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HOUSE BILL NO. 1807

Offered January 13, 2025

Prefiled January 6, 2025

A BILL to amend and reenact § 22.1-289.09 of the Code of Virginia, relating to Virginia Preschool Initiative; Kindergarten Readiness Fund established.

Patron—Cohen

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-289.09 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-289.09. Programs designed to promote educational opportunities.

A. The General Assembly finds that effective prevention programs designed to assist children at risk of school failure and dropout are practical mechanisms for reducing violent and criminal activity and for ensuring that Virginia's children will reach adulthood with the skills necessary to succeed; to this end, the following program is hereby established. With such funds as are appropriated for this purpose, the General Assembly hereby establishes the Virginia Preschool Initiative as a grant program to be disbursed by the Department of Education to schools and community-based organizations to provide quality preschool programs for at-risk three-year-olds and four-year-olds who are unserved by Head Start programs and for at-risk five-year-olds who are not eligible to attend kindergarten.

B. Grants shall be used to provide at least half-day services for the length of the school year for at-risk three-year-old and four-year-old children who are unserved by Head Start programs and for at-risk five-year-olds who are not eligible to attend kindergarten. The services shall include quality preschool education; health services, including nutrition access programs; social services; parental involvement, including activities to promote family literacy; and transportation.

C. The guidelines for quality preschool education and criteria for preschool education services may be differentiated according to the agency providing the services in order to comply with various relevant federal or state requirements.

1. Any classroom that exceeds benchmarks set by the Board shall be staffed as follows: (i) at least one teacher shall be provided for any classroom with 10 students or fewer students; (ii) if the average daily membership in any classroom exceeds 10 students but does not exceed 20 students, at least one full-time teacher's aide shall be assigned to the classroom; and (iii) the maximum classroom size shall be 20 students.

2. Any classroom that does not exceed benchmarks set by the Board shall be staffed as follows: (i) at least one teacher shall be provided for any classroom with nine or fewer students; (ii) if the average daily membership in any classroom exceeds nine students but does not exceed 18 students, a full-time teacher's aide shall be assigned to such classroom; and (iii) the maximum classroom size shall be 18 students.

D. School divisions and other grantees may apply for and be granted waivers from these guidelines by the Department of Education. Grants shall be distributed, with such funds as are appropriated for this purpose, based on an allocation formula providing the state share of the grant per child, as specified in the appropriation act, for at least 60 percent of the unserved at-risk four-year-olds and five-year-olds who are not eligible to attend kindergarten in the Commonwealth, such 60 percent to be calculated by adding services for 30 percent more of the unserved at-risk children to the 30 percent of unserved at-risk children in each locality provided funding in the appropriation act.

E. Local school boards may elect to serve more than 60 percent of the at-risk four-year-olds and may use federal funds or local funds for this expansion or may seek funding through this grant program for such purposes. Grants may be awarded, if funds are available in excess of the funding for the 60 percent allocation, to expand services to at-risk four-year-olds beyond the 60 percent goal.

F. In order for a locality to qualify for these grants, the local governing body shall commit to providing the required matching funds, based on the composite index of local ability to pay. Localities may use, for the purposes of meeting the local match, local or other nonstate expenditures for existing qualifying programs and shall also continue to pursue and coordinate other funding sources, including child care subsidies. Funds received through this program shall be used to supplement, not supplant, any local funds currently provided for preschool programs within the locality.

G. There is hereby created in the state treasury a special nonreverting fund to be known as the Kindergarten Readiness Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, or other funds received on its behalf shall be paid into the state treasury and credited to the Fund. All balances of state general funds intended for the provision of services to families through the Virginia

59 *Preschool Initiative that are unspent at the end of each fiscal year shall not revert to the general fund but*
60 *shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall*
61 *remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at*
62 *the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the*
63 *Fund shall be used in the discretion of the Department solely for the purpose of providing grants on a*
64 *competitive basis to school divisions to utilize for other currently operated early childhood education*
65 *programs. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants*
66 *issued by the Comptroller upon written request signed by the Superintendent. The Superintendent shall*
67 *submit to the General Assembly no later than December 1 of each year a report on Fund revenues,*
68 *distributions, and balances.*