# STATE OF NEW YORK

4600

2025-2026 Regular Sessions

# IN ASSEMBLY

February 4, 2025

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:**

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

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

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

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

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

e. Not less than [~~ten~~] fifteen percent of the total grant award to the school district shall be set aside for collaborative efforts with eligible agencies, provided that the commissioner may waive such set aside requirement based upon documented evidence that the school district was unable to use the set aside to make a collaborative arrangement that would meet all requirements of this subdivision because of unavailability of eligible agencies willing to collaborate or other factors beyond the control of the school district, or for school districts which have fully implemented a universal prekindergarten program by serving all eligible [~~four year olds~~] four-year-olds in the nineteen hundred [~~ninety-eight--ninety-nine~~] ninety-eight--nineteen hundred ninety-nine school year and due to parental choice the ten percent set aside requirement exceeds the total of the district's aid per kindergarten pupil multiplied by the number of pre-kindergarten pupils in collaborative programs. In such cases, school districts shall set aside, for collaborative efforts with eligible agencies, the total of the district's aid per kindergarten pupil multiplied by the number of prekindergarten pupils in collaborative programs.

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

g. Notwithstanding any provision of the law to contrary, the commissioner shall consult with the commissioner of children and family services to require that school districts and eligible agencies administering a prekindergarten program pursuant to paragraph e of this subdivision which shall follow equivalent standards relating to minimum teacher to student supervision ratios and maximum class sizes.

§ 5. This act shall take effect immediately.