

Regular Session, 2014

SENATE BILL NO. 50

BY SENATOR NEVERS

EARLY CHILDHOOD ED. Provides for universal access to the LA 4 Early Childhood Education Program. (gov sig)

1 AN ACT
2 To amend and reenact R.S. 17:24.10(A), (B), (I)(1)(a)(i) and (J) and to repeal R.S.
3 17:24.10(E)(2) and (F), relative to early childhood education; to require local school
4 systems to provide access to all eligible students to the Cecil J. Picard LA 4 Early
5 Childhood Program; to provide for collaborative agreements with nonschool system
6 providers; to provide relative to funding; and to provide for related matters. Be it
7 enacted by the Legislature of Louisiana:
8 Section 1. R.S. 17:24.10(A), (B), (I)(1)(a)(i) and (J) are hereby amended and
9 reenacted to read as follows:
10 §24.10. The Cecil J. Picard LA 4 Early Childhood Program; early childhood
11 development and enrichment activity classes; establishment;
12 eligibility; requirements; funding; study
13 A.(1) The state Department of Education shall allocate funding, out of
14 monies appropriated for such purpose, to each city, parish, other local public school
15 system, or charter school that applies for such funding and uses the funding solely
16 for the purpose of providing a program for early childhood development and
17 enrichment activity classes in compliance with the requirements of this Section,

1 which shall be named "The Cecil J. Picard LA 4 Early Childhood Program" and shall
2 be referred to in this Section as "the program". Such classes shall be referred to in
3 this Section as "LA 4 classes".

4 **(2) The legislature shall annually appropriate sufficient monies to fully**
5 **fund the cost of providing access to LA 4 classes to every child eligible to**
6 **participate in the program.**

7 B.(1)(a) **Beginning with the 2014-2015 school year,** LA 4 classes shall be
8 made available to every child in the school system's jurisdiction who will be eligible
9 to enter public school kindergarten pursuant to R.S. 17:151.3 in the following year,
10 who meets the requirements of law for immunization documentation required for
11 regular school enrollment, and who is consistently and regularly in attendance for the
12 early childhood education program portion of the day.

13 **(b) Each school system shall determine whether it will provide LA 4**
14 **classes through the public schools under its jurisdiction or through**
15 **collaborative agreements with non-school system providers of early childhood**
16 **education that meet the definition of a "child care facility" as provided in R.S.**
17 **47:6102(2) and has attained the minimum quality rating required to be eligible**
18 **to participate in the program as established by the state board.**

19 (2)(a) LA 4 classes shall be provided at no cost, except for the applicable
20 lunch cost, ~~to the child or his family for any eligible child who is eligible to receive~~
21 ~~free or reduced price meals pursuant to the federal child nutrition program as~~
22 ~~documented by a completed application for such meals whether or not such meals~~
23 ~~are sought~~ **every eligible child.**

24 (b) ~~Prior to the beginning of the 2013-2014 school year, any other eligible~~
25 ~~child may be charged a tuition for all or part of the LA 4 class, in an amount not to~~
26 ~~exceed that necessary for the system to provide the LA 4 class to the child and, in~~
27 ~~any case, no more than the average amount expended per pupil on those children~~
28 ~~from whom no tuition may be required, excluding any amount attributable to the~~
29 ~~provision of classroom space and utility costs. Such tuition may be scaled and~~

1 ~~imposed according to a student's family income in compliance with a rule of the~~
2 ~~State Board of Elementary and Secondary Education, referred to in this Section as~~
3 ~~the "state board".~~

4 ~~(c) Subject to the appropriation of funds for this purpose and for the 2009-~~
5 ~~2010 school year, LA 4 classes shall be provided at no cost, except for the applicable~~
6 ~~lunch cost, to the child or his family for any eligible child whose family income is~~
7 ~~classified at or below three hundred percent of the poverty level based on the United~~
8 ~~States federal poverty guidelines published annually by the United States Department~~
9 ~~of Health and Human Services.~~

10 ~~(d) Subject to the appropriation of funds for this purpose and for the 2010-~~
11 ~~2011 school year, LA 4 classes shall be provided at no cost, except for the applicable~~
12 ~~lunch cost, to the child or his family for any eligible child whose family income is~~
13 ~~classified at or below three hundred fifty percent of the poverty level based on the~~
14 ~~United States federal poverty guidelines published annually by the United States~~
15 ~~Department of Health and Human Services.~~

16 ~~(e) Subject to the appropriation of funds for this purpose and for the 2011-~~
17 ~~2012 school year, LA 4 classes shall be provided at no cost, except for the applicable~~
18 ~~lunch cost, to the child or his family for any eligible child whose family income is~~
19 ~~classified at or below four hundred percent of the poverty level based on the United~~
20 ~~States federal poverty guidelines published annually by the United States Department~~
21 ~~of Health and Human Services.~~

22 ~~(f) Subject to the appropriation of funds for this purpose and for the 2012-~~
23 ~~2013 school year, LA 4 classes shall be provided at no cost, except for the applicable~~
24 ~~lunch cost, to the child or his family for any eligible child whose family income is~~
25 ~~classified at or below four hundred fifty percent of the poverty level based on the~~
26 ~~United States federal poverty guidelines published annually by the United States~~
27 ~~Department of Health and Human Services.~~

28 ~~(g) Subject to the appropriation of funds for this purpose and beginning with~~
29 ~~the 2013-2014 school year and continuing thereafter, LA 4 classes shall be provided~~

1 at no cost, except for the applicable lunch cost, to every eligible child, without regard
2 to income level.

3 * * *

4 I.(1)(a)(i) Except as provided in Item (ii) of this Subparagraph, out of funds
5 appropriated for such purposes from whatever source, the state Department of
6 Education shall provide an amount of funding based upon the per pupil amount
7 defined in this Subsection multiplied by the estimated number of students for the
8 year who will be eligible to ~~receive free or reduced price meals, or to attend LA 4~~
9 ~~classes at no cost, other than the applicable lunch cost, as calculated in accordance~~
10 ~~with the provisions of Paragraph (B)(2) of this Section for whom early childhood~~
11 ~~development classes are being provided by the system for the first time as a result~~
12 ~~of the system's participation in the program~~ **enter public school kindergarten**
13 **pursuant to R.S. 17:151.3 in the following year.** The per pupil amount in any year
14 shall be based upon the total amount of money actually expended by all participating
15 systems as authorized by this Section for LA 4 classes, excluding the cost of
16 providing classroom space and utilities, divided by the number of students actually
17 participating in accordance with the amount of money appropriated for the purpose
18 of this Section and the minimum amount necessary to provide a high quality program
19 as required in this Section. Funding for the enrichment activities provided during the
20 before and after school session time shall be provided only for the number of eligible
21 students actually participating in those activities.

22 * * *

23 J. Annually after the first year of participation and provided the state
24 department finds that the program continues to meet the requirements of this Section,
25 a participating school system ~~or partial school system~~ may renew its participation by
26 notifying the state department of its intention to do so in compliance with a
27 procedure for such notice established by rule of the state board. Such renewals shall
28 be funded in preference to any application. Failure to renew shall place any prior
29 participant in the same position as any other applicant in any future year. ~~A school~~

1 ~~system that is participating on a partial basis may renew each participating segment;~~
2 ~~however, any additional segment for which participation is sought shall be~~
3 ~~considered as an initial application.~~

4 Section 2. R.S.17:24.10(E)(2) and (F) are hereby repealed.

5 Section 3. This Act shall become effective upon signature by the governor or, if not
6 signed by the governor, upon expiration of the time for bills to become law without signature
7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
9 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

Present law provides for early childhood development and enrichment activity classes (The Cecil J. Picard LA 4 Early Childhood Program, commonly known as LA 4) for four-year-old children in public school systems and charter schools.

Present law provides that LA 4 classes shall be made available to every eligible child who meets certain specified requirements. Provides that such classes shall be provided at no cost, except applicable lunch costs, for any eligible child who is eligible to receive free or reduced price meals. Further provides that any other eligible child may be charged tuition for such classes scaled and imposed according to a student's family income.

Present law provides for universal access to LA 4 classes to be phased in over a five-year period, beginning with the 2008-2009 school year, based upon family income in relation to the federal poverty level. Full implementation of universal access for all eligible children, regardless of income level, was to be achieved by the 2013-2014 school year, provided funding was made available for such purpose.

Proposed law deletes provisions in present law relative to income requirements and that provide for phased in universal access over time, subject to availability of funding, and instead provides that beginning with the 2014-2015 school year, LA 4 classes shall be provided at no cost, except for the applicable lunch cost, to every eligible child, without regard to income level.

Proposed law provides that each school system shall determine whether it will provide LA 4 classes through the public schools under its jurisdiction or through a collaborative agreement with non-school system providers who meet state daycare licensing standards and meet the minimum quality rating prescribed by BESE.

Proposed law provides that the legislature shall annually appropriate sufficient monies to fully fund the cost of providing universal access to LA 4 classes for every eligible child.

Present law requires the Dept. of Education to provide funding for LA 4 classes based upon the per pupil amount multiplied by the estimated number of students each year eligible to receive free or reduced lunch.

Proposed law deletes this provision and instead requires the Dept. of Education to provide funding for LA 4 classes based upon the per pupil amount multiplied by the estimated number of students each year eligible to enter public school kindergarten the following year.

Present law allows school systems to participate in the LA 4 program on a partial basis.

Proposed law deletes these provisions.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:24.10(A), (B), (I)(1)(a)(i) and (J); repeals R.S.17:24.10(E)(2) and (F))