

SENATE EDUCATION COMMITTEE SUBSTITUTE FOR
SENATE BILL 605

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
EXPANDING THE NUMBER OF PROVIDERS ELIGIBLE FOR PRE-KINDERGARTEN
SERVICES; ALLOWING THE PUBLIC EDUCATION DEPARTMENT TO PROVIDE
APPLICATIONS FOR PRE-KINDERGARTEN SERVICES.

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

SECTION 1. Section 32A-23-5 NMSA 1978 (being Laws 2005,
Chapter 170, Section 5) is amended to read:

"32A-23-5. PRE-KINDERGARTEN--ELIGIBILITY.--Pre-
kindergarten services may be provided by public schools or
eligible providers on a per-child reimbursement rate in
communities with ~~[the highest percentage of]~~ public elementary
schools that are designated as Title 1 schools ~~[and that serve
the highest percentage of public elementary students who are
not meeting the proficiency component required for calculating~~

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underscored material = new
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1 ~~adequate yearly progress~~]."

2 SECTION 2. Section 32A-23-6 NMSA 1978 (being Laws 2005,
3 Chapter 170, Section 6) is amended to read:

4 "32A-23-6. REQUESTS FOR PROPOSALS--CONTRACTS FOR
5 SERVICES.--

6 A. ~~[Each]~~ The children, youth and families
7 department shall publish a request for proposals for pre-
8 kindergarten services, and the public education department
9 shall publish a request for applications for pre-kindergarten
10 services.

11 B. Eligible providers shall submit proposals and
12 applications for pre-kindergarten services to ~~[each]~~ the
13 appropriate department. An eligible ~~[provider]~~ provider's
14 proposal or application shall include a description of the
15 services that will be provided, including:

16 (1) how those services meet children, youth
17 and families department or public education department
18 standards;

19 (2) the number of four-year-old children the
20 eligible provider can serve;

21 (3) site and floor plans and a description of
22 the facilities;

23 (4) revenue sources and amounts other than
24 state funding available for the pre-kindergarten program;

25 (5) a description of the qualifications and

1 experience of the early childhood development staff for each
2 site;

3 (6) the plan for communicating with and
4 involving parents in the pre-kindergarten program;

5 (7) how those services meet the continuum of
6 services to children; and

7 (8) other relevant information requested by
8 the departments.

9 C. The public education department shall accept and
10 evaluate [~~proposals~~] applications from school districts for
11 funding for pre-kindergarten. The children, youth and families
12 department shall accept and evaluate proposals from other
13 eligible providers.

14 D. For funding purposes, applications and proposals
15 shall be evaluated [~~on the percentage and number of public~~
16 ~~elementary schools in the community that are not meeting the~~
17 ~~proficiency component required for calculating adequate yearly~~
18 ~~progress and that are serving children]~~ and priority given to
19 programs in communities with public elementary schools that are
20 designated as Title 1 schools and that have at least sixty-six
21 percent of [whom live] the children served living within the
22 attendance zone of a Title 1 elementary school. Additional
23 funding criteria include:

24 (1) the number of four-year-olds residing in
25 the community and the number of four-year-olds proposed to be

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1 served;

2 (2) the adequacy and capacity of pre-
3 kindergarten facilities in the community;

4 (3) language and literacy services in the
5 community;

6 (4) the cultural, historic and linguistic
7 responsiveness to the community;

8 (5) parent education services available for
9 parents of four-year-olds in the community;

10 (6) the qualifications of eligible providers
11 in the community;

12 (7) staff professional development plans;

13 (8) the capacity of local organizations and
14 persons interested in and involved in programs and services for
15 four-year-olds and their commitment to work together;

16 (9) the extent of local support for pre-
17 kindergarten services in the community; and

18 (10) other relevant criteria specified by
19 joint rule of the departments.

20 E. A contract with an eligible children, youth and
21 families department provider and an agreement with an eligible
22 public education department provider shall specify and ensure
23 that funds shall not be used for any religious, sectarian or
24 denominational purposes, instruction or material."