

AN ACT

RELATING TO EDUCATION; PROVIDING FOR OPTIONAL FULL-DAY
KINDERGARTEN PROGRAMS.

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

Section 1. Section 22-2-8.1 NMSA 1978 (being Laws
1986, Chapter 33, Section 2, as amended) is amended to read:

"22-2-8.1. LENGTH OF SCHOOL DAY--MINIMUM.--

A. Regular students shall be in school-directed
programs, exclusive of lunch, for a minimum of the
following:

(1) kindergarten, for half-day programs,
two and one-half hours per day or four hundred fifty hours
per year or, for full-day programs, five and one-half hours
per day or nine hundred ninety hours per year;

(2) grades one through six, five and one-
half hours per day or nine hundred ninety hours per year;
and

(3) grades seven through twelve, six hours
per day or one thousand eighty hours per year.

B. Nothing in this section precludes a local
school board from setting length of school days in excess of
the minimum requirements established by Subsection A of this
section.

C. The state superintendent may waive the

minimum length of school days in those districts where such minimums would create undue hardships as defined by the state board."

Section 2. Section 22-8-19 NMSA 1978 (being Laws 1974, Chapter 8, Section 9, as amended) is amended to read:

"22-8-19. EARLY CHILDHOOD EDUCATION PROGRAM UNITS.--

A. The number of early childhood education program units is determined by multiplying the early childhood education MEM by the cost differential factor 1.44. Early childhood education students enrolled in half-day kindergarten programs shall be counted for 0.5 early childhood MEM. Early childhood education students enrolled in full-day kindergarten programs shall be counted for 1.0 early childhood education MEM.

B. For the purpose of calculating early childhood education program units, developmentally disabled three- and four-year-old students shall be counted in early childhood education membership. No developmentally disabled three- or four-year-old student shall be counted for more than 0.5 early childhood education MEM."

Section 3. A new section of the Public School Code is enacted to read:

"FULL-DAY KINDERGARTEN PROGRAMS.--

A. The state board shall adopt rules for the development and implementation of child-centered and

developmentally appropriate full-day kindergarten programs. Establishment of full-day kindergarten programs shall be voluntary on the part of school districts and student participation shall be voluntary on the part of parents.

B. The department of education shall require schools with full-day kindergarten programs to conduct age-appropriate assessments to determine the placement of students at instructional level and the effectiveness of child-centered, developmentally appropriate kindergarten.

C. The department of education shall monitor full-day kindergarten programs and ensure that they serve the children most in need based upon indicators in the at-risk factor. If the department of education determines that a program is not meeting the benchmarks necessary to ensure the progress of students in the program, the department of education shall notify the school district that failure to meet the benchmarks shall result in the cessation of funding for the following school year. The department of education shall compile the program results submitted by the school districts and make an annual report to the legislative education study committee and the legislature.

D. Full-day kindergarten programs shall be phased in over a five-year period as follows with priority given to those districts that serve children in schools with the highest proportion of students most in need based upon

indicators in the at-risk factor:

(1) effective with the 2000-2001 school year, one-fifth of New Mexico's kindergarten classes may be full day;

(2) effective with the 2001-2002 school year, two-fifths of New Mexico's kindergarten classes may be full day;

(3) effective with the 2002-2003 school year, three-fifths of New Mexico's kindergarten classes may be full day;

(4) effective with the 2003-2004 school year, four-fifths of New Mexico's kindergarten classes may be full day; and

(5) effective with the 2004-2005 school year, all of New Mexico's kindergarten classes may be full day.

E. School districts shall apply to the department of education to receive funding for full-day kindergarten programs. In granting approval for funding of full-day kindergarten programs, the department of education shall ensure that full-day kindergarten programs are first implemented in schools that have the highest proportion of students most in need based upon the at-risk index and to schools with available classroom space."

-ASSESSMENT OF NUMBER OF CLASSROOMS.--

A. The state department of public education shall conduct an assessment of the number of classrooms that will be needed to fully implement full-day kindergarten. This assessment shall take into account projected student enrollment with consideration to school districts with declining student enrollment patterns.

B. The state department of public education shall report the findings from the assessment to the legislative education study committee by November 2000._____
