

SECOND REGULAR SESSION

# HOUSE BILL NO. 2465

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES OXFORD (Sponsor), YAEGER, DONNELLY, DAUS,  
WRIGHT-JONES, LAMPE AND LOW (39) (Co-sponsors).

Read 1st time March 26, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 178.693, RSMo, and to enact in lieu thereof four new sections relating to the quality early childhood act.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 178.693, RSMo, is repealed and four new sections enacted in lieu thereof, to be known as sections 178.693, 208.026, 208.046, and 208.052, to read as follows:

- 178.693. 1. School districts that offer an approved program of parent education shall be eligible for state reimbursement, pursuant to section 163.031, RSMo, subject to appropriations therefor for each participating family. If a school district fails or is unable to offer an approved program of parent education, the district shall enter into a contract which meets the requirements under section 178.697, with another district, public agency or state approved not-for-profit agency offering an approved program for such services. If the district finds that no approved program is available in another district, public agency, or through a state approved not-for-profit agency, it shall request the state department of elementary and secondary education to assist it in obtaining from an approved program, services at the reimbursable rate.
2. School districts that offer an approved program of developmental screening for all children under the age of five years shall be eligible for state reimbursement, pursuant to section 163.031, RSMo, subject to appropriations therefor for each participating child. If a school district fails or is unable to offer an approved program of developmental screening, the district shall enter into a contract which meets the requirements under section 178.697, with another

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 district, public agency or state approved not-for-profit agency offering an approved program for  
16 such services. If the district finds that no approved program is available in another district,  
17 public agency or state approved not-for-profit agency, it shall request the state department of  
18 elementary and secondary education to assist it in obtaining from an approved program, services  
19 at the reimbursable rate.

20       3. School districts that offer approved programs for developmentally delayed children  
21 ages three and four who may also be eligible for programs under the provisions of sections  
22 162.670 to 162.995, RSMo, shall be eligible for state reimbursement, pursuant to section  
23 163.031, RSMo, subject to appropriations, provided the children are not receiving the same or  
24 similar services for handicapped or severely handicapped children under another program for  
25 which reimbursements from the department of elementary and secondary education are available  
26 to the district. If a school district fails or is unable to offer an approved program for  
27 developmentally delayed children ages three and four, the district shall enter into a contract  
28 which meets the requirements under section 178.697, with another district, public agency or state  
29 approved not-for-profit agency offering an approved program for such services. If the district  
30 finds that no approved program is available in another district, public agency or state approved  
31 not-for-profit agency, it shall request the state department of elementary and secondary education  
32 to assist it in obtaining from an approved program, services at the reimbursable rate.

33       **4. School districts that have a participation rate of less than fifty percent in the**  
34 **parents as teachers program and that provide outreach services for such program shall be**  
35 **awarded a grant to fund such outreach services, subject to appropriations for such**  
36 **purpose. School districts that target outreach services to families with incomes below two**  
37 **hundred percent of the federal poverty level will be given priority in the awarding of grant**  
38 **moneys.**

208.026. By July 1, 2012, all licensed child care providers serving families receiving  
2 state-funded child care assistance shall be reimbursed at the current market rate for child  
3 care as established by the biennial state market rate survey conducted by the department  
4 of social services pursuant to 42 U.S.C. section 601 et. seq. and 45 CFR 98.43(b)(2).

208.046. 1. The children's division shall promulgate rules to become effective no  
2 later than July 1, 2009, to modify the income eligibility criteria for any person receiving  
3 state-funded child care assistance under this chapter, either through vouchers or direct  
4 reimbursement to child care providers, as follows:

5       (1) For incomes of less than two hundred percent of the federal poverty level for  
6 the applicable family size, such persons receiving state-funded child care assistance under  
7 this chapter shall be eligible, subject to appropriations, to receive child care subsidy

8 benefits, less a sliding fee established by the children's division based on family size and  
9 income;

10 (2) A person receiving state-funded child care assistance under this chapter and  
11 whose income surpasses two hundred percent of the federal poverty level for the applicable  
12 family size may continue to receive reduced subsidy benefits on a scale established by the  
13 children's division until such person's income reaches two hundred twenty-five percent of  
14 the federal poverty level for the applicable family size, at which time such person will have  
15 assumed the full cost of the maximum base child care subsidy rate established by the  
16 children's division and shall be no longer eligible for child care subsidy benefits;

17 (3) If appropriations in a given fiscal year are insufficient to provide the subsidy  
18 established under this chapter for all eligible recipients, the children's division shall  
19 establish a waiting list and promulgate rules for the prioritization of eligible recipients on  
20 the waiting list.

21 2. The sliding scale fee established in this section for child care subsidy recipients  
22 may be waived for children with special needs as established by the children's division.

23 3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,  
24 that is created under the authority delegated in this section shall become effective only if  
25 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if  
26 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable  
27 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,  
28 to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
29 held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
30 adopted after August 28, 2008, shall be invalid and void.

208.052. To improve the quality of early childhood programs in this state by  
2 increasing the skill level of child care professionals and by reducing workforce turnover,  
3 the department of social services shall offer grants through the T.E.A.C.H. early childhood  
4 Missouri scholarship program and through the workforce incentive initiative to a  
5 maximum of two hundred fifty child care professionals each year.

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