

2020 Regular Session

HOUSE BILL NO. 251

BY REPRESENTATIVE HILFERTY AND SENATOR MIZELL

EARLY CHILDHOOD: Recreates the Early Childhood Care and Education Commission

1 AN ACT  
2 To amend and reenact R.S. 17:407.51(H)(2), to enact R.S. 17:407.23(D)(3) and Part X-F of  
3 Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of  
4 R.S. 17:407.101, and R.S. 36:651(G)(8), and to repeal R.S. 17:407.23(D)(3) and Part  
5 X-F of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised  
6 of R.S. 17:407.101, and R.S. 36:651(G)(8), relative to the development of early  
7 childhood 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 to report to the legislature; to provide  
11 for termination of the commission; to provide for the authority and responsibilities  
12 of the State Board of Elementary and Secondary Education; to provide for the  
13 powers and duties of the Advisory Council on Early Childhood Care and Education;  
14 and to provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 17:407.51(H)(2) is hereby amended and reenacted and R.S.  
17 17:407.23(D)(3) and Part X-F of Chapter 1 of Title 17 of the Louisiana Revised Statutes of  
18 1950, comprised of R.S. 17:407.101, are hereby enacted to read as follows:

1 §407.23. Early Childhood Care and Education Network; creation; components;  
2 duties and responsibilities; pilot programs

3 \* \* \*

4 D.

5 \* \* \*

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.

12 \* \* \*

13 (2) ~~Beginning April 1, 2020,~~ 2023, the council shall regularly evaluate the  
14 implementation of the plan for early childhood care and education established by the  
15 Early Childhood Care and Education Commission and provide recommendations to  
16 support its implementation.

17 \* \* \*

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

19 §407.101. Early Childhood Care and Education Commission

20 A. The legislature finds that the early childhood care and education network  
21 established by Act No. 3 of the 2012 Regular Session of the Legislature and  
22 community networks created by the State Board of Elementary and Secondary  
23 Education have been instrumental in improving kindergarten readiness. Community  
24 networks, especially those with the highest performance, are able to demonstrate that  
25 affordable access can be achieved when provided with adequate resources. Providing  
26 early childhood programming of high quality, rather than affordable access alone,  
27 must remain a state priority. While quality can be measured on a statewide basis, it  
28 is best assured through community-based plans and local early childhood program  
29 collaboration.

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

5           C.(1) The commission is comprised in part of thirty-six voting members as  
6           follows:

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

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

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

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

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

15          (f) One business representative, appointed by the speaker of the House of  
16          Representatives.

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

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

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

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

26          (k) Two members of the House of Representatives, appointed by the speaker  
27          of the House of Representatives.

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

1           (m) One local school superintendent, appointed by the president of the  
2     Senate.

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

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

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

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

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

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

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

19          (u) One person with professional expertise in the operations of a family care  
20     center, appointed by the governor.

21          (v) One early care and education researcher from a public postsecondary  
22     education institution, appointed by the speaker of the House of Representatives.

23          (w) One representative from either a Type I or Type II early learning center,  
24     appointed by the president of the Senate.

25          (x) One representative of maternal, infant, and early childhood home  
26     visitation programs within the Bureau of Family Health, appointed by the secretary  
27     of the Louisiana Department of Health.

28          (y) One representative of the Early Steps program within the Bureau of  
29     Family Health, appointed by the secretary of the Louisiana Department of Health.

1           (z) One representative of early childhood programs within the state  
2           Department of Education, appointed by the state superintendent of education.

3           (aa) One representative of the Louisiana Head Start Collaboration Office,  
4           appointed by the state superintendent of education.

5           (bb) One representative of the special education programs within the  
6           Department of Education, appointed by the state superintendent of education.

7           (cc) A staff member of the Board of Regents, appointed by the Board of  
8           Regents.

9           (dd) The secretary of the Louisiana Workforce Commission, or his designee.

10          (ee) The secretary of the Department of Economic Development, or his  
11          designee.

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

14          (gg) One professional with expertise in the socioemotional development and  
15          well-being of children from birth through age four, appointed by the governor.

16          (hh) One early intervention researcher from a Louisiana public  
17          postsecondary education institution, appointed by the Board of Regents.

18          (ii) One early childhood education researcher from a Louisiana public  
19          postsecondary education institution, appointed by the Board of Regents.

20          (2) A vacancy in the membership of the commission shall be filled in the  
21          same manner as the original appointment.

22          (3) The chairman of the House Committee on Education and chairman of the  
23          Senate Committee on Education, acting jointly, shall select two members to serve  
24          as co-chairmen of the commission.

25          (4) The members of the commission shall serve without compensation.

26          D. The state Department of Education shall provide staff support for the  
27          commission.

28          E. The commission shall study and make recommendations relative to  
29          establishing a vision for the future of early childhood care and education in

1 Louisiana. When conducting analysis and making recommendations relative to a  
2 vision and framework, the commission shall do all of the following:

3 (1) Gather and analyze data relative to the current availability, quality, and  
4 cost of early childhood care and education throughout the state for children from  
5 birth through age four, determine needs and priorities, and develop a plan focused  
6 on family access, affordability, and quality.

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

14 (3) Determine a sustainable infrastructure to ensure quality programs across  
15 providers. Such infrastructure shall include workforce and professional development,  
16 monitoring and assessment, coordinated enrollment, and data-informed  
17 decisionmaking.

18 (4) Identify opportunities for collaboration and coordination among  
19 programs and agencies responsible for development of children from birth through  
20 age four.

21 (5) Define a timeframe for achieving the vision and determine benchmarks  
22 for the intervening years.

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

26 F. Before the 2021 Regular Session of the Legislature, the commission shall  
27 produce a report of its findings and recommendations. Before the 2022 Regular  
28 Session of the Legislature, the commission shall produce a report on the status of the  
29 implementation of its recommendations. The reports shall be provided to the

1 governor, members of the legislature, the state superintendent of education, and the  
2 State Board of Elementary and Secondary Education no less than fourteen days prior  
3 to the first day of the regular session.

4 G. The commission shall meet at least twice between the 2020 and 2021  
5 Regular Sessions of the Legislature and shall meet at least twice between the 2021  
6 and 2022 Regular Sessions of the Legislature during which meetings the state  
7 Department of Education shall provide updates on how the commission's  
8 recommendations are being implemented. The commission shall make any further  
9 recommendations it deems necessary to advance the vision and goals established.

10 H. A majority of the members of the commission shall constitute a quorum  
11 for the transaction of business. The commission shall be domiciled in Baton Rouge  
12 but may hold public hearings elsewhere in the state.

13 Section 2. R.S. 36:651(G)(8) is hereby enacted to read as follows:

14 §651. Transfer of boards, commissions, departments, and agencies to Department  
15 of Education; boards, commissions, and agencies within Department of  
16 Education

17 \* \* \*

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

21 \* \* \*

22 (8) The Early Childhood Care and Education Commission (R.S. 17:407.101).

23 \* \* \*

24 Section 3. R.S. 17:407.23(D)(3), Part X-F of Chapter 1 of Title 17 of the Louisiana  
25 Revised Statutes of 1950, comprised of R.S. 17:407.101, and R.S. 36:651(G)(8) are hereby  
26 repealed in their entirety.

27 Section 4.(A) Sections 1 and 2 and this Section of this Act shall become effective  
28 upon signature of this Act by the governor or, if not signed by the governor, upon expiration  
29 of the time for bills to become law without signature by the governor, as provided by Article

1 III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and  
 2 subsequently approved by the legislature, Sections 1 and 2 and this Section of this Act shall  
 3 become effective on the day following such approval.

4 (B) Section 3 of this Act shall become effective on July 1, 2022.

#### 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)]

HB 251 Original

2020 Regular Session

Hilferty

**Abstract:** Re-creates the Early Childhood Care and Education Commission to establish a vision for accessible, quality early childhood care and education to be implemented through pilot programs established by the State Bd. of Elementary and Secondary Education at the community network level.

Present law provides for the Early Childhood Care and Education Network, a comprehensive and integrated network through which the State Bd. of Elementary and Secondary Education (BESE) manages and oversees all programs funded through state and federal resources that provide early childhood care or educational services. Also establishes the Advisory Council on Early Childhood Care and Education (advisory council), which provides input and guidance to BESE and the state Dept. of Education on the development of publicly funded early care and education programs.

Prior law, which terminated on March 31, 2020, created the Early Childhood Care and Education Commission. Proposed law re-creates the commission.

Proposed law re-creates the Early Childhood Care and Education Commission to study and create a vision for the future of 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 time frame 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. Provides for 36 members.

Proposed law provides for termination of the commission on July 1, 2022, and requires, beginning April 1, 2023, the advisory council to regularly evaluate and provide recommendations to support the implementation of the commission's plan.

Effective upon signature of governor or lapse of time for gubernatorial action, except repeal of proposed law is effective July 1, 2022.

(Amends R.S. 17:407.51(H)(2); Adds R.S. 17:407.23(D)(3) and 407.101 and R.S. 36:651(G)(8); Repeals R.S. 17:407.23(D)(3) and 407.101 and R.S. 36:651(G)(8))