

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

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Legislative Document

No. 560

S.P. 172

February 5, 2007

**An Act To Integrate the Approval of Early Childhood Education
Plans for Children 4 Years of Age into Basic School Approval for
Elementary Schools**

Submitted by the Department of Education pursuant to Joint Rule 204.
Reference to the Committee on Education and Cultural Affairs suggested and ordered
printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SULLIVAN of York.
Cosponsored by Representative WEBSTER of Freeport and
Senator: TURNER of Cumberland, Representatives: EDGECOMB of Caribou, NORTON of
Bangor.

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

2 **Sec. 1. 20-A MRSA §1, sub-§15**, as enacted by PL 1981, c. 693, §§5 and 8, is
3 amended to read:

4 **15. Kindergarten.** "Kindergarten" means a one-year or 2-year childhood education
5 program, for children at least 5 years of age, immediately prior to grade one.

6 **Sec. 2. 20-A MRSA §1, sub-§23-A** is enacted to read:

7 **23-A. Public preschool program.** "Public preschool program" means a program
8 offered by a public school that provides instruction to children who are 4 years of age.

9 **Sec. 3. 20-A MRSA §4252, sub-§4**, as amended by PL 1989, c. 548, §3, is
10 further amended to read:

11 **4. Programs for children 4 years of age and 5 years of age.** Encourage the
12 development of public preschool programs or 2-year kindergartens in conformity with
13 section 5201, subsection 2, paragraph C and other appropriate programs to address the
14 needs of ~~4-year-old~~ children 4 years of age and 5 years of age;

15 **Sec. 4. 20-A MRSA §4253**, as amended by PL 1997, c. 534, §1, is repealed.

16 **Sec. 5. 20-A MRSA §4255**, as enacted by PL 2005, c. 368, §1, is repealed.

17 **Sec. 6. 20-A MRSA §4501**, as amended by PL 1985, c. 797, §31, is further
18 amended to read:

19 **§4501. Duty of school units**

20 In accordance with the policy expressed in section 2, every school administrative unit
21 shall raise ~~and support~~ annually sufficient funds to maintain or support elementary and
22 secondary schools to provide free education for its resident students at all grade levels.
23 These schools shall meet the requirements of basic school approval. School units that
24 choose to offer a public preschool program must meet the requirements of basic school
25 approval.

26 **Sec. 7. 20-A MRSA §4502, sub-§2**, as amended by PL 1991, c. 824, Pt. A, §32,
27 is further amended to read:

28 **2. Curriculum standards.** Schools shall also meet all curriculum standards
29 established in chapter 207-A. Schools that offer public preschool programs shall
30 demonstrate curriculum practice for those programs that implements the Maine early
31 childhood learning guidelines and is appropriate for the age and development level of the
32 children.

33 **Sec. 8. 20-A MRSA §4502, sub-§5, ¶N**, as amended by PL 2001, c. 452, §9, is
34 further amended to read:

1 N. Preparation of a written local policy and implementation of training for all
2 unlicensed personnel who administer medication in accordance with the requirements
3 under section 254, subsection 5; and

4 **Sec. 9. 20-A MRSA §4502, sub-§5, ¶O**, as enacted by PL 2001, c. 452, §10, is
5 amended to read:

6 O. Preparation of a written local policy and implementation of training for all
7 guidance counselors and school personnel who administer reintegration planning
8 pursuant to section 254, subsection 12, who participate in a reintegration team and
9 who have access to confidential criminal justice information regarding juveniles
10 pursuant to section 1055, subsection 12; and

11 **Sec. 10. 20-A MRSA §4502, sub-§5, ¶P** is enacted to read:

12 P. Provision of family outreach and support programs designed to improve parent-
13 school relations and parenting skills consistent with section 4252, subsection 8.

14 **Sec. 11. 20-A MRSA §4502, sub-§9** is enacted to read:

15 **9. Coordinated early childhood programs for children 4 years of age.** Any
16 school administrative unit that wishes to develop an early childhood program for children
17 4 years of age must submit a proposal for approval to the department. Evaluation of the
18 proposal must include consideration of at least the following factors:

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

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

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

25 **Sec. 12. 20-A MRSA §5201, sub-§2, ¶C**, as enacted by PL 1981, c. 693, §§5
26 and 8, is amended to read:

27 C. A person who will be at least 4 years ~~old~~ of age on October 15th of the school
28 year may enroll in a ~~2-year childhood education~~ public preschool program prior to
29 ~~grade one~~ kindergarten if it is offered.

30 **Sec. 13. 20-A MRSA §15672, sub-§6**, as enacted by PL 2003, c. 504, Pt. A, §6,
31 is amended to read:

32 **6. Elementary grades.** "Elementary grades" means ~~kindergarten~~ public preschool
33 programs to grade 8 and ~~includes children enrolled in early kindergarten programs and 4-~~
34 ~~year old children enrolled in a 2-year childhood education program prior to grade one.~~

35 **Sec. 14. 20-A MRSA §15672, sub-§7**, as enacted by PL 2003, c. 504, Pt. A, §6,
36 is amended to read:

1 **7. Elementary school level.** "Elementary school level" means the grades from
2 ~~kindergarten public preschool programs~~ to grade 5 ~~and includes early kindergarten~~
3 ~~programs and 2-year childhood education programs enrolling 4-year-old children prior to~~
4 ~~grade one.~~

5 **Sec. 15. 20-A MRSA §15675, sub-§3,** as enacted by PL 2003, c. 504, Pt. A, §6,
6 is amended to read:

7 **3. Public preschool program to grade 2 students.** If a school administrative unit is
8 eligible to receive targeted funds for its ~~kindergarten public preschool~~ to grade 2 program
9 under section 15681, then for each ~~kindergarten public preschool program~~ to grade 2
10 student, the unit receives an additional weight of .10.

11 A. For purposes of the additional weight under this subsection, the count of
12 ~~kindergarten public preschool program~~ to grade 2 students is calculated based on the
13 number of resident pupils in the most recent calendar year.

14 B. Only school administrative units with a ~~kindergarten public preschool~~ to grade 2
15 ~~program programs~~ approved by the department are eligible for funds pursuant to this
16 subsection or other comparable index.

17 C. Funds provided pursuant to this subsection may be expended only on behalf of
18 ~~kindergarten public preschool program~~ to grade 2 students.

19 **Sec. 16. 20-A MRSA §15681, sub-§1, ¶C,** as amended by PL 2005, c. 12, Pt. D,
20 §2, is further amended to read:

21 C. To receive targeted ~~kindergarten public preschool program~~ to grade 2 funds
22 calculated pursuant to subsection 4, the school administrative unit must be in
23 compliance with any applicable reporting requirements for local early childhood
24 programs. Any program must be in compliance with chapter 203, subchapter 2.

25 **Sec. 17. 20-A MRSA §15681, sub-§4,** as enacted by PL 2003, c. 504, Pt. A, §6,
26 is amended to read:

27 **4. Public preschool program to grade 2 funds.** For targeted ~~kindergarten public~~
28 ~~preschool program~~ to grade 2 funds, the commissioner shall calculate the amount that
29 may be made available to eligible school administrative units as follows.

30 A. For fiscal year 2005-06, the amount equals the product of the per-pupil guarantee
31 calculated pursuant to section 15676 multiplied by the additional weight calculated
32 pursuant to section 15675, subsection 3.

33 B. For fiscal year 2006-07 and each subsequent year, the commissioner shall
34 recalculate the amount by using the amount calculated under paragraph A as a base
35 and appropriate trends in the Consumer Price Index or other comparable index.

SUMMARY

1

2 This bill defines "public preschool program" in the laws governing education. This
3 definition differentiates a public preschool program from a one-or-two-year kindergarten
4 program.

5 The bill also integrates approval of early childhood education plans for programs for
6 children 4 years of age into the laws governing basic school approval.