

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Pre-k Enhancement and Expansion Amendment Act of 2008 to require that administrative and procedural rules for the pre-k program assistance grant program be submitted to the Council for review and approval, to establish a State Early Childhood Development Coordinating Council to improve coordination and collaboration among entities carrying out federally funded and District-funded pre-k and other early childhood programs, to require the University of the District of Columbia to establish and convene a collaborative of District of Columbia colleges and universities to assist in developing a higher education incentive grant program, to require the University of the District of Columbia to submit a pre-k workforce development plan to the Council, to establish a higher education incentive grant program and a scholarship program for the purpose of increasing the number of pre-k teachers and assistants who meet high-quality degree and credential requirements, to transfer the authority to establish a higher education incentive grant program and a scholarship program from the Office of the State Superintendent of Education to the University of the District of Columbia, and to establish the Higher Education Incentive Grant Fund; and to amend the District of Columbia Public Postsecondary Education Reorganization Act to add to the duties of the Trustees of the University of the District of Columbia the duty to serve as the coordinator of the state system for pre-k teacher preparation, professional development, and training and to convene the collaborative, develop the plan, and establish the programs required by this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Pre-k Acceleration and Clarification Amendment Act of 2010”.

Sec. 2. The Pre-k Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 38-271.01) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

“(1) “Community-based organization” or “CBO” means a Head Start or early childhood education program operated by a nonprofit entity, faith-based organization, or other entity that participates in federally funded early childhood programs.”.

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(2) New paragraphs (1A), (1B), and (1C) are added to read as follows:

“(1A) “Coordinating Council” means the State Early Childhood Development Coordinating Council established pursuant to section 107.

“(1B) “DC Collaborative” means the collaborative of District of Columbia colleges and universities established pursuant to section 401(a)(3).

“(1C) “Elementary and secondary education” means education from and including pre-k through the end of high school or their equivalent.”.

(3) A new paragraph (2A) is added to read as follows:

“(2A) “HEIG fund” means the Higher Education Incentive Grant Fund established by section 403.”.

(4) Paragraph (3) is amended by striking the word “by” and inserting the phrase “pursuant to” in its place.

(5) A new paragraph (3A) is added to read as follows:

“(3A) “HEI scholarship program” means the scholarship program established pursuant to sections 401 and 402.”.

(b) Section 102 (D.C. Official Code § 38-271.02) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “oversee pre-k” and inserting the phrase “oversee CBO pre-k” in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraph (2) is amended to read as follows:

“(2) In regard to pre-k programs in public schools and public charter schools, consult with local education agencies and the Public Charter School Board, established by section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14), to ensure that the goals of this act are met;”.

(B) Paragraph (8) is amended to read as follows:

“(8) Develop and administer the technical assistance program across all pre-k education services.”.

(c) A new section 107 is added to read as follows:

“Sec. 107. State Early Childhood Development Coordinating Council.

“(a) Within 45 days of the effective date of this act, the Mayor shall establish and convene a State Early Childhood Development Coordinating Council (“Coordinating Council”) to:

“(1) Improve collaboration and coordination among entities carrying out federally funded and District-funded pre-k and other early childhood programs to improve school readiness;

“(2) Assist in the planning and development of a comprehensive early childhood education system that serves children ages birth to 8 years of age; and

“(3) Comply with the Improving Head Start for School Readiness Act, approved December 12, 2007 (Pub. L. No. 110-134; 121 Stat. 1363).

“(b) The Coordinating Council shall:

“(1) Identify opportunities for collaboration and coordination among early childhood education entities;

“(2) Review the annual pre-k report to the Council required by section 105 and submit any additional recommendations to improve the quality of and expand access to pre-k and other early childhood programs to the Council;

“(3) Develop recommendations to:

“(A) Increase participation of children in existing pre-k and other early childhood programs;

“(B) Improve the quality of pre-k and other early childhood programs;

“(C) Support the implementation of pre-k workforce development programs; and

“(D) Improve state early-learning policies; and

“(4) Perform other tasks as determined by the Mayor.

“(c) The Coordinating Council membership shall consist of:

“(1) The following members, or their designees:

“(A) The Mayor;

“(B) The Chairman of the Council of the District of Columbia;

“(C) The State Superintendent of Education;

“(D) The Chancellor of the District of Columbia Public Schools;

“(E) The Executive Director of the Public Charter School Board;

“(F) The Director of the Department of Health;

“(G) The Director of the Department of Mental Health;

“(H) The Director of the Department of Human Services;

“(I) The Director of the Child and Family Services Agency;

“(J) The State Director for Head Start Collaboration; and

“(K) The Director of the entity designated as the state resource and referral agency; and

“(2) The Mayor shall appoint at least one District resident from each of the following categories, to serve a term of 2 years:

“(A) Families whose children are receiving or have received pre-k-education services;

“(B) Head Start;

“(C) Community-based organizations;

“(D) Public schools;

“(E) Public charter schools;

“(F) Public charter school support organizations;

“(G) Early childhood advocacy organizations;

“(H) Business community;

“(I) Philanthropic community;

“(J) DC Collaborative; and

“(K) Any additional category identified by the Coordinating Council as necessary or appropriate.

“(d)(1) The Mayor shall appoint one person appointed pursuant to subsection (c)(2) of this section to be the chair, who shall convene the Coordinating Council no fewer than 4 times each year to gather public input on the Coordinating Council’s recommendations.

“(2) A quorum to transact business shall consist of 50% plus one of the members who are appointed and serving.”.

(d) Section 201(a) (D.C. Official Code § 38-272.01(a)) is amended to read as follows:

“(a) The OSSE shall develop high-quality content standards and program requirements that pre-k programs that receive funds under this act are required to meet by September 1, 2014.”.

(e) Section 203 (D.C. Official Code § 38-272.03) is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a) The OSSE shall establish and administer a grant program to assist existing and new pre-k programs in public schools, public charter schools, and CBOs in meeting the required HQ standards. Each grant shall be a 2-year grant.”.

(2) A new subsection (c) is added to read as follows:

“(c) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue revised administrative and procedural rules for the grant program and HQ standards and submit the rules to the Council within 45 days of the effective date of this act. If the Council does not approve or disapprove the proposed rules, by resolution, within the 45-day review period, the proposed rules shall be deemed approved.”.

(f) Section 401 (D.C. Official Code § 38-274.01) is amended to read as follows:

“Sec. 401. HEI program; DC Collaborative; workforce development plan; HEI scholarship program; career and compensation plan; programmatic and financial report.

“(a) The University of the District of Columbia:

“(1) Shall establish a Higher Education Incentive grant program for the purpose of increasing the number of pre-k teachers and assistant pre-k teachers working in elementary and secondary education in public schools, public charter schools, and CBOs who are meeting degree and credential requirements established by OSSE pursuant to section 201;

“(2) As part of the HEI program:

“(A) May award institutional grants to District of Columbia colleges and universities to increase the number of teachers with advanced learning credentials;

“(B) May establish an initiative to increase the number of professionals who care for infants and toddlers younger than pre-k age who meet degree and credential requirements established by OSSE; and

“(C) Shall administer any institutional grants awarded pursuant to this paragraph; and

“(3) Shall establish and convene the DC Collaborative, a collaborative of District of Columbia colleges and universities, to assist in developing the HEI program.

“(b)(1) The University of the District of Columbia shall develop a pre-k workforce development plan, which shall include:

“(A) A clearly articulated vision statement of how the DC Collaborative intends to attract and retain a highly-qualified pre-k workforce;

“(B) Stated goals and strategies based upon a needs assessment of the current pre-k workforce in public schools, public charter schools, and CBOs and a review of higher education institutional capacity;

“(C) The scope and structure of the HEI program and the HEI scholarship program; and

“(D) A timeline and benchmarks for the planning and implementation of the HEI program and the HEI scholarship program.

“(2) The University of the District of Columbia shall submit the pre-k workforce development plan to the Council for review by March 15, 2010.

“(c) As the convener of the DC Collaborative, the University of the District of Columbia shall facilitate the development and implementation of the HEI program, including the distribution of funds to higher education institutions according to their capacity or need, and the HEI scholarship program.

“(d) The University of the District of Columbia shall submit to the OSSE, a proposed career and compensation plan under which a teacher in the CBO sector will be compensated once the teacher meets the degree and credentials requirements established by the OSSE pursuant to section 201.

“(e) The University of the District of Columbia shall submit an annual programmatic and financial report to the Mayor and to the Council on the status of the DC Collaborative and the Higher Education Incentive grant and scholarship programs.”.

(g) A new section 401a is added to read as follows:

“Sec. 401a. Transfer of authority, assets, and funds.

“(a) The authority to establish the HEI program and the HEI scholarship program is transferred from the OSSE to the University of the District of Columbia.

“(b) By March 1, 2010, any real and personal property, positions, assets, and records relating to the HEI program or the HEI scholarship program, or to the planned establishment of the programs, shall become the property of the University of the District of Columbia, and any unexpended balances of appropriations, allocations, or other funds available or to be made available to the OSSE for the HEI program or the HEI scholarship program, or the planned establishment of the programs, shall be transferred to the HEIG fund.”.

(h) Section 402(a) (D.C. Official Code §38-247.02(a)) is amended as follows:

(1) Strike the phrase “to pre-k teachers and assistant teachers”.

(2) Strike the acronym “OSSE” both times it appears and insert the phrase “ the University of the District of Columbia” in its place.

(i) A new section 403 is added to read as follows:

“Sec 403. Higher Education Incentive Grant Fund.

“(a)(1) There is established as a nonlapsing fund the Higher Education Incentive Grant Fund, which shall be a separate program line within the University of the District of Columbia budget. All funds deposited into the HEIG fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to authorization by Congress.

“(2) The HEIG fund shall be funded through:

“(A) Local funds;

“(B) Federal funds;

“(C) Federal grant funds; and

“(D) Grants, gifts, or subsidies from public or private sources.

“(b) The funds in the HEIG fund shall be used:

“(1) To fund the HEI program and the HEI scholarship program;

“(2) For administrative costs and monitoring of the HEIG fund, not to exceed 10% of the fund balance per fiscal year; and

“(3) To develop the pre-k workforce development plan in accordance with section 401.”.

Sec. 3. Conforming amendment.

Section 206 of the District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1427; D.C. Official Code § 38-1202.06), is amended by adding a new paragraph (19) to read as follows:

“(19)(A) Coordinate the state system, in accordance with federal requirements, for pre-k teacher preparation, professional development, and training;

“(B) Establish a collaborative of District of Columbia colleges and universities to craft a higher education incentive grant program and a scholarship program and develop a pre-k workforce development plan, as required by section 401 of the Pre-k Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-274.01)(Pre-k act”); and

“(C) Establish the higher education incentive grant program and the scholarship program for the purpose of increasing the number of highly qualified pre-k teachers and assistant teachers who are eligible to teach in a high-quality pre-k classroom as of September 1, 2014, as set forth in section 401 of the Pre-k act.”.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia