

**SENATE BILL NO. 2151**

Introduced by

Senators Flakoll, Heckaman, Poolman

Representatives Dosch, Nathe, Vigesaa

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 provider grants; to amend and reenact  
3 section 15.1-37-01 of the North Dakota Century Code, relating to early childhood education  
4 program approval; to provide an appropriation; and to provide an effective date.

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

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

8 **15.1-37-01. Early childhood education program - Approval.**

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

1       **SECTION 2.** A new section to chapter 15.1-37 of the North Dakota Century Code is created  
2 and enacted as follows:

3       **Early childhood education providers - Coalition - Eligibility.**

- 4       1. The superintendent of a school district shall invite all public and private providers of  
5 early childhood education services within the district to meet, in order to:  
6       a. Initiate the identification of all available options for cost-effectively maximizing the  
7 provision of early childhood education services within the district;  
8       b. Address the coordinated utilization of facilities, personnel, and transportation, for  
9 the provision of early childhood education services within the district; and  
10      c. (1) Form a coalition of early childhood education service providers; and  
11         (2) Provide for the selection of a coalition governing board.  
12      2. Any early childhood service provider who agrees to participate in the coalition or on its  
13 governing board may submit an application to the department of commerce for a grant  
14 under this section, provided the governing board certifies to the department that the  
15 provider:  
16      a. Is a participating member in the coalition or on the governing board; and  
17      b. Operates an early childhood education program approved in accordance with  
18 section 15.1-37-01.

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

21       **Receipt and distribution of grants - Notification.**

- 22      1. The department of commerce shall receive applications for and distribute grants under  
23 this section to eligible members, including governing board members, of a consortium  
24 formed in accordance with section 2 of this Act, in the amount of one thousand five  
25 hundred dollars for each child enrolled in a program of early childhood education, if the  
26 child is eligible for free or reduced lunches under the Richard B. Russell National  
27 School Lunch Act [42 U.S.C. 1751, et seq.] and one thousand dollars for each child so  
28 enrolled who is not eligible for free or reduced lunches, provided:  
29      a. The child is a resident of this state; and  
30      b. The program has a duration of at least four hundred hours over a period of  
31 thirty-two consecutive weeks.

- 1       2.   a.   Once each calendar quarter, at the time and in the manner required by the  
2           department of commerce, any provider receiving a grant under this section shall  
3           forward to the parent of each child receiving services a notice indicating the total  
4           amount of the grant that was awarded to the provider for the quarter, the pro rata  
5           amount attributable to the parent's child, and the source of the grant. The  
6           department of commerce shall standardize the notification required by this  
7           subdivision.
- 8       b.   If a provider fails to meet the notification requirements of this subsection, the  
9           department of commerce shall reduce the amount of the provider's next grant  
10          payment by fifty percent. If a provider fails to meet the notification requirements  
11          of this section a second time, the department of commerce shall determine that  
12          the provider is ineligible to participate in the grant program for a period of one  
13          year.

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

16       **Data collection - Requirements.**

17       The superintendent of public instruction, with the advice and consent of the department of  
18 commerce, shall implement a uniform system for the accounting, budgeting, and reporting of  
19 data by any early childhood education provider to whom or to which grants are distributed in  
20 accordance with section 3 of this Act. Grants may be withheld or forfeited, in whole or in part, if  
21 information required in accordance with this section is not submitted at the time or in the  
22 manner requested by the superintendent.

23       **SECTION 5. APPROPRIATION.**

- 24       1.   There is appropriated out of any moneys in the general fund in the state treasury, not  
25           otherwise appropriated, the sum of \$6,000,000, or so much of the sum as may be  
26           necessary, to the department of commerce for the purpose of providing early  
27           childhood education grants, for the biennium beginning July 1, 2015, and ending  
28           June 30, 2017.
- 29       2.   If the amount appropriated in this section is insufficient to provide grants to all eligible  
30           providers, the department of commerce shall award the grants on a chronological  
31           basis in accordance with the date on which a completed application is received.

1       **SECTION 6. EFFECTIVE DATE.** Sections 3 and 4 of this Act become effective on July 1,  
2 2016.