

Adoptions Section

Education

Commissioner of Education

Notice of Readoption

Elements of High-Quality Preschool Programs

Readoption: N.J.A.C. 6A:13A

Authority: P.L. 2007, c. 260.

Authorized By: Angelica Allen-McMillan, Ed.D., Acting Commissioner, Department of Education.

Effective Date: September 8, 2023.

New Expiration Date: September 8, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 6A:13A were scheduled to expire on March 20, 2024. The Department of Education (Department) readopts the rules at N.J.A.C. 6A:13A, Elements of High-Quality Preschool Programs, without change, through this notice of readoption. The Department has reviewed the rules and has determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

N.J.A.C. 6A:13A sets forth the elements that are essential for the implementation of high-quality, State-funded preschool programs in school districts, including programs offered by contracted private providers and local Head Start agencies.

A summary of the readopted rules follows:

Subchapter 1. General Provisions for a High-Quality Preschool Program

This subchapter establishes the chapter's intent and defines the terms used throughout this chapter.

Subchapter 2. Eligibility, Enrollment, and the Universe of Preschool Students

The subchapter requires school districts that received Preschool Expansion Aid or educational opportunity aid in the 2007-2008 school year and in school districts that are either required to provide, or are providing, State-funded universal preschool, to provide free access to full-day preschool for all three- and four-year old children.

This subchapter also sets forth requirements for enrollment and the Department's methodology for determining the universe of eligible three- and four-year-old children in each school district.

Subchapter 3. Program Planning

This subchapter sets forth the programmatic requirements for various categories of school districts receiving Preschool Education Aid and the circumstances under which school districts are required to implement preschool expansion.

Subchapter 4. Program Staffing

This subchapter sets forth the roles, responsibilities, and requirements of in-district preschool administrators and supervisors of preschool programs.

This subchapter also sets forth the roles, responsibilities, and requirements of the preschool instructional coach, preschool intervention and referral specialist, nurse, social worker, and preschool community and parent involvement specialist positions. This subchapter limits the size of preschool classes to no more than 15 students and requires applicable district boards of education to provide one appropriately certified teacher and one appropriately qualified teacher assistant for every preschool class.

Subchapter 5. Curriculum and Assessment

This subchapter sets forth the requirements for the selection of a comprehensive curriculum that is supported by research, aligned with the Preschool Standards, and linked to the New Jersey

Student Learning Standards (NJSLs). The subchapter also requires district boards of education to ensure assessments will occur on an ongoing basis and aligned with the chosen curricula.

This subchapter further requires district boards of education to implement a developmentally based early childhood screening assessment and to annually use a reliable classroom quality assessment instrument, as approved by the Department in the school district's three-year preschool program plan, to assess program quality in each in-district, private provider, and Head Start agency preschool classroom.

Subchapter 6. Transition

This subchapter requires each district board of education to develop and articulate, in its three-year preschool program plan, a process for transition from program entry to kindergarten through grade three.

Subchapter 7. Facilities

This subchapter describes requirements for any school district or charter school that received Preschool Education Aid in August 2017 or thereafter, as well as the space requirements for contracted private providers and local Head Start agency preschool classrooms, playground, and playground equipment. This section also requires that school districts shall engage in systematic, long-range facilities planning to ensure adequate facilities exist in the community to meet the elements of high-quality preschool established pursuant to this chapter. Lastly, this section requires that beginning in the 2027-2028 school year, a district board of education, contracted provider, or Head Start program shall not use temporary classroom units (TCUs) or other similar temporary facilities for preschool classrooms without prior approval pursuant to N.J.A.C. 6A:5.

Subchapter 8. Program Evaluation

This subchapter requires each school district to engage in a process of continuous quality improvement, either through the annual self-assessment and validation system (SAVS) or Grow NJ Kids, to inform the school district of the status of its preschool program implementation.

Subchapter 9. School District Contracts with Private Providers and Local Head Start Agencies for Providing Preschool Services

This subchapter establishes the process by which school districts contract with private providers and local Head Start agencies. The section also establishes the criteria each private provider and local Head Start agency must adhere to when contracting with the district board of education and to resolve disputes.

Subchapter 10. Fiscal Oversight

This subchapter sets forth the fiscal responsibilities when school districts contract with a private provider and/or local Head Start agency.

Subchapter 11. Appeals

This subchapter sets forth the appeals process from the Department's decisions pertaining to preschool program plans and/or annual updates and budget applications.