The Need for Universal Preschool Education in Illinois

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Introduction

This Note argues that the Illinois Constitution should be amended to provide universal high-quality preschool education to all four-year-old children within Illinois to increase prosperity within the state. Quality early childhood education programs have been proven to improve overall education outcomes, increase lifetime earnings, and reduce crime.¹ All children deserve equal opportunities to positive education outcomes.

Part I of the Note provides an overview of the benefits of early childhood education. Part II analyzes the Constitution of the United States and the power given to the states to regulate education within their states. Part III explores education policies within the state of Illinois and early childhood education as a possible solution to violence in Chicago. Finally, Part IV recommends that the state of Illinois revise the Illinois Constitution to provide universal high-quality preschool education to all four-year-old children within Illinois to increase prosperity within the state.

I. The Need for High-quality Education Programs

A. Benefits of Early Childhood Education Programs

Research has proven that preschool education can produce substantial learning and developmental gains in children. Preschool educated children produce persistent gains on test

scores, have fewer occurrences of grade retention and placement in special education. Long term
effects of preschool include decrease crime and delinquency rates, increased high school
graduation, and general economic benefits overtime.²

Several researchers have studied the short and long term benefits of children in preschool
programs. Research has proven that preschool education is a sound investment in an individual’s
academic, social, and economic development. The High/Scope Perry Preschool program, the
Abecedarian Early Childhood Intervention program, and the Title I Chicago Child Parent
Centers are three in depth studies that have proven that preschool programs are beneficial to
participants and the overall economy. These studies show that the overall benefit of preschool
programs outweigh the cost to taxpayers. For example, high-quality preschool programs have
overall education spending benefits. Preschool educated children were less likely to be retained
or be placed in special education. Preschool participants were also less likely to be welfare
recipients. Preschool educated children are more likely to earn more money and to have better
jobs in the future. Finally, preschool participants were less likely to break the law or participate
in delinquent acts.³

All children can benefit from a quality preschool education. A child’s earliest years are
crucial for their overall development. If a child lacks a strong foundation, a teacher can spend
years trying to help the child catch up.⁴ Research has proven that high-quality preschool

² W. Steven Barnett & Jason T. Hustedt, Preschool: The Most Important Grade, EDUCATIONAL
LEAD. 54, 55 (2003) (discussing the importance of preschool education).
³ Id.
⁴ Libby Doggett & Albert Wat, Why PreK for All?, 92 THE PHI DEL. KAP., 8, 8 (2010)
(discussing the need for preschool for all children).
education programs for all children despite their economic status can produce $8 for every dollar spent to the overall economy.\(^5\)

Private preschool programs are often expensive and unattainable to middle class families. Middle class families earn too much to qualify for federally funded preschool programs and are unable to afford private programs. A significant amount of middle class families are left without the benefits of preschool programs. Middle income children can also benefit from preschool program.\(^6\) For example, only a staggering 18% of middle class children understand numerical sequence by the time they entered grade school. More than a third of middle class children do not know the alphabet as well.\(^7\) A study of preschool children from middle income families found that 41% of participants scored higher in letter-word recognition assessments and 17% higher in spelling than their peers who had not attended preschool.\(^8\)

High-quality preschool education can help close the achievement gap between the low-income children and their peers in higher income communities. Over 30% of low-income have no familiarity with print and 60% of low-income children do not know the alphabet by the time they enter grade school.\(^9\) Investment into high-quality preschool programs for low-income children can reduce the social problems associated with poverty. The federal funded Head Start Preschool program only covers 20% of children who are eligible.\(^{10}\)

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\(^5\) Id. at 9.  
\(^6\) Id.  
\(^7\) Id. at 8.  
\(^8\) Id. at 9.  
\(^9\) Id. at 8.  
All children can benefit from high-quality preschool programs. These programs can significantly improve prosperity and education outcomes for participants. Preschool programs are worth the investment.

B. Elements of High-quality Education Programs

The Illinois Constitution should be amended to provide universal high-quality preschool education to all four-year-old children within Illinois to increase prosperity within the state. Research suggests that early childhood education programs are only beneficial if they are of high-quality. What constitutes a high-quality education program is a topic of debate. The National Education Association has identified five components of a high-quality preschool education program. High-quality education programs: have a strong curriculum that support the whole child, appropriately assesses children to guide instruction, addresses child health, nutrition and family needs, have same class sizes, and employs qualified and adequately paid teachers.

C. Case Study of a High-quality Preschool Program: Reggio Emilia Preschools

Reggio Emilia preschool is a preschool model that focuses on educating the whole child by immersing children into open-ended, emergent projects. The Reggio Emilia model is pedagogically based on the ‘rich child’ philosophy. Children are not ‘rich’ materially. Children are rich in potential and are capable to connecting to adults and other children. The ‘rich child’ is an active learner who expresses him or herself through the use of multiple languages. These languages include but are not limited to art, multiple ways of knowing, and multiple

11 Jean Anne Clyde et al., Teachers and Children Inquire into Reggio Emilia, 83 NAT. CON. OF TEACH. OF ENG. 215, 216 (2006) (discussing the principles of the Reggio Emilia preschools).
intelligences. Documentation as communication or making learning visible allows teachers to guide and interpret the cognitive process involved in learning. Although the Reggio Emilia approach was started in the small town of Reggio Emilia, Italy, many countries have replicated the model to allow for educational freedom and high levels of critical thinking amongst participants and teachers.\(^{13}\)

II. The United States Constitution and the American System of Education

A. The Federal Government and Education

The United States Constitution is unique. Unlike many other developed countries the United States Constitution does not include the word education or list education as a right within its bill of rights. There has been only one version of the United States Constitution. The United Constitution is over 200 years old and he has only been amended 27 times with the first 10 amendments ratified simultaneously with the Constitution itself.

The federal government does not have explicit authority to direct education within the country. In the United States Supreme Court’s decision \textit{San Antonio Independent School District v. Rodriguez}, the Court made it clear that education is not an implicit or explicit right protected by the United States Constitution.\(^{14}\) Although education is not constitutionally protected, it does not exist without safeguards. The Tenth Amendment to the Constitution implicitly reserves the power of educational decision making to each respective states. The power to direct, control, and implement education policies is given to the states through the 10\(^{th}\) Amendment to the United States Constitution. The 10\(^{th}\) Amendment to the United States Constitution states that,

\(^{13}\) Jean Anne Clyde et al., \textit{Teachers and Children Inquire into Reggio Emilia}, 83 NAT. CON. OF Teach. OF ENG. 215, 216 (2006) (discussing the principles of the Reggio Emilia preschools).

“the powers not delegated to the United States by the Constitution, nor prohibited by it to the
states, are reserved to the states respectively, or to the people”.  

The federal government can influence education policies through the spending clause. The
United States Congress can pass an education policy, but the federal government cannot require
states to follow the federal education policy. The 10th Amendment allows states to decide
whether they would like to follow the policy. The spending clause allows Congress to attach
funding to these education policies. Congress can award states with some funding if they choose
to adopt these types of laws. Since the cost of funding public education is high, must states
follow federal education statues to obtain some federal education funding to supplement the
large cost of providing universal public education to its citizens. Some federal public education
statutes include, The No Child Left Behind Act, Individuals with Disabilities Education Act, and
Section 504 of the Rehabilitation Act.

Since public education in the United States is a state matter it is arguably the
responsibility of each state to change their public education system. Although many education
reformers can see the benefit of amending the United States Constitution to include the right to a
public education, United States Constitutional amendments are rare. State constitutions are
usually more flexible and have undergone many changes. The best chance Illinois has to
establishing a high-quality universal preschool program is by making it a state priority.

16 BUCKNELL UNIVERSITY. http://www.departments.bucknell.edu/edu/ed370/federal.html (last
B. Education is a Public Matter: The Role of State Governments

Every state constitution explicitly includes an education clause. Every state owns the responsibility of providing free public education to its citizens. Although every state has recognized the importance maintaining a public education system, the quality of the public education system varies even within the state. The quality varies largely due to the inequity in funding.

States bear the financial burden of providing a free public education program. Less 10% of education funding comes from the federal government, but many of financial pressures come from federal statutes that have been implemented through the spending clause. States are able to fund their statewide free public education system through local property taxes. Property taxing funding formulas vary from state to state but in Illinois districts with the greatest property tax wealth receive the most education funding. This creates huge education funding disparities. The decision to largely fund public education through property tax revenue is one that is often challenged. Courts, education reformists, and legislatures are divided on the issue. Proponents of public education property tax funding, view property taxes as an effective funding source for state and local governments. Opponents argue that this type of funding creates disparities in the quality of education that is available to children living in poor communities.

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Under the current funding formula in Illinois, funding differences can be as great as $20,000. In order for Illinois to provide a high-quality preschool education to all four-year-old children there must be a change within the funding formula. In property poor districts, district with low property tax revenues, funding kindergarten thru high school education is a financial challenge. A constitutional change to the Illinois Constitution would allow for a statewide shift that may require law makers to reconsider the education funding formula.

III. Education Policies in Illinois and Violence in Chicago

A. The Education Climate in Illinois

The progress of overall education advancement in Illinois has been stagnating. Illinois Constitution should be amended to provide universal high-quality preschool education to all four-year-old children to increase prosperity within the state. Illinois is below average among other states in education performance. Only one fourth of students complete fourth grade at a proficient level, only one third of students begin high school academically on track, and less than one third of students graduate from high school with college and career ready skills. The data shows that almost half of Illinois students are low-income. Illinois is in a state of education emergency.

Illinois citizens are currently not prepared to sustain the future economy of Illinois. Economist and statisticians have conducted longitudinal data studies on future job availability and they have realized that there is a dire need to improve the state’s education system. In 2009

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the Illinois legislature established the Illinois P-20 Council “to deliberate and make recommendations to the Governor, Illinois General Assembly, and state agencies for developing a seamless and sustainable statewide system of quality education and support, from birth through adulthood, to maximize students’ educational attainment, opportunities for success in the workforce, and contributions to their local communities”.21 Investing in early childhood education is one way to increase prosperity for all citizens in Illinois.

B. Early Childhood Education: A Possible Solution to Violence in Chicago

Illinois Constitution should be amended to provide universal high-quality preschool education to all four-year-old children within Illinois as a solution to stop the violence in Chicago. Research has shown that preschool education can lower delinquent acts and future involvement with the law.22 The level of crime in Chicago is shocking. In the year 2013 there were approximately 414 murders in Chicago with most murders concentrated in the west and south side.23 Recently on July 18, 2014 eleven-year-old Shamiya Adams was shot in the head on Chicago’s south side when a stray bullet shot through a bedroom window during a sleepover. In that weekend at least 33 people were wounded as a result of gun violence.24 On August 8, 2014, 65 FBI agents were dispatched to Chicago to aid in gang suppression and gun violence.25

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Illinois Governor Pat Quinn has urged state legislators to pass tougher state gun laws although Illinois already has one of toughest gun control laws in the country. Many state and city legislators are unsure how to solve the problem. Just recently on July 21, 2014 Chicago Mayor Rahm Emanuel called together city leaders, the Chicago Public Schools Superintendent, and other key stakeholders together in a summit to discuss possible solutions to violence in Chicago. Improving education outcomes for children in Illinois is the solution needed to create peace and prosperity within the state. The legislature should amend the Illinois Constitution to provide universal preschool education as a solution to stop the violence.

IV. Recommendation: Illinois Constitutional Revision to Provide for Universal Preschool Education for all Four-Year-Old Children

The Illinois Constitution was adopted in 1818 and has since been revised a total of four times. The latest version of the Illinois Constitution was written in 1970. Article ten of the Illinois Constitution provides for free education within the state. Specifically, “the State shall provide for an efficient system of high quality public educational institutions and services. Education in public schools through the secondary level shall be free.” The Illinois Constitution also creates the Illinois Board of Education.

The Illinois State Board of Education (ISBE) believes that the success of all Illinois children can be enhanced with early childhood education services. ISBE defines early childhood

29 IL. CONST. art. X § 1
from birth to age eight. ISBE has emphasized the need of high-quality early childhood programs, but has only stressed the need on creating preschool programs for all at-risk youth.\textsuperscript{30}

All children in Illinois can benefit from high-quality early childhood programs. Revising the Illinois Constitution to include high-quality preschool programs would ensure that all children in the state are supported. Changing the language of the Illinois Constitution would show that the state is focused on providing adequate educational opportunities.

Illinois would not be the first state to make such a revision to their constitution. For example, the Florida Constitution was revised in 2002 to provide that, “every four-year old child in Florida shall be provided by the State a high quality pre-kindergarten learning opportunity in the form of an early childhood development and education program which shall be voluntary, high quality, free, and delivered according to professionally accepted standards.”\textsuperscript{31}

In conclusion, the Illinois Constitution should be revised to provide high-quality preschool education to all four-year-olds in the state of Illinois to ensure prosperity within the state. With the low levels of academic achievement within the state and the high levels of violence within Chicago the whole state can benefit from high-quality preschool education for four-year-olds. Illinois needs to invest now in the future of the state to see long term prosperity in the future.

\footnotesize{\textsuperscript{30} ILLINOIS \textsc{STATE} \textsc{BOARD} \textsc{OF} \textsc{EDUCATION}, http://www.isbe.net/earlychi/pdf/position_statement.pdf (last visited Aug. 15, 2014).\textsuperscript{31} FL. \textsc{CONST.} art. XI § 1}