



NCSL REPORT

Early Care & Education

2008 Pre-K Legislative Update

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During the 2008 legislative session, at least 32 states and the District of Columbia introduced over 150 pieces of legislation on preschool, including bills to expand eligibility, increase or decrease funding, promote higher quality, support teachers, and establish early learning councils. This document provides an overview of proposed state legislation in these areas. Some state legislatures have completed their sessions and a few enacted bill examples are provided in this update.

At least eleven state legislatures—Alabama, Iowa, Florida, Tennessee, Kansas, Michigan, Missouri, Massachusetts, North Carolina, South Carolina and Virginia—are currently considering appropriation bills for preschool. Most of these are governor driven with some states considering significant funding increases even with budget deficits. At least two states have proposed changing their funding structure allocations for preschool. **Illinois** lawmakers proposed a bill that would increase the set-aside amount of the Early Childhood Block Grant from 11 percent to at least 20 percent by 2014 used to fund programs for children birth to age 3, depending on sufficient funding for grants to existing preschool programs. A **Missouri** bill would increase the annual allocation of gaming revenues to the Veteran's Commission and decrease the allocation to the Early Childhood Development, Education and Care Fund, which funds Missouri's pre-k program.

Also, there was legislative activity in states that currently do not have state-funded preschool programs. Seven state legislatures—Alaska, Idaho, Mississippi, New Hampshire, Rhode Island, South Dakota and Utah—proposed bills that focused on establishing statewide preschool programs, standards, and taskforces. To date, three state legislatures—Alaska, New Hampshire and Rhode Island—still have bills that are currently pending. A bill overview of these seven states' progress on pre-k is provided later in the document.

Preschool Expansions

Legislators in at least 12 states — California, Colorado, Georgia, Illinois, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, New York, Tennessee—and the District of Columbia proposed bills to expand their current state preschool programs. **Kentucky, Louisiana, Minnesota, Tennessee** and the **District of Columbia** proposed establishing universal preschool for 4-year-olds and **Georgia** proposed a bill to expand pre-k to all 3-year-olds. **Kentucky** and **Minnesota** also proposed bills establishing an at-risk preschool program for 3- and 4-year-olds. A **Kentucky** bill would establish a trust fund to allot grants to provide collaborative community-based preschool to serve low-income children living at 200 percent of FPL. **Illinois** lawmakers proposed removing certain provisions that limit funding distribution so that the state may achieve the goal of preschool for all. **Colorado's** school finance bill proposed an increase of 300 preschool spaces to bring its statewide total to 20,160 to be funded by a freeze on property tax mill levies. **Maryland** lawmakers proposed two bills that would expand eligibility to children of military families.

A **Missouri** bill would establish a pilot preschool plus grant program to serve up to 10,000 children with high-quality early childhood education services in school districts with at last 30 percent free or reduced lunch population. A **California** bill specifies that preschool is available to 3- and 4-year-olds and consolidates the funding for pre-k. **New York** lawmakers proposed a bill that would allow the commissioner to grant a waiver to certain school districts to expand grants to certain programs to fund full-day pre-k. A **Minnesota** bill would establish a Preschool through 3rd grade community grant program and would appropriate \$5 million for the initiative. **Michigan** lawmakers passed a bill to allocate \$99.6 million for school readiness, preschool and parent program grants to enable eligible districts to develop or expand preschool and parenting education programs. The bill is currently awaiting the governor's signature.

Preschool Age Requirement

Three states legislatures—Illinois, Iowa, and Tennessee—proposed changing preschool age requirements. **Iowa** lawmakers proposed that any child who is 4 years old on or before September 15 can enroll in preschool. A **Tennessee** bill changes the date from

September 30 to September 1 of which children must reach age 4 to enter preschool. **Illinois** legislators proposed allowing a child who has attended preschool and who will be 5-years-old by December 31 (currently September 1) to be allowed to attend school.

Other Preschool Program Components

A **Florida** bill proposed revising the number of preschool instructional hours from 540 to 720 hours for private preschool providers to be considered a full-time equivalent student in the voluntary pre-k program. **Colorado** lawmakers proposed a pre-k alignment bill, which would require preschool students to have a numerical identifier that would follow the child through the state's P-16 system. **Florida** legislators proposed a few bills that provide legislative intent to revise laws relating to pre-k through 12th grade and also proposed a bill for an amendment to the state constitution relating to preschool through 12th grade education.

Quality

State legislatures proposed bills on preschool quality, including quality rating systems (QRS), teacher quality improvements and supports. **Florida** lawmakers proposed two bills that would establish the Florida's Sunshine State Star QRS requirement for early learning programs including those participating in the voluntary pre-k program.

Professional Development

A **Florida** bill would establish a pilot program to enhance the quality of pre-k and provide education requirements for teachers. A **California** bill would require a system of professional development for prekindergarten teachers and would require the state to develop teaching competencies. An **Iowa** bill would appropriate \$750,000 for implementation of a statewide professional development system to support the statewide 4-year-old preschool program. Another Iowa bill proposes if funding is made available for a professional development system that it be implemented by the state's department of education.

Teachers

State legislatures are examining ways to promote better teacher quality through training, certification and degree requirements for early education teachers. In recent years, some state lawmakers have proposed and enacted bills to increase teacher requirements while other legislatures have proposed or enacted bills to relax requirements. A **Florida** bill would require that pre-k classes by the 2010-11 school year have at least one pre-k instructor who holds an associate or bachelor's degree. **Vermont's** bill would require by 2011 all school district prekindergarten teachers be licensed. The bill also would require the commissioner of education and the commissioner of children and families examine the availability of sufficiently higher trained pre-k teachers. **Minnesota** lawmakers proposed a bill that would require preschool instructors to complete a reading instruction competence assessment before being granted an initial teaching license. **Oklahoma's** bill would require teacher early childhood certification be approved by the Oklahoma Commission for Teacher Preparation. **New Jersey** legislators proposed a bill that would require certification of new teachers hired by licensed child care centers that provide preschool classes in Abbott districts. A **Florida** bill would allow preschool teachers to be allowed to access Florida's retirement system benefits.

Maine enacted legislation that requires the rules established by the state board of education be amended before being approved to establish eligibility for an endorsement of a teacher employed during a certain period of time in a prekindergarten to 3rd grade program. **Tennessee** enacted legislation that directs the state to survey local school districts with preschool programs to determine if all employment rights for K-12 teachers apply to preschool teachers and report the findings to the legislature.

Community-based Providers

Four state legislatures—Missouri, New Jersey, Pennsylvania, and Vermont—proposed legislation on community-based providers. **Pennsylvania's** bill would allow center or family child care settings that have met or exceed a 3-star standard under the Keystone Stars quality rating system to be eligible for Pre-k Counts funding. **Vermont** lawmakers proposed authorizing school districts that do not yet participate in the STARS programs to be granted a 3-star eligibility if the program is in good regulatory standing. The bill also requires the department of children and families and education to approve rules for the STARS program for public and private providers. A **Missouri** bill would require the state to provide fully subsidized preschool at licensed child facilities that employ highly qualified teachers for children residing in a school district classified as unaccredited or provisionally accredited by the state board of education. **New Jersey's** bill would require the state to monitor twice a year contacts with private preschool providers in Abbott districts.

Assessment

Washington lawmakers proposed a bill that would require the state and Thrive by Five to make recommendations regarding the implementation of a statewide kindergarten entry assessment. **Florida** legislators proposed a bill that would have required private pre-k providers and public schools to conduct certain assessments of the progress of students enrolled in the voluntary pre-k program.

Transportation

Lawmakers in four states—Iowa, Illinois, Maine and New York—proposed legislation addressing transportation of preschool students. **New York's** bill would define "bus" to include preschool programs. **Illinois'** bill proposes to change the reimbursement for preschool transportation. **Iowa** lawmakers proposed a bill that would allow community empowerment areas to offer preschool transportation without approval of all the school districts. **Maine** enacted legislation requiring school districts to provide transportation to preschool

students.

Governance, Councils and Studies

Legislators in two states—Kansas and Connecticut—are considering governance bills. The **Kansas** bill transfers the prekindergarten pilot program from the Department of Social Services and the Children's Cabinet to the State Board of Education. **Connecticut's** bill proposes to add new members to the early childhood education cabinet.

At least six states legislatures —California, Hawaii, Iowa, Minnesota, New Hampshire and New Jersey—are considering bills that would establish a council, commission or partnership to examine early learning. **Hawaii** lawmakers are considering two bills to create an Early Learning Council. **California** legislators introduced legislation to create a preschool advisory council. A **New Hampshire** bill would establish a commission to study the feasibility of creating a preschool program. **Minnesota** lawmakers proposed three bills to create a P-20 Partnership and **New Jersey** proposed to create a P-20 Council. The **Iowa** legislature established a state committee on research an development of preschool through 12th grade. The governor signed the bill and is based on the prek-12 feasibility study committee created in 2007.

Five state legislatures—California, Georgia, Mississippi, Oklahoma and Tennessee—proposed bills to create a task force or conduct a study to examine preschool. **Mississippi** lawmakers proposed three bills establishing a task force to study universal pre-k. **California** legislators proposed a preschool quality commission to examine standards for programs educating 3-and 4-year-olds, including examining a quality rating system (QRS). **Oklahoma's** proposed legislation requires the Oklahoma Partnership for School Readiness Board to conduct an assessment of existing pre-k programs for effectiveness and accessibility. A **Tennessee** bill directs the state department of education to report on the costs associated with its preschool programs. **Georgia** passed a measure creating a House study committee on Georgia's pre-k program.

Movement in Non-Prekindergarten States

During the 2008 legislative session, seven states without state-funded preschool programs—Alaska, Idaho, Mississippi, New Hampshire, Rhode Island, South Dakota and Utah—proposed bills that focused on preschool.

Alaska lawmakers introduced two prekindergarten bills. One bill would allow the state board of education to adopt regulations to provide early education programs. Another bill, which is currently awaiting the governor's signature, allows school districts to provide pre-elementary and Head Start programs. Alaska's governor also proposed additional funding for the state early childhood education initiatives. **New Hampshire** legislators proposed legislation to establish a commission to study the feasibility of creating a preschool program. **Utah's** proposed bill would create a pilot project using a home-based educational technology program to develop school readiness skills of preschool children. **Utah** lawmakers enacted a bill that appropriates state funds for Head Start for the first time. The **Idaho** legislature considered two bills on pre-k, including a bill to establish a state funded community-based preschool program for at-risk 4-year-olds. Idaho maintained its Head Start supplement with TANF funds at the same level of FY 2007. **South Dakota's** proposed legislation would establish standards for pre-k programs and certified personnel. Lawmakers also proposed a bill that would allow pre-k programs in public schools and funds through the state aid education formula for preschoolers in accredited pre-k programs. **Rhode Island's** bill proposes a preschool program for at-risk 3-and 4-year-olds in communities with low performing schools.

Lawmakers in **Mississippi** introduced a total of seven bills in both houses on prekindergarten, which all failed. One bill would have established a pilot pre-k program eighteen counties that meet certain criteria. Three of the bills proposed would have created a task force to study universal pre-k. Three bills proposed appropriated funding to fund the Early Learning Collaborative Act of 2007, which set up a professional development system for early childhood caregivers and teachers. At the end of the session, legislators appropriated \$3 million to support the governor's request to provide financial incentives for preschools to increase their educational content.

Other

- Hawaii lawmakers proposed a bill that would require qualified preschool teachers and aides for its junior kindergarten program.
- Minnesota proposed funding for voluntary full-day kindergarten.
- A New Jersey bill would continue the property tax exemption for portions of tax exempt building for preschool.
- California legislators proposed a bill that would require the creation and funding of a preschool pilot program to develop and demonstrate methods for preschool information transfer to public schools.
- A New Mexico bill would provide for an education data warehouse to serve pre-k through post-graduate education.
- A Minnesota bill would make changes to the prekindergarten exploratory projects and the involvement of the Minnesota Early Learning Foundation.

This document contains proposed and a few examples of enacted legislation from January 1, 2008 to April 21, 2008. The author used a variety of sources including state legislative websites and State Net, a legislative tracking database, for bill searches. Bills in carry-over states were highlighted when there was movement on the bill in 2008. This analysis is intended to provide examples of significant legislation in each state and does not include bills with technical changes. Please contact Julie Poppe at julie.poppe@ncsl.org for more information.

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