



General Assembly

Substitute Bill No. 927

January Session, 2011

* _____SB00927ED_APP032811_____*

AN ACT CONCERNING REQUIREMENTS FOR EARLY CHILDHOOD EDUCATORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-16p of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 (a) As used in sections 10-16o to 10-16s, inclusive, 10-16u, 17b-749a
4 and 17b-749c:

5 (1) "School readiness program" means a nonsectarian program that
6 (A) meets the standards set by the department pursuant to subsection
7 (b) of this section and the requirements of section 10-16q, and (B)
8 provides a developmentally appropriate learning experience of not less
9 than four hundred fifty hours and one hundred eighty days for eligible
10 children, except as provided in subsection (d) of section 10-16q;

11 (2) "Eligible children" means children three and four years of age
12 and children five years of age who are not eligible to enroll in school
13 pursuant to section 10-15c, or who are eligible to enroll in school and
14 will attend a school readiness program pursuant to section 10-16t;

15 (3) "Priority school" means a school in which forty per cent or more
16 of the lunches served are served to students who are eligible for free or
17 reduced price lunches pursuant to federal law and regulations,

18 excluding such a school located in a priority school district pursuant to
19 section 10-266p or in a former priority school district receiving a grant
20 pursuant to subsection (c) of this section and, on and after July 1, 2001,
21 excluding such a school in a transitional school district receiving a
22 grant pursuant to section 10-16u;

23 (4) "Severe need school" means a school in a priority school district
24 pursuant to section 10-266p or in a former priority school district in
25 which forty per cent or more of the lunches served are served to
26 students who are eligible for free or reduced price lunches;

27 (5) "Accredited" means accredited by the National Association for
28 the Education of Young Children, a Head Start on-site program review
29 instrument or a successor instrument pursuant to federal regulations,
30 or otherwise meeting such criteria as may be established by the
31 commissioner, in consultation with the Commissioner of Social
32 Services, unless the context otherwise requires;

33 (6) "Year-round" means fifty weeks per year, except as provided in
34 subsection (d) of section 10-16q;

35 (7) "Commissioner" means the Commissioner of Education; and

36 (8) "Department" means the Department of Education.

37 (b) (1) The Department of Education shall be the lead agency for
38 school readiness. For purposes of this section and section 10-16u,
39 school readiness program providers eligible for funding from the
40 Department of Education shall include local and regional boards of
41 education, regional educational service centers, family resource centers
42 and providers of child day care centers, as defined in section 19a-77,
43 Head Start programs, preschool programs and other programs that
44 meet such standards established by the Commissioner of Education.
45 The department shall establish standards for school readiness
46 programs. The standards may include, but need not be limited to,
47 guidelines for staff-child interactions, curriculum content, including
48 preliteracy development, lesson plans, parent involvement, staff

49 qualifications and training, transition to school and administration.
50 The department shall develop age-appropriate developmental skills
51 and goals for children attending such programs. The commissioner, in
52 consultation with the Commissioners of Higher Education and Social
53 Services and other appropriate entities, shall develop a continuing
54 education training program for the staff of school readiness programs.

55 (2) (A) For purposes of this section, prior to July 1, 2015, "staff
56 qualifications" means there is in each classroom an individual who has
57 at least the following: [(1)] (i) A childhood development associate
58 credential or an equivalent credential issued by an organization
59 approved by the Commissioner of Education and [nine credits or
60 more, and on and after July 1, 2005,] twelve credits or more [,] in early
61 childhood education or child development, as determined by the
62 Commissioner of Higher Education, after consultation with the
63 Commissioners of Education and Social Services, from an institution of
64 higher education accredited by the Board of Governors of Higher
65 Education or regionally accredited; [(2)] (ii) an associate's degree with
66 [nine credits or more, and on and after July 1, 2005,] twelve credits or
67 more [,] in early childhood education or child development, as
68 determined by the Commissioner of Higher Education, after
69 consultation with the Commissioners of Education and Social Services,
70 from such an institution; [(3)] (iii) a four-year degree with [nine credits
71 or more, and on and after July 1, 2005,] twelve credits or more [,] in
72 early childhood education or child development, as determined by the
73 Commissioner of Higher Education, after consultation with the
74 Commissioners of Education and Social Services, from such an
75 institution; or [(4)] (iv) certification pursuant to section 10-145b with an
76 endorsement in early childhood education, [or special education, and
77 on]

78 (B) On and after July 1, 2015, "staff qualifications" means [there is in
79 each classroom an individual who has at least the following: (A) A
80 bachelor's degree in early childhood education or childhood
81 development, or in a related field approved by the Commissioner of

82 Education from an institution of higher education accredited by the
83 Board of Governors of Higher Education or regionally accredited; or
84 (B) certification pursuant to section 10-145b with an endorsement in
85 early childhood education or special education] that for each preschool
86 program accepting state funds, including school readiness funds and
87 funds from the Department of Social Services, (i) at least fifty per cent
88 of those individuals with the primary responsibility for a classroom of
89 children hold (I) certification pursuant to section 10-145b with an
90 endorsement in early childhood education, or (II) a bachelor's degree
91 in early childhood education, child study, child development or
92 human growth and development from an institution of higher
93 education accredited by the Board of Governors of Higher Education,
94 provided such bachelor's degree program is approved by the
95 Departments of Higher Education and Education, and (ii) such
96 remaining individuals hold an associate degree in early childhood
97 education, child study, child development or human growth and
98 development from an institution of higher education accredited by the
99 Board of Governors of Higher Education, provided such associate
100 degree program is approved by the Departments of Higher Education
101 and Education.

102 (C) On and after July 1, 2020, "staff qualifications" means that for
103 each preschool program accepting state funds, including school
104 readiness funds and funds from the Department of Social Services, one
105 hundred per cent of those individuals with the primary responsibility
106 for a classroom of children hold (i) certification pursuant to section 10-
107 145b with an endorsement in early childhood education, or (ii) a
108 bachelor's degree in early childhood education, child study, child
109 development or human growth and development from an institution
110 of higher education accredited by the Board of Governors of Higher
111 Education, provided such bachelor's degree program is approved by
112 the Departments of Higher Education and Education.

113 (c) The Commissioner of Education, in consultation with the
114 Commissioner of Social Services, shall establish a grant program to

115 provide spaces in accredited school readiness programs for eligible
116 children who reside in priority school districts pursuant to section 10-
117 266p or in former priority school districts as provided in this
118 subsection. Under the program, the grant shall be provided, in
119 accordance with this section, to the town in which such priority school
120 district or former priority school district is located. Eligibility shall be
121 determined for a five-year period based on an applicant's designation
122 as a priority school district for the initial year of application, except
123 that if a school district that receives a grant pursuant to this subsection
124 is no longer designated as a priority school district at the end of such
125 five-year period, such former priority school district shall continue to
126 be eligible to receive a grant pursuant to this subsection. Grant awards
127 shall be made annually contingent upon available funding and a
128 satisfactory annual evaluation. The chief elected official of such town
129 and the superintendent of schools for such priority school district or
130 former priority school district shall submit a plan for the expenditure
131 of grant funds and responses to the local request for proposal process
132 to the Departments of Education and Social Services. The departments
133 shall jointly review such plans and shall each approve the portion of
134 such plan within its jurisdiction for funding. The plan shall: (1) Be
135 developed in consultation with the local or regional school readiness
136 council established pursuant to section 10-16r; (2) be based on a needs
137 and resource assessment; (3) provide for the issuance of requests for
138 proposals for providers of accredited school readiness programs,
139 provided, after the initial requests for proposals, facilities that have
140 been approved to operate a child care program financed through the
141 Connecticut Health and Education Facilities Authority and have
142 received a commitment for debt service from the Department of Social
143 Services pursuant to section 17b-749i, are exempt from the requirement
144 for issuance of annual requests for proposals; and (4) identify the need
145 for funding pursuant to section 17b-749a in order to extend the hours
146 and days of operation of school readiness programs in order to
147 provide child day care services for children attending such programs.

148 (d) (1) The Commissioner of Education, in consultation with the

149 Commissioner of Social Services, shall establish a competitive grant
150 program to provide spaces in accredited school readiness programs for
151 eligible children who reside (A) in an area served by a priority school
152 or a former priority school as provided for in subdivision (2) of this
153 subsection, (B) in a town ranked one to fifty when all towns are ranked
154 in ascending order according to town wealth, as defined in subdivision
155 (26) of section 10-262f, whose school district is not a priority school
156 district pursuant to section 10-266p, or (C) in a town formerly a town
157 described in subparagraph (B) of this subdivision, as provided for in
158 [said] subdivision (2) of this subsection. A town in which a priority
159 school is located, a regional school readiness council, pursuant to
160 subsection (c) of section 10-16r, for a region in which such a school is
161 located or a town described in subparagraph (B) of this subdivision
162 may apply for such a grant in an amount not to exceed one hundred
163 seven thousand dollars per priority school or town. Eligibility shall be
164 determined for a five-year period based on an applicant's designation
165 as having a priority school or being a town described in subparagraph
166 (B) of this subdivision for the initial year of application. Grant awards
167 shall be made annually contingent upon available funding and a
168 satisfactory annual evaluation. The chief elected official of such town
169 and the superintendent of schools of the school district or the regional
170 school readiness council shall submit a plan, as described in subsection
171 (c) of this section, for the expenditure of such grant funds to the
172 Department of Education. In awarding grants pursuant to this
173 subsection, the commissioner shall give preference to applications
174 submitted by regional school readiness councils and may, within
175 available appropriations, provide a grant in excess of one hundred
176 seven thousand dollars to towns with two or more priority schools in
177 such district. A town or regional school readiness council awarded a
178 grant pursuant to this subsection shall use the funds to purchase
179 spaces for such children from providers of accredited school readiness
180 programs.

181 (2) (A) Except as provided in subparagraph (C) of this subdivision,
182 commencing with the fiscal year ending June 30, 2005, if a town

183 received a grant pursuant to subdivision (1) of this subsection and is
184 no longer eligible to receive such a grant, the town may receive a
185 phase-out grant for each of the three fiscal years following the fiscal
186 year such town received its final grant pursuant to subdivision (1) of
187 this subsection.

188 (B) The amount of such phase-out grants shall be determined as
189 follows: (i) For the first fiscal year following the fiscal year such town
190 received its final grant pursuant to subdivision (1) of this subsection, in
191 an amount that does not exceed seventy-five per cent of the grant
192 amount such town received for the town or school's final year of
193 eligibility pursuant to subdivision (1) of this subsection; (ii) for the
194 second fiscal year following the fiscal year such town received its final
195 grant pursuant to subdivision (1) of this subsection, in an amount that
196 does not exceed fifty per cent of the grant amount such town received
197 for the town's or school's final year of eligibility pursuant to
198 subdivision (1) of this subsection; and (iii) for the third fiscal year
199 following the fiscal year such town received its final grant pursuant to
200 subdivision (1) of this subsection, in an amount that does not exceed
201 twenty-five per cent of the grant amount such town received for the
202 town's or school's final year of eligibility pursuant to subdivision (1) of
203 this subsection.

204 (C) For the fiscal year ending June 30, 2011, and each fiscal year
205 thereafter, any town that received a grant pursuant to subparagraph
206 (B) of subdivision (1) of this subsection for the fiscal year ending June
207 30, 2010, shall continue to receive a grant under this subsection even if
208 the town no longer meets the criteria for such grant pursuant to
209 subparagraph (B) of subdivision (1) of this subsection.

210 (e) (1) For the fiscal year ending June 30, 2009, and each fiscal year
211 thereafter, priority school districts and former priority school districts
212 shall receive grants based on the sum of the products obtained by (A)
213 multiplying the district's number of contracted slots on March thirtieth
214 of the fiscal year prior to the fiscal year in which the grant is to be paid,
215 by the per child cost pursuant to subdivision (2) of subsection (b) of

216 section 10-16q, except that such per child cost shall be reduced for slots
217 that are less than year-round, and (B) multiplying the number of
218 additional or decreased slots the districts have requested for the fiscal
219 year in which the grant is to be paid by the per child cost pursuant to
220 subdivision (2) of subsection (b) of [said] section 10-16q, except such
221 per child cost shall be reduced for slots that are less than year-round. If
222 said sum exceeds the available appropriation, such number of
223 requested additional slots shall be reduced, as determined by the
224 Commissioner of Education, to stay within the available appropriation.

225 (2) (A) If funds appropriated for the purposes of subsection (c) of
226 this section are not expended, the Commissioner of Education may
227 deposit such unexpended funds in the account established under
228 section 10-16aa and use such unexpended funds in accordance with
229 the provisions of [said] section 10-16aa.

230 (B) For the fiscal year ending June 30, 2012, and each fiscal year
231 thereafter, if funds appropriated for the purposes of subsection (c) of
232 this section are not expended, an amount up to five hundred thousand
233 dollars of such unexpended funds shall be available for use in
234 accordance with the provisions of this subparagraph for the
235 subsequent fiscal year. The Commissioner of Education may use such
236 unexpended funds on and after July 1, 2012, in consultation with the
237 Commissioner of Higher Education, to support local school readiness
238 programs in satisfying the staff qualifications requirements of
239 subparagraphs (B) and (C) of subdivision (2) of subsection (b) of this
240 section. The local school readiness programs shall use any such funds
241 to provide assistance to staff members at a maximum of five thousand
242 dollars per staff member per year for the cost of higher education
243 courses leading to a bachelor's degree in early childhood education,
244 child study, child development or human growth and development at
245 a public or independent nonprofit institution of higher education in
246 this state, provided such staff members have applied for all available
247 federal and state scholarships and grants, and such assistance does not
248 exceed such staff members' financial need. Local school readiness

249 programs shall apply for such unexpended funds in such program's
250 application for a school readiness grant pursuant to this section. The
251 Commissioner of Education shall determine, in consultation with the
252 Commissioner of Higher Education, how such unexpended funds shall
253 be distributed and shall require each staff person as a condition of
254 receiving assistance from a school readiness program pursuant to this
255 subdivision to obtain an associate's or bachelor's degree to be
256 employed in a position related to early childhood education or child
257 development in the state for three years after receiving such associate's
258 degree or bachelor's degree. If such staff person is not employed in a
259 position related to early childhood education or child development in
260 the state for three years, such staff person shall repay the amount such
261 staff person received to the Department of Education as follows: (i) If
262 the staff person is not employed in a position related to early
263 childhood education or child development in the state or is so
264 employed for less than one year, one hundred per cent; and (ii) if the
265 staff person is so employed for at least one year, but less than three
266 years, fifty per cent. The department shall use any such repaid funds to
267 provide assistance to other program staff for the cost of higher
268 education courses leading to an associate's degree or a bachelor's
269 degree. Any staff person receiving such assistance shall annually
270 submit a letter to the department attesting to such staff person's
271 employment in a position related to early childhood education or child
272 development in the state.

273 [(B)] (C) If funds appropriated for the purposes of subsection (c) of
274 this section are not expended pursuant to [said] subsection (c) [or] of
275 this section, deposited pursuant to subparagraph (A) of this
276 subdivision, or used pursuant to subparagraph (B) of this subdivision,
277 the Commissioner of Education may use such unexpended funds to
278 support local school readiness programs. The commissioner may use
279 such funds for purposes including, but not limited to, (i) assisting local
280 school readiness programs in meeting and maintaining accreditation
281 requirements, (ii) providing training in implementing the preschool
282 assessment and curriculum frameworks, including training to enhance

283 literacy teaching skills, (iii) developing a state-wide preschool
284 curriculum, (iv) developing student assessments for students in grades
285 kindergarten to two, inclusive, (v) developing and implementing best
286 practices for parents in supporting preschool and kindergarten student
287 learning, (vi) developing and implementing strategies for children to
288 transition from preschool to kindergarten, (vii) providing for
289 professional development, including assisting in career ladder
290 advancement, for school readiness staff, and (viii) providing
291 supplemental grants to other towns that are eligible for grants
292 pursuant to subsection (c) of this section.

293 (3) Notwithstanding subdivision (2) of this subsection, for the fiscal
294 years ending June 30, 2008, to June 30, 2011, inclusive, the Department
295 of Education may retain up to one hundred ninety-eight thousand two
296 hundred dollars of the amount appropriated for purposes of this
297 section for coordination, program evaluation and administration.

298 (f) Any school readiness program that receives funds pursuant to
299 this section or section 10-16u shall not discriminate on the basis of race,
300 color, national origin, gender, religion or disability. For purposes of
301 this section, a nonsectarian program means any public or private
302 school readiness program that is not violative of the Establishment
303 Clause of the Constitution of the State of Connecticut or the
304 Establishment Clause of the Constitution of the United States of
305 America.

306 (g) Subject to the provisions of this subsection, no funds received by
307 a town pursuant to subsection (c) or (d) of this section or section 10-
308 16u shall be used to supplant federal, state or local funding received by
309 such town for early childhood education, provided a town may use an
310 amount determined in accordance with this subsection for
311 coordination, program evaluation and administration. Such amount
312 shall be at least twenty-five thousand dollars but not more than
313 seventy-five thousand dollars and shall be determined by the
314 Department of Education, in consultation with the Department of
315 Social Services, based on the school readiness grant award allocated to

316 the town pursuant to subsection (c) or (d) of this section or section 10-
317 16u and the number of operating sites for coordination, program
318 evaluation and administration. Such amount shall be increased by an
319 amount equal to local funding provided for early childhood education
320 coordination, program evaluation and administration, not to exceed
321 twenty-five thousand dollars. Each town that receives a grant pursuant
322 to [said] subsection (c) or (d) of this section or section 10-16u shall
323 designate a person to be responsible for such coordination, program
324 evaluation and administration and to act as a liaison between the town
325 and the Departments of Education and Social Services. Each school
326 readiness program that receives funds pursuant to this section or
327 section 10-16u shall provide information to the department or the
328 school readiness council, as requested, that is necessary for purposes of
329 any school readiness program evaluation.

330 (h) For the first three years a town receives grants pursuant to this
331 section, such grants may be used, with the approval of the
332 commissioner, to prepare a facility or staff for operating a school
333 readiness program and shall be adjusted based on the number of days
334 of operation of a school readiness program if a shorter term of
335 operation is approved by the commissioner.

336 (i) A town may use grant funds to purchase spaces for eligible
337 children who reside in such town at an accredited school readiness
338 program located in another town. A regional school readiness council
339 may use grant funds to purchase spaces for eligible children who
340 reside in the region covered by the council at an accredited school
341 readiness program located outside such region.

342 (j) Children enrolled in school readiness programs funded pursuant
343 to this section shall not be counted (1) as resident students for
344 purposes of subdivision (22) of section 10-262f, or (2) in the
345 determination of average daily membership pursuant to subdivision
346 (2) of subsection (a) of section 10-261.

347 (k) Up to two per cent of the amount of the appropriation for this

348 section may be allocated to the competitive grant program pursuant to
 349 subsection (d) of this section. The determination of the amount of such
 350 allocation shall be made on or before August first.

351 Sec. 2. (*Effective July 1, 2011*) The Department of Higher Education,
 352 in consultation with the Departments of Education and Social Services,
 353 the Office of Workforce Competiveness, representatives from public
 354 and independent institutions of higher education in the state, early
 355 childhood education programs accepting school readiness funds
 356 pursuant to section 10-16p of the general statutes, as amended by this
 357 act, and any other group or organization the Department of Higher
 358 Education deems appropriate, shall develop a plan for meeting the
 359 requirements in subparagraphs (B) and (C) of subdivision (2) of
 360 subsection (b) of section 10-16p of the general statutes, as amended by
 361 this act, and strategies for retaining those individuals who do not
 362 satisfy the requirements of subparagraphs (B) and (C) of subdivision
 363 (2) of subsection (b) of said section 10-16p. Not later than February 1,
 364 2012, the department shall submit such plan, in accordance with the
 365 provisions of section 11-4a of the general statutes, to the joint standing
 366 committees of the General Assembly having cognizance of matters
 367 relating to higher education and employment advancement and
 368 education. Not later than February 1, 2013, and annually thereafter
 369 through February 1, 2015, the Department of Higher Education shall
 370 submit progress reports regarding the implementation of such plan, in
 371 accordance with the provisions of section 11-4a of the general statutes,
 372 to the joint standing committees of the General Assembly having
 373 cognizance of matters relating to higher education, employment
 374 advancement and education.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	10-16p
Sec. 2	<i>July 1, 2011</i>	New section

HED	<i>Joint Favorable Subst. C/R</i>	ED
ED	<i>Joint Favorable Subst. C/R</i>	APP