

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:

19 §407.23. Early Childhood Care and Education Network; creation; components;  
20 duties and responsibilities; pilot programs

21 \* \* \*

1 D.

2 \* \* \*

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

5 \* \* \*

6 §407.51. Advisory Council

7 \* \* \*

8 H.

9 \* \* \*

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

14 \* \* \*

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

16 §407.101. Early Childhood Care and Education Commission

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

27 B. The Early Childhood Care and Education Commission is hereby  
28 established for the purpose of building on the foundation established by Act No. 3

1 of the 2012 Regular Session of the Legislature to create a vision for the future of  
2 early childhood care and education in Louisiana.

3 C.(1) The commission is composed of forty members as follows:

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

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

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

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

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

12 (f) One business representative, appointed by the speaker of the House of  
13 Representatives.

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

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

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

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

23 (k) Two members of the House of Representatives, appointed by the speaker  
24 of the House of Representatives.

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

26 (m) One local school superintendent, appointed by the president of the  
27 Senate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3            (cc) A staff member of the Board of Regents, appointed by the Board of  
4            Regents.

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

6            (ee) The secretary of the Department of Economic Development, or his  
7            designee.

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

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

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

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

16           (jj) One member of the State Board of Elementary and Secondary Education,  
17           appointed by the president of the board.

18           (kk) One early childhood development and education specialist, appointed  
19           by the president of the Center for Development and Learning.

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               (7) Gather and analyze data, laws, and policy in Louisiana and other states  
27               where children are in the care of family child care providers and consider and make  
28               recommendations relative to the incorporation of such providers into the early  
29               childhood care and education network.

1           (8) Establish and appoint members to a task force to identify and recommend  
2           alternative state and local funding strategies for quality early childhood care and  
3           education. The commission shall incorporate the task force's findings and  
4           recommendations into the report that the commission produces pursuant to  
5           Subsection F of this Section.

6           (a) The state Department of Education shall provide staff support for the task  
7           force.

8           (b) The task force shall have the following nine members:

9           (i) The two co-chairs of the commission, each of whom may designate  
10          someone to serve in his place.

11          (ii) One representative of the business community.

12          (iii) One person with significant experience in the generation and  
13          administration of local government revenue.

14          (iv) One representative of a statewide public policy organization involved  
15          in early childhood issues.

16          (v) One representative of a statewide foundation or nonprofit organization  
17          involved in early childhood issues.

18          (vi) One representative of a child advocacy or community organization.

19          (vii) One representative of a public postsecondary education institution in  
20          Louisiana representing the discipline of economics with experience in the study of  
21          local, state, and regional fiscal policy.

22          (viii) One parent of a child in a publicly funded childcare center, Early Head  
23          Start Center, Head Start Center, or stand-alone prekindergarten program.

24          F. Not later than fourteen days prior to the beginning of the 2021 Regular  
25          Session of the Legislature, the commission shall produce a report of its findings and  
26          recommendations. Not later than fourteen days prior to the beginning of the 2022  
27          Regular Session of the Legislature, the commission shall produce a report on the  
28          status of the implementation of its recommendations. The reports shall be provided  
29          to the governor, members of the legislature, the state superintendent of education,

1       and the State Board of Elementary and Secondary Education no less than fourteen  
2       days prior to the first day of the regular session.

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

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

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

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

16   \*       \*       \*

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

20   \*       \*       \*

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

22   \*       \*       \*

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

26       Section 4.(A) Sections 1 and 2 and this Section of this Act shall become effective  
27       upon signature of this Act by the governor or, if not signed by the governor, upon expiration  
28       of the time for bills to become law without signature by the governor, as provided by Article  
29       III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and

1 subsequently approved by the legislature, Sections 1 and 2 and this Section of this Act shall  
2 become effective on the day following such approval.

3 (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 Engrossed

2020 Regular Session

Hilferty

**Abstract:** Re-creates the Early Childhood Care and Education Commission.

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 education services.

Prior law, which terminated on March 31, 2020, created the Early Childhood Care and Education Commission to study and make recommendations relative to early childhood care and education issues. Proposed law re-creates the commission and requires it to collect data, consider research and current practices, determine a sustainable infrastructure, identify opportunities for collaboration, determine a time frame and necessary funding to achieve affordable access to quality care and education for all children from birth through age four, and make recommendations relative to the incorporation of family child care providers into the early childhood care and education network. Also requires the commission to produce reports for submission to the governor, legislature, state superintendent of education, and BESE and to establish a task force to identify and recommend alternative state and local funding strategies.

Proposed law provides for termination of the commission on July 1, 2022.

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))

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Increase commission membership by adding two members.
2. Additionally require the commission to:
  - (a) Establish a task force to identify and recommend alternative state and local funding strategies.
  - (b) Make recommendations relative to the incorporation of family child care providers into the early childhood care and education network.