

LFC Requester:	Dawn Iglesias
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**AGENCY BILL ANALYSIS
2018 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 01/29/18
Bill No: SJR3

Sponsor: Senator Michael Padilla **Agency Code:** 924
Short Title: EARLY CHILDHOOD EDUCATION DEPT., CA **Person Writing** Debbie Rael
Title: EDUCATION DEPT., CA **Phone:** 827-5800 **Email** DebbieM.Rael@state.

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY18	FY19		
N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY18	FY19	FY20		
N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	\$1,000.0	\$300.0	\$300.0	\$1,600.0	Recurring	General

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

This bill would amend the State constitution to add a new section that would create an “Early Childhood Education Department.” It would also amend the constitution to allow public schools and this new department to enter into contracts for nonreligious, nonsectarian and non-denominational early childhood educational services.

Synopsis:

- This bill amends Article 12 of the constitution to create a new cabinet level secretary and an “Early Childhood Education” department to provide voluntary early childhood education services for children up to age five, including prenatal education and referral services.
- This bill stipulates that the Cabinet Secretary have more than ten years of experience studying, supervising, AND administering early childhood education programs.
- This bill also amends Section 3 of the constitution to state that “except that those funds, other than the proceeds arising from the sale or disposal of any lands granted to the state by congress, may be used by the early childhood education department to contract for the provision of nonsectarian, nondenominational early childhood education services.”

FISCAL IMPLICATIONS

There would be significant costs associated with creating a new department. Currently, there is no evidence to suggest that doing so would improve outcomes for children.

Creating a new department will create a significant cost for the state. Costs include but are not limited to: identifying and leasing space for the department, salaries for staff, including executive salaries, and other transition costs. The total cost is unknown, but is estimated at \$700 thousand for transfer expenses and \$400 thousand in ongoing salary expenses for new positions.

Currently, PED and CYFD successfully coordinate on a number of projects and programs. This eliminates the necessity for a new department. Some examples include:

- Implemented the Race to the Top – Early Learning Challenge (RTT-ELC) grant. The Departments successfully received a competitive \$37.5 million grant designed to build out early learning infrastructure
- Implemented FOCUS, the new tiered quality rating information system (TQRIS)
- Built the Early Childhood Integrated Data System

- Distributed early childhood resources in a way the most meaningfully serves New Mexicans: <http://webnew.ped.state.nm.us/bureaus/literacy-humanities-early-childhood/new-mexico-prek/>
- Established the Kindergarten Observation Tool (KOT)—led by PED but utilized to assess the efficacy of both agencies’ efforts. It helps teachers plan for instruction to better meet the needs of incoming kindergarten students needs to help ensure all children enter 1st grade on track.
- Making a variety of services and supports available, so all children have access to—and can participate in—opportunities that are both respectful of and responsive to their family experiences, culture, beliefs, abilities, and circumstances and help to drive proper nutrition, school readiness, child development.

SIGNIFICANT ISSUES

New Mexico PreK is a voluntary preschool program created by the Pre-Kindergarten Act of 2005. The PreK program is jointly administered by the Public Education Department and the Children, Youth, and Families Department. Children who have reached their 4th birthday by September 1st are eligible to attend a PreK program. The purpose of PreK is to ensure each child in New Mexico has the opportunity to attend a high quality early childhood education program before kindergarten. This current approach to early childhood education is working.

PERFORMANCE IMPLICATIONS

All PED PreK performance measures will transfer to the new department.

A report by the national organization Build Initiatives was published in 2013 on early childhood governance [*A Framework for Choosing a State-Level Early Childhood Governance System*](#). The report recommends that “careful and deliberate assessment of a state’s early childhood governance structure is an integral step in reducing fragmentation, uneven quality, and inequity in programs and services. Without a careful and intentional assessment of the appropriate composition, timelines, process, concerns, etc., the consolidation may lead to possible and detrimental gap in crucial, early childhood services.”

ADMINISTRATIVE IMPLICATIONS

There are significant administrative implications. The work necessary to separate and merge divisions and programs cannot be absorbed by existing resources from the three departments involved.

Contracts for training and coaching for PED preschool programs in FY19 will be delayed due to the time required to set up the ASD Bureau to approve and award contracts.

In addition, NMAC regulations related to the involved programs will need to be updated to reflect the Early Childhood Services Department and will require Public Comment, Public Hearings and other related activities.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP: Conflicts with SB74; HB97

TECHNICAL ISSUES

None identified

OTHER SUBSTANTIVE ISSUES

None identified

ALTERNATIVES

None proposed

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The PED, CYFD, and DOH will continue to work to implement a seamless “system of systems” to meet the needs of New Mexico’s young children and their families.

AMENDMENTS

None as of 1/17/2018