



**UNIVERSAL PREKINDERGARTEN PROGRAM
QUESTIONS & ANSWERS ON FULLY IMPLEMENTED PROGRAMS
OCTOBER 2010**

If a school district believes it has a “fully implemented” Universal Prekindergarten (UPK) program, it is important that the district request designation as such by the State Education Department. The purpose of this Question & Answer document is to clarify what constitutes a fully implemented UPK program and specify the process by which a district may obtain such designation.

Q1: What is a “fully implemented” UPK program?

A school district has a fully implemented UPK program when its prekindergarten program is available to all eligible children whose parents wish to enroll them. To be considered fully implemented, a district must have an intentional policy that it will serve all eligible children, even if the number exceeds the maximum number of aidable UPK students. The district must have the capacity and/or a plan for how it will accommodate all eligible children who seek enrollment. Generally, the Board of Education should take action to affirm this policy and plan.

Q2: Is it ever permissible for a fully implemented district to maintain a waiting list?

A district with a fully implemented UPK program may not have a waiting list due to lack of space. However, it is permissible for a district that has a fully implemented UPK program to maintain a waiting list for those children whose parents decline an offered placement. Common reasons for parents declining an offered placement include lack of transportation, needing a placement at a site with wrap-around care or personal preference for another location.

Q3: Can a district that is fully implemented ever decline to enroll an eligible child?

A district that has a fully implemented UPK program cannot turn away a child at any point in the school year.

Q4: Why is it important for a district to request designation as having a fully implemented UPK program?

A district that is designated as having a fully implemented UPK program is protected from grant reductions as the result of not meeting the UPK Maintenance of Effort (MOE).

Q5: What is the MOE requirement?

Section 3602-e(11) of Education Law requires a district to serve no fewer children in the current year than it did in the prior year. In the event that a district serves fewer children during the current year than in the prior year, the school district's maximum grant payable must be reduced in an amount proportional to the shortfall. However, the grants of school districts that have fully implemented a universal prekindergarten program by making such program available to all eligible children will not be reduced.

Q6: How does a district request designation as a fully implemented UPK program?

A district wishing such designation must complete and submit a *Notice of Fully Implemented UPK Program*, which can be accessed on the UPK website at <http://www.p12.nysed.gov/upk/ReportsAndForms.html>.

Q7: Does a district have to reapply to have its program designated as a fully implemented program annually?

Yes, a district must verify that it continues to provide a fully implemented UPK program by submitting the *Notice of Fully Implemented UPK Program* each year.

Q8: Where can I direct questions or request additional information on this topic?

Questions and specific requests can be directed to the Early Education and Reading Initiatives Team at emsceeri@mail.nysed.gov or by phone at (518) 474-5807.