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AN ACT

RELATING TO EARLY CHILDHOOD; AUTHORIZING THE EARLY CHILDHOOD
EDUCATION AND CARE DEPARTMENT TO ENTER INTO INTERGOVERNMENTAL
AGREEMENTS WITH TRIBAL GOVERNMENTS.

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

SECTION 1. Section 9-29-8 NMSA 1978 (being Laws 2019,
Chapter 48, Section 8, as amended) is amended to read:

"9-29-8. DEPARTMENT--DUTIES.--The department shall:

A. develop priorities for department programs and
the use of department resources based on state policy,
national best-practice standards, evidence-based
interventions and practices and local considerations and
priorities;

B. coordinate and align an early childhood
education and care system to:

(1) include the family, infant, toddler
program, child care, pre-kindergarten, early pre-
kindergarten, home visitation, early head start, head start,
early childhood special education and early intervention and
family support; and

(2) provide New Mexico families with
consistent access to appropriate early childhood care and
education services;

C. administer the child care assistance, child

1 care facility licensing and registered child care home
2 programs;

3 D. develop standards for the department-sponsored
4 delivery of early childhood programs;

5 E. cooperate with other state agencies that affect
6 children to develop common contracting procedures and service
7 definitions and a uniform system of access to early childhood
8 programs;

9 F. develop reimbursement criteria for child care
10 facilities and home providers licensed by the department;

11 G. conduct biennial assessments of child care or
12 early learning service gaps and needs and establish plans to
13 address those service gaps and needs;

14 H. conduct pre-employment fingerprint-based
15 national criminal background checks on all department
16 employees, including those whose employment by the department
17 arises as a result of the transfer provisions of Laws 2019,
18 Chapter 48, Section 34, and on staff members and volunteers
19 of department-contracted providers whose jobs involve direct
20 contact with children participating in programs delivered by
21 the department or those providers;

22 I. provide a system of seamless transition from
23 prenatal to early childhood programs to kindergarten;

24 J. provide consumer education and accessibility to
25 early childhood care and education programs;

1 K. advance quality early childhood education and
2 care programs to support the development of children to
3 prepare them for success in school;

4 L. ensure effective collaboration with state and
5 local child welfare programs and early childhood health and
6 behavioral health programs;

7 M. develop and manage effective data systems to
8 support the necessary functions of a coordinated program;

9 N. develop an aligned system of workforce
10 development for early childhood professionals;

11 O. promote culturally and linguistically
12 appropriate programming and provide equal education and care
13 opportunities to non-English speaking families; and

14 P. upon a request from an Indian nation, tribe or
15 pueblo located in whole or in part in New Mexico, enter into
16 an intergovernmental agreement with the Indian nation, tribe
17 or pueblo, or a tribal organization authorized by the Indian
18 nation, tribe or pueblo by tribal resolution, to plan,
19 conduct, disburse funding to and administer one or more early
20 childhood education and care programs, including the programs
21 listed in Paragraph (1) of Subsection B of this section, with
22 the Indian nation, tribe or pueblo, or authorized tribal
23 organization, using its own culturally and linguistically
24 relevant standards, assessments and evaluations."

25 SECTION 2. EFFECTIVE DATE.--The effective date of the

