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## **OLR Bill Analysis**

### **sSB 25 (File 417, as amended by Senate "A")\***

#### ***AN ACT ESTABLISHING THE OFFICE OF EARLY CHILDHOOD.***

#### **SUMMARY:**

This bill establishes the Office of Early Childhood (OEC), led by a commissioner who serves at the pleasure of the governor. It eliminates the coordinated system of early care and education and child development ("coordinated system") and the position of planning director, precursors to OEC and its commissioner, and incorporates the coordinated system's goals and duties into enumerated OEC duties (see BACKGROUND).

The office assumes the responsibility for administering early childhood programs and services currently run by the State Department of Education (SDE), the Department of Social Services (DSS), and the Department of Public Health (DPH). For some programs, the bill designates OEC as the lead agency, entirely replacing the existing administering agency; for others, the existing administering agency maintains a consultative role. For example, for school readiness programming, OEC assumes the lead agency role but must consult with SDE and DSS for various aspects.

Program content generally remains the same after transfer to OEC. The transfer process makes OEC responsible for the following major programs as of July 1, 2014:

1. school readiness;
2. the Children's Trust Fund;
3. Connecticut Charts-a-Course;
4. state and federally funded child day care subsidies;

5. child day care services management, evaluation, and professional development;
6. child day care facilities licensing and inspection, and
7. youth camp oversight.

The bill also reassigns various funds, grants, and loans to OEC oversight.

It makes several changes to school readiness program funding, which the state provides through various grants allowing towns to purchase seats for three- to five-year olds who are too young to attend kindergarten (see BACKGROUND). The bill expands the school readiness program in three different ways by requiring OEC to:

1. expand the competitive grant for school readiness spaces under current law,
2. create a new school readiness grant to enable eligible towns and regional school readiness councils to (a) start up new school readiness classrooms and (b) provide spaces to eligible children in school readiness programs that are accredited or seeking accreditation, and
3. design and administer the Connecticut Smart Start competitive grant program for local and regional boards of education to establish or expand preschool programs, in consultation with SDE.

It also makes several other major substantive changes in the following ways:

1. requires OEC to make more frequent unannounced visits to all licensed day care centers, group day care homes, and family day care homes;
2. gives OEC more authority over school readiness staff qualification requirements; and

3. changes the organization and membership of certain councils, committees, and cabinets.

The bill makes many minor, conforming, and technical changes and deletes several obsolete deadlines and statutes.

\*Senate Amendment "A" (1) modifies and adds to OEC's duties, (2) revises OEC's plan to establish a new kindergarten entrance age, (3) expands the competitive grant program for school readiness seats, (4) increases the maximum per-pupil state school readiness reimbursement, (5) creates new duties for local and regional school readiness councils, (6) transfers day care licensing and inspection duties and youth camp oversight to OEC, (7) restores DPH employees who license day care providers to the mandated reporters list, (8) makes conforming changes to Teachers' Retirement System (TRS) definitions, (9) permits a memorandum of agreement (MOA) between OEC and DPH for assistance with day care oversight and records sharing, (10) creates the Smart Start competitive grant program, and (11) requires OEC to develop a preschool experience survey to inform eligibility for Smart Start grants and all other school readiness grants.

EFFECTIVE DATE: Upon passage for provisions relating to OEC organization, leadership, and responsibilities (§§ 1-3), the early childhood information system (§ 4), the early childhood accountability plan (§ 5), the kindergarten readiness assessment tool (§ 7), OEC financial support for Connecticut Health and Educational Facilities Authority (CHEFA) day care center loan recipients (§ 65), TRS definitions (§§ 68-70), and preschool experience survey creation (§ 84); July 1, 2014 for the remaining provisions.

## **§§ 1-2 — OFFICE ORGANIZATION, LEADERSHIP, AND RESPONSIBILITIES**

The bill creates OEC, to be housed in SDE for administrative purposes only. A commissioner, appointed by the governor as the department head, implements the policies and directives of the office (see BACKGROUND). The commissioner may designate an OEC employee to act as her agent when she is absent.

The bill lists OEC responsibilities, shifting to OEC some tasks that the coordinated system must accomplish under current law. Table 1 lists OEC responsibilities. Those marked with an asterisk are currently assigned to the coordinated system of early care and education and child development and its planning director.

**Table 1: OEC Responsibilities**

<b>Services</b>
<ul style="list-style-type: none"> <li>● Delivering services to children and their families</li> <li>● Coordinating home visitation services across programs for young children</li> <li>● Providing information and technical assistance to individuals seeking programs and services*</li> <li>● Assisting state agencies and municipalities in obtaining federal funding for programs and services*</li> <li>● Providing technical assistance to providers of programs and services to obtain licensing and improve program quality*</li> <li>● Maintaining an accreditation facilitation initiative to assist providers of programs and services in achieving national standards and program improvement*</li> <li>● Providing families with opportunities for choice in services, including quality child care and community-based, family-centered services*</li> <li>● Performing any other activities that will assist in the provision of early care and education and child development programs and services*</li> <li>● Integrating early childhood care and education and special education services*</li> </ul>
<b>Systems and Plans</b>
<ul style="list-style-type: none"> <li>● Developing and implementing an early childhood information system</li> <li>● Developing and reporting on the early childhood accountability plan</li> <li>● Establishing a quality rating and improvement system that covers home-based, center-based, and school-based early child care and learning*</li> <li>● Ensuring a coordinated and comprehensive statewide professional development system for providers and staff of programs and services*</li> </ul>

<ul style="list-style-type: none"> <li>● Developing early learning and development standards for early care and education providers to use*</li> </ul>
<p><b><i>Evaluation</i></b></p>
<ul style="list-style-type: none"> <li>● By September 1, 2014, beginning a statewide longitudinal evaluation of school readiness programs to examine children's educational progress from preschool through grade four</li> <li>● Developing and implementing a statewide, developmentally appropriate assessment tool to measure kindergarten preparedness, but not to measure program accountability</li> <li>● Monitoring and evaluating all early care and education and child development programs and services, focusing on program outcomes while retaining distinct separation between quality improvement services and child day care licensing services*</li> <li>● Developing and implementing a performance-based evaluation system to evaluate licensed child day care centers</li> </ul>
<p><b><i>Data Collection</i></b></p>
<ul style="list-style-type: none"> <li>● Creating a unified set of reporting requirements to collect data for quality assessments and longitudinal analysis*</li> <li>● Comparing and analyzing such data with the data collected in the statewide public school information system (PSIS) (see BACKGROUND) for population-level analysis of children and families*</li> </ul>
<p><b><i>Communication</i></b></p>
<ul style="list-style-type: none"> <li>● Implementing a communications strategy for outreach to families, service providers, and policymakers</li> <li>● Promoting universal access to early childhood care and education*</li> </ul>
<p><b><i>Collaboration</i></b></p>
<ul style="list-style-type: none"> <li>● Developing, coordinating, and supporting public and private partnerships to aid early childhood initiatives*</li> <li>● Consulting with the Early Childhood Cabinet and the Head Start Advisory Committee*</li> <li>● Ensuring non-duplication of monitoring and evaluation (does not specify whether this pertains to programs/services or providers/staff)*</li> </ul>

The bill allows OEC to enter into MOAs with, and accept donations from, nonprofit and philanthropic organizations to accomplish the above duties.

It designates OEC as a successor department to SDE, DSS, and DPH for administration of certain programs, funds, and cabinets detailed in subsequent sections.

### **§ 3 — EARLY CHILDHOOD COUNCILS**

The bill requires OEC, rather than the coordinated system, to work with local and regional early childhood education councils. By law, these councils must, among other things, plan policies and programs, encourage parental involvement, and perform any other functions that assist with early childhood programs and services.

### **§ 4 — EARLY CHILDHOOD INFORMATION SYSTEM**

The bill requires OEC to develop and implement an early childhood information system for data-sharing among early childhood service providers. The information system must track the:

1. health, safety, and school readiness of all young children receiving early care and education services from any (a) public school board, including children enrolled in a Smart Start preschool program, (b) school readiness program, or (c) publicly funded program, in a manner similar to PSIS;
2. characteristics of (a) the existing and potential workforce serving such children and (b) such programs; and
3. data collected, if any, from the preschool experience survey.

The bill also requires local and regional school boards, school readiness programs receiving public funding, and child day care centers licensed by DPH or OEC to enter all children and staff into the early childhood information system.

### **§ 5 — EARLY CHILDHOOD ACCOUNTABILITY PLAN**

The bill requires OEC to develop, by December 31, 2015, in consultation with the Early Childhood Cabinet, an early childhood accountability plan. The plan must:

1. identify and define population indicators and program and

system performance measures of the health, safety, and readiness of children to enter kindergarten;

2. identify and define early school success of children;
3. identify any new or improved data for these purposes; and
4. include aggregate information on characteristics of children and programs tracked by the system, including family income, receipt of public assistance, if any, and home communities.

Aggregate child and program data used in the plan must be organized using a performance measurement accountability framework. OEC must use the kindergarten readiness indicators and performance measures to develop report cards on the results of the early childhood accountability plan by July 1, 2015. OEC must submit the plan by January 15, 2016 to the Education and Appropriation committees and annually report to these committees on the plan results and report cards.

## **§ 6 — KINDERGARTEN ENTRANCE AGE**

The bill requires OEC, in consultation with SDE, to develop a plan for:

1. changing the date, from January 1 to October 1 of any school year, by which a child must reach age five in order to be eligible for kindergarten enrollment and
2. creating school readiness programs and public and private pre-kindergarten spaces for those children who do not turn age five by October 1 of any school year and are ineligible for kindergarten enrollment.

By June 30, 2015, OEC must submit the plan to the Education Committee.

## **SDE PROGRAMS TRANSFERRED TO OEC**

### **§§ 10-11, 14 — School Readiness**

Currently, school readiness is a network of programs that increases

the number of full-day, full-year spaces in accredited programs for children aged three to five who are not old enough to enroll in public school. The programs use preschool curriculum standards established by the State Board of Education (SBE). Under the bill, most of the programs' content remains the same upon transfer to OEC, except as noted below.

The bill requires OEC, within available appropriations, to train and assist early childhood providers in implementing the state's early learning and development standards. The standards, developed by OEC, replace the preschool curriculum guidelines adopted by SBE.

It eliminates the requirement that school readiness programs use annual evaluation assessment measures developed by the interagency agreement on the coordinated system of early care and education and child development.

Beginning July 1, 2015, up to \$500,000 of any unexpended priority school district school readiness grants may be used, if available, by the OEC commissioner for:

1. providing professional development to state-funded early childhood program providers and staff members or
2. assisting individual early childhood program staff members who are (a) attending a college or university course leading to a bachelor's degree (or, until December 31, 2015, an associate's degree) to satisfy school readiness staff qualifications at a maximum of \$5,000 per staff member per year or (b) receiving noncredit, competency-based training approved by OEC at a maximum of \$1,000 per staff member per year.

It allows the funds to be used at professional development programs and in systems offered outside the Connecticut State University System, but requires funds for higher education courses to be used at in-state public and private higher education institutions accredited by the Board of Regents for Higher Education (BOR) or the Office of Higher Education (OHE) and approved by OEC.

## **DSS PROGRAMS TRANSFERRED TO OEC**

### **§§ 22-28, 32-40 — *Child Day Care Services Lead Agency Duties***

The bill makes OEC the lead agency for child day care. As lead agency, OEC must, among other things:

1. take inventory of available day care services and funding sources;
2. train day care providers;
3. develop a coordinated professional development system;
4. adopt regulations for child day care services;
5. establish a performance-based evaluation system for licensed day care centers; and
6. within available appropriations, conduct a longitudinal study of children's and their families' progress during and after day care program participation.

OEC must report to the General Assembly (1) by January 1, 2015 on the implementation of the evaluation system and the longitudinal study and (2) annually thereafter on cumulative evaluation results.

The bill eliminates the lead agency duty to deliver ongoing training to child day care providers via videotaped workshops for broadcast on public access cable.

### **§ 22 — *Connecticut Charts-a-Course***

The bill eliminates the requirement that DSS develop and implement a statewide coordinated training and professional development system for child day care and early childhood education providers and staff, commonly known as Connecticut Charts-a-Course. It instead directs OEC to develop Connecticut Charts-a-Course with the Early Childhood Cabinet.

### **§§ 29, 38-40 — *Federal and State Child Day Care Subsidies — Care 4 Kids***

Under current law, Care 4 Kids helps low- to moderate-income families pay child care costs. This program is partially funded by the federal Child Care Development Fund. Under the bill, the substance of this program remains unchanged.

The bill requires the OEC commissioner to consult with the DSS commissioner to establish Care 4 Kids eligibility and program standards. It also requires the OEC commissioner, on July 1, 2014 and annually thereafter, to report to the Human Services and Appropriations committees about Care 4 Kids eligibility redeterminations made on an eight-month basis. The report must analyze OEC's (1) overpayments of Care 4 Kids benefits and (2) administrative costs incurred as a result of eligibility redeterminations made on an eight-month basis.

The bill allows the OEC commissioner to make Care 4 Kids eligibility redeterminations on a six-month basis beginning July 1, 2014 if OEC's overpayments have increased in comparison with the period between January 1, 2010 and December 31, 2010, when eight-month periods were used.

The bill requires the OEC commissioner to, within available appropriations, (1) establish health and safety standards for Care 4 Kids and (2) require any day care provider receiving Care 4 Kids subsidies and providing services in a child's home to submit to criminal history records checks, except where the child is a relative.

If the OEC commissioner suspects that an unlicensed provider has been convicted of sexual assault of or serious physical injury to a minor in another state, the commissioner may demand that the provider undergo criminal history records checks prior to receiving Care 4 Kids subsidies.

**§§ 41-43 — Children's Trust Fund**

By law, programs subsidized by the Children's Trust Fund are (1) aimed at preventing child abuse and neglect or (2) family resource programs. The bill transfers authority over the Children's Trust Fund

and its related reporting requirements to OEC. It also assigns administration of Children's Trust Fund's abuse and neglect prevention programming to OEC, except for the Kinship Fund and Grandparents' Respite Fund, which remain with DSS and the probate court.

The bill also authorizes continuity of orders, regulations, and contracts made by the Children's Trust Fund Council and DSS, the former Children's Trust Fund authorities, once OEC assumes control of the fund.

### **DPH PROGRAMS TRANSFERRED TO OEC**

#### **§§ 44-56, 67 — *Child Day Care Services' Licensing and Inspection***

The bill transfers day care licensing issuance and revocation, inspection, regulation, and investigation duties from DPH to OEC. OEC assumes responsibility for child day care centers, group day care homes, and family day care homes. OEC must:

1. receive license applications,
2. collect licensing fees,
3. require day care staff to submit to criminal history and child abuse records checks, and
4. notify licensees in writing of new regulations OEC adopts within 60 days after their effective date.

The bill also requires OEC, rather than DPH, to inspect child day care centers, group day care homes, and family day care homes. OEC must:

1. make yearly unannounced visits, inspections, or investigations of all licensed day care centers and group day care homes, rather than biennial visits as required by state regulations;
2. make yearly unannounced visits, inspections, or investigations of all, rather than one-third, of licensed family day care homes; and

3. require local health directors to inspect all licensed day care centers and group day care homes biennially, as currently required by state regulations.

Additionally, OEC, rather than DPH, must approve, through an application process, all assistant or substitute staff members who work in family day care homes.

The bill also permits day care providers whose licenses have been suspended or revoked by OEC, rather than DPH, to appeal OEC's decision in the judicial district of New Britain.

### **§§ 72 - 80 — Youth Camp Oversight**

The bill transfers youth camp regulation duties from DPH to OEC. These duties include licensing, discipline, license revocation, inspection, investigation, and regulation promulgation. OEC also assumes DPH's authority to accept federal grants or private funds for youth camps.

The bill requires OEC to assume various DPH youth camp licensing duties, including issuance, establishment of application procedures, suspension, and revocation. It also requires OEC to verify the health, safety, and recordkeeping practices of camps before issuing or renewing youth camp licenses.

It also allows OEC to take disciplinary action against a licensed youth camp if the camp commits certain acts listed in law. OEC disciplinary authority consists of (1) license revocation, suspension, or limitations; (2) daily fines; (3) probationary status with reporting requirements; (4) restrictions on acquiring additional facilities; (5) cease and desist orders against dangerous activity; and (6) court-ordered injunctions against operation.

Under the bill, OEC also assumes all DPH's duties for the license revocation process. The office must issue notice of intent to revoke a youth camp license, hold grievance hearings within 60 days at the licensee's request, and render a written decision about intended licensure action.

The bill requires OEC to inspect youth camp facilities before issuing initial licenses and annually thereafter. Consistent with current law, OEC does not need to inspect facilities located in dormitories, classrooms, or other buildings owned and inspected by a college or university.

It requires OEC to receive and investigate reports and complaints against youth camps. Investigatory duties include administering oaths, issuing subpoenas, and compelling testimony and discovery. OEC must also, when necessary, issue a formal statement of charges when findings indicate that a camp is operating without a license, violating regulations, or endangering children's health, welfare, or safety.

The bill also requires OEC to assume DPH's regulation promulgation authority. It allows OEC to make regulations concerning:

1. safe youth camp operation,
2. physical exams or health status requirements for students attending youth camps, and
3. conditions under which youth camp staff may administer diabetes glucose tests and other medications.

### **§§ 8-10, 13, 16, 24, 27, 30-31, 35-37 — TRANSFER OF GRANT AND LOAN PROGRAMS**

The bill consolidates grant and loan programs administered by two different agencies into the OEC (see Table 2). The majority of these programs' substance and content remain the same, unless noted below.

**Table 2: Grant and Loan Programs for Transfer to OEC**

<b>Bill Section</b>	<b>Grants / Loan Programs</b>	<b>Description</b>
<b>State Department of Education</b>		
§ 9	Head Start Grant Program	<ul style="list-style-type: none"> <li>• Federal child development grant program benefitting nonprofit entities and boards of education in towns with children aged birth to five receiving cash welfare benefits</li> <li>• SDE establishes a competitive grant program for</li> </ul>

		applicants and allocates funds
§ 10	Competitive school district grant for preschool school readiness seats	<ul style="list-style-type: none"> <li>Grant program allows competitive school districts to buy school readiness spaces in other districts</li> </ul>
§ 13	Transitional school district grants for school readiness seats	<ul style="list-style-type: none"> <li>State-funded grant program provides spaces in school readiness programs for eligible children in transitional school districts</li> </ul>
§ 16	Competitive District Grant Account	<ul style="list-style-type: none"> <li>Contains funds to be spent by education commissioner on competitive school district grants for school readiness seats</li> </ul>
§ 30	Subsidy program to purchase day care services	<ul style="list-style-type: none"> <li>Program permits an agency to buy, or have parents buy, day care services from schools, centers, homes, family resource centers, Head Start programs, or boards of education</li> <li>Gives grants to school readiness program providers to increase their day care services hours</li> </ul>
§ 31	Supplemental quality enhancement grants	<ul style="list-style-type: none"> <li>Awarded on a competitive basis to child day care and school readiness providers</li> </ul>
§ 35	Child care facilities loan guarantee program	<ul style="list-style-type: none"> <li>Guarantees loans for the expansion or development of child care and child development centers in the state</li> <li>Allows administering agency to enter into contracts with quasi-public agencies, banks, or nonprofits to administer the program; requires agency to authorize all loan guarantees</li> </ul>
§ 36	Child care facilities direct revolving loan program	<ul style="list-style-type: none"> <li>Provides loans for costs incurred with the development of child care facilities</li> <li>Allows administering agency to enter into contracts with quasi-public agencies, banks, or nonprofits to administer the program; requires agency to authorize all loan guarantees</li> </ul>
§ 37	Debt service reserve fund for CHEFA-financed child care facilities	<ul style="list-style-type: none"> <li>Allows administering agency to allow actual debt service on loans, as well as determine the terms and amounts of the debt service</li> </ul>
<b><i>Department of Social Services</i></b>		
§ 24	Grants for state and municipal employee child day care facilities	<ul style="list-style-type: none"> <li>Uses proceeds of up to \$6,024,798 in previously authorized state bonds to cover administrative costs of grants for planning, constructing, or renovating facilities for employee child care</li> </ul>
§ 27	Loans for business firm employee child day care facilities	<ul style="list-style-type: none"> <li>Offers five-year loans at an interest rate established by the State Bond Commission for business firms to plan, construct, or renovate facilities for employee child care and child care for children in the firm's municipality</li> <li>Allows administering agency's commissioner to make regulations that set the loans' terms and conditions</li> </ul>

## **SUBSTANTIVE GRANT AND LOAN PROGRAM CHANGES**

### **§ 10 — Competitive Grant Program Expansion**

The bill allows alliance district towns that do not contain priority school districts to apply for competitive grants for school readiness seats. By law, an alliance district is a school district that is among the 30 lowest when ranked by district performance index, which measures academic performance derived from students' weighted results on statewide mastery tests. A priority school district has students with low standardized test scores and high levels of poverty; there are 15 such districts.

The bill also allows competitive grant recipients to use the funds to purchase school readiness seats in programs that are “seeking accreditation.” Current law limits these funds to the purchase of seats in accredited programs only. The bill defines programs “seeking accreditation” as those:

1. seeking accreditation from (a) the National Association for the Education of Young Children (NAEYC) or (b) a Head Start on-site program review instrument or a successor instrument pursuant to federal regulations or
2. attempting to meet criteria established by the early childhood commissioner.

The bill also changes the competitive grant amount for which a town or regional school readiness council may apply. Under current law, the grant may not exceed \$107,000 unless an applicant town has two or more priority schools (see BACKGROUND) in one district. The bill makes this amount a floor, rather than a ceiling, for all towns and councils that apply, including those towns with more than one priority school. It also requires the education commissioner to give preference when awarding competitive grants to towns that increase the number of school readiness spaces.

The bill allows any town that receives a competitive grant to use it to prepare a facility and staff members for school readiness program operation during the entire five-year grant term. Current law allows competitive grants to be used for such purposes only during the first three years of the grant term.

The bill also allows the education commissioner to (a) give preference to towns that increase the number of school readiness seats when awarding competitive grants and (b) use unexpended school readiness funds to develop a plan for providing universal access to school readiness spaces.

**§ 11 – State Per-Pupil School Readiness Reimbursement**

The bill increases the state's per-pupil cost reimbursement for school readiness programs from a maximum of \$8,346 to a maximum of \$8,670, within available appropriations, beginning in FY 15.

**§ 11 – School Readiness Grant Ineligibility**

The bill prohibits OEC from providing funding to any local or regional board of education that is a school readiness provider and does not collect data using the preschool experience survey and include it in PSIS. The prohibition begins in the 2015-16 school year.

**§§ 17-19 — Federal Child Care Development Fund and Collective Bargaining**

The bill requires OEC, rather than DSS, to (1) administer the federal block grant that provides much of the funding for the state's child care programs and (2) bargain with unions that represent family child care providers.

**§ 26 — Grants for Schools as Day Care Facilities**

The bill requires the SDE commissioner, instead of the DSS commissioner, to establish a program providing grants to municipalities, local school boards, and child care providers to encourage the use of schools facilities for before- and after-school child day care. It also permits the SDE commissioner to adopt regulations related to this program.

**PLANS AND GRANTS TO INCREASE PRESCHOOL ACCESS**

**§ 81 — School Readiness Universal Access Plan**

The bill requires the OEC commissioner to develop a plan to provide (1) spaces in school readiness programs that are either accredited or seeking accreditation for all eligible children and (2)

access to a preschool program established or expanded with Smart Start grants. The commissioner must submit the plan to the governor by January 1, 2015.

**§ 82 — *New School Readiness Grant***

The bill requires the OEC commissioner to establish a new grant program to enable eligible towns and regional school readiness councils to (1) start up new school readiness classrooms and (2) provide spaces to eligible children in school readiness programs that are accredited or seeking accreditation.

The bill defines “eligible towns” as those that (1) contain a priority school or (2) are ranked among the 50 poorest in the state but whose school district is not a priority school district. It defines “eligible regional school readiness councils” as those comprised of two or more towns or school districts that contain a priority school.

It defines “eligible children” as children aged three-to-five years who are too young to enroll in kindergarten but will attend a school readiness program and who live in:

1. an area served by a priority school or former priority school,
2. a town ranked among the 50 poorest but not in a priority school district,
3. a town formerly ranked among the 50 poorest but not in a priority school district, or
4. a town designated as an alliance district that is not a priority school district.

Towns and children benefitting from this grant are also eligible competitive school readiness grant recipients (see BACKGROUND). The bill does not specify whether a recipient may be awarded both grants, or if receipt of one grant eliminates eligibility for the other.

**§ 84-85 — *Preschool Experience Survey***

The bill requires the OEC commissioner to develop a preschool

survey, in consultation with SDE, by March 1, 2015. Local or regional boards of education may provide the survey to parents or guardians of children enrolling in kindergarten along with required registration materials.

The board must use the survey to collect the following information:

1. whether the child enrolling in kindergarten has participated in a preschool program and
2. (a) if the child has participated in a preschool program, the nature, length, and setting of the program or (b) if the child has not, the reasons why.

For children who have not participated in a preschool program, the survey may ask about, among other topics, (1) financial difficulty, (2) lack of transportation, (3) parental choice regarding enrollment, (4) limitations related to available programs' hours of operation, and (5) any other barriers to participation.

The bill prohibits local or regional boards of education from requiring a parent or guardian to complete the survey as a condition of the child's kindergarten enrollment.

The bill also requires PSIS to include data collected from the preschool experience survey.

**§ 83 — Smart Start Competitive Grant**

The bill requires OEC, in consultation with SDE, to design and administer the Connecticut Smart Start competitive grant program for FYs 15-24. The program reimburses local and regional boards of education in the form of capital and operating grants for expenses related to establishing or expanding a preschool program under the board's jurisdiction. Boards must apply to OEC for the grants.

Boards may receive:

1. a capital grant of \$75,000 per classroom to renovate an existing public school to accommodate or expand a preschool program

and

2. an annual grant for operating expenses, either in an amount up to (a) \$5,000 per child served by the program or (b) \$75,000 per classroom, for period of five years.

The bill prohibits a town from receiving more than \$300,000 in grants annually. It allows boards of education to apply for grant renewal after the five-year period expires.

Under the bill, boards may apply for the Smart Start program beginning July 1, 2014. To be eligible for program capital and operating grants, an applicant board must:

1. demonstrate need to establish or expand a preschool program on a form provided by the OEC commissioner, such as the preschool experience survey;
2. submit a plan for grant expenditure, including (a) the amount the board will contribute to preschool's operation and (b) how the board will provide preschool access to children otherwise unable to enroll in a program; and
3. submit a letter of support to establish or expand a preschool from a local or regional school readiness council, if any is established for the school district.

The bill requires the OEC commissioner, when awarding Smart Start grants, to give priority to boards of education that demonstrate the greatest need for establishment or expansion. She must also give priority to those whose plan allocates at least (1) 60% of spaces to children from families at or below 75% of the state median income or (2) 50% of spaces to children who are eligible for free and reduced-price lunch.

It also requires the OEC commissioner to consider the following when reviewing Smart Start grant applications:

1. current community capacity for preschool programs;

2. current opportunities for preschool children in the community; and
3. whether the applying board (a) currently offers a full-day kindergarten program, (b) will be cooperating and coordinating with other governmental and community programs to provide services when the preschool program is not in session (presumably before school, after school, and during the summer), or (c) will collaborate with other boards of education in a cooperative arrangement to offer a regional preschool program.

Any preschool program established or expanded using Smart Start grants must meet several criteria, including:

1. contain a classroom with a certified teacher who (a) has an endorsement in early childhood education or early childhood special education and (b) is an employee of the board of education providing the program;
2. maintain a teacher-child classroom ratio in compliance with NAEYC standards;
3. obtain school readiness accreditation within three years of the program's creation; and
4. be located in (a) a public school or (b) in a space maintained by an early care and education and child development program provider that has an agreement with a board of education.

Under the bill, each board that receives a Smart Start grant (1) must submit an annual status report to OEC about the program's operation and (2) may implement a sliding fee scale for services provided to enrolled children.

## **COUNCILS, COMMITTEES, AND CABINETS**

### **§ 9 — *Head Start Advisory Committee***

The bill requires the committee that advises the SDE commissioner

on utilization of Head Start funds to instead advise the OEC commissioner. It also allows the OEC commissioner, rather than the DSS commissioner, to appoint one member to the committee.

### **§ 12 — Local School Readiness Councils**

The bill requires local school readiness councils (1) to cooperate with OEC during evaluation of school readiness program effectiveness and (2) submit biennial reports on the number and location of school readiness spaces and estimates of future needs to SDE. Under the bill, councils' reports must include the estimated cost of providing school readiness seats to all eligible children, not just children in priority school districts, including the cost for school readiness programs that are in the process of seeking accreditation.

These councils advise their district's chief elected official and superintendent on issues relating to school readiness.

### **§ 15 — Early Childhood Cabinet**

The bill assigns to the Early Childhood Cabinet the new duty of advising OEC on policy and program goals, within available resources. This replaces the cabinet's existing duty to coordinate services among state agencies to enhance the health, safety, and learning of children from birth to age nine.

The bill also reconstitutes the cabinet, as shown in Table 3.

**Table 3: Early Childhood Cabinet Membership**

<b><i>New Members</i></b>	<b><i>Appointing Authority</i></b>
OEC commissioner, or designee	n/a
Board of Regents for Higher Education (BOR) president, or designee	n/a
Member of school board in alliance district town	House speaker
Parent of a child attending school in education reform district	House speaker
Representative of an early education and child care provider association	Senate president pro tempore
State philanthropic community representative	Governor
Connecticut State Employees Association representative	Governor

<b><i>Removed Members</i></b>	
SDE representative responsible for programs required under the federal IDEA	SDE commissioner
Higher education institution representative	BOR president
House member	House speaker
Senate member	Senate president pro tempore
Parent of child attending a priority school district	House speaker
<b><i>Retained Members</i></b>	
SDE commissioner, or designee	n/a
DSS commissioner, or designee	n/a
DPH commissioner, or designee	n/a
Department of Developmental Services commissioner, or designee	n/a
Department of Children and Families (DCF) commissioner, or designee	n/a
Commission on Children executive director, or designee	n/a
Connecticut Head Start State Collaboration Office project director	n/a
Parent of child who attends or has attended a school readiness program	House minority leader
Early childhood education local provider	Senate minority leader
Connecticut Family Resource Center Alliance representative	House majority leader
State-funded child day care center representative	Senate majority leader
Representative of a public elementary school with a pre-kindergarten program	Senate president pro tempore
Connecticut Head Start Association representative	Governor
State business community representative	Governor
OPM secretary, or designee	n/a

Under the bill, the governor appoints one co-chairperson from among the cabinet's members, rather than a single chairperson. The OEC commissioner serves as the other co-chair. The cabinet must meet at least quarterly. All cabinet members serve without pay and are deemed to have resigned if they miss at least half of the meetings in a calendar year.

The bill moves the cabinet from SDE to OEC for administrative purposes only.

## **OTHER CHANGES**

**§ 10 — School Readiness Program Staff Qualifications**

The bill gives OEC more authority over school readiness staff qualification requirements. It allows the OEC commissioner to:

1. approve the organizations that may issue credentials equivalent to a childhood development associate credential,
2. determine whether a staff member has earned 12 credits or more in early childhood education or child development, and
3. determine whether a staff member has earned (a) an associate's degree with 12 credits or more in early childhood education or child development and (b) a bachelor's degree with 12 credits or more in early childhood education or child development.

The bill removes SBE's authority to accredit colleges' and universities' childhood development associate credentials and associate's and bachelor's degree programs in early childhood education, reserving this duty for BOR or the OHE. It also removes SDE's and DSS's roles in approving and accrediting staff qualification requirements.

The bill also allows school readiness program employees employed on or before June 30, 2015 to remain employed in their positions despite stricter staff requirements that take effect on July 1, 2015. Such grandfathered employees must hold (1) a bachelor's degree in early childhood education or child development or (2) a bachelor's degree and 12 credits or more in early childhood education or child development. It also removes the requirement that such school readiness program employees who leave one program to work at another submit documentation to SDE of progress toward meeting heightened staff requirements.

The bill also permits an individual who is not employed by a school readiness program prior to July 1, 2015, but who holds the same academic qualifications as grandfathered employees, to submit documentation of these qualifications to OEC for review. OEC may determine that these qualifications satisfy heightened staff

requirements beginning July 1, 2015.

**§ 20 — Acceptance of Gifts**

The bill permits the OEC commissioner, rather than the DSS commissioner, to accept and receive bequests or gifts of personal property on behalf of the Children's Trust Fund that are given for services to help people who are receiving or have immediate family members receiving assistance or services (1) from OEC, (2) formerly from DSS, or (3) potentially from OEC.

**§ 21 — Utilization of Federal Programs**

The bill permits the OEC commissioner to take advantage of and administer federally assisted day care programming and programming created under the federal Economic Opportunity Act of 1964. It removes the DSS commissioner's authority to access any of these programs and funds.

**§ 57 — State Financial Assistance for Construction**

The bill permits the OEC commissioner to contract on behalf of the state with municipalities, nonprofit entities, or human resources development agencies in order to provide state grants-in-aid for the following construction projects:

1. planning, constructing, and purchasing neighborhood facilities, including child care facilities, elderly centers, multipurpose human resource centers, emergency shelters for the homeless, and shelters for domestic violence victims; and
2. developing and operating day care facilities for disadvantaged children.

For the above projects, the OEC commissioner replaces the education commissioner as a contracting authority.

**§ 60 — Mandated Reporters**

The bill adds to the list of statutorily required mandated reporters of suspected child abuse or neglect any OEC employee who is responsible for licensing day care centers, group day care homes,

family day care homes, or youth camps. Currently, DPH employees responsible for such licensing are mandated reporters.

**§ 61 — Youth Camp Information Disclosure**

The DSS commissioner must disclose information about individuals receiving assistance from or participating in DSS programs to authorized representatives of the OEC commissioner, rather than the DPH commissioner. Such information must be disclosed so the representative may carry out the office's duties in overseeing child day care services or youth camps.

**§ 63 — Statewide Fraud Early Detection System**

The bill requires the DSS commissioner to consult with the OEC commissioner when developing a statewide fraud early detection system to investigate potentially fraudulent Care 4 Kids applications prior to granting child care subsidies.

**§ 64 — Evidence of Workers' Compensation Insurance**

The bill allows all applicants seeking a license or permit from OEC to, as an alternative to presenting a physical certificate of workers' compensation insurance, write on the license or permit renewal form (1) the name of the insurer, (2) insurance policy number, (3) effective dates of coverage, and (4) attestation that the information is true and accurate.

**§ 65 — CHEFA Loans for Day Care Centers**

The bill requires OEC, rather than SDE, to provide state financial assistance to day care centers that have received CHEFA loans through the Connecticut Child Care Facilities Program (see BACKGROUND) until the centers fully pay off their loans. By law, in order to receive this state financial assistance, centers must have either (1) entered into a contract with the DSS commissioner for the assistance prior to July 1, 2012 or (2) received a priority school district school readiness grant.

**§ 66 — DSS Contracting for Children's Services Delivery**

The bill removes DSS' ability to contract with DCF to perform duties and functions related to children's services, including registration of

family day care homes.

**§§ 68-70 — Teachers' Retirement System (TRS) Definitions**

The bill adds the following terms to statutory TRS definitions:

1. OEC to the list of employers;
2. schools under OEC order to the definition of "public schools";  
and
3. OEC professional staff to the definition of "teacher."

These are conforming changes that allow any OEC employee who is a member of TRS to continue in that retirement system.

**§ 71 — OEC and DPH MOA**

The bill permits OEC to enter into an MOA with DPH for assistance with and to share information regarding (1) day care licensing and investigation and (2) records on (a) DSS participants in child care programs and youth camps and (b) DPH abuse and neglect investigations of licensed day care providers.

**§ 86 — Repealer**

The bill repeals the following provisions that become obsolete upon OEC's creation:

1. the interagency agreement on school readiness;
2. the coordinated system of early care and child development and its planning director;
3. SDE's duty to develop a school readiness-to-kindergarten information sharing system;
4. DSS' ability to contract with DCF for duties and functions related to children's services, including registration of family day care homes; and
5. day care licensees' duty to report to DPH on their programs' operation and finances.

## **BACKGROUND**

### ***Coordinated System of Early Care and Education and Child Development***

In 2011, the governor appointed a planning director to create a plan for consolidating early childhood programs and services across several agencies into one coordinated system of early care and education and child development. This coordinated system is the precursor to OEC.

By law, the coordinated system must accomplish 25 tasks that address the following areas: (1) program reporting and data analysis, (2) student assessments, (3) program assessments, (4) family and parental involvement, (5) outreach and coordination, (6) funding, (7) licensing, and (8) professional development (CGS § 10-16bb (b)).

### ***School Readiness Program***

By law, a “school readiness program” is a nonreligious, SDE-funded education program that provides a developmentally appropriate learning experience of at least 450 hours and 180 days for children between ages three and five who are too young to enroll in kindergarten (CGS § 10-16p(a)(1)).

SDE allocates school readiness funds using two different methods: a school readiness grant program and a competitive grant program. School readiness program grants are given to priority and former priority school districts. Competitive grants are given to (1) areas served by a priority or former priority school and (2) the 50 poorest or formerly poorest towns whose school district is not a priority district (CGS § 10-16p(c)-(d)).

School readiness program providers eligible for SDE funding include local and regional boards of education, regional educational service centers (RESC), family resource centers, child day care centers, Head Start programs, and preschool programs (CGS § 10-16p(b)(1)).

### ***Priority School***

A priority school is one located in a nonpriority district where 40% or more of school lunches served are served to children with family

incomes low enough to be eligible for free or reduced-price school lunches (CGS § 10-16p(a)(3)).

### ***Department Heads***

By law, department heads serve at the governor's pleasure for terms no longer than four years, unless reappointed. The General Assembly must confirm or reject each department head the governor nominates. The nominee or incumbent must (1) serve no longer than four years from March 1 during the year of appointment if confirmed or (2) serve only until March 10 during the year of appointment if denied (CGS §§ 4-6, 4-7).

### ***PSIS***

PSIS is a statewide, standardized electronic data collection and reporting system that tracks and reports data relating to student, teacher, school, and district performance growth. It makes this data available to local and regional boards of education for use in evaluating educational performance and growth of teachers and students enrolled in Connecticut public schools (CGS § 10-10a).

### ***Connecticut Child Care Facilities Program***

This program, established by CHEFA, finances low-interest loans for child care and child development centers, family resource centers, and Head Start programs (CGS § 10a-194c).

### ***Related Bills***

sSB 26, An Act Expanding Opportunities for Early Childhood Education, favorably reported by the Education Committee, (1) widens the pool of school readiness programs eligible for competitive grants; (2) raises the per-child state reimbursement rate for school readiness programs; (3) requires OEC to develop a universal school readiness plan; and (4) makes OEC, rather than DPH, the lead agency for youth camp regulation.

sHB 5043 (File 493) favorably reported by the Education Committee, also adjusts the state's per-pupil cost reimbursement for school readiness programs.

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute

Yea 32 Nay 0 (03/21/2014)

Appropriations Committee

Joint Favorable

Yea 47 Nay 0 (04/24/2014)