

The Legislature  
of the  
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 75

HOUSE BILL 479, as amended

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with emergency clause

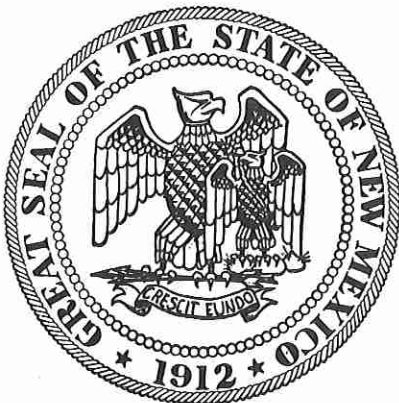
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Introduced by

REPRESENTATIVE DAVID E. ADKINS AND REPRESENTATIVE NORA ESPINOZA

REPRESENTATIVE STEPHANIE MAEZ

**EMERGENCY  
CLAUSE**



# CHAPTER 75

## AN ACT

RELATING TO PUBLIC SCHOOLS; ALLOWING SCHOOLS THAT IMPROVED THEIR GRADE RATING THROUGH THE K-3 PLUS PROGRAM TO CONTINUE WITH THE PROGRAM; DECLARING AN EMERGENCY.

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

SECTION 1. Section 22-13-28 NMSA 1978 (being Laws 2007, Chapter 12, Section 1, as amended) is amended to read:

"22-13-28. K-3 PLUS--ELIGIBILITY--APPLICATION--REPORTING AND EVALUATION.--

A. The six-year K-3 plus pilot project has demonstrated that increased time in kindergarten and the early grades narrows the achievement gap between disadvantaged students and other students and increases cognitive skills and leads to higher test scores for all participants.

B. The "K-3 plus" program is created in the department to provide funding for additional educational time for students in kindergarten through third grade. K-3 plus shall be administered by the department and shall provide the funding for approved full-day kindergarten and grades one through three to be extended by at least twenty-five instructional days, beginning up to two months earlier than the regular school years.

C. K-3 plus shall be conducted upon application in high-poverty public schools, schools with a D or F grade the

1 previous year or schools that improved their school grade with  
2 the K-3 plus program and wish to continue the program. For  
3 the purposes of K-3 plus, "high-poverty public school" means a  
4 public school in which eighty percent or more of the students  
5 are eligible for free or reduced-fee lunch at the time the  
6 public school applies for the program.

7 D. The department shall promulgate rules for  
8 application requirements and procedures and criteria for  
9 evaluating applications. In evaluating applications for K-3  
10 plus, the department shall grant priority to those schools  
11 with research-based, scientific reading strategies and  
12 programs. An applicant shall demonstrate that its K-3 plus  
13 program will meet all department standards and employ only  
14 qualified teachers and other staff.

15 E. K-3 plus programs shall be funded at no less  
16 than thirty percent of the unit value per student. Up to two  
17 percent of the money received by a school district shall be  
18 used for student recruitment and to ensure regular attendance  
19 by K-3 plus students. Funding for individual school programs  
20 shall be based on enrollment on the fifteenth day of the  
21 program.

22 F. School districts and charter schools that meet  
23 the qualifications for K-3 plus funding may submit  
24 applications by March 15 for the succeeding fiscal year. The  
25 department shall notify all school districts and charter



1 schools by February 1 that applications will be accepted until  
2 March 15 and that final funding is contingent on the final  
3 unit value set by the secretary. The notification shall  
4 include the application and any requirements for supplementary  
5 documentation. Applications may be submitted electronically  
6 or by mail or other delivery. Schools that are awarded  
7 funding for K-3 plus for the next school year shall be  
8 notified by April 15 of the calendar year.

9 G. The department shall provide additional  
10 professional development for K-3 plus teachers in how young  
11 children learn to read. Teachers and educational assistants  
12 shall be paid at the same rate and under the same terms for  
13 K-3 plus as teachers and educational assistants are paid for  
14 regular educational programs.

15 H. Students participating in K-3 plus shall be  
16 evaluated at the beginning of K-3 plus, and their progress  
17 shall be measured through department-approved summative and  
18 formative assessments.

19 I. The department shall establish reporting and  
20 evaluation requirements for participating schools, including  
21 student and program assessments. The department shall report  
22 annually to the legislature and the governor on the efficacy  
23 of K-3 plus.

24 J. The department may use up to four percent of  
25 any appropriation made by the legislature for K-3 plus for

1 professional development for participating educators and  
2 department administrative costs.

3 K. The department shall develop and disseminate  
4 information on best practices in the areas of student  
5 recruitment, retention and academic success of early learners.

6 L. The secretary shall appoint a "K-3 plus  
7 advisory committee" composed of representatives of school  
8 districts that participate in K-3 plus and other stakeholders.  
9 The advisory committee shall meet twice a year to advise the  
10 department on K-3 plus implementation."

11 SECTION 2. APPLICABILITY.--For the summer 2015 K-3 plus  
12 program, the public education department may accept  
13 applications from schools that meet the requirements of  
14 Section 1 of this act and withhold its decision on the  
15 applications until the section becomes law.

16 SECTION 3. EMERGENCY.--It is necessary for the public  
17 peace, health and safety that this act take effect  
18 immediately. \_\_\_\_\_

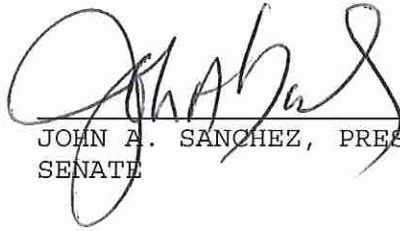
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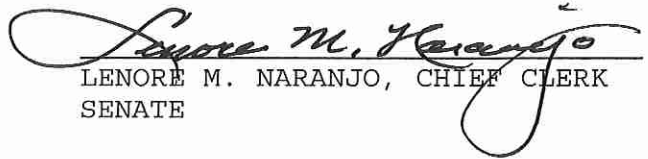
DON TRIPP, SPEAKER  
HOUSE OF REPRESENTATIVES



DENISE RAMONAS, CHIEF CLERK  
HOUSE OF REPRESENTATIVES



JOHN A. SANCHEZ, PRESIDENT  
SENATE



LENORE M. NARANJO, CHIEF CLERK  
SENATE

Approved by me this 20<sup>th</sup> day of April, 2015



SUSANA MARTINEZ, GOVERNOR  
STATE OF NEW MEXICO