

# WORKING DRAFT

## ***Proposed Substitute Bill No. 5449***

*February Session, 2018*

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LCO No. 3033

### ***AN ACT CONCERNING THE ALIGNMENT AND MERGING OF EARLY CARE AND EDUCATION PROGRAM FUNDING STREAMS, ELIGIBILITY, RATES AND POLICIES.***

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

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2 the general statutes is repealed and the following is substituted in lieu  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

4 (b) The office shall be responsible for:

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

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

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

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

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

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16 grade four, inclusive;

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

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

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

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

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

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

39 (12) Providing information and technical assistance to persons  
40 seeking early care and education and child development programs and  
41 services;

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

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

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

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

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

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

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

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

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

67 (22) Ensuring nonduplication of monitoring and evaluation;

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

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

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

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

79 Sec. 2. (NEW) (*Effective July 1, 2018*) (a) For the fiscal year ending  
80 June 30, 2019, and each fiscal year thereafter, the Office of Early  
81 Childhood may expend in any year an amount not to exceed one  
82 million dollars of the total amount appropriated to the office for early  
83 care and education and child development programs for the purpose  
84 of carrying out its responsibilities pursuant to section 10-500 of the  
85 general statutes, as amended by this act, including, but not limited to,  
86 program evaluation and improvement, interagency coordination and  
87 collaboration and evaluative tools and infrastructure, except the office  
88 may not expend more than two per cent of the amount appropriated to  
89 the office for a single early care and education and child development  
90 program under this subsection. As used in this subsection, "early care  
91 and education and childhood development programs" includes the  
92 child care subsidy program, established pursuant to section 17b-749 of  
93 the general statutes, as amended by this act, the school readiness  
94 program, as defined in section 10-16p of the general statutes, as  
95 amended by this act, the supplemental quality enhancement grant  
96 program, established pursuant to section 17b-749c of the general  
97 statutes, as amended by this act, the Nurturing Families Network,  
98 established pursuant to section 17b-751b of the general statutes, as  
99 amended by this act, and the program for state financial assistance for  
100 child care centers, pursuant to section 8-210 of the general statutes, as  
101 amended by this act.

102 (b) Not later than January first of each year, the office shall submit a  
103 report, in accordance with the provisions of section 11-4a of the general  
104 statutes, relating to how the office has expended the funds described in

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105 subsection (a) of this section, including the results of any program  
106 evaluations conducted, to the joint standing committee of the General  
107 Assembly having cognizance of matters relating to education.

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

110 (a) The Commissioner of Early Childhood shall establish and  
111 operate a child care subsidy program to increase the availability,  
112 affordability and quality of child care services for families with a  
113 parent or caretaker who (1) is working or attending high school, or (2)  
114 receives cash assistance under the temporary family assistance  
115 program from the Department of Social Services and is participating in  
116 an education, training or other job preparation activity approved  
117 pursuant to subsection (b) of section 17b-688i or subsection (b) of  
118 section 17b-689d. Services available under the child care subsidy  
119 program shall include the provision of child care subsidies for children  
120 under the age of thirteen or children under the age of nineteen with  
121 special needs. The Office of Early Childhood shall open and maintain  
122 enrollment for the child care subsidy program and shall administer  
123 such program within the existing budgetary resources available. The  
124 office shall issue a notice on the office's Internet web site any time the  
125 office closes the program to new applications, changes eligibility  
126 requirements, changes program benefits or makes any other change to  
127 the program's status or terms, except the office shall not be required to  
128 issue such notice when the office expands program eligibility. Any  
129 change in the office's acceptance of new applications, eligibility  
130 requirements, program benefits or any other change to the program's  
131 status or terms for which the office is required to give notice pursuant  
132 to this subsection, shall not be effective until thirty days after the office  
133 issues such notice.

134 (b) The commissioner shall establish income standards for  
135 applicants and recipients at a level to include a family with gross  
136 income up to fifty per cent of the state-wide median income, except the

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137 commissioner (1) may increase the income level to up to seventy-five  
138 per cent of the state-wide median income, (2) upon the request of the  
139 Commissioner of Children and Families, may waive the income  
140 standards for adoptive families so that children adopted on or after  
141 October 1, 1999, from the Department of Children and Families are  
142 eligible for the child care subsidy program, and (3) on and after March  
143 1, 2003, shall reduce the income eligibility level to up to fifty-five per  
144 cent of the state-wide median income for applicants and recipients  
145 who qualify based on their loss of eligibility for temporary family  
146 assistance. The commissioner may adopt regulations in accordance  
147 with chapter 54 to establish income criteria and durational  
148 requirements for such waiver of income standards.

149 (c) The commissioner, in consultation with the Commissioner of  
150 Social Services, shall establish eligibility and program standards  
151 including, but not limited to: (1) A priority intake and eligibility  
152 system with preference given to serving (A) recipients of temporary  
153 family assistance who are employed or engaged in employment  
154 activities under the Department of Social Services' "Jobs First"  
155 program, (B) working families whose temporary family assistance was  
156 discontinued not more than five years prior to the date of application  
157 for the child care subsidy program, (C) teen parents, (D) low-income  
158 working families, (E) adoptive families of children who were adopted  
159 from the Department of Children and Families and who are granted a  
160 waiver of income standards under subdivision (2) of subsection (b) of  
161 this section, (F) working families who are at risk of welfare  
162 dependency, and (G) any household with a child or children  
163 participating in the Early Head Start-Child Care Partnership federal  
164 grant program for a period of up to twelve months based on Early  
165 Head Start eligibility criteria; (2) health and safety standards for child  
166 care providers not required to be licensed; (3) a reimbursement system  
167 for child care services which account for differences in the age of the  
168 child, number of children in the family, the geographic region and type  
169 of care provided by licensed and unlicensed caregivers, the cost and  
170 type of services provided by licensed and unlicensed caregivers,

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171 successful completion of fifteen hours of annual in-service training or  
172 credentialing of child care directors and administrators, and program  
173 accreditation; (4) supplemental payment for special needs of the child  
174 and extended nontraditional hours; (5) an annual rate review process  
175 for providers which assures that reimbursement rates are maintained  
176 at levels which permit equal access to a variety of child care settings;  
177 (6) a sliding reimbursement scale for participating families; (7) an  
178 administrative appeals process; (8) an administrative hearing process  
179 to adjudicate cases of alleged fraud and abuse and to impose sanctions  
180 and recover overpayments; (9) an extended period of program and  
181 payment eligibility when a parent who is receiving a child care  
182 subsidy experiences a temporary interruption in employment or other  
183 approved activity; and (10) a waiting list for the child care subsidy  
184 program that (A) prioritizes within and across existing priority groups,  
185 including, but not limited to, children described in 45 CFR 98.46, as  
186 amended from time to time, and households with an infant or toddler,  
187 and (B) reflects the priority and eligibility system set forth in  
188 subdivision (1) of this subsection, which is reviewed periodically, with  
189 the inclusion of this information in the annual report required to be  
190 issued annually by the office to the Governor and the General  
191 Assembly in accordance with section 17b-733. Such action will include,  
192 but not be limited to, family income, age of child, region of state and  
193 length of time on such waiting list.

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

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

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204 child receiving child care services under the program continues to  
205 attend the program during the recipient's leave.

206 (f) A provider under the child care subsidy program that qualifies  
207 for eligibility and subsequently receives payment for child care  
208 services for recipients under this section shall be reimbursed for such  
209 services until informed by the office of the recipient's ineligibility.

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

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

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

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

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

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

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

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

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

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

261 (c) The grants shall be used to:

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

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- 265 (2) Help directors and administrators to obtain training;
- 266 (3) Provide comprehensive services, such as enhanced access to  
267 health care, a health consultant, a mental health consultant, nutrition,  
268 family support services, parent education, literacy and parental  
269 involvement, and community and home outreach programs; and  
270 provide information concerning access when needed to a speech and  
271 language therapist;
- 272 (4) Purchase educational equipment;
- 273 (5) Provide scholarships for training to obtain a credential in early  
274 childhood education or child development;
- 275 (6) Provide training for persons who are mentor teachers, as defined  
276 in federal regulations for the Head Start program, and provide a  
277 family service coordinator or a family service worker as such positions  
278 are defined in such federal regulations;
- 279 (7) Repair fire, health and safety problems in existing facilities and  
280 conduct minor remodeling to comply with the Americans with  
281 Disabilities Act; train child care providers on injury and illness  
282 prevention; and achieve compliance with national safety standards;
- 283 (8) Create a supportive network with family child care homes and  
284 other providers of care for children;
- 285 (9) Provide for educational consultation and staff development;
- 286 (10) Provide for program quality assurance personnel;
- 287 (11) Provide technical assistance services to enable providers to  
288 develop child care facilities pursuant to sections 17b-749g, 17b-749h  
289 and 17b-749i;
- 290 (12) Establish a single point of entry system;
- 291 (13) Provide services that enhance the quality of programs to

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

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

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

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

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

318 (c) The commissioner shall establish a data system to enable the  
319 programs to document the following information in a standard  
320 manner: (1) The level of screening and assessment; (2) profiles of risk  
321 and family demographics; (3) the incidence of child abuse and neglect;  
322 (4) rates of child development; and (5) any other information the

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323 commissioner deems appropriate.

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

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

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

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

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

346 (b) (1) For the fiscal year ending June 30, [2015, and each fiscal year  
347 thereafter, the per child cost of the Office of Early Childhood school  
348 readiness program offered by a school readiness provider shall not  
349 exceed eight thousand nine hundred twenty-seven dollars] 2019, and  
350 each fiscal year thereafter, the Commissioner of Early Childhood shall  
351 conduct a review of rates for the school readiness program at least  
352 once every three years. Such review shall examine the rates being used

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353 in child day care contracts. The commissioner may establish, within  
354 available appropriations, new rates based on the results of such  
355 review, provided such new rates are established to improve program  
356 quality and access.

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

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

365       (B) For the fiscal year ending June 30, 2015, and each fiscal year  
366 thereafter, if funds appropriated for the purposes of subsection (c) of  
367 this section are not expended, an amount up to one million dollars of  
368 such unexpended funds may be available for the provision of  
369 professional development for early childhood care and education  
370 program providers, and staff employed in such programs, provided  
371 such programs accept state funds for infant, toddler and preschool  
372 slots. Such unexpended funds may be available for use in accordance  
373 with the provisions of this subparagraph for the subsequent fiscal year.  
374 The commissioner may use such unexpended funds on and after July  
375 1, 2015, to support early childhood education programs accepting state  
376 funds in satisfying the staff qualifications requirements of  
377 subparagraphs (B) and (C) of subdivision (2) of subsection (b) of this  
378 section. The commissioner shall use any such funds to provide  
379 assistance to individual staff members, giving priority to those staff  
380 members (i) attending an institution of higher education accredited by  
381 the Board of Regents for Higher Education or the Office of Higher  
382 Education, and approved by the Office of Early Childhood, and  
383 regionally accredited, at a maximum of ten thousand dollars per staff  
384 member per year for the cost of higher education courses leading to a

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385 bachelor's degree or, not later than December 31, 2015, an associate  
386 degree, as such degrees are described in said subparagraphs (B) and  
387 (C), or (ii) receiving noncredit competency-based training approved by  
388 the office, at a maximum of one thousand dollars per staff member per  
389 year, provided such staff members have applied for all available  
390 federal and state scholarships and grants, and such assistance does not  
391 exceed such staff members' financial need. Individual staff members  
392 shall apply for such unexpended funds in a manner determined by the  
393 commissioner. The commissioner shall determine how such  
394 unexpended funds shall be distributed.

395 (C) If funds appropriated for the purposes of subsection (c) of this  
396 section are not expended pursuant to subsection (c) of this section,  
397 deposited pursuant to subparagraph (A) of this subdivision, or used  
398 pursuant to subparagraph (B) of this subdivision, the commissioner  
399 may use such unexpended funds to support local school readiness  
400 programs. The commissioner may use such funds for purposes  
401 including, but not limited to, (i) assisting local school readiness  
402 programs in meeting and maintaining accreditation requirements, (ii)  
403 providing training in implementing the preschool assessment and  
404 curriculum frameworks, including training to enhance literacy  
405 teaching skills, (iii) developing a state-wide preschool curriculum, (iv)  
406 developing student assessments for students in grades kindergarten to  
407 two, inclusive, (v) developing and implementing best practices for  
408 parents in supporting preschool and kindergarten student learning,  
409 (vi) developing and implementing strategies for children to  
410 successfully transition to preschool and from preschool to  
411 kindergarten, including through parental engagement and whole-  
412 family supports that may be utilized through the two-generational  
413 initiative, established pursuant to section 17b-112l, or through other  
414 available resources, (vii) providing for professional development,  
415 including assisting in career ladder advancement, for school readiness  
416 staff, (viii) providing supplemental grants to other towns that are  
417 eligible for grants pursuant to subsection (c) of this section, and (ix)  
418 developing a plan to provide spaces in an accredited school readiness

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419 program or a school readiness program seeking accreditation to all  
420 eligible children who reside in an area or town described in  
421 subparagraphs (A) to (D), inclusive, of subdivision (1) of subsection (d)  
422 of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2018</i>	10-500(b)
Sec. 2	<i>July 1, 2018</i>	New section
Sec. 3	<i>July 1, 2018</i>	17b-749
Sec. 4	<i>July 1, 2018</i>	10-16p(k)
Sec. 5	<i>July 1, 2018</i>	17b-749c
Sec. 6	<i>July 1, 2018</i>	17b-751b
Sec. 7	<i>July 1, 2018</i>	8-210(f)
Sec. 8	<i>July 1, 2018</i>	10-16q(b)(1)
Sec. 9	<i>July 1, 2018</i>	10-16p(e)(2)