be voluntary on the part of parents.

2 B. The department [~~of education~~] shall require
3 schools with full-day kindergarten programs to conduct age-
4 appropriate assessments to determine the placement of students
5 at instructional level and the effectiveness of child-centered,
6 developmentally appropriate kindergarten.

7 C. The department [~~of education~~] shall monitor
8 full-day kindergarten programs and ensure that they serve the
9 [~~children~~] students most in need based upon indicators in the
10 at-risk index. If the department [~~of education~~] determines
11 that a program is not meeting the benchmarks necessary to
12 ensure the progress of students in the program, the department
13 [~~of education~~] shall notify the school district that failure to
14 meet the benchmarks shall result in the cessation of funding
15 for the following school year. The department [~~of education~~]
16 shall compile the program results submitted by the school
17 districts and make an annual report to the legislative
18 education study committee and the legislature.

19 D. Full-day kindergarten programs shall be phased
20 in over a five-year period as follows with priority given to
21 those school districts that serve [~~children~~] students in
22 schools with the highest proportion of students most in need
23 based upon indicators in the at-risk index or that serve
24 [~~children~~] students by means of grade-level schools that serve
25 an entire school district:

.206561.1

underscored material = new
[bracketed material] = delete

1 (1) effective with the 2000-2001 school year,
2 one-fifth of New Mexico's kindergarten classes may be full day;

3 (2) effective with the 2001-2002 school year,
4 two-fifths of New Mexico's kindergarten classes may be full
5 day;

6 (3) effective with the 2002-2003 school year,
7 three-fifths of New Mexico's kindergarten classes may be full
8 day;

9 (4) effective with the 2003-2004 school year,
10 four-fifths of New Mexico's kindergarten classes may be full
11 day; and

12 (5) effective with the 2004-2005 school year,
13 all of New Mexico's kindergarten classes may be full day.

14 E. School districts shall apply to the department
15 [~~of education~~] to receive funding for full-day kindergarten
16 programs. In granting approval for funding of full-day
17 kindergarten programs, the department [~~of education~~] shall
18 ensure that full-day kindergarten programs are first
19 implemented in schools that have the highest proportion of
20 students most in need based upon the at-risk index and in
21 schools with available classroom space.

22 F. A local school board may adopt a policy to allow
23 children whose birthdays fall between September 1 and December
24 15 to enroll in kindergarten if their skills and maturity level
25 indicate kindergarten readiness. Qualified staff shall

.206561.1

underscoring material = new
~~[bracketed material] = delete~~

1 determine readiness through the assessment of each child's
2 cognitive, social, physical and language development. If the
3 child qualifies for early enrollment, the kindergarten teacher
4 shall conduct a parent conference at the end of six weeks of
5 school to review the student's progress.

6 G. The school district shall select the assessment
7 tool to be used to assess a child's readiness for early
8 enrollment and other procedures necessary to fulfill the intent
9 of the local school board's policy of early enrollment."

10 - 4 -