

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: CS/SB 605a

50th Legislature, 1st Session, 2011

Tracking Number: .185899.1

Short Title: Expand Eligible Pre-K Providers

Sponsor(s): Senator Cynthia Nava

Analyst: Craig J. Johnson

Date: March 15, 2011

**SENATE EDUCATION COMMITTEE SUBSTITUTE
FOR SENATE BILL 605**

AS AMENDED

The Senate Floor Amendments:

- **allow the Children, Youth and Families Department (CYFD) and the Public Education Department (PED) to request and evaluate proposals or applications from providers of pre-kindergarten services; and**
- **state that the applications will request the same information as the proposals.**

Bill Summary:

CS/SB 605 amends the *Pre-Kindergarten Act* in the *Children's Code* to change certain eligibility requirements to expand the number of providers eligible to offer pre-kindergarten.

Among its provisions, CS/SB 605:

- removes eligibility requirements that services be provided in schools that serve the highest percentage of students who are not meeting proficiency standards for purposes of calculating adequate yearly progress (AYP);
- changes eligibility requirements from communities with the highest percentage of elementary Title I schools to communities with Title I schools, generally;
- changes the criteria used to evaluate applications from schools that are not meeting AYP and prioritizes funding to schools that are designated as Title I schools; and
- clarifies that the CYFD shall publish a request proposals and the PED shall publish a request for applications for pre-kindergarten services.

Fiscal Impact:

CS/SB 605 does not contain an appropriation.

Background:

Title I of the *Elementary and Secondary Education Act* is a set of programs set up by the US Department of Education (USDE) to distribute funding to schools and school districts with a high percentage of students from low-income families. According to the USDE, to qualify as a Title I school, a school typically has around 40 percent or more of its students that come from families that qualify under the US Census's definitions as low-income. Title I funds aim to bridge the gap between low-income students and other students.

AYP is a measurement defined by the US federal *No Child Left Behind Act of 2001* that allows the USDE to determine how every public school and school district in the country is performing academically according to results on standardized tests.

In 2005, legislation endorsed by the Legislative Education Study Committee was enacted to establish the *Pre-Kindergarten Act*, providing a voluntary program of pre-kindergarten services for four-year old children offered by public schools, tribes or pueblos, Head Start centers, and licensed private providers.

Since 2005, the Legislature has appropriated over \$95.8 million to implement New Mexico PreK, including over \$6.0 million in federal Temporary Assistance for Needy Families funds, and approximately \$17.0 million for classrooms.

As of February 24, 2011, CS/HB 2, the *General Appropriation Act of 2011*, includes an appropriation of about \$6.3 million in special appropriations to PED and about \$7.2 million to the early childhood services program of CYFD for pre-kindergarten programs.

Related Bills:

SB 150 *Research Park Royalties to Pre-K Fund*

SB 167aa *Equal Pre-K Program Appropriations*

SB 448 *Child Care or Pre-K Program Requirements*