ASSEMBLY, No. 123

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
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SYNOPSIS

Eliminates expansion of preschool education programs in “School Funding Reform Act of 2008.”

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning preschool education programs and amending P.L.2007, c.260.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 12 of P.L.2007, c.260 (C.18A:7F-54) is amended to read as follows:

12. a. **[**District factor group A and B school districts, and district factor group CD school districts with a concentration of at-risk pupils equal to or greater than 40%,**]** A school district that received preschool expansion aid or education opportunity aid in the 2007-2008 school year, or any other school district that received approval from the commissioner in the 2008-2009 school year to implement a full-day preschool program pursuant to paragraph (3) of subsection c. of this section shall provide free access to full-day preschool for all three- and four-year old pupils. **[**All other school districts shall provide free access to full-day preschool for at-risk pupils.**]** Preschool education aid provided pursuant to this subsection shall reflect the cost of the pupil's placement in either a district program, a licensed child care provider program, or a Head Start Program.

[(1)**]** Preschool education aid provided pursuant to this subsection shall be calculated **[**for district factor group A and B school districts, and for district factor group CD school districts with a concentration of at-risk pupils equal to or greater than 40%,**]** as follows:

Aid = (IDE x IDA) + (PRE x PRA) + (HSE x HSA)

where

IDE is the number of district pupils, other than preschool disabled pupils, in an in-district preschool program;

IDA is the per pupil aid amount for an in-district preschool program;

PRE is the number of district pupils, other than preschool disabled pupils, in a preschool program operated by a licensed child care provider;

PRA is the per pupil aid amount for a preschool program operated by a licensed child care provider;

HSE is the number of district pupils, other than preschool disabled pupils, in a Head Start Program; and

HSA is the per pupil aid amount for a Head Start Program.

[A CD school district with a concentration of at-risk pupils equal to or greater than 40% shall be eligible to receive preschool education aid pursuant to the provisions of this paragraph for a minimum of

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

three school years from the time of initial determination of eligibility even if the district's concentration of at-risk pupils falls below a 40% concentration of at-risk pupils. In the event that the district falls below a 40% concentration of at-risk pupils for two consecutive school years, in the third school year the district shall receive preschool education aid for each at-risk pupil and for any four-year old pupil for whom the district received preschool education aid in the prior school year, and that pupil shall receive free preschool education.

(2) Preschool education aid shall be calculated for all other districts as follows:

Aid = (ARID x IDA) + (ARP x PRA) + (ARHS x HSA)

where

ARID is the number of at-risk district pupils, other than preschool disabled pupils, in an in-district preschool program;

IDA is the per pupil aid amount for an in-district preschool program;

ARP is the number of at-risk district pupils, other than preschool disabled pupils, in a preschool program operated by a licensed child care provider;

PRA is the per pupil aid amount for a preschool program operated by a licensed child care provider;

ARHS is the number of at-risk district pupils, other than preschool disabled pupils, in a Head Start Program; and

HSA is the per pupil aid amount for a Head Start Program.**]**

b. In accordance with regulations adopted by the commissioner, all districts receiving preschool education aid pursuant to subsection a. of this section shall submit a five-year plan that provides for the full implementation of full-day preschool for all **[**eligible**]** three- and four-year olds by the 2013-2014 school year. For the purposes of this section, "full implementation" means serving 90% of **[**eligible**]** pupils in accordance with the preschool quality standards adopted by the commissioner or such greater percentage as determined by the commissioner. A school district shall annually update the five-year plan based on actual implementation experience and shall revise its pupil projections in accordance with that experience.

c. (1) **[**In the case of a school district that did not receive any form of preschool aid in the 2007-2008 school year, the 2008-2009 school year shall be a preschool planning year. Beginning in the 2009-2010 school year, the school district shall receive preschool education aid calculated in accordance with the provisions of subsection a. of this section based upon projected preschool enrollment.

In the 2009-2010 school year the school district may also receive start-up funds in accordance with regulations adopted by the

commissioner.] (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(2) In the case of a school district that received Early Launch to Learning Initiative aid in the 2007-2008 school year, for the 2008-2009 school year and each subsequent school year, the district shall receive preschool education aid in an amount equal to the district's allocation of Early Launch to Learning Initiative aid in the 2007-2008 school year. [Beginning in the 2009-2010 school year, the school district shall receive preschool education aid calculated in accordance with the provisions of subsection a. of this section based upon projected preschool enrollment.

In the 2009-2010 school year the school district may also receive start-up funds in accordance with regulations adopted by the commissioner.]

(3) In the case of a school district that received early childhood program aid in the 2007-2008 school year but did not receive preschool expansion aid or education opportunity aid in that year, for the 2008-2009 school year the district shall receive preschool education aid equal to the greater of the district's 2007-2008 amount of early childhood program aid for preschool or the district's 2007-2008 per pupil allocation of early childhood program aid as included in the district's original 2007-2008 budget certified for taxes, inflated by the CPI, and multiplied by the district's projected preschool enrollment; except that if the district is able to demonstrate in the five-year plan submitted to the commissioner that it has the capacity to offer a full-day three- or four-year-old program, or a full-day three- and four-year-old program, in the 2008-2009 school year, the commissioner may approve the funding of the full-day program calculated in accordance with the provisions of subsection a. of this section based upon projected preschool enrollment. The district shall be informed of the commissioner's determination upon approval of the five-year plan. [Beginning in] For the 2009-2010 school year and each subsequent school year, [the] a school district approved by the commissioner to receive preschool education aid calculated in accordance with the provisions of subsection a. of this section in the 2008-2009 school year shall receive preschool education aid calculated in accordance with the provisions of subsection a. of this section based upon projected preschool enrollment. In the 2009-2010 school year [the] such a school district may also receive start-up funds in accordance with regulations adopted by the commissioner.

For the 2009-2010 school year and each subsequent school year, any other school district that received early childhood program aid in the 2007-2008 school year but did not receive preschool expansion aid or education opportunity aid in that year shall receive preschool education aid equal to the district's prior year per pupil

allocation of preschool education aid inflated by the CPI and multiplied by the district's projected preschool enrollment.

(4) In the case of a school district that received preschool expansion aid or education opportunity aid in the 2007-2008 school year, for the 2008-2009 school year the district shall receive preschool education aid in an amount equal to the preschool budget approved by the commissioner for the 2008-2009 school year. Preschool education aid for the 2008-2009 school year shall be adjusted following receipt of the Application for State School Aid in October 2008. Beginning in the 2009-2010 school year, the school district shall receive preschool education aid calculated in accordance with the provisions of subsection a. of this section based upon projected preschool enrollment; except that for any school year the district shall not receive preschool aid in an amount less than either the total amount of preschool aid the district received in the 2008-2009 school year after the State aid adjustment or the district's 2008-2009 school year preschool per pupil aid amount multiplied by the projected number of preschool pupils after the State aid adjustment, whichever is greater.

In the 2009-2010 school year the school district may also receive start-up funds in accordance with regulations adopted by the commissioner.

d. For the 2008-2009 school year, the preschool per pupil aid amounts shall be $11,506 for pupils enrolled in an in-district program, $12,934 for pupils enrolled in a licensed child care provider program, and $7,146 for pupils enrolled in a Head Start Program. The preschool per pupil aid amounts shall be adjusted by the CPI in the 2009-2010 and 2010-2011 school years as required pursuant to subsection b. of section 4 of this act. For subsequent school years, the preschool per pupil aid amounts shall be established in the Educational Adequacy Report, with the amounts adjusted by the CPI for each of the two school years following the first school year to which the report is applicable.

e. A district shall appropriate preschool education aid in a special revenue fund for expenditure. In the event that any preschool education aid is not expended during the budget year, the aid may be carried forward in accordance with regulations adopted by the commissioner.

f. In the event that a district has fully implemented a full-day preschool program for three- and four-year old pupils in accordance with its five-year plan and meets the preschool quality standards or has provided preschool education to the number of **[**eligible**]** students to be served during a school year in accordance with that plan and its annual updates and the preschool quality standards, the district may appropriate preschool education aid to support kindergarten through grade 12 **[**or to provide preschool education for three- and four-year old pupils for whom the district is not required to provide preschool education**]** upon the approval of the

commissioner. The district shall request approval in its annual plan update and any approval granted by the commissioner shall be made during the annual school budget process.

g. A school district shall maintain the preschool quality standards as adopted by the commissioner as a condition of receipt of preschool education aid.

(cf: P.L.2007, c.260, s.12)

2. This act shall take effect immediately.

STATEMENT

This bill amends the "School Funding Reform Act of 2008" (SFRA), P.L.2007, c.260, to eliminate the required expansion of preschool programs beyond the former Abbott school districts. Under SFRA, all school districts classified in District Factor Group (DFG) A or B, and districts classified DFG CD in which at least 40 percent of the students are deemed at-risk, are required to provide access to full-day preschool to all three- and four-year old children residing in the district. All other school districts are required to provide access to full-day preschool to at-risk three- and four-year old children residing in the district. The law defines "at-risk" as living in a household with an income that makes the child eligible to receive free or reduced-price lunch. Districts are to achieve full implementation of the program by the 2013-2014 school year.

The bill eliminates these requirements for most school districts. The 31 school districts that were classified as Abbott districts prior to the enactment of SFRA would still be required to provide access to preschool for all three- and four-year old children. Similarly, five school districts that received approval from the Commissioner of Education to begin preschool expansion in the 2008-2009 school year would also be required to provide similar access. These districts would receive preschool education aid based on the per pupil amounts established in SFRA.

All other school districts would receive preschool education aid based on the amount of preschool funding received in prior years. Districts that received aid through the Early Launch to Learning Initiative (ELLI) program in the 2007-2008 school year would receive preschool education aid equal to the amount of ELLI aid. School districts that received early childhood program aid (ECPA) in the 2007-2008 school year and are not required to provide universal preschool under this bill would receive preschool education aid equal to the amount of per pupil preschool funding received in the prior year, inflated by the CPI, and multiplied by the projected enrollment.