

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SB 187

50th Legislature, 2nd Session, 2012

Tracking Number: .188166.2SA

Short Title: Eliminate Child Development Office and Board

Sponsor(s): Senator Gay Kernan and Others

Analyst: James Ball

Date: February 3, 2012

Bill Summary:

SB 187 amends existing statute to eliminate the Office of Child Development (OCD) and the Child Development Board (CDB), both of which have been functioning through the Children, Youth and Families Department (CYFD), and the bill places the responsibility for early childhood learning programs directly under the control of the department.

Fiscal Impact:

SB 187 does not contain an appropriation.

Substantive Issues:

CYFD states that SB 187 removes the potential for conflict and/or duplication of duties and responsibilities set forth in the 2011 *Early Childhood Care and Education Act* (ECCEA) and the 1989 statute creating the OCD and the CDB.

According to CYFD, the ECCEA gives CYFD comprehensive responsibility for the establishment of a high-quality coordinated early childhood learning system. This act rendered the OCD and CDB irrelevant, because the scope of work created by the act, is much broader relative to the needs of the early childhood learning system today than the office and board established 13 years ago.

Although SB 187 would mean that CYFD would not be mandated to continue the OCD, the department indicates that it is committed to maintaining the office within the Early Childhood Services Division and expects OCD's role to expand in the years ahead.

In fact, CYFD has recently advertised a new position within OCD to provide oversight of the state funded and federally funded home visitation programs as well as the state-funded Infant Mental Health program. CYFD expects this position will help coordinate early childhood programs across government agencies.

According to the Public Education Department, the bill would streamline the use of funds related to preschool programs for birth to five-year-old children in selected school districts.

Background:

The purpose of the ECCEA is “to establish a comprehensive early childhood care and education system through an aligned continuum of state and private programs, including home visitation, early intervention, child-care, early head start, head start, early childhood special education, family support and pre-kindergarten, and to maintain or establish the infrastructure necessary to support quality in the system’s programs.”

During the 2011 interim, the Legislative Education Study Committee heard a presentation on the implementation of the ECCEA by committee staff and representatives of several parties involved in the implementation: CYFD; the New Mexico Early Childhood Development Partnership; the New Mexico Business Roundtable (NMBR); New Mexico First; the Center for Education Policy Research, University of New Mexico; and the Secretary-designate of Public Education.

This presentation included:

- a review of some of the targeted efforts that led to the legislation;
- an overview of the provisions of the ECCEA, with particular attention to the Early Learning Advisory Council (ELAC);
- an account of an implementation session in April 2011;
- an account of the work of the four implementation teams formed at the implementation session:
 - the Data Systems and Outcomes Team;
 - the School Readiness Team;
 - the Quality Standards Team; and
 - the Funding Strategies Team;
- an account of several community meetings conducted by New Mexico First; and
- a review of data showing the return on investment in early childhood care and education; the locations of existing Head Start, New Mexico PreK, and child-care sites; and the frequent lack of alignment between these locations and the areas of greatest need.

Attached to CYFD, ELAC comprises 15 members, as follows:

- three *ex officio* members:
 - the Secretary of Public Education or designee;
 - the Secretary of CYFD or designee; and
 - the director of the Head Start State Collaboration office within CYFD; and
- twelve other members, most of them appointed by the Governor for staggered four-year terms, no more than five of whom may be from the same political party:
 - one representative from an institution of higher education;
 - one representative of a local educational agency;
 - one representative from a Head Start or Early Head Start organization;
 - two providers of early care and education services, at least one of whom represents a privately owned provider;

- one representative from the state agency responsible for programs under Section 619 or Part C of the federal *Individuals with Disabilities Education Act* (IDEA);
- one representative from the state agency responsible for children's health or mental health care issues;
- two public members with knowledge and experience in early childhood care and education programs; and
- three members of the NMBR appointed by and with terms set by the Board of Directors.

Related Bills:

None as of February 3, 2012.