

## HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 954 by Representative Leger

EDUCATION/PRE-K: Provides relative to the Cecil J. Picard LA 4 Early Childhood Program, including provisions pertaining to funding, eligibility, cost, program specifications, and collaboration with nonschool system providers

### Synopsis of Senate Amendments

1. Relative to school systems' present law authority to collaborate with other early childhood education providers, refers to publicly funded instead of governmentally funded providers and additionally authorizes collaboration with Type III licensed providers.
2. Relative to collaborative agreements with nonschool system providers:
  - (a) Reinstates present law provision requiring, in lieu of proposed law provision authorizing, school systems to use a percentage of any increase in LA 4 funding to provide for LA 4 through such agreements; however, instead of requiring that they use at least 10% of such increase, bases the percentage on the LA 4 per pupil allocation.
  - (b) Reinstates present law provisions relative to waiving such spending requirements.
  - (c) Reinstates present law relative to provider qualifications for participation.

### Digest of Bill as Finally Passed by Senate

Present law provides for the Cecil J. Picard LA 4 Early Childhood Program. Proposed law retains certain provisions relative to the program and revises or eliminates other provisions, as follows:

#### Funding

Present law requires the state Dept. of Education (DOE) to allocate funding, out of monies appropriated for such purpose, to each public school system or charter school that applies for funding and uses it solely for the purpose of providing a program (the Cecil J. Picard LA 4 Early Childhood Program or LA 4 program) for early childhood development and enrichment activity classes (LA 4 classes). Proposed law retains present law but deletes the reference to charter schools and adds a requirement that BESE assess all funding streams in order to facilitate diverse delivery and fulfill demand to the greatest extent possible.

Present law requires each participating school system to use at least 10% of the total increase in LA 4 funding received each year in excess of the amount received during the 2008-09 school year to provide the early childhood education program component of LA 4 classes through collaborative agreements with certain nonschool system providers of early childhood education. Provides relative to waiving this requirement under certain conditions.

Proposed law retains present law but requires, beginning with the 2014-15 school year, each participating school system to use at least 10% of the total increase in such funding received each year in excess of the amount received during the previous school year to provide LA 4 classes (not specifically the early childhood education program component) through such agreements and applies this requirement to school years when the LA 4 per pupil amount is \$5,000 or more. Lowers the required percentage to at least 5% in a school year when such amount is less than \$5,000.

Present law requires that such providers meet the following criteria:

- (1) Serve children residing within the school system's geographic boundaries.
- (2) Meet the present law definition of a child care facility, which is any entity that the state administrator of the Child Care Development Fund determines is eligible to participate in the quality rating system, has applied to the Dept. of Children and Family Services for evaluation under the system, and is participating in the system.
- (3) Have attained the minimum quality rating as established by BESE required to be eligible to participate in the program.

Proposed law retains the criteria in (1) and (3) and revises (2) to instead require that such a provider meet the proposed law definition of "early learning center", which is any child day care center, Early Head Start Center, Head Start Center, or stand-alone prekindergarten program not attached to a school.

Present law requires a nonschool system provider that wishes to participate in LA 4 to include the following information, at minimum, in its application to the school system:

- (1) Verification that it is a provider of early childhood education that meets the definition of a "child care facility" and has attained the minimum quality rating required to be eligible to participate in the program as established by BESE.
- (2) Documentation that it meets requirements provided by present law and BESE rules for participation and documentation relative to its organizational, governance, and operational structure, policies, programs, and practices in place to ensure parental involvement, personnel policies and employment practices, and rules and regulations applicable to children, including disciplinary policies and procedures, the adequacy of its facilities and equipment, the types and amounts of its insurance coverage, and applicable teacher certification requirements.

Proposed law retains present law except revises (1) above to require the provider to verify that it meets the proposed law definition of "early learning center".

#### Eligibility

Present law provides that LA 4 classes shall be provided to every child in a school system's jurisdiction who meets the following criteria:

- (1) Is eligible to enter kindergarten the following year.
- (2) Meets the requirements of present law for immunization documentation required for regular school enrollment.
- (3) Is consistently and regularly in attendance for the early childhood education program portion of the day.

Proposed law retains the immunization requirement and otherwise deletes present law and instead provides, subject to the availability of funds, that the LA 4 program shall be available to each child who meets these eligibility criteria:

- (1) Applies to the LA 4 program.
- (2) Is four years old or eligible to enroll in kindergarten in the following school year.

Cost

Present law provides that LA 4 classes shall be provided at no cost, except for the applicable lunch cost, to the child or his family for any eligible child who is eligible to receive free or reduced price meals pursuant to the federal child nutrition program as documented by a completed application for such meals whether or not such meals are sought.

Prior law provided for the following:

- (1) Until the beginning of the 2013-14 school year, authorized charging tuition to any child except those eligible to receive free or reduced price meals on a sliding scale based on family income, according to BESE rule.
- (2) A phased-in implementation of a plan for universal access to LA 4 classes at no cost other than applicable lunch costs (if funding had been available).

Proposed law repeals present law and prior law and provides that the cost of the LA 4 program shall be as follows:

- (1) For at risk children (as defined by BESE): no cost, except for any applicable lunch cost and the cost of before and after care.
- (2) For children who are not at risk: tuition may be charged on a sliding scale in an amount not to exceed that necessary for the program.
- (3) For all children, both at risk and not at risk, authorizes each public school system offering the LA 4 program to charge a fee for the cost of meals and the cost of before and after care, subject to BESE rules.

Program specifications

- (1) Present law requires a full day program of at least 10 hours per day for each day that the school system's regular school program is in session and requires both a program of early childhood education during the period of the day that school is normally in session and a program of high quality enrichment activities before and after school.

Proposed law deletes present law and requires such hours as the regular school day is in session for the early childhood education program.

- (2) Present law requires a program of developmentally appropriate early childhood education with content meeting standards required for accreditation of a high quality early childhood education program as determined by DOE.

Proposed law retains present law but provides that BESE rather than DOE shall determine these standards.

- (3) Present law requires adequate and appropriate space and facilities.

Proposed law retains present law.

Present law further requires, if early childhood education or enrichment activities are provided at a site not operated by the school system, adequate and appropriate space and facilities that meet the requirements for licensure as a Class A day care.

Proposed law deletes present law.

Present law further requires:

- (1) A student to lead teacher ratio of no more than 20:1 and a student to adult staff member ratio of no more than 10:1.
- (2) Classroom and instructional supplies consistent with the standards for accreditation of a high quality early childhood education program.
- (3) A "lead teacher" who meets certain specific requirements relative to certification or educational credentials.

Proposed law retains present law in (1) through (3) above.

Present law further requires the following:

- (1) Transportation for every student to ensure presence of the child for the early childhood education portion of the LA 4 class. Provides that other transportation may be provided.
- (2) Appropriate meals and snacks for every student.
- (3) Provision for services which support students and families consistent with the needs of the community, which may include health care, employment counseling, literacy services, tutoring, or parental training.

Proposed law repeals the requirements in (1) through (3) above.

#### Collaboration

Present law authorizes each participating school system to work collaboratively with other governmentally funded providers of early childhood education that serve children residing within the system's jurisdiction of the system, including Head Start and other federal programs, in providing the LA 4 program. Provides that collaboration may include agreements to share resources if such agreements are documented, no regulation of any provider is compromised or violated, and a clear demarcation of responsibility as to costs, employee supervision, and program administration is maintained. Proposed law retains present law except authorizes school systems to work collaboratively with other publicly funded and Type III licensed providers rather than other governmentally funded providers.

#### Requirements for DOE

- (1) Present law requires DOE (a) to provide regional coordinators sufficient to provide each applicant and each participating school system with supportive technical assistance and (b) to ensure that school systems comply with present law and BESE rules relative to LA 4.

Proposed law deletes the requirement that DOE provide regional coordinators to provide supportive technical assistance to each school system and each applicant and instead requires that DOE provide technical assistance to each school system. Otherwise retains present law.

- (2) Present law requires DOE to develop and implement a system of evaluating the efficiency and effectiveness of LA 4 in improving both the preparedness of students for elementary school, especially focused on reading readiness, and a study of the long-term effects of LA 4 classes on the school success of the participating students.

Proposed law deletes the requirement that the evaluation system focus on the preparedness of students for elementary school, especially focused on reading readiness, and otherwise retains present law.

- (3) Present law requires DOE to provide professional development for lead teachers and others whose employment involves direct contact with students. Proposed law retains present law.
- (4) Present law requires DOE to require statistical reporting and other documentation and reporting as is required for primary grades, including the number of children participating in LA 4 classes provided by nonschool system providers. Proposed law repeals present law.
- (5) Present law requires DOE to provide early childhood education models and programs to participating schools. Proposed law repeals present law.

Requirements for DOE and BESE relative to future LA 4 program applications

Proposed law provides for the following, beginning with LA 4 program applications for the 2015-16 school year:

- (1) Requires DOE to annually determine the demand for the LA 4 program.
- (2) Requires BESE to consider such demand, the availability of funds to support the program, and the eligibility of public school systems to receive funds for the program and to annually determine the following:
  - (a) The cost of funding all eligible LA 4 program applicants who are considered "at-risk" as defined by BESE.
  - (b) The method for equitably distributing available funds to eligible public school systems.
  - (c) The difference in dollar amount between the funding required to meet the measured funding demand and the funding available in the fiscal year.

(Adds R.S. 17:407.26; Repeals R.S. 17:24.10)