



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4439

Introduced 1/30/2012, by Rep. Derrick Smith

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.71

from Ch. 122, par. 2-3.71

Amends the School Code. Provides that for the purpose of receiving federal funds under the Schools and Libraries Program of the Universal Service Fund, a preschool or early childhood education center with an enrollment of 100 or more pupils shall be deemed an elementary school. Effective immediately.

LRB097 17416 NHT 62618 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 2-3.71 as follows:

6 (105 ILCS 5/2-3.71) (from Ch. 122, par. 2-3.71)
7 Sec. 2-3.71. Grants for preschool educational programs.

8 (a) Preschool program.

9 (1) The State Board of Education shall implement and
10 administer a grant program under the provisions of this
11 subsection which shall consist of grants to public school
12 districts and other eligible entities, as defined by the
13 State Board of Education, to conduct voluntary preschool
14 educational programs for children ages 3 to 5 which include
15 a parent education component. A public school district
16 which receives grants under this subsection may
17 subcontract with other entities that are eligible to
18 conduct a preschool educational program. These grants must
19 be used to supplement, not supplant, funds received from
20 any other source.

21 (2) (Blank).

22 (3) Any teacher of preschool children in the program
23 authorized by this subsection shall hold an early childhood

1 teaching certificate.

2 (4) (Blank).

3 (4.5) The State Board of Education shall provide the
4 primary source of funding through appropriations for the
5 program. Such funds shall be distributed to achieve a goal
6 of "Preschool for All Children" for the benefit of all
7 children whose families choose to participate in the
8 program. Based on available appropriations, newly funded
9 programs shall be selected through a process giving first
10 priority to qualified programs serving primarily at-risk
11 children and second priority to qualified programs serving
12 primarily children with a family income of less than 4
13 times the poverty guidelines updated periodically in the
14 Federal Register by the U.S. Department of Health and Human
15 Services under the authority of 42 U.S.C. 9902(2). For
16 purposes of this paragraph (4.5), at-risk children are
17 those who because of their home and community environment
18 are subject to such language, cultural, economic and like
19 disadvantages to cause them to have been determined as a
20 result of screening procedures to be at risk of academic
21 failure. Such screening procedures shall be based on
22 criteria established by the State Board of Education.

23 Except as otherwise provided in this paragraph (4.5),
24 grantees under the program must enter into a memorandum of
25 understanding with the appropriate local Head Start
26 agency. This memorandum must be entered into no later than

1 3 months after the award of a grantee's grant under the
2 program, except that, in the case of the 2009-2010 program
3 year, the memorandum must be entered into no later than the
4 deadline set by the State Board of Education for
5 applications to participate in the program in fiscal year
6 2011, and must address collaboration between the grantee's
7 program and the local Head Start agency on certain issues,
8 which shall include without limitation the following:

9 (A) educational activities, curricular objectives,
10 and instruction;

11 (B) public information dissemination and access to
12 programs for families contacting programs;

13 (C) service areas;

14 (D) selection priorities for eligible children to
15 be served by programs;

16 (E) maximizing the impact of federal and State
17 funding to benefit young children;

18 (F) staff training, including opportunities for
19 joint staff training;

20 (G) technical assistance;

21 (H) communication and parent outreach for smooth
22 transitions to kindergarten;

23 (I) provision and use of facilities,
24 transportation, and other program elements;

25 (J) facilitating each program's fulfillment of its
26 statutory and regulatory requirements;

1 (K) improving local planning and collaboration;

2 and

3 (L) providing comprehensive services for the
4 neediest Illinois children and families.

5 If the appropriate local Head Start agency is unable or
6 unwilling to enter into a memorandum of understanding as
7 required under this paragraph (4.5), the memorandum of
8 understanding requirement shall not apply and the grantee
9 under the program must notify the State Board of Education
10 in writing of the Head Start agency's inability or
11 unwillingness. The State Board of Education shall compile
12 all such written notices and make them available to the
13 public.

14 (5) The State Board of Education shall develop and
15 provide evaluation tools, including tests, that school
16 districts and other eligible entities may use to evaluate
17 children for school readiness prior to age 5. The State
18 Board of Education shall require school districts and other
19 eligible entities to obtain consent from the parents or
20 guardians of children before any evaluations are
21 conducted. The State Board of Education shall encourage
22 local school districts and other eligible entities to
23 evaluate the population of preschool children in their
24 communities and provide preschool programs, pursuant to
25 this subsection, where appropriate.

26 (6) The State Board of Education shall report to the

1 General Assembly by November 1, 2010 and every 3 years
2 thereafter on the results and progress of students who were
3 enrolled in preschool educational programs, including an
4 assessment of which programs have been most successful in
5 promoting academic excellence and alleviating academic
6 failure. The State Board of Education shall assess the
7 academic progress of all students who have been enrolled in
8 preschool educational programs.

9 On or before November 1 of each fiscal year in which
10 the General Assembly provides funding for new programs
11 under paragraph (4.5) of this Section, the State Board of
12 Education shall report to the General Assembly on what
13 percentage of new funding was provided to programs serving
14 primarily at-risk children, what percentage of new funding
15 was provided to programs serving primarily children with a
16 family income of less than 4 times the federal poverty
17 level, and what percentage of new funding was provided to
18 other programs.

19 (b) (Blank).

20 (c) For the purpose of receiving federal funds under the
21 Schools and Libraries Program of the Universal Service Fund,
22 commonly known as "E-Rate", a preschool or early childhood
23 education center with an enrollment of 100 or more pupils shall
24 be deemed an elementary school.

25 (Source: P.A. 95-724, eff. 6-30-08; 96-119, eff. 8-4-09;
26 96-944, eff. 6-25-10; 96-948, eff. 6-25-10.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.