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SENATE BILL 13

**44TH LEGISLATURE - STATE OF NEW MEXICO - 2ND SPECIAL SESSION, 2000**

INTRODUCED BY

Cynthia Nava

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO EDUCATION; PROVIDING FOR AN EARLY LITERACY PROGRAM IN FIRST GRADE THROUGH THIRD GRADE; REQUIRING ACCOUNTABILITY.

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] EARLY LITERACY PROGRAM.--

A. The department of education, upon approval of an early literacy program for students in first grade through third grade, shall distribute money to those school districts that address program elements established by the department of education, including:

(1) intensive literacy programs through third grade for students not reading at grade level; and

(2) literacy programs before or after school or on weekends.

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1           B. A school district's application to the  
2 department of education for an early literacy program  
3 distribution shall include a family involvement component  
4 that is based on family support principles for each of the  
5 program elements."

6           Section 2. A new section of the Public School Code is  
7 enacted to read:

8           "[NEW MATERIAL] PROGRAM APPROVAL.--

9           A. An approved early literacy program shall  
10 support the educational and developmental needs of students  
11 in first grade through third grade, address cultural  
12 diversity and provide family support.

13           B. In addition to programs already offered  
14 pursuant to Section 22-2-8.3 NMSA 1978, an approved early  
15 literacy program shall consist of a minimum of one hundred  
16 eighty hours of instruction per academic year for students in  
17 first, second and third grades.

18           C. An approved early literacy program shall  
19 demonstrate the following components:

20                   (1) abundant literacy materials appropriate  
21 to the age of the students;

22                   (2) effective instructional techniques that  
23 incorporate the most recent research in the teaching of  
24 reading;

25                   (3) thorough integration of reading and  
writing activities;

                  (4) training for teachers and parents; and

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1 (5) annual pre- and post-program assessments  
2 for students that clearly reveal student outcomes.

3 D. School districts that receive funding shall  
4 evaluate and document the results of the early literacy  
5 program in terms of the number of students and families  
6 served, the services provided and the gains achieved by the  
7 students and report those results to the department of  
8 education."

9 Section 3. A new section of the Public School Code is  
10 enacted to read:

11 "[NEW MATERIAL] DUTIES OF THE DEPARTMENT OF EDUCATION.--

12 A. By July 1, 2000, the department of education  
13 shall develop guidelines for the approval process for early  
14 literacy programs and disseminate those guidelines to all  
15 school districts. The department shall provide technical  
16 assistance in developing proposals and shall define approval  
17 criteria, establish content standards and benchmarks that  
18 ensure students' progress and provide accountability to the  
19 public.

20 B. The department of education shall monitor early  
21 literacy programs and ensure that they serve the children  
22 most in need based upon age-appropriate assessments. If the  
23 department determines that a program is not meeting the  
24 benchmarks necessary to ensure the progress of students in  
25 the program, the department shall notify the school district  
that failure of the program to meet the benchmarks within  
sixty days will result in the cessation of funding for the

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1 program. The department shall compile the program results  
2 submitted by the school districts and make an annual report  
3 to the legislative education study committee."

4 Section 4. Section 22-8-18 NMSA 1978 (being Laws 1974,  
5 Chapter 8, Section 8, as amended) is amended to read:

6 "22-8-18. PROGRAM COST CALCULATION--LOCAL SCHOOL BOARD  
7 RESPONSIBILITY.--

8 A. The total program units for the purpose of  
9 computing the program cost shall be calculated by multiplying  
10 the sum of the program units itemized as Paragraphs (1)  
11 through ~~(4)~~ (5) in this subsection by the ~~instruction~~  
12 instructional staff training and experience index and adding  
13 the program units itemized as Paragraphs ~~(5)~~ (6) through  
14 ~~(8)~~ (9) in this subsection. The itemized program units are  
15 as follows:

- 16 (1) early childhood education;
- 17 (2) early literacy;
- 18 ~~(2)~~ (3) basic education;
- 19 ~~(3)~~ (4) special education, adjusted by  
20 subtracting the units derived from membership in class D  
21 special education programs in private, nonsectarian,  
22 nonprofit training centers;
- 23 ~~(4)~~ (5) bilingual multicultural education;
- 24 ~~(5)~~ (6) size adjustment;
- 25 ~~(6)~~ (7) at-risk program;
- ~~(7)~~ (8) enrollment growth or new district  
adjustment; and

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1                   [~~(8)~~] (9) special education units derived  
2 from membership in class D special education programs in  
3 private, nonsectarian, nonprofit training centers.

4                   B. The total program cost calculated as prescribed  
5 in Subsection A of this section includes the cost of early  
6 childhood, special, bilingual, multicultural and vocational  
7 education and other remedial or enrichment programs. It is  
8 the responsibility of the local school board to determine its  
9 priorities in terms of the needs of the community served by  
10 that board. Funds generated under the Public School Finance  
11 Act are discretionary to local school boards, provided that  
12 the special program needs as enumerated in this section are  
13 met."

14                   Section 5. Section 22-8-19 NMSA 1978 (being Laws 1974,  
15 Chapter 8, Section 9, as amended) is amended to read:

16                   "22-8-19. EARLY CHILDHOOD EDUCATION AND EARLY LITERACY  
17 PROGRAM UNITS.--

18                   A. The number of early childhood education program  
19 units is determined by multiplying the early childhood  
20 education MEM by the cost differential factor 1.44. Early  
21 childhood education students enrolled in half-day  
22 kindergarten programs shall be counted for 0.5 early  
23 childhood MEM. Early childhood education students enrolled  
24 in full-day kindergarten programs shall be counted for 1.0  
25 early childhood education MEM.

                  B. For the purpose of calculating early childhood  
education program units, developmentally disabled three- and

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1 four-year-old students shall be counted in early childhood  
2 education membership. No developmentally disabled three- or  
3 four-year-old student shall be counted for more than 0.5  
4 early childhood education MEM.

5 C. The number of early literacy program units is  
6 determined by multiplying the early literacy program MEM by  
7 the cost differential factor .048."

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