

By: Representative Clark

To: Education;  
Appropriations A

HOUSE BILL NO. 547

1       AN ACT TO CREATE THE "MISSISSIPPI UNIVERSAL PREKINDERGARTEN  
2 PROGRAM ACT OF 2025"; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR THE  
3 PUBLIC FUNDING OF THE PROGRAM, WHICH SHALL BE AVAILABLE TO PARENTS  
4 AND FAMILIES ON A VOLUNTARY PARTICIPATION BASIS; TO PRESCRIBE THE  
5 MINIMUM STANDARDS OF EDUCATION REQUIRED TO BE OFFERED TO CHILDREN  
6 ENROLLED IN THE PROGRAM; TO PRESCRIBE THE MANNER BY WHICH PAYMENTS  
7 WILL BE MADE TO PREKINDERGARTEN PROGRAMS, WHETHER SUCH PROGRAMS  
8 ARE OFFERED THROUGH THE PUBLIC SCHOOL DISTRICT OF RESIDENCE, AN  
9 OUTSIDE DISTRICT OR THROUGH A PREQUALIFIED PRIVATE PROVIDER; TO  
10 ESTABLISH THE MINIMUM STANDARDS REQUIRED FOR THE PREQUALIFICATION  
11 OF PRIVATE PROVIDERS; TO PRESCRIBE THE MANNER BY WHICH LOCAL  
12 SCHOOL DISTRICTS MUST ACCOUNT FOR STUDENTS ENROLLED IN  
13 PREKINDERGARTEN PROGRAMS FOR PURPOSES OF DETERMINING AVERAGE DAILY  
14 ATTENDANCE; TO REQUIRE THE PROGRAM TO BE JOINTLY ADMINISTERED BY  
15 THE STATE BOARD OF EDUCATION AND THE DIVISION OF EARLY CHILDHOOD  
16 CARE AND DEVELOPMENT; TO PROVIDE FOR THE EXPANSION OF SCHOOL-BASED  
17 PREKINDERGARTEN PROGRAMS; TO REQUIRE THE BOARD AND THE DIVISION TO  
18 ESTABLISH A PROCESS TO CALCULATE THE ANNUAL STATEWIDE TUITION RATE  
19 FOR PREKINDERGARTEN EDUCATION; TO PROVIDE FOR AN ADMINISTRATIVE  
20 PROCEDURES PROCESS FOR ENTITIES AGGRIEVED BY ACTIONS OF THE BOARD  
21 AND DIVISION; TO REQUIRE ANNUAL REPORTS ON THE PROGRAM AND ANY  
22 RECOMMENDATION FOR IMPROVEMENT OR DISCONTINUATION TO THE  
23 LEGISLATURE; TO BRING FORWARD SECTION 37-21-51, MISSISSIPPI CODE  
24 OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED  
25 PURPOSES.

26       BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

27       SECTION 1. This act shall be known and may be cited as the  
28 "Mississippi Universal Prekindergarten Program Act of 2025."

29           **SECTION 2.** (1) As used in this act, the following words and  
30   phrases have the meanings ascribed in this section unless the  
31   context clearly indicates otherwise:

32           (a) "Prekindergarten child" means any child who has not  
33   entered kindergarten but has attained four (4) years of age on or  
34   before September 1 of a school year.

35           (b) "Prekindergarten education" means services designed  
36   to provide prekindergarten children with developmentally  
37   appropriate early development and learning experiences based on  
38   Mississippi's Early Learning Standards.

39           (c) "Prequalified private provider" has the same  
40   meaning as prescribed in Section 37-21-51. The term also means a  
41   private provider of prekindergarten education that is qualified  
42   pursuant to subsection (3) of this section.

43           (2) (a) No fewer than ten (10) hours per week of publicly  
44   funded prekindergarten education must be available for thirty-five  
45   (35) weeks annually to each prekindergarten child whom a parent or  
46   guardian wishes to enroll in an available, prequalified program  
47   operated by a public school district or a private provider.

48           (b) If a parent or guardian chooses to enroll a  
49   prekindergarten child in an available, prequalified program, then,  
50   pursuant to the parent or guardian's choice, the school district  
51   of residence shall:

52           (i) Pay tuition pursuant to subsections (4) and  
53   (7) of this section upon the request of the parent or guardian to:



60 (c) If requested by the parent or guardian of a  
61 prekindergarten child, the school district of residence must pay  
62 tuition to a prequalified program operated by a private provider  
63 or a public school in another district, even if the school  
64 district of residence operates a prekindergarten education  
65 program.

66 (d) This section may not be construed to require a  
67 school district to begin or expand a program if the supply of  
68 prequalified private and public providers is insufficient to meet  
69 the demand for publicly funded prekindergarten education in any  
70 region of the state. However, in collaboration with the State  
71 Department of Education and the Mississippi Department of Human  
72 Services, the State Early Childhood Advisory Council shall meet  
73 with school districts and private providers in the region to  
74 develop a regional plan to expand capacity.



79 a private or public provider of prekindergarten education is  
80 qualified for purposes of this section and shall maintain in a  
81 publicly accessible database, a list of prequalified providers.

82 At a minimum, the rules must define the process by which a  
83 provider applies for and maintains prequalification status,  
84 identify the minimum quality standards for prequalification, and  
85 include the following requirements:

86 (a) Accreditation by the National Association for the  
87 Education of Young Children (NAEYC);

88 (b) Approval of a plan submitted by a provider which  
89 addresses, at a minimum, the following:

90 (i) Voluntary enrollment of children;

91 (ii) Collaboration among prekindergarten providers  
92 and other early childhood programs through the establishment of an  
93 early learning collaborative;

94 (iii) Qualifications of master teachers, teachers  
95 and assistants, which must conform to guidelines in Section  
96 37-21-3;

97 (iv) At least fifteen (15) hours of annual  
98 professional development for program instructional staff,  
99 including professional development in early literacy;

100 (v) The use of state-adopted comprehensive early  
101 learning standards;

102 (vi) The use of a research-based curriculum that  
103 is designed to prepare students to be ready for kindergarten, with



104 emphasis in early literacy, and is aligned with the comprehensive  
105 early learning standards;

106 (vii) The use of age-appropriate assessments  
107 aligned to the comprehensive early learning standards;

108 (viii) Teacher:child ratios of one (1) adult for  
109 every ten (10) children with a maximum of twenty (20) children per  
110 classroom and a minimum of five (5) children per classroom;

111 (ix) The provision of at least one (1) meal  
112 meeting state and federal nutrition guidelines for young children;

113 (x) Plans to screen or refer children for vision,  
114 hearing and other health issues;

115 (xi) Parent involvement opportunities;

116 (xii) Plans to serve children with disabilities as  
117 indicated under IDEA;

118 (xiii) The number of instructional hours to be  
119 provided, which must equal no less than five hundred forty (540)  
120 instructional hours per school year for half-day programs and one  
121 thousand eighty (1,080) instructional hours per school year for  
122 full-day programs; and

123 (xiv) A budget detailing the use of funds for  
124 allowed expenses; and

125 (c) For a registered home provider that is not licensed  
126 and endorsed in early childhood education or early childhood  
127 special education, the provision of regular, active supervision



128 and training from a teacher who is licensed and endorsed in early  
129 childhood education or in early childhood special education.

130 (4) (a) On behalf of a resident prekindergarten child, a  
131 school district shall pay tuition for prekindergarten education  
132 for ten (10) hours per week for thirty-five (35) weeks annually to  
133 a prequalified private provider or to a public school outside the  
134 school district that is prequalified pursuant to subsection (3) of  
135 this section. The school district shall pay tuition for weeks  
136 that are within the school district's academic year. Tuition paid  
137 under this section must be at a statewide rate, which may be  
138 adjusted regionally, established annually through a process  
139 jointly developed and implemented by the State Department of  
140 Education and the Mississippi Department of Human Services. A  
141 school district shall pay tuition through a request for remission  
142 of payment to the Division of Early Childhood Care and Development  
143 upon:

144 (i) Receiving notice from the child's parent or  
145 guardian that the child is or will be admitted to the  
146 prekindergarten education program operated by the prequalified  
147 private provider or the other district; and

148 (ii) Concurrent enrollment of the prekindergarten  
149 child in the school district of residence for purposes of  
150 budgeting and determining average daily attendance.

151 (b) In addition to any direct costs of operating a  
152 prekindergarten education program, a school district of residence

153 shall include anticipated tuition payments and any administrative,  
154 quality assurance, quality improvement, transition planning, or  
155 other prekindergarten-related costs in its annual budget.

156 (c) The school district of residence may include within  
157 its average daily attendance any prekindergarten child for whom it  
158 has provided prekindergarten education or on whose behalf it has  
159 paid tuition pursuant to this section.

160 (d) A prequalified private provider may receive  
161 additional payment directly from the parent or guardian only for  
162 prekindergarten education in excess of the hours paid for by the  
163 school district pursuant to this section or for child care  
164 services, or both. The provider is not bound by the statewide  
165 rate established in this subsection when determining the rates it  
166 will charge the parent or guardian.

167 (5) The State Superintendent of Public Education and the  
168 Executive Director of the Division of Early Childhood Care and  
169 Development jointly shall develop and agree to rules, and present  
170 them to the State Board of Education for adoption, as follows:

171 (a) To permit private providers that are not  
172 prequalified pursuant to subsection (3) of this section to create  
173 new or continue existing partnerships with school districts  
174 through which the school district provides supports that enable  
175 the provider to fulfill the requirements of subsection (3) (b) or  
176 (c), and through which the school district may or may not make

177 in-kind payments as a component of the statewide tuition  
178 established under this section.

179 (b) To authorize a school district to begin or expand a  
180 school-based prekindergarten education program only upon prior  
181 approval obtained through a process jointly overseen by the State  
182 Board of Education and the Division of Early Childhood Care and  
183 Development, which must be based upon analysis of the number of  
184 prekindergarten children residing in the school district and the  
185 availability of enrollment opportunities with prequalified private  
186 providers in the region. Where the data is not clear or there are  
187 other complex considerations, the local superintendent of schools  
188 may choose to conduct a community needs assessment.

189 (c) To require the school district to provide  
190 opportunities for effective parental participation in the  
191 prekindergarten education program.

192 (d) To establish a process by which:

193 (i) A parent or guardian notifies the school  
194 district that the prekindergarten child is or will be admitted to  
195 a prekindergarten education program not operated by the school  
196 district and concurrently enrolls the child in the school district  
197 pursuant to subsection (4)(a) of this section;

198 (ii) A school district:

199 1. Pays tuition pursuant to a schedule that  
200 does not inhibit the ability of a parent or guardian to enroll a  
201 prekindergarten child in a prekindergarten education program or



202 the ability of a prequalified private provider to maintain  
203 financial stability;

204 2. Enters into an agreement with any provider  
205 to which it will pay tuition regarding quality assurance,  
206 transition and any other matters; and

207 (iii) A provider that has received tuition  
208 payments under this section on behalf of a prekindergarten child  
209 notifies a school district that the child is no longer enrolled.

210 (e) To establish a process to calculate an annual  
211 statewide tuition rate that is based upon the actual cost of  
212 delivering ten (10) hours per week of prekindergarten education  
213 that meets all established quality standards and to allow for  
214 regional adjustments to the rate.

215 (f) To require a school district to include  
216 identifiable costs for prekindergarten programs and essential  
217 early education services in its annual budgets and reports to the  
218 local governing authority.

219 (g) To require a school district to report to the State  
220 Department of Education annual expenditures made in support of  
221 prekindergarten and education, with distinct figures provided for  
222 expenditures made from the State General Fund, from the  
223 Mississippi Adequate Education Program Fund and from all other  
224 sources, which must be specified.

225 (h) To provide an administrative process for:

226 (i) A parent, guardian or provider to challenge an  
227 action of a school district or the state when the complainant  
228 believes that the school district or state is in violation of  
229 state statute or rules regarding prekindergarten education; and  
230 (ii) A school district to challenge an action of a  
231 provider or the state when the school district believes that the  
232 provider or the state is in violation of state statute or rules  
233 regarding prekindergarten education.

234 (i) To establish a system by which the State Department  
235 of Education and Division of Early Childhood Care and Development  
236 jointly shall monitor and evaluate prekindergarten education  
237 programs to promote optimal outcomes for children and to collect  
238 data that will inform future decisions. The department and the  
239 division shall report annually to the Legislature in January. At  
240 a minimum, the system shall monitor and evaluate:

241 (i) Programmatic details, including the number of  
242 children served, the number of private and public programs  
243 operated, and the public financial investment made to ensure  
244 access to quality prekindergarten education;

245 (ii) The quality of public and private  
246 prekindergarten education programs and efforts to ensure  
247 continuous quality improvements through mentoring, training and  
248 technical assistance; and

249 (iii) The outcomes for children, including school  
250 readiness and proficiency in numeracy and literacy.



251 (j) To establish a process for documenting the progress  
252 of children enrolled in prekindergarten education programs and to  
253 require public and private providers to use the process to:

254 (i) Help individualize instruction and improve  
255 program practice; and

256 (ii) Collect and report child progress data to the  
257 State Superintendent of Public Education on an annual basis.

258 (6) This section may not be construed to permit or require  
259 payment of public funds to a private provider of prekindergarten  
260 education in violation of Section 208 of the Mississippi  
261 Constitution of 1890 or in violation of the Establishment Clause  
262 of the United States Constitution.

263 (7) (a) Notwithstanding the requirement that a school  
264 district pay tuition to any prequalified public or private  
265 provider in the state, a school board may choose to limit the  
266 geographic boundaries within which the school district shall pay  
267 tuition by paying tuition solely to those prequalified providers  
268 in which parents and guardians choose to enroll resident  
269 prekindergarten children that are located within the school  
270 district's "prekindergarten region," as determined in paragraph  
271 (b) of this subsection.

272 (b) For purposes of this subsection, upon application  
273 from the school board, a school district's prekindergarten region  
274 must be determined jointly by the State Department of Education  
275 and the Division of Early Childhood Care and Development in

276 consultation with the school board, private providers of  
277 prekindergarten education, parents and guardians of  
278 prekindergarten children, and other interested parties pursuant to  
279 a process adopted by rule under subsection (5) of this section. A  
280 prekindergarten region:

281 (i) May not be smaller than the geographic  
282 boundaries of the school district;

283 (ii) Must be based in part upon the estimated  
284 number of prekindergarten children residing in the school district  
285 and in surrounding districts, the availability of prequalified  
286 private and public providers of prekindergarten education,  
287 commuting patterns and other region-specific criteria; and  
288 (iii) Must be designed to support existing  
289 partnerships between the school district and private providers of  
290 prekindergarten education.

291 (c) If a school board chooses to pay tuition to  
292 providers solely within its prekindergarten region, and if a  
293 resident prekindergarten child is unable to access publicly funded  
294 prekindergarten education within that region, then the child's  
295 parent or guardian may request, and in its discretion, the school  
296 district may pay tuition at the statewide rate for a  
297 prekindergarten education program operated by a prequalified  
298 provider located outside the prekindergarten region.

299 (d) Except for the narrow exception permitting a school  
300 board to limit geographic boundaries under paragraph (a) of this



301 subsection, all other provisions of this section and related rules  
302 are applicable.

303       **SECTION 3.** (1) For purposes of determining the average  
304 daily attendance for the fiscal year 2026 budget, the long-term  
305 membership of prekindergarten children is the number of  
306 prekindergarten children for whom the school district anticipates  
307 it will provide prekindergarten education or pay tuition, or both,  
308 in fiscal year 2026; and

309       (2) For purposes of determining the average daily attendance  
310 for the fiscal year 2027 budget, the long-term membership of  
311 prekindergarten children is the total number of prekindergarten  
312 children for whom the school district provided prekindergarten  
313 education or paid tuition, or both, in fiscal year 2026, adjusted  
314 to reflect the difference between the estimated and actual count  
315 for that fiscal year.

316       **SECTION 4.** (1) The State Department of Education and the  
317 Division of Early Childhood Care and Development shall review  
318 existing quality standards for prekindergarten education programs  
319 and may revise established rules and regulations governing  
320 prekindergarten education to require higher standards of quality.  
321 However, no new standards may take effect earlier than July 1,  
322 2027. Changes to the quality standards must be designed to ensure  
323 that programs are based on intentional, evidence-based practices  
324 that create a developmentally appropriate environment and support  
325 the delivery of an engaging program that supports the social,



326 emotional, intellectual, language, literacy and physical  
327 development of prekindergarten children.

328 (2) In January of the 2026, 2027, and 2028 legislative  
329 sessions, the State Department of Education and the Division of  
330 Early Childhood Care and Development shall report to the House and  
331 Senate Committees on Education, the House and Senate Committees on  
332 Appropriations, the House Committee on Youth and Family Affairs  
333 and the Senate Committee on Health and Welfare regarding the  
334 quality of prekindergarten education in the state.

335 (3) The State Department of Education, the Division of Early  
336 Childhood Care and Development and the State Early Childhood  
337 Advisory Council shall monitor and evaluate access to and  
338 enrollment in prekindergarten education programs under Section 2  
339 of this act. On or before January 1, 2027, they shall report to  
340 the House and Senate Committees on Education, the House and Senate  
341 Committees on Appropriations, the House Committee on Ways and  
342 Means, and the Senate Committee on Finance regarding their  
343 evaluation, conclusions, and any recommendations for amendments to  
344 statute or related rule.

345 (4) The State Department of Education and the Division of  
346 Early Childhood Care and Development, in consultation with the  
347 Mississippi Association of School Superintendents, the Mississippi  
348 School Boards Association, the Mississippi Association of  
349 Educators and the State Early Childhood Advisory Council, shall  
350 develop a detailed proposal outlining the process and criteria by



351 which the State Department of Education and the Division of Early  
352 Childhood Care and Development will determine the prekindergarten  
353 region of a school district if requested to do so pursuant to  
354 Section 2(7)(b) of this act. The State Department of Education  
355 and the Division of Early Childhood Care and Development shall  
356 present the proposal to the House and Senate Committees on  
357 Education on or before January 1, 2026. The State Department of  
358 Education and the Division of Early Childhood Care and Development  
359 also shall present any recommendations for amendments to statute,  
360 including repeal of or amendments to Section 2(7).

361       **SECTION 5.** On or before July 1, 2026, the State  
362 Superintendent of Public Education shall identify the private  
363 prekindergarten education programs to which school districts are  
364 paying tuition on behalf of resident prekindergarten children,  
365 determine the extent to which any program provides religious  
366 prekindergarten education, and establish the steps the agency will  
367 take to ensure that public funds are not expended in violation of  
368 Section 208 of the Mississippi Constitution of 1890 or in  
369 violation of the Establishment Clause of the United States  
370 Constitution.

371       **SECTION 6.** Section 37-21-51, Mississippi Code of 1972, is  
372 brought forward as follows:

373       37-21-51. (1) As used in this section:

374 (a) "Preschool or prekindergarten children" means any  
375 children who have not entered kindergarten but will have obtained  
376 four (4) years of age on or before September 1 of a school year.

377 (b) An "early learning collaborative" is a district or  
378 countywide council that writes and submits an application to  
379 participate in the voluntary prekindergarten program. An early  
380 learning collaborative is comprised, at a minimum, of a public  
381 school district and/or a local Head Start affiliate if in  
382 existence, private or parochial schools, or one or more licensed  
383 child care centers. Agencies or other organizations that work  
384 with young children and their families may also participate in the  
385 collaborative to provide resources and coordination even if those  
386 agencies or organizations are not prekindergarten providers.

387 (c) A "prekindergarten provider" is a public, private  
388 or parochial school, licensed child care center or Head Start  
389 center that serves prekindergarten children and participates in  
390 the voluntary prekindergarten program.

391 (d) A "lead partner" is a public school district or  
392 other nonprofit entity with the instructional expertise and  
393 operational capacity to manage the early learning collaborative's  
394 prekindergarten program as described in the collaborative's  
395 approved application for funds. The lead partner serves as the  
396 fiscal agent for the collaborative and shall disburse awarded  
397 funds in accordance with the collaborative's approved application.  
398 The lead partner must facilitate a professional learning community



399 for the teachers in the prekindergarten program and lead the  
400 collaborative. The lead partner ensures that the collaborative  
401 adopts and implements curriculum and assessments that align with  
402 the comprehensive early learning standards. The public school  
403 district shall be the lead partner if no other qualifying lead  
404 partner is selected.

405 (e) "Comprehensive early learning standards" are  
406 standards adopted by the State Board of Education that address the  
407 highest level of fundamental domains of early learning to include,  
408 but not be limited to, physical well-being and motor development,  
409 social/emotional development, approaches toward learning, language  
410 development and cognition and general knowledge. The  
411 comprehensive early learning standards shall also include  
412 standards for emergent literacy skills, including oral  
413 communication, knowledge of print and letters, phonological and  
414 phonemic awareness, and vocabulary and comprehension development.

415 (f) An "evidence-based curriculum" is an  
416 age-appropriate curriculum that demonstrates a statistically  
417 significant effect on improving student outcomes or other relevant  
418 outcomes based on:

419 (i) Strong evidence from at least one (1)  
420 well-designed and well-implemented experimental study;  
421 (ii) Moderate evidence from at least one (1)  
422 well-designed and well-implemented quasi-experimental study; or



423 (iii) Promising evidence from at least one (1)  
424 well-designed and well-implemented correlational study with  
425 statistical controls for selection bias.

426 (2) To ensure that all children have access to quality early  
427 childhood education and development services, the Legislature  
428 finds and declares the following:

429 (a) Parents have the primary duty to educate their  
430 young preschool children;

431 (b) The State of Mississippi can assist and educate  
432 parents in their role as the primary caregivers and educators of  
433 young preschool children;

434 (c) There is a need to explore innovative approaches  
435 and strategies for aiding parents and families in the education  
436 and development of young preschool children; and

437 (d) There exists a patchwork of prekindergarten  
438 entities but no coordination of services and there needs to be a  
439 coordination of these services.

440 (3) (a) This subsection shall be known and may be cited as  
441 the "Early Learning Collaborative Act of 2013."

442 (b) Effective with the 2013-2014 school year, the  
443 Mississippi State Department of Education shall establish a  
444 voluntary prekindergarten program, which shall be a collaboration  
445 among the entities providing prekindergarten programs including  
446 Head Start, licensed child care facilities and licensed public,  
447 parochial and private school prekindergarten programs. This



448 program shall be implemented no later than the 2014-2015 school  
449 year. Enrollment in the prekindergarten program shall be  
450 coordinated with the Head Start agencies in the local areas and  
451 shall not be permitted to cause a reduction in children served by  
452 the Head Start program. Under this program, eligible entities may  
453 submit an application for funds to (i) defray the cost of  
454 additional and/or more qualified teaching staff, appropriate  
455 educational materials and equipment and to improve the quality of  
456 educational experiences offered to four-year-old children in early  
457 care and education programs, and/or to (ii) extend developmentally  
458 appropriate education services at such programs currently serving  
459 four-year-old children to include practices of high quality  
460 instruction, and to (iii) administer, implement, monitor and  
461 evaluate the programs, and to (iv) defray the cost of professional  
462 development and age-appropriate child assessment.

463 (c) Subject to the availability of funds appropriated  
464 therefor, the State Department of Education shall administer the  
465 implementation, monitoring and evaluation of the voluntary  
466 prekindergarten program, including awards and the application  
467 process.

468 (i) The department shall establish a rigorous and  
469 transparent application process for the awarding of funds. Lead  
470 partners shall submit the applications on behalf of their early  
471 learning collaborative.



472 (ii) The department will establish monitoring  
473 policies and procedures that, at a minimum, will include at least  
474 one (1) site visit a year.

475 (iii) The department will provide technical  
476 assistance to collaboratives and their providers to improve the  
477 quality of prekindergarten programs. Technical assistance may  
478 include classroom-embedded support for teachers and assistant  
479 teachers.

480 (iv) The department will evaluate the  
481 effectiveness of each early childhood collaborative and each  
482 prekindergarten provider. If the State Department of Education  
483 adopts a statewide kindergarten screening that assesses the  
484 readiness of each student for kindergarten, the State Department  
485 of Education shall adopt a minimum rate of readiness that each  
486 prekindergarten provider must meet in order to remain eligible for  
487 prekindergarten program funds. Each parent who enrolls his or her  
488 child in the prekindergarten program must submit the child for the  
489 statewide kindergarten screening, regardless of whether the child  
490 is admitted to kindergarten in a public school.

491 (d) Prekindergarten program funds shall be awarded to  
492 early childhood collaboratives whose proposed programs meet the  
493 program criteria. The criteria shall include:

494 (i) Voluntary enrollment of children;



495 (ii) Collaboration among prekindergarten providers  
496 and other early childhood programs through the establishment of an  
497 early learning collaborative;

498 (iii) Qualifications of master teachers, teachers  
499 and assistants, which must conform to guidelines in Section  
500 37-21-3;

501 (iv) At least fifteen (15) hours of annual  
502 professional development for program instructional staff,  
503 including professional development in early literacy, and  
504 individualized professional development plans for all teachers and  
505 teaching assistants supplemented by classroom-embedded support on  
506 an as-needed basis;

507 (v) The use of state-adopted comprehensive early  
508 learning standards;

509 (vi) The use of a curriculum based on strong  
510 evidence as defined in subsection (1)(f)(i) of this section and  
511 aligned with the comprehensive early learning standards;

512 (vii) The use of a curriculum based on moderate  
513 evidence as defined in subsection (1)(f)(ii) of this section and  
514 aligned with the comprehensive early learning standards if no  
515 strong-evidence curriculum is available;

516 (viii) The use of a curriculum based on promising  
517 evidence as defined in subsection (1)(f)(iii) of this section and  
518 aligned with the comprehensive early learning standards if no



519 strong-evidence curriculum or moderate-evidence curriculum is  
520 available;

521 (ix) The use of age-appropriate assessments  
522 aligned to the comprehensive early learning standards;

523 (x) Teacher/child ratios of one (1) adult for  
524 every ten (10) children with a maximum of twenty (20) children per  
525 classroom and a minimum of five (5) children per classroom;

526 (xi) The provision of at least one (1) meal  
527 meeting state and federal nutrition guidelines for young children;

528 (xii) Plans to screen and/or refer children for  
529 vision, hearing and other health issues;

530 (xiii) Family engagement opportunities;

531 (xiv) Plans to serve children with disabilities as  
532 indicated under IDEA;

533 (xv) The number of instructional hours to be  
534 provided, which shall equal no less than five hundred forty (540)  
535 instructional hours per school year for half-day programs and one  
536 thousand eighty (1,080) instructional hours per school year for  
537 full-day programs; and

538 (xvi) A budget detailing the use of funds for  
539 allowed expenses.

540 Participating child care centers shall: (a) meet state child  
541 care facility licensure requirements unless exempted under Section  
542 43-20-5, Mississippi Code of 1972, and (b) select and utilize a  
543 nationally recognized assessment tool, approved by the State



544 Department of Education, designed to document classroom quality,  
545 which must be in place not later than July 1, 2016, as certified  
546 by the State Department of Education.

547 Within the prekindergarten program, a prekindergarten  
548 provider must comply with the antidiscrimination requirements  
549 applicable to public schools. A prekindergarten provider may not  
550 discriminate against a parent or child, including the refusal to  
551 admit a child for enrollment in the prekindergarten program, in  
552 violation of these antidiscrimination requirements. However, a  
553 prekindergarten provider may refuse to admit a child based on the  
554 provider's standard eligibility guidelines, provided that these  
555 guidelines do not violate the antidiscrimination requirements.  
556 Consistent with the Legislature's recognition of the primacy of a  
557 parent's role in the education of a preschool-age child and the  
558 related recognition of the state in assisting and educating  
559 parents in that role, if the State Department of Education adopts  
560 a statewide kindergarten screening that assesses the readiness of  
561 each student for kindergarten, the State Department of Education  
562 shall recognize each child's unique pattern of development when  
563 adopting a minimum rate of readiness that prekindergarten  
564 providers must meet in order to remain eligible for  
565 prekindergarten program funds. Each parent who enrolls his or her  
566 child in the prekindergarten program may submit the child for the  
567 statewide kindergarten screening, regardless of whether the child  
568 is admitted to kindergarten in a public school.



569        The State Department of Education may add program criteria  
570    not inconsistent with these requirements and shall develop  
571    policies and procedures to implement and enforce these criteria.

572                (e) The State Department of Education shall ensure that  
573    early learning collaboratives provide each parent enrolling a  
574    child in the voluntary prekindergarten program with a profile of  
575    every prekindergarten provider participating in the  
576    collaborative's geographic catchment area. The State Department  
577    of Education shall prescribe the information to be included in  
578    each profile as well as the format of the profiles. At a minimum,  
579    the profiles must include the prekindergarten provider's services,  
580    curriculum, instructor credentials and instructor-to-student  
581    ratio.

582                (f) A teacher, assistant teacher or other employee  
583    whose salary and fringe benefits are paid from state funds under  
584    this act shall only be classified as a state or local school  
585    district employee eligible for state health insurance benefits or  
586    membership in the Public Employees' Retirement System, if the  
587    person's employer is already an agency or instrumentality of the  
588    state, such as a school district, and the employee would be  
589    eligible for such benefits in the normal course of business.

590                (g) Funding shall be provided for this program  
591    beginning with the 2014 fiscal year subject to appropriation by  
592    the Legislature as provided in paragraph (h) of this subsection.  
593    The department shall make an annual report to the Legislature and



594 the Governor regarding program operations and outcomes. Every  
595 three (3) years, with the first report due July 1, 2023, the  
596 department shall provide to the Legislature and the Governor a  
597 rigorous evaluation of program effectiveness using longitudinal  
598 data to measure short-term and long-term effects, including both  
599 achievement and nonachievement effects. After each three-year  
600 report, the PEER Committee shall review the three-year report and  
601 the intervening annual reports and submit an independent summary  
602 of its findings prior to the next legislative session. The  
603 short-term and long-term effects shall include, at a minimum, the  
604 following:

605 (i) Kindergarten readiness;  
606 (ii) English Language arts proficiency in grades 3  
607 through 8;  
608 (iii) Math proficiency in grades 3 through 8;  
609 (iv) Science proficiency in grades 5 and 8;  
610 (v) Disciplinary incidents;  
611 (vi) Chronic absenteeism;  
612 (vii) On-time graduation rate;  
613 (viii) College enrollment;  
614 (ix) Grade retention; and  
615 (x) Special education services/exports.  
616 (h) (i) The Legislature shall appropriate funds to  
617 implement the Early Education Collaborative Act of 2013 on a  
618 phased-in basis as follows:



635 (ii) Future phases shall be based on interest in  
636 the program and the effectiveness of the program as determined by  
637 the school readiness of participants. Each phase shall last for  
638 at least three (3) years, but no more than five (5) years. The  
639 State Department of Education shall determine when to move to a  
640 new phase of the program, within the timeline provided herein.



644 a minimum of One Thousand Two Hundred Fifty Dollars (\$1,250.00)  
645 per student in a half-day program proposed in the collaborative's  
646 approved application. Once an early learning collaborative's plan  
647 is approved and funded, the collaborative and/or its  
648 prekindergarten providers shall receive funds on an ongoing basis  
649 unless the collaborative and/or its prekindergarten providers no  
650 longer meet the criteria to participate in the program.

651 (iv) Early learning collaboratives shall match  
652 state funds on a 1:1 basis. Local matching funds may include  
653 local tax dollars, federal dollars as allowed, parent tuition,  
654 philanthropic contributions, or in-kind donations of facilities,  
655 equipment and services required as part of the program such as  
656 food service or health screenings.

657 (v) The State Department of Education shall  
658 reserve no more than five percent (5%) of the appropriation in any  
659 year for administrative costs.

660 (vi) In the initial phase of implementation, the  
661 State Department of Education shall award state funds under the  
662 Early Learning Collaborative Act of 2013 based on a community's  
663 capacity, commitment and need. To determine capacity, commitment  
664 and need, the State Department of Education shall require evidence  
665 of existing strong local collaborations of early education  
666 stakeholders. Such evidence shall include, but not be limited to,  
667 collaborations resulting from any of the following:

668 1. Participation in Excel By 5;

## 2. Participation in Supporting Partnerships

670 to Assure Ready Kids (SPARK);

671 3. Participation in the Gilmore Early

672 Learning Initiative (GELI); or

673 4. Participation in the Mississippi Building

674 Blocks.

675 In determining community need, the department shall consider  
676 low academic achievement within the public school districts  
677 participating in an applicant early learning collaborative and the  
678 number and percentage of children without quality prekindergarten  
679 options.

680 (vii) All authority granted to the State

681 Department of Education to establish program rules is subject to

682 the public processes established in the provisions of the

683 Mississippi Administrative Procedures Law, including, but not

684 limited to, filing notice of the proposed rules, public hearings

685 and any economic impact statement with the Office of the Secretary

686 of State before presenting such information to the State Board of

687 Education for final approval.

688 **SECTION 7.** If any provision of Sections 1 through 5 of this

689 act, or the application of a provision to any person or

690 circumstances, is held invalid, the remainder of this act, and the

691 application of the provision to persons or circumstances other

692 than those to which it is held invalid, are not affected.



693           **SECTION 8.** This act shall take effect and be in force from  
694 and after July 1, 2025.

