

CHAPTER 15.1-37
EARLY CHILDHOOD EDUCATION PROGRAM

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

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

15.1-37-02. North Dakota early childhood education council - Membership - Terms.

1. The North Dakota early childhood education council consists of:
 - a. A chairman appointed by the governor;
 - b. The superintendent of public instruction, or the superintendent's designee;
 - c. The state health officer, or the officer's designee;
 - d. The director of the department of human services, or the director's designee;
 - e. The North Dakota head start - state collaboration administrator, or the administrator's designee;
 - f. The commissioner of higher education, or the commissioner's designee;
 - g. The commissioner of commerce, or the commissioner's designee;
 - h. The chairman of the senate education committee, or the chairman's designee;
 - i. The chairman of the house of representatives education committee, or the chairman's designee; and
 - j. The following gubernatorial appointees:
 - (1) The superintendent of a school district having at least one thousand students in average daily membership;
 - (2) The superintendent of a school district having fewer than one thousand students in average daily membership;
 - (3) The superintendent of a school district headquartered on a reservation or including reservation land within its boundaries;
 - (4) An individual representing a non-religious-based provider of early childhood education;
 - (5) An individual representing a religious-based provider of early childhood education;
 - (6) An individual representing a center-based licensed child care provider;
 - (7) An individual representing a home-based licensed child care provider;
 - (8) An individual representing a reservation-based head start program;
 - (9) An elected member of a school board;
 - (10) The parent of a child not yet enrolled in elementary school;
 - (11) The parent of a child with disabilities not yet enrolled in elementary school; and
 - (12) An individual representing children with disabilities.
2.
 - a. The term of each member enumerated in subdivision j of subsection 1 is three years and begins on July first. The terms must be staggered by lot so that four of the terms expire each year.
 - b. If at any time during a member's term the member ceases to possess the qualifications required by this section, the member's seat is deemed vacant and

the governor shall appoint another qualified individual to serve for the remainder of the term.

- c. A member may not serve more than two consecutive terms. If an individual is appointed to complete a vacancy, that service is not counted as a term, for purposes of this section, unless the duration of that service exceeds one year.
3. The council shall meet at least twice each year, at the call of the chairman.

15.1-37-03. Council - Duties.

The council shall:

1. Review the availability and provision of early childhood education, care, and services in this state;
2. Identify opportunities for public and private sector collaboration in the provision of early childhood education, care, and services in this state;
3. Identify ways to assist with the recruitment and retention of individuals interested in working as providers of early childhood education, care, and services, including training and continuing education or professional development opportunities;
4. Seek the advice and guidance of individuals who are uniquely familiar with the nature, scope, and associated challenges of providing early childhood education, care, and services in geographically and socioeconomically diverse settings, and develop recommendations pertaining to the short-term and longer-term improvement and expansion of early childhood education, care, and services in this state; and
5. Provide a biennial report regarding its findings and recommendations to the governor and the legislative assembly.

15.1-37-04. Council members - Reimbursement for expenses.

Each member of the council is entitled to receive reimbursement for expenses as provided by law for state officers if the member is attending meetings or performing duties directed by the council. In addition, each member of the legislative assembly who serves on the council is entitled to receive compensation in the amount provided per day for members of the legislative management under section 54-35-10 for attending meetings or performing duties as directed by the council.