

This is an amendment to 6.30.12 NMAC, Sections 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, effective 09/28/2021.

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 30 EDUCATIONAL STANDARDS - GENERAL REQUIREMENTS
PART 12 K-5 PLUS [PROGRAM] SCHOOLS

6.30.12.3 STATUTORY AUTHORITY: Sections 9-24-8, 22-2-1, 22-2-2, 22-8-23.11 and 22-13D-1 et seq. NMSA 1978.
[6.30.12.3 NMAC - Rp, 6.30.12.3 NMAC, 6/9/2020; A, 09/28/2021]

6.30.12.6 OBJECTIVE: This rule provides criteria for the development and implementation of the K-5 plus program ~~in order~~ to maximize successful outcomes for students. Development and implementation includes assisting school districts and charter schools as they build capacity to offer K-5 plus ~~programs~~. Development and implementation also includes assessing and evaluating K-5 plus ~~programs~~ schools.
[6.30.12.6 NMAC - Rp, 6.30.12.6 NMAC, 6/9/2020; A, 09/28/2021]

6.30.12.7 DEFINITIONS:

~~[A.]~~ **A.** ~~“Capacity” means having the appropriate numbers of teachers and students participating in the K-5 plus program to meet program eligibility requirements.~~

~~[B.]~~ **A.** **“Evidence-based scientific math strategies and program”** means instructional strategies and mathematics programs that apply rigorous, systematic, and objective procedures to obtain valid measures relevant to math instruction and that are developmentally appropriate and integrate standards for mathematical practices.

~~[C.]~~ **B.** **“Evidence-based scientific reading strategies and program”** means instructional strategies and reading programs that apply rigorous, systematic, and objective procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading difficulties.

~~[D.]~~ **C.** **“High-priority schools”** means, for the purpose of ~~the K-5 plus program~~ K-5 plus, a public school:

- (1) in which eighty percent or more of the elementary school’s students are eligible for free or reduced-fee lunch at the time the public school applies for the K-5 plus program;
- (2) that is a low-performing elementary school;
- (3) that participated in K-3 plus or K-5 plus ~~programs~~ in the most recent school year;
- (4) that is identified as a comprehensive support and improvement school; or
- (5) that is identified as a targeted support and improvement school.

~~[E.]~~ **D.** **“Instructional day”** means at least five and one-half instructional hours per day for qualifying schools.

~~[F.]~~ **E.** **“K-5 plus” or “K-5 plus program”** means ~~a voluntary program, for approved elementary schools, that extends the school year by 25 or more additional instructional days for the purpose of literacy and numeracy instruction. The additional 25 or more instructional days will commence prior to the regular school year~~ a program in which the school year is extended to 205 instructional days per school year or by 25 or more additional instructional days per school year, whichever requires the addition of the fewest number of instructional days for the purpose of literacy and numeracy instruction.

~~[G.]~~ **E.** **“K-5 plus program units”** means the number of students enrolled ~~participating in a department-approved~~ in a K-5 plus ~~program~~ school, multiplied by a factor of 0.3.

G. **“K-5 plus school”** means an approved elementary school implementing the K-5 plus program.

H. **“Local education agency” or “LEA”** means a school district or a locally chartered or state-chartered charter school.

I. **“Multi-layered system of support”** means an umbrella framework that encompasses response to intervention and positive behavioral intervention and supports.

J. **“Progress monitoring”** means a scientifically based practice that teachers use to evaluate the effectiveness of their instruction for individual students and their entire class through:

- (1) the identification of goals;
- (2) measurement of progress toward meeting those goals, comparing expected and actual rates of learning; and

(3) adjustments in instruction.

~~[K. —“School-wide” means the program is offered as many of grade levels an elementary school has.]~~

~~[L.]~~ **J. “Screening assessment”** means the standardized assessment administered multiple times per year for all students to assess specific skills and to identify academically at-risk students.
[6.30.12.7 NMAC - Rp, 6.30.12.7 NMAC, 6/9/2020; A, 09/28/2021]

6.30.12.8 PROGRAM DEVELOPMENT AND IMPLEMENTATION: The department shall support schools in their capacity-building to increase participation in ~~[the K-5 plus program]~~ K-5 plus. Capacity-building includes professional development, curriculum development, teacher recruitment, parent and family outreach, assessment, and program design and evaluation.
[6.30.12.8 NMAC - N, 6/9/2020; A, 09/28/2021]

6.30.12.9 PROGRAM ELIGIBILITY: ~~[To be eligible for K-5 plus program units a school shall commit to]~~ A K-5 plus school:

A. shall provide 205 instructional days per school year or 25 or more additional instructional days of K-5 plus programming [prior to the start of the regular school year] per school year, whichever requires the addition of the fewest number of instructional days for a five-day school week;

B. shall provide a good-faith attempt to keep students who participate in [the] K-5 plus [program] with the same teacher and cohort of students for the following regular school year and minimize mid-year transfers to only those transfers that are in the best interest of the student;

C. shall provide K-5 plus teachers additional professional development on how young children learn to read; and

D. ~~[implement the program school-wide]~~ shall be considered an extended school calendar for all students in each participating school.

E. that operates a four-day school week shall provide no fewer than 175 instructional days per school year or 20 additional instructional days per school year, whichever requires the addition of the fewest number of instructional days.

[6.30.12.9 NMAC - Rp, 6.30.12.8 NMAC, 6/9/2020; A, 09/28/2021]

6.30.12.10 PROGRAM ELEMENT INSTRUCTION:

A. K-5 plus ~~[programs]~~ schools shall ~~[include]:~~

(1) provide a daily classroom schedule with time for all students to practice independent reading;

(2) provide instruction and intervention to students based on screening assessment data to guide instruction to meet student needs;

(3) provide a comprehensive, evidence-based, early literacy, core basal reading program or intervention in alignment with the English language arts common core state standards established in 6.29.13.8 NMAC, which can be accessed at corestandards.org/ELA-Literacy/, that:

(a) ~~[identify]~~ identifies the concepts and skills necessary to establish the foundation of success in early reading;

(b) ~~[include]~~ includes instructional strategies that ensure children learn identified concepts and skills; and

(c) ~~[include]~~ includes key early literacy skills instruction including but not limited to phonological awareness, phonics, reading fluency, vocabulary, comprehension, and writing to support comprehension.

(4) provide a sequential, comprehensive, developmentally appropriate, early mathematics program that aligns with the mathematics common core state standards established in 6.29.14 NMAC that:

(a) ~~[identify]~~ identifies the concepts and skills necessary to establish the foundation of success in early mathematics; and

(b) ~~[include]~~ includes instructional strategies that ensure children learn identified concepts and skills; and

(5) ~~[implementation of]~~ implement the department’s multi-layered system of supports.

B. K-5 plus schools shall provide intervention services in literacy and numeracy for students who are not meeting grade-level requirements.

[6.30.12.10 NMAC - Rp, 6.30.12.9 NMAC, 6/9/2020; A, 09/28/2021]

6.30.12.11 PROGRAM ELEMENT - ASSESSMENT: K-5 plus schools shall administer a common screening assessment for student literacy that diagnoses the acquisition of reading skills, including phonemic awareness, letter knowledge, alphabetic decoding, vocabulary, spelling, comprehension and fluency at the ~~following times~~ beginning, middle, and end of the school year:

- ~~A. beginning of the K-5 plus program;~~
- ~~B. end of the K-5 plus program;~~
- ~~C. beginning of the regular school year;~~
- ~~D. middle of the regular school year; and~~
- ~~E. end of the regular school year.]~~

[6.30.12.11 NMAC - Rp, 6.30.12.10 NMAC, 6/9/2020; A, 09/28/2021]

6.30.12.12 PROFESSIONAL DEVELOPMENT:

A. The LEA shall provide professional development to K-5 plus teachers in the following areas:

- (1) early literacy research and its implications for instruction for phonemic awareness, letter knowledge, alphabetic decoding, vocabulary, spelling, comprehension and fluency in kindergarten and grades one through five;
- (2) best practices of culturally and linguistically responsive instruction, including instruction for English language learners; and
- (3) best practices in early mathematics instruction.

B. To support successful implementation of K-5 plus ~~programs~~, the department shall develop and disseminate information on best practices in the areas of professional development, curriculum development, teacher recruitment, parent and family outreach, assessment, and program design.

[6.30.12.12 NMAC - Rp, 6.30.12.11 NMAC, 6/9/2020; A, 09/28/2021]

6.30.12.13 APPLICATION AND REVIEW PROCESS:

A. Pursuant to ~~the K-5 Plus Act~~ Section 22-13D-4 NMSA 1978, the department shall review for approval all applications ~~for approval~~ to establish a K-5 plus school. Priority ~~will~~ shall be given to those schools identified as high-priority schools. The department shall approve applicants that meet the application deadlines and demonstrate the capacity to meet K-5 plus ~~program~~ requirements as set forth in statute, regulation, and department guidance, provided there is sufficient funding.

B. No later than October 15 of each year, a ~~school district or charter school~~ LEA that wishes to apply for a new K-5 plus program for the next fiscal year shall submit to the department the actual number of students who participated in its K-5 plus programs in the current calendar year and an estimate of the number of students the ~~school district or charter school~~ LEA expects will participate in the K-5 plus programs in the next calendar year.

C. No later than November 15 of each year, the department shall notify the legislature of the number of students participating in K-5 plus programs in the current school year and of the number of students projected to participate in K-5 plus programs in the next school year.

[6.30.12.13 NMAC - Rp, 6.30.12.12 NMAC, 6/9/2020; A, 09/28/2021]

6.30.12.14 FUNDING MECHANISMS:

A. Funding for ~~individual school~~ K-5 plus ~~programs~~ schools shall be calculated based on the approved number of K-5 plus program units.

B. A ~~school district or charter school~~ LEA that provides ~~a department approved~~ K-5 plus ~~program to all elementary students~~ shall be eligible to generate K-5 plus program units using the total average number of elementary school students enrolled on the second and third reporting date of the previous school year.

[6.30.12.14 NMAC - Rp, 6.30.12.13 NMAC, 6/9/2020; A, 09/28/2021]

6.30.12.15 EVALUATION AND REPORTING AND AUDITING:

A. Schools shall comply with annual and interim reports as required by the department for student and program assessment and evaluation.

B. All students participating in K-5 plus shall be reported to the department through the department's data collection and reporting system. Required fields include ~~the following~~:

- (1) daily attendance;
- (2) student demographic information; and
- ~~(3) services rendered under the multi-layered system of support;~~

~~(4) assigned teacher; and~~

~~(5)~~ (3) the number of years the student has participated in ~~the~~ K-5 plus ~~program~~.

C. The department may request additional information regarding ~~staffing, endorsements, licensure levels,~~ program elements, class roster reports, professional development activities, parent and family involvement activities, implementation successes and challenges, and suggested modifications.

D. Site-monitoring visits by the department or by evaluators designated by the department shall be conducted. ~~District~~ School district and school personnel shall attend site visits as needed as determined by the department.

E. The department shall report annually to the legislature and the governor on the development and progress of ~~the K-5 plus program~~ K-5 plus schools.

F. The department shall establish a K-5 plus advisory committee composed of representatives of ~~school districts and charter schools~~ LEAs that ~~participate in the K-5 plus program~~ operate K-5 plus schools, the legislative education study committee, the legislative finance committee and other stakeholders. The advisory committee shall meet twice a year to advise the department on K-5 plus implementation.

[6.30.12.15 NMAC – Rp, 6.30.12.14 NMAC 6/9/2020; A, 09/28/2021]

HISTORY OF 6.30.12 NMAC:

6.30.12 NMAC, K-3 Plus Program, filed 10/30/2014, was repealed and replaced by 6.30.12 NMAC, K-5 Plus Program, effective 6/9/2020.