

Introduced by

Senators Bakke, Oban

Representatives P. Anderson, Hager

1 A BILL for an Act to amend and reenact sections ~~15.1-09-58~~, 15.1-37-06, and 15.1-37-08 of the  
2 North Dakota Century Code, relating to ~~requiring public schools to provide early childhood~~  
3 ~~education services~~ the receipt and distribution of free and reduced lunch grant funds.

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

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

7 ~~15.1-09-58. Early childhood education -- Authorization -- Support.~~

8 ~~The board of a school district may establish an early childhood education program and,~~  
9 ~~provided the program is approved by the superintendent of public instruction in accordance with~~  
10 ~~chapter 15.1-37, may 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, including an amount of:~~

14 ~~a. Three thousand dollars for each enrolled child, if the child is eligible for free~~  
15 ~~lunches under the Richard B. Russell National School Lunch Act [42 U.S.C.~~  
16 ~~1751, et seq.];~~

17 ~~b. Two thousand dollars for each enrolled child, if the child is eligible for reduced~~  
18 ~~lunches under the Richard B. Russell National School Lunch Act [42 U.S.C.~~  
19 ~~1751, et seq.]; and~~

20 ~~c. One thousand dollars for every other enrolled child;~~

21 ~~3. Federal funds specifically appropriated or approved for the program; and~~

22 ~~4. Gifts, grants, and donations specifically given for the program.~~

23 **SECTION 1. AMENDMENT.** Section 15.1-37-06 of the North Dakota Century Code is  
24 amended and reenacted as follows:

1       **15.1-37-06. Receipt and distribution of grants - Notification.**

2       1.    a.    The ~~department~~superintendent of ~~commerce~~public instruction shall receive  
3                    applications for and distribute grants under this section to eligible members,  
4                    including governing board members, of a consortium formed in accordance with  
5                    section 15.1-37-05, **in the amount of two thousand dollars for each child enrolled**  
6                    **in a program of early childhood education, if the child is eligible for free lunches**  
7                    **under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751, et**  
8                    **seq.], and one thousand dollars for each child enrolled in a program of early**  
9                    **childhood education, if the child is eligible for reduced lunches under the Richard**  
10                   **B. Russell National School Lunch Act [42 U.S.C. 1751, et seq.], provided ~~if~~:**

11                   (1)   The child is a resident of this state;

12                   (2)   The child has reached four years of age before August first in the year of  
13                    enrollment; and

14                   (3)   The program has a duration of at least four hundred hours over a period of  
15                    at least thirty-two consecutive weeks.

16                   b.    A child enrolled in a federally funded head start program may not be counted for  
17                    the purpose of determining grant eligibility under this section.

18       2.    a.    Once each calendar quarter, at the time and in the manner required by the  
19                    ~~department~~superintendent of ~~commerce~~public instruction, any provider receiving  
20                    a grant under this section shall forward to the parent of each child receiving  
21                    services a notice indicating the total amount of the grant that was awarded to the  
22                    provider for the quarter, the pro rata amount attributable to the parent's child, and  
23                    the source of the grant. The ~~department~~superintendent of ~~commerce~~public  
24                    instruction shall standardize the notification required by this subdivision.

25                   b.    If a provider fails to meet the notification requirements of this subsection, the  
26                    ~~department~~superintendent of ~~commerce~~public instruction shall reduce the  
27                    amount of the provider's next grant payment by fifty percent. If a provider fails to  
28                    meet the notification requirements of this section a second time, the  
29                    ~~department~~superintendent of ~~commerce~~public instruction shall determine that the  
30                    provider is ineligible to participate in the grant program for a period of one year.

1       **SECTION 2. AMENDMENT.** Section 15.1-37-08 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3       **15.1-37-08. Data collection - Requirements.**

4       The superintendent of public instruction, ~~with the advice and consent of the department of~~  
5 ~~commerce~~, shall implement a uniform system for the accounting, budgeting, and reporting of  
6 data by any early childhood education provider to whom or to which grants are distributed in  
7 accordance with section 15.1-37-06. Grants may be withheld or forfeited, in whole or in part, if  
8 information required in accordance with this section is not submitted at the time or in the  
9 manner requested by the superintendent.