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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 public elementary schools that are
designated as Title 1 schools."

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

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

A. Each department shall publish a request for
proposals or a request for applications that contains the
same requested information for pre-kindergarten services.

B. Eligible providers shall submit proposals or
applications for pre-kindergarten services to the appropriate
department. An eligible provider's proposal or application

1 shall include a description of the services that will be
2 provided, including:

3 (1) how those services meet children, youth
4 and families department or public education department
5 standards;

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

8 (3) site and floor plans and a description
9 of the facilities;

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

12 (5) a description of the qualifications and
13 experience of the early childhood development staff for each
14 site;

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

17 (7) how those services meet the continuum of
18 services to children; and

19 (8) other relevant information requested by
20 the departments.

21 C. Each department shall accept and evaluate
22 proposals or applications for funding for pre-kindergarten.

23 D. For funding purposes, applications and
24 proposals shall be evaluated and priority given to programs
25 in communities with public elementary schools that are

1 designated as Title 1 schools and that have at least
2 sixty-six percent of the children served living within the
3 attendance zone of a Title 1 elementary school. Additional
4 funding criteria include:

5 (1) the number of four-year-olds residing in
6 the community and the number of four-year-olds proposed to be
7 served;

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

10 (3) language and literacy services in the
11 community;

12 (4) the cultural, historic and linguistic
13 responsiveness to the community;

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

16 (6) the qualifications of eligible providers
17 in the community;

18 (7) staff professional development plans;

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

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

24 (10) other relevant criteria specified by
25 joint rule of the departments.

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E. A contract or agreement with an eligible provider shall specify and ensure that funds shall not be used for any religious, sectarian or denominational purposes, instruction or material."
