

Report on Prekindergarten Regions in Act 166

**Section 3b. Prekindergarten Regions; Process and Criteria
[proposal outlining process and criteria for Education and
Human Services Agencies will determine regions]**

REPORT

January 22, 2015

**Submitted to the House and Senate
Committees on Education**

**By Secretary of Education Rebecca Holcombe
Secretary of Human Services Hal Cohen**



**AGENCY OF EDUCATION &
AGENCY OF HUMAN SERVICES**

Legislation

Act No. 166 (H.270) of 2014: *An act relating to providing access to publicly funded prekindergarten education.*

Sec. 3b. PREKINDERGARTEN REGIONS; PROCESS AND CRITERIA

The Agencies of Education and of Human Services, in consultation with the Vermont Superintendents Association, the Vermont School Boards Association, the Vermont Principals' Association, the Vermont-NEA, and the Building Bright Futures Council created in 33 V.S.A. Chapter 46, shall develop a detailed proposal outlining the process and criteria by which the Agencies will determine the prekindergarten region of a school district if requested to do so pursuant to Sec. 1, 16 V.S.A. § 829(h)(2), of this act. The Agencies shall present the proposal to the House and Senate Committees on Education on or before January 15, 2015. The Agencies shall also present any recommendations for amendments to statute, including repeal of or amendments to subsection (h).

Link to complete text of legislation on Vermont Legislature website:

<http://www.leg.state.vt.us/docs/2014/Acts/ACT166.pdf>

Summary

This act requires the Agencies of Education and of Human Services to work in consultation with the Vermont Superintendents Association, the Vermont School Boards Association, the Vermont Principals' Association, the Vermont-NEA, and the Building Bright Futures Council to develop a detailed process and criteria for determining the prekindergarten region of a school district if requested to do so. The proposed process and criteria presented below resulted from a series of discussions with representatives from the organizations listed above, along with a group of stakeholders that included public school administrators, child care directors, practitioners, and advocates. On October 27, 2014, this group met to review a draft proposal from the Agencies, and provided feedback that has been included in this proposal.

First, the group noted that there is no expectation that all school districts will apply to form a prekindergarten region. But, if a school district does wish to do so, there is an application process that requires school districts to hold a public discussion of such a proposal. The group advised that approval of a proposed prekindergarten region be based on ensuring access to a prequalified prekindergarten program for local children, and that applicants should make this case in a proposal through a strong rationale and supporting data.

Proposal for Geographic Limitations: Prekindergarten Regions

(1) Geographic Limitations:

- a. A school board may choose to propose to limit the geographic area within which it will pay tuition for prekindergarten education by establishing a “prekindergarten region.”
- b. To establish a prekindergarten region, a school board must submit an application to the Secretaries of Education and Human Services. At a minimum, any application must include:
 - i. A clearly defined proposed prekindergarten region;
 - ii. The rationale for requesting a prekindergarten region;
 - iii. The date[s] and summary[ies] of any public school board discussion on the proposed prekindergarten region, including a copy of the notice warning the public about the discussion.
- c. Approval of a prekindergarten region shall be determined jointly by the Agencies of Education and Human Services in consultation with the requesting school board, private prequalified providers, parents and guardians of prekindergarten children and other interested parties pursuant to a process that includes:
 - i. Written applications;
 - ii. Notice to the public and required parties;
 - iii. A public hearing in the proposed prekindergarten region; and
 - iv. Acceptance of written comments.
- d. A prekindergarten region:
 - i. Shall not be smaller than the geographic boundaries of the school district; if the school district is in a supervisory union, it is recommended that the proposed prekindergarten region be no smaller than its supervisory union.
 - ii. Shall be based in part on the estimated number of prekindergarten children residing in the district and bordering districts, the availability of public and private prequalified prekindergarten education programs, commuting patterns and other region-specific criteria; and
 - iii. Shall be designed to support existing partnerships between school districts and private providers of prekindergarten education.

- e. Applications to establish prekindergarten regions may be submitted on the first day of any month. The Secretaries shall approve or deny the request within 45 business days from receiving a completed application.
- f. If a prekindergarten child is unable to access publicly funded prekindergarten within an approved prekindergarten region, the parent or guardian may request, and in its discretion the district may pay tuition at the statewide rate, for a prequalified prekindergarten education program located outside the district's prekindergarten region.
- g. Approval of a prekindergarten region shall be for a period of three years, at which time application for renewal may be made by a district. A district may apply once annually for a change to the boundaries of the region.
- h. The Secretaries may discontinue approval of a prekindergarten region during the three year period for cause.
- i. School boards whose requests for approval of a prekindergarten region are denied may request reconsideration within ten (10) business days from notice of non-approval and upon submission of additional information relevant to approval.

For more information and to view the latest documents related to Act 166 implementation, go to: <http://education.vermont.gov/act-166>.

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