

LEGISLATIVE BILL 759

Approved by the Governor April 4, 2001

Introduced by Raikes, 25; Price, 26

AN ACT relating to early childhood education; to amend sections 79-1101 and 79-1104, Reissue Revised Statutes of Nebraska, and section 79-1103, Revised Statutes Supplement, 2000; to change and eliminate provisions relating to a pilot project program; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 79-1101, Reissue Revised Statutes of Nebraska, is amended to read:

79-1101. (1) The Legislature finds and declares that: (a) Early childhood ~~and parent~~ education programs can assist children in achieving their potential as citizens, workers, and human beings and can strengthen families; (b) early childhood education has been proven to be a sound public investment of funds not only in assuring productive, taxpaying workers in the economy but also in avoidance of increasingly expensive social costs for those who drop out as productive members of society; (c) the key ingredient in an effective early childhood education program is a strong family ~~education development and support~~ component because the role of the parent is of critical importance; (d) while all children can benefit from quality, developmentally appropriate early childhood education experiences, such experiences are especially important for at-risk infants and children; ~~and~~ (e) current early childhood education programs serve only a fraction of Nebraska's children and the quality of current programs varies widely; (f) well-designed early childhood education programs increase the likelihood that children who participate will enter school prepared to achieve high standards; (g) effective early childhood education programs require staff with knowledge about child growth, development, and learning and family systems; and (h) both public and nonpublic programs which meet recognized standards of quality can address the growth, development, and learning needs of young children.

(2) It is the intent of the Legislature and the public policy of this state to encourage ~~the provision of schools and community-based organizations to work together to provide~~ high-quality early childhood education programs for infants and young children ~~which include family involvement~~. ~~The purpose purposes of sections 79-1101 to 79-1103 is 79-1104~~ are to provide state assistance to selected school districts, cooperatives of school districts, and educational service units for early childhood education, training and pilot projects and to encourage coordination between public and private service providers of early childhood education and child care programs, and to provide state support for efforts to improve training opportunities for staff in such programs.

(3) For purposes of sections 79-1101 to 79-1104, early childhood education program means any prekindergarten part-day or full-day program with a stated purpose of promoting social, emotional, intellectual, language, physical, and aesthetic development and learning for children from birth to kindergarten-entrance age and family development and support.

Sec. 2. Section 79-1103, Revised Statutes Supplement, 2000, is amended to read:

79-1103. (1) The State ~~Board~~ Department of Education shall establish and administer the Early Childhood Education Pilot Project Grant Program. ~~The State Department of Education, with the assistance of an Early Childhood Education Pilot Project Steering Committee appointed by the State Board of Education, shall establish guidelines and criteria for pilot projects. Based on such criteria and guidelines, the board~~ The department shall request proposals for early childhood education programs from local school districts, and cooperatives of school districts, and select four proposals for early childhood education pilot projects. Each project selected shall educational service units working in cooperation with existing nonpublic programs which meet the requirements of subsection (2) of section 79-1104. Each program selected may be provided funds a grant of up to one hundred thousand dollars per year one-half of the total budget of the program per year. Pilot projects previously funded under this section as it existed immediately before the effective date of this act and Even Start family literacy programs which exhaust their eligibility for Even Start funds shall be eligible for grant awards if their continuation plans meet the requirements of subsection (2) of this section. Programs selected for grant awards may

receive continuation grants subject to the availability of funding and the submission of a continuation plan which meets the requirements of such subsection.

(2) Each ~~pilot project~~ program proposal which is accepted by the ~~board~~ department shall include (a) a planning period, ~~of at least six months,~~ (b) an agreement to participate in ~~an evaluation of the project~~ periodic evaluations of the program to be specified by the department, (c) evidence that the ~~project program~~ will be coordinated or contracted with existing programs, including Head Start and ~~services for children with disabilities who are less than five years of age as provided in the Special Education Act,~~ and those listed in subdivision (d) of this subsection and nonpublic programs which meet the requirements of subsection (2) of section 79-1104, (d) a plan to coordinate and use a combination of local, state, and federal funding sources, including, but not limited to, programs for children with disabilities below five years of age funded through the Special Education Act, the Early Intervention Act, funds available through the flexible funding provisions under the Special Education Act, the federal Head Start program, 42 U.S.C. 9831 et seq., the federal Even Start Family Literacy Program, 20 U.S.C. 6361 et seq., Title I of the federal Improving America's Schools Act of 1994, 20 U.S.C. 6301 et seq., and child care assistance through the Department of Health and Human Services, (e) a plan to use sliding fee scales and the funding sources included in subdivision (d) of this subsection to maximize the participation of economically and categorically diverse groups and to ensure that participating children and families have access to comprehensive services, (f) the establishment of an advisory body which includes families and community members, (g) the utilization of appropriately qualified staff, (h) an appropriate child-to-staff ratio, (i) appropriate group size, (j) compliance with minimum health and safety standards, (k) appropriate facility size and equipment, (l) ~~a sliding fee scales,~~ to maximize the participation of diverse groups.

(3) Each project shall also demonstrate the following elements of quality early childhood education programs, including: (a) A strong family education development and support component recognizing the central role of parents in their children's development, (m) ~~+~~ (b) well-trained staff and optimum staff and child ratios, (c) developmentally and culturally appropriate curriculum, practices, and assessment, (n) ~~+~~ (d) sensitivity to the economic and logistical needs and circumstances of families in the provision of services, (o) ~~+~~ (e) integration of children of diverse social and economic characteristics, (p) ~~+~~ (f) a sound evaluation component, including at least one objective measure of child performance and progress, (q) ~~+~~ and (g) continuity with programs in kindergarten and elementary grades, (r) well-defined language development and early literacy emphasis, including the involvement of parents in family literacy activities, (s) a plan for ongoing professional development of staff, and (t) inclusion of children with disabilities as defined in the Special Education Act, all as specified by rules and regulations of the department in accordance with sound early childhood educational practice.

(3) The department shall make an effort to fund programs widely distributed across the state in both rural and urban areas.

(4) One pilot project shall be located in each of the three congressional districts and one shall be located at large according to the decision of the department.

(5) The pilot projects shall continue for three calendar years, and by July 1, 1995, the department shall conduct an overall evaluation of the success or failure of the pilot projects and components thereof. A report evaluating the ~~pilot projects~~ programs shall be made to the State Board of Education and the Legislature by ~~November 30,~~ 1995 January 1 of each odd-numbered year. Up to five percent of the total appropriation for the Early Childhood Education Grant Program may be reserved by the department for evaluation and technical assistance for the programs.

(5) Programs selected for funding may be awarded continuation funding on the submission of a continuation plan demonstrating that the program will continue to meet the requirements of subsection (2) of this section.

(6) The board shall adopt and promulgate rules and regulations to implement the Early Childhood Education Grant Program.

Sec. 3. Section 79-1104, Reissue Revised Statutes of Nebraska, is amended to read:

79-1104. (1) Any school board ~~or board of education~~ in its discretion may ~~(1) (a)~~ establish and financially support programs providing before-and-after-school or ~~preschool~~ prekindergarten services, to which attendance shall be voluntary and which the board may deem beneficial to the

education of prekindergarten or school-age children and ~~(2)~~ (b) provide or financially support transportation for children to, from, or to and from programs as defined in section 71-1910. The board may charge a fee, not to exceed the actual cost, for providing such programs and services but may waive such fee on the basis of need. This section does not allow any school district to fail to meet its responsibilities under the Special Education Act.

(2) Prekindergarten programs established by school boards or educational service units shall be approved by the State Department of Education subject to regulations adopted and promulgated by the State Board of Education and may include such components as (a) the utilization of appropriately qualified staff, (b) an appropriate child-to-staff ratio, (c) appropriate group size, (d) compliance with minimum health and safety standards, (e) appropriate facility size and equipment, (f) a strong family development and support component, (g) developmentally and culturally appropriate curriculum, practices, and assessment, (h) well-defined language development and early literacy emphasis, and (i) a plan for on-going professional development of staff, all in accordance with sound early childhood educational practice. All teachers and administrators in prekindergarten programs established pursuant to this section shall hold a valid certificate or permit issued pursuant to sections 79-806 to 79-816. The State Board of Education shall adopt and promulgate rules and regulations for the issuance of such permits or certificates required by this section.

Sec. 4. Original sections 79-1101 and 79-1104, Reissue Revised Statutes of Nebraska, and section 79-1103, Revised Statutes Supplement, 2000, are repealed.