

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."



SECTION 2.

(1) As used in this act, the following words and phrases have the meanings ascribed in this section unless the context clearly indicates otherwise:

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

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

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

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

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

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



54 1. A prequalified private provider; or
55 2. A public school located outside the school
56 district which operates a prekindergarten program that has been
57 prequalified pursuant to subsection (3) of this section; or

58 (ii) Enroll the child in the prekindergarten
59 education program that it operates.

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.

75 (3) Pursuant to rules jointly developed and administered by
76 the State Board of Education and the Mississippi Department of
77 Human Services, the State Department of Education and the Division
78 of Early Childhood Care and Development jointly shall determine if



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



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

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

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

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

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

(xi) Parent involvement opportunities;

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

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

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

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



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

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

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

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

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



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

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

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

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

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



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

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

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

(d) To establish a process by which:

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

(ii) A school district:

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



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

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

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

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

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

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

(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.



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

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

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

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

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

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



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

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

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

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

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



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

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

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

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



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

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

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

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



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

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

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

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



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

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

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

(i) Strong evidence from at least one (1) well-designed and well-implemented experimental study;

(ii) Moderate evidence from at least one (1) well-designed and well-implemented quasi-experimental study; or



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

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

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

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

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

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

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

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



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

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

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

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

(i) Voluntary enrollment of children;



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

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

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

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

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

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

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



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

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

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

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

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

(xiii) Family engagement opportunities;

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

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

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

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



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

Within the prekindergarten program, a prekindergarten provider must comply with the antidiscrimination requirements applicable to public schools. A prekindergarten provider may not discriminate against a parent or child, including the refusal to admit a child for enrollment in the prekindergarten program, in violation of these antidiscrimination requirements. However, a prekindergarten provider may refuse to admit a child based on the provider's standard eligibility guidelines, provided that these guidelines do not violate the antidiscrimination requirements. Consistent with the Legislature's recognition of the primacy of a parent's role in the education of a preschool-age child and the related recognition of the state in assisting and educating parents in that role, if the State Department of Education adopts a statewide kindergarten screening that assesses the readiness of each student for kindergarten, the State Department of Education shall recognize each child's unique pattern of development when adopting a minimum rate of readiness that prekindergarten providers must meet in order to remain eligible for prekindergarten program funds. Each parent who enrolls his or her child in the prekindergarten program may submit the child for the statewide kindergarten screening, regardless of whether the child 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



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

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



619 1. The first phase shall be based on an
620 annual state appropriation of not more than Eight Million Dollars
621 (\$8,000,000.00) and shall serve approximately three thousand five
622 hundred (3,500) children through five (5) to eight (8) early
623 learning collaboratives and their prekindergarten providers;

624 2. The second phase shall be based on an
625 annual state appropriation of not more than Sixteen Million
626 Dollars (\$16,000,000.00) and shall serve approximately seven
627 thousand (7,000) children through ten (10) to fifteen (15) early
628 learning collaboratives and their prekindergarten providers;

629 3. The third phase shall be based on an
630 annual state appropriation of not more than Thirty-three Million
631 Nine Hundred Fifty Thousand Dollars (\$33,950,000.00) and shall
632 serve approximately fifteen thousand (15,000) children through
633 twenty (20) to twenty-five (25) early learning collaboratives and
634 their prekindergarten providers.

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.

641 (iii) Funding shall be provided to early learning
642 collaboratives on the basis of a minimum of Two Thousand Five
643 Hundred Dollars (\$2,500.00) per student in a full-day program and



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
to Assure Ready Kids (SPARK);

3. Participation in the Gilmore Early
Learning Initiative (GELI); or

4. Participation in the Mississippi Building
Blocks.

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

(vii) All authority granted to the State
Department of Education to establish program rules is subject to
the public processes established in the provisions of the
Mississippi Administrative Procedures Law, including, but not
limited to, filing notice of the proposed rules, public hearings
and any economic impact statement with the Office of the Secretary
of State before presenting such information to the State Board of
Education for final approval.

SECTION 7. If any provision of Sections 1 through 5 of this
act, or the application of a provision to any person or
circumstances, is held invalid, the remainder of this act, and the
application of the provision to persons or circumstances other
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.

