

2023 -- S 0463 AS AMENDED

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

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A N A C T

RELATING TO EDUCATION -- RHODE ISLAND PREKINDERGARTEN EDUCATION
ACT

Introduced By: Senators Gallo, Pearson, DiMario, Cano, Murray, Lawson, LaMountain,
Valverde, Zurier, and Burke

Date Introduced: March 07, 2023

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-87 of the General Laws entitled "Rhode Island Prekindergarten
2 Education Act" is hereby amended by adding thereto the following section:

3 **16-87-8. High quality, universal prekindergarten.**

4 (a) The general assembly acknowledges the need to adequately prepare all children to
5 succeed in school by providing access to publicly funded, high quality prekindergarten education
6 programs for all children ages three (3) and four (4) and to sustain and expand access to high-
7 quality early care and education programs for infants and toddlers under age three (3).

8 (b) Access to free, inclusive and high-quality prekindergarten classrooms in a mixed-
9 delivery system that includes state investments to be layered on top of federal investments to sustain
10 and expand the federally managed Head Start program model for children ages three (3) and four
11 (4) and the federally managed Early Head Start program model for infants and toddlers under age
12 three (3).

13 The state managed prekindergarten program model shall be sustained and expanded in a
14 mixed delivery-system that includes Head Start agencies, local education agencies, licensed center-
15 based child care providers, and licensed family child care providers, or family child care networks,
16 shall be expanded annually across all communities in Rhode Island until every family who wants
17 a high-quality prekindergarten seat for their children ages three (3) or four (4), has one.

18 (c) Universal access will be considered achieved when no less than seventy percent (70%)

1 of all children ages three (3) and four (4) are enrolled in high-quality prekindergarten programs.

2 (d) For the school year 2023-2024, the Rhode Island prekindergarten program administered
3 by the department of education shall make funds available that are needed to sustain all existing RI
4 Pre-K classrooms through a mixed-delivery model and to ensure programs can offer competitive
5 wages to RI Pre-K teachers and teaching assistants.

6 For the school year 2023-2024, the department of human services shall make funds
7 available through state contracts with Head Start agencies to support programs in offering
8 competitive wages to Head Start and Early Head Start classroom teachers and teaching assistants.
9 Head Start grantees must demonstrate how the funds will allow them to retain and attract qualified
10 staff with competitive wages to support their existing one hundred eight (108) Head Start
11 classrooms serving children ages three (3) and four (4) and the forty (40) Early Head Start
12 classrooms serving infants and toddlers under age three (3).

13 (e) No later than December 1, 2023, the department of education, in collaboration with the
14 department of human services, the Head Start Collaboration Office, and the RI early learning
15 council shall submit to the governor, speaker of the house, senate president, and chairs of house
16 and senate finance committees and education committees a revised year-by-year growth plan to
17 achieve universal access to high-quality prekindergarten for all children ages three (3) and four (4)
18 including investments in both the federally managed Head Start model and the state managed
19 prekindergarten model; the growth plan shall detail annual growth targets and projected funding
20 needs, as well as how the state will:

21 (1) Equitably distribute prekindergarten funding to eligible providers, to sustain and
22 expand access to both the federally managed Head Start model and the state managed
23 prekindergarten model, as described in §16-87-9(a);

24 (2) Ensure that Early Head Start classrooms serving infants and toddlers under age three
25 (3) are adequately funded and can be sustained and expanded with a combination of federal and
26 state resources to deliver high-quality early care and education staffed with competitively-
27 compensated educators who meet or exceed the qualifications outlined in the federal Head Start
28 Performance Standards;

29 (3) Set year-by-year investment targets for each year of the pre-K growth plan to sustain
30 and improve access to high-quality infant-toddler early care and education in both child care centers
31 and family child care homes staffed with qualified and skilled educators;

32 (4) Identify resources needed to prepare, recruit and retain a highly-qualified early
33 childhood educator workforce statewide to staff existing programs that provide support for healthy
34 child development and early learning opportunities for children from infancy through age five (5).

1 This shall include resources needed to ensure adequate wages to attract and retain qualified and
2 skilled early childhood educators, regardless of setting, that provide a living wage and are
3 equivalent to wages for elementary educators with similar credentials and experience in the state;

4 (5) Build capacity among new and existing early care and education providers to ensure
5 quality standards are met in all settings; and

6 (6) Ensure providers in the mixed-delivery system have sufficient facilities to expand
7 access to high-quality prekindergarten and infant/toddler early care and education services.

8 **16-87-9. High quality elements.**

9 (a) To expand access to high-quality prekindergarten education programs, the state shall
10 implement and provide sufficient funding to support a mixed-delivery system including state
11 investments to sustain all state prekindergarten, Head Start, and Early Head Start classrooms
12 statewide and to expand these models through contracting with eligible providers including local
13 education agencies, Head Start agencies, licensed center-based child care providers, licensed family
14 child care providers or licensed family child-care provider networks, or a consortium of these
15 entities.

16 (b) To build and maintain an adequate system of providers, the state shall support a
17 continuous quality improvement system for providers of prekindergarten services participating in,
18 or seeking to participate in, the state prekindergarten program and shall work with the federal Office
19 of Head Start to ensure all Head Start and Early Head Start programs receive continuous quality
20 improvement support

21 (c) The Rhode Island department of elementary and secondary education (the
22 "department") is hereby authorized to promulgate and adopt rules and regulations for the
23 implementation of high quality, universal prekindergarten. Research-based quality standards shall
24 be defined in regulation by the department, and shall include, but not be limited to:

25 (1) Teacher education and certification;

26 (2) Class size and staff ratios;

27 (3) Learning time;

28 (4) Developmentally appropriate, evidence-based learning standards;

29 (5) Curriculum prioritizing developmentally appropriate, play-based learning;

30 (6) Access, inclusion and support for students with special needs, including a system to
31 ensure delivery of high-quality, inclusive early education services required by the Individuals with
32 Disabilities Education Act to children with developmental delays and disabilities who are enrolled
33 in community-based programs which may or may not be located in the same municipality where
34 the child lives;

- 1 (7) Support for English language learners;
- 2 (8) Professional development;
- 3 (9) Child assessments; and
- 4 (10) Observations and coaching to improve practice.

5 (d) To whatever extent deemed necessary by the department, quality standards may be
6 differentiated by prekindergarten education setting and include federal support and oversight for
7 the Head Start and Early Head Start Performance Standards, such that every provider-type in a
8 mixed-delivery model is able and expected to meet the highest research-based quality standards as
9 defined by the department.

10 **16-87-10. Successful transition.**

11 (a) Successful coordination between Rhode Island’s high-quality prekindergarten and
12 kindergarten programs is essential for setting a solid foundation for all students. In order to have a
13 seamless pathway from prekindergarten to third grade, standards, curriculum, instruction and
14 assessments shall be aligned.

15 (b) Effective transition programs and practices to help students and families move
16 successfully from one setting to another shall be established.

17 (c) All local education agencies (LEAs) in Rhode Island shall develop a kindergarten
18 transition strategy to support incoming students and families. The transition strategy must include
19 two (2) parts:

20 (1) Student and family communication and engagement plans; and

21 (2) Program-level transition plans.

22 (d) These strategies may include:

23 (1) For student and family transition, the following strategies shall be considered:

24 (i) Student visits to their future kindergarten classroom;

25 (ii) Kindergarten teacher visits to the prekindergarten classrooms;

26 (iii) Workshops for families of incoming kindergarten children; and

27 (iv) Kindergarten orientation sessions the summer before school starts.

28 (2) For program-level transition planning the following strategies shall be considered:

29 (i) Creation of transition teams and liaisons between prekindergarten programs and district
30 schools;

31 (ii) Joint professional development and data sharing for prekindergarten to third grade
32 teachers; and

33 (iii) Teacher-to-teacher conferences.

34 **16-87-10. Prekindergarten facilities.**

1 (a) No later than December 31, 2023, the department of human services shall provide the
2 senate president and the speaker of the house with a report on the status of disbursement and impact
3 of capital funds made available by the early learning facilities general obligation bond approved
4 March 2, 2021.

5 (b) The department of elementary and secondary education and the department of human
6 services shall establish programs and initiatives to ensure providers renovate, acquire, develop,
7 and/or expand facilities that meet licensing and facilities standards, in order to sustain and increase
8 access to high-quality prekindergarten and early learning environments. Programs and initiatives
9 may include, but shall not be limited to:

10 (1) Grant programs to be used for facility planning, predevelopment activities, and/or
11 urgent facility maintenance required for the health, safety and quality of existing programs;

12 (2) Supporting the establishment of strategic partnerships between local education agencies
13 and community-based early learning providers to make use of available space in existing facilities;
14 and/or

15 (3) Technical assistance for providers to access capital, navigate licensing standards for
16 facilities, and/or begin the facility improvement and development processes.

17 SECTION 2. Section 16-87-4 of the General Laws in Chapter 16-87 entitled "Rhode Island
18 Prekindergarten Education Act" is hereby amended to read as follows:

19 **16-87-4. Early childhood workforce development.**

20 (a) The Rhode Island department of elementary and secondary education shall work with
21 other state departments and private philanthropy to establish a statewide, comprehensive, research-
22 based early childhood workforce development scholarship program to expand the number of early
23 childhood educators who have an associate's or bachelor's degree in early childhood education and
24 who work with children from birth to age five (5).

25 (b)(1) In furtherance of the goals set forth in this chapter, no later than January 1, 2023, the
26 governor's workforce board shall convene a working group comprised of representatives from the
27 department of elementary and secondary education, department of human services, office of the
28 postsecondary commissioner, the RI early learning council, organized labor, and early childhood
29 education industry employers, whose purpose shall be to identify barriers to entry into the early
30 childhood education workforce, and to design accessible and accelerated pathways into the
31 workforce, including, but not limited to, registered apprenticeships and postsecondary credit for
32 prior work experience.

33 (2) No later than April 1, 2023, the working group shall provide the general assembly with
34 recommendations for addressing the barriers to workforce entry and implementing the solutions

1 identified by the working group; the recommendations shall outline any administrative and
2 legislative action that would be required by participating agencies to implement the
3 recommendations.

4 [\(3\) If and when appropriate, and in accordance with program administration guidelines, the](#)
5 [industry employers may seek to create a sector partnership via the real jobs Rhode Island program](#)
6 [to implement workforce solutions.](#)

7

8 SECTION 3. Sections 16-87-3 and 16-87-5 of the General Laws in Chapter 16-87 entitled
9 "Rhode Island Prekindergarten Education Act" are hereby repealed.

10 ~~**16-87-3. Planning phase for a prekindergarten program.**~~

11 ~~(a) The Rhode Island department of elementary and secondary education shall begin~~
12 ~~planning an initial, pilot prekindergarten program that meets high quality standards, builds on the~~
13 ~~existing early childhood education infrastructure in the state (including child care, Head Start and~~
14 ~~public schools) and serves children ages three (3) and four (4) who reside in communities with~~
15 ~~concentrations of low performing schools. This planning phase will develop specific goals to~~
16 ~~expand the pilot prekindergarten program over time and will also identify opportunities to~~
17 ~~strengthen care and learning programs for infants and toddlers.~~

18 ~~(b) During this planning phase, the Rhode Island department of elementary and secondary~~
19 ~~education will quantify the resources needed to achieve and maintain high quality standards in~~
20 ~~prekindergarten programs and identify incentives and supports to develop a qualified early~~
21 ~~education workforce, including opportunities for experienced early childhood educators and~~
22 ~~paraprofessionals to acquire college degrees and earn early childhood teacher certification.~~

23 ~~(c) The Rhode Island department of elementary and secondary education will begin to~~
24 ~~develop plans to collect and analyze data regarding the impact of the pilot prekindergarten program~~
25 ~~on participating children's school readiness and school achievement.~~

26 ~~**16-87-5. Reporting.**~~

27 ~~The Rhode Island department of elementary and secondary education shall report back to~~
28 ~~the general assembly and the governor on the progress of the pilot planning phase no later than~~
29 ~~October 31, 2008.~~

30 SECTION 4. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- RHODE ISLAND PREKINDERGARTEN EDUCATION
ACT

1 This act would further develop a plan to expand public, high quality prekindergarten
2 education programs which are available to all children ages three (3) and four (4) throughout Rhode
3 Island to increase children’s school readiness. This act would require the department of education
4 to make funds available to sustain all existing state prekindergarten classrooms and the department
5 of human services to make funds available to layer on top off federal funds to sustain all existing
6 Head Start and Early Head Start classrooms for the school year 2023-2024, with sufficient
7 resources for programs to offer competitive wages to attract and retain qualified and skilled early
8 educators. This act would repeal the statutory laws pertaining to the initial pilot prekindergarten
9 program.

10 This act would take effect upon passage.

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