

# STATE OF NEW YORK

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4600

2025-2026 Regular Sessions

## IN ASSEMBLY

February 4, 2025

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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:

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

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

22 § 3. Paragraph e of subdivision 5 of section 3602-e of the education  
23 law, as amended by section 19 of part B of chapter 57 of the laws of  
24 2007, is amended to read as follows:

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

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

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

51 § 5. This act shall take effect immediately.