

# House File 2533 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 577)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the statewide preschool program for  
2 four-year-old children and funding associated with the program  
3 and including effective and applicability date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5315HV 82  
6 jp/nh/8

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1 1 Section 1. Section 256C.3, subsection 1, Code Supplement  
1 2 2007, is amended to read as follows:  
1 3 1. ELIGIBLE CHILDREN. A child who is a resident of Iowa  
1 4 and is four years of age by on or before September 15 of a  
1 5 school year shall be eligible to enroll in the preschool  
1 6 program under this chapter. If space and funding are  
1 7 available, a school district approved to participate in the  
1 8 preschool program may enroll a younger or older child in the  
1 9 preschool program; however, the child shall not be counted for  
1 10 state funding purposes.

1 11 Sec. 2. Section 256C.4, subsection 1, Code Supplement  
1 12 2007, is amended by adding the following new paragraph:  
1 13 NEW PARAGRAPH. f. The receipt of funding by a school  
1 14 district for the purposes of this chapter, the need for  
1 15 additional funding for the purposes of this chapter, or the  
1 16 enrollment count of eligible students under this chapter,  
1 17 shall not be considered to be unusual circumstances, create an  
1 18 unusual need for additional funds, or qualify under any other  
1 19 circumstances that may be used by the school budget review  
1 20 committee to grant supplemental aid to or establish modified  
1 21 allowable growth for a school district under section 257.31.

1 22 Sec. 3. Section 256C.5, subsection 2, paragraph b, Code  
1 23 Supplement 2007, is amended to read as follows:  
1 24 b. For budget years subsequent to the initial school year  
1 25 for which a school district approved to participate in the  
1 26 preschool program receives that initial approval and  
1 27 implements the preschool program, the funding for the  
1 28 preschool foundation aid payable to that school district shall  
1 29 be paid from the appropriation made in section 257.16.  
1 30 Continuation of a school district's participation in the  
1 31 preschool program for a second or subsequent budget year is  
1 32 subject to the approval of the department based upon the  
1 33 school district's compliance with accountability provisions  
1 34 and the department's on-site review of the school district's  
1 35 implementation of the preschool program.

2 1 Sec. 4. Section 256C.6, subsection 1, Code Supplement  
2 2 2007, is amended to read as follows:  
2 3 1. PHASE-IN. For the initial fiscal year in which a  
2 4 school district participates in the preschool program pursuant  
2 5 to an appropriation provided in subsection 2, the department  
2 6 shall apply a modified set of the requirements of the  
2 7 provisions of this chapter relating to preschool program  
2 8 implementation, preschool enrollment reporting, and  
2 9 distribution of funding as necessary to begin the distribution  
2 10 in that fiscal year and additional program implementation in  
2 11 the next fiscal year. ~~For each month after September 1, in~~  
2 12 ~~the initial fiscal year that a school district approved to~~  
2 13 ~~participate in the preschool program begins programming, the~~  
2 14 ~~department shall reduce the preschool foundation aid payable~~  
2 15 ~~to the school district by one-tenth of the amount that would~~  
2 16 ~~otherwise have been payable to the school district for the~~  
2 17 ~~full school year.~~

2 18 Sec. 5. Section 256C.6, subsection 2, Code Supplement  
2 19 2007, is amended by adding the following new unnumbered  
2 20 paragraph:

2 21 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
2 22 moneys appropriated in this subsection that remain  
2 23 unencumbered or unobligated at the close of the fiscal year  
2 24 shall not revert but shall remain available for expenditure  
2 25 for the purposes designated until the close of the succeeding  
2 26 fiscal year.

2 27 Sec. 6. Section 257.6, subsection 1, paragraph a, Code  
2 28 Supplement 2007, is amended by adding the following new  
2 29 subparagraph:

2 30 NEW SUBPARAGRAPH. (7) Unless counted under another  
2 31 subparagraph, resident children who are five years of age or  
2 32 older by September 15 and attending a school district's local  
2 33 preschool program for four-year-old children approved by the  
2 34 department under chapter 256C.

2 35 Sec. 7. 2007 Iowa Acts, chapter 214, section 6, subsection  
3 1 13, is amended by adding the following new unnumbered  
3 2 paragraph:

3 3 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
3 4 moneys appropriated in this subsection that remain  
3 5 unencumbered or unobligated at the close of the fiscal year  
3 6 shall not revert but shall remain available for expenditure  
3 7 for the purposes designated until the close of the succeeding  
3 8 fiscal year.

3 9 Sec. 8. APPLICABILITY. The section of this Act amending  
3 10 section 257.6 applies retroactively to September 15, 2007, to  
3 11 children who were five years of age or older by that date and  
3 12 attending a school district's local preschool program for  
3 13 four-year-old children approved by the department under  
3 14 chapter 256C. If such children were not included in the  
3 15 enrollment certified by the school district under section  
3 16 257.6 by October 15, 2007, the school district may amend the  
3 17 certified enrollment to include such children.

3 18 Sec. 9. EFFECTIVE DATE. This Act, being deemed of  
3 19 immediate importance, takes effect upon enactment.

3 20 EXPLANATION

3 21 This bill relates to the statewide preschool program for  
3 22 four-year-old children and funding associated with the  
3 23 program.

3 24 Code section 256C.3, relating to the program requirements,  
3 25 is amended to specify that a child must be age four on or  
3 26 before September 15 of a school year to enroll in the program.

3 27 Code section 256C.4, relating to the general funding  
3 28 provisions for the program, is amended to provide that the  
3 29 receipt of funding for purposes of the program, the need for  
3 30 funding for the program, or the enrollment count of eligible  
3 31 students cannot be used to grant supplemental aid to or  
3 32 establish modified allowable growth for a school district.

3 33 Code section 256C.5, relating to the funding formula for  
3 34 the preschool program, is amended. Current law provides that  
3 35 the funding for the initial year of participation is paid from  
4 1 a standing limited appropriation and in subsequent years the  
4 2 funding is paid from the standing appropriation for state aid  
4 3 to schools. The bill provides that continuation of a school  
4 4 district's participation for a second or subsequent year is  
4 5 subject to the approval of the department of education.

4 6 Code section 256C.6, relating to phase-in of the program,  
4 7 is amended to strike authority for monthly proration of  
4 8 preschool foundation aid for school districts that are  
4 9 approved to participate in the program, for each month after  
4 10 September 1 that the programming begins. The bill includes  
4 11 nonreversion provisions to allow carry forward of unexpended  
4 12 amounts from the appropriations made for initial year  
4 13 participation in the program by school districts for fiscal  
4 14 year 2007=2008 in 2007 Iowa Acts, ch. 214, and for fiscal  
4 15 years 2008=2009, 2009=2010, and 2010=2011 in Code section  
4 16 256C.6.

4 17 Code section 257.6, relating to school enrollment counts  
4 18 used for purposes of the school aid formula, is amended to  
4 19 include in the enrollment count the children residing in a  
4 20 school district who are five years of age by September 15 and  
4 21 attending a school district's local preschool program for  
4 22 four-year-old children. The children cannot be counted under  
4 23 any other provision of the enrollment count law. The bill  
4 24 includes an applicability provision so that a school district  
4 25 may amend its certified enrollment to include the children who  
4 26 were five years of age by September 15, 2007, and attending a  
4 27 school district local program.

4 28 The bill takes effect upon enactment.

4 29 LSB 5315HV 82  
4 30 jp/nh/8