- 1 SB99 2 164761-1
- 3 By Senators Ross, Singleton, Dunn, Coleman, Beasley,
- 4 Smitherman, Sanders and Figures
- 5 RFD: Finance and Taxation Education
- 6 First Read: 03-MAR-15

1	164761-1 : n	:02/20/2015:KMS/agb LRS2015-596
2		
3		
4		
5		
6		
7		
8	SYNOPSIS:	Existing law does not provide an educational
9		program for children who are not yet of mandatory
10		school age.
11		This bill would establish a universal
12		preschool program for the state.
13		This bill would authorize the State
14		Department of Education to promulgate rules for
15		implementation of the program.
16		This bill would provide eligibility
17		requirements.
18		This bill would require collaboration among
19		various community, state, and federal programs.
20		This bill would provide for funding through
21		the local school district from the Education Trust
22		Fund.
23		This bill would also provide a means for
24		prioritizing school districts when sufficient funds
25		are not available to fund all preschool programs.
26		
27		A BILL

1	TO BE ENTITLED
2	AN ACT
3	
4	Relating to public education; to establish a
5	universal preschool program in the state; to provide
6	definitions; to authorize the State Department of Education to
7	promulgate rules for implementation of the program; to provide
8	eligibility requirements; to provide for collaboration among
9	various community, state, and federal programs; to provide for
10	funding through the local school district from the Education
11	Trust Fund; and to provide for prioritizing when sufficient
12	funds are not available.
13	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
14	Section 1. For the purposes of this act, the
15	following terms shall have the following meanings:
16	(1) APPROVED LOCAL PROGRAM. A school district
17	program for four-year-old children approved by the department
18	to provide high quality preschool instruction.
19	(2) BOARD. The State Board of Education.
20	(3) DEPARTMENT. The State Department of Education.
21	(4) PRESCHOOL PROGRAM. The statewide preschool
22	program for four-year-old children created by this act.
23	(5) SCHOOL DISTRICT APPROVED TO PARTICIPATE IN THE
24	PRESCHOOL PROGRAM. A school district that meets the school
25	district requirements under subsection (c) of Section 3 and
26	has been approved by the department to participate in the
27	preschool program.

Section 2. (a) A statewide preschool program for four-year-old children is established. The purpose of the preschool program is to provide an opportunity for all young children in the state to enter school ready to learn by expanding voluntary access to quality preschool curricula for all children who are four years old.

(b) The department shall adopt rules necessary to implement the preschool program provided in this act.

Section 3. (a) A child who is a resident of Alabama and is four years of age by September 15 of a school year shall be eligible to enroll in the preschool program created by this act. If space and funding are available, a school district approved to participate in the preschool program may enroll a younger or older child in the preschool program. The younger or older child may not be counted for state funding purposes.

- (b) (1) To serve as a teacher in the preschool program an individual shall satisfy all of the following qualifications:
- a. He or she shall be either employed by or under contract with the school district implementing the preschool program.
- b. He or she shall be appropriately licensed and certificated by the state.
- c. He or she shall possesses a bachelor's or graduate degree from an accredited college or university with

a major in early childhood education or other appropriate major identified by rule of the department.

- (2) A teacher in the preschool program shall collaborate with other agencies, organizations, and boards in the community to further the capacity of the program to meet the diverse needs of the children taught by the teacher and the families of the children. Such needs include, but are not limited to, needs for early care, health care, and human services. In addition, a teacher in the preschool program shall work to maintain relationships with the family of each child in order to enhance the development of the child in all settings by collaborating with providers of parent education and family support opportunities.
 - (c) The department shall adopt rules to further define preschool program requirements, which shall be used to determine whether a local preschool program, implemented by a school district approved to implement the preschool program, qualifies as an approved local program. The requirements shall include, but not be limited to, all of the following:
 - (1) Maximum and minimum teacher-to-child ratios and class sizes.
 - (2) Applicable state and federal program standards.
 - (3) Student learning standards.
 - (4) Provisions for the integration of children from other state and federally funded preschools.
 - (5) Collaboration with participating families, early care providers, and community partners, including, but not

limited to, Head Start programs and other programs provided under the auspices of the Department of Children's Affairs and the Alabama Children's Policy Council, licensed child care centers, registered child development homes, local education agencies, child care resource and referral services, early childhood special education programs, services funded by Title I of the federal Elementary and Secondary Education Act of 1965, and family support programs.

- (6) A minimum of 10 hours per week of instruction delivered on the skills and knowledge included in the preschool curriculum standards developed by the department for the preschool program.
- (7) Parental involvement in the local preschool program.
- (8) Provisions for ensuring that children receiving care from other child care arrangements may participate in the preschool program with minimal disruption due to transportation and movement from one site to another.
- (d) The department shall promulgate and adopt rules to further define all of the following requirements of school districts implementing the preschool program:
- (1) Methods of demonstrating community readiness to implement high quality instruction in a local preschool program shall be identified. The potential provider shall submit a collaborative program proposal that demonstrates the involvement of multiple community stakeholders including, but not limited to, parents, the school district, accredited

nonpublic schools and faith-based representatives, the local education agency, representatives of business, Head Start programs, and other programs provided under the auspices of the Department of Children's Affairs and the Alabama Children's Policy Council, center-based and home-based providers of child care services, human services, public health, and economic development programs. The methods may include, but are not limited to, a school district providing evidence of a public hearing on the proposed program and written documentation of collaboration agreements between the school district, existing community providers, and other community stakeholders addressing operational procedures and other critical measures.

- a school district and community-based providers of services to four-year-old children, a four-year-old child who is enrolled in a child care center or child development home licensed or registered under Alabama law, or in an existing public or private preschool program, shall be eligible for services provided by the local preschool program of the school district.
- (3) A school district shall participate in data collection and performance measurement processes and reporting as defined by rule of the department.
- (4) Career development for school district preschool teachers shall be addressed in the career development plan of the applicable school district.

(e) (1) The department shall adopt and implement an application and selection process for school district participation in the preschool program that includes, but is not limited to, the enrollment requirements provided in Section 4.

- (2) The department shall track the progress of students served by a school district preschool program and the performance of the students in elementary and secondary education.
- (3) The department shall implement procedures to monitor the quality of the programming provided under the preschool program.

Section 4. (a) (1) State funding provided under the preschool program shall be based upon the enrollment of eligible students in the preschool program provided by a school district approved to participate in the preschool program.

- (2) A school district approved to participate in the preschool program may authorize expenditures for the preschool program of the district from any of the revenue sources available to the district.
- (3) Preschool funding may not be commingled with the other state appropriations made under law to a school district and shall be accounted for by the local school district separately from other state appropriations. A school district shall maintain a separate listing within its budget for preschool program funds received and expenditures made. A

school district shall certify to the department that preschool funding received by the school district was used to supplement, not supplant, moneys otherwise received and used by the school district for the preschool program.

- (4) Preschool funding may not be used for the costs of constructing a facility in connection with an approved local preschool program.
- (b) (1) To be included as an eligible student in the enrollment count of the preschool program provided by a school district approved to participate in the preschool program, a child shall be four years of age on or before September 1 in the base year and attending the approved local preschool program of the school district.
- not include a child who is included in the enrollment count determined under Section 6 or a child who is served by a program already receiving state or federal funds for the purpose of the provision of four-year-old preschool programming while the child is being served by the program. Such preschool programming includes, but is not limited to, state child development assistance programs, special education programs, school readiness programs, federal Head Start programs, and the services funded by Title I of the federal Elementary and Secondary Education Act of 1965.

Section 5. (a) For the initial school year for which a school district approved to participate in the preschool program receives that approval and implements the preschool

program, the funding for the preschool shall be paid from the appropriation made for that school year to the applicable school district in the annual education budget act or in another appropriation made for purposes of this act.

- (b) For budget years subsequent to the initial school year for which a school district approved to participate in the preschool program receives that approval and implements the preschool program, the funding for the preschool shall be paid from the appropriation made for those school years to the applicable school district in the annual education budget act or in another appropriation made for purposes of this act.
- (c) Except as otherwise provided by law for a fiscal year, of the amount appropriated for that fiscal year for payment of preschool programs statewide, the department may use an amount sufficient to fund up to three full-time equivalent positions which shall be in addition to the number of positions authorized for the fiscal year, as necessary to provide administration and oversight of the preschool program.

Section 6. (a) For the initial fiscal year in which a school district participates in the preschool program pursuant to an appropriation provided in subsection (b), the department shall apply a modified set of the requirements of this act relating to preschool program implementation, preschool enrollment reporting, and distribution of funding as necessary to begin the distribution in that fiscal year and additional program implementation in the next fiscal year. For

each month after September 1, in the initial fiscal year that a school district approved to participate in the preschool program begins programming, the department shall reduce the preschool distribution payable to the school district by one-tenth of the amount that would otherwise have been payable to the school district for the full school year.

- (b) There is annually appropriated from the Education Trust Fund to the State Department of Education an amount that is available and necessary to fund preschool programs in school districts approved to participate in the preschool program and any associated administrative costs.
- (c) In any fiscal year, if the number of requests from school districts for initial participation in the preschool program exceeds the funding made available for the preschool program, the department shall utilize all of the following selection criteria in selecting the school districts to be approved to participate in the preschool program:
- (1) Priority shall be given to school districts that do not have existing preschool programming within the school district boundaries.
- (2) Priority shall be given to school districts that have a high percentage of children in poverty and such children shall receive first priority for the programs.
- (3) Consideration shall be given to the size of school districts in large, medium, and small categories in order for there to be equitable statewide distribution of preschool program services.

(4) Consideration shall be given to school districts
with established, high quality community partnerships for the
delivery of preschool programming that are seeking to expand
access.

Section 7. This act shall become effective on the
first day of the third month following its passage and

approval by the Governor, or its otherwise becoming law.