

STATE OF NEW YORK

9128

IN ASSEMBLY

February 8, 2024

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

AN ACT to amend the education law, in relation to grant programs for facilities providing prekindergarten services

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

1 Section 1. Legislative intent. The legislature hereby recognizes and
2 acknowledges the significant financial and logistical challenges faced
3 by New York families in accessing and affording child care services
4 across the state. The legislature further acknowledges that prekinde-
5 rgarten programs offer a viable alternative to traditional child care
6 settings, providing children with a strong social and academic founda-
7 tion before entering kindergarten level classes. Additionally, the
8 legislature acknowledges the crucial role played by community-based
9 organizations and other educational service providers in delivering
10 high-quality prekindergarten services to an increasing number of fami-
11 lies. Recognizing the importance of these community partners, the legis-
12 lature emphasizes the need to ensure the financial viability of these
13 organizations as the state expands access to prekindergarten education.
14 In addition to the provisions outlined in this act, the legislature
15 hereby calls on the commissioner of education to identify strategies for
16 enhancing and streamlining the operations of eligible agencies that
17 provide prekindergarten services, including facilitating access to a
18 repository of qualified early childhood education professionals, with
19 the aim of improving the recruitment and retention of highly skilled
20 employees, and identifying methods to minimize overhead expenses
21 incurred by eligible agencies.

22 § 2. The opening paragraph of subdivision 10 of section 3602-e of the
23 education law is amended by adding a new subparagraph (x) to read as
24 follows:

25 (x) for the two thousand twenty-four--two thousand twenty-five school
26 year and thereafter, each school district shall be eligible to receive a
27 grant amount equal to the greater of the amount provided under subpara-
28 graph (ix) of this paragraph or the product of: (1) the sum of: (A)

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

LBD13889-01-3

1 eligible half-day three-year-old prekindergarten pupils weighted at 0.5
2 as defined in clause two of subparagraph (iii) of paragraph b of this
3 subdivision, (B) eligible full-day three-year-old prekindergarten pupils
4 as defined in clause two of subparagraph (ii) of paragraph b of this
5 subdivision, (C) eligible half-day four-year-old prekindergarten pupils
6 weighted at 0.5 as defined in clause one of subparagraph (iii) of para-
7 graph b of this subdivision, and (D) eligible full-day four-year-old
8 prekindergarten pupils as defined in clause one of subparagraph (ii) of
9 paragraph b of this subdivision, multiplied by (2) six thousand four
10 hundred dollars; provided, however, that the maximum grant shall not
11 exceed the total actual grant expenditures incurred by the school
12 district in the current school year, as approved by the commissioner;
13 and provided, further, notwithstanding any other provision of the law to
14 the contrary, that the dollar amount set forth in this clause shall be
15 adjusted annually to reflect the percentage increase in the consumer
16 price index, as defined by paragraph hh of subdivision one of section
17 three thousand six hundred two of this part.

18 § 3. Paragraph e of subdivision 5 of section 3602-e of the education
19 law, as amended by section 19 of part B of chapter 57 of the laws of
20 2007, is amended to read as follows:

21 e. Not less than [~~ten~~] fifteen percent of the total grant award to the
22 school district shall be set aside for collaborative efforts with eligi-
23 ble agencies, provided that the commissioner may waive such set aside
24 requirement based upon documented evidence that the school district was
25 unable to use the set aside to make a collaborative arrangement that
26 would meet all requirements of this subdivision because of unavailabili-
27 ty of eligible agencies willing to collaborate or other factors beyond
28 the control of the school district, or for school districts which have
29 fully implemented a universal prekindergarten program by serving all
30 eligible [~~four-year-olds~~] four-year-olds in the nineteen hundred [~~nine-~~
31 ~~ty-eight--ninety-nine~~] ninety-eight--nineteen hundred ninety-nine school
32 year and due to parental choice the ten percent set aside requirement
33 exceeds the total of the district's aid per kindergarten pupil multi-
34 plied by the number of pre-kindergarten pupils in collaborative
35 programs. In such cases, school districts shall set aside, for collabo-
36 rative efforts with eligible agencies, the total of the district's aid
37 per kindergarten pupil multiplied by the number of prekindergarten
38 pupils in collaborative programs.

39 § 4. Subdivision 5 of section 3602-e of the education law is amended
40 by adding a new paragraph g to read as follows:

41 g. Notwithstanding any provision of the law to contrary, the commis-
42 sioner shall consult with the commissioner of children and family
43 services to require that school districts and eligible agencies adminis-
44 tering a prekindergarten program pursuant to paragraph e of this subdi-
45 vision which shall follow equivalent standards relating to minimum
46 teacher to student supervision ratios and maximum class sizes.

47 § 5. This act shall take effect immediately.