

Regular Session, 2001

SENATE BILL NO.

BY SENATOR B. JONES

SCHOOLS. To be provided after completion of the bill .

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

AN ACT

To enact R.S. 17:24.10 and to repeal R.S. 17:24.7, relative to early childhood education; TO BE PROVIDED AFTER COMPLETION OF THE BILL; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:24.10 is hereby enacted to read as follows:

§24.10. Early childhood development and care classes; establishment; eligibility; requirements; funding; study

**R.S. 17:24.10 is all proposed new law.**

A. Prior to the beginning of the 2002-2003 school year and each school year thereafter, the state Department of Education shall allocate funding, out of monies appropriated for such purpose, to each city, parish, or other local public school system that applies for such funding and uses the funding solely for the purpose of providing early childhood development and care classes in compliance with the requirements of this Section, hereinafter referred to as ECD classes.

1 B.(1) ECD classes shall be made available to every child in the  
2 school system's jurisdiction who will be eligible to enter public school  
3 kindergarten pursuant to R.S. 17:151.3 in the following year, who  
4 meets the requirements of law for immunization documentation  
5 required for regular school enrollment, and who is consistently and  
6 regularly in attendance for the early childhood education program  
7 portion of the day.

8 (2)(a) ECD classes shall be provided at no cost to the child or  
9 his family for any eligible child who is eligible to receive free or  
10 reduced price meals pursuant to the federal child nutrition program.

11 (b) Any other eligible child may be charged a tuition for all or  
12 part of the ECD class, in an amount not to exceed that necessary for the  
13 system to provide the ECD class to the child and, in any case, no more  
14 than the average amount expended per pupil on those children from  
15 whom no tuition may be required, excluding any amount attributable  
16 to the provision of classroom space and utility costs. Such tuition may  
17 be scaled and imposed according to a student's family income in  
18 compliance with a rule of the State Board of Elementary and Secondary  
19 Education, referred to in this Section as the "state board".

20 C. Each ECD class shall include or have provided all of the  
21 following:

22 (1)(a) A full day program of not less than ten hours per day for  
23 each day that the regular school program in the school system is in  
24 session that includes a program of early childhood education during the  
25 period of the day that school is normally in session and a program of  
26 high quality child care during the before and after school session time.

27 (b) The precise start and end times of the full day program shall

1 be determined by each school system and may vary at different school  
2 sites in each system according to the needs of the community served by  
3 the program at each site as determined by an assessment of those needs  
4 done and documented by the school system.

5 (c) A waiver to the requirement for ten hours per day, but not to  
6 the program of early childhood education during the period of the day  
7 that school is actually in session, may be granted by the state board  
8 upon a showing acceptable to the board that over time and consistently  
9 during the same period of the day no child is present.

10 (2) A program of developmentally appropriate early childhood  
11 education the content of which shall meet the standards required for  
12 accreditation of a high quality early childhood education program as  
13 determined by the state Department of Education.

14 (3) A teacher in each classroom who is in charge of the  
15 classroom, who supervises other adults employed in the classroom, and  
16 who plans the activities of the students in the classroom, who is  
17 referred to in this Section as the "lead teacher" who is either:

18 (a) Certified by the Louisiana state Department of Education in  
19 nursery school education, kindergarten, or early intervention; or

20 (b) If the superintendent of the employing school system  
21 certifies by sworn affidavit that no qualified applicant with a certificate,  
22 as provided in Subparagraph (a) of this Paragraph, has applied for the  
23 position, then certified by the Louisiana state Department of Education  
24 in elementary education and authorized to be temporarily assigned in  
25 kindergarten, nursery school, or early intervention; or

26 (c) If the superintendent of the employing school system  
27 certifies by sworn affidavit that no qualified applicant with a certificate,

1 as provided in Subparagraph (a) or (b) of this Paragraph, has applied  
2 for the position, then holding a degree in elementary education,  
3 kindergarten, nursery school, or early intervention and employed  
4 pursuant to the interim emergency policy of the state board for hiring  
5 non-certified personnel.

6 (d) The employment and retaining and reemployment of any  
7 person as a lead teacher who is qualified in any way other than as  
8 provided in Subparagraph (a) of this Paragraph may occur only if such  
9 teacher can document consistently working toward obtaining the  
10 qualifications in Subparagraph (a) of this Paragraph in compliance with  
11 the requirements of the state board rule.

12 (4) A student to lead teacher ratio of no more than twenty to one  
13 and a student to adult staff member ratio of no more than ten to one.

14 (5) Classroom and instructional supplies consistent with the  
15 standards required in Paragraph (2) of this Subsection and consistent  
16 with standards required by state board rule.

17 (6) Required professional development for lead teachers and all  
18 other persons whose employment in ECD classes involves direct  
19 contact with students in compliance with state board rule.

20 (7) Facilities that meet the requirements of law for licensure as  
21 a Class A day care facility.

22 (8) Transportation for every student to insure presence of the  
23 child for the early childhood education portion of the ECD class. Other  
24 transportation may be provided.

25 (9) Appropriate meals and snacks for every student.

26 (10) Provision for services which support the students and their  
27 families consistent with the needs of the community, which may

1 include health care, employment counseling, literacy services, tutoring,  
2 or parental training.

3 D. Each participating school system shall:

4 (1) Submit an application at the time, in the form, and with the  
5 content required by state board rule that includes, at a minimum:

6 (a) A plan for advising the population of the availability of the  
7 ECD classes.

8 (b) A detailed plan for the provision of ECD classes.

9 (c) An estimation of participation, including an estimate of the  
10 number of children within the system's jurisdiction or participating  
11 segment within the jurisdiction who would be eligible for free or  
12 reduced price meals under the federal child nutrition law.

13 (d) An estimated budget.

14 (2) Provide for resource coordination services which shall be  
15 available to ECD class students and their families to assist in  
16 supporting the needs of the student and their family. Resource  
17 coordination services shall be provided at the level necessary for the  
18 students who would benefit from such assistance and their families to  
19 have such services readily available as determined by and in  
20 compliance with state board rule.

21 (3) Meet with all other governmentally funded providers of early  
22 childhood education which serve children residing within the  
23 jurisdiction of the system, including federal programs such as  
24 Headstart, to discuss common issues and establish means to coordinate  
25 programs in such a way as to ensure that a high quality early childhood  
26 education program is available to the maximum number of children  
27 who would be eligible under this Section. Such meeting shall occur as

1 often as necessary, but not less often than quarterly.

2 (4) Report any information required by the state board.

3 E. Each participating school system may:

4 (1) Enter into consortiums with other participating systems to  
5 share the responsibility to provide such resources as transportation,  
6 food, and resource coordination services provided sufficient services to  
7 comply with the requirements of state board rule are provided.

8 (2) In addition to providing the ECD class at no cost to children  
9 who are eligible for free or reduced price meals, provide the ECD  
10 classes to other eligible children at no cost for the early childhood  
11 education portion of the ECD class, or for the day care portion, or both.

12 (3) Work collaboratively with other governmentally funded  
13 providers of early childhood education which serve children residing  
14 within the jurisdiction of the system, including federal programs such  
15 as Headstart, in providing the services provided for in this Section.  
16 Such collaboration may include agreements to share resources provided  
17 that such agreements are documented, no regulation of any provider is  
18 compromised or violated, and a clear demarcation of responsibility as  
19 to costs, employee supervision, and program administration is  
20 maintained.

21 F.(1) Any school system which has a student enrollment  
22 according to the most recent October 1 student enrollment count which  
23 exceeds ?? (Orleans, EBRP, Caddo, Jefferson) may participate on a  
24 partial basis.

25 (2) In such a case, the school system seeking partial participation  
26 shall divide the elementary schools in its system into four(??) to eight  
27 (??) groups with an approximately equal size with regard to the number

1 of schools in each group. Each group shall contain an approximately  
2 equal number of elementary schools which have the same designation  
3 according to the School and District Accountability Program as in  
4 every other group and in accordance with state board rule.

5 (3) Any school district seeking to participate on a partial basis  
6 may do so for any number of the groups formed as provided in  
7 Paragraph (2) of this Subsection. In such a case, only a child who meets  
8 all other eligibility requirements and who would attend one of the  
9 schools in the group, if the child were attending public school, may  
10 attend an ECD class provided in the group.

11 G. The state board shall adopt and promulgate, pursuant to the  
12 Administrative Procedure Act, all rules required by this Section and  
13 any other rules necessary to the administration of this Section, which  
14 shall include minimum salary amounts to be paid to lead teachers and  
15 all other persons whose employment in ECD classes involves direct  
16 contact with students.

17 H. The state Department of Education shall:

18 (1) Provide regional coordinators sufficient to provide each  
19 applicant and each participating school system with supportive  
20 technical assistance and to ensure that each participating school system  
21 complies with the requirements of this Section and all rules adopted  
22 pursuant to this Section.

23 (2) Require statistical reporting and other documentation and  
24 reporting as is required for primary grades.

25 (3) Provide a researched base of excellent early childhood  
26 education models and programs from which a participating local school  
27 can develop an ECD class which in all ways complies with the

1 requirements of this Section and state board rules adopted pursuant to  
2 the authority provided in this Section.

3 (4) Develop and implement a system of evaluating the efficiency  
4 and effectiveness of ECD classes in improving both the preparedness  
5 of students for elementary school especially focused on reading  
6 readiness as well as a study of the long term effects of ECD classes on  
7 the school success of the participating students.

8 (5) Provide regular, scheduled, and appropriate professional  
9 development for lead teachers and all other persons whose employment  
10 in ECD classes involves direct contact with students.

11 I.(1)(a)(i) Except as provided in Subsubparagraph (ii) of this  
12 Subparagraph, out of funds available for such purposes from whatever  
13 source, the legislature shall annually appropriate an amount of money  
14 to the state Department of Education equal to the per pupil amount  
15 defined in this Subsection times the estimated number of ECD students  
16 for the year who will be eligible to receive free or reduced price meals.  
17 The per pupil amount in any year shall be equal to the total amount of  
18 money actually expended by all participating systems as authorized by  
19 this Section for ECD classes, excluding the cost of providing classroom  
20 space and utilities, divided by the number of students actually  
21 participating, or five thousand dollars per such student, whichever is  
22 less. Funding shall be appropriated in an estimated total to be adjusted  
23 upward or downward based on the October 1 student enrollment count  
24 in the same manner as the Minimum Foundation Program  
25 appropriation.

26 (ii) No funding shall be allocated as the result of the  
27 participation of any student in an early childhood education class which

1 is funded from another source such as the Louisiana Education Quality  
2 Trust Fund, federal money for Title I of the Elementary and Secondary  
3 Education Act, or federal money for the Headstart program. However,  
4 a participating school system may claim funding from the state  
5 Department of Education on a reimbursement basis for money actually  
6 spent to provide resources in compliance with a collaborative  
7 agreement reached pursuant to Subsection (E)(3).

8 (b) Any appropriated, but unallocated, money shall revert to the  
9 fund from which it was appropriated.

10 (c) Each participating system shall receive a payment for the  
11 first six months of the year based on estimated participation. After the  
12 completion of an accurate student enrollment count, the balance of the  
13 payments due each system shall be adjusted as necessary to ensure that  
14 the total received for the year equals the total required allocation.

15 (d) The appropriation required in this Subsection shall be  
16 allocated and transmitted to each participating system in the amount of  
17 one-twelfth of the total annually payable under this Subsection at the  
18 same time as the payment of the Minimum Foundation Program money  
19 is payable, under the same conditions, and subject to the same  
20 regulations.

21 (2) The payments required to a participating system shall be  
22 suspended at any time a determination is made that a system is not in  
23 compliance with the requirements of this Section as determined by the  
24 state Department of Education. Payments may be renewed upon  
25 compliance being achieved. Recovery of any payments lost during any  
26 period of suspension shall be at the discretion of the state board  
27 pursuant to a system of appeal established by state board rule.

1 (3) In addition, the legislature shall annually appropriate an  
2 amount to the state Department of Education sufficient to fund the  
3 number of regional coordinators required for technical assistance and  
4 compliance monitoring, central administration and accountability, and  
5 long term study of the effects of the program as provided in this Section  
6 not to exceed ??.

7 (4) At any time that less money is appropriated than is required  
8 for full funding of the program, the funding provided to each  
9 participating system shall be reduced by reducing the calculated per  
10 pupil amount.

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Diane M. Burkhart.

---

DIGEST

TO BE PROVIDED AFTER COMPLETION OF THE BILL

(Adds R.S. 17:24.10; repeals R.S. 17:24.7)