



Substitute House Bill No. 5449

Public Act No. 18-184

**AN ACT CONCERNING THE ADMINISTRATION OF CERTAIN
EARLY CHILDHOOD PROGRAMS AND THE PROVISION OF
EARLY CHILDHOOD SERVICES BY THE OFFICE OF EARLY
CHILDHOOD.**

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

Section 1. Subsection (b) of section 10-500 of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(b) The office shall be responsible for:

(1) [The delivery of] Delivering services to young children and their families to ensure optimal health, safety and learning for each young child;

(2) Developing and implementing the early childhood information system, in accordance with the provisions of section 10-501;

(3) Developing and reporting on the early childhood accountability plan, in accordance with the provisions of section 10-503;

(4) Implementing a communications strategy for outreach to families, service providers and policymakers;

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(5) Not later than September 1, 2014, beginning a state-wide longitudinal evaluation of the school readiness program examining the educational progress of children from prekindergarten programs to grade four, inclusive;

(6) Developing, coordinating and supporting public and private partnerships to aid early childhood initiatives;

(7) Developing a state-wide developmentally appropriate kindergarten entrance inventory that measures a child's level of preparedness for kindergarten, but shall not be used as a measurement tool for program accountability;

(8) Creating a unified set of reporting requirements for the purpose of collecting the data elements necessary to perform quality assessments and longitudinal analysis;

(9) Comparing and analyzing data collected pursuant to reporting requirements created under subdivision (8) of this subsection with the data collected in the state-wide public school information system, pursuant to section 10-10a, for population-level analysis of children and families;

(10) Continually monitoring and evaluating all early care and education and child development programs and services, focusing on program outcomes in satisfying the health, safety, developmental and educational needs of all children, while retaining distinct separation between quality improvement services and licensing services for child care centers, group child care homes and family child care homes;

(11) Coordinating home visitation services across programs for young children;

(12) Providing information and technical assistance to persons seeking early care and education and child development programs and

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services;

(13) Assisting state agencies and municipalities in obtaining available federal funding for early care and education and child development programs and services;

(14) Providing technical assistance to providers of early care and education programs and services to obtain licensing and improve program quality;

(15) Establishing a quality rating and improvement system developed by the office that covers home-based, center-based and school-based early child care and learning;

(16) Maintaining an accreditation facilitation initiative to assist early childhood care and education program and service providers in achieving national standards and program improvement;

(17) Consulting with the Early Childhood Cabinet, established pursuant to section 10-16z, and the Head Start advisory committee, established pursuant to section 10-16n;

(18) Ensuring a coordinated and comprehensive state-wide system of professional development for providers and staff of early care and education and child development programs and services;

(19) Providing families with opportunities for choice in services including quality child care and community-based family-centered services;

(20) Integrating early childhood care and education and special education services;

(21) Promoting universal access to early childhood care and education;

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(22) Ensuring nonduplication of monitoring and evaluation;

(23) Performing any other activities that will assist in the provision of early care and education and child development programs and services;

(24) Developing early learning and development standards to be used by early care and education providers; [and]

(25) Developing and implementing a performance-based evaluation system to evaluate licensed child care centers, in accordance with the provisions of section 17b-749f; [.] and

(26) Promoting the delivery of services to infants and toddlers to ensure optimal health, safety and learning of children from birth to three years of age.

Sec. 2. (NEW) (*Effective July 1, 2018*) (a) As used in this subsection, "early care and education and childhood development programs" includes the child care subsidy program, established pursuant to section 17b-749 of the general statutes, as amended by this act, the school readiness program, as defined in section 10-16p of the general statutes, as amended by this act, the supplemental quality enhancement grant program, established pursuant to section 17b-749c of the general statutes, as amended by this act, the Nurturing Families Network, established pursuant to section 17b-751b of the general statutes, as amended by this act, and the program for state financial assistance for neighborhood facilities, including child care centers, pursuant to section 8-210 of the general statutes, as amended by this act.

(b) For the fiscal year ending June 30, 2019, and each fiscal year thereafter, the Commissioner of Early Childhood may expend in any year an amount not to exceed two per cent of the total amount appropriated to the office for early care and education and child

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development programs for the purpose of carrying out its responsibilities pursuant to section 10-500 of the general statutes, as amended by this act, including, but not limited to, piloting innovative and results-driven service delivery, program evaluation and improvement, funding and procurement models that are performance-driven and results-accountable, interagency coordination and collaboration and evaluative tools and infrastructure, provided if the total amount of such two per cent exceeds one million dollars, all funds in excess of one million dollars shall be used for service delivery. The commissioner may not expend any funds under this section for administrative or other overhead costs of the Office of Early Childhood. The commissioner may develop policies and procedures to implement the provisions of this section.

(c) Not later than January first of each year, the office shall submit a report relating to how the commissioner has expended funds pursuant to subsection (b) of this section to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes. Such report shall include, but need not be limited to, (1) the results of any program evaluations conducted by the office, (2) an assessment of the relationship between the cost and the value of the service delivery outcomes achieved, and (3) any policies and procedures developed by the commissioner to implement the provisions of this section.

Sec. 3. Section 17b-749 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) The Commissioner of Early Childhood shall establish and operate a child care subsidy program to increase the availability, affordability and quality of child care services for families with a parent or caretaker who (1) is working or attending high school, or (2) receives cash assistance under the temporary family assistance

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program from the Department of Social Services and is participating in an education, training or other job preparation activity approved pursuant to subsection (b) of section 17b-688i or subsection (b) of section 17b-689d. Services available under the child care subsidy program shall include the provision of child care subsidies for children under the age of thirteen or children under the age of nineteen with special needs. The Office of Early Childhood shall open and maintain enrollment for the child care subsidy program and shall administer such program within the existing budgetary resources available. The office shall issue a notice on the office's Internet web site any time the office closes the program to new applications, changes eligibility requirements, changes program benefits or makes any other change to the program's status or terms, except the office shall not be required to issue such notice when the office expands program eligibility. Any change in the office's acceptance of new applications, eligibility requirements, program benefits or any other change to the program's status or terms for which the office is required to give notice pursuant to this subsection, shall not be effective until thirty days after the office issues such notice.

(b) The commissioner shall establish income standards for applicants and recipients at a level to include a family with gross income up to fifty per cent of the state-wide median income, except the commissioner (1) may increase the income level to up to seventy-five per cent of the state-wide median income, (2) upon the request of the Commissioner of Children and Families, may waive the income standards for adoptive families so that children adopted on or after October 1, 1999, from the Department of Children and Families are eligible for the child care subsidy program, and (3) on and after March 1, 2003, shall reduce the income eligibility level to up to fifty-five per cent of the state-wide median income for applicants and recipients who qualify based on their loss of eligibility for temporary family assistance. The commissioner may adopt regulations in accordance

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with chapter 54 to establish income criteria and durational requirements for such waiver of income standards.

(c) The commissioner, in consultation with the Commissioner of Social Services, shall establish eligibility and program standards including, but not limited to: (1) A priority intake and eligibility system with preference given to serving (A) recipients of temporary family assistance who are employed or engaged in employment activities under the Department of Social Services' "Jobs First" program, (B) working families whose temporary family assistance was discontinued not more than five years prior to the date of application for the child care subsidy program, (C) teen parents, (D) low-income working families, (E) adoptive families of children who were adopted from the Department of Children and Families and who are granted a waiver of income standards under subdivision (2) of subsection (b) of this section, (F) working families who are at risk of welfare dependency, and (G) any household with a child or children participating in the Early Head Start-Child Care Partnership federal grant program for a period of up to twelve months based on Early Head Start eligibility criteria; (2) health and safety standards for child care providers not required to be licensed; (3) a reimbursement system for child care services which account for differences in the age of the child, number of children in the family, the geographic region and type of care provided by licensed and unlicensed caregivers, the cost and type of services provided by licensed and unlicensed caregivers, successful completion of fifteen hours of annual in-service training or credentialing of child care directors and administrators, and program accreditation; (4) supplemental payment for special needs of the child and extended nontraditional hours; (5) an annual rate review process for providers which assures that reimbursement rates are maintained at levels which permit equal access to a variety of child care settings; (6) a sliding reimbursement scale for participating families; (7) an administrative appeals process; (8) an administrative hearing process

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to adjudicate cases of alleged fraud and abuse and to impose sanctions and recover overpayments; (9) an extended period of program and payment eligibility when a parent who is receiving a child care subsidy experiences a temporary interruption in employment or other approved activity; and (10) a waiting list for the child care subsidy program that (A) allows the commissioner to exercise discretion in prioritizing within and between existing priority groups, including, but not limited to, children described in 45 CFR 98.46, as amended from time to time, and households with an infant or toddler, and (B) reflects the priority and eligibility system set forth in subdivision (1) of this subsection, which is reviewed periodically, with the inclusion of this information in the annual report required to be issued annually by the office to the Governor and the General Assembly in accordance with section 17b-733. Such action will include, but not be limited to, family income, age of child, region of state and length of time on such waiting list.

(d) Not later than July 1, 2015, an applicant determined to be eligible for program benefits by the Commissioner of Early Childhood shall remain eligible for such benefits for a period prescribed by federal law.

(e) Within available appropriations, a recipient of program benefits who takes unpaid leave from such recipient's employment due to the birth or impending birth of a child shall be granted not more than six weeks of payment eligibility during the leave if: (1) The recipient intends to return to work at the end of the unpaid leave; (2) the recipient verifies that eligibility is needed to prevent the loss of a slot in a school-based program or licensed child care setting; and (3) the child receiving child care services under the program continues to attend the program during the recipient's leave.

(f) A provider under the child care subsidy program that qualifies for eligibility and subsequently receives payment for child care services for recipients under this section shall be reimbursed for such

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services until informed by the office of the recipient's ineligibility.

(g) All licensed child care providers and those providers exempt from licensing shall provide the office with the following information in order to maintain eligibility for reimbursement: (1) The name, address, appropriate identification, Social Security number and telephone number of the provider and all adults who work for or reside at the location where care is provided; (2) the name and address of the child's doctor, primary care provider and health insurance company; (3) whether the child is immunized and has had health screens pursuant to the federal Early and Periodic Screening, Diagnostic and Treatment Services Program under 42 USC 1396d; and (4) the number of children cared for by the provider.

(h) On or after July 1, 2014, the commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section.

(i) The commissioner shall submit to the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies a copy of the Child Care and Development Fund Plan that the commissioner submits to the Administration for Children and Families pursuant to federal law. The copy of the plan shall be submitted to the committees not later than thirty days after submission of the plan to the Administration for Children and Families.

(j) The commissioner may expend an amount not to exceed two per cent of the amount appropriated for purposes of this section in a manner consistent with the provisions of section 2 of this act.

Sec. 4. Subsection (k) of section 10-16p of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

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(k) (1) Up to two per cent of the amount of the appropriation for this section may be allocated to the competitive grant program pursuant to subsection (d) of this section. The determination of the amount of such allocation shall be made on or before August first.

(2) Up to two per cent of the amount of the appropriation for this section may be used by the commissioner in a manner consistent with the provisions of section 2 of this act.

Sec. 5. Section 17b-749c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) The Commissioner of Early Childhood shall establish a program, within available appropriations, to provide, on a competitive basis, supplemental quality enhancement grants to child care centers or school readiness programs pursuant to section 10-16p, as amended by this act, and section 10-16u. Child care centers and school readiness programs may apply for a supplemental quality enhancement grant at such time and on such form as the commissioner prescribes. Effective July 1, 2014, the commissioner shall make funds payable to child care centers and school readiness programs under such grants on a prospective basis.

(b) Priority for such grants shall be given to programs that are: (1) Included in a local school readiness plan; (2) full-day, year-round programs; and (3) accredited, as defined in subdivision (4) of subsection (a) of section 10-16p.

(c) The grants shall be used to:

(1) Help providers who are not accredited by the National Association for the Education of Young Children to obtain such accreditation;

(2) Help directors and administrators to obtain training;

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(3) Provide comprehensive services, such as enhanced access to health care, a health consultant, a mental health consultant, nutrition, family support services, parent education, literacy and parental involvement, and community and home outreach programs; and provide information concerning access when needed to a speech and language therapist;

(4) Purchase educational equipment;

(5) Provide scholarships for training to obtain a credential in early childhood education or child development;

(6) Provide training for persons who are mentor teachers, as defined in federal regulations for the Head Start program, and provide a family service coordinator or a family service worker as such positions are defined in such federal regulations;

(7) Repair fire, health and safety problems in existing facilities and conduct minor remodeling to comply with the Americans with Disabilities Act; train child care providers on injury and illness prevention; and achieve compliance with national safety standards;

(8) Create a supportive network with family child care homes and other providers of care for children;

(9) Provide for educational consultation and staff development;

(10) Provide for program quality assurance personnel;

(11) Provide technical assistance services to enable providers to develop child care facilities pursuant to sections 17b-749g, 17b-749h and 17b-749i;

(12) Establish a single point of entry system;

(13) Provide services that enhance the quality of programs to

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maximize the health, safety and learning of children from birth to three years of age, inclusive, including, but not limited to, those children served by informal child care arrangements. Such grants may be used for the improvement of staff to child ratios and interaction, initiatives to promote staff retention, preliteracy development, parent involvement, curriculum content and lesson plans.

(d) The commissioner may expend an amount not to exceed two per cent of the amount appropriated for purposes of this section in a manner consistent with the provisions of section 2 of this act.

Sec. 6. Section 17b-751b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) The Commissioner of Early Childhood shall establish the structure for a state-wide system for a Nurturing Families Network, which demonstrates the benefits of preventive services by significantly reducing the abuse and neglect of infants and by enhancing parent-child relationships through hospital-based assessment with home outreach follow-up on infants and their families within families identified as high risk.

(b) The commissioner shall: (1) Develop the comprehensive risk assessment to be used by the Nurturing Families Network's providers; (2) develop the training program, standards, and protocols for the pilot programs; and (3) develop, issue and evaluate requests for proposals to procure the services required by this section. In evaluating the proposals, the commissioner shall take into consideration the most effective and consistent service delivery system allowing for the continuation of current public and private programs.

(c) The commissioner shall establish a data system to enable the programs to document the following information in a standard manner: (1) The level of screening and assessment; (2) profiles of risk

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and family demographics; (3) the incidence of child abuse and neglect; (4) rates of child development; and (5) any other information the commissioner deems appropriate.

(d) The commissioner shall report to the General Assembly, in accordance with the provisions of section 11-4a, on the establishment, implementation and progress of the Nurturing Families Network, on July first of each year.

(e) The commissioner may expend an amount not to exceed two per cent of the amount appropriated for purposes of this section in a manner consistent with the provisions of section 2 of this act.

Sec. 7. Subsection (f) of section 8-210 of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(f) The Commissioner of Early Childhood may [, in his or her discretion,] (1) with the approval of the Secretary of the Office of Policy and Management, authorize the expenditure of such funds for the purposes of this section as shall enable the Commissioner of Early Childhood to apply for, qualify for and provide the state's share of federally assisted child care services, and (2) expend an amount not to exceed two per cent of the amount appropriated for purposes of this section in a manner consistent with the provisions of section 2 of this act.

Sec. 8. Subdivision (1) of subsection (b) of section 10-16q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(b) (1) For the fiscal [year] years ending June 30, 2015, [and each fiscal year thereafter] to June 30, 2019, inclusive, the per child cost of the Office of Early Childhood school readiness program offered by a school readiness provider shall not exceed eight thousand nine

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hundred twenty-seven dollars. For the fiscal year ending June 30, 2020, and each fiscal year thereafter, the commissioner may establish, within available appropriations, new rates for the school readiness program, provided such new rates are established to improve program quality and access. The commissioner may revise the rates for the school readiness program during a fiscal year if the commissioner determines that such revised rates are necessary to improve quality of, increase access to or fill spaces in school readiness programs.

Sec. 9. Subdivision (2) of subsection (e) of section 10-16p of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(2) (A) If funds appropriated for the purposes of subsection (c) of this section are not expended, the commissioner may deposit such unexpended funds in the account established under section 10-16aa and use such unexpended funds in accordance with the provisions of section 10-16aa.

(B) For the fiscal year ending June 30, 2015, and each fiscal year thereafter, if funds appropriated for the purposes of subsection (c) of this section are not expended, an amount up to one million dollars of such unexpended funds may be available for the provision of professional development for early childhood care and education program providers, and staff employed in such programs, provided such programs accept state funds for infant, toddler and preschool slots. Such unexpended funds may be available for use in accordance with the provisions of this subparagraph for the subsequent fiscal year. The commissioner may use such unexpended funds on and after July 1, 2015, to support early childhood education programs accepting state funds in satisfying the staff qualifications requirements of subparagraphs (B) and (C) of subdivision (2) of subsection (b) of this section. The commissioner shall use any such funds to provide assistance to individual staff members, giving priority to those staff

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members (i) attending an institution of higher education accredited by the Board of Regents for Higher Education or the Office of Higher Education, and approved by the Office of Early Childhood, and regionally accredited, at a maximum of ten thousand dollars per staff member per year for the cost of higher education courses leading to a bachelor's degree or, not later than December 31, 2015, an associate degree, as such degrees are described in said subparagraphs (B) and (C), or (ii) receiving noncredit competency-based training approved by the office, at a maximum of one thousand dollars per staff member per year, provided such staff members have applied for all available federal and state scholarships and grants, and such assistance does not exceed such staff members' financial need. Individual staff members shall apply for such unexpended funds in a manner determined by the commissioner. The commissioner shall determine how such unexpended funds shall be distributed.

(C) If funds appropriated for the purposes of subsection (c) of this section are not expended pursuant to subsection (c) of this section, deposited pursuant to subparagraph (A) of this subdivision, or used pursuant to subparagraph (B) of this subdivision, the commissioner may use such unexpended funds to support local school readiness programs. The commissioner may use such funds for purposes including, but not limited to, (i) assisting local school readiness programs in meeting and maintaining accreditation requirements, (ii) providing training in implementing the preschool assessment and curriculum frameworks, including training to enhance literacy teaching skills, (iii) developing a state-wide preschool curriculum, (iv) developing student assessments for students in grades kindergarten to two, inclusive, (v) developing and implementing best practices for parents in supporting preschool and kindergarten student learning, (vi) developing and implementing strategies for children to successfully transition to preschool and from preschool to kindergarten, including through parental engagement and whole-

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family supports that may be utilized through the two-generational initiative, established pursuant to section 17b-112l, or through other available resources, (vii) providing for professional development, including assisting in career ladder advancement, for school readiness staff, (viii) providing supplemental grants to other towns that are eligible for grants pursuant to subsection (c) of this section, and (ix) developing a plan to provide spaces in an accredited school readiness program or a school readiness program seeking accreditation to all eligible children who reside in an area or town described in subparagraphs (A) to (D), inclusive, of subdivision (1) of subsection (d) of this section.

Approved June 14, 2018