

# STATE OF NEW YORK

230

2023-2024 Regular Sessions

## IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to the universal full-day pre-kindergarten program; and to repeal subdivision 4 of section 3602-ee of such law relating thereto

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

1 Section 1. Subdivision 4 of section 3602-ee of the education law is  
2 REPEALED.

3 § 2. Subdivisions 1 and 5 of section 3602-ee of the education law, as  
4 added by section 1 of part CC of chapter 56 of the laws of 2014, are  
5 amended to read as follows:

6 1. The purpose of the universal full-day pre-kindergarten program is  
7 to incentivize and fund state-of-the-art innovative pre-kindergarten  
8 programs [~~and to encourage program creativity through competition~~].

9 5. The department shall develop a scoring system, which it shall use  
10 to evaluate which applications shall be funded [~~on a competitive basis~~]  
11 based on merit and factors including but not limited to the criteria  
12 listed above and student and community need. [~~Upon review of applica-~~  
13 ~~tions, if the program is oversubscribed in any region or regions of the~~  
14 ~~state, the department shall notify the division of the budget, which~~  
15 ~~shall develop a plan for distribution of available slots within any~~  
16 ~~oversubscribed region.~~] The subscription for the New York city region is  
17 three hundred million dollars. The subscription for each region of the  
18 state other than the New York city region shall be in an amount suffi-  
19 cient to provide slots for all qualifying programs. The department shall  
20 allocate full-day pre-kindergarten conversion slots and new full-day  
21 pre-kindergarten slots based on available funding and shall make  
22 payments upon documentation of eligible expenditures in the base year,

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

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1 which shall be limited to the actual number of slots operated and paid  
2 on a per-pupil basis pursuant to subdivision fourteen of this section.  
3 § 3. This act shall take effect on the first of July next succeeding  
4 the date on which it shall have become a law.