

House File 645

H-1524

1 Amend House File 645 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I
4 FY 2012-2013>

5 2. Page 20, after line 30 by inserting:

6 <DIVISION II
7 STATEWIDE PRESCHOOL PROGRAM FOR FOUR-YEAR-OLD CHILDREN

8 Sec. _____. Section 237A.21, subsection 3, paragraph
9 p, Code 2011, is amended to read as follows:

10 p. One person who is part of a local program
11 implementing the ~~statewide~~ preschool program for
12 four-year-old children under chapter ~~256C~~ 256J.

13 Sec. _____. Section 237A.22, subsection 1, paragraph
14 f, Code 2011, is amended to read as follows:

15 f. Make recommendations for improving
16 collaborations between the child care programs
17 involving the department and programs supporting the
18 education and development of young children including
19 but not limited to the federal head start program, ~~the~~
20 ~~statewide preschool program for four-year-old children~~
21 and the early childhood, at-risk, and other early
22 education programs administered by the department of
23 education.

24 Sec. _____. Section 256.11, subsection 1, paragraph
25 c, Code 2011, is amended to read as follows:

26 c. For the purposes of this subsection,
27 "*prekindergarten program*" includes but is not limited
28 to a school district's implementation of the preschool
29 program established pursuant to chapter ~~256C~~ 256J.

30 Sec. _____. Section 257.16, subsection 1, Code 2011,
31 is amended to read as follows:

32 1. There is appropriated each year from the
33 general fund of the state an amount necessary to pay
34 the foundation aid under this chapter, ~~the preschool~~
35 ~~foundation aid under chapter 256C~~, supplementary
36 aid under section 257.4, subsection 2, and adjusted
37 additional property tax levy aid under section 257.15,
38 subsection 4.

39 Sec. _____. Section 272.2, subsection 18, Code 2011,
40 is amended to read as follows:

41 18. May adopt rules for practitioners who are not
42 eligible for a statement of professional recognition
43 under subsection 10, but have received a baccalaureate
44 degree and provide a service to students at any or all
45 levels from prekindergarten through grade twelve for
46 a school district, accredited nonpublic school, area
47 education agency, or preschool program established
48 pursuant to chapter ~~256C~~ 256J.

49 Sec. _____. Section 285.1, subsection 1, paragraph
50 a, subparagraph (3), Code 2011, is amended to read as

1 follows:

2 (3) Children attending prekindergarten programs
3 offered or sponsored by the district or nonpublic
4 school and approved by the department of education or
5 department of human services or children participating
6 in preschool in an approved local program under chapter
7 ~~256C~~ 256J may be provided transportation services.
8 However, transportation services provided to nonpublic
9 school children are not eligible for reimbursement
10 under this chapter.

11 Sec. _____. REPEAL. Chapter 256C, Code 2011, is
12 repealed.

13 Sec. _____. EFFECTIVE DATE AND APPLICABILITY. This
14 division of this Act takes effect July 1, 2011, and
15 applies to budget years beginning on or after July 1,
16 2011.

17 DIVISION III

18 PRESCHOOL PROGRAM FOR FOUR-YEAR-OLD CHILDREN

19 Sec. _____. NEW SECTION. 256J.1 Definitions.

20 As used in this chapter:

21 1. "*Department*" means the department of education.

22 2. "*Director*" means the director of the department
23 of education.

24 3. "*Eligible school district*" or "*school district*"
25 means a school corporation organized under chapter
26 274 that meets the requirements of section 256J.3,
27 subsection 4, and has been approved by the department
28 to implement preschool programs as provided in this
29 chapter.

30 4. "*High-quality preschool program*" means a
31 preschool program that meets the federal head start
32 program performance standards adopted pursuant to the
33 federal Improving Head Start for School Readiness
34 Act of 2007, Pub. L. No. 110-134, the Iowa quality
35 preschool program standards and criteria as determined
36 by the department in accordance with 281 IAC 16.3, and
37 the national association for the education of young
38 children program standards and accreditation criteria.

39 5. "*Preschool scholarship*" means the state funding
40 allocated to school districts to pay tuition for
41 eligible children enrolled in preschool programs
42 implemented pursuant to this chapter.

43 6. "*Private education partner*" means a private
44 preschool provider that may submit claims for
45 reimbursement to a school district for providing
46 high-quality preschool instruction to four-year-old
47 children receiving scholarships in accordance with this
48 chapter.

49 7. "*State board*" means the state board of
50 education.

1 Sec. _____. NEW SECTION. 256J.2 Preschool program
2 for four-year-old children — scholarships — purpose.

3 1. A preschool program for four-year-old children
4 is established in the department to provide an
5 opportunity for all eligible children, including
6 economically disadvantaged children, to enter
7 school ready to learn. The purpose of the preschool
8 scholarship program shall be to provide scholarships
9 to pay for eligible four-year-old children to attend
10 high-quality preschool provided by school districts or
11 private education partners.

12 2. The state board shall adopt rules pursuant
13 to chapter 17A, and may adopt emergency rules under
14 section 17A.4, subsection 3, and section 17A.5,
15 subsection 2, paragraph "b", as necessary to implement
16 this chapter.

17 Sec. _____. NEW SECTION. 256J.3 Preschool program
18 requirements.

19 1. *Eligible children.* A child who is a resident of
20 Iowa and is four years of age on or before September 15
21 of a school year is eligible to enroll, based on order
22 of registration, in a preschool program implemented
23 pursuant to this chapter and may be eligible for a
24 preschool scholarship based upon the most current
25 sliding tuition scale determined and published by the
26 department in accordance with subsection 5. A school
27 district approved to participate in the preschool
28 program pursuant to this chapter may enroll a younger
29 child or an older child in the preschool program if
30 space is available; however, the child shall not be
31 counted in the preschool enrollment count for preschool
32 scholarship funding purposes under section 256J.5.

33 a. A family may choose to enroll the family's
34 four-year-old child in an approved school district
35 preschool program or a preschool program implemented by
36 a private education partner. Families shall complete
37 all enrollment requirements, including but not limited
38 to income verification.

39 b. A school district or a private education partner
40 may charge tuition for children participating in
41 the preschool program, but shall not charge more for
42 tuition than the amount determined and published by the
43 department. All families enrolling eligible children
44 are required to pay tuition based on income and the
45 most current sliding tuition scale determined and
46 published by the department.

47 2. *Teacher requirements.*

48 a. An individual serving as a preschool teacher
49 in the preschool program for four-year-old children
50 shall be employed by or under contract with the

1 approved school district or by a private education
2 partner located within the approved school district's
3 boundaries and shall meet one of the following
4 qualifications:

5 (1) The individual is appropriately licensed under
6 chapter 272 and meets the requirements of chapter 284.

7 (2) The individual possesses, or is working toward
8 obtaining within two years of starting employment under
9 this subsection, an early childhood certificate of
10 eligibility issued under chapter 272, and meets either
11 of the following conditions:

12 (a) Holds a bachelor's or graduate degree from an
13 accredited college or university.

14 (b) Holds an associate of arts degree and is
15 working toward obtaining a bachelor's degree within
16 three years. This subparagraph division (b) is
17 repealed August 31, 2014.

18 *b.* A preschool teacher in an approved preschool
19 program shall collaborate with other agencies,
20 organizations, and boards in the community to further
21 the program's capacity to meet the diverse needs of the
22 children enrolled in the program and the families of
23 the children, such as needs for early care, health, and
24 human services. In addition, the approved preschool
25 program shall work to maintain relationships with
26 each child's family in order to enhance the child's
27 development in all settings by collaborating with
28 providers of parent education and family support
29 opportunities.

30 3. *Program requirements — program approval.* The
31 state board shall adopt rules to further define the
32 following preschool program requirements, which shall
33 be used to determine whether or not a local program
34 implemented by a school district or private education
35 partner qualifies for approval to implement a preschool
36 program:

37 *a.* Maximum and minimum teacher-to-child ratios and
38 class sizes.

39 *b.* Applicable state and federal program standards,
40 including but not limited to the federal head start
41 program performance standards adopted pursuant to the
42 federal Improving Head Start for School Readiness
43 Act of 2007, Pub. L. No. 110-134, the Iowa quality
44 preschool program standards and criteria as determined
45 by the department in accordance with 281 IAC 16.3, and
46 the national association for the education of young
47 children program standards and accreditation criteria.

48 *c.* Student learning standards.

49 *d.* Applicable comprehensive statewide child
50 assessment determined by the department.

1 e. Provisions for the integration of children from
2 other state and federally funded preschools.

3 f. Collaboration with participating families, early
4 care providers, and community partners including but
5 not limited to early childhood Iowa area boards, head
6 start programs, shared visions, licensed child care
7 centers, registered child development homes, early
8 childhood special education programs, services funded
9 by Tit. I of the federal Elementary and Secondary
10 Education Act of 1965, and family support programs.

11 g. A minimum of ten hours per week, thirty-four
12 weeks per year, of instruction delivered on the
13 skills and knowledge included in the student learning
14 standards developed for the preschool program.

15 h. Family involvement in the preschool program.

16 i. Provision for ensuring that children receiving
17 care from other child care arrangements can participate
18 in the preschool program with minimal disruption due to
19 transportation and movement from one site to another.

20 4. *School district requirements.* The state board
21 shall adopt rules to further define the following
22 requirements for school districts implementing a
23 preschool program pursuant to this chapter:

24 a. Collect documentation of school district and
25 private education partner readiness to meet program
26 requirements. The school district shall submit
27 documentation to the department that demonstrates that
28 the school district contacted all known potential
29 private education partners within the school district,
30 including but not limited to, and only as applicable,
31 accredited nonpublic schools and faith-based
32 preschools, the early childhood Iowa area board, the
33 federal head start program, shared visions and other
34 programs provided under the auspices of the child
35 development coordinating council, and center-based
36 providers of child care services.

37 b. Collaborate with all approved high-quality
38 preschool program sites in the district to better serve
39 children enrolled in the preschool program in the
40 following ways:

41 (1) Extending the day, for children eligible for
42 preschool scholarships, through other state funding
43 and federal funding, including but not limited to
44 funding available through early childhood Iowa area
45 boards, federal head start programs, shared visions
46 and other programs provided under the auspices of the
47 child development coordinating council, licensed child
48 care centers, registered child development homes, early
49 childhood special education programs, services funded
50 by Tit. I of the federal Elementary and Secondary

1 Education Act of 1965, and family support programs.
2 (2) Promoting family involvement through family
3 support programs as well as district programs.
4 c. Participate in data collection and performance
5 measurement processes and reporting, including
6 reporting fall and spring applicable comprehensive
7 statewide child assessment data as specified by the
8 department.
9 d. Identify eligible children through targeted
10 outreach to all families in partnership with the early
11 childhood Iowa area board.
12 e. Collect information regarding and verify
13 family income to implement the sliding tuition
14 scale determined and published by the department in
15 accordance with subsection 5.
16 f. Address professional development for school
17 district preschool teachers in the school district's
18 professional development plan implemented in accordance
19 with section 284.6.
20 g. Collaborate with private education partners
21 to provide a coordinated system of appropriate
22 professional development for preschool teachers and
23 staff employed in the preschool program.
24 h. Pay only those claims submitted by the school
25 district's private education partners which are
26 verified by the process set forth in section 279.29.
27 5. *Department requirements.* The department shall
28 do the following:
29 a. Implement an application and approval process
30 for school district participation in the preschool
31 program that includes but is not limited to the
32 enrollment requirements provided under subsection 1.
33 b. Track the progress of all children served by
34 a school district preschool program and by the school
35 district's private education partners and track the
36 children's performance in elementary and secondary
37 education.
38 c. Implement procedures to monitor the quality of
39 the programming provided under the preschool program
40 at all school district and private education partner
41 sites.
42 d. Determine a statewide comprehensive child
43 assessment to measure child outcomes for all children
44 participating in the preschool program at school
45 districts and private education partner sites.
46 e. Submit an annual report to the governor, the
47 general assembly, the early childhood Iowa state board,
48 and the child development coordinating council.
49 (1) The early childhood Iowa state board and the
50 child development coordinating council shall advise

1 the department regarding collaboration of high-quality
2 preschool programs for eligible children.

3 (2) The early childhood Iowa state board shall
4 promote the preschool program in local communities to
5 increase family awareness of quality preschool programs
6 and scholarship opportunities.

7 (3) The early childhood Iowa area boards shall
8 collaborate with school districts and their private
9 education partners to strengthen preschool quality.

10 *f.* Develop a statewide list of approved school
11 district and private education partner preschool
12 programs and publish the list on its website. The list
13 shall include information about preschool scholarships
14 and the sliding tuition scale in addition to other
15 information for families.

16 *g.* Develop and review annually a sliding tuition
17 scale for purposes of granting preschool program
18 scholarships to families whose incomes are at or below
19 three hundred percent of the federal poverty level as
20 defined by the most recently revised poverty income
21 guidelines published by the United States department of
22 health and human services.

23 6. *Private education partner — religious*
24 *expression.* An approved high-quality preschool
25 program offered by a religious entity or organization
26 shall not be prohibited from the free exercise of
27 religion during the program's hours of instruction if
28 the program meets the program requirements established
29 pursuant to this section.

30 Sec. ____ . NEW SECTION. 256J.4 Funding provisions
31 — enrollment.

32 1. *General.*

33 *a.* State funding provided for preschool
34 scholarships shall be allocated to school districts for
35 each school year based upon the amount appropriated and
36 the funding formula set forth in section 256J.5.

37 *b.* Except as otherwise provided in chapter 298A,
38 a school district approved to participate in the
39 preschool program may authorize expenditures for the
40 school district's preschool programming from any of
41 the revenue sources available to the district from
42 the sources listed in chapter 298A, provided the
43 expenditures are within the uses permitted for the
44 revenue source. In addition, the use of the revenue
45 source for preschool programming must have been
46 approved prior to any expenditure from the revenue
47 source for the school district's preschool program.

48 *c.* Funding provided for the preschool program
49 pursuant to this chapter is intended to supplement,
50 not supplant, existing public funding for preschool

1 programming.

2 *d.* Preschool scholarship funding shall not be
3 commingled with the other state aid payments made
4 under section 257.16 to a school district and shall be
5 accounted for by the school district separately from
6 the other state aid payments. Preschool scholarship
7 payments made to school districts are miscellaneous
8 income for purposes of chapter 257. A school district
9 shall maintain a separate listing within its budget
10 for preschool scholarship payments received and
11 expenditures made. A school district shall certify
12 to the department that preschool scholarship funding
13 received by the school district was used to supplement,
14 not supplant, moneys otherwise received and used by the
15 school district for preschool programming.

16 *e.* Preschool scholarship funding shall not be used
17 for the costs of constructing a facility in connection
18 with a school district or private education partner
19 preschool program.

20 *f.* Preschool scholarship funding received by a
21 school district or private education partner may be
22 used in conjunction with funding from family-paid
23 tuition to support the school district or private
24 education partner in providing the preschool program.
25 Not more than five percent of the scholarship funding
26 received annually by a school district shall be used
27 for the costs of supervising the program.

28 *2. Eligible student enrollment.*

29 *a.* To be included as an eligible student in the
30 preschool enrollment count by a school district, a
31 child shall meet the requirements of section 256J.3,
32 subsection 1, and shall be enrolled in and attending a
33 preschool program implemented by a school district or a
34 school district's private education partner.

35 *b.* The enrollment count for the preschool program
36 shall include all eligible children who are enrolled
37 in and attending a preschool program implemented by
38 a school district and the school district's private
39 education partners shall be collected by the school
40 district on the date prescribed in section 257.6 and
41 shall be certified to the department by the school
42 district by October 15.

43 Sec. ____. **NEW SECTION. 256J.5 State funding**
44 **allocation — expenditure limitation.**

45 *1. State funding.*

46 *a. Allocation formula.* For each fiscal year in
47 which moneys are appropriated by the general assembly
48 for purposes of the preschool program for four-year-old
49 children, preschool scholarship funding shall be
50 allocated to approved school districts on a per pupil

1 basis calculated on the proportion that the number of
2 the approved school district's first grade children who
3 are eligible for free or reduced price meals under the
4 federal Healthy, Hungry-Free Kids Act of 2010, Pub. L.
5 No. 111-296, multiplied by the average of the previous
6 three years of certified kindergarten enrollment, bears
7 to the sum of the number of first grade children in
8 all approved school districts who are eligible for
9 free or reduced price meals under the federal Healthy,
10 Hungry-Free Kids Act of 2010, Pub. L. No. 111-296,
11 multiplied by the average of the previous three years
12 of certified kindergarten enrollment in all approved
13 school districts in the state for the base year.

14 *b. Redistribution of state funding.* Based on
15 the October 1 certified preschool enrollment count
16 determined pursuant to section 256J.4, subsection 2,
17 the department shall evaluate the needs of approved
18 school districts and approved private education
19 partners and shall take action to redistribute unused
20 state funding as appropriate.

21 *c. Limited purpose.* State funds provided for
22 purposes of this chapter shall not be expended for
23 any purpose not expressly authorized in this chapter
24 or in administrative rules adopted to administer this
25 chapter.

26 *2. Program sites — conditional allocation.* A
27 school district shall not receive preschool scholarship
28 funding without school district or private education
29 partner preschool program sites.

30 *3. Program continuation subject to approval.* For
31 subsequent budget years, continuation of a school
32 district's participation in the preschool program is
33 subject to the approval of the department based upon
34 the school district's compliance with accountability
35 provisions and the department's on-site review of the
36 school district's implementation of the preschool
37 program.

38 *4. Insufficient funding.* If the amount appropriated
39 annually for purposes of this section is not
40 sufficient to pay the total allocation to approved
41 school districts, the allocation shall be based on
42 the proportion that the total allocation for each
43 approved school district bears to the sum of the total
44 allocations to all approved school districts.

45 *5. Payments to private education*
46 *partners.* Reimbursements shall be provided to private
47 education partners by approved school districts on a
48 monthly basis, beginning with the month in which the
49 school district receives payment under subsection 1,
50 paragraph "a", and ending in July, upon submission and

1 verification of actual instructional costs incurred
2 in the school year.

3 6. *Department administration and oversight.* Except
4 as otherwise provided by law for a fiscal year,
5 of the amount appropriated by the general assembly
6 for a fiscal year for purposes of this chapter, the
7 department may use an amount sufficient to fund up
8 to four full-time equivalent positions which shall
9 be in addition to the number of positions authorized
10 for the department for the fiscal year to provide
11 administration and oversight of the preschool program.
12 Oversight shall include but not be limited to data
13 collection requirements, maintenance of website
14 listings of school district and private education
15 partners providing high-quality preschool programs, and
16 assessment results.

17 7. *Open enrollment not applicable.* Section 282.18
18 shall not apply to preschool programs implemented under
19 this chapter. However, approved programs shall be open
20 to all eligible Iowa children, regardless of a child's
21 district of residence.

22 8. *Participation in preschool not good*
23 *cause.* Participation by a child in an approved
24 preschool program under this chapter does not qualify
25 as "good cause", as defined in section 282.18,
26 subsection 4, paragraph "b", for purposes of claiming
27 continuous enrollment in a school district other than
28 the district of residence.

29 Sec. _____. Section 272.2, Code 2011, is amended by
30 adding the following new subsection:

31 NEW SUBSECTION. 19. Adopt rules establishing
32 an early childhood certificate of eligibility for
33 individuals who meet the requirements of section
34 256J.3, subsection 2, paragraph "a", subparagraph
35 (2), for preschool teachers. The rules for obtaining
36 such a certificate shall require that an applicant
37 successfully complete twelve hours of coursework from
38 an accredited institution of higher education in early
39 childhood education, child development, elementary
40 education, or early childhood special education, and
41 this coursework shall encompass child development and
42 learning of children from birth through kindergarten;
43 family and community relationships; observing,
44 documenting, and assessing young children; teaching and
45 learning; and professional practices and development.>

46 3. Title page, line 5, after <atters> by inserting
47 <and providing effective date and applicability
48 provisions>

49 4. By renumbering as necessary.

DOLECHECK of Ringgold