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HOUSE BILL 246

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

John A. Heaton

AN ACT

**RELATING TO PUBLIC SCHOOLS; INCLUDING GRADE-LEVEL SCHOOLS IN
THE PRIORITY FOR FULL-DAY KINDERGARTEN.**

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

**Section 1. Section 22-2-19 NMSA 1978 (being Laws 2000,
Chapter 107, Section 3) is amended to read:**

"22-2-19. FULL-DAY KINDERGARTEN PROGRAMS. --

**A. The state board shall adopt rules for the
development and implementation of child-centered and
developmentally appropriate full-day kindergarten programs.
Establishment of full-day kindergarten programs shall be
voluntary on the part of school districts and student
participation shall be voluntary on the part of parents.**

**B. The department of education shall require
schools with full-day kindergarten programs to conduct age-**

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1 appropriate assessments to determine the placement of students
2 at instructional level and the effectiveness of child-
3 centered, developmentally appropriate kindergarten.

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

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

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

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

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

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

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

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