

VIRGINIA ACTS OF ASSEMBLY -- 2016 RECONVENED SESSION

CHAPTER 738

An Act to amend the Code of Virginia by adding a section numbered 22.1-199.6, relating to the establishment of the Mixed-Delivery Preschool Fund and Grant Program.

[H 47]

Approved April 20, 2016

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-199.6 as follows:

§ 22.1-199.6. *Mixed-Delivery Preschool Fund and Grant Program established.*

A. As used in this section, "mixed-delivery" includes public, nonsectarian private, and faith-based early education programs.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the Mixed-Delivery Preschool Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. Any gifts, donations, grants, bequests, or other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of awarding grants to successful applicants under the Mixed-Delivery Preschool Grant Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Superintendent of Public Instruction.

C. The Mixed-Delivery Preschool Grant Program is hereby established for the purpose of awarding grants on a competitive basis to urban, suburban, and rural community applicants to field-test innovative strategies and evidence-based practices that support a robust system of mixed-delivery preschool services in the Commonwealth.

D. The Virginia Early Childhood Foundation shall administer a request for proposal process to invite community applicants to respond with localized innovations and approaches to a system of mixed-delivery preschool services.

E. Grants shall be awarded by the Virginia Early Childhood Foundation, in consultation with the Department of Education, and the Foundation shall notify the Department of grant recipients. Priority shall be given to applicants who (i) commit to pursuing models of local governance that promote the successful mixed delivery of preschool services, (ii) compare classroom and child outcomes among teachers with different credentials and qualifications, (iii) utilize incentives to encourage participation, and (iv) utilize strategic assessment to discern student outcomes.

F. In order to provide program flexibility and maximize local innovation, grant recipients are eligible to request and receive waivers of Board regulations and guidelines. Notwithstanding the provisions of § 22.1-299, and in order for grant recipients to compare classroom and child outcomes among teachers with different credentials and qualifications pursuant to clause (ii) of subsection E, the Board shall waive teacher licensure requirements upon the request of any grant recipient so long as the teachers for whom such licensure requirements have been waived meet certain basic conditions for licensure prescribed by the Board. Such basic conditions for licensure shall include education and experience qualifications that do not exceed the education and experience qualifications for program leaders of licensed child day centers as set forth in 22VAC40-185-210. Upon the request of any grant recipient, other relevant state agencies and boards may grant additional waivers from agency or board regulations and guidelines, as deemed appropriate. Nothing in this subsection shall be construed to permit individuals or entities other than grant recipients to request and receive waivers pursuant to this subsection.

G. Each grant recipient shall annually report on its mixed-delivery preschool services system and any waiver received pursuant to subsection F to the Chairmen of the House Committees on Education and Appropriations and the Senate Committees on Finance and Education and Health.

2. That six two-year grants shall be awarded under the Mixed-Delivery Preschool Grant Program in each year of the 2016-2018 biennium.

3. That the provisions of this act shall expire on July 1, 2019.