

AMENDMENTS TO LB 1153

(Amendments to Standing Committee amendments, AM2510)

Introduced by Raikes, 25.

1           1. Insert the following new sections:

2           Sec. 2. Section 79-1103, Revised Statutes Supplement,  
3 2007, is amended to read:

4           79-1103 (1)(a) The State Department of Education shall  
5 establish and administer the Early Childhood Education Grant  
6 Program. Upon the effective date of an endowment agreement,  
7 administration of the Early Childhood Education Grant Program  
8 with respect to programs for children from birth to age three  
9 shall transfer to the board of trustees. If there is no endowment  
10 agreement in effect, the department shall request proposals in  
11 accordance with this section for all early childhood education  
12 programs from school districts, individually or in cooperation  
13 with other school districts or educational service units, working  
14 in cooperation with existing nonpublic programs which meet the  
15 requirements of subsection (2) of section 79-1104. If there is  
16 an endowment agreement in effect, the board of trustees shall  
17 administer the Early Childhood Education Grant Program with respect  
18 to programs for children from birth to age three pursuant to  
19 section 79-1104.02 and the department shall continue to administer  
20 the Early Childhood Education Grant Program with respect to  
21 other prekindergarten programs pursuant to sections 79-1101 to  
22 79-1104.05. All administrative procedures of the board of trustees,

1 including, but not limited to, rules, grant applications, and  
2 funding mechanisms, shall harmonize with those established by the  
3 department for other prekindergarten programs.

4 (b) The first priority shall be for (i) continuation  
5 grants for programs that received grants in the prior school  
6 fiscal year and for which the state aid calculation pursuant to  
7 the Tax Equity and Educational Opportunities Support Act does not  
8 include early childhood education students, in an amount equal  
9 to the amount of such grant, except that if the grant was a  
10 first-year grant the amount shall be reduced by thirty-three  
11 percent, (ii) continuation grants for programs for which the  
12 state aid calculation pursuant to the act includes early childhood  
13 education students, in an amount equal to the amount of the grant  
14 for the school fiscal year prior to the first school fiscal year  
15 for which early childhood education students were included in the  
16 state aid calculation for the school district's local system minus  
17 the calculated state aid amount, and (iii) for school fiscal year  
18 2007-08, continuation grants for programs for which the state aid  
19 calculation pursuant to the act includes early childhood education  
20 students, but such state aid calculation does not result in the  
21 school district receiving any equalization aid, in an amount equal  
22 to the amount of the grant received in school fiscal year 2006-07.  
23 The calculated state aid amount shall be calculated by multiplying  
24 ~~the cost grouping cost per student~~ basic funding per formula  
25 student for the school district's local system ~~cost grouping~~ by  
26 ~~the adjusted district by the~~ formula students attributed to the  
27 early childhood education programs pursuant to the Tax Equity and

1 Educational Opportunities Support Act.

2 (c) The second priority shall be for new grants and  
3 expansion grants for programs that will serve at-risk children who  
4 will be eligible to attend kindergarten the following school year.  
5 New grants may be given for up to three years in an amount up to  
6 one-half of the total budget of the program per year. Expansion  
7 grants may be given for one year in an amount up to one-half  
8 of the budget for expanding the capacity of the program to serve  
9 additional children.

10 (d) The third priority shall be for new grants, expansion  
11 grants, and continuation grants for programs serving children  
12 younger than those who will be eligible to attend kindergarten  
13 the following school year. New grants may be given for up to  
14 three years in an amount up to one-half the total budget of the  
15 program per year. Expansion grants may be given for one year in  
16 an amount up to one-half the budget for expanding the capacity of  
17 the program to serve additional children. Continuation grants under  
18 this priority may be given annually in an amount up to one-half the  
19 total budget of the program per year minus any continuation grants  
20 received under the first priority.

21 (e) Programs serving children who will be eligible to  
22 attend kindergarten the following school year shall be accounted  
23 for separately for grant purposes from programs serving younger  
24 children, but the two types of programs may be combined within the  
25 same classroom to serve multi-age children. Programs that receive  
26 grants for school fiscal years prior to school fiscal year 2005-06  
27 to serve both children who will be eligible to attend kindergarten

1 the following school year and younger children shall account for  
2 the two types of programs separately for grant purposes beginning  
3 with school year 2005-06 and shall be deemed to have received  
4 grants prior to school fiscal year 2005-06 for each year that  
5 grants were received for the types of programs representing the age  
6 groups of the children served.

7 (2) Each program proposal which is approved by the  
8 department shall include (a) a planning period, (b) an agreement  
9 to participate in periodic evaluations of the program to be  
10 specified by the department, (c) evidence that the program will  
11 be coordinated or contracted with existing programs, including  
12 those listed in subdivision (d) of this subsection and nonpublic  
13 programs which meet the requirements of subsection (2) of section  
14 79-1104, (d) a plan to coordinate and use a combination of  
15 local, state, and federal funding sources, including, but not  
16 limited to, programs for children with disabilities below five  
17 years of age funded through the Special Education Act, the Early  
18 Intervention Act, funds available through the flexible funding  
19 provisions under the Special Education Act, the federal Head  
20 Start program, 42 U.S.C. 9831 et seq., the federal Even Start  
21 Family Literacy Program, 20 U.S.C. 6361 et seq., Title I of  
22 the federal Improving America's Schools Act of 1994, 20 U.S.C.  
23 6301 et seq., and child care assistance through the Department  
24 of Health and Human Services, (e) a plan to use sliding fee  
25 scales and the funding sources included in subdivision (d) of  
26 this subsection to maximize the participation of economically and  
27 categorically diverse groups and to ensure that participating

1 children and families have access to comprehensive services, (f)  
2 the establishment of an advisory body which includes families  
3 and community members, (g) the utilization of appropriately  
4 qualified staff, (h) an appropriate child-to-staff ratio, (i)  
5 appropriate group size, (j) compliance with minimum health and  
6 safety standards, (k) appropriate facility size and equipment,  
7 (l) a strong family development and support component recognizing  
8 the central role of parents in their children's development, (m)  
9 developmentally and culturally appropriate curriculum, practices,  
10 and assessment, (n) sensitivity to the economic and logistical  
11 needs and circumstances of families in the provision of services,  
12 (o) integration of children of diverse social and economic  
13 characteristics, (p) a sound evaluation component, including at  
14 least one objective measure of child performance and progress, (q)  
15 continuity with programs in kindergarten and elementary grades,  
16 (r) instructional hours that are similar to or less than the  
17 instructional hours for kindergarten, (s) well-defined language  
18 development and early literacy emphasis, including the involvement  
19 of parents in family literacy activities, (t) a plan for ongoing  
20 professional development of staff, and (u) inclusion of children  
21 with disabilities as defined in the Special Education Act, all as  
22 specified by rules and regulations of the department in accordance  
23 with sound early childhood educational practice.

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

26 (4) A report evaluating the programs shall be made to the  
27 State Board of Education and the Legislature by January 1 of each

1 odd-numbered year. Up to five percent of the total appropriation  
2 for the Early Childhood Education Grant Program may be reserved  
3 by the department for evaluation and technical assistance for the  
4 programs.

5 (5) Programs may be approved for purposes of the Tax  
6 Equity and Educational Opportunities Support Act, expansion grants,  
7 and continuation grants on the submission of a continuation  
8 plan demonstrating that the program will continue to meet the  
9 requirements of subsection (2) of this section and a proposed  
10 operating budget demonstrating that the program will continue to  
11 receive resources from other sources equal to or greater than the  
12 sum of any grant received pursuant to this section for the prior  
13 school year plus any calculated state aid as calculated pursuant to  
14 subsection (1) of this section for the prior school year.

15 (6) The State Board of Education may adopt and promulgate  
16 rules and regulations to implement the Early Childhood Education  
17 Grant Program, except that if there is an endowment agreement  
18 in effect, the board of trustees shall recommend any rules and  
19 regulations relating specifically to the Early Childhood Education  
20 Grant Program with respect to programs for children from birth to  
21 age three. It is the intent of the Legislature that the rules and  
22 regulations for programs for children from birth to age three be  
23 consistent to the greatest extent possible with those established  
24 for other prekindergarten programs.

25 Sec. 3. Original section 79-1103, Revised Statutes  
26 Supplement, 2007, is repealed.