

1 H.707

2 Introduced by Representatives Kilmartin of Newport City and Marcotte of

3 Coventry

4 Referred to Committee on

5 Date:

6 Subject: Education; prekindergarten education; rules

7 Statement of purpose: This bill proposes to require amendments to rules
8 concerning the effect that the creation or expansion of a prekindergarten
9 education program operated by or through a school district or supervisory
10 union will have on existing service providers and property tax rates.

11 An act relating to public prekindergarten education programs, existing
12 service providers, and property tax rates

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 16 V.S.A. § 829 is amended to read:

15 § 829. PREKINDERGARTEN EDUCATION; RULES

16 The commissioner of education and the commissioner for children and
17 families shall jointly develop and agree to rules and present them to the state
18 board of education for adoption under chapter 25 of Title 3 as follows:

19 (1) To ensure that, before a school district ~~begins or expands or~~
20 supervisory union under contract to a school district for delivery of

1 prekindergarten services is granted a license to begin or expand a
2 prekindergarten education program that intends to enroll students who are
3 included in ~~its~~ a district's average daily membership, the district or supervisory
4 union:

5 (A) engage the community in a collaborative process that includes an
6 assessment of the need for the program in the community and, an inventory of
7 the existing service providers, a five-year projection of the potential financial
8 and other effects a publicly funded program would have on existing licensed
9 and registered child care providers; and determination of the effect the program
10 would have on the district's budget and property tax rate during the first five
11 years of operation;

12 (B) conduct the collaborative process pursuant to a prescribed
13 procedure;

14 (C) prepare a final written report that details the results of the
15 collaborative process pursuant to a prescribed format;

16 (D) make the final report and all information gathered during the
17 process available to the public;

18 (E) file the final report with both departments more than an
19 established number of days prior to including prekindergarten students in a
20 district's average daily membership;

1 (F) prepare a five-year strategic plan for offering or expanding
2 prekindergarten education, which must be accorded the commissioners'
3 approval prior to the inclusion of prekindergarten students in a district's
4 average daily membership; and

5 (G) provide public notice of its intent to offer public prekindergarten
6 pursuant to a prescribed format.

7 (2) To ensure ~~that~~, if a school district or supervisory union begins or
8 expands a prekindergarten education program that intends to include any of the
9 students in ~~its~~ the district's average daily membership, that:

10 (A) the district or supervisory union shall use existing qualified
11 service providers to the extent that existing qualified service providers have the
12 capacity to meet the district's needs of the families and children eligible for
13 prekindergarten services effectively and efficiently, including the need for
14 registered or licensed day care;

15 (B) any claims by private providers or parents that the publicly
16 funded program will negatively affect the business of an existing private
17 provider are addressed in a timely manner; and

18 (C) there are clear guidelines for the process by which a school
19 district or supervisory union shall select the private provider or providers with
20 which it will collaborate if the number of qualified private providers exceeds
21 the needs of the families and children eligible for prekindergarten services.

1 (3) To require that the school district or supervisory union provides
2 opportunities for effective parental participation in the prekindergarten
3 education program.

4 (4) To establish a process by which a parent or guardian residing in the
5 district or supervisory union under contract to a school district for delivery of
6 prekindergarten services, or a provider, or both, may request a school district to
7 enter into a contract with a provider located in or outside the district or
8 supervisory union.

9 (5) To identify the services and other items for which state funds may be
10 expended when prekindergarten children are counted for purposes of average
11 daily membership, such as tuition reduction, quality improvements, or
12 professional development for school staff or private providers.

13 (6) To ensure transparency and accountability by requiring private
14 providers under contract with a school district or supervisory union to report
15 costs for prekindergarten programs to the school district or supervisory union
16 and by requiring school districts or supervisory unions to report these costs to
17 the commissioner of education.

18 (7) To require school districts to include ~~identifiable~~ all costs ~~for~~
19 attributable to prekindergarten programs and essential early education services
20 in their annual budgets and reports to the community.

1 (8) To require school districts and supervisory union to report to the
2 departments their annual expenditures made in support of prekindergarten care
3 and education, with distinct figures provided for expenditures made from the
4 general fund, from the education fund, and from all other sources, which shall
5 be specified.

6 (9) To provide ~~an appeal~~ a process for parent, guardian, or provider to:

7 (A) challenge an action of the school district or supervisory union
8 when the appellant believes that the district or supervisory union is in violation
9 of state statute or rules regarding prekindergarten education;

10 (B) report the ways in which a prekindergarten program offered by or
11 through a school district or supervisory union has harmed an existing qualified
12 service provider; and

13 (C) appeal an unfavorable decision to superior court.

14 (10) To establish the minimum quality standards necessary for a district
15 to include prekindergarten children within its average daily membership. At a
16 minimum, the standards shall include the following requirements:

17 (A) The prekindergarten education program, whether offered by or
18 through the district or supervisory union, shall have received:

19 (i) National Association for the Education of Young Children
20 (NAEYC) accreditation; or

1 (ii) At least four stars in the department for children and families
2 STARS system ~~with at least two points in each of the five arenas~~; or

3 (iii) Three stars in the STARS system if the provider has
4 developed a plan, approved by the commissioner for children and families and
5 the commissioner of education, to achieve four or more stars within three years
6 ~~with at least two points in each of the five arenas~~, and the provider has met
7 intermediate milestones; and

8 (B) ~~A licensed center shall employ or contract for the services of at~~
9 ~~least one teacher who is~~ The prekindergarten program coordinator for the
10 school district or supervisory union shall be licensed and endorsed in early
11 childhood education or in early childhood special education under chapter 51
12 of this title; and

13 (C) ~~A registered home~~ All publicly funded prekindergarten programs
14 shall receive regular, active supervision and training from ~~a teacher who is~~
15 ~~licensed and endorsed in early childhood education or in early childhood~~
16 ~~special education under chapter 51 of this title~~ the prekindergarten program
17 coordinator for the school district or supervisory union.

18 (11) To establish a process for documenting the progress of children
19 enrolled in prekindergarten programs and to require public and private
20 providers to use the process to collect and report child progress data to the
21 commissioner of education on an annual basis.

1 (12) To ensure that information regarding the location and quality rating
2 of all public prekindergarten programs is available at all program sites, public
3 elementary schools, and supervisory union offices and on the websites
4 maintained by the department of education and the department for children and
5 families.

6 (13) To determine a “cost per child” for registered home providers,
7 licensed providers, and prekindergarten programs offered by a school district
8 or supervisory union with three, four, and five stars in the department for
9 children and families STARS system, which may take regional differences into
10 account, and to ensure that every school district contracts with a private
11 provider at the applicable rate.

12 (14) To establish a system to be used by each district that includes or
13 intends to include prekindergarten children within its average daily
14 membership to identify how the funds budgeted for prekindergarten are used,
15 and whether public funds will be used for the program’s operating costs or to
16 reduce tuition owed by parents or a combination of both. If the funds are used
17 to reduce parental obligations, payment shall be based on the quality rating of
18 the program.

19 (15) To establish deadlines by which all reports required under this
20 section shall be filed and to provide related forms to be completed by all
21 school districts and supervisory unions.

