

New Mexico

Background

New Mexico PreK

New Mexico PreK is a competitive grant program that funds half-day pre-K for all four-year-olds in participating communities.¹ Funding priority is given to communities where at least 66 percent of elementary-age children are enrolled in Title I schools.² School districts, child care centers, Head Start centers, faith-based centers, home-based centers, municipalities, universities, and charter schools are eligible to apply for state pre-K funding. New Mexico PreK is administered by two different agencies, depending on the provider type: the Public Education Department (PED) oversees school districts and charter school providers, and the Children, Youth, and Families Department (CYFD) oversees community-based providers.³

Charter schools in New Mexico

New Mexico allows start-up and conversion charter schools. Local school districts and the state public education commission can serve as authorizers.⁴

Process for Accessing Pre-K Funds

PreK funds appropriated by the state legislature are divided between CYFD and PED. Charter schools, public schools, and regional education co-ops apply for PreK funding through PED's annual Request for Applications (RFA) process. PED releases two RFAs: one for continuing programs and one for new programs. A review team, comprised of early childhood professionals, selects PreK grantees. The Public Education Department only awards slots to new school-based providers, including charter schools, if they determine there is unmet need in the district.

Because charter schools apply through PED, they are exempt from New Mexico Child Care Licensing requirements, unlike providers funded through CYFD.⁵



TOTAL SCORE

31/50

New Mexico's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** Although neither the charter school nor the pre-K legislation in New Mexico specifically addresses whether charter schools may offer pre-K, the Pre-Kindergarten Act states that public schools are eligible providers, which the state interprets to include charter schools. PED also explicitly allows charter schools to apply for PreK funding in its PreK rules.⁶

Five charter schools in New Mexico offer pre-K. All five of those schools receive funding through the state PreK program.⁷

Is the funding level of the state pre-K program a barrier to charter access?

- **Yes.** Low pre-K program funding, compared to K–12 funding levels, makes pre-K less attractive to charters. Charter schools that offer half-day PreK services receive about 21 percent of the per-pupil funding amount that charters receive to serve full-day K–12 students.

Is the size of the state pre-K program a barrier to charter access?

+ **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves about 18 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

- **Yes.** The approval process is a barrier to charter access. The Public Education Department will only award slots to new providers, including charter schools, if they determine there is unmet need in the district, regardless of the quality or potential unique features a new provider may be able to offer.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** New Mexico has not yet established explicit policies related to enrollment from a charter school's pre-K program into the school's kindergarten program. In practice, some charter schools that offer pre-K choose to automatically enroll pre-K students into their kindergarten programs.

Are there any other barriers to charter access?

- **Yes.** Interviews suggest that the lack of sufficient space for additional classrooms is the key barrier to charter growth, for pre-K as well as other grades.

Recommendations

To address these barriers to charter access, New Mexico should:

- Increase the funding level of PreK to cover the cost of providing a high-quality program that meets the state requirements.
- Allow PED to consider pre-K applications from charter schools that have a very strong track record of K–12 performance or would contribute a unique offering not currently available in the community (such as a Montessori program), even if there is not unmet need in the district, provided those applications meet a high bar for proposed program quality.
- Release guidance that explicitly allows charter schools to automatically enroll their state-funded pre-K students into kindergarten.



	New Mexico PreK	Charter schools in New Mexico
Year created	Launched in 2005 ⁸	Charter law enacted in 1993 ⁹
Children in state	57,870 three- and four-year-olds in New Mexico ¹⁰	427,975 school-age children in New Mexico ¹¹
Children served	5,305 children served 0 percent of three-year-olds 18 percent of four-year-olds ¹²	21,911 students served 5.1 percent of school-age population Ninety-five charter schools ¹³
Charters offering pre-K	Five charter schools in New Mexico offer pre-K. ¹⁴	Thirty-six charter schools in New Mexico offer elementary school programs. ¹⁵
Funding	Providers receive \$3,206 per pupil to offer pre-K. ¹⁶	Charter schools receive \$10,336 to serve K–12 students. ¹⁷

Endnotes

1 Hours are locally determined. State funds 450 hours per year.

2 2014 New Mexico Statutes, Section 32A-23A-6, “Early education care and education fund,” Justia, <http://law.justia.com/codes/new-mexico/2014/chapter-32a/article-23a/section-32a-23a-6>.

3 “New Mexico PreK Annual Report,” New Mexico Public Education Department, December 2013, http://cyfd.org/docs/PED-CYFD_Pre-K_Program_Annual_Report_2012-13_VFINAL.pdf.

4 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: New Mexico,” <http://www.publiccharters.org/get-the-facts/law-database/states/NM/>.

5 “New Mexico PreK Annual Report,” New Mexico Public Education Department, December 2013, http://cyfd.org/docs/PED-CYFD_Pre-K_Program_Annual_Report_2012-13_VFINAL.pdf.

6 “Primary and Secondary Education, Educational Standards – General Requirements, Pre-Kindergarten Program,” https://www.newmexicoprek.org/Docs/PED_Prek_Rules_Revised_7.1_2014.pdf.

7 “PreK Provider Search,” New Mexico PreK, <https://www.newmexicoprek.org/index.cfm?event=public.prek.sitesnew>.

8 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

9 NAPCS, “Measuring Up: New Mexico.”

10 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

11 Ibid., all children in households, three to seventeen years old.

12 The state budgeted to fund 5,331 students, but PED served twenty-six fewer students than planned.

13 NAPCS, “Measuring Up: New Mexico.”

14 “New Mexico Charter Schools 2013-2014,” New Mexico Public Education Department, 2013, <http://ped.state.nm.us/ped/CharterSchoolsDocs/Directory/rptwebrosterall.pdf>.

15 “New Mexico Charter Schools 2013-2014,” New Mexico Public Education Department, 2013, <http://ped.state.nm.us/ped/CharterSchoolsDocs/Directory/rptwebrosterall.pdf>.

16 “New Mexico PreK,” New Mexico Public Education Department, http://ped.state.nm.us/ped/LiteracyEarlyChildhoodEd_PreK_index.html.

17 Jay F. May et al., “Charter School Funding: Inequality Expands,” New Mexico section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequality-expands-dc.pdf>.