

**REPORT TO  
LEGISLATIVE COUNCIL RULES CLEARINGHOUSE  
FOUR-YEAR-OLD KINDERGARTEN GRANTS  
PI 16, WISCONSIN ADMINISTRATIVE CODE**

**Statute interpreted:** Section 115.445, Stats.

**Statutory authority:** Sections 115.445 (2) (b) and (3) and 227.11(2)(a), Stats.

**Explanation of agency authority:**

Section 115.445 (3), Stats., requires the department to promulgate rules to implement the program. Section 115.445 (2) (b), Stats., requires the department to define "community approaches to early education" as school boards that use this approach must receive preference in receiving funds.

Section 227.11 (2) (a), Stats., gives an agency rule-making authority to interpret the provisions of any statute enforced or administered by it, if the agency considers it necessary to effectuate the purpose of the statute.

**Court decisions directly relevant:** None

**Related statute or rule:** N/A

**Plain language analysis:**

2007 Wisconsin Act 20, the biennial budget bill, created s. 115.445, Stats., relating to 4-year-old kindergarten grants. Beginning in the 2008-09 school year, the Act appropriated \$3,000,000 and allows school boards to apply to the department for a 2-year grant to implement a 4-year-old kindergarten program.

In the first school year of the grant, the school board may receive up to \$3,000 for each 4-year-old kindergarten pupil; in the succeeding school year, \$1,500 per 4-year-old pupil. If funds are insufficient, the department may prorate the payments.

The department is required to promulgate rules for the program and particularly to define "community approaches to early education" as school boards that use this approach must receive preference in receiving funds.

The proposed rule establishes criteria and procedures for awarding grants to eligible school districts.

These rules were promulgated as emergency rules on February 25, 2008, in order to establish application criteria and procedures in time for the program to operate in the upcoming school year.

**Summary of, and comparison with, existing or proposed federal regulations:** N/A

**Comparison with rules in adjacent states:**

*Illinois* has an early childhood block grant program serving children ages 3 years old to kindergarten enrollment age. The block grant provides for three programs: preschool for at-risk children, preschool for all children and social and emotional consultation services. It appears funds are made available on a competitive basis as opposed to Wisconsin's per child amount. Funds are available to an eligible applicant regardless of whether or not they have an existing program. Eligible applicants include public or private not-for-profit or for-profit entities with experience in providing educational, health, social and/or child development services to young children and their families. Grantees must collaborate with its local Head Start program. A program may receive continued funding if a need continues to exist for the program and in the previous year, the applicant complied with the terms and conditions of the grant it received.

*Iowa* has a statewide voluntary preschool program for four-year-old children whose families choose to access such programs. Funds are made available (it appears on a competitive basis as opposed to Wisconsin's per child amount) to assist local school districts in the implementation of these programs. Funds are available to any eligible district regardless

of whether or not they have an existing program. Only public schools may apply for funds. Programs must be approved by the department of education and must collaborate with community based providers, such as Head Start, licensed child care centers, etc. The programs must meet specific personnel, ratio of staff to children, maximum class size, instruction time, space, materials, meal and parental involvement standards. If the number of requests exceeds funding available, priority is given to high poverty school districts and to school districts that do not have existing preschool programming (as opposed to Wisconsin's prorating of funds per pupil).

*Michigan and Minnesota* – do not have rules relating to grants for 4-year-old kindergarten.

### **Summary of factual data and analytical methodologies:**

Wisconsin recognizes the importance of education in the lives of very young children. The state constitution sets the stage for school responsibilities beginning with 4-year-olds, and state and federal laws require school services for children with disabilities beginning at age three. A child's success in school is dramatically influenced by their experiences before school age, including health care and quality early care and education. Schools and communities across the state are sharing responsibilities to ensure that quality opportunities are available for young children before they enter school and during their early school years. A coordinated plan to expand access and improve the quality of early learning opportunities is needed to build a foundation for a quality statewide system that builds community, maximizes resources, and assures quality environments and competent professionals.

While state law recognizes the importance of parental involvement and provides a financial incentive to incorporate it into 4K programs, no equivalent incentive is provided for districts using "community approaches." During the 2005-06 school year, 234 of the state's 426 school districts operated a 4K program, but only 33 of these districts used community approaches, where school districts work cooperatively with child care and Head Start partners. Community approaches help maximize existing resources, minimize the number of transitions young children must make among programs, and reduce barriers to participation by increasing access to full-day programs for working families and to health and social services for low-income children. The integration of multiple types of funding sources and a wide range of early care providers enhances overall quality of services to children and families. However, the planning and community building needed to design, implement and sustain a 4K program using a community approach is time consuming and requires ongoing staff effort.

The department is committed to expanding the number of 4K programs offered in the state. Support for the approximately 100 school districts currently exploring the implementation of a 4K program is critical. In the past, funding through a grant from the Trust for Early Education (TEE), allowed the department to establish a network of support (Forces for Four-Year Olds Advisory Committee, Preserving Early Childhood Conference) and to provide resource materials to districts exploring or implementing 4K programs. This temporary private funding is no longer available, but the demand and need for support to these districts continues.

This 4-year-old-kindergarten grant program will help to support some school districts in implementing their 4K programs and will give preference to programs that use community approaches to early education. The rule proposal is based on extensive research and developed through cooperation among four of the department's divisions, with input from two other state agencies. It builds on past successes and incorporates plans and efforts endorsed by the Forces for Four-Year Olds Advisory Committee.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report:** N/A.

**Anticipated costs incurred by private sector:** N/A.

### **Effect on small business:**

The proposed rules will indirectly benefit small business as priority is given to 4K programs that involve child care centers. However, the proposed rules will not have a significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

**Agency contact person (including email and telephone):**

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**Place where comments are to be submitted and deadline for submission:**

The department will publish a hearing notice in the *Administrative Register* which will include this information.

**Agency procedure for promulgation:**

Notice to Legislative Council pursuant to s. 227.15, Stats., and proceeding under the ten day notice/hearing process pursuant to ss. 227.16 to 227.18, Stats.

**Description of any forms (attach copies if available):**

PI-7801 Four-Year-Old Kindergarten (4K) Start-Up Grant Application.