

SENATE BILL NO. 2338

Introduced by

Senators Murphy, Schneider, Nelson

Representatives Hawken, Hogan, Kaldor

1 A BILL for an Act to create and enact three new sections to chapter 15.1-37 of the North Dakota
2 Century Code, relating to early childhood education programs; to amend and reenact sections
3 15.1-09-58 and 15.1-37-01 of the North Dakota Century Code, relating to early childhood
4 education programs; and to provide an appropriation.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 15.1-09-58 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **15.1-09-58. Prekindergarten program - Authorization - Support.**

9 The board of a school district may establish a ~~prekindergarten~~ early childhood education
10 program and may ~~receive and expend any state~~ support that program with:

- 11 1. Local tax revenues, other than those necessary to support the district's kindergarten
12 program and the provision of elementary and high school educational services;
- 13 2. State moneys specifically appropriated for the program, ~~any federal;~~
- 14 3. Federal funds specifically appropriated or approved for the program, ~~and any gifts; and~~
- 15 4. Gifts, grants, and donations specifically given for the program.

16 **SECTION 2. AMENDMENT.** Section 15.1-37-01 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **15.1-37-01. Early childhood education program - Approval.**

19 Any person or school district operating an early childhood education program may request
20 approval of the program from the superintendent of public instruction. The superintendent shall
21 approve an early childhood education program if the program:

- 22 1. Is taught by individuals who are licensed to teach in early childhood education by the
23 education standards and practices board or approved to teach in early childhood
24 education by the education standards and practices board;

- 1 2. Follows a developmentally appropriate curriculum; and
- 2 3. Is in compliance with all municipal and state health, fire, and safety requirements-

3 ~~Per student funding will not be provided to individuals or school districts offering a~~
4 ~~prekindergarten program; and~~

- 5 4. Limits its enrollment to children who have reached the age of four before August first
6 of the year of enrollment.

7 **SECTION 3.** A new section to chapter 15.1-37 of the North Dakota Century Code is created
8 and enacted as follows:

9 **Early childhood education program - Facilities.**

10 A school district may operate an early childhood education program in a public school
11 building if space is available or in any other setting that meets all local and state health, fire, and
12 safety laws.

13 **SECTION 4.** A new section to chapter 15.1-37 of the North Dakota Century Code is created
14 and enacted as follows:

15 **Early childhood education program - Requirements.**

16 To receive a grant for an early childhood education program operated under this chapter, a
17 district shall:

- 18 1. Establish an early childhood education advisory council, in accordance with section 5
19 of this Act;
- 20 2. Utilize an application process for the admission of students to the program;
- 21 3. Give admission priority to students who come from families with income levels that
22 meet the eligibility requirements for free or reduced lunch programs;
- 23 4. Limit the size of each early childhood education class to twenty students;
- 24 5. Ensure that the adult-to-student ratio in each class does not exceed one to ten;
- 25 6. Provide a half-day or a full-day program with a duration at least equal to ninety full
26 days of instruction;
- 27 7. Admit only those students whose parents permit the collection and dissemination of
28 data regarding the cognitive, physical, and social development of the student; and
- 29 8. Meet the criteria for program approval established in section 15.1-37-01.

30 **SECTION 5.** A new section to chapter 15.1-37 of the North Dakota Century Code is created
31 and enacted as follows:

1 **School district early childhood education program - Advisory council -**

2 **Establishment.**

- 3 1. The superintendent of each school district operating an early childhood education
4 program shall establish an early childhood education advisory council consisting of at
5 least:
- 6 a. The director of a head start program serving the school district or the director's
7 designee;
 - 8 b. An individual who is a licensed child care or preschool provider located within
9 the school district;
 - 10 c. An individual who owns or operates a business located within the school district;
 - 11 d. The mayor of the city in which the school district is headquartered or the mayor's
12 designee; and
 - 13 e. The parent of a child enrolled in the district's early childhood education program.
- 14 2. The superintendent or the superintendent's designee shall serve as the chairman.
- 15 3. The advisory council shall meet at the call of the chairman and shall provide advice
16 and recommendations to the school district regarding matters such as coordination
17 and cooperation with private sector early childhood education providers and head start
18 programs, the admission of eligible children, opportunities to jointly address staff
19 training needs, issues encountered by working families, communication and outreach
20 services, facility usage, transportation, and any other matters that impact the provision
21 of early childhood education services within the district.

22 **SECTION 6. APPROPRIATION.** There is appropriated out of any moneys in the general
23 fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much of the
24 sum as may be necessary, to the superintendent of public instruction for the purpose of
25 providing grants to four school districts offering early childhood education programs, for the
26 biennium beginning July 1, 2011, and ending June 30, 2013. The superintendent of public
27 instruction shall distribute the grants during the second year of the biennium, according to the
28 number of students each school district has in approved early childhood education programs.
29 The grant payment per student may not exceed fifty percent of the per student payment rate
30 established in section 15.1-27-04. The superintendent of public instruction may use up to

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- 1 \$50,000 of the amount appropriated by this section to cover administrative costs and monitoring
- 2 expenses incurred as a result of the program.