



House of Representatives

General Assembly

File No. 408

February Session, 2022

Substitute House Bill No. 5279

House of Representatives, April 12, 2022

The Committee on Education reported through REP. SANCHEZ, R. of the 25th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF EARLY CHILDHOOD.

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

1 Section 1. Section 10-16z of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 (a) There is established the Early Childhood Cabinet. The cabinet
4 shall consist of: (1) The Commissioner of Early Childhood, or the
5 commissioner's designee, (2) the Commissioner of Education, or the
6 commissioner's designee, (3) the Commissioner of Social Services, or the
7 commissioner's designee, (4) the president of the Connecticut State
8 Colleges and Universities, or the president's designee, (5) the
9 Commissioner of Public Health, or the commissioner's designee, (6) the
10 Commissioner of Developmental Services, or the commissioner's
11 designee, (7) the Commissioner of Children and Families, or the
12 commissioner's designee, (8) the executive director of the Commission
13 on Women, Children, Seniors, Equity and Opportunity or the executive
14 director's designee, (9) the project director of the Connecticut Head Start

15 State Collaboration Office, (10) a parent or guardian of a child who
16 attends or attended a school readiness program appointed by the
17 minority leader of the House of Representatives, (11) a representative of
18 a local provider of early childhood education appointed by the minority
19 leader of the Senate, (12) a representative of the Connecticut Family
20 Resource Center Alliance appointed by the majority leader of the House
21 of Representatives, (13) a representative of a state-funded child care
22 center appointed by the majority leader of the Senate, (14) two
23 appointed by the speaker of the House of Representatives, one of whom
24 is a member of a board of education for a town designated as an alliance
25 district, as defined in section 10-262u, and one of whom is a parent who
26 has a child attending a school in an educational reform district, as
27 defined in section 10-262u, (15) two appointed by the president pro
28 tempore of the Senate, one of whom is a representative of an association
29 of early education and child care providers and one of whom is a
30 representative of a public elementary school with a prekindergarten
31 program, (16) ~~eight~~ ten appointed by the Governor, one of whom is a
32 representative of the Connecticut Head Start Association, one of whom
33 is a representative of the business community in this state, one of whom
34 is a representative of the philanthropic community in this state, one of
35 whom is a representative of the Connecticut State Employees
36 Association, one of whom is an administrator of the child care
37 development block grant pursuant to the Child Care and Development
38 Block Grant Act of 1990, one of whom is responsible for administering
39 grants received under section 1419 of Part B of the Individuals with
40 Disabilities Education Act, 20 USC 1419, as amended from time to time,
41 one of whom is responsible for administering the provisions of Title I of
42 the Elementary and Secondary Education Act, 20 USC 6301 et seq., [and]
43 one of whom is responsible for coordinating education services to
44 children and youth who are homeless, one of whom is a licensed family
45 child care home provider and a member of a staffed family child care
46 network identified by the Commissioner of Early Childhood, and one of
47 whom is a parent recommended by a parent advisory group that has
48 been appointed by the Commissioner of Early Childhood, (17) the
49 Secretary of the Office of Policy and Management, or the secretary's

50 designee, (18) the Lieutenant Governor, or the Lieutenant Governor's
51 designee, (19) the Commissioner of Housing, or the commissioner's
52 designee, and (20) the Commissioner of Mental Health and Addiction
53 Services, or the commissioner's designee.

54 (b) The Commissioner of Early Childhood shall serve as a
55 cochairperson of the cabinet. The other cochairperson of the cabinet
56 shall be appointed from among its members by the Governor. The
57 cabinet shall meet at least quarterly. Members shall not be compensated
58 for their services, [Any member who fails to attend three consecutive
59 meetings or who fails to attend fifty per cent of all meetings held during
60 any calendar year shall be deemed to have resigned from the cabinet]
61 except the parent member recommended by a parent advisory group
62 and appointed by the Governor may, within available appropriations,
63 be compensated for any time and travel related to meetings of the
64 cabinet.

65 (c) Within available resources, the Early Childhood Cabinet shall (1)
66 advise the Office of Early Childhood, established pursuant to section 10-
67 500, (2) not later than December 1, 2009, and annually thereafter,
68 develop an annual plan of action that assigns the appropriate state
69 agency to complete the tasks specified in the federal Head Start Act of
70 2007, P.L. 110-134, as amended from time to time, and (3) not later than
71 March 1, 2010, and annually thereafter, submit an annual state-wide
72 strategic report, pursuant to said federal Head Start Act, in accordance
73 with the provisions of section 11-4a, addressing the progress such
74 agencies have made toward the completion of such tasks outlined under
75 said federal Head Start Act and this subsection to the Governor and the
76 joint standing committees of the General Assembly having cognizance
77 of matters relating to education and human services.

78 (d) The Early Childhood Cabinet shall be within the Office of Early
79 Childhood for administrative purposes only.

80 Sec. 2. Subsection (b) of section 17b-749k of the 2022 supplement to
81 the general statutes is repealed and the following is substituted in lieu
82 thereof (*Effective from passage*):

83 (b) The Commissioner of Early Childhood shall, within available
84 appropriations, require any relative who provides child care services to
85 a child and who receives a child care subsidy from the Office of Early
86 Childhood, to submit to a check of (1) the National Sex Offender Public
87 Website maintained by the United States Department of Justice and the
88 registry established and maintained pursuant to section 54-257, (2) the
89 state child abuse registry established pursuant to section 17a-101k, and
90 (3) the [Connecticut On-Line Law Enforcement Communication
91 Teleprocessing System] Connecticut Criminal History Request System
92 maintained by the Department of Emergency Services and Public
93 Protection. If such check reveals that the name of any such relative
94 appears in such databases, on said registry or in said system, the
95 commissioner may require such relative to submit to state and national
96 criminal history records checks conducted in accordance with section
97 29-17a.

98 Sec. 3. Section 10-520b of the general statutes is repealed and the
99 following is substituted in lieu thereof (*Effective from passage*):

100 The Office of Early Childhood, upon receipt of a proper application
101 and in a manner prescribed by the Commissioner of Early Childhood,
102 shall issue an early childhood teacher credential to any person who
103 holds (1) an associate degree with a concentration in early childhood
104 education from an institution of higher education that is regionally
105 accredited, provided such associate degree program is approved by (A)
106 the Board of Regents for Higher Education or the Office of Higher
107 Education, and (B) the Office of Early Childhood, or (2) a bachelor's
108 degree with a concentration in early childhood education from an
109 institution of higher education that is regionally accredited, provided
110 such bachelor's degree program is approved by (A) the Board of Regents
111 for Higher Education or Office of Higher Education, and (B) the Office
112 of Early Childhood. [Any early childhood teacher credential issued
113 pursuant to subdivision (1) of this section shall be valid until June 30,
114 2021.] For purposes of this section, "concentration in early childhood
115 education" has the same meaning as provided in section 10-16p, as
116 amended by this act.

117 Sec. 4. Subdivision (3) of subsection (a) of section 19a-77 of the general
118 statutes is repealed and the following is substituted in lieu thereof
119 (*Effective July 1, 2022*):

120 (3) A "family child care home" which consists of a private family
121 home [caring] providing care (A) for (i) not more than six children,
122 including the provider's own children not in school full time, [where the
123 children are cared] without an assistant or substitute staff member
124 approved by the commissioner of Early Childhood, pursuant to section
125 19a-87b, present and assisting the provider, or (ii) not more than nine
126 children, including the provider's own children, with an assistant or
127 substitute staff member approved by the Commissioner of Early
128 Childhood present and assisting the provider, and (B) for not less than
129 three or more than twelve hours during a twenty-four-hour period and
130 where care is given on a regularly recurring basis except that care may
131 be provided in excess of twelve hours but not more than seventy-two
132 consecutive hours to accommodate a need for extended care or
133 intermittent short-term overnight care. During the regular school year,
134 for providers described in subparagraph (A)(i) of this subdivision, a
135 maximum of three additional children who are in school full time,
136 including [the] such provider's own children, shall be permitted, except
137 that if [the] such provider has more than three children who are such
138 provider's own children and in school full time, all of [the] such
139 provider's children shall be permitted. During the summer months
140 when regular school is not in session, for providers described in
141 subparagraph (A)(i) of this subdivision, a maximum of three additional
142 children who are otherwise enrolled in school full time [, including the
143 provider's own children,] shall be permitted if there is an assistant or
144 substitute staff member approved by the Commissioner of Early
145 Childhood, pursuant to section 19a-87b, present and assisting [the] such
146 provider, except that [(A)] (i) if [the] such provider has more than three
147 such additional children who are [the] such provider's own children, all
148 of [the] such provider's own children shall be permitted, and [(B)] (ii)
149 such approved assistant or substitute staff member shall not be required
150 if all of such additional children are [the] such provider's own children;

151 Sec. 5. Subsection (a) of section 10-16p of the 2022 supplement to the
152 general statutes is repealed and the following is substituted in lieu
153 thereof (*Effective July 1, 2022*):

154 (a) As used in sections 10-16o to 10-16r, inclusive, 10-16u, 17b-749a
155 and 17b-749c:

156 (1) "School readiness program" means a nonsectarian program that
157 (A) meets the standards set by the Office of Early Childhood pursuant
158 to subsection (b) of this section and the requirements of section 10-16q,
159 and (B) provides a developmentally appropriate learning experience of
160 not less than four hundred fifty hours and one hundred eighty days for
161 eligible children, except as provided in subsection (d) of section 10-16q;

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

166 (3) "Priority school" means a school in which forty per cent or more
167 of the lunches served are served to students who are eligible for free or
168 reduced price lunches pursuant to federal law and regulations,
169 excluding such a school located in a priority school district pursuant to
170 section 10-266p or in a former priority school district receiving a grant
171 pursuant to subsection (c) of this section and, on and after July 1, 2001,
172 excluding such a school in a transitional school district receiving a grant
173 pursuant to section 10-16u;

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

178 (5) "Accredited" means accredited by the National Association for the
179 Education of Young Children, National Association for Family Child
180 Care, a Head Start on-site program review instrument or a successor
181 instrument pursuant to federal regulations, or otherwise meeting such

182 criteria as may be established by the commissioner, unless the context
183 otherwise requires;

184 (6) "Year-round" means [fifty] forty-eight weeks per year, except as
185 provided in subsection (d) of section 10-16q;

186 (7) "Commissioner" means the Commissioner of Early Childhood;

187 (8) "Office" means the Office of Early Childhood;

188 (9) "Seeking accreditation" means a school readiness program seeking
189 accreditation by the National Association for the Education of Young
190 Children, National Association for Family Child Care or a Head Start
191 on-site program review instrument or successor instrument pursuant to
192 federal regulations, or attempting to meet criteria as may be established
193 by the commissioner; and

194 (10) "Concentration in early childhood education" means a program
195 of study in early childhood education, including, but not limited to,
196 early childhood education, child study, child development or human
197 growth and development.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	10-16z
Sec. 2	<i>from passage</i>	17b-749k(b)
Sec. 3	<i>from passage</i>	10-520b
Sec. 4	<i>July 1, 2022</i>	19a-77(a)(3)
Sec. 5	<i>July 1, 2022</i>	10-16p(a)

ED *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Early Childhood, Off.	GF - Potential Cost	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a potential minimal cost by allowing the Office of Early Childhood (OEC) to compensate the parent member of the Early Childhood Cabinet for any time and travel related to meetings of the cabinet, within available appropriations. Any such costs are anticipated to be negligible.

The bill makes technical, conforming, and other changes that have no fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5279*****AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF EARLY CHILDHOOD.*****SUMMARY**

This bill makes the following changes in the early childhood education statutes:

1. expands the Early Childhood Cabinet’s membership and changes its attendance and compensation requirements (§ 1);
2. makes a technical change to the criminal history records check system that certain child care providers who accept state child care subsidies must use (§ 2);
3. extends the validity of the early childhood teacher credential issued by the Office of Early Childhood (OEC) to certain people with associate degrees (§ 3);
4. changes family child care home staffing and enrollment requirements (§ 4); and
5. reduces the number of weeks a child care program must operate to be a “year-round” program, lowering the threshold from 50 to 48 weeks per year and impacting certain OEC program operations (§ 5).

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2022, except the provisions on criminal history records checks (§ 2) and early childhood teacher credentials (§ 3) take effect upon passage.

§ 1 — EARLY CHILDHOOD CABINET MEMBERSHIP

The Early Childhood Cabinet is an advisory body to OEC. The bill increases the cabinet's membership from 25 to 27, adding two appointments to the governor's eight in current law. These new appointees must be (1) an individual who is a licensed family child care home provider and member of a staffed family child care network (i.e., a regional community initiative offering ongoing support services) identified by the OEC commissioner and (2) a parent recommended by an OEC-appointed parent advisory group. The bill specifies that the parent member appointed by the governor may be compensated, within available appropriations, for his or her time at and travel to cabinet meetings; current law prohibits all other members from receiving compensation (including other parent members).

Additionally, the bill eliminates from current law the mechanism that removes members from the cabinet if they miss three consecutive meetings or 50% of all meetings in one calendar year. By law, the cabinet must meet at least quarterly.

§ 3 — EARLY CHILDHOOD TEACHER CREDENTIAL

By law, OEC may issue an early childhood teaching credential to people who hold either an associate degree or a bachelor's degree with a concentration in early childhood education. The degree program must be (1) from a regionally accredited institution and (2) approved by OEC and either (a) the Board of Regents for Higher Education or (b) the Office of Higher Education.

Under current law, this credential's validity ends on June 30, 2021, when issued to someone who holds an associate degree. The bill removes the credential's termination date, making it valid indefinitely, as when issued by the office to someone with a bachelor's degree.

§ 4 — FAMILY CHILD CARE HOME STAFFING AND ENROLLMENT

Under current law, a family child care home may care for up to six children, including the provider's own children who are not in school full time, plus three more children during the regular school year who are in school full time. However, if the provider has more than three

children who are in school full time, then all of the provider's children may attend.

The bill maintains the base maximum number of enrolled children at six throughout the year, including the provider's own children who are not enrolled in school full time, in situations where the provider does not employ an OEC-approved assistant or substitute. But if an assistant or substitute is employed, the bill allows for up to nine children to be cared for, even if none of the children attend school full time.

As is the case under current law, family child care home providers, during the school year, may care for up to three more children in school full time, including the provider's own children, for a maximum total of nine, without the help of an assistant or substitute staffer. (And if the provider has more than three children who are the provider's own and are in school full time, the provider may care for them as well.)

By law and unchanged by the bill, during the summer months when school is not in session, if the family child care home provider employs an OEC-approved assistant or substitute staff member, then the provider may care for up to three additional school-aged children. As under existing law, (1) an assistant or substitute staff member is not required if all of the additional school-age children are the provider's own and (2) if the provider has more than three school-age children, all of them may attend during the summer months, even if this means more than three additional school-age children are attending.

§ 5 — YEAR-ROUND PROGRAM DEFINITION

The bill lowers, from 50 to 48, the number of weeks per year that a child care program must generally operate to be considered a "year-round" program. This new definition broadens the potential number of (1) school readiness programs that must use the excess portion of their per-pupil school readiness grant for salary staff increases and (2) child care programs to which the commissioner must give preference when (a) purchasing services and (b) awarding a supplemental quality enhancement grant.

School Readiness Staff Salary Increases

By law, school readiness programs are non-religious, state-funded programs that provide a developmentally appropriate learning experience for children age three to five years old who are too young to enroll in kindergarten.

Existing law requires state-licensed school readiness programs that operate full-day, year-round programs and receive school readiness per-pupil state grants to use any grant amount exceeding \$8,927 per child exclusively to increase the salary of individuals directly responsible for teaching or caring for children in school readiness program classrooms (CGS § 10-16p(l)). By reducing the number of weeks that a school readiness program must operate to be considered a “year-round” program, the bill broadens the potential number of school readiness programs that must use their per-pupil grant excess for staff salary increases.

Purchase of Child Care Services

By law, if the OEC commissioner directly purchases child care services, she must give preference to providers of full-day and year-round programs. These programs may be provided by public schools, child care centers, group or family child care homes, family resource centers, or Head Start, among others (CGS § 17b-749a). By reducing the number of weeks that a child care program must operate to be considered a “year-round” program, the bill broadens the potential number of child care programs to which the commissioner must give preference when purchasing services.

Supplemental Quality Enhancement Grant

By law, the OEC’s supplemental quality enhancement grant program provides, within available appropriations, competitive grants to child care centers or school readiness programs to help them enhance their programs through accreditation or the purchase of educational equipment, among other things. The commissioner must give priority to applicant programs that operate year-round, among other criteria (CGS § 17b-749c). By reducing the number of weeks that a program

must operate to be considered a “year-round” program, the bill broadens the potential number of programs to which the commissioner must give preference when awarding this grant.

BACKGROUND

Related Bill

SB 2, § 19 (File 276), favorably reported by the Committee on Children, contains similar language to § 4 of the bill. It requires family child care homes to employ an OEC-approved assistant to care for more than six and up to nine children year round rather than only during the summer and for children that are not the provider’s own children. It also allows all of a family child care home provider’s own children to be cared for by the provider during any time of year.

SB 2, §§ 1 & 2, also contains language impacting § 5 of the bill, specifically affecting school readiness grants. Beginning in FY 23, it (1) raises the per child cost cap for the school readiness program (2) and increases the amount that programs must use for salary increases.

HB 5465, § 11, favorably reported by the Education Committee, contains similar language to § 4 of the bill, relating to family child care staffing and enrollment.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 39 Nay 0 (03/25/2022)