

Sixty-fifth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2250

Introduced by

Senators Poolman, Campbell, Heckaman

Representatives Schreiber-Beck, Delmore

1 A BILL for an Act to amend and reenact ~~section~~sections 15.1-37-01, 15.1-37-05, 15.1-37-06,  
2 and 15.1-37-08 of the North Dakota Century Code, relating to early childhood education  
3 programs, providers, grants, and data collection.

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

5 **SECTION 1. AMENDMENT.** Section 15.1-37-01 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **15.1-37-01. Early childhood education program - Approval.**

- 8 1. Any person or school district operating an early childhood education program may  
9 request approval of the program from the superintendent of public instruction. The  
10 superintendent shall approve an early childhood education program if the program:
- 11 a. Is taught by individuals who are licensed to teach in early childhood education by  
12 the education standards and practices board or approved to teach in early  
13 childhood education by the education standards and practices board;
  - 14 b. Follows educational standards approved by the superintendent of public  
15 instruction;
  - 16 c. Is in compliance with all municipal and state health, fire, and safety requirements;  
17 and
  - 18 d. Limits its enrollment to children who have reached the age of ~~four~~three before  
19 August first in the year of enrollment.
- 20 2. In determining the state aid payments to which a school district is entitled, the  
21 superintendent of public instruction may not count any student enrolled in a regular  
22 early childhood education program.

23 **SECTION 2. AMENDMENT.** Section 15.1-37-05 of the North Dakota Century Code is  
24 amended and reenacted as follows:

**15.1-37-05. Early childhood education providers - Coalition - Eligibility.**

1. The superintendent of a school district shall invite all public and private providers of early childhood education services within the district to meet, in order to:
  - a. Initiate the identification of all available options for cost-effectively maximizing the provision of early childhood education services within the district;
  - b. Address the coordinated utilization of facilities, personnel, and transportation, for the provision of early childhood education services within the district; and
  - c. (1) Form a coalition of early childhood education service providers; and  
(2) Provide for the selection of a coalition governing board.
2. The board of the school district in which the coalition of service providers is located shall provide advice and guidance to the coalition in all matters pertaining to this section through section 15.1-37-08.
3. Any early childhood service provider who agrees to participate in the coalition or on its governing board may submit an application to the ~~department~~superintendent of ~~commerce~~public instruction for a grant under this section, provided the governing board certifies to the ~~department that~~superintendent the provider:
  - a. Is a participating member in the coalition or on the governing board.
  - b. Operates an early childhood education program that:
    - (1) Is approved in accordance with section 15.1-37-01; and
    - (2) Incorporates within its curriculum at least ten hours of research-based parental involvement.
  - c. Has documented the provider's willingness to admit children of all learning abilities into the early childhood education program.

**SECTION 3. AMENDMENT.** Section 15.1-37-06 of the North Dakota Century Code is amended and reenacted as follows:

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

1. a. The ~~department~~superintendent of ~~commerce~~public instruction shall receive applications for and distribute grants under this section to eligible members, including governing board members, of a consortium formed in accordance with section 15.1-37-05, in the amount of two thousand dollars for each child enrolled in a program of early childhood education, if the child is eligible for free lunches

1 under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751, et  
2 seq.], and one thousand dollars for each child enrolled in a program of early  
3 childhood education, if the child is eligible for reduced lunches under the Richard  
4 B. Russell National School Lunch Act [42 U.S.C. 1751, et seq.], provided:

- 5 a. (1) The child is a resident of this state; ~~and~~  
6 b. (2) The child has reached the age of four before August first in the year of  
7 enrollment; and  
8 (3) The program has a duration of at least four hundred hours over a period of  
9 at least thirty-two consecutive weeks.

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

- 12 2. a. Once each calendar quarter, at the time and in the manner required by the  
13 ~~department~~superintendent of ~~commerce~~public instruction, any provider receiving  
14 a grant under this section shall forward to the parent of each child receiving  
15 services a notice indicating the total amount of the grant that was awarded to the  
16 provider for the quarter, the pro rata amount attributable to the parent's child, and  
17 the source of the grant. The ~~department~~superintendent of ~~commerce~~public  
18 instruction shall standardize the notification required by this subdivision.  
19 b. If a provider fails to meet the notification requirements of this subsection, the  
20 ~~department~~superintendent of ~~commerce~~public instruction shall reduce the  
21 amount of the provider's next grant payment by fifty percent. If a provider fails to  
22 meet the notification requirements of this section a second time, the  
23 ~~department~~superintendent of ~~commerce~~public instruction shall determine that the  
24 provider is ineligible to participate in the grant program for a period of one year.

25 **SECTION 4. AMENDMENT.** Section 15.1-37-08 of the North Dakota Century Code is  
26 amended and reenacted as follows:

27 **15.1-37-08. Data collection - Requirements.**

28 The superintendent of public instruction, ~~with the advice and consent of the department of~~  
29 ~~commerce~~, shall implement a uniform system for the accounting, budgeting, and reporting of  
30 data by any early childhood education provider to whom or to which grants are distributed in  
31 accordance with section 15.1-37-06. Grants may be withheld or forfeited, in whole or in part, if

- 1 information required in accordance with this section is not submitted at the time or in the
- 2 manner requested by the superintendent.