

FIRST REGULAR SESSION

SENATE BILL NO. 95

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Pre-filed December 28, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

0272S.011

AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to voluntary prekindergarten.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 161, RSMo, is amended by adding thereto one new
2 section, to be known as section 161.214, to read as follows:

161.214. 1. There is hereby established the "Voluntary
2 Prekindergarten Education Program" to provide an opportunity for
3 each eligible child in Missouri to voluntarily enroll in a publicly-funded
4 prekindergarten program.

5 2. For purposes of this section, the following terms shall mean:

6 (1) "Department", the department of elementary and secondary
7 education;

8 (2) "Eligible child", or "eligible children", a child who has
9 attained, or children who have attained, the age of three before August
10 first of the calendar year in which he or she enrolls in a
11 prekindergarten program under this section and who resides or reside
12 in Missouri. A child shall remain eligible until he or she enrolls in
13 kindergarten or attains the age of seven;

14 (3) "Eligible provider", a private, for-profit, non-profit, or
15 community-based organization or public school that meets the
16 standards established by the department pursuant to this section and
17 may receive public funds for services provided to eligible children;

18 (4) "Program", the voluntary prekindergarten education program.

19 3. The department shall establish and oversee a prekindergarten
20 program to provide prekindergarten services to eligible children. Any
21 eligible provider that meets the department's standards and is

22 approved by the department shall be eligible to enroll eligible children
23 and participate in the program. The parent or legal guardian of an
24 eligible child may enroll him or her in an eligible provider's
25 prekindergarten program.

26 4. The department shall implement an application and selection
27 process for eligible provider participation and shall establish program
28 education and performance standards for providers that participate in
29 the program. The department shall establish the amount of funds to be
30 distributed to each eligible provider.

31 5. Any provider that would like to participate in the program
32 shall apply to the department, following application procedures and
33 deadlines established by the department. For providers receiving
34 public funds for offering voluntary prekindergarten under this section,
35 the department shall establish standards in the following areas:

36 (1) Maximum and minimum teacher-child ratios;

37 (2) Class sizes;

38 (3) Student learning standards;

39 (4) Guidelines for eligible providers to collaborate with
40 participating families, early care providers, and community partners,
41 including but not limited to head start programs, child care centers,
42 area education agencies, services funded by Title I of the federal
43 Elementary and Secondary Education Act of 1965, and family support
44 programs; and

45 (5) Qualifications for teachers and staff employed by an eligible
46 provider.

47 6. The department shall establish the rate of payment or rate of
48 reimbursement for eligible providers that participate in the program.

49 7. The department may collaborate with the coordinating board
50 for early childhood to develop the program.

51 8. The department shall begin implementing the program by
52 November 30, 2013, and shall complete the phase-in of the program by
53 July 1, 2018.

54 9. The program established under this section shall be subject to
55 appropriations.

56 10. The department of elementary and secondary education shall
57 promulgate rules and regulations to implement the provisions of this
58 section. Any rule or portion of a rule, as that term is defined in section

59 536.010 that is created under the authority delegated in this section
60 shall become effective only if it complies with and is subject to all of
61 the provisions of chapter 536, and, if applicable, section 536.028. This
62 section and chapter 536 are nonseverable and if any of the powers
63 vested with the general assembly pursuant to chapter 536, to review, to
64 delay the effective date, or to disapprove and annul a rule are
65 subsequently held unconstitutional, then the grant of rulemaking
66 authority and any rule proposed or adopted after August 28, 2013, shall
67 be invalid and void.

68 11. Pursuant to section 23.253 of the Missouri sunset act:

69 (1) The provisions of the new program authorized under this
70 section shall automatically sunset six years after the effective date of
71 this section unless reauthorized by an act of the general assembly; and

72 (2) If such program is reauthorized, the program authorized
73 under this section shall automatically sunset twelve years after the
74 effective date of the reauthorization of this section; and

75 (3) This section shall terminate on September first of the
76 calendar year immediately following the calendar year in which the
77 program authorized under this section is sunset.

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