EXECUTIVE ORDER 2018-008

ESTABLISHMENT OF THE GOVERNOR'S EARLY LEARNING ADVISORY COUNCIL

WHEREAS, the State Early Learning Advisory Council was created pursuant to the Early Childhood Care and Education Act in April 7, 2011, as provided for in Public Law 110-134, Section 642B of the Federal Improving Head Start for School Readiness Act of 2007, which required that the Governor of the State to designate or establish a council to serve as the State Advisory Council on early childhood education and care for children from birth to school entry; and

WHEREAS, the State Early Learning Advisory Council, per NMSA 1978 Section 32A-23A-4, is to be repealed effective July 1, 2018; and

WHEREAS, a State Early Learning Advisory Council is a necessary and required component for New Mexico to continue to receive federal Child Care Development Funds and Head Start Collaboration funds and is necessary to support the comprehensive early childhood care and education system in New Mexico; and

WHEREAS, due the repeal of the State Early Learning Advisory Council, as established in NMSA 1978 Section 32A-23A-4, the Governor’s Early Learning Advisory Council should be established by this executive order;

NOW, THEREFORE, I, Susana Martinez, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico, do hereby ORDER and DIRECT:

1. Commencing July 1, 2018, the Governor’s Early Learning Advisory Council shall be established.

2. The Governor’s Early Learning Advisory Council is administratively attached to the New Mexico Children, Youth and Families Department, and shall be accountable to the Governor, the New Mexico Legislature, the New Mexico Department of Health, the New Mexico Public Education Department, and the New Mexico Children, Youth and Families Department.
3. The Governor's Early Learning Advisory Council shall consist of no more than **thirteen (13)** members with the Secretary (or designee) of the New Mexico Public Education Department; the Secretary (or designee) of the New Mexico Children, Youth and Families Department; and the Director of the Head Start State Collaboration Office serving as *ex officio* members.

4. The other members of the Governor's Early Learning Advisory Council shall consist of the following individuals appointed by the Governor:

   a. One (1) representative of an institution of higher education;
   b. One (1) representative of a local educational agency responsible for the implementation or coordination of early learning programs;
   c. One (1) representative from a Head Start or Early Head Start organization, including Migrant and Seasonal Head Start programs and Tribal Head Start programs;
   d. One (1) representative of local providers of early childhood education and development services;
   e. One (1) representative of a state agency responsible for programs under Section 619 of the federal Individuals with Disabilities Education Act or Part C of the federal Individuals with Disabilities Education Act;
   f. Up to four (4) additional representatives of other relevant entities or parents who are current consumers of the early learning system.

5. The terms for the Governor's Early Learning Advisory Council not serving *ex officio* shall be a term of three (3) years. No member shall serve more than two (2) full terms. A council member whose term has expired shall continue to serve until a successor is appointed.

6. Additional Council Requirements:
   a. Annually, the members shall designate a chair and vice chair from the members of the council.
   b. A majority of the members constitutes a quorum for the conduct of business. The council shall meet at the call of the chair, and the chair shall coordinate the activities of the council.
   c. The council may form subcommittees or task forces needed to make recommendations to the council. Task force members may include persons who are not members of the council but have an interest or expertise in the implementation of Early Learning Programs, health care or related matters.
d. Members of the council shall not be removed except for incompetence, neglect of duty or malfeasance in office. A vacancy in the membership of the council occurring other than by expiration of term shall be filled for the unexpired term.

e. Council members shall not be paid nor shall they receive per diem and mileage as provided in the “Per Diem and Mileage Act.”

7. The prescribed duties of the Governor’s Early Learning Advisory Council shall be as follows:

a. The council is designated as the council required pursuant to the federal Improving Head Start for School Readiness Act of 2007. The council shall fulfill all of the duties required under the federal act for early childhood care and education.

b. The council shall also lead the development or enhancement of a high quality, comprehensive system of early childhood development and care that ensures statewide coordination and collaboration among the wide range of Early Learning programs and services within the state, including child care, home visitation, Early Head Start, Head Start, federal Individuals with Disabilities Education Act (Part C and 619 Part B) programs for preschool, toddlers, infants and families and pre-kindergarten programs and services.

c. In addition to the duties assigned to the council under federal law, the council shall:

i. by December 2018 and yearly thereafter, develop a comprehensive needs assessment and annual strategic plan for the activities that the council and its subcommittees will undertake. By December 31, 2019, and by each December 31 thereafter, the council shall produce an annual outcomes report for the Governor, the New Mexico Legislature, the New Mexico Department of Health, the New Mexico Public Education Department, and the New Mexico Children, Youth and Families Department. The report shall include performance measures related to the strategic plan, activities undertaken by the council and recommendations for improving access and quality of early learning programs statewide;

ii. make recommendations to the Governor, the New Mexico Legislature, the New Mexico Department of Health, the New Mexico Public Education Department, and the New Mexico Children, Youth and Families Department on the most efficient and effective way to leverage state and federal funding for Early Learning Programs,
including on grant applications made by the department to benefit the fund;

iii. make recommendations to the Governor, the New Mexico Legislature, the New Mexico Department of Health, the New Mexico Public Education Department, and the New Mexico Children, Youth and Families Department on how to coordinate and align an Early Learning system to include child care, pre-kindergarten, home visitation, Early Head Start, Head Start, early childhood special education, early intervention and family support and to provide New Mexico families with consistent access to appropriate care and education services. In developing recommendations, the council shall:

1. consider how to consolidate and coordinate resources and public funding streams for Early Learning Programs and ensure the accountability and coordinated development of all Early Learning services;

2. consider the provision of a system of seamless transition from Early Learning Programs to kindergarten;

3. take into account the decisive role of parents in the planning, operation and evaluation of programs that aid families in the care and education of children;

4. examine ways to provide consumer education and accessibility to Early Learning resources;

5. consider the advancement of quality Early Learning programs to support the healthy development of children and to prepare them for success in school;

6. consider the development of a seamless service delivery system with local points of entry for Early Learning programs administered by local, state and federal agencies;

7. consider how to develop and manage effective data collection systems to support the necessary functions of a coordinated Early Learning system.

8. focus on the diversity, cultural heritage and strengths of the families and communities of the state; and

9. consider the development of an aligned system of professional development for professionals providing Early Learning services;

iv. assess the capacity and effectiveness of two and four-year institutions of higher education to support the career development of early
childhood educators, including the extent to which such institutions have in place articulation agreements, professional development and career advancement plans, and practice or internships for students to spend time in high quality Child Care, Part B, Part C, home visiting, Head Start or pre-kindergarten programs;

v. recommend improvements in state Early Learning standards and undertake efforts to develop high-quality and comprehensive early learning standards, as appropriate; and

vi. increase participation of children in Early Learning Programs, including outreach to underrepresented and special populations;

8. By June 1, 2018, membership recommendations by the New Mexico Children, Youth and Families Department shall be submitted to the Governor for appointment to the council.

SIGNED AT THE EXECUTIVE OFFICE
THIS 17TH DAY OF APRIL, 2018.

WITNESS MY HAND AND THE GREAT SEAL OF THE STATE OF NEW MEXICO

SUSANA MARTINEZ
GOVERNOR

MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

State Capitol • Room 400 • Santa Fe, New Mexico 87501 • 505-476-2200 • fax: 505-476-2226