

AMENDMENTS TO LB860

Introduced by Linehan, 39.

1 1. Strike the original section 1 and insert the following new
2 section:

3 Section 1. Section 79-1103, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 79-1103 (1)(a) The State Department of Education shall establish and
6 administer the Early Childhood Education Grant Program. Upon the
7 effective date of an endowment agreement, administration of the Early
8 Childhood Education Grant Program with respect to programs for children
9 from birth to age three shall transfer to the board of trustees. If there
10 is no endowment agreement in effect, the department shall request
11 proposals in accordance with this section for all early childhood
12 education programs from school districts, individually or in cooperation
13 with other school districts or educational service units, working in
14 cooperation with existing nonpublic programs which meet the requirements
15 of subsection (2) of section 79-1104. If there is an endowment agreement
16 in effect, the board of trustees shall administer the Early Childhood
17 Education Grant Program with respect to programs for children from birth
18 to age three pursuant to section 79-1104.02 and the department shall
19 continue to administer the Early Childhood Education Grant Program with
20 respect to other prekindergarten programs pursuant to sections 79-1101 to
21 79-1104.05. All administrative procedures of the board of trustees,
22 including, but not limited to, rules, grant applications, and funding
23 mechanisms, shall harmonize with those established by the department for
24 other prekindergarten programs.

25 (b) The first priority shall be for (i) continuation grants for
26 programs that received grants in the prior school fiscal year and for
27 which the state aid calculation pursuant to the Tax Equity and

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

20 (c) The second priority shall be for new grants and expansion grants
21 for programs that will serve at-risk children who will be eligible to
22 attend kindergarten the following school year. New grants may be given
23 for up to three years in an amount up to one-half of the total budget of
24 the program per year. Expansion grants may be given for one year in an
25 amount up to one-half of the budget for expanding the capacity of the
26 program to serve additional children.

27 (d) The third priority shall be for new grants, expansion grants,
28 and continuation grants for programs serving children younger than those
29 who will be eligible to attend kindergarten the following school year.
30 New grants may be given for up to three years in an amount up to one-half
31 the total budget of the program per year. Expansion grants may be given

1 for one year in an amount up to one-half the budget for expanding the
2 capacity of the program to serve additional children. Continuation grants
3 under this priority may be given annually in an amount up to one-half the
4 total budget of the program per year minus any continuation grants
5 received under the first priority.

6 (e) Programs serving children who will be eligible to attend
7 kindergarten the following school year shall be accounted for separately
8 for grant purposes from programs serving younger children, but the two
9 types of programs may be combined within the same classroom to serve
10 multi-age children. Programs that receive grants for school fiscal years
11 prior to school fiscal year 2005-06 to serve both children who will be
12 eligible to attend kindergarten the following school year and younger
13 children shall account for the two types of programs separately for grant
14 purposes beginning with school year 2005-06 and shall be deemed to have
15 received grants prior to school fiscal year 2005-06 for each year that
16 grants were received for the types of programs representing the age
17 groups of the children served.

18 (2) Each program proposal which is approved by the department shall
19 include (a) a planning period, (b) an agreement to participate in
20 periodic evaluations of the program to be specified by the department,
21 (c) evidence that the program will be coordinated or contracted with
22 existing programs, including those listed in subdivision (d) of this
23 subsection and nonpublic programs which meet the requirements of
24 subsection (2) of section 79-1104, (d) a plan to coordinate and use a
25 combination of local, state, and federal funding sources, including, but
26 not limited to, programs for children with disabilities below five years
27 of age funded through the Special Education Act, the Early Intervention
28 Act, funds available through the flexible funding provisions under the
29 Special Education Act, the federal Head Start program, 42 U.S.C. 9831 et
30 seq., the federal Even Start Family Literacy Program, 20 U.S.C. 6361 et
31 seq., Title I of the federal Improving America's Schools Act of 1994, 20

1 U.S.C. 6301 et seq., and child care assistance through the Department of
2 Health and Human Services, (e) a plan to use sliding fee scales and the
3 funding sources included in subdivision (d) of this subsection to
4 maximize the participation of economically and categorically diverse
5 groups and to ensure that participating children and families have access
6 to comprehensive services, (f) the establishment of an advisory body
7 which includes families and community members, (g) the utilization of
8 appropriately qualified staff, (h) an appropriate child-to-staff ratio,
9 (i) appropriate group size, (j) compliance with minimum health and safety
10 standards, (k) appropriate facility size and equipment, (l) a strong
11 family development and support component recognizing the central role of
12 parents in their children's development, (m) developmentally and
13 culturally appropriate curriculum, practices, and assessment, (n)
14 sensitivity to the economic and logistical needs and circumstances of
15 families in the provision of services, (o) integration of children of
16 diverse social and economic characteristics, (p) a sound evaluation
17 component, including at least one objective measure of child performance
18 and progress, (q) continuity with programs in kindergarten and elementary
19 grades, (r) instructional hours that are similar to or less than the
20 instructional hours for kindergarten except that a summer session may be
21 offered, (s) well-defined language development and early literacy
22 emphasis, including the involvement of parents in family literacy
23 activities, (t) a plan for ongoing professional development of staff, and
24 (u) inclusion of children with disabilities as defined in the Special
25 Education Act, all as specified by rules and regulations of the
26 department in accordance with sound early childhood educational practice.

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

29 (4) The department, in collaboration with the board of trustees if
30 an endowment agreement is in effect, shall provide a report detailing how
31 grants were distributed, examining the budgetary needs of the programs,

1 and evaluating the programs to the State Board of Education and the
2 Legislature by January 1 of each odd-numbered year. The report submitted
3 to the Legislature shall be submitted electronically. The Education
4 Committee of the Legislature shall hold a public hearing regarding the
5 report, and the Commissioner of Education or a representative of the
6 department designated by the commissioner and all members of the board of
7 trustees shall appear at such hearing. Up to five percent of the total
8 appropriation for the Early Childhood Education Grant Program for grants
9 administered by the department may be reserved by the department for
10 evaluation and technical assistance for the programs. The department
11 shall maintain a list of the names of the members of the board of
12 trustees and make such list available on the department's website.

13 (5) Early childhood education programs, whether established pursuant
14 to this section or section 79-1104, may be approved for purposes of the
15 Tax Equity and Educational Opportunities Support Act, expansion grants,
16 and continuation grants on the submission of a continuation plan
17 demonstrating that the program will meet the requirements of subsection
18 (2) of this section and a proposed operating budget demonstrating that
19 the program will receive resources from other sources equal to or greater
20 than the sum of any grant received pursuant to this section for the prior
21 school year plus any calculated state aid as calculated pursuant to
22 subsection (1) of this section for the prior school year.

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