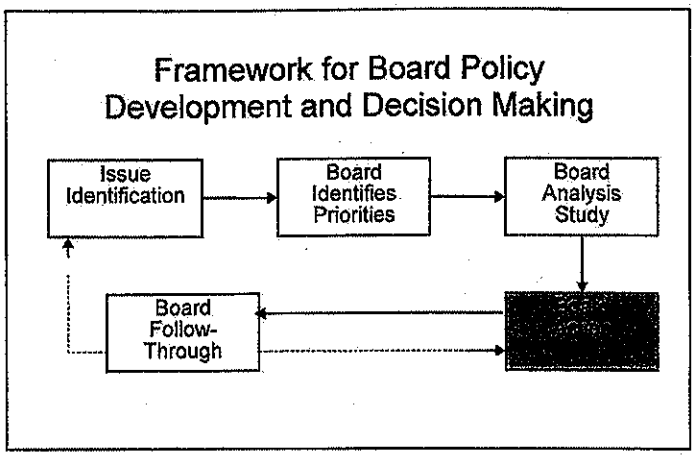
Iowa State Board of Education

Executive Summary

April 30, 2009



Agenda Item: Rules: Chapter 16 - Statewide Voluntary Preschool Program (Adopt)

Iowa Goal: All children will enter school ready to learn.

Equity Impact Statement: All school districts are governed by rules promulgated by the State Board.

Presenter: None (Consent agenda)

Attachments: 1

Recommendation: It is recommended that the State Board adopt and file the following amendments to this chapter.

Background: Legislation enacted this past session conditions a school district's continued participation in the statewide voluntary preschool program on the district's compliance with accountability provisions. These amendments provide a process for the Department and districts to utilize.

EDUCATION DEPARTMENT [281]

Adopted and Filed

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby amends Chapter 16, "Statewide Voluntary Preschool Program," Iowa Administrative Code.

2008 Iowa Acts, chapter 1181, section 69, predicated a school district's continued participation in the statewide voluntary preschool program that was created in 2007 Iowa Acts, chapter 148, on the district's compliance with accountability provisions. These amendments implement the legislation by providing a process for the Department and districts to utilize and by clarifying that a district remains in the statewide voluntary preschool program while the district is working to become compliant.

Notice of Intended Action was published in the March 11, 2009, Iowa Administrative Bulletin as ARC #7608B. Public comments were allowed until close of business on March 31, 2009. No written or oral comments were received.

These amendments are identical to those published under Notice.

An agencywide waiver provision is provided in 281—Chapter 4.

These amendments are intended to implement Iowa Code section 256C.5(2)"b," and shall become effective June 24, 2009.

The following amendments are adopted.

Item 1. Strike "82GA,HF877" wherever it appears in rules **281—16.1(82GA,HF877)** to **281—16.15(82GA,HF877)** and insert "256C" in lieu thereof.

Item 2. Adopt the following **new** paragraph 16.11(1)"c":

c. Continuation of a school district's participation in the preschool program for a second or subsequent budget year is subject to the approval of the department based upon the school district's compliance with the accountability requirements in rule

16.3(256C) and the department's on-site review of the school district's implementation of the preschool program. The department shall follow the procedure set forth in subrule 16.13(3) if a district is found to be noncompliant with one or more of the accountability requirements.

Item 3. Adopt the following **new** subrule **16.13(3)**:

16.13(3) *Noncompliance with program requirements.* If the department determines that a participating district does not meet one or more of the accountability requirements provided in rule 16.3(256C), the department shall inform the school district of appropriate actions that shall be taken by the school district. The school district shall submit an action plan that is approved by the department and contains reasonable timelines for coming into compliance. The department shall facilitate technical assistance when requested. If the department determines that the school district is not taking the necessary actions in a timely manner, the director of the department may terminate the school district's contract as provided in subrule 16.8(2), second unnumbered paragraph. Until such time as the school district's contract is terminated, the school district may continue to participate in the statewide voluntary preschool program.