

STATE OF NEW YORK

8225

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. P. CARROLL -- read once and referred to the
Committee on Education

AN ACT to amend the education law, in relation to requiring school
districts utilize all allotted funds for universal prekindergarten
programs

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Section 3602-e of the education law is amended by adding a
2 new subdivision 21 to read as follows:

3 21. School districts shall utilize the totality of their allotted
4 funds from the amount set forth for such school districts as "UNIVERSAL
5 PREKINDERGARTEN" in the school aid computer listing produced by the
6 commissioner in support of the enacted budget for such year. School
7 districts shall be exempt from this requirement if they demonstrate that
8 program utilization rates fall short of allocated slots due to insuffi-
9 cient demand for state-funded slots. The board of regents and the
10 commissioner shall be authorized to adopt regulations to implement the
11 provisions of this subdivision. Any school district which fails to
12 comply with this subdivision during any school year shall be subject to
13 the requirements of subdivision five of section twenty-one hundred two-a
14 of this chapter. If the reason for lack of utilization is due to insuf-
15 ficient classroom space, then the school district shall also set forth a
16 plan to address the insufficient space.

17 § 2. Section 3602-ee of the education law is amended by adding a new
18 subdivision 18 to read as follows:

19 18. Facilities providing universal full-day pre-kindergarten under
20 this section shall utilize the totality of awarded funds for such year.
21 Such facilities shall be exempt from this requirement if they demon-
22 strate that program utilization rates fall short of allocated slots due
23 to insufficient demand for state-funded slots. The board of regents and
24 the commissioner shall be authorized to adopt regulations to implement

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 the provisions of this subdivision. Any such facility which fails to
2 comply with this subdivision during any school year shall be subject to
3 the requirements of subdivision six of section twenty-one hundred two-a
4 of this chapter. If the reason for lack of utilization is due to insuf-
5 ficient classroom space, then the school district shall also set forth a
6 plan to address the insufficient space.

7 § 3. Section 2102-a of the education law is amended by adding two new
8 subdivisions 5 and 6 to read as follows:

9 5. (a) In every school year where a school district is in violation of
10 subdivision twenty-one of section thirty-six hundred two-e of this chap-
11 ter, every trustee or voting member of a board of education of such
12 school district, shall, by April first of the school year in which the
13 funds were underutilized, complete a minimum of twelve hours of training
14 on the importance of early childhood education, learning, and develop-
15 ment. Every trustee or voting member of such board of education shall
16 repeat this training for every year in which such school district is in
17 violation of subdivision twenty-one of section thirty-six hundred two-e
18 of this chapter.

19 (b) Each trustee or voting member of a board of education subject to
20 the provisions of paragraph (a) of this subdivision shall demonstrate
21 compliance with the requirements of such paragraph by filing with the
22 district clerk a certificate of completion of such training. Actual and
23 necessary expenses incurred by a trustee or voting member of a board of
24 education in complying with the foregoing requirements shall be charged
25 against the school district.

26 (c) The commissioner shall develop early childhood education, learn-
27 ing, and development training materials for use by district officials
28 pursuant to this subdivision no later than three months after the effec-
29 tive date of this subdivision. The training required by this subdivision
30 may be offered by eligible agencies pursuant to section thirty-six
31 hundred two-e of this chapter. In approving other providers for these
32 trainings, the commissioner shall consider the potential provider's
33 understanding of the educational environment, the roles of trustees,
34 boards of education, and boards of cooperative educational services, and
35 the experience of the provider in delivering such training.

36 6. (a) In every school year where a facility providing universal full-
37 day pre-kindergarten under section thirty-six hundred two-ee of this
38 chapter is in violation of subdivision eighteen of section thirty-six
39 hundred two-ee of this chapter, every trustee, board member or other
40 similarly situated person of such facility, shall, by April first of the
41 school year in which the funds were underutilized, complete a minimum of
42 twelve hours of training on the importance of early childhood education,
43 learning, and development. Every such person shall repeat this training
44 for every year in which such school district is in violation of subdivi-
45 sion eighteen of section thirty-six hundred two-ee of this chapter.

46 (b) Each trustee, board member or other similarly situated person of
47 such facility subject to the provisions of paragraph (a) of this subdivi-
48 vision shall demonstrate compliance with the requirements of such para-
49 graph by filing with the district clerk a certificate of completion of
50 such training. Actual and necessary expenses incurred by such persons in
51 complying with the foregoing requirements shall be charged against the
52 facility.

53 (c) The commissioner shall develop early childhood education, learn-
54 ing, and development training materials for use by district officials
55 pursuant to this subdivision no later than three months after the effec-
56 tive date of this subdivision. The training required by this subdivision

1 may be offered by eligible agencies pursuant to section thirty-six
2 hundred two-ee of this chapter. In approving other providers for these
3 trainings, the commissioner shall consider the potential provider's
4 understanding of the educational environment, the roles of trustees,
5 boards of education, and boards of cooperative educational services, and
6 the experience of the provider in delivering such training.

7 § 4. This act shall take effect on the first of July next succeeding
8 the date on which it shall have become a law. Effective immediately, the
9 addition, amendment and/or repeal of any rule or regulation necessary
10 for the implementation of this act on its effective date are authorized
11 to be made and completed on or before such effective date.