

2018 Regular Session

HOUSE BILL NO. 676

BY REPRESENTATIVES HILFERTY, GARY CARTER, STEVE CARTER, EDMONDS,  
NANCY LANDRY, LEGER, AND SMITH AND SENATORS APPEL, LAFLEUR,  
MIZELL, MORRELL, MORRISH, AND PRICE

EARLY CHILDHOOD: Creates the Early Childhood Care and Education Commission and  
pilot programs for community early childhood care and education networks

1 AN ACT

2 To amend and reenact R.S. 17:407.51(H), to enact R.S. 17:407.23(B)(6) and (D), Part X-F  
3 of Chapter 1 of Title 17 of the Louisiana Revised Statutes, to be comprised of R.S.  
4 17:407.100, and R.S. 36:651(G)(6), and to repeal R.S. 17:407.23(D)(3), Part X-F of  
5 Chapter 1 of Title 17 of the Louisiana Revised Statutes, comprised of R.S.  
6 17:407.100, and R.S. 36:651(G)(6), relative to the development of early childhood  
7 care and education; to establish the Early Childhood Care and Education  
8 Commission; to provide relative to the purpose, membership, and meetings of the  
9 commission; to require the commission to study and make recommendations relative  
10 to specific matters; to require the commission report to the legislature; to provide for  
11 termination of the commission; to provide for an early childhood care and education  
12 pilot program within the Department of Education; to provide for program funding;  
13 to provide for the authority and responsibilities of the Board of Elementary and  
14 Secondary Education; to provide for participation in pilot programs; to provide for  
15 the powers and duties of the Advisory Council on Early Childhood Care and  
16 Education; and to provide for related matters.

17 Be it enacted by the Legislature of Louisiana:

1 Section 1. R.S. 17:407.51(H) is hereby amended and reenacted and R.S.  
2 17:407.23(B)(6) and (D), Part X-F of Chapter 1 of Title 17 of the Louisiana Revised Statutes  
3 comprised of R.S. 17:407.100, and R.S. 36:651(G)(6) are hereby enacted to read as follows:

4 §407.23. Early Childhood Care and Education Network; creation; components;  
5 duties and responsibilities: pilot programs

6 \* \* \*

7 (B)

8 \* \* \*

9 (6) The state board shall incorporate feedback from the Early Childhood  
10 Care and Education Commission into a statewide policy on local governance and  
11 coordination.

12 \* \* \*

13 D.(1) The state board may use available public and private funds to  
14 implement new strategies to increase access to and improve the quality of early  
15 childhood care and education programs by establishing pilot programs in high-  
16 performing community early childhood care and education networks established by  
17 the state board pursuant to this Section. Lead agencies of high-performing  
18 community networks, as identified by the state board, may elect to participate in the  
19 pilot programs. The findings from these pilot programs shall be used to inform  
20 statewide efforts to improve the effectiveness of local publicly funded early  
21 childhood care and education programs.

22 (2) A community network participating in a pilot program shall:

23 (a) Measure the need for affordable access to quality early childhood care  
24 and education for children from birth through age four within the community.

25 (b) Establish a local, collaborative governing structure for shared  
26 decisionmaking.

27 (c) Identify shared resources that can support improved access to and quality  
28 of early childhood care and education programs for children from birth through age

1 four and determine how resources can be leveraged to maximize the impact of such  
2 programs for each age year.

3 (d) Determine how future financial support should be used to expand access  
4 to and improve quality of infant, toddler, and prekindergarten classrooms in the local  
5 community.

6 (3) The state Department of Education shall provide updates on the pilot  
7 programs to the Early Childhood Care and Education Commission.

8 \* \* \*

9 §407.51. Advisory Council

10 \* \* \*

11 H.(1) The council shall provide input and guidance to the board and the  
12 department on matters pertaining to the development and implementation of rules,  
13 regulations, bulletins, policies, or standards related to all publicly funded early care  
14 and education programs, including early learning centers, enrollment in early  
15 learning centers, the Cecil J. Picard LA 4 Early Childhood Program, the Child Care  
16 and Development Fund Block Grant, the Child Care Assistance Program, Early Head  
17 Start, and Head Start.

18 (2) Beginning April 1, 2020, the council shall regularly evaluate the  
19 implementation of the plan for early childhood care and education established by the  
20 Early Childhood Care and Education Commission pursuant to R.S. 17:407.100 and  
21 provide recommendations to support its implementation.

22 \* \* \*

23 PART X-F. EARLY CHILDHOOD CARE AND EDUCATION COMMISSION

24 §407.100. Early Childhood Care and Education Commission

25 A.(1) The legislature finds that the early childhood care and education  
26 network established by Act No. 3 of the 2012 Regular Session of the Legislature and  
27 community networks created by the State Board of Elementary and Secondary  
28 Education have been instrumental in improving kindergarten readiness. Community  
29 networks, especially those with the highest performance, are able to demonstrate that

1 affordable access can be achieved when provided with adequate resources.  
2 Providing early childhood programming of high quality, rather than affordable  
3 access alone, must remain a state priority. While quality can be measured on a  
4 statewide basis, it is best assured through community-based plans and local early  
5 childhood program collaboration.

6 B. The Early Childhood Care and Education Commission is hereby  
7 established for the purpose of building on the foundation established by Act No. 3  
8 of the 2012 Regular Session of the Legislature to create a vision for the future of  
9 publicly funded early childhood care and education in Louisiana.

10 C.(1) The task force shall consist of twenty-three voting members as follows:

11 (a) One representative of a municipality that receives Head Start funding,  
12 appointed by the governor.

13 (b) One representative of a Head Start program, appointed by the governor.

14 (c) One representative of a child advocacy or community organization,  
15 appointed by the governor.

16 (d) One representative of a special-needs advocacy organization, appointed  
17 by the governor.

18 (e) One representative of the governor's office, appointed by the governor.

19 (f) One business representative, appointed by the speaker of the House of  
20 Representatives.

21 (g) One local school superintendent, appointed by the speaker of the House  
22 of Representatives.

23 (h) One representative of Type III early learning centers, appointed by the  
24 speaker of the House of Representatives.

25 (i) One representative of a child advocacy or community organization,  
26 appointed by the speaker of the House of Representatives.

27 (j) One parent of a child in a publicly funded child daycare center, Early  
28 Head Start Center, Head Start Center, or stand-alone prekindergarten program,  
29 appointed by the speaker of the House of Representatives.

1           (k) Two members of the House of Representatives, appointed by the speaker  
2           of the House of Representatives.

3           (l) One business representative, appointed by the president of the Senate.

4           (m) One local school superintendent, appointed by the president of the  
5           Senate.

6           (n) One representative of Type III early learning centers, appointed by the  
7           president of the Senate.

8           (o) One representative of a child advocacy or community organization,  
9           appointed by the president of the Senate.

10          (p) One parent of a child in a publicly funded child daycare center, Early  
11          Head Start Center, Head Start Center, or stand-alone prekindergarten program,  
12          appointed by the president of the Senate.

13          (q) Two members of the Senate, appointed by the president of the Senate.

14          (r) Two representatives of high-performing community early childhood care  
15          and education networks, appointed by the State Board of Elementary and Secondary  
16          Education upon recommendation of the state superintendent of education.

17          (s) One representative of a nonpublic school participating in a publicly  
18          funded early childhood care and education program, appointed by the State Board  
19          of Elementary and Secondary Education.

20          (t) A member appointed by the American Academy of Pediatrics, Louisiana  
21          Chapter.

22          (2) The task force shall consist of eleven non-voting members as follows:

23          (a) One representative of maternal, infant, and early childhood home  
24          visitation programs within the Bureau of Family Health, appointed by the secretary  
25          of the Department of Health.

26          (b) One representative of the Early Steps program within the Bureau of  
27          Family Health, appointed by the secretary of the Department of Health.

28          (c) One representative of early childhood programs within the state  
29          Department of Education, appointed by the state superintendent of education.

1           (d) One representative of the Louisiana Head Start Collaboration Office,  
2           appointed by the state superintendent of education.

3           (e) One representative of the special education programs within the  
4           Department of Education, appointed by the state superintendent of education.

5           (f) A staff member of the Board of Regents, appointed by the Board of  
6           Regents.

7           (g) The executive director of the Louisiana Workforce Commission, or his  
8           designee.

9           (h) The secretary of the Department of Economic Development, or his  
10          designee.

11          (i) The secretary of the Department of Children and Family Services, or his  
12          designee.

13          (j) A member appointed by the education and workforce committee of the  
14          National Governors Association.

15          (k) A member appointed by the education committee of the National  
16          Conference of State Legislatures.

17          (3) A vacancy in the membership of the commission shall be filled in the  
18          same manner as the original appointment.

19          (4) The members of the commission shall elect a chairman.

20          (5) The members of the commission shall serve without compensation.

21          D. The state Department of Education shall provide staff support for the  
22          commission.

23          E. The commission shall study and make recommendations relative to  
24          establishing a vision for the future of publicly funded early childhood care and  
25          education in Louisiana. When conducting analysis and making recommendations  
26          relative to a vision and framework, the commission shall do all of the following:

27                 (1) Gather and analyze data relative to the current availability, quality, and  
28                 cost of early childhood care and education throughout the state for children from

1 birth through age four, determine needs and priorities, and develop a plan focused  
2 on family access, affordability, and quality.

3 (2) Consider research, local coordination currently established in Louisiana  
4 including current high-performing community networks, and related work done in  
5 other states to determine best practices for the purpose of informing the continued  
6 development of local governing entities that coordinate across programs and  
7 providers in order to meet family needs, drive quality improvement, maximize  
8 financial resources, and support children from birth through age four and their  
9 families.

10 (3) Determine a sustainable infrastructure to ensure quality programs across  
11 providers. Such infrastructure shall include workforce and professional development,  
12 monitoring and assessment, coordinated enrollment, and data-informed  
13 decisionmaking.

14 (4) Identify opportunities for collaboration and coordination among  
15 programs and agencies responsible for development of children from birth through  
16 age four.

17 (5) Define a timeframe for achieving the vision, and determine benchmarks  
18 for the intervening years.

19 (6) Determine the amount of funding needed to achieve affordable access to  
20 quality care and education for all children from birth through age four and  
21 recommend policies that prioritize the allocation of future funding.

22 F. Before each regular session of the legislature, the commission shall  
23 produce a report of its findings and recommendations. The report shall be provided  
24 to the governor, members of the legislature, the state superintendent of education,  
25 and the State Board of Elementary and Secondary Education no less than fourteen  
26 days prior to the first day of the regular session.

27 G. The commission shall meet at least twice between the 2018 and 2019  
28 Regular Sessions of the Legislature and shall meet at least twice between the 2019  
29 and 2020 Regular Sessions of the Legislature during which meetings the state

1 Department of Education shall provide updates on how the commission's  
2 recommendations are being implemented. The commission shall make any further  
3 recommendations it deems necessary to advance the vision and goals established.

4 H. A majority of the voting members of the commission shall constitute a  
5 quorum for the transaction of any and all business. The commission shall be  
6 domiciled in Baton Rouge but may hold public hearings elsewhere in the state.

7 Section 2. R.S. 36:651(G)(6) is hereby enacted to read as follows:

8 §651. Transfer of boards, commissions, departments, and agencies to Department  
9 of Education; boards, commissions, and agencies within Department of  
10 Education

11 \* \* \*

12 G. The following agencies, as defined by R.S. 36:3, are transferred to and  
13 hereafter shall be within the Department of Education as provided in Part III of  
14 Chapter 22 of this Title:

15 \* \* \*

16 (6) The Early Childhood Care and Education Commission (R.S. 17:407.100).

17 \* \* \*

18 Section 3. R.S. 17:407.23(D)(3), Part X-F of Chapter 1 of Title 17 of the Louisiana  
19 Revised Statutes, comprised of R.S. 17:407.100, and R.S. 36:651(G)(3) are hereby repealed  
20 in their entirety.

21 Section 4. Section 3 of this Act shall become effective on March 31, 2020.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 676 Original

2018 Regular Session

Hilferty

**Abstract:** Creates the Early Childhood Care and Education Commission (commission) to establish a vision for accessible, quality early childhood care and education to be implemented through pilot programs established by the Board of Elementary and Secondary Education (BESE) at the community network level.

Present law establishes the Early Childhood Care and Education Network, created by BESE as a comprehensive and integrated network through which BESE may manage and oversee



all programs funded through state and federal resources that provide early childhood care or educational services.

Present law establishes the Advisory Council on Early Childhood Care and Education (Advisory Council), which shall provide input and guidance to BESE and the dept. of Education on the development of publicly funded early care and education programs.

Proposed law creates the commission and provides for membership of 23 voting members and 11 non-voting members. The commission shall study and create a vision for the future of publicly funded early childhood care and education. Requires the commission to collect data, consider research and current practices, determine a sustainable infrastructure, identify opportunities for collaboration, and determine a timeframe and necessary funding to achieve affordable access to quality care and education for all children from birth through age four. Requires the commission to meet and produce reports for submission to the governor, legislature, state superintendent of education, and BESE.

Proposed law provides that the commission shall be repealed on March 31, 2020, at which point the Advisory Council shall regularly evaluate and provide recommendations to support the implementation of the plan established by the commission.

Proposed law authorizes BESE to use available public and private funds to create pilot programs in high-performing community networks to implement new strategies to increase access to and improve the quality of early childhood care and education programs. The findings from the pilot programs shall be used to inform statewide efforts to improve the effectiveness of local publicly funded early childhood care and education programs. A community network participating in a pilot shall measure, establish, and identify certain information set out in proposed law to enable BESE to evaluate in performance of pilot programs.

(Amends R.S. 17:407.51(H); Adds R.S. 17:407.23(B)(6) and (D) and 407.100 and R.S. 36:651(G)(6); Repeals R.S. 17:407.23(D)(3) and 407.100 and R.S. 36:651(G)(6))