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HOUSE BILL 134

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Elizabeth "Liz" Thomson

AN ACT

RELATING TO PUBLIC SCHOOLS; CHANGING THE DEFINITION OF "PRE-KINDERGARTEN" FOR THE PURPOSES OF COMMUNITY SCHOOLS; TRACKING THE COMMUNITY SCHOOLS ACT WITH THE FEDERAL EVERY STUDENT SUCCEEDS ACT; ADDING EARLY CHILDHOOD EDUCATION AND VOLUNTARY PRE-KINDERGARTEN AS ESSENTIAL COMPONENTS; ALLOWING THE USE TITLE 1 FUNDING TO INVEST IN COMMUNITY SCHOOLS STATEWIDE.

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

SECTION 1. Section 22-32-2 NMSA 1978 (being Laws 2013, Chapter 16, Section 2) is amended to read:

"22-32-2. PURPOSE.--The Community Schools Act is enacted to provide a strategy to organize the resources of a community to ensure student success while addressing the needs of the whole student from early childhood programs and voluntary public pre-kindergarten through high school graduation; to

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1 partner with federal, state and local entities [~~with~~] and
2 private community-based organizations to improve the
3 coordination, delivery, effectiveness and efficiency of
4 services provided to children and families; and to coordinate
5 resources in order to align and leverage community resources
6 and integrate funding streams."

7 SECTION 2. A new section of the Community Schools Act is
8 enacted to read:

9 "[~~NEW MATERIAL~~] DEFINITION.--As used in the Community
10 Schools Act, "elementary school" may include pre-kindergarten
11 and early childhood services."

12 SECTION 3. Section 22-32-3 NMSA 1978 (being Laws 2013,
13 Chapter 16, Section 3, as amended) is amended to read:

14 "22-32-3. COMMUNITY SCHOOLS INITIATIVES--SCHOOL
15 IMPROVEMENT FUNCTIONS--REQUIREMENTS.--

16 A. A community schools initiative may be created in
17 any public school in the state. For struggling schools, a
18 community schools initiative may be used to implement
19 comprehensive or targeted support and improvement activities
20 pursuant to the federal Every Student Succeeds Act.

21 B. A community schools initiative shall include the
22 following core set of strategies and opportunities to
23 strengthen behavior for all students:

24 (1) extended learning programs, including
25 after-school programs and summer programs;

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1 (2) school-based or school-linked health care;

2 (3) opportunities for families to acquire
3 skills to promote early learning and childhood development;

4 (4) school and community-resource partnerships
5 with an integrated focus on academics and other social, health
6 and familial support;

7 (5) social, health, nutrition and mental
8 health services and support for children, family members and
9 community members; and

10 (6) case management for students in need of
11 comprehensive support in academics, attendance and behavior.

12 C. The provision of public pre-kindergarten funded
13 through the Pre-Kindergarten Act and other state- and federally
14 funded early childhood education programs, including programs
15 funded by Title 1 funds, are essential components of a
16 community schools initiative.

17 [~~G.~~] D. A community schools initiative shall
18 include the following:

19 (1) a lead partner agency, including a public
20 or private agency or community-based organization, to help
21 coordinate programs and services;

22 (2) an assessment of community resources
23 informed by students, families and community and school leaders
24 that relates to the effective delivery of core services on
25 site; and

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1 (3) the implementation of an independently
2 evaluated, evidence-based or results-based model of integrated
3 student services and comprehensive supports that is proven to
4 increase student achievement."

5 SECTION 4. Section 22-32-4 NMSA 1978 (being Laws 2013,
6 Chapter 16, Section 4, as amended) is amended to read:

7 "22-32-4. COMMUNITY SCHOOLS INITIATIVES--ADMINISTRATIVE
8 COSTS--GRANTS--SCHOOL DISTRICT, GROUP OF PUBLIC SCHOOLS OR
9 PUBLIC SCHOOL DUTIES--REQUIREMENTS.--

10 A. A school district shall bear any administrative
11 costs associated with the establishment and implementation of a
12 community school within the school district.

13 B. Subject to the availability of funding, grants
14 for community schools initiatives are available to a school
15 district, a group of public schools or a public school that has
16 demonstrated partnerships with ~~[any]~~ a lead partner agency and
17 local, private and public agencies ~~[for the purpose of~~
18 ~~establishing, operating and sustaining]~~ to establish, operate
19 and sustain community schools and that meets department
20 eligibility requirements.

21 C. Applications for grants for community schools
22 initiatives shall be in the form prescribed by the department
23 and shall include the following information:

24 (1) a statement of need, including demographic
25 and socioeconomic information about the area to be served by

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1 the community schools initiative;

2 (2) goals and expected outcomes of the
3 initiative;

4 (3) services and activities to be provided by
5 the initiative;

6 (4) written agreements for the provision of
7 services by public and private agencies, community groups and
8 other parties;

9 (5) a work plan and budget for the initiative,
10 including staffing requirements and the expected availability
11 of staff;

12 (6) days and hours of operation;

13 (7) strategies for dissemination of
14 information about the initiative to potential users;

15 (8) training and professional development
16 plans;

17 (9) letters of endorsement and commitment from
18 community agencies and organizations and local governments; and

19 (10) any other information the department
20 requires.

21 D. An applicant for grants for community schools
22 initiatives shall propose to provide at least three of the
23 following types of community school programming at each covered
24 school site during the grant period:

25 (1) for elementary schools, full-day, high-

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1 quality pre-kindergarten;

2 (2) physical and mental health services for
3 students and their families that are provided by trained health
4 care professionals;

5 (3) programming that promotes academic
6 excellence aligned with state standards and benchmarks;

7 (4) programming that promotes the acquisition
8 of life skills;

9 (5) programming that promotes parental support
10 of and community engagement in the community school;

11 (6) programming that promotes nonviolent
12 behavior and nonviolent conflict resolution;

13 (7) programming designed to improve school
14 attendance and prevent students from dropping out of school;

15 (8) high-quality after-school programming;

16 (9) high-quality summer programming designed
17 to prevent summer learning loss; and

18 (10) other programming designed to meet school
19 and community needs identified through the public school and
20 its community partners.

21 E. In addition to the general requirements for a
22 grant application in Subsection C of this section, each
23 application shall include specific plans for the following:

24 (1) maintenance of attendance records in all
25 programming components and the use of that data to target

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1 students in need of intervention;

2 (2) maintenance of measurable data showing
3 annual participation and the effect of programming on the
4 participating students and families;

5 (3) documentation of meaningful and sustained
6 collaboration between the public school and community
7 stakeholders, including local governmental units, civic
8 engagement organizations, businesses, social service providers,
9 cultural organizations, institutions of higher education and
10 health institutions;

11 (4) ensuring compliance with the
12 nondiscrimination policy of the federal Every Student Succeeds
13 Act;

14 (5) a baseline analysis of needs at the
15 community school, including:

16 (a) identification of challenges facing
17 the community school;

18 (b) analysis of the student body,
19 including the number and percentage of students: 1) with
20 disabilities and the needs of those students; 2) who are
21 English language learners and the needs of those students in
22 addition to English proficiency; and 3) receiving free or
23 reduced-fee lunch and the needs of those students;

24 (c) analysis of enrollment and retention
25 rates for students with disabilities, English language learners

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1 and students receiving free or reduced-fee lunch;

2 (d) analysis of suspension and expulsion
3 data, including justification for such disciplinary actions and
4 the degree to which particular populations, including students
5 of color, students with disabilities, English language learners
6 and students receiving free and reduced-fee lunch, are
7 represented among students subject to such actions;

8 (e) analysis of school achievement data
9 disaggregated by major demographic categories, including race
10 or ethnicity, English language learner status, disability
11 status and free or reduced-fee lunch receipt;

12 (f) analysis of current parent
13 engagement strategies and their success;

14 (g) evaluation of the need for and
15 availability of wraparound services, including: 1) mechanisms
16 for meeting students' social, emotional and physical
17 health needs, which may include coordination of existing
18 services as well as the development of new services based on
19 student needs; and 2) strategies to create safe and secure
20 school environments and improve school climate and discipline,
21 such as implementing a system of positive behavioral supports
22 and taking additional steps to eliminate bullying; and

23 (h) analysis of the breadth and depth of
24 community and school support for the school curriculum and the
25 breadth and depth of support for changes to the school

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1 curriculum; and

2 (6) a baseline analysis of needs in the
3 community surrounding the community school, conducted by the
4 school leadership team in collaboration with relevant experts
5 as appropriate, that includes the need for:

6 (a) high-quality, full-day child care
7 and early childhood education programs;

8 (b) physical and mental health care
9 services for children and adults; and

10 (c) job training and other adult
11 education programming.

12 ~~[D-]~~ F. A school district, a group of public
13 schools or a public school that uses funds under this section
14 to transform a public school into a research- and evidence-
15 based community schools initiative shall:

16 (1) use rigorous, transparent, equitable and
17 evidence-based evaluation systems to assess the effectiveness
18 of the implementation of the community schools initiative;

19 (2) provide ongoing, high-quality professional
20 development to staff that:

21 (a) aligns with the public school's
22 instructional program;

23 (b) facilitates effective teaching and
24 learning; and

25 (c) supports the implementation of

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1 school reform strategies; [~~and~~]

2 (3) give the public school sufficient
3 operational flexibility in programming, staffing, budgeting and
4 scheduling so that the school can fully implement a
5 comprehensive strategy designed to focus on improving school
6 climate, student achievement and growth in reading and
7 mathematics, attendance, behavior, parental engagement and, for
8 high schools, graduation rates and readiness for college or a
9 career; and

10 (4) where the grantee has received funding to
11 provide community school programming at multiple covered school
12 sites, select and compensate a program director to oversee and
13 coordinate programming across the multiple covered school sites
14 and, depending on funding, select and compensate a resource
15 coordinator at each school site.

16 G. A school district or public school may use Title
17 1 funds for its community schools initiative, and the
18 department may use Title 1 funds to invest in community schools
19 statewide."

20 SECTION 5. Section 32A-23-3 NMSA 1978 (being Laws 2005,
21 Chapter 170, Section 3) is amended to read:

22 "32A-23-3. DEFINITIONS.--As used in the Pre-Kindergarten
23 Act:

24 A. "community" means an area defined by school
25 district boundaries, tribal boundaries or joint boundaries of a

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1 school district and tribe or any combination of school
2 districts and tribes;

3 B. "departments" means the children, youth and
4 families department and the public education department acting
5 jointly;

6 C. "early childhood development specialist" means
7 the adult responsible for working directly with four-year-old
8 children in implementing pre-kindergarten services;

9 D. "eligible provider" means a person licensed by
10 the children, youth and families department that provides early
11 childhood developmental readiness services or preschool special
12 education or is a public school, tribal program or head start
13 program;

14 E. "pre-kindergarten" means a voluntary
15 developmental readiness program for children who have attained
16 their fourth birthday prior to September 1 or have attained
17 their third birthday prior to September 1 if they are attending
18 pre-kindergarten in a public elementary school with a community
19 schools initiative; and

20 F. "tribe" means an Indian nation, tribe or pueblo
21 located in New Mexico."

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