

SECOND REGULAR SESSION

# HOUSE BILL NO. 2249

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE QUADE.

3287H.02I

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 163.018, RSMo, and to enact in lieu thereof one new section relating to early childhood education programs.

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

Section A. Section 163.018, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 163.018, to read as follows:

163.018. 1. ~~[+]~~ **As used in this section, the following terms mean:**

(1) **"Early childhood education program", a public, private, or collaborative public-private prekindergarten program providing early development and learning experiences to children;**

(2) **"Eligible program", an early childhood education program that meets standards established by the state board of education and by applicable provisions of subsection 3 of this section and is either:**

(a) **Operated by and in a school district or by a charter school that has declared itself a local educational agency providing full-day kindergarten; or**

(b) **Except as provided in subdivision (3) of subsection 2 of this section, under contract with a school district or a charter school that has declared itself a local educational agency;**

(3) **"Qualifying pupil", a pupil three or four years of age who attends an eligible program.**

2. **Notwithstanding the definition of average daily attendance in subdivision (2) of section 163.011 to the contrary:**

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.

17           **(1) For the 2024-25 school year**, pupils between the ages of three and five who [are  
18 eligible for free and reduced price lunch and attend an early childhood education program:

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

22           (b) ~~That is under contract with a district or charter school that has declared itself as a~~  
23 ~~local educational agency and that meets standards established by the state board of~~  
24 ~~education;] attend an eligible program~~ shall be included in the district's or charter school's  
25 calculation of average daily attendance]. ~~The total number of such pupils included in the~~  
26 ~~district's or charter school's calculation of average daily attendance shall not exceed four~~  
27 ~~percent of the total number of pupils who are eligible for free and reduced price lunch~~  
28 ~~between the ages of five and eighteen who are included in the district's or charter school's~~  
29 ~~calculation of average daily attendance.];~~

30           **(2) For the 2025-26 and 2026-27 school years**, all school districts and charter  
31 schools in this state shall provide an eligible program to all children who reside in this  
32 state and are three or four years of age before August first of a school year. Pupils  
33 attending an eligible program under this subdivision shall be included in the school  
34 district's or charter school's calculation of average daily attendance. Such eligible  
35 program shall be provided free of charge to all qualifying pupils; and

36           **(3) For the 2027-28 school year and all subsequent school years**, the term  
37 "eligible program" shall not include an early childhood education program that is  
38 under contract with a school district or a charter school that has declared itself a local  
39 educational agency.

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

45           ~~2.]~~ **3. (1)** In establishing standards for any early childhood education program that is  
46 under contract with a district or charter school that has declared itself as a local educational  
47 agency, the state board of education shall consider:

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

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

51           ~~[(3)]~~ **(c)** Whether a program offers professional development supports for educators  
52 and the type of supports offered;

53           ~~[(4)]~~ **(d)** Whether a program uses appropriately credentialed educators;

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

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

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

63           ~~[3-]~~ 4. This section shall not require school attendance beyond that mandated under  
64 section 167.031 and shall not change or amend the provisions of sections 160.051, 160.053,  
65 160.054, and 160.055 relating to kindergarten attendance.

66           **5. (1) For the 2024-25 school year and each school year through the 2027-28**  
67 **school year, a school district or charter school that does not have or is under contract to**  
68 **provide an early childhood education program may request moneys for the eligible**  
69 **expenses of implementing its own early childhood education program. Such request**  
70 **shall be made to the department of elementary and secondary education. The**  
71 **department shall determine eligibility criteria and shall determine if a school district or**  
72 **charter school meets such criteria. Eligible expenses include, but shall not be limited to,**  
73 **equipment, staff, and space requirements for an early childhood education program.**  
74 **The department shall provide moneys for such request to eligible school districts and**  
75 **charter schools from the early childhood education program start-up fund established**  
76 **in subdivision (2) of this subsection.**

77           **(2) (a) There is hereby created in the state treasury the "Early Childhood**  
78 **Education Program Start-Up Fund", which shall consist of moneys appropriated by the**  
79 **general assembly. The state treasurer shall be custodian of the fund. In accordance**  
80 **with sections 30.170 and 30.180, the state treasurer may approve disbursements. The**  
81 **fund shall be a dedicated fund and, upon appropriation, moneys in this fund shall be**  
82 **used solely for providing eligible expenses to school districts and charter schools that do**  
83 **not have or are under contract to provide an early childhood education program.**

84           **(b) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**  
85 **remaining in the fund at the end of the biennium shall not revert to the credit of the**  
86 **general revenue fund.**

87           **(c) The state treasurer shall invest moneys in the fund in the same manner as**  
88 **other funds are invested. Any interest and moneys earned on such investments shall be**  
89 **credited to the fund.**

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