



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1530

S.P. 577

In Senate, May 9, 2013

An Act To Establish a Process for the Implementation of Universal Voluntary Prekindergarten Education

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator GOODALL of Sagadahoc.
Cosponsored by Senator LANGLEY of Hancock and
Senator: President ALFOND of Cumberland, Representative: BERRY of Bowdoinham.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §405, sub-§3, ¶T**, as enacted by PL 1995, c. 395, Pt. J, §4,
3 is amended to read:

4 T. Establish and maintain a 5-year plan for education that includes goals and policies
5 for the education of children ~~in kindergarten and grades one~~ from prekindergarten to
6 grade 12 and that promotes services for preschool children. The plan must
7 incorporate and build upon the work of the Task Force on Learning Results,
8 established in Public Law 1993, chapter 290 and the federal GOALS 2000: Educate
9 America Act;

10 **Sec. 2. 20-A MRSA §3271, sub-§1**, as enacted by PL 1985, c. 490, §8, is
11 amended to read:

12 **1. Required attendance.** Persons residing in the unorganized territory who are at
13 least 7 years of age, or beginning July 1, 2016 who are at least 5 years of age unless they
14 participate in alternative instruction programs, and under 17 years of age shall attend a
15 public day elementary or secondary school or an approved private school during the time
16 it is in session.

17 **Sec. 3. 20-A MRSA §3272, sub-§2, ¶B**, as corrected by RR 2011, c. 2, §17, is
18 amended to read:

19 B. The person is required to attend school or alternative instruction and is at least 7
20 years of age, or beginning July 1, 2016 the person is at least 5 years of age unless the
21 person participates in an alternative instruction program, and has not completed grade
22 6 under this chapter and has the equivalent of 7 full days of unexcused absences or 5
23 consecutive school days of unexcused absences during a school year.

24 **Sec. 4. 20-A MRSA §4501**, as amended by PL 2007, c. 141, §6, is further
25 amended to read:

26 **§4501. Duty of school units**

27 In accordance with the policy expressed in section 2, every school administrative unit
28 shall raise annually sufficient funds to maintain or support elementary and secondary
29 schools to provide free education for its resident students at all grade levels. These
30 schools shall meet the requirements of basic school approval. School units ~~that choose to~~
31 ~~offer a~~ shall offer by the 2017-2018 school year an opportunity for every child 4 years of
32 age residing in their districts to attend public preschool program must meet programs, or
33 programs affiliated with the school units, meeting the requirements of basic school
34 approval.

35 The commissioner shall by rule establish a uniform common statewide screening and
36 assessment for kindergarten, which must be used by all school administrative units
37 beginning with the 2015-2016 school year. The assessment must be designed to measure
38 student comprehension of academic content and mastery of related skills and cover such
39 areas as physical health and motor development; social and emotional development;

1 learning styles; language and literacy; and general cognition. Rules adopted pursuant to
2 this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3 **Sec. 5. 20-A MRSA §4502, sub-§9**, as enacted by PL 2007, c. 141, §11, is
4 amended to read:

5 **9. Coordinated early childhood programs for children 4 years of age.** ~~Any A~~
6 ~~school administrative unit that wishes to~~ does not currently have a prekindergarten
7 program shall develop an early childhood program a prekindergarten implementation plan
8 for children 4 years of age must submit a proposal for submission to and approval to by
9 the department by January 1, 2015. Evaluation and approval of the proposal must include
10 consideration of at least the following factors:

11 A. Demonstrated coordination with other early childhood programs in the
12 community to maximize resources;

13 B. Consideration of the extended child care needs of working parents; and

14 C. Provision of public notice regarding the proposal to the community being served,
15 including the extent to which public notice has been disseminated broadly to other
16 early childhood programs in the community.

17 Beginning in the 2014-2015 school year, the commissioner shall provide grants to school
18 administrative units to implement or expand prekindergarten programs required under
19 this subsection. To qualify for a grant, a school administrative unit must submit a
20 prekindergarten implementation plan to the department by January 1, 2015. The
21 commissioner shall adopt rules establishing criteria for the award of grants. Rules
22 adopted pursuant to this subsection are routine technical rules as defined in Title 5,
23 chapter 375, subchapter 2-A. Grants under this subsection may be funded from public or
24 private funds made available for that purpose.

25 **Sec. 6. 20-A MRSA §5001-A, sub-§1**, as enacted by PL 1983, c. 806, §49, is
26 amended to read:

27 **1. Requirement.** Persons 7 years of age or older, or beginning July 1, 2016 persons
28 5 years of age or older unless they participate in home instruction programs, and under 17
29 years of age shall attend a public day school during the time it is in regular session.

30 **Sec. 7. 20-A MRSA §5051-A, sub-§1, ¶C**, as enacted by PL 2007, c. 304, §5, is
31 amended to read:

32 C. Is at least 7 years of age, or beginning July 1, 2016 is at least 5 years of age unless
33 the student participates in a home instruction program, and has not completed grade 6
34 and has the equivalent of 7 full days of unexcused absences or 5 consecutive school
35 days of unexcused absences during a school year.

36 **Sec. 8. 20-A MRSA §15697** is enacted to read:

1 **§15697. Funding for prekindergarten**

2 A school administrative unit that receives funding under this chapter for
3 prekindergarten purposes may not use those funds for purposes other than
4 prekindergarten or early childhood education.

5 **Sec. 9. Implementation of universal availability of prekindergarten**
6 **education.** The Commissioner of Education, referred to in this section as "the
7 commissioner," shall establish the Prekindergarten Stakeholder Group, referred to in this
8 section as "the stakeholder group," to develop a plan for the phase-in of the universal
9 availability of prekindergarten education beginning with the 2017-2018 school year.

10 **1. Membership of stakeholder group.** The commissioner shall invite the
11 participation of at least the following persons as members of the stakeholder group:

12 A. A representative of a regional school unit currently operating a successful
13 prekindergarten education program;

14 B. A representative recommended by the Maine School Management Association;

15 C. A representative recommended by the Maine Education Association;

16 D. A representative of a school administrative unit with a successful prekindergarten
17 education program;

18 E. A representative of a school administrative unit that does not operate a
19 prekindergarten education program;

20 F. A representative of the Maine Children's Growth Council;

21 G. A representative of private early childhood education programs;

22 H. A representative of a nonprofit organization focusing on early childhood
23 education;

24 I. A representative of an organization of parents and teachers; and

25 J. A representative of an organization of child care providers.

26 **2. Duties of stakeholder group.** The stakeholder group shall work with the
27 commissioner and other interested persons to:

28 A. Develop standards for a universal prekindergarten education program to be
29 offered in schools in the State. The standards must be based on best education
30 practices and take into consideration the experience of school administrative units in
31 the State and in other states in the provision of prekindergarten education. Each
32 school administrative unit must be required to provide a prekindergarten education
33 program, but enrollment in the program must be voluntary;

34 B. Recommend to the commissioner standards and procedures for the common
35 statewide screening of children for participation in prekindergarten and kindergarten
36 education beginning with the 2015-2016 school year and procedures for the common
37 statewide assessment of the performance of prekindergarten and kindergarten
38 students beginning with the 2015-2016 school year; and

1 C. Develop and recommend best practices to align and coordinate early childhood
2 education programs offered in schools in the State with child care providers in order
3 to maximize educational and learning opportunities for children.

4 **3. Report; legislation.** The Commissioner of Education shall submit a report to the
5 Joint Standing Committee on Education and Cultural Affairs by January 15, 2014
6 summarizing the work and recommendations of the stakeholder group and containing
7 legislation to implement the recommendations of the stakeholder group. The committee
8 may submit a bill to the Second Regular Session of the 126th Legislature regarding the
9 report.

10 **Sec. 10. Appropriations and allocations.** The following appropriations and
11 allocations are made.

12 **EDUCATION, DEPARTMENT OF**

13 **PK-20, Adult Education and Federal Programs Team Z081**

14 Initiative: Provides funds for one Early Childhood Coordinator position and related all
15 other costs beginning in fiscal year 2014-15.

16			
17	GENERAL FUND	2013-14	2014-15
18	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
19	Personal Services	\$0	\$71,619
20	All Other	\$0	\$5,000
21			
22	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$76,619</u>

23 **Prekindergarten Implementation Program N156**

24 Initiative: Provides funds for grants to local school administrative units to implement and
25 expand prekindergarten programs.

26			
27	GENERAL FUND	2013-14	2014-15
28	All Other	\$0	\$1,000,000
29			
30	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,000,000</u>

31			
32	EDUCATION, DEPARTMENT OF		
33	DEPARTMENT TOTALS	2013-14	2014-15
34			
35	GENERAL FUND	\$0	\$1,076,619
36			
37	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$1,076,619</u>

SUMMARY

This bill requires implementation of universal voluntary prekindergarten education by the 2017-2018 school year. The Commissioner of Education is required to establish a stakeholder group to work with the commissioner and interested parties to establish a plan to implement the requirement. The stakeholder group is required to develop standards for prekindergarten education programs, recommend uniform statewide procedures for screening children and assessing program performance and recommend best practices to coordinate early childhood education programs with child care providers. The commissioner is required to submit a report of the work of the stakeholder group to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2014, and the committee is authorized to submit a bill to the Second Regular Session of the 126th Legislature regarding the report. The bill also clarifies the role of the State Board of Education with regard to prekindergarten education, changes the compulsory age for school attendance from 7 years of age to 5 years of age beginning July 1, 2016 and provides that funding provided to a school administrative unit for prekindergarten purposes may not be used for other purposes. The bill provides that the Commissioner of Education must provide implementation grants and provides funds for those grants and for a position in the Department of Education to oversee early childhood education programs.