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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**54th Legislature, 2nd Session, 2020**

<b>Bill Number</b>	<u>HB197</u>	<b>Sponsor</b>	<u>Martinez, Ru.</u>
<b>Tracking Number</b>	<u>.216357.2</u>	<b>Committee Referrals</b>	<u>HEC/H AFC</u>
<b>Short Title</b>	<u>Childhood Ed Programs in Rural Areas</u>		
<b>Analyst</b>	<u>Porter</u>	<b>Original Date</b>	<u>2/3/2020</u>
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## **BILL SUMMARY**

### Synopsis of Bill

House Bill 197 (HB197) appropriates \$1 million from the general fund to the Early Childhood Education and Care Department (ECECD) for expenditure in FY21 to contract for consulting and outreach development for a demonstration project to establish and support quality, licensed early childhood education programs in rural communities throughout New Mexico.

## **FISCAL IMPACT**

HB197 appropriates \$1 million from the general fund to ECECD for expenditure in FY21. Any unexpended or unencumbered balance remaining at the end of FY21 shall revert to the general fund.

Funding for this demonstration project is not included in the House Appropriations and Finance Committee Substitute for House Bills 2 and 3 (HB2/HAFCS). However, HB2/HAFCS appropriates \$2.8 million to ECECD for support and intervention contractual services, and \$105.4 million for early childhood education and care contractual services. The appropriation to ECECD is made up of a combination of state and federal funds.

## **SUBSTANTIVE ISSUES**

The Legislature has prioritized early childhood education funding through two economic downturns. Research has proven early childhood interventions are successful at narrowing the achievement gap between low-income students and their more affluent peers.

**Early Childhood Education and Care Department.** The Early Childhood Education and Care Department Act, enacted in Laws 2019, Chapter 48 (Senate Bill 22), created a new cabinet agency to better coordinate early childhood programs. The act creating ECECD consolidates early childhood education and care programs that have historically been administered by the Children, Youth, and Families Department, the Department of Health, the Human Services Department, and the Public Education Department under ECECD to reduce duplication and fragmentation of

services. Starting in FY21, ECECD will be responsible for coordinating and aligning childcare, early prekindergarten, prekindergarten, home visits for parental education and child health and support, Early Head Start, Head Start, early childhood special education, and early intervention and family support. ECECD will receive federal funds for some of these programs.

HB197 does not specify the award process, supports for recipients, or the outcomes to be produced or reported.

**Early Childhood Issues.** Issues in early childhood education are exacerbated in rural New Mexico – including tribal programs – where it is difficult to recruit and retain high-quality early childhood educators, despite the increased investment in early childhood education. Rural areas are underserved and isolated from professional development and higher education programs.

The percentage of 4-year-olds served in state-funded prekindergarten programs varies by geographic area, with some urban areas experiencing oversaturation, leading to competition among providers. At the same time, data show some rural areas have few or no providers. ECECD is tasked with coordinating program service delivery to prevent oversaturation of services for some ages and areas while underserving others.

Early childhood education, specifically prekindergarten, was a focus of the plaintiffs in the consolidated *Martinez* and *Yazzie* lawsuit, which noted that quality full-day prekindergarten addresses the issue of at-risk students – defined in the lawsuit as Native American, English learning, low-income, and special education students – starting school behind other children. The plaintiffs argued and the court found prekindergarten has “not been funded to the extent that all at-risk children can participate.”

High-quality early childhood education is a cornerstone to closing the achievement gap and ensuring all children are ready for kindergarten. The National Conference of State Legislatures international study of world-class educational systems, *No Time to Lose*, identified four common elements for educational success, the first of which is students come to school ready to learn, with extra support given to struggling students so all students have the opportunity to achieve high standards. The early childhood years provide the foundation for literacy skills and are critical for brain development.

When children do not have adequate opportunities to create brain connections – or experience adverse childhood experiences (ACEs) – their future educational achievement and life outcomes can be harmed. According to Child Trends, a nonpartisan research center, 18 percent of children in New Mexico experienced three or more ACEs, outpacing the national average of 11 percent. However, research indicates some educational supports, such as trauma-informed instruction and secure attachment relationships, can help ameliorate the negative effects of ACEs. A highly-qualified educator can mitigate negative experiences and provide resources to families.

## **RELATED BILLS**

Relates to HB83 and SB3, Early Childhood Education & Care Fund, which establishes the early childhood education and care fund and establishes distributions from that fund to support early childhood education and care programs.

Relates to HB86, Early Childhood Care Workforce Support Pgm, which creates an advisory council to develop a voluntary early childhood care and education workforce support program to include compensation incentives for pursuing higher education as well as a wage career ladder.

Relates to HB198, WNMU Early Childhood Ed Program, and SB7, Center of Excellence at WMNU, which create an early childhood education center for excellence at WNMU.

Relates to HJR1, Permanent Funds for Early Childhood, CA, which increases the land grant permanent fund distribution and earmarks that money for early childhood education and care programs.

Relates to SB18, Renewable Energy Production Tax, which imposes an excise tax on electricity generated from renewable energy sources and distributes revenue to the early childhood program fund.

**SOURCES OF INFORMATION**

- LESC Files

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