



2025-2026 General Assembly

SENATE BILL 257: 2026 Appropriations Act, Sec. 9D.1: NC Pre-K Programs/Standards for Four- and Five-Star Rated Facilities.

Analysis of: S.L. 2026-41, Sec. 9D.1

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Section 9D.1 of S.L. 2026-41 (Senate Bill 257) requires the prekindergarten programs (NC Pre-K) operating in four- and five-star rated facilities to meet the following requirements:

- Children must be 4 years of age on or before August 31 of the program year and meet one or more of the following additional eligibility criteria:
 - The family's income cannot exceed 75% of the State median income.
 - Up to 20% of enrolled children can exceed this income limitation if those children have other designated risk factors, like developmental disabilities or other chronic health issues. Otherwise, health of the child cannot be considered by the Division in determining eligibility.
 - A child's parent is an active-duty member of the Armed Forces of the United States, including the North Carolina National Guard, State military forces, or a reserve component of the Armed Forces and was (i) ordered to active duty by the proper authority within the last 18 months or is expected to be ordered within the next 18 months, or (ii) was injured or killed while serving on active duty.
- The staff to child ratio cannot exceed 1 to 10 and classrooms cannot exceed 20 children. There must be at least one teacher and one teacher assistant per classroom. The Child Care Commission (Commission) must adopt any rules and the Department of Health and Human Services, Division of Child Development and Early Education (DCDEE) must revise any rules or policies necessary to implement these requirements.
- Multiyear contracts for licensed private child care centers providing NC Pre-K classrooms must be issued by the NC Pre-K contractor.
- Private child care facilities and public schools operating NC Pre-K classrooms must meet the building standards for preschool students instead of building standards for child care facilities.
- With the exception of building standards requirements, NC Pre-K operators must comply with all DCDEE policies regarding program standards and classroom requirements.
- Local NC Pre-K committees must use the process developed by DCDEE to award NC Pre-K classroom slots and student selection.
- DCDEE must submit an annual report no later than March 15 of each year to the Joint Legislative Oversight Committee on Health and Human Services, the Office of State Budget and Management, and the Fiscal Research Division which includes:

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- The number of children participating in the NC Pre-K program by county.
- The number of children participating in the NC Pre-K program who have never been served in other early education programs such as child care, public or private preschool, Head Start, Early Head Start, or early intervention programs.
- The expected NC Pre-K expenditures for the programs and the source of the local contributions.
- The results of an annual evaluation of the NC Pre-K program.
- Administration of the NC Pre-K program by local partnerships is subject to financial and compliance audits authorized under State law.

DCDEE must continue implementing the NC Pre-K program. Eligibility determinations can continue through local education agencies and local North Carolina Partnership for Children, Inc., partnerships.

This section became effective July 1, 2026.