

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

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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

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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.

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

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

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

17 (b) (1) To serve as a teacher in the preschool
18 program an individual shall satisfy all of the following
19 qualifications:

20 a. He or she shall be either employed by or under
21 contract with the school district implementing the preschool
22 program.

23 b. He or she shall be appropriately licensed and
24 certificated by the state.

25 c. He or she shall possess a bachelor's or
26 graduate degree from an accredited college or university with

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

3 (2) A teacher in the preschool program shall
4 collaborate with other agencies, organizations, and boards in
5 the community to further the capacity of the program to meet
6 the diverse needs of the children taught by the teacher and
7 the families of the children. Such needs include, but are not
8 limited to, needs for early care, health care, and human
9 services. In addition, a teacher in the preschool program
10 shall work to maintain relationships with the family of each
11 child in order to enhance the development of the child in all
12 settings by collaborating with providers of parent education
13 and family support opportunities.

14 (c) The department shall adopt rules to further
15 define preschool program requirements, which shall be used to
16 determine whether a local preschool program, implemented by a
17 school district approved to implement the preschool program,
18 qualifies as an approved local program. The requirements shall
19 include, but not be limited to, all of the following:

20 (1) Maximum and minimum teacher-to-child ratios and
21 class sizes.

22 (2) Applicable state and federal program standards.

23 (3) Student learning standards.

24 (4) Provisions for the integration of children from
25 other state and federally funded preschools.

26 (5) Collaboration with participating families, early
27 care providers, and community partners, including, but not

1 limited to, Head Start programs and other programs provided
2 under the auspices of the Department of Children's Affairs and
3 the Alabama Children's Policy Council, licensed child care
4 centers, registered child development homes, local education
5 agencies, child care resource and referral services, early
6 childhood special education programs, services funded by Title
7 I of the federal Elementary and Secondary Education Act of
8 1965, and family support programs.

9 (6) A minimum of 10 hours per week of instruction
10 delivered on the skills and knowledge included in the
11 preschool curriculum standards developed by the department for
12 the preschool program.

13 (7) Parental involvement in the local preschool
14 program.

15 (8) Provisions for ensuring that children receiving
16 care from other child care arrangements may participate in the
17 preschool program with minimal disruption due to
18 transportation and movement from one site to another.

19 (d) The department shall promulgate and adopt rules
20 to further define all of the following requirements of school
21 districts implementing the preschool program:

22 (1) Methods of demonstrating community readiness to
23 implement high quality instruction in a local preschool
24 program shall be identified. The potential provider shall
25 submit a collaborative program proposal that demonstrates the
26 involvement of multiple community stakeholders including, but
27 not limited to, parents, the school district, accredited

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

14 (2) Subject to implementation of agreements between
15 a school district and community-based providers of services to
16 four-year-old children, a four-year-old child who is enrolled
17 in a child care center or child development home licensed or
18 registered under Alabama law, or in an existing public or
19 private preschool program, shall be eligible for services
20 provided by the local preschool program of the school
21 district.

22 (3) A school district shall participate in data
23 collection and performance measurement processes and reporting
24 as defined by rule of the department.

25 (4) Career development for school district preschool
26 teachers shall be addressed in the career development plan of
27 the applicable school district.

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

6 (2) The department shall track the progress of
7 students served by a school district preschool program and the
8 performance of the students in elementary and secondary
9 education.

10 (3) The department shall implement procedures to
11 monitor the quality of the programming provided under the
12 preschool program.

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

18 (2) A school district approved to participate in the
19 preschool program may authorize expenditures for the preschool
20 program of the district from any of the revenue sources
21 available to the district.

22 (3) Preschool funding may not be commingled with the
23 other state appropriations made under law to a school district
24 and shall be accounted for by the local school district
25 separately from other state appropriations. A school district
26 shall maintain a separate listing within its budget for
27 preschool program funds received and expenditures made. A

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

5 (4) Preschool funding may not be used for the costs
6 of constructing a facility in connection with an approved
7 local preschool program.

8 (b) (1) To be included as an eligible student in the
9 enrollment count of the preschool program provided by a school
10 district approved to participate in the preschool program, a
11 child shall be four years of age on or before September 1 in
12 the base year and attending the approved local preschool
13 program of the school district.

14 (2) The enrollment count of eligible students may
15 not include a child who is included in the enrollment count
16 determined under Section 6 or a child who is served by a
17 program already receiving state or federal funds for the
18 purpose of the provision of four-year-old preschool
19 programming while the child is being served by the program.
20 Such preschool programming includes, but is not limited to,
21 state child development assistance programs, special education
22 programs, school readiness programs, federal Head Start
23 programs, and the services funded by Title I of the federal
24 Elementary and Secondary Education Act of 1965.

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

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

5 (b) For budget years subsequent to the initial
6 school year for which a school district approved to
7 participate in the preschool program receives that approval
8 and implements the preschool program, the funding for the
9 preschool shall be paid from the appropriation made for those
10 school years to the applicable school district in the annual
11 education budget act or in another appropriation made for
12 purposes of this act.

13 (c) Except as otherwise provided by law for a fiscal
14 year, of the amount appropriated for that fiscal year for
15 payment of preschool programs statewide, the department may
16 use an amount sufficient to fund up to three full-time
17 equivalent positions which shall be in addition to the number
18 of positions authorized for the fiscal year, as necessary to
19 provide administration and oversight of the preschool program.

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

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

7 (b) There is annually appropriated from the
8 Education Trust Fund to the State Department of Education an
9 amount that is available and necessary to fund preschool
10 programs in school districts approved to participate in the
11 preschool program and any associated administrative costs.

12 (c) In any fiscal year, if the number of requests
13 from school districts for initial participation in the
14 preschool program exceeds the funding made available for the
15 preschool program, the department shall utilize all of the
16 following selection criteria in selecting the school districts
17 to be approved to participate in the preschool program:

18 (1) Priority shall be given to school districts that
19 do not have existing preschool programming within the school
20 district boundaries.

21 (2) Priority shall be given to school districts that
22 have a high percentage of children in poverty and such
23 children shall receive first priority for the programs.

24 (3) Consideration shall be given to the size of
25 school districts in large, medium, and small categories in
26 order for there to be equitable statewide distribution of
27 preschool program services.

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

5 Section 7. This act shall become effective on the
6 first day of the third month following its passage and
7 approval by the Governor, or its otherwise becoming law.