

Implementing
Universal Prekindergarten
in New York:
Blended Funding
and
Other Financial Considerations

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October 1998

ACKNOWLEDGMENTS

The Foundation for Child Development, through a grant to the Families and Work Institute, provided support for this project. Anne Mitchell of Early Childhood Policy Research conducted the research and wrote the many drafts that preceded the final version. The New York State Education Department's External Work Group on Universal Prekindergarten, Subcommittee on Implementation, reviewed drafts and offered valuable insight that strengthened the final version. Many people in communities, nonprofit organizations, school districts, and State and City agencies – including the State Education Department, Office for Children and Family Services, Council on Children and Families, the New York City Board of Education, Agency for Child Development, Administration for Children's Services and the federal regional office of Health and Human Services -- contributed their wisdom, expertise and creativity to this paper and communicated their determination to realize this opportunity for children and families throughout New York.

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Implementing Universal Prekindergarten in New York:

Blended Funding and Other Financial Considerations

Universal Prekindergarten

In 1997, the New York State Legislature enacted universal prekindergarten for four-year-olds as part of a bill to improve education. Funding of \$67 million dollars was appropriated for the 1998-99 school year to be administered by the State Education Department (SED) as grants to local school districts. Funds are allocated based on need and number of eligible 4 year olds. Each school district must appoint a PreK Policy Advisory board to recommend whether the district should implement PreK and to create a plan for implementation. At least 10% of the funding is for collaborative universal PreK services arranged through contracts between school districts and a range of eligible community-based agencies. Universal PreK is distinct from New York's older PreK program -- the formerly 'experimental' PreK -- which began in 1966 and continues to be funded along with the new universal PreK.

Universal Prekindergarten can be implemented in a variety of settings and should offer a number of options in response to the needs of families and children. Innovation in program design, creativity and collaboration to use all of the community's early childhood resources are expected and necessary. To meet its responsibilities for oversight and accountability, the districts need to plan and budget for leadership and supervision of prekindergarten programs. The financing of these new programs is a key consideration. This chapter offers information about ways to finance several program options for prekindergarten. The discussion is linked to the program options described in the *Steps to Universal Prekindergarten Guidebook* published by the State Communities Aid Association. The options presented are based on the wisdom of experience gathered from several districts and eligible community agencies already engaged in collaboratively funded programs. Financing for the district's oversight of all its prekindergarten programs is discussed at the end of the chapter.

Prekindergarten programs in context

Universal PreK programs can be operated by public and nonpublic schools, in eligible community agencies such as Head Start programs, child care centers, nursery schools, approved preschool special education programs (4410 providers) and in family child care homes – as long as the requirements set out by the SED for universal PreK are met. Some organizations operate more than one type of program under the same roof and sometimes

within the same classroom. At a minimum, universal PreK programs must be at least 2 ½ hours per day, five days per week and operate for at least 180 days per year. In any setting, there are essentially three basic options for universal PreK programs: part-day, school-day and extended day. Any of these may operate for the school year only, or for the full calendar year. Collaborative universal PreK programs -- those operated by other eligible agencies through a contract with a school district -- can be developed to offer any of several options. To operate a universal PreK program, an agency must show that it is in compliance with the regulatory requirements that govern it as well as with the SED's universal PreK program regulations.

Characteristics of NY's early childhood services

In general, early childhood programs in New York have many features in common – facility requirements, health and nutrition practices, class sizes, educational programs -- that make them easily adaptable to operating universal PreK programs.¹ Head Start programs, because they are required to offer comprehensive services, provide a substantial degree of support services and family involvement compared to most other programs and usually provide transportation. Approved preschool special education programs (4410 providers) are required to provide comprehensive educational services and also often provide transportation. Nursery schools outside New York City are not required to be regulated and thus may not meet some of the universal PreK requirements, such as those for the facility.

CLASS SIZE

Universal PreK requirements allow for class sizes of 18 or 20 (and allow for a waiver to be requested on class size). A class of 18 children must be staffed by one teacher and one teaching assistant or teacher aide; a class of 20 children must be staffed by one teacher and two teaching assistants or teacher aides. For a variety of reasons (e.g., state regulatory requirements, Head Start performance standards, best practice research), the typical early childhood program in New York operates with a class size of 16 for four-year-olds. Depending on the needs of the children, the class sizes may be smaller.

STAFFING

Universal PreK programs operated directly by schools (including 4410 providers) must employ certified teachers, that is, teachers who are certified, or licensed in New York City, to teach in the early childhood grades (e.g., PreK-6 certificate). If children with limited proficiency in speaking English are in the universal PreK program, the teacher's certificate must have the bilingual extension. If the universal PreK program is operated by an organization that is regulated by an agency other than the State Education Department, the teacher may meet the standards of the regulatory body governing that organization and there must be an on-site educational director who is certified, or licensed in New York City, to teach in the early childhood grades. Instead, the organization may opt to hire a certified (or licensed) teacher for the universal PreK program. By the 2001-2002 school year, teachers in universal PreK programs in these organizations must be certified (or licensed in New York City) to teach in the early childhood grades.

SOME IMPORTANT DISTINCTIONS

Except in New York City, the main difference between public school and other early childhood programs is teacher qualifications. In New York City, all early childhood

programs including nursery schools are required to have teachers who are licensed to teach the early childhood grades (the same as public schools). Outside New York City, the minimum requirement for a teacher (i.e., head of group) in Head Start and child care is a Child Development Associate (CDA) credential, or an Associate (or higher) degree in child development or early childhood education or a related field.² Many early childhood programs in New York State employ teachers who are already certified or teachers who can achieve certification.³ All teachers in preschool special education programs are certified or licensed.

Early childhood programs differ on the issue of parent fees. Head Start is a free program supported primarily by federal funds; preschool special education services are free to eligible children and supported at public expense regardless of their family income. Parents are not charged fees in either program. Primarily only very low-income families are eligible for Head Start, however, the exception is that Head Start programs may enroll up to 10% “over-income” children, that is, whose family income is above federal poverty level.

Nursery school and child care programs -- usually open to families at all income levels -- charge tuition to families. Some families are eligible for public subsidies administered by the county; these subsidies pay the child care tuition for an eligible child up to a set limit (called the “market rate”) that varies by county. Families pay a portion of this subsidy (called the “co-pay”); the amount varies in relation to their income and family size, not the tuition charged by the program.

Serving children with disabilities

Universal PreK programs must be willing and able to include children with disabilities. Preschool children with disabilities can be served at home, or in any early childhood program setting, including in universal PreK programs. The concept of ‘least restrictive environment’ governs placements. The child’s IEP (Individualized Education Plan), developed by a multi-disciplinary team including the child’s parents, must state the educational and related services required for that child’s education and the setting in which they are to be delivered. When the team develops the IEP, parents are asked to identify the child care location they have arranged for their child, or another site at which services will be provided, including in a universal PreK program. These teams operate within the school district’s Committee on Preschool Special Education (CPSE). The CPSE recommends each child’s special education services and placement to the local school board for its approval. Funding for approved preschool special education programs and services is provided by the municipality (county) where the child resides, with 59½% of the cost reimbursed by the State.

Financing prekindergarten program options

Universal PreK funds can be layered (or ‘blended’) with other funds within existing programs and/or to create new programs. The benefits of the blended approach are many. Combining funds from various sources maximizes the use of existing resources and may result in modest cost savings overall that can be applied to expanding other needed early childhood services beyond universal PreK, or can accelerate the phase-in of universal PreK. Combining universal PreK with other early childhood programs has the potential to enhance

the quality of all early childhood programs in New York. In some programs supported by parent fees, the addition of universal PreK funds could help make the program more affordable for families through modest fee reductions.

The primary goal of the universal PreK program is to extend the opportunity for preschool education to all four-year-olds in New York. To achieve the goal of universal access to PreK programs requires a dual emphasis on service expansion:

- **Existing programs that offer early education for 4 year olds become universal PreK programs, and**
- **New opportunities for universal PreK are created in all eligible community organizations and in schools.**

Creating new opportunities will require start-up investment as well as funds for the ongoing operational expenses. Start-up costs include both renovation and initial equipment as well as training for new staff. Renovation costs can vary widely depending on the conditions of the space to be converted to use for preschoolers. The cost for new equipment for a classroom can run between \$8,000 and \$15,000. Existing programs for 4 year olds can become universal PreK programs by designating a portion of their program as universal PreK and/or by adding the universal PreK hours to their program. Several examples of blending funding for universal PreK programs are described below.

School districts can create universal PreK programs operated by schools using state universal PreK funds exclusively or by blending those funds with other funds to create a universal PreK program. Some school districts operate locally funded nursery schools, Title I funded preschools, 'experimental' PreK and/or preschool special education programs. Some operate Head Start and child care programs. Universal PreK funds can be blended with the funds that support these programs. By blending funds, districts can serve more children and/or extend the program day and/or year of an existing program. All of the blended funding models for universal PreK discussed below can be operated by a public school, as well as by the other agencies eligible to operate universal PreK. Given available physical space, all of the blended funding models can be used to create new opportunities for universal PreK.

The examples of universal PreK program options that follow are illustrative and hypothetical; they do not represent the actual financial picture of any one program. They are based on information provided by directors of early childhood programs that operate with funding from several sources blended to support the program's total costs. Such programs are accountable to each funding source and report separately to each source on the expenditure of those funds.

For ease of discussion, the examples conform to the basic daily patterns for early childhood programs: part day, school day and extended day. At a minimum, universal PreK programs must operate at least 2½ hours per day, five days per week and for at least 180 days per year.

Financing part day universal PreK

A part-day universal PreK program can be operated directly by a school or by an eligible community agency. Part-day, school year operation is the norm for most nursery schools, preschools and for some Head Start programs and 4410 providers. These eligible agencies can offer part-day universal PreK by designating a classroom as universal PreK. For example, a Head Start program must operate at least 3½ hours per day and many may run double sessions. Some operate single sessions for 4 or 5 hours a day or longer. A school district could collaborate with a Head Start program to offer universal PreK like this:

Example

A school district can contract with a Head Start agency that already operates a four-hour program for four year olds for the ten months of the school year. There are several classrooms of 16 children each; some of the children have IEPs and are receiving special education services. All of the children benefit from the program's comprehensive services and the transportation that is provided. The total annual cost of this program is \$4,000 per child (not including the cost of special education for specific children). The agency desires to offer a universal PreK-Head Start classrooms. This can be financed by allocating costs between the two funding sources on the basis of hours.

One classroom = 16 children @ \$4,000 = \$64,000

Based on 2.5 hours of the 4 hour day, the universal PreK portion would be 62.5%, which is \$40,000 for the classroom of 16 children, or \$2,500 per child.

By the addition of universal PreK funds, the agency could free up Head Start funds which could be used to lengthen the program day and/or year, expand Head Start services to more children, or provide other needed services for Head Start eligible families.

Summary of costs for a part-day program

Universal PreK costs = \$ 2,500

Head Start costs = 1,500

Total costs = \$4,000

The cost of universal PreK within a part-day program would be \$2,500 per child.

Many nonpublic schools including those with religious affiliations offer preschool or nursery school and are eligible to offer universal PreK. School districts can contract with nonpublic schools as well as nursery schools to offer universal PreK similarly to the Head Start example above.

Example: A school district wishes to contract with a nursery school to offer universal PreK. Suppose that the nursery school operated five days per week for ten months and charged \$2,500 annual tuition. The nursery school day is 3 hours long and there are two classrooms for 4 year olds of 16 children each. The educational

program of the nursery school meets all the universal PreK requirements, but because it is not required to be licensed, its facilities may not meet universal PreK regulations and need to be upgraded to comply. Additional staff will have to be hired to provide the family involvement and social service supports required for universal PreK.

One classroom = 16 children @ \$2,500 = \$40,000

Using cost allocation based on 2.5 hours of the 3 hour day, the universal PreK portion would be 83%, which amounts to \$33,200 for the classroom of 16 children or \$2,075 per child. Parent tuition for a child who was enrolled in universal PreK would be reduced by this amount (i.e., annual tuition could be reduced to \$425 – the cost of the ½ hour each day beyond universal PreK).

The nursery school estimates that the costs of upgrading their facility will be \$5,000 and that offering universal PreK will require additional administrative costs for recordkeeping, reporting and supervision requirements (\$3,600); increased expenses for teacher training (\$2,000); and program enhancements for family support/social services (\$10,000) for a total of \$20,600 for enhancements.

The enhancements to meet universal PreK requirements are considered separately because they are necessary regardless of the number of universal PreK students enrolled (for calculating universal PreK costs) and they were not part of the program costs prior to universal PreK (for calculating parent tuition reductions). For example, if half of the classroom (8 children) was contracted as universal PreK, the cost per child would be the allocation based on hours (\$2,075) plus 1/8 of the cost of enhancements (\$2,575 = \$20,600/8), for a total per child cost of \$4,650. If the entire classroom of 16 children was contracted to be universal PreK, the total cost of the classroom of 16 children would be \$53,200 (\$33,200 + \$20,600). Dividing this total by 16 children shows that the cost of universal PreK would be \$3,325 per child.

Summary of costs for a part-day program

Universal PreK cost =	\$ 3,325
Parent tuition =	<u>425</u>
Total cost =	\$ 3,750

The cost of universal PreK within a part-day program would be \$3,325 per child.



It is important to note that the enhancements necessary to create universal PreK and their costs will vary considerably among agencies depending on the nature of the services each agency already offers. The above example is illustrative only.

Another eligible provider of universal PreK is the special education program providers approved under Section 4410 of Education Law. No enhancements are needed for 4410 providers to meet universal PreK requirements. Approved preschool special education programs must operate for a minimum of 2½ hours per day, five days per week for 180 days

per year. This is a half-day program. Programs that provide services three or more hours per day are full-day programs. All programs must be approved by the State Education Department.

Special Class in an integrated setting (SC/IS) is a classroom in which children with disabilities and their typically developing peers are taught together. SC/IS may be staffed by one teacher certified in special education and aides or assistants, or may be a team-teaching approach with one certified special education teacher and one certified teacher qualified to teach young children without disabilities. A minimum of 50% of the children must be nondisabled. All children with disabilities have an IEP placing them in the SC/IS. Both educational and related services can be provided in the SC/IS. (A Special Class [SC] is an approved preschool special education program where 100% of the children enrolled have disabilities.)

Through an IEP approved by the local board of education, preschool students with disabilities enrolled in universal PreK, Head Start, nursery school, nonpublic school or a child care center may receive educational services from a special education itinerant teacher (SEIT). A program that provides SEIT services must be approved by the SED. The SEIT services can be provided in conjunction with the child's universal PreK (or other program). These services may be provided directly to the child by a certified special education teacher and/or indirectly to the child's universal PreK (or other) teacher for a maximum of two hours per week.

To understand the financial aspects of an SC/IS offering universal PreK, the rate setting method for SC/IS has to be considered. Rates are set in the initial year of operation, based on the budget of total costs for operating the program, based on a certain size (number of children). A tuition equal to the Office of Children and Family Services (formerly Department of Social Services) local market rate for child care centers serving children ages three to five is deemed to apply to the nondisabled children who will participate. This amount is then subtracted from the total classroom cost. This new total is then divided by the number of children with disabilities to arrive at their tuition rate. Tuition rates in SC/IS range from \$5,400 to \$37,300 depending on geographic location, severity of children's disabilities, related services, length of the day and the number of children in the class.

Parents of children with disabilities pay no fees for special education services; the tuition is paid by the county (with partial state reimbursement). The 'deemed' tuition rate is paid by parents of nondisabled children enrolled in the SC/IS, or is paid on behalf of income-eligible families through child care subsidy funds.

Example

A school district can contract with a 4410 school to offer universal PreK. The SC/IS is a half-day, school year program with comprehensive services and meets all the universal PreK requirements. The 4410 school will designate one of its 4-year-old classes as universal PreK. Class sizes in SC/IS are often smaller than in other early childhood programs. The classroom has 15 children and could offer services to eight or more nondisabled children. The parents of the nondisabled children now

pay tuition at the ‘deemed’ tuition rate of \$3,200. The tuition rate for children with disabilities is \$15,000 paid by the county and state.

The ‘deemed’ tuition rate for nondisabled children would be the amount not reimbursable through the special education tuition rate. The county’s local market rate for child care centers serving children ages three to five is used to compute the tuition for each nondisabled child. In this case, it is \$80 per week for programs that operate less than 6 hours per day, that is, \$80 x 40 weeks, or \$3,200. This is the amount that parents of nondisabled children have been paying. Universal PreK would cost \$3,200 per child. With a contract for a 15-child universal PreK program, the tuition charge could be eliminated for parents of nondisabled children enrolled in the SC/IS universal PreK and the special education tuition for children with disabilities could be reduced by the same amount.

Summary of costs for a part-day program

<i>For a child with disabilities</i>		<i>For a nondisabled child</i>	
Special Education costs =	\$ 11,800		\$ 0
Universal PreK cost =	<u>3,200</u>		<u>3,200</u>
Total cost =	\$ 15,000		\$ 3,200

The cost of universal PreK within a part-day program would be \$3,200 per child.



Note: Currently, the State Education Department has determined that Universal PreK funds may not be spent on any 4-year-old child with a disability who is receiving at least 4 hours per day of preschool special education services within a 4410 school. Many others familiar with the issue believe that there is no basis in Universal PreK law or regulation to support this interpretation. This is one of several Universal PreK issues that need resolution.

Given available space, a 4410 provider could also offer new opportunities for universal PreK by transforming a full-day segregated special class into two half-day SC/IS. For example, if the 16 children with disabilities now in a segregated class were ready to move into an integrated environment, two half-day classes of 18 children each – 8 children with disabilities and 10 nondisabled children – could be created using universal PreK funds for the nondisabled children and continuing to use preschool special education funds for the children with disabilities. The same costs for universal PreK would apply as in the preceding example, thus opening up 20 new opportunities for part-day universal PreK at a cost of \$3,200 each.

A school district can blend universal PreK funds with an existing ‘experimental’ PreK program to create new opportunities for 4 year olds.

Example

A school district already operates a part-day (2 ½ hour) ‘experimental’ PreK classroom for 20 four year olds for the ten months of the school year. The total

annual cost of this program is \$4,200 per child. The district has space for another classroom and decides to offer universal PreK by expanding its 'experimental' PreK class into two classes to promote socio-economic integration. Each class will continue to have 20 children – 10 will meet the eligibility criteria for universal PreK and 10 will meet the eligibility criteria for 'experimental' PreK. This will create 20 new universal PreK opportunities while maintaining the district's previous commitment to 'experimental' PreK for 20 children. The cost of the new universal PreK opportunities is estimated based on the costs of the 'experimental' PreK classroom.

One classroom = 20 children @ \$4,200 = \$84,000
Two classrooms = 20 children @ \$4,200 x 2 = \$168,000

To meet the maintenance of effort requirements of the universal PreK legislation, the district must continue to spend at least \$84,000 and commit to serving additional children in PreK equal to the number of children for which it is eligible to receive universal PreK aid. The district is eligible for a universal PreK grant of \$3,500 per child for 20 children and has budgeted 10% for administration and supervision, leaving \$3,150 per child. To meet the full cost of \$4,200 per child, the district will budget local funds in the amount of \$1,050 per child to cover the additional 20 children (\$21,000), thus meeting the maintenance of effort requirements and offering new PreK opportunities.

Summary of costs for a part-day program

Universal PreK grant =	\$ 3,150
Other district funds =	<u>1,050</u>
Total costs =	\$4,200

The cost of universal PreK as a part-day program would be \$4,200 per child.

Financing full school day universal PreK

There are several ways to create school day universal PreK programs in collaboration with Head Start, nonpublic schools, 4410 providers and other eligible agencies.

- The district can contract for a 2½ hour segment of an existing program that operates during school hours, and/or
- the district can contract for a universal PreK program that extends the day of a part-day program, if there is space available to accommodate the longer hours.

A part-day program that operates double sessions in its classrooms may not have space to extend hours but some will be able to do so depending on the length and timing of their double sessions. For example, some Head Start programs operate for more than the minimum 3½ hours per day and may be open for the school year (ten months) or nearly the full year (eleven and a half months). Other preschool programs such as nursery schools, nonpublic schools and 4410 providers may also operate part-day programs that can be extended.

Example

A school district can contract for universal PreK with a Head Start program that operates a six hour program for ten months per year. The program employs certified teachers and keeps class size to 16 for 4 year olds. Comprehensive services are offered, children with special needs are included and transportation is provided. The total cost per child of this program is \$6,000 per year.

One classroom = 16 children @ \$6,000 = \$96,000

Based on 2.5 hours of the 6 hour day, the universal PreK portion would be 42%, which is \$40,320 for the classroom of 16 children, or \$2,520 per child.

Summary of costs for a full school-day program

Universal PreK costs =	\$ 2,520
Head Start costs =	<u>3,480</u>
Total costs =	\$ 6,000

The cost of universal PreK within an existing full school-day program would be \$2,520 per child.

Example

A school district can contract for universal PreK with another Head Start program that operates 4½ hours per day for ten months. The program has space to expand. The program employs certified teachers. Comprehensive services are offered, children with special needs are included and transportation is provided. The program wishes to offer universal PreK as an extension of its program. By adding the 2½ hours of universal PreK, the program can operate for seven hours a day which will benefit families, especially those who are moving from welfare to work.

The agency's existing program costs \$5,200 per child. They project that the cost of operating their program for seven hours daily will be \$7,300. The difference is \$2,100 per child. This difference is the cost of universal PreK -- \$2,100 per child, or \$33,600 for a classroom of 16 children.

Summary of costs for a full school-day program

Universal PreK costs =	\$2,100
Head Start costs =	<u>5,200</u>
Total costs =	\$ 7,300

The cost of universal PreK within a full school-day program would be \$2,100 per child.

Example

A school district can contract with a 4410 school to offer universal PreK. The 4410 school has an SC/IS that is a part-day, school year program with comprehensive

services and meets all the universal PreK requirements. The 4410 school will designate one of its 4-year-old classes as universal PreK and extend the hours in that class from 3½ per day to 6 hours per day. The classroom has 15 children and could offer services to eight or more nondisabled children. The parents of the nondisabled children now pay tuition at the ‘deemed’ tuition rate for a part-day program. The tuition rate for children with disabilities is \$19,000 paid by the county and state.

The ‘deemed’ tuition rate for nondisabled children would be the amount not reimbursable through the special education tuition rate. The county’s local market rate for child care centers serving children ages three to five is used to compute the tuition for each nondisabled child. In this case, it is \$110 per week for programs that operate 6 or more hours per day, that is, \$110 x 40 weeks, or \$4,400. Universal PreK would cost \$4,400 per child. With a contract for 15 children in a universal PreK program, the tuition charge could be eliminated for parents of nondisabled children enrolled in the SC/IS universal PreK and the special education tuition for children with disabilities could be reduced by the same amount.

Summary of costs for a full school-day program

<i>For a child with disabilities</i>		<i>For a nondisabled child</i>
Special Education costs =	\$ 11,800	\$ 0
Universal PreK cost =	<u>4,400</u>	<u>4,400</u>
Total cost =	\$ 19,000	\$ 4,400

The cost of universal PreK within a full school-day program would be \$4,400 per child.



Note: Currently, the State Education Department has determined that Universal PreK funds may not be spent on any 4-year-old child with a disability who is receiving at least 4 hours per day of preschool special education services within a 4410 school. Many others familiar with the issue believe that there is no basis in Universal PreK law or regulation to support this interpretation. This is one of several Universal PreK issues that need resolution.

Financing extended day universal PreK

The most efficient way to offer families a full-time, year-round universal PreK program is to collaborate with programs that already operate on an extended-day, full-year basis such as child care centers, some nonpublic schools and 4410 providers, and some Head Start classrooms. Programs such as child care centers typically operate ten or more hours per day for the full year. There are many child care programs that can offer universal PreK. Many centers employ qualified early childhood teachers, including certified teachers and offer an educational program that meets universal PreK standards. Centers that have achieved national accreditation are likely to be offering programs that meet universal PreK standards. National accreditation is offered by organizations such as the National Association for the Education of Young Children (NAEYC). Many agencies (except Head Start and 4410

schools) will need to enhance their family support and social services to meet universal PreK standards.

Example

A school district can contract for universal PreK with a child care center that is open for 10 hours every day for 250 days per year. The center serves a diverse population from a wide geographic area. The center achieved NAEYC accreditation several years ago and has just been successfully re-accredited. Children with special needs have been included in the programs for several years through a collaboration with a 4410 provider. Class sizes are 16 children; many teachers have bachelor degrees in early childhood education. The annual tuition charged to parents for a 4 year old enrolled in the center is \$6,500. A few children receive county subsidy at the full time market rate of \$115 per week, which is less than the center's tuition (\$125 per week). The agency is interested in providing the universal PreK program and calculates the cost on a time allocation basis.

Universal PreK is 2½ hours per day for 180 days per year:

$$2.5 \times 180 = 450 \text{ hours per year}$$

The center's program is 10 hours per day all year:

$$10 \times 250 \text{ days} = 2500 \text{ hours per year}$$

The cost allocation factor for universal PreK is 450/2500, which is 18%. Based on the annual tuition of \$6,500 for the center's basic program, the annual tuition for universal PreK would be \$18,720 for the classroom of 16 children or \$1,170 per child. The center can reduce the parent fee for children enrolled in universal PreK by this amount. That is, the annual tuition could be reduced to \$5,330. This tuition pays for the 7½ hours of the day beyond universal PreK.

The funds for universal PreK will reduce the time the county pays for with public subsidy dollars from 10 to 7 ½ hours per day. Six or more hours per day is the official definition of full time established by the state Office of Children and Family Services (OCFS) for calculating reimbursement rates. Since the reduced hours are still more than six hours per day, the center will remain eligible to receive the full time reimbursement rate. However, with universal PreK funding, the center's weekly tuition rate will fall to \$103 (= \$5,330 annual tuition/52 weeks). The county will now pay \$103 per week on behalf of income-eligible families. These parents will maintain their co-pay because it is for the child care hours, not for universal PreK, and because co-pays are based on family income, not on the tuition rate of a program.

The center projects that universal PreK will require additional administrative costs for recordkeeping, reporting and supervision requirements (\$3,600); increased expenses for teacher training and to assist teachers to obtain certification (\$6,000); and for other program enhancements such as family support (\$10,000) for a total of \$19,600.

The enhancements to meet universal PreK requirements are considered separately because they are necessary regardless of the number of universal PreK students enrolled (for calculating universal PreK costs) and they were not part of the program costs prior to universal PreK (for calculating parent tuition). For example, if half of the classroom (8 children) is contracted as universal PreK, the cost per child would be the allocation based on hours (\$1,170) plus 1/8 of the cost of enhancements (\$19,600/8 = \$2,450), for a total per child cost of \$3,620. If the entire classroom of 16 children is contracted to be universal PreK, the total cost of the classroom of 16 children will be \$38,320 (\$18,720 + \$19,600), or \$2,395 per child.

Summary of costs of an extended day program

Before universal PreK

<u>Families not eligible for subsidy</u>		<u>Families eligible for subsidy</u>	
Parent cost =	<u>\$ 6,500</u>	County cost (incl. co-pay) =	\$ 5,980
Total cost	\$ 6,500	Center fundraising =	<u>520</u>
		Total cost	\$ 6,500

After universal PreK

Universal PreK cost =	\$ 2,395	County cost (incl. co-pay) =	\$ 5,330
Parent cost =	<u>5,330</u>	Universal PreK cost =	<u>2,395</u>
Total cost	\$ 7,725	Total cost	\$ 7,725

The cost of universal PreK within an extended day program would be \$2,395 per child.



It is important to note that the enhancements necessary to create universal PreK and their costs may vary considerably among agencies depending on the nature of the services the agency already offers. These examples are illustrative only.

Financing the District’s Prekindergarten Program

The District is responsible, with the PreK Policy Advisory Board, for planning the district’s universal PreK program. To meet the requirements of the legislation, universal PreK programs must not only be educationally sound experiences for children. Consideration must be given to the needs of families for programs that will support them as parents and as workers. At least 10% (and as much as 100%) of the universal PreK funds must be used for collaborative universal PreK – services provided by eligible community agencies or nonpublic schools. There is no upper limit on the amount of the district’s universal PreK grant that can be allocated to collaborative universal PreK.

Districts should also consider other demands on school space, such as the state financial incentives for conversion to full-day kindergarten and reduced class sizes for kindergarten through grade three. Kindergarten conversion aid is an incentive payment for converting part-day to full-day kindergarten spaces, available to any district that operates any number of part-day kindergarten classes. Kindergarten aid will come after the first year of operation based on that year’s enrollment – effectively one year early, since state aid is currently paid

late in one school year based on the district's enrollment in the previous school year. This aid is available for kindergartens operated in the 1998-99 school year. Class size reduction aid is still being worked out. Probably about 400 districts will be eligible (i.e., not those that are high wealth/low need in terms of state aid formulas). Class size reduction aid will begin in the 1999-00 school year, phased in over three years.

These considerations will likely result in a number of different contracts for universal PreK with community-based organizations as well as some universal PreK services provided directly by district schools. The district must plan for coordination and oversight of these programs at a minimum.⁴ Developing a new program like Universal PreK and maintaining its innovative and family responsive nature requires strong, creative leadership. Having relationships with many early childhood programs in the community is an opportunity to promote best practices in early education, for example on early literacy or inclusion. It is also an opening to work for continuity among preschool programs and the district's kindergarten and early elementary grades. One way to accomplish these goals is offering joint training/staff development for all PreK, kindergarten, and early elementary staff. As universal PreK grows over the next few years, the district will be forging new relationships to provide universal PreK services. Reaching out to early childhood agencies and forming truly collaborative partnerships with them takes skill and talent. The district's universal PreK leadership matters.

Contracting to ensure access for families

To make universal PreK accessible to the families throughout the district, universal PreK programs can be located in several geographic areas. Given the prevalence of families with working parents, a district should be sure that some of the options are extended day and year-round. Some families will have work and education schedules that can be met with a school day and school year program. Some families will want and need only a part day program. Some families will need transportation, while others will not. Some families will need bilingual programs. All universal PreK programs should be able to include children with special needs. With thoughtful contracting for a range of program designs, all of these needs can be accommodated in the district's multi-year universal PreK plan so that parents may choose the program that best meets their own and their child's needs.

Contracting for less than a whole classroom

In the early years of universal PreK, districts are eligible for funding to serve relatively small numbers of children. To enable the district to have several program design options in different neighborhoods or towns within the district, it may seem prudent to contract for less than a full classroom in any one site. In the examples above, the district might contract for ½ of each classroom, for instance. That is certainly possible. However, enhancements that a program would have to make in addition to the base cost allocation would still have to be made, thus increasing the cost per child. Further, the benefits of the universal PreK program in a single classroom cannot be limited only to the 'universal PreK funded' children, but will necessarily 'spillover' to the other children in the classroom.

Contracting outside the district

Most community agencies draw from a wide geographic area and probably serve families who live in several school districts. Each eligible agency will want to survey their current families to find out how many children are served from which districts. The agency can project its costs for a universal PreK program and set a rate, with an aim, for example, to contract for ½ of the universal PreK class with one district and the other half with another district. A district may contract with any agency that can reasonably offer universal PreK services to families who reside in the district.

Recruitment and enrollment

How will families access universal PreK programs? Each contracted program and any district-operated programs can (and should) be expected to recruit and enroll children. Special effort should be made to reach children who most need services. To make sure that each family is aware of all the options, the district should publicize concise information about all the agencies contracted to offer universal PreK, including any unique features and requirements. For example, a child care center offers extended day, full year services. Families need to know what the additional cost is and whether they might be eligible for county child care subsidies. Families who need transportation will look to Head Start, but Head Start programs mainly enroll children from families with poverty level incomes, i.e., a child may have to be Head Start eligible to enroll in universal PreK at a Head Start program. Each contracted agency should have the information about all of the other contracted agencies so that families can be referred to appropriate placements, no matter which agency they first encounter. The local child care resource and referral agency (CCR&R) that serves the district should also have this information. (See Appendix B to find your local child care resource and referral agency.)

In the early years as universal PreK is phased in, interest in enrolling in universal PreK may exceed capacity. In 1998-99, the district may have to select children using some criteria such as by lottery, according to need, or on a first-come, first served basis. Beginning in 1999-2000, districts are required to give priority to economically disadvantaged children.

Financing universal PreK supervision

Supervising programs in multiple sites in and out of schools can be a challenge. Supervision of the teaching staff directly providing universal PreK should be done by supervisory staff employed in each program. To simplify oversight tasks, the district can plan in the first years of phase-in to have a reasonably small number of sites, rather than having a few children in many different sites. This will work better both financially and programmatically – for the district and for each contracting agency.

A reasonable way to finance the district's supervision of universal PreK is to allocate a fixed percentage of the state universal PreK grant funds for that purpose. A percentage in the range of 8% (for a larger grant) to 15% (for a minimum 20-child grant) is probably sufficient.

For example, a district that receives a \$40,000 universal PreK grant to serve 20 children might reserve 15%, or \$6,000. An elementary principal or another qualified

person could take on universal PreK supervision. These funds could cover a portion of that salary (e.g., 5%, or about \$5,000 including benefits for a principal with base salary of \$75,000). The remaining funds can be used to support the costs of a staff development session for universal PreK staff and kindergarten teachers.

In a district that will receive a grant of \$2 million to serve 500 children, the district might reserve 8%, or \$160,000. A universal PreK program of this size requires at least one or perhaps 1.5 full time professionals with early childhood backgrounds to lead and oversee it. Their salaries and benefits and some clerical support would cost about \$125,000 (about 80% of the district's total supervision set-aside). The remaining funds could be used to sponsor one or two staff development conferences for universal PreK and district teachers (assuming a cost of \$10,000 each). and a fund could be set up to help pay the cost of higher education for universal PreK teachers who need to take courses to achieve teacher certification.

Districts will likely use the familiar FS-10 form (SED's budget form for state or federal projects) to convey the budget for the district's entire universal PreK program. The total for all contracts for universal PreK can be listed as Purchased Services Code 40, while the district's direct expenses for operating any universal PreK classrooms of its own and the costs for supervision of universal PreK can be listed in other appropriate codes on the FS-10.

Standards Governing Agencies

eligible to provide

Universal PreKindergarten

The universal PreK legislation states that agencies eligible to offer universal PreK programs include licensed and registered child care providers, nursery schools, nonpublic schools and approved preschool special education providers. The charts on the following pages briefly summarize the process and content of the major regulations, funding standards and quality assurance systems that apply to programs for preschool-aged children in New York.

Programs providing early care and education in New York are governed by several different regulatory agencies, may be required to adhere to program standards related to one or more funding sources and may voluntarily engage in several kinds of quality assessment processes. For example, a Head Start program must follow the Head Start Performance Standards and it must be licensed by the appropriate child care regulatory agency, either the New York City Department of Health or the New York State Office of Children and Family Services. Many early childhood organizations operate several different programs, often in a merged program, and must meet several sets of standards. For example, a blended special education-Head Start-child care program would have to meet child care regulations, Head Start Performance Standards and the regulations for 4410 schools. A nonpublic school may voluntarily register its nursery school program. A child care center may seek accreditation from the National Association for the Education of Young Children. Similarly, any early childhood organization that operates a universal PreK program will have to meet universal PreK standards in addition to those it already meets.

The regulatory framework for two types of agencies eligible to offer universal PreK are described briefly below. All others are included in the chart.

Nonpublic schools

Although nonpublic schools are not required to be incorporated in New York, almost all are incorporated for reasons of legal protection and tax advantage. About half of all nonpublic schools are operated by religious corporations. These religious corporations file with the county and with the Secretary of State. Other nonpublic schools, organized as nonprofit corporations, petition the Board of Regents for a charter to operate a school (these nonpublic schools are sometimes referred to as having an 'educational charter'). Some nonpublic schools are operated by for-profit corporations pursuant to the New York Business Corporation law with the 'consent' of the Commissioner of Education. School

means at least one grade level beyond kindergarten. Programs for children over age two and under age six operated on site by a nonpublic school are exempt from state child care regulations, but are subject to New York City Board of Health Day Care regulations. The superintendent of the school district in which a nonpublic school student resides is responsible for enforcing compulsory attendance laws and ensuring that the education provided in nonpublic schools is substantially equivalent to that provided in the public school.

Voluntarily registered nursery schools

Nonpublic schools (either religious corporations or those with educational charters) may voluntarily register their nursery school and kindergarten programs with the State Education Department, based on a 1948 court decision *Packer Collegiate Institute v. the University of the State of New York*. To register, the organization's corporate purpose must specifically include operating nursery school and/or kindergarten and they must meet the requirements set out in Subchapter F, Part 125 of the Commissioner's Regulations. About 300 schools are registered or in the process of becoming registered. Registration is granted after submission of satisfactory evidence that the school meets standards and an onsite visit by SED staff. Standards cover building and facilities, fire and safety, health, education equipment and program, staff qualifications, and teacher-pupil ratios.

The voluntary registration standards are similar to the requirements for State child care regulations, with few exceptions. The educational director must be a teacher certified or licensed to teach nursery-kindergarten or early childhood grades. Teachers must have this certification, or have 3 years experience and an associate degree and an approved study plan toward certification, or 10 years experience and 20 credit hours in early childhood education and an approved study plan toward certification. The maximum class size for 4 year olds is 20 children with 2 teaching staff. Registration is valid for 5 years. Once registered, these schools are subject to little, if any, ongoing oversight by the SED.

Regulation and Quality Assessment for Center-based Programs in New York City and State

	NYC Dept. of Health Regulations Group Day Care Centers	NYC Administration for Children's Services, Agency for Child Development	NYS Office for Children and Family Services Regulations for Child Day Care	NYS Education Dept. VESID Preschool Special Education Programs and Services
<i>Source</i>	NYC Health Code, Article 47 Dept. of Health, Bureau of Day Care Don Nolte (212-334-7813)	Program Assessment Instrument (Form ACD 5017) ACS/ACD Program Assessment Unit Trudy Eblen (718-260-6065)	NYS Social Services Code, Parts 418 NYS OCFS BECS Suzanne Sennett (518-474-9454)	NYS Education Law (secs. 207, 4403 & 4410); Comm. Regs. Subchapter F Part 200; & 34-CFR 300-301 IDEA regs. Mike Plotzker (518-473-6108)
<i>Status</i>	Permit and compliance required, except compliance but no permit required for NPR centers, i.e., centers part of BOE or religious elementary schools	Required for ACD fully funded centers	Required, except for programs operated on site by a public or private school or academy for children 3 years of age or older	Required
<i>Children Covered</i>	Programs serving 7 or more children under age six for more than 5 hours per month. The ADA and special education 'LRE' and 'natural settings' provisions require children with disabilities be included.	Infant/Toddler -- birth thru 2 Preschool -- 3 thru 5 years School Age -- 6 years and up. The ADA and special education 'LRE' and 'natural settings' provisions require children with disabilities be included.	Programs serving 7 or more children under age 13 years for more than 3 hours per day per child. The ADA and special education 'LRE' and 'natural settings' provisions require children with disabilities be included.	Children aged 3 thru 5 who have been identified as having a disability by the CPSE and nondisabled children in integrated settings. Comply with ADA and special education 'LRE' and 'natural settings' provisions.
<i>Process and Procedures</i>	Inspection is done annually by: <ul style="list-style-type: none"> • public health sanitarian • ECE consultant Programs serving children under age two have: <ul style="list-style-type: none"> • annual inspection by sanitarian • 2 inspections per year by ECE consultant 	Assessment is an on-site visit done annually by program assessors out of ACD Central office, except about 100 programs are piloting self-assessment. Monitoring is done on as-needed basis by program consultants out of the ACD Resource Area offices.	Program submits completed application form including evacuation plan, description of program activities, sample menus, personnel policies, training plans, line-item budget, staffing pattern, supervision plan and copies of CofO, inspection reports done within the past year by Building Dept., Fire Dept., Health Dept., State Central register clearance form, floor plan, business certificate (or incorporation documents), and inspections of the heating system and fire detection system.	Conditional approval upon program information documentation of regional needs, budget or financial statements, a fire safety check and at least one on- site review by SED program or fiscal staff. Final approval based on site visit. Municipality authorized to participate in the review process. Programs are required to submit to SED annual financial reports supported by certified financial statements and are subject to fiscal audit by SED, the State Comptroller and municipalities

	NYC Dept. of Health Regulations Group Day Care Centers	NYC Administration for Children's Services, Agency for Child Development	NYS Office for Children and Family Services Regulations for Child Day Care	NYS Education Dept. VESID Preschool Special Education Programs and Services
<i>Valid Period & Fees</i>	Permit is valid for up to 2 years at DOH discretion. Reasonable fees charged (fee waived for fully funded ACD day care or Head Start programs).	Valid for one year No fees	Valid for up to two years No fees noted	Review and reapproval not more than once every three years. Reapproval based on assurance that quality services are provided cost effectively and in the LRE. No fee specified

	NYC Dept. of Health Regulations Group Day Care Centers	NYC Administration for Children's Services, Agency for Child Development	NYS Office for Children and Family Services Regulations for Child Day Care	NYS Education Dept. VESID Preschool Special Education Programs and Services
<i>Staff Qualifications</i>	<p>In centers for preschoolers: Director: qualified ECE teacher with 2 yrs. experience with children under 6 Teacher: licensed by NYC BOE as teacher of ECE classes with supervised. teaching in prek/k; or eligible for certification by SED for EC grades; or equivalent certification; or approved study plan Asst. teacher: 19 years old with high school diploma; or 60 college credits; or CDA credential</p> <p>In centers for Infants/toddlers: Director: BA in ECE with 1 yr. teaching experience with children under age two Teacher: AA in ECE; or CDA credential; or high school diploma or GED with 1 yr. experience with children under age two</p>	Not assessed	<p>Director or FT staff person in charge in a program with fewer than 45 children must have: 1) an associate's degree in Child Development or Early Childhood Education (CD/ECE) or a related field <u>and</u> 1 yr. child care teaching experience <u>and</u> 1 yr. experience supervising staff; or 2) 2 yrs. college with 12 credits in CD/ECE or related field <u>and</u> 1 yr. child care teaching experience <u>and</u> 1 yr. experience supervising staff.</p> <p>Director or FT staff person in charge in a program with more than 45 children must have: 1) Bachelor's degree in CD/ECE or related field <u>and</u> 1 yr. child care teaching experience <u>and</u> 1 yr. experience supervising staff; or 2) NYS teaching certificate or equivalent (K-6 or N-6 with special preparation in EC grades) <u>and</u> 1 yr. child care teaching experience <u>and</u> 1 yr. experience supervising staff; or 3) Bachelors' degree including 18 credits in CD/ECE or bachelor's degree plus 18 credits in CD/ECE <u>and</u> 1 yr. child care teaching experience <u>and</u> 1 yr. experience supervising staff; or 4) Associate's degree in CD/ECE or related field <u>and</u> 2 yrs. child care teaching experience <u>and</u> 2 yrs. experience supervising staff <u>and</u> a plan of study leading to a bachelor's degree as described in 3) above.</p> <p>Head of a group for preschool age children must have: 1) Associate's degree in CD/ECE or a related field; or 2) Child Development Associate (CDA) credential <u>and</u> 2 years experience with children; or 3) high school diploma or GED <u>and</u> 3 yrs. experience working with children.</p> <p>Assistant to head of group must be 18</p>	<p>Administrator or Supervisor: if serving ¼ time or more, must hold valid certificate for school administration and supervision (SAS) Special education teacher: certified or licensed to teach children with disabilities. If LEP children, must have bilingual extension Remedial services: provided by appropriately certified or licensed individual Related services (e.g., physical therapy, speech): must be provided by individuals appropriately licensed or certified in each related service area</p>

	NYC Dept. of Health Regulations Group Day Care Centers	NYC Administration for Children's Services, Agency for Child Development	NYS Office for Children and Family Services Regulations for Child Day Care	NYS Education Dept. VESID Preschool Special Education Programs and Services
<i>Ratios and Group Sizes</i>	<p>under 1 year -- 1:4 (group = 8) 1 to 2 years -- 1:5 (10) 2 to 3 years -- 1:5 (10) 3 to 4 years -- 1:10 (15) 4 to 5 years -- 1:12 (20) 5 to 6 years -- 1:15 (25)</p> <p>Each group must have one qualified teacher and sufficient assistants to meet these ratios. For mixed ages, ratio for majority age of children applies.</p>	<p>Same as DOH, except for infants/toddlers: ratio is 1:3 and ratios are assessed at a.m., noon and p.m. Group size is limited to 8 for under 1 year olds; 9 for 1 year olds and 10 for two year olds</p>	<p>To 18 mo. -- 1:4 (group of 8) 18 mo.-3 yrs. -- 1:4 or 5 (group of 12 or 10) 3 yr. olds – 1:6 or 7 (group of 18 or 14) 4 yr. olds – 1:7 or 8 (group of 21 or 16) 5 yr. olds – 1:8 or 9 (group of 24 or 18) 6-9 yr. olds – 1:10 (group of 20) 10-12 yr. olds – 1:15 (group of 30) Children under 3 may not be in mixed age groups. For children 3 yrs. and older in mixed age groups, the ratio/group reqs. for the youngest children apply.</p>	<p>Group size and ratio determined by the similarity of student's individual needs including management needs, and vary according to the specific program or service.</p> <p>Special Class/Integrated Setting (SC/IS) include nondisabled children in the ratio (no limit). Most SC/IS operate under a waiver at ratios of 15 children to 2 teachers up to 20 children to 2 teachers.</p> <p>Special Class (all disabled children) may have a group of from 6 to 12 children with 2 teachers</p> <p>Related services in a group: not more than 5 children to one therapist.</p>
<i>Personnel Practices</i>	<p>Fingerprinted, criminal records checked and cleared by State Central Registry (SCR) of child abuse and maltreatment.</p>	<p>Same as DOH plus</p> <ul style="list-style-type: none"> • Staff are aware of their legal mandate to report CA/M using ACD procedures • All staff are known to ACD and have a valid employment code 	<p>All staff must have SCR clearance, and know their responsibility to report CA/M.</p> <p>Staff supervision must be provided.</p> <p>Ongoing training required. All staff must have 15 hr. of training in 1st year and then every 2 years.</p>	<p>Child abuse training required</p>

	NYC Dept. of Health Regulations Group Day Care Centers	NYC Administration for Children's Services, Agency for Child Development	NYS Office for Children and Family Services Regulations for Child Day Care	NYS Education Dept. VESID Preschool Special Education Programs and Services
<i>Health</i>	<ul style="list-style-type: none"> • Handwashing required • 1 staff person must have DOH training in infectious disease control & child abuse prevention • 1 staff must have First Aid/CPR training • Child immunizations and medical exam required at entry • Staff medical exam with immunizations and annual TB test • Emergency policy and procedures written • Daily health check of children • First aid kit on premises • sanitary diapering with adjacent hot water 	<ul style="list-style-type: none"> • Child medical records and immunizations (random sample 10 files) • Medicine distribution policy approved by DOH & ACD • Daily child health check • Emergency plan • Plan for prevention of infectious disease <p>For infants/toddlers,</p> <ul style="list-style-type: none"> • <u>all</u> staff must have CPR • a health practitioner must be employed • diapering with adjacent handwashing • infants changed by consistent caregiver 	<ul style="list-style-type: none"> • Program must have health care plan covering emergencies, daily child health checks, exclusion criteria, staff health policies. • Handwashing required • Universal blood precautions observed • First Aid kit • Garbage covered • Linens/bedding washed weekly • Staff must have physical exam and TB test on employment and every 2 yrs. thereafter • Child health exams and age-appropriate immunizations on entry 	<ul style="list-style-type: none"> • Psychotropic drugs may be administered only if program has written policy pertaining thereto • Program must comply with municipal requirements for immunization of employees for rubella, TB skin tests, and documenting immunity to measles.
<i>Facility</i>	<ul style="list-style-type: none"> • Approved by DOH, Buildings Dept. & Fire Dept. • Not above third floor • 30 square feet per child • Clean, well-maintained, sanitary and regularly exterminated • Sufficient heat, ventilation and light • 1 toilet and basin for each 15 children conveniently located • Separate toilet for adults 	<ul style="list-style-type: none"> • No peeling paint or holes in walls • General cleanliness • No water leaks • Clean functioning bathrooms • Sufficient light, heat and ventilation 	<p>Building premises, equipment and furnishings must be safe, in good repair, sanitary and suitable for the comfort and care of children</p> <ul style="list-style-type: none"> • 35 sq. ft/child indoors • Well-lighted and ventilated and at least 68°F • Hot and cold water • Convenient, clean toilet facilities with 1 toilet per 15 children • No toxic finishes on floors, walls, ceilings or equipment • 1 cot, bed or washable mat per child (and 1 crib for each infant) • Infants and toddlers must be separate from older children 	<ul style="list-style-type: none"> • Certificate of Occupancy and fire inspection required. • Must comply with NYS Uniform Fire and Building Codes • Insurance standards and indemnification required by terms of contract with municipality • Room size: 50 sq.ft. per child or 60 sq.ft. per nonambulatory child

	NYC Dept. of Health Regulations Group Day Care Centers	NYC Administration for Children's Services, Agency for Child Development	NYS Office for Children and Family Services Regulations for Child Day Care	NYS Education Dept. VESID Preschool Special Education Programs and Services
<i>Food</i>	If served, food must be wholesome, offered in sufficient quantity and meet DOH dietary guidelines	<ul style="list-style-type: none"> • Meal service and menus must meet requirements of USDA's CACFP and ACD • Posted menu that matches food served • Family style eating in relaxed atmosphere • Infants/toddlers individually fed • Sanitary preparation, clean-up and storage • Kitchen staff must wear uniforms and cover hair 	<ul style="list-style-type: none"> • Provide plentiful and nutritious meals and snacks. Children in care for more than 4 hours must receive a nutritious meal. Meals may be provided by the program or the parent. • Menus reviewed for nutritional content by a person qualified in nutrition • Menus posted 	<ul style="list-style-type: none"> • Programs operating less than 2½ hours per day: one nutritional snack • Programs operating more than 4 hours per day: one snack and one meal, both of adequate nutritional quality

	NYC Dept. of Health Regulations Group Day Care Centers	NYC Administration for Children's Services, Agency for Child Development	NYS Office for Children and Family Services Regulations for Child Day Care	NYS Education Dept. VESID Preschool Special Education Programs and Services
<i>Safety</i>	<ul style="list-style-type: none"> • Window guards • 2 means of egress • Exits clear and marked • Working and inspected fire extinguishers • Fire alarm system • Monthly fire drills • Premises free of electrical, chemical, mechanical and all other hazards • Only DOH approved gas space heaters; no kerosene heaters • No dogs, cats or turtles (other pets as approved by DOH) • No locks on interior doors • 1 telephone 	<ul style="list-style-type: none"> • Window guards • No broken glass in windows, screens in kitchen • Fire extinguisher present and at least 2 staff can describe its operation • Smoking limited to adult areas (not allowed in building per NYS Clean Indoor Air Act?) • Exits marked and evacuation drills held • Hazardous materials are inaccessible to children • Equipment is in good repair and well-maintained • Electrical system, boiler and a/c are safe and inaccessible to children 	<ul style="list-style-type: none"> • Window guards • Monthly evacuation drills • Fire alarm and detection system and firefighting equipment • Adequate means of egress • Emergency evacuation plan • No hazardous plants accessible to children • Pets must be in good health and pose no risk to children • Railings with posts on all stairs, ramps, etc. and fencing to restrict children from hazardous areas • 1 telephone 	<ul style="list-style-type: none"> • meet all applicable fire and safety regulations of the state and municipality of location • have a fire/disaster plan • hold at least 12 fire/evacuation drills during the school year (with at least 8 in the first 2 months of the year) • have evacuation plan for nonambulatory children

	NYC Dept. of Health Regulations Group Day Care Centers	NYC Administration for Children's Services, Agency for Child Development	NYS Office for Children and Family Services Regulations for Child Day Care	NYS Education Dept. VESID Preschool Special Education Programs and Services
<i>Program</i>	<ul style="list-style-type: none"> • Varied program of activities to promote physical, intellectual and emotional well-being of children • Written statement of discipline philosophy posted and given to staff and parents • Corporal punishment is prohibited • Rest of 1 hour or more on cots • For children under 2, rest is in cribs and 1 adult chair must be in each room • Outdoor play areas must be fenced and resilient surfaces under climbing equipment • Developmentally appropriate equipment indoors and outdoors that is well-maintained 	<p>More than half of Form 5017 addresses program areas including the following:</p> <ul style="list-style-type: none"> • daily and long-term program planning • adult supervision • child observation • attractive and functional room arrangement • simultaneous small group activities • child-oriented active open-ended activities • gross and fine motor • language development • self-concept and social development • multi-cultural activities • health awareness • science and exploration • memory/recall • auditory and visual discrimination • math concepts • self-initiative, self-discipline and routines • individual effort and behavior • staff ability to convey positive nurturance • staff avoidance of sex-role stereotyping • staff interactions • teacher flexibility • equipment, toys and materials (9 pages of indicators) 	<ul style="list-style-type: none"> • Accessible outdoor play space • Indoor play space for large motor and quiet activities • Established discipline guidelines, given to parents and staff, of acceptable behavior guidance methods for child growth and protection, including no isolation or corporal punishment, no use of food rest or sleep as punishment • Written plan of program activities including child-initiated, group-initiated and staff-initiated (shared with parents) • Plan of activities promotes normal developmental progress in cognitive, social, emotional, physical and language skills • Activities are intellectually stimulating and foster self-reliance and social responsibility • Children have sufficient quantity and variety of materials and play equipment suitable to developmental levels and interests • Children have appropriate rest and quiet periods 	<ul style="list-style-type: none"> • 4410 providers must provide special education services to eligible children from a continuum of services prescribed by state and federal regulations. • Services are specified on each child's Individualized Education Plan (IEP). • The range of academic or educational achievement of students limited to assure that instruction provides each student appropriate opportunities to achieve his/her annual IEP goals.

	NYC Dept. of Health Regulations Group Day Care Centers	NYC Administration for Children's Services, Agency for Child Development	NYS Office for Children and Family Services Regulations for Child Day Care	NYS Education Dept. VESID Preschool Special Education Programs and Services
<i>Other</i>		Assessment also covers the following: <ul style="list-style-type: none"> • supervision and administration • sponsoring boards • social services • parent involvement 	<ul style="list-style-type: none"> • Extensive requirements specified for non-profit corporations • Program must offer information about other community resources for families when they are in need of supportive social services not otherwise provided by the center • Staff-parent conferences at time of enrollment and at least every 6 months thereafter. 	Reapproval criteria include: <ul style="list-style-type: none"> • percentage of children receiving services from the approved program which also conducted the initial evaluation used to determine the child's eligibility • whether there has been misleading or erroneous advertising • extent of progress toward goals of the approved business plan • cost effective program size • evidence that program has reduced the numbers of children served in settings without opportunities for interaction with age peers without disabilities • whether the program is in compliance with federal and state law on provision of special education • samples of materials and procedures to provide information and training to parents and opportunities that encourage parent participation and involvement • number and type of parent complaints, if any, and review of their resolution

	Head Start Performance Standards Program (45-CFR 1304) Staffing (45-CFR 1306)	NYS Prekindergarten (formerly 'experimental' PreK)	NYS Universal Prekindergarten Program Standards	National Association for the Education of Young Children Program Accreditation
<i>Source</i>	HHS/ACYF Head Start Bureau Region II Office Matt Schottenfeld (212-264-2974)	NYS Education Commissioner's Regs. Part 151 NYS Education Department James Kadamus (518-474-5915) Margretta Reid Fairweather (518-474-5807)	NYS Education Commissioner's Regs. Part 151 NYS Education Department James Kadamus (518-474-5915) Margretta Reid Fairweather (518-474-5807)	National Academy of Early Childhood Programs Sue Bredekamp (800-424-2460)
<i>Status</i>	Required	Required for participating school districts	Required	Voluntary
<i>Children Covered</i>	Children from birth to age three in Early Head Start and from three to five in Head Start programs. Required to serve infants, toddlers and preschoolers with disabilities.	Four-year-old children from families who are economically disadvantaged; program must operate a minimum of 2½ hours per day and a minimum of 12 hours per week	4 year old children in prekindergarten programs for a minimum of 2 ½ hours per day, 5 days per week for the 180 day school year. Children with disabilities must be included.	Centers serving 10 or more children birth through age 5 and/or school-age children if majority are under age 8. Children with disabilities must be included.
<i>Process and Procedures</i>	Head Start programs conduct and submit a self-assessment annually using the SAVI (Self Assessment and Validation Instrument). Compliance is monitored every 3 years by an on-site peer review team using the OSPRI (On-Site Program Review Instrument). Head Start programs must have a plan for implementing performance standards in three areas: early childhood development and health services, family and community partnerships, and program design and management.	Districts submit annual applications and final reports. Site visits are conducted by SED staff.	not specified, except self-report from district to SED in the required annual report on funds expended	Center in operation at least 1 year prior to validation visit and licensed (or if NPR, must show compliance with regulations) Center completes 1) self-study documents, 2) early childhood classroom observation scales, 3) administrator report, 4) staff questionnaire, and 5) parent questionnaire Validator(s) visit Commission reviews all materials and grants accreditation

	Head Start Performance Standards Program (45-CFR 1304) Staffing (45-CFR 1306)	NYS Prekindergarten (formerly 'experimental' PreK)	NYS Universal Prekindergarten Program Standards	National Association for the Education of Young Children Program Accreditation
<i>Valid Period & Fees</i>	Valid for three years No fees	Year to year, based on continuation of funding which is contingent on State budget appropriations	not specified	Valid for three years with annual self-assessment of program status. Re-accreditation required if change in location or ownership. Fees range from \$100 to over \$600 depending on enrollment
<i>Staff Qualifications</i>	Directors: demonstrated skills and abilities in a management capacity relevant to human services program management Teachers must have: <ul style="list-style-type: none"> • an age-appropriate CDA; or • a state certificate for preschool teachers that meets or exceeds the CDA requirements; or • an AA, BA or advanced degree in ECE; or • a degree in a field related to ECE with experience teaching preschoolers and a state preschool teacher certificate. <p>Content area experts who are supporting staff and consultants are required to have specific training and experience related to the content area (e.g., health, child development, parent involvement, disabilities services, etc.)</p>	Directors: If serving ¼ time or more, must hold valid certificate for school administration and supervision (SAS) and be certified or licensed to teach in the early childhood grades (N-6) Teacher: certified to teach in the early childhood grades (N-6 certificate) or licensed in NYC. Bilingual teacher: certified or licensed in bilingual education or foreign language instruction Teaching Assistant: high school diploma and six hours college credit in related field Bilingual Teaching Assistant: same and fluent in native language of children served Teacher Aide: high school diploma and interest in working with 4 year olds Parent Involvement Coordinator: high school diploma and experience and training working with parents Social Worker: certified or licensed Family Worker: high school diploma and experience working with parents and/or community groups	Directors: no requirements, except district must designate an appropriately qualified person to supervise the prekindergarten program. Teacher: certified to teach in the early childhood grades (N-6 certificate) or licensed in NYC. If teaching LEP children, must have bilingual extension. Teacher (in agency other than public school): until the 2001-2 school year, must meet the standards of the regulatory body governing that agency, and must have an on-site educational director who is certified to teach in the early childhood grades (N-6 certificate) or licensed in NYC. Teaching assistant: high school diploma and 6 hours of college credit in a related field (and bilingual proficiency if LEP children)	Staff qualifications and development: <ul style="list-style-type: none"> • at least 18 years old • have appropriate personal characteristics for working with children • trained in ECE/child development in amounts related to level of responsibility • persons in charge of a group should have a CDA or an AA degree in ECE/CD • education program directed by person with at least BA in ECE/CD and 3 years experience • orientation and regular staff development for all staff

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<i>Ratios and Group Sizes</i>	<p>Each class in a center-based program must have 2 paid staff (1 teacher and 1 assistant or 2 teachers), and whenever possible a third adult volunteer.</p> <p>Group size is determined by predominant age of children and whether classes are double session: 0-3 yrs. – 8 3 yrs. – 15-17 (13-15 if double sessions) 4-5 yrs. – 17-20 (15-17 if double sessions)</p>	<p>Minimum class size is 16 children with one teacher and at least one assistant or aide</p> <p>Maximum class size of 20 children with one teacher and at least two assistants or aides</p>	<p>For a class of 18 children: 1 teacher and 1 assistant or aide</p> <p>For a class of 20 children: 1 teacher and 2 assistants or aides</p>	<p>Group size and ratio are determined by age of children: under 1 -- 1:4 (max. group size of 8) 1-2 yrs.--1:4/5 (12 or 10) 2-3 yrs. --1:6/7 (12 or 14) 3-4 yrs. -- 1:7-10 (14-20) 4-6 yrs. -- 1:8-10 (16-20) over 6 yrs. -- 1:10-12 (20-24)</p> <p>Staffing patterns promote continuity of adults with children</p>
<i>Personnel Practices</i>	<ul style="list-style-type: none"> • Orientation for all new staff, consultants and volunteers • Annual performance reviews for all staff • Structured approach to staff training and development, with academic credit whenever possible, designed to build relationships among staff and help staff increase knowledge and skills to do their jobs and implement the Performance Standards. • Provide training for governing body members • Staff must have time for daily breaks and planning, and time for training, meetings, home visits, etc. 	<p>Staff supervision in accord with district labor contracts and as necessary to operate the program</p>	<p>Appropriate administration including evaluation of staff at least annually Staff development must be provided</p>	<p>Staff must have</p> <ul style="list-style-type: none"> • adequate orientation • regular ongoing training • regular staff meetings • paid break and planning time • adequate benefits

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<i>Health</i>	<ul style="list-style-type: none"> • Program must have a Health Services Advisory Committee (composed of professionals and volunteers from the community) and a plan for delivering child health and developmental services, child health and safety, child nutrition and child mental health • health emergency procedures, policy on exclusion of ill or injured child and on medication administration • Program must have licensed or certified consultants to provide regular or ongoing expertise and oversight on nutrition, health and mental health • Program must provide medical, dental, nutrition and mental health education programs for staff parents and families • Program must provide children with child health and developmental services including screenings, follow-up and treatment and ongoing care and integrate educational aspects of health, nutrition and mental health into curriculum • Staff have initial health exam (with TB test) and periodic checkups • Volunteers must be screened for TB if required by law 	<ul style="list-style-type: none"> • Program must ensure the health and safety of children • children must be immunized • medical examination required within 30 days of admission • First Aid kit on the premises • medical and health policies must be on file 	<ul style="list-style-type: none"> • A rest period must be provided if children attend for more than 2 ½ hours per day • Child immunizations and medical exam required within 30 days of entry. 	<ul style="list-style-type: none"> • Program must be in compliance with legal health/medical requirements • Adults are physically and mentally healthy • Children have health exam with immunizations and accurate health history • Program has sickness policy for children and adults • Emergency plan • 1 staff with CPR/1st Aid • Policy on child abuse and neglect

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<i>Facility</i>	<p>Physical environment conducive to learning and reflective of the different developmental needs of children</p> <ul style="list-style-type: none"> • meet or exceed state/local licensing regulations • 35 sq. ft./child indoors • 75 sq. ft./child outdoors • organized in functional areas recognizable to children and allowing for individual activities and social interaction • well-lighted and with emergency lighting • safe and effective heating/cooling systems • appropriate, clean and convenient toilets and handwashing area • provide and arrange and sufficient age-appropriate safe and developmentally supportive furniture, equipment, toys and materials to meet educational objectives, support cultural and ethnic backgrounds of children, with adaptations for children with disabilities if needed 	<p>All building premises, equipment and furnishings must be safe and suitable for the comfort and care of children and maintained in good state of repair</p> <ul style="list-style-type: none"> • Program must provide a minimum of 30 sq.ft. per child of usable activity space indoors and 75 sq.ft. per child outdoors • Accessible and located on or near the first floor • Space must be available for parent activities • Bathroom must be within or immediately accessible to the classroom 	<p>Building premises, equipment and furnishings must be safe and suitable for the comfort and care of children and</p> <ul style="list-style-type: none"> • comply with requirements of the Americans with Disabilities Act (ADA) • be provided and maintained in good repair and sanitation • meet the NYS Uniform Fire and Building Codes and Part 418 of DSS regulations (except in NYC) • in NYC, meet the applicable fire and building codes 	<p>Indoor and outdoor environments are safe, clean attractive and spacious</p> <ul style="list-style-type: none"> • 35 sq. ft./child indoors • 75 sq. ft./child outdoors • Age appropriate materials • Individual space • Arranged in activity areas and for small and large group play • Safe, clean facility with sanitary bathrooms • Sufficient heat, light and ventilation • Cushioning materials used under playground equipment

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<i>Food</i>	<ul style="list-style-type: none"> • Design and implement a nutrition program that meets nutritional needs of each child including special dietary needs and children with disabilities and serve a variety of foods considering cultural and ethnic preferences • With family, assess and meet each child's nutritional needs • Provide for daily nutrition needs according to USDA guidelines • Meals and snacks in ½ day program = 1/3 of daily requirements and = ½-2/3 in a full-day program • Provide organized nutrition education program for staff, parents and children • Comply with all applicable laws & regs. for food service operation • Maintain comprehensive nutrition service records 	<p>At least one meal is provided with adults seated with children</p>	<p>If program is less than 3 hours daily, provide nutritious meal and snack.</p> <p>If program is more than 3 hours daily, provide meals and snacks, with meals provided in an environment conducive to interactions between staff and children.</p>	<p>Children are provided with adequate nutrition and education about good eating habits</p> <ul style="list-style-type: none"> • Meals and snacks planned to meet child's nutritional needs according to USDA • menus provide to parents • meals are social and learning experiences • food prep is sanitary; complies with all applicable laws and regs. for food service
<i>Safety</i>	<ul style="list-style-type: none"> • Conduct an annual safety inspection of facility re: space, light, ventilation, heat and physical arrangements • Provide for maintenance, repair, safety and security of all facilities, materials and equipment • Working fire extinguishers and smoke detectors • Well-marked exits and clear evacuation routes • Approved sewer and water systems • Free from lead, toxins, cigarette smoke, pesticides, herbicides, flammable or potentially injurious materials 	<ul style="list-style-type: none"> • Fire drills must be provided in accord with Section 807 of Education Law 	<ul style="list-style-type: none"> • Ensure that health and safety needs of children are met 	<ul style="list-style-type: none"> • Policy for safe arrival and departure procedures including transportation • Children under adult supervision at all times • Fieldtrip policies are communicated to parents • CAM is appropriately reported • Hazards are away from children • Staff know and practice emergency evacuation • Facility is cleaned daily and well-maintained and bedding washed weekly

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<i>Program</i>	<p>Child development and education approach is to help children gain the skills and confidence necessary to be prepared to succeed in their present environment and with later responsibilities in school and life. Program approach must be developmentally and linguistically appropriate, inclusive of children with disabilities, support and respect gender, culture, language, ethnicity and family composition, a balanced daily program of child-initiated and adult-directed activities, including toileting with parental support.. Parents must be invited to become integrally involved in developing curriculum and child dev/education approach, provided with opportunities to learn and use child observation and participate in staff-parent conferences and home visits</p> <p>Program must support social and emotional development, provide for the development of each child's cognitive and language skills and promote child's physical growth and development.</p> <p>Implement a curriculum for preschoolers that::</p> <ul style="list-style-type: none"> • supports each child's individual pattern of development and learning • provides for the development of cognitive skills (concepts, literacy, numeracy, reasoning, problem solving, and decision making) • integrates health, nutrition and mental health services • helps develop emotional security and facility in social relationships • enhances understanding of self as individual and member of a group • provides opportunities for success to help develop feelings of competence, self-esteem and positive attitudes toward learning • individual and small group experiences indoors and outdoors 	<p>The program must :</p> <ul style="list-style-type: none"> • be designed to be multicultural and nonsexist. • have clearly defined learning centers in creative arts, music, science, sand, art, family center, manipulatives, woodworking, block building and library/language arts • provide opportunity for indoor and outdoor gross motor activities daily • meet the needs of limited English proficient (LEP) children • be based on developmentally appropriate curricula for the ages and developmental stages of the children • promote physical and emotional well being of the children 	<p>Program shall be learner-centered, educationally-based and designed to</p> <ul style="list-style-type: none"> • Meet the social, cognitive, linguistic, emotional, cultural and physical needs of children • Promote English literacy, develop receptive and expressive communication skills • Maximize integration of children with disabilities • Provide transition and continuity with elem. grades • Coordinate support services for children and families • experiences designed to influence positive concept of self, recognizing children's varied culture, language, background, needs, interests and developmental level • Provide classrooms with instructional materials and equipment allowing for balance of quiet/active and individual/group activities • Learning centers: creative and performing arts, blocks, media and tech, math, science, writing, role play, indoor and outdoor activities 	<p>Program promotes optimal development in all areas</p> <ul style="list-style-type: none"> • Staff are available and responsive to children, interactions are frequent, respectful and affectionate • Staff treat all children and families with equal respect and consideration • Staff encourage independence in children • Staff use positive guidance techniques to encourage appropriate behavior • Program has written philosophy, goals and curriculum plans reflected in environment & activities • Balanced daily schedule • Routine tasks are learning experiences • Variety of developmentally appropriate activities, equipment and materials emphasize concrete experiential learning • Appropriate modifications are made for children's unique needs; inclusion promoted • Child choice in activities • Smooth, unregimented transitions between activities • Flexibility within planned routines <p>Note: all program items referenced in ACD 5017 are included above.</p>

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	<ul style="list-style-type: none"> • staff must use variety of strategies to promote and support children's learning and developmental progress based on observations and ongoing assessment 			
<i>Other</i>	<ul style="list-style-type: none"> • Identify social service needs and work with community agencies to meet these needs including providing or referring families to appropriate counseling, emergency assistance and resources • Parent-staff conferences periodically and at least 2 home visits annually • Parent participation to enhance parenting skill, promote staff-parent communication and involve parents in program policy making and operations at center and grantee levels and in community advocacy, transition activities and home visits. 		<ul style="list-style-type: none"> • Provide support services to children and families necessary for participation in PreK, coordinate with special education and provide support services in both home language and English • Parent involvement activities to support family participation in PreK in language of parent, including parent-staff meetings, weekly parent-staff communication and presentations of ECE topics based on parent need 	<ul style="list-style-type: none"> • Parent-staff interaction includes written program information, orientation, daily communication, at least annual conferences, information about issues affecting the program, communication to ease children's transitions • Program has written policies and operating procedures including personnel policies, child and staff records, budgets • Program staff is familiar with and use community resources

¹ See the appendix for a detailed chart comparing program regulations among Head Start, child care, 4410 schools and PreK in both New York State and New York City.

² Significant research findings over many years show that well-qualified early childhood teachers are those who have specialized knowledge about child development and the education of young children and possess more years of post-secondary education. The Early Childhood Annotation, an additional certification to the PreK-6 teaching certificate, is a credential recognized by SED that meets research-based criteria for producing well-qualified early childhood teachers.

³ New York State Commissioner's Regulations currently provide several routes to teacher certification including an alternative path for individuals who have a BA or higher degree. Contact SED's Office of Teaching for advice (518-474-6440).

⁴ SED requirements state that the District must designate an appropriately qualified person to supervise the prekindergarten program.