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AN ACT

RELATING TO PUBLIC SCHOOLS; CREATING THE K-5 PLUS PILOT PROJECT TO PROVIDE EXTENDED INSTRUCTIONAL TIME FOR STUDENTS IN KINDERGARTEN THROUGH FIFTH GRADE IN CERTAIN PUBLIC SCHOOLS; PROVIDING AN APPLICATION PROCESS; REQUIRING REPORTING; DECLARING AN EMERGENCY.

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

SECTION 1. A new section of the Public School Code is enacted to read:

"K-5 PLUS PILOT PROJECT--PURPOSE--ELIGIBILITY--APPLICATION--REPORTING AND EVALUATION.--

A. "K-5 plus" is created as a four-year pilot project that:

(1) extends the school year in participating public schools by at least twenty-five additional days for students in kindergarten through fifth grade; and

(2) measures the effect of the provided additional time on literacy and numeracy.

B. The purpose of K-5 plus is to demonstrate that increased time in kindergarten through fifth grade:

(1) narrows the achievement gap between certain disadvantaged students and other students;

(2) better prepares elementary students for success in middle and high school;

1 (3) improves truancy rates at all school
2 levels and improves dropout rates in high school; and

3 (4) increases students' cognitive skills and
4 leads to higher test scores for participants.

5 C. K-5 plus shall be administered by the
6 department and shall provide funding to successful public
7 school applicants that extend their school calendars for
8 kindergarten through fifth grade by at least twenty-five
9 instructional days prior to the beginning of the regular
10 school year.

11 D. K-5 plus shall be conducted upon application in
12 public schools at which either eighty percent or more of the
13 students are eligible for free or reduced-fee lunch or the
14 school has a D or F school grade at the time the public
15 school initially applies for the pilot project. Public
16 schools that conduct K-3 plus programs may apply to
17 participate in the K-5 plus pilot project, and the department
18 shall give priority to those public schools that have a
19 current K-3 plus program. The pilot project shall be
20 conducted in no more than twenty public schools.

21 E. The department shall determine application
22 requirements and procedures and criteria for evaluating
23 applications. In evaluating applications for K-5 plus, the
24 department shall grant priority to those public schools with
25 research-based, scientific reading strategies and programs.

1 An applicant shall demonstrate that its K-5 plus pilot
2 project will meet all department standards and employ only
3 qualified teachers and other staff.

4 F. K-5 plus shall be funded at no less than thirty
5 percent of the final unit value per student established as of
6 January 31 of the current calendar year. Up to two percent
7 of the money received by a school district or charter school
8 shall be used to ensure regular attendance by K-5 plus
9 students. Funding for individual public schools shall be
10 based on enrollment on the fifteenth day of the project.

11 G. School districts and charter schools that meet
12 the qualifications for K-5 plus funding may submit
13 applications by March 15 for the succeeding fiscal year. The
14 department shall notify all school districts and charter
15 schools by February 1 that applications will be accepted
16 until March 15. The notification shall include the
17 application and any requirements for supplementary
18 documentation. Applications may be submitted electronically
19 or by mail or other delivery. Public schools that are
20 awarded funding for K-5 plus for the next school year shall
21 be notified by April 15 of the calendar year.

22 H. The department shall provide additional
23 professional development for K-5 plus teachers in how
24 children learn to read. The department may use up to four
25 percent of any appropriation made by the legislature for the

1 K-5 plus pilot project for professional development for
2 participating educators and department administrative costs.

3 I. Teachers and educational assistants shall be
4 paid at the same rate and under the same terms as teachers
5 and educational assistants are paid for regular educational
6 programs.

7 J. Students participating in K-5 plus shall be
8 evaluated at the beginning of each grade year, and their
9 progress shall be measured through department-approved
10 summative assessments.

11 K. The department shall establish and implement
12 reporting and evaluation requirements for participating
13 public schools, including students and pilot project
14 assessments. The department shall provide interim and final
15 reports annually to the legislature and the governor on the
16 efficacy of K-5 plus.

17 L. In addition to legislative appropriations for
18 the K-5 plus pilot project, the department, school districts,
19 public schools and local communities shall seek public and
20 private gifts, grants and donations to benefit the pilot
21 project."

22 SECTION 2. TEMPORARY PROVISIONS--RULES AND DEADLINES
23 FOR FIRST-YEAR K-5 PLUS FUNDING.--The rules promulgated by
24 the public education department for the K-3 plus program
25 shall apply to the K-5 plus pilot project until new rules can

1 be adopted. The provisions of Subsection G of Section 1 of
2 this act notwithstanding, the department may extend the
3 deadline date for applications, but such extension shall not
4 interfere with the April 15 date of notice of awards. The
5 department shall notify all school districts and charter
6 schools immediately when this act has become law and provide
7 the school districts and charter schools with the appropriate
8 deadline dates for the first year. The legislature
9 encourages the public education department to notify school
10 districts and charter schools of a tentative schedule prior
11 to this act being signed into law.

12 SECTION 3. EMERGENCY.--It is necessary for the public
13 peace, health and safety that this act take effect
14 immediately. _____