

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: *SB 81a

52nd Legislature, 2nd Session, 2016

Tracking Number: .202544.3

Short Title: K-5 Plus Pilot Project

Sponsor(s): Senator Sue Wilson Beffort

Analyst: Christina McCorquodale

Date: February 12, 2016 (Revised)

AS AMENDED

Senate Education Committee amendments:

- **remove the appropriation and make corresponding changes to the title of the bill;**
- **decreases the length of time of the pilot project from seven years to four years;**
- **gives priority to public schools that have a current K-3 Plus program;**
- **remove a requirement for all kindergarten through fifth grade students in an applicant school to participate in K-5 Plus pilot project;**
- **remove measurement for social skills; and**
- **remove formative assessments as part of the evaluation process for participating students.**

Original Bill Summary:

SB 81 adds a new section to the *Public School Code* to create a seven-year K-5 Plus pilot project that adds an additional 25 instructional days for all students in grades kindergarten through 5 in 20 schools. The K-5 Plus pilot project will measure the effect of additional instructional time on literacy, numeracy, and social skills development. The purpose of the bill proposes to narrow the achievement gap, prepare elementary students for middle and high school, improve truancy and dropout rates, and increase students' cognitive skills. The bill appropriates \$2.0 million from the General Fund to the Public Education Department (PED) for expenditure in FY17 for first-year implementation.

* The bill includes an emergency clause.

Fiscal Impact (Revised):

The bill appropriates \$2.0 million from the General Fund to PED for expenditure in FY17. Any unexpended or unencumbered balance remaining at the end of FY17 shall revert to the General Fund.

The bill requires the K-5 Plus pilot project to be funded at no less than 30 percent of the final unit value per student established January 31 of the current calendar year. Based on 30 percent of the current final unit value, the estimated cost of the K-5 Plus pilot project is \$1,211.33 per

student, and that will provide for approximately 1,663 students in its first year of implementation.

Deming Public Schools was able to serve 191 fourth graders and 195 fifth graders in the summer of 2015 at a cost of \$200,000, which is approximately \$518.13 per student.

House Appropriations and Finance Committee Substitute for HB 2 & 4, which was adopted by the House, appropriates \$25.7 million for K-3 Plus Program for FY17. Language in the bill states funding for K-3 Plus includes funds to pilot K-3 Plus in fourth and fifth grades in schools that voluntarily implement a school-wide program that extends the school year by a minimum of 25 additional days for students in kindergarten through fifth grade.

At a Glance:

- Mirrored after the K-3 Plus Program, the K-5 Plus pilot project will allow schools to expand the program to fourth and fifth grade and extend the school year by a minimum of 25 additional days.
- Start Smart K-3 Plus Project (Start Smart), a study of New Mexico's K-3 Plus Program concluded when controlling for selection bias, K-3 Plus has clear achievement boosting prospects.

Original Detailed Bill Provisions:

SB 81 requires PED to administer and provide funding through an application process to successful schools that meet the qualifications for the K-5 Plus pilot project that 80 percent or more of the students are eligible for free or reduced-fee lunch or the school has a D or F school grade. The bill requires the school district to agree that all students in kindergarten through fifth grade participate in the pilot project. The bill also requires PED to grant priority to applicants of public schools with research-based, scientific reading strategies and programs.

The bill states that schools already participating in a K-3 Plus Program are also eligible to apply for the K-5 Plus pilot project.

The bill also requires the following:

- schools that are awarded funding must be notified by April 15;
- PED must provide additional professional development on how to teach reading for K-5 Plus teachers, and PED may use up to 4.0 percent of any appropriation made by the Legislature for the K-5 Plus pilot project;
- K-5 Plus students must be evaluated at the beginning of each year and monitored for progress throughout the year using a department-approved summative and formative assessment; and
- PED must report annually to the Legislature and the Governor on the efficacy of the project.

The bill states that rules promulgated by PED for K-3 Plus Program must apply to the K-5 Plus pilot project until new rules can be adopted.

Substantive Issues:

SB 81 indicates that as part of the K-5 Plus Pilot Project, it will measure numeracy, literacy, and “social skills.” PED stated there is not a measure of social skills currently in use in New Mexico schools.

K-5 Plus pilot project requires students to be evaluated at the beginning of the year and end of the year using a PED-approved summative and formative assessment. For K-3 Plus, the PED-approved formative assessment or interim assessment is Dynamic Indicators of Basic Early Literacy Skills (DIBELS Next) but indicates there is not a department-approved formative assessment for fourth and fifth grades, nor is there one that is required. Partnership for Assessment of Readiness for College and Careers (PARCC) is the required summative assessment for students in third through 12th grade.

Deming Public Schools

In the summer of 2014, Deming Public Schools (DPS) extended its K-3 Plus Program to fourth and fifth grades beginning with Columbus Elementary, and DPS expanded the program to all elementary students in the summer of 2015. DPS was able to fund fourth and fifth grade students by leveraging funds through district funds and federal Title I funds.

Research-Based Support for K-3 Plus

Utah State University (USU) received funding through the federal Investing in Innovation Fund (i3) program administered by the US Department of Education (USDE) to evaluate the effectiveness of New Mexico’s K-3 Plus Program. The study is referred to as the Start Smart K-3 Plus Project (Start Smart) and was designed as a randomized controlled trial because comparing students from K-3 Plus-eligible schools with non-K-3 Plus-eligible schools would result in selection bias because those schools have different percentages of English learners (ELs); percentages of free- and reduced-priced lunch (FRL) students; and levels of motivation from parents and students.

Dr. Damon Cann, Project Co-investigator and Statistical Lead for USU summarized three key takeaways from the study: (1) when controlling for selection bias, K-3 Plus has clear achievement boosting prospects; (2) these gains are not maintained through the school year for all students, but appear to be maintained for some students; and (3) continued research and evaluation of the program can help determine whether adjustments to the program can improve effectiveness like maintaining the same teacher through the end of the year and addressing language development.

Background:

History of the K-3 Plus Program

In 2003, K-3 Plus Program originally began as the Kindergarten Plus pilot project, a three-year study program in four schools. The Kindergarten Plus pilot project extended the school year for 40 days with the intent of demonstrating that additional time in kindergarten narrows the achievement gap between disadvantaged students and other students.

In 2006, the program was enacted to serve more school districts with high-poverty schools, defined as having 85 percent or more of the students eligible for free or reduced-free lunch.

In 2007, K-3 Plus was enacted as a six-year pilot project that extends the school year in kindergarten through third grade by at least 25 instructional days, starting up to two months earlier than other classes. K-3 Plus, which is administered by PED, provides additional time on literacy, numeracy, and social skills development for participants, as well as leads to higher test scores for all participants.

In 2012, K-3 Plus program became permanent and among its provisions:

- require PED to grant priority to schools with research-based, scientific reading strategies;
- require that K-3 Plus programs be funded at no less than 30 percent of the unit value per student and that funded school districts use up to 2.0 percent of the money received for student recruitment and to ensure regular attendance by K-3 Plus students; and
- require PED to report annually to the Legislature and the Governor on the efficacy of the project.

Since FY08, \$104.7 million has been appropriated to PED for K-3 Plus summer program as follows:

SUMMER	2007	2008	2009	2010	2011	2012	2013	2014	2015
Amount Appropriated	\$7.2	\$7.2 ¹	\$7.9 ²	\$5.3 ³	\$5.3	\$11	\$16	\$24.9	\$23.7
Amount Allocated	\$5.6	\$5.6	\$5.6	\$5.1	\$3.7	\$8.9	\$14.3	\$21.4	\$24.2
# of Students Served	5,069	6,996	8,053	5,816	4,564	7,163	11,639	18,056	19,383
# of Programs	54	92	93	62	50	75	140	271	229
# of Districts & Charter Schools	17 districts	25 districts	25 districts	19 districts & 1 charter school	14 districts & 1 charter school	20 districts & 1 charter school	32 districts & 2 charter schools	46 districts & 1 charter school	47 districts & 7 charter schools

¹The 2009 Legislature appropriated \$3.0 million in Temporary Assistance for Needy Families but was vetoed.

²Eight and a half million dollars was originally appropriated but as a result of the 2009 special session, this appropriation was reduced by 6.5 percent to \$7.9 million.

³Five and a half million dollars was originally appropriated but as a result of the 2010 special session, the appropriation was reduced by 0.544 percent to \$5.5 million. After the 3.244 percent reduction in August 2010, \$5.3 was available for K-3 Plus.

PED's FY17 budget request includes \$29.2 million for the summer 2016 K-3 Plus.