

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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District of
Columbia
Official Code*

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To provide that the Office of the State Superintendent of Education shall administer the pre-kindergarten education system, to require the Mayor to submit to the Council for its approval a plan to evaluate pre-kindergarten programs, including the name of a proposed independent evaluator, to require the Mayor to submit to the Council a capacity audit of pre-kindergarten programs each year, to require the Mayor to submit to the Council an annual report on the status of pre-kindergarten education, to require the Office of the State Superintendent of Education to establish high-quality standards that all pre-kindergarten programs are required to meet by year 2014, to require each existing pre-kindergarten program to complete an audit by a time certain to determine its standing in relation to the required high-quality standards, to require the Office of the State Superintendent of Education to establish and administer a 5-year grant program to assist pre-kindergarten programs in meeting the required high-quality standards, to establish the Pre-k Program Assistance Grant Fund, to require the Mayor to submit an annual report on the grant program, to require the Office of the State Superintendent of Education to evaluate the existing capacity of pre-kindergarten education and to establish a 5-year strategic expansion plan to make pre-kindergarten universally available, to establish eligibility and priority criteria for enrollment in pre-kindergarten, to require the Office of the State Superintendent of Education to establish a Higher Education Incentive grant program, to authorize a scholarship program to increase the number of teachers and assistant teachers in pre-kindergarten education, and to require the Mayor to issue rules pursuant to this act and to submit the proposed rules to the Council for approval; to amend the Interagency Collaboration and Services Integration Commission Establishment Act of 2007 to require the commission to consult with the Office of the State Superintendent of Education regarding services for the families of children of pre-kindergarten age; to amend the Early Intervention Program Establishment Act of 2004 to clarify that the functions of the both Early Care and Education Administration and the Early Intervention Program are to be transferred to the Office of the State Superintendent of Education; to amend the Child Development Facilities Regulation Act of 1998 to exclude from the definition of child development facility a pre-kindergarten program and to transfer assets that support the functions

related to the licensure of child-care programs in the Early Care and Education Administration and the Early Intervention Program from the Department of Health to the Office of the State Superintendent of Education; to amend An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to change the deadline by which a child must be 5 years of age to attend school in the upcoming year from December 31st to September 30th; to amend the Office of Public Education Facilities Modernization Establishment Act of 2007 to require the office to consult with the Office of the State Superintendent of Education regarding capital improvements and the renovation of facilities related to pre-kindergarten; to amend the District of Columbia School Reform Act of 1995 to require the Public Charter School Board to consult with the Office of the State Superintendent of Education; to amend the State Education Office Establishment Act of 2000 to include among the duties of the Office of the State Superintendent of Education the duty to administer pre-kindergarten education, and to require it to annually conduct a residency audit of children enrolled in pre-kindergarten; and to amend the Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008 to revise a reference to this act to the current name of the act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Pre-k Enhancement and Expansion Amendment Act of 2008".

TITLE I. DEFINITIONS; ADMINISTRATION; AND FUNDING.

Sec. 101. Definitions.

For the purposes of this act, the term:

- (1) "Community-based organization" or "CBO" means Head Start and early childhood- education programs operated by a nonprofit or faith-based organization.
- (2) "Fund" means the Pre-k Program Assistance Grant Fund established by section 204.
- (3) "HEI program" means the Higher Education Incentive grant program established by section 401.
- (4) "HQ standards" means high-quality content standards and program requirements for pre-k programs established by the OSSE pursuant to section 201.
- (5) "OSSE" means the Office of the State Superintendent of Education, established by the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*).
- (6) "Pre-k" means the educational gradation available to children of pre-kindergarten age for the 2 years prior to their eligibility for enrollment in kindergarten.
- (7) "Pre-k age" means children 3 or 4 years of age, and children who become 5

years of age after September 30th of the upcoming school year.

(8) “Pre-k-education services” means the District-wide educational services provided to the publicly funded CBOs, District of Columbia Public Schools, and Public Charter Schools who provide pre-k care and education services to pre-k age children.

(9) “Pre-k program” means a classroom or a group of classrooms serving pre-k children. A single organization or entity may operate multiple pre-k programs in different locations.

(10) “Professional development” means a data-driven, continuous improvement process that provides a range of formal and informal experiences designed for teaching and administrative staff to increase their knowledge and understanding of research-based, developmentally appropriate content and teaching strategies.

(11) “School readiness” means a child’s mastery of approved early-learning standards in the domains of language and literacy, mathematical thinking, social and emotional development, scientific inquiry, social studies, approaches to learning, and health.

(12) “Technical assistance” means the human and technological resources that support the establishment of age-appropriate classroom environments, provide strategies that develop children’s early language and literacy development and mathematical thinking, aid in the mastery of early-learning standards, and develop appropriate instructional strategies for children with disabilities and for children whose first language is not English.

(13) “Workforce development” means a range of educational and training experiences that support and increase the capacity of individuals to enter and remain a part of the early-care and education-labor market.

Sec. 102. Administration of Pre-k.

(a) The OSSE shall oversee pre-k education services, including:

- (1) All programs, including curricula;
- (2) All related state and federal early childhood programs;
- (3) Any licensure requirements;
- (4) Fiscal matters;
- (5) Funding to:
 - (A) Maximize the use of federal funds and other resources;
 - (B) Minimize inefficiencies and programmatic barriers;
 - (C) Ensure that children are placed on the appropriate funding streams;

and

(D) Ensure that funds authorized by this act are used to supplement, not supplant, other funding sources that finance education programs for children of pre-k age;

(6) The alignment and monitoring of standards and teaching practices between pre-k and grades kindergarten through 3rd grade; and

(7) The implementation of an external evaluation of all pre-k programs,

including the measurement of progress toward school-readiness benchmarks.

(b) The OSSE shall:

(1) Coordinate with the Interagency Collaboration and Services Integration Commission, established by section 504 of the Interagency Collaboration and Services Integration Commission Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 2-1594), to ensure that eligible families can access coordinated support services for their children of pre-k age;

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

(3) Establish facilities requirements for classroom expansion and quality improvement, to be utilized by the Office of Public Education Facilities Modernization, established by section 702 of the Office of Public Education Facilities Modernization Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-451), to complete the capital improvements and renovation of facilities;

(4) Develop high-quality content standards for all pre-k programs, which have been approved by the State Board of Education;

(5) Develop and oversee a monitoring, assessment, and accountability process for all programs within the pre-k-education system;

(6) Promulgate a process for pre-k programs that fail to attain the required high-quality standards by September 1, 2014, which may include:

- (A) A reduction or elimination of local funding;
- (B) Denial of licensure; or
- (C) Revocation of licensure;

(7) Promulgate a quality-improvement process for pre-k programs that, after 2014, fail to maintain for a period of time, as determined by OSSE, the required high-quality standards, which may include:

- (A) Adherence to a quality-improvement plan;
- (B) A reduction or an elimination of local funding;
- (C) Denial of licensure; or
- (D) Revocation of licensure;

(8) Develop and administer the technical assistance and professional development programs for all teaching staff, principals, and other administrators in all of the sectors of pre-k, in coordination with the District's state system of professional development and training;

(9) Collect and disseminate to the public on an ongoing basis child and program data; and

(10) Consider developing a sliding-fee scale for enrollment in pre-k of children

whose family income is above 250% of the federal poverty guideline.

Sec. 103. Annual evaluation of the quality of current pre-k programs.

(a) Within 30 days of the effective date of this act, the Mayor shall submit to the Council for its approval, a plan, including the name of a proposed independent evaluator, to evaluate pre-k programs in accordance with this section. Within 60 days of Council approval, the Mayor shall execute a contract with the approved evaluator.

(b) The approved evaluator shall perform a baseline quality assessment for a sampling of pre-k classrooms in each of the following sectors:

- (1) District of Columbia Public Schools;
- (2) Public charter schools; and
- (3) CBOs.

(c) The evaluator shall collect baseline quality data to:

- (1) Describe the overall program structure;
- (2) Assess the language and literacy environment; and
- (3) Assess the quality of instructional support, classroom climate, and classroom management.

(d) The evaluator's data and analysis shall be used to:

- (1) Provide an assessment of the level of quality of all sectors; and
- (2) Serve as baseline data from which to develop benchmarks for ongoing quality assessment of the pre-k-education system.

(e) The Mayor shall submit to the Council by September 15 of each year, beginning in 2009, projected benchmarks by which to measure annual achievements within the pre-k-education system.

Sec. 104. Annual capacity audit.

The Mayor shall submit to the Council by September 30 of each year, beginning in 2008, a capacity audit of pre-k programs for all sectors, to be used by OSSE to determine the:

- (1) Number of children for whom pre-k is not available and whose parents would send them to pre-k but for the lack of availability;
- (2) Current capacity of all existing pre-k programs; and
- (3) Manner in which Head Start programs are incorporated in the early care and education delivery system.

Sec. 105. Annual report to the Council.

(a) The Mayor shall submit to the Council by September 30 of each year, beginning in 2009, an annual report on the status of pre-k for all sectors, accompanied, in 2009, by the independent quality evaluation required by section 103, which shall include OSSE's assessment of the:

(1) Annual achievements made as measured against the benchmarks developed the previous year;

(2) Number and success of the quality improvement plans implemented;

(3) Status of the monitoring, assessment, and accountability processes for all programs within the pre-k-education system; and

(4) Results of the current capacity audit of all pre-k programs.

(b) For the 2009 report, for which benchmarks would not have been submitted in the prior year, the annual achievements shall be measured using existing reliable data and that data shall be included, or an abstract thereof, in the evaluation.

Sec. 106. Funding.

(a) Local funding for pre-k programs shall not supplant any funding sources used prior to the effective date of this act for education programs for children of pre-k age.

(b)(1) For each provider that meets the high-quality standards established pursuant to this act, local funding shall be allocated in such a manner so that each provider receives in total funding an amount equal to the per student funding formula, established pursuant to section 2401 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-107; D.C. Official Code § 38-1804.01).

(2) Local funding for a program under a quality-improvement plan may vary, in accordance with procedures established pursuant to section 102(b)(7).

(c)(1) The OSSE shall establish procedures for the local allocation of funds distributed pursuant to this section in the event that the amount appropriated is insufficient to fund all providers that meet the high-quality standards established by this act.

(2) From amounts appropriated under this section, OSSE may provide for all activities authorized by this act.

TITLE II. ENHANCEMENT OF EXISTING PRE-K PROGRAMS.

Sec. 201. Establishing high-quality standards.

(a) Within 120 days of the effective date of this act, OSSE shall establish high-quality content standards and program requirements, which have been approved by the State Board of Education, that all pre-k programs are required to meet by September 1, 2014.

(b) The program requirements shall include:

(1) An adult-to-child ratio of one-to-8 for children 30 months to 3 years of age and of one-to-10 for children 4 years of age or older, or as otherwise approved by OSSE;

(2) A comprehensive curriculum that is aligned with the District of Columbia Early Learning Standards;

(3) Accreditation by a national accrediting body approved by OSSE;

(4) The minimum hours and days of operation;

(5) Valid and reliable assessments that meet accepted standards of technical adequacy to measure educational objectives and outcomes;

(6) Teacher qualifications, which may include a waiver of certain academic and degree requirements for current teachers, or current assistant teachers, with a minimum of 10 years of experience as of the effective date of this act, who are employed in programs meeting the educational objectives and outcomes of the HQ standards; provided, that by September 1, 2017, all teachers and assistant teachers shall be required to meet the academic and degree requirements as established by the OSSE and approved by the State Board of Education;

(7) A professional development and training plan for pre-k teachers and assistant teachers;

(8) A plan to foster parental support and involvement;

(9) A plan to coordinate support services;

(10) A plan to ensure inclusion of children with disabilities, in accordance with federally-stated goals;

(11) Facilities requirements;

(12) Licensure requirements; and

(13) A process for continuous improvement, classroom assessment, and child outcome assessment.

Sec. 202. Program audit requirement.

(a) By July 2009, each pre-k program in the District shall have completed an evaluation, by an independent evaluator, and a financial audit to determine its standing in relation to the required HQ standards.

(b) Within 30 days of the effective date of this act, the Mayor shall submit to the Council for its approval, a plan, including the name of a proposed independent evaluator, to evaluate pre-k programs in accordance with this section. Within 60 days of Council approval, the Mayor shall execute a contract with the approved evaluator.

(c) The Mayor shall submit to the Council by September 30, 2009, the results of the program and financial audits.

Sec. 203. Pre-k programs assistance grants.

(a) Beginning in September 2009, OSSE shall establish and administer a 5-year grant program to assist pre-k programs in meeting the required HQ standards. Each grant shall be a 2-year grant. The last grants to be awarded pursuant to this section shall be awarded in 2013.

(b) The OSSE shall establish the criteria for eligibility to receive a grant; provided, that, in evaluating grant applications, OSSE shall give priority to those applications that demonstrate need and a capacity to achieve and maintain the HQ standards.

Sec. 204. Pre-k Program Assistance Grant Fund; establishment.

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

(2) The Fund shall be funded through:

- (A) Local funds;
- (B) Federal funds;
- (C) Federal grant funds; and
- (D) Grants, gifts, or subsidies from public or private sources.

(b) The funds in the Fund shall be used:

- (1) To provide assistance to pre-k programs in meeting the HQ standards; and
- (2) For administrative costs and monitoring of the Fund.

(c) The Mayor shall submit an annual report to the Council by September 30 of each year, beginning in 2010, on the 5-year grant program that includes:

- (1) The criteria used in evaluating grant applications;
- (2) The number of grant applications received and awarded;
- (3) For each grant, the amount of the grant and the rationale for the grant; and
- (4) Progress that each existing grantee has made towards achieving the HQ

standards.

TITLE III. EXPANSION TO UNIVERSAL PRE-K.

Sec. 301. Expansion to universal pre-k.

(a) The OSSE shall conduct, by September 30th of each year, an evaluation of all pre-k programs to establish existing capacity.

(b) By September 2009, and every 5 years thereafter, the OSSE shall submit to the Mayor and the Council a 5-year strategic expansion plan, including an assessment of the number of children interested in attending pre-k and the District's fiscal and physical capacity to accommodate them.

(c) Beginning in September 2009, and each year thereafter, OSSE shall submit to the Mayor and the Council an implementation plan for the following school year to expand pre-k to the maximum extent possible, but shall expand pre-k each year to accommodate a minimum of 15% of the unserved children, based on the strategic expansion plan, until pre-k programs are available to all children of pre-k age whose parents choose to send them to pre-k.

(d)(1) During the expansion to universal pre-k, OSSE shall use its best efforts to:

(A) Ensure that over a 5-year period a minimum of 25% of all new pre-k programs are operated by CBOs; and

- (B) Maintain a balance of diversity among the children.
- (2) For the purpose of this subsection, “diversity” means a mix of children:
 - (A) From families of different income levels;
 - (B) With, and without, disabilities or special needs; and
 - (C) Whose first language is, and is not, English.

(e) A pre-k program established following the effective date of this act shall comply with the HQ standards, established pursuant to, respectively, sections 102(b)(4) and 201(b), upon the effective date of the HQ standards.

Sec. 302. Eligibility and priority for enrollment in pre-k.

(a) To be eligible for enrollment in pre-k, a child shall be a resident of the District and be of pre-k age, or become 3 years of age on or before September 30th of the program year.

(b) Priority enrollment shall be first to children who live within the school’s attendance zone boundary, as established pursuant to an Act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia, approved June 20, 1996 (34 Stat. 316; D.C. Official § 38-101 *et seq.*), if applicable, and then to children whose family income is between 130% and 250% of federal poverty guidelines, and to children whose family income is below 130% who are not served by existing programs.

TITLE IV. WORKFORCE DEVELOPMENT.

Sec. 401. Establishment of the Higher Education Incentive grant program.

(a) The Higher Education Incentive grant program shall be established by OSSE for the purpose of increasing the number of pre-k teachers, and assistant teachers, with advanced learning credentials. The HEI program shall consist of a consortium of colleges in the District, including the Graduate School, United States Department of Agriculture, that offers continuing education classes for teachers and assistant teachers to obtain a Bachelors degree or an Associates degree.

(b) The OSSE shall administer the HEI program and award HEI grants, subject to funding, to qualified teachers and assistant teachers.

Sec. 402. HEI scholarship program.

(a) In addition to awarding HEI grants to pre-k teachers and assistant teachers, OSSE may establish and administer a scholarship-award program for qualified individuals who have an interest in the pre-k education field. In exchange for a commitment to teach in the pre-k-education system in the District for 3 years, OSSE may provide a scholarship to the HEI program, as well as a stipend, to a qualified applicant.

(b)(1) A qualified applicant shall be an individual who has graduated from college within 3 years of submission of the application.

(2) A preference shall be given to individuals who:

- (A) Are domiciled in the District;
- (B) Graduated from a District college or university; or
- (C) Commit to be domiciled in the District within 180 days of accepting

a scholarship.

(c) An individual who accepts the scholarship and fails to fulfill the 3-year commitment shall be required to repay the scholarship.

TITLE V. RULEMAKING.

Sec. 501. Rules.

(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act. The proposed rules shall be submitted to the Council for a 30-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, by resolution, within this 30-day review period, the proposed rules shall be deemed approved.

(b) All rules and regulations, issued under appropriate authority, prior to the effective date of this act shall continue in full force and effect until superseded by the rules issued pursuant to subsection (a) of this section.

TITLE VI. CONFORMING AMENDMENTS.

Sec. 601. Section 505(c) of the Interagency Collaboration and Services Integration Commission Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 2-1595(c)), is amended as follows:

Amend
§ 2-1595

(a) Paragraph (2) is amended by striking the phrase “and activities; and” and inserting the phrase “and activities;” in its place.

(b) Paragraph (3)(B) is amended by striking the phrase “section 204(b).” and inserting the phrase “section 204(b); and” in its place.

(c) A new paragraph (4) is added to read as follows:

“(4) The Commission shall consult with the Office of the State Superintendent of Education to ensure that eligible families can access comprehensive and coordinated services for their children of pre-k age, as that term is defined in section 101(7) of the Pre-k Enhancement and Expansion Amendment Act of 2008, passed on 2nd reading on May 6, 2008 (Enrolled version of Bill 17-537).”.

Sec. 602. Section 503a of the Early Intervention Program Establishment Act of 2004, effective April 13, 2005 (D.C. Law 15-353; D.C. Official Code § 7-863.03a), is amended by striking the phrase “institution of functions related to the Early Intervention Program” and inserting the phrase “institution of functions related to the Early Care and Education Administration and the Early Intervention Program” in its place.

Amend
§ 7-863.03a

ENROLLED ORIGINAL

Sec. 603. The Child Development Facilities Regulation Act of 1998, effective April 13, 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-2031) is amended as follows:

**Amend
§ 7-2031**

(1) Paragraph (3) is amended by striking the phrase “related functions.” and inserting the phrase “related functions or a pre-kindergarten education program licensed pursuant to the Pre-k Act of 2008.”.

(2) A new paragraph (6A) is added to read as follows:

“(6A) “Pre-k Act of 2008” means the Pre-k Enhancement and Expansion Amendment Act of 2008, passed on 2nd reading on May 6, 2008 (Enrolled version of Bill 17-537).”.

(b) Section 4 (D.C. Official Code § 7-2033) is amended as follows:

**Amend
§ 7-2033**

(1) Paragraph (4) is amended by striking the phrase “toddler; or” and inserting the phrase “toddler;” in its place.

(2) Paragraph (5) is amended by striking the phrase “regulatory authority.” and inserting the phrase “regulatory authority; or” in its place.

(3) A new paragraph (6) is added to read as follows:

“(6) Pre-kindergarten education programs licensed pursuant to the Pre-k Act of 2008.”.

(c) A new section 4a is added to read as follows:

“(4a)(a) All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Department of Health that support the functions related to the licensure of child-care programs in the Early Care and Education Administration and the Early Intervention Program shall be transferred to the Office of the State Superintendent of Education, established by section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601), within 60 days of the applicability date of the Pre-k Act of 2008.

“(b) All rules, orders, obligations, determinations, grants, contracts, licenses, and agreements of the Department of Health, the Department of Human Services, the Board of Education, or the District of Columbia Public Schools relating to the functions transferred to the Office of the State Superintendent of Education pursuant to subsection (a) of this section shall remain in effect according to their terms until lawfully amended, repealed, or modified.”.

Sec. 604. Section 1(a) of An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-202(a)), is amended by striking the date “December 31st” and inserting the date “September 30th” in its place.

**Amend
§ 38-202**

ENROLLED ORIGINAL

Sec. 605. Section 704 of the Office of Public Education Facilities Modernization Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-453), is amended by adding a new paragraph (7A) to read as follows:

**Amend
§ 38-453**

“(7A) Consult with the Office of the State Superintendent of Education to ensure that the capital improvements and the renovation of facilities necessary to allow for the expansion and quality improvement of pre-kindergarten education mandated by the Pre-k Enhancement and Expansion Amendment Act of 2008, passed on 2nd reading on May 6, 2008 (Enrolled version of Bill 17-537), occur in a timely and efficient manner;”.

Sec. 606. Section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-107; D.C. Official Code § 38-1802.14), is amended by adding a new subsection (j) to read as follows:

**Amend
§ 38-1802.14**

“(j) The Board shall consult with the Office of the State Superintendent of Education, established by section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601), to ensure that the requirements and the goals of the Pre-k Enhancement and Expansion Amendment Act of 2008, passed on 2nd reading on May 6, 2008 (Enrolled version of Bill 17-537) (“Pre-k act”) are met, in accordance with the Pre-k act.”.

Sec. 607. Section 3 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602), is amended as follows:

**Amend
§ 38-2602**

(a) Subsection (a) is amended by striking the acronym “SEO” wherever it appears and inserting the acronym “OSSE” in its place.

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

(1) Strike the acronym “SEO” wherever it appears and insert the acronym “OSSE” in its place.

(2) A new paragraph (6A) is added to read as follows:

“(6A) Establish and administer licensure requirements for pre-kindergarten programs, pursuant to section 102(a)(3) of the Pre-k Enhancement and Expansion Amendment Act of 2008, passed on 2nd reading on May 6, 2008 (Enrolled version of Bill 17-537) (“Pre-k act”);”.

(3) New paragraphs (9A) and (9B) are added to read as follows:

“(9A) Administer pre-kindergarten education, in accordance with section 102 of the Pre-k act;

“(9B) Conduct a residency audit, annually, to establish the number of in-District and out-of-District children enrolled in pre-kindergarten pursuant to the Pre-k act;”.

Sec. 608. Section 2(b)(2)(G) of the Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008, effective March 20, 2008 (D.C. Law 17-121; 55 DCR 1477), is amended to read as follows:

NA

“(G) An amount of \$960,000 to the Office of the State Superintendent of Education to provide funding for the enhancement of pre-kindergarten under the Pre-k Enhancement and Expansion Amendment Act of 2008, passed on 2nd reading on May 6, 2008 (Enrolled version of Bill 17-537) (“Pre-k act”), during the first 2 months of the 2008-2009 school year and to fund, if necessary, the cost of the capacity audit required by section 104 of the Pre-k act;”.

TITLE VII. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE.

Sec. 701. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 702. Fiscal impact statement.

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

Sec. 703. Effective date.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia