

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 137, Page 8, Section 160.415, Line 234,  
2 by inserting after all of said section and line the following:

3  
4 "163.018. 1. As used in this section, the following terms mean:

5 (1) "Eligible program", an early childhood education program that is either:

6 (a) Operated by and in a school district or by a charter school that has declared itself a local  
7 educational agency providing full-day kindergarten and that meets standards established by the state  
8 board of education; or

9 (b) Under contract with a school district or charter school that has declared itself a local  
10 educational agency and that meets standards established by the state board of education and this  
11 section;

12 (2) "Qualifying pupil", a pupil three, four, or five years of age who is eligible for free or  
13 reduced price lunch and attends an eligible program.

14 2. (1) Notwithstanding the definition of average daily attendance in subdivision (2) of  
15 section 163.011 to the contrary, qualifying pupils [between the ages of three and five who are  
16 eligible for free and reduced price lunch and attend an early childhood education program:

17 ———(a) That is operated by and in a district or by a charter school that has declared itself as a  
18 local educational agency providing full-day kindergarten and that meets standards established by the  
19 state board of education; or

20 ———(b) That is under contract with a district or charter school that has declared itself as a local  
21 educational agency and that meets standards established by the state board of education;] who attend  
22 eligible programs shall be included in the district's or charter school's calculation of average daily  
23 attendance.

24 (a) For the 2021-22 school year, the total number of [such] qualifying pupils included in the  
25 district's or charter school's calculation of average daily attendance shall not exceed four percent of  
26 the total number of nonqualifying pupils ages five through eighteen who are eligible for free and  
27 reduced price lunch [between the ages of five and eighteen] and who are included in the district's or  
28 charter school's calculation of average daily attendance.

29 (b) For the 2022-23 school year, the total number of qualifying pupils included in the  
30 district's or charter school's calculation of average daily attendance shall not exceed six percent of  
31 the total number of nonqualified pupils ages five through eighteen who are eligible for free and  
32 reduced price lunch and who are included in the district's or charter school's calculation of average  
33 daily attendance.

34 (c) For the 2023-24 school year, the total number of qualifying pupils included in the  
35 district's or charter school's calculation of average daily attendance shall not exceed eight percent of  
36 the total number of nonqualified pupils ages five through eighteen who are eligible for free and

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1 reduced price lunch and who are included in the district's or charter school's calculation of average  
 2 daily attendance.

3 (d) For the 2024-25 school year and each school year thereafter, the total number of  
 4 qualifying pupils included in the district's or charter school's calculation of average daily attendance  
 5 shall not exceed ten percent of the total number of nonqualified pupils ages five through eighteen  
 6 who are eligible for free and reduced price lunch and who are included in the district's or charter  
 7 school's calculation of average daily attendance.

8 (2) If a qualifying pupil [~~described under subdivision (1) of this subsection~~] leaves an [~~early~~  
 9 ~~childhood education~~] eligible program during the school year, a district or charter school shall be  
 10 allowed to fill the vacant enrollment spot with another qualifying pupil [~~between the ages of three~~  
 11 ~~and five who is eligible for free and reduced price lunch~~] without affecting the district's or charter  
 12 school's calculation of average daily attendance.

13 [~~2-~~] 3. (1) In establishing standards for any early childhood education program that is under  
 14 contract with a district or charter school that has declared itself as a local educational agency, the  
 15 state board of education shall consider:

16 [(1)] (a) Whether a program offers full-day and full-year programming;

17 [(2)] (b) Whether a program has teacher-to-child ratios consistent with reasonable standards  
 18 set by early childhood education program accrediting agencies;

19 [(3)] (c) Whether a program offers professional development supports for educators and the  
 20 type of supports offered;

21 [(4)] (d) Whether a program uses appropriately credentialed educators;

22 [(5)] (e) Whether a program uses an early childhood education curriculum that has been  
 23 approved by the department of elementary and secondary education and whether the curriculum is  
 24 developmentally appropriate; and

25 [(6)] (f) Any other factor that the state board of education determines to be significant in  
 26 ensuring that children achieve high levels of kindergarten readiness.

27 (2) The state board of education shall require that staff members of any early childhood  
 28 education program that is under contract with a district or charter school that has declared itself as a  
 29 local educational agency undergo background checks as described in section 168.133.

30 [~~3-~~] 4. This section shall not require school attendance beyond that mandated under section  
 31 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054, and  
 32 160.055 relating to kindergarten attendance."; and

33  
 34 Further amend said bill by amending the title, enacting clause, and intersectional references  
 35 accordingly.