

1 S.193

2 Introduced by Senator Starr

3 Referred to Committee on

4 Date:

5 Subject: Education; prekindergarten education; rules

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

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

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

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

14 § 829. PREKINDERGARTEN EDUCATION; RULES

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

18 (1) To ensure that, before a school district or supervisory union begins
19 or expands a prekindergarten education program that intends to enroll students

1 who are included in ~~its~~ a district's average daily membership, the district or
2 supervisory union:

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

9 (B) conduct the collaborative process pursuant to a prescribed
10 procedure;

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

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

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

18 (F) prepare a five-year strategic plan for offering or expanding
19 prekindergarten education, which must be accorded the commissioners'
20 approval prior to the inclusion of prekindergarten students in a district's
21 average daily membership.

1 (2) To ensure that, if a school district or supervisory union begins or
2 expands a prekindergarten education program that intends to include any of the
3 students in ~~its~~ the district's average daily membership, the district or
4 supervisory union shall use existing qualified service providers to the extent
5 that existing qualified service providers have the capacity to meet the district's
6 or supervisory union's needs effectively and efficiently.

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

10 (4) To establish a process by which a parent or guardian residing in the
11 district or supervisory union, or a provider, or both, may request a school
12 district to enter into a contract with a provider located in or outside the district
13 or supervisory union.

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

18 (6) To ensure transparency and accountability by requiring private
19 providers under contract with a school district or supervisory union to report
20 costs for prekindergarten programs to the school district or supervisory union

1 and by requiring school districts or supervisory unions to report these costs to
2 the commissioner of education.

3 (7) To require school districts to include identifiable costs for
4 prekindergarten programs and essential early education services in their annual
5 budgets and reports to the community.

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

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

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

15 (B) report the ways in which a prekindergarten program offered by or
16 through a school district or supervisory union has harmed an existing qualified
17 service provider.

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

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

3 (i) National Association for the Education of Young Children
4 (NAEYC) accreditation; or

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

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

12 (B) A licensed center shall ~~employ or contract for the services of~~
13 receive regular supervision and training, as required by rule, from at least one
14 teacher who is licensed and endorsed in early childhood education or in early
15 childhood special education under chapter 51 of this title; and

16 (C) A registered home shall receive regular, active supervision and
17 training from a teacher who is licensed and endorsed in early childhood
18 education or in early childhood special education under chapter 51 of this title.

19 (11) To establish a process for documenting the progress of children
20 enrolled in prekindergarten programs and to require public and private

1 providers to use the process to collect and report child progress data to the
2 commissioner of education on an annual basis.

3 Sec. 2. Sec. 10 of No. 62 of the Acts of 2007 is amended to read:

4 Sec. 10. REPORT TO GENERAL ASSEMBLY

5 On or before January 1, 2010, and annually thereafter, the commissioners of
6 education and for children and families shall file a written report with the
7 house and senate committees on education regarding:

8 (1) The per-district or, if offered by or through the supervisory union,
9 the per-supervisory union enrollment of children who are in prekindergarten
10 programs and who are receiving essential early education services and the
11 amount of the budget and the tax rate that is attributable to the programs
12 offered by or through the district or supervisory union.

13 * * *

14 (5) The information and data required through rulemaking in 16 V.S.A.
15 § 829(5) through ~~(7)~~(8).

16 * * *

17 Sec. 3. EFFECTIVE DATE

18 This act shall take effect on July 1, 2010.