

2020 Regular Session

HOUSE BILL NO. 251

BY REPRESENTATIVES HILFERTY AND EDMONDS 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,~~ July 2, 2022, the council shall regularly  
14 evaluate the implementation of the plan for early childhood care and education  
15 established by the Early Childhood Care and Education Commission and provide  
16 recommendations to 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 composed of forty members as follows:

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

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

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

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

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

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

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

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

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

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

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

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

28          (m) One local school superintendent, appointed by the president of the  
29          Senate.

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

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

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

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

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

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

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

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

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

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

23          (x) 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 Louisiana Department of Health.

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

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

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

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

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

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

8            (ee) The secretary of the Department of Economic Development, or his  
9            designee.

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

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

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

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

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

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

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

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

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

28           D. The state Department of Education shall provide staff support for the  
29           commission.

1           E. The commission shall study and make recommendations relative to  
2           establishing a vision for the future of early childhood care and education in  
3           Louisiana. When conducting analysis and making recommendations relative to a  
4           vision and framework, the commission shall do all of the following:

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

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

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

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

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

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

28                  (7) Gather and analyze data, laws, and policy in Louisiana and other states  
29                  where children are in the care of family child care providers and consider and make

1 recommendations relative to the incorporation of such providers into the early  
2 childhood care and education network.

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

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

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

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

13 (ii) One representative of the business community.

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

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

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

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

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

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

26 F. Not later than fourteen days prior to the beginning of the 2021 Regular  
27 Session of the Legislature, the commission shall produce a report of its findings and  
28 recommendations. Not later than fourteen days prior to the beginning of the 2022  
29 Regular Session of the Legislature, the commission shall produce a report on the



1 of the time for bills to become law without signature by the governor, as provided by Article  
 2 III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and  
 3 subsequently approved by the legislature, Sections 1 and 2 and this Section of this Act shall  
 4 become effective on the day following such approval.

5 (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 Reengrossed

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, through which the State Bd. of Elementary and Secondary Education (BESE) manages and oversees publicly funded programs that provide early childhood care or education. 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 such programs.

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 on the incorporation of family child care providers into the early childhood care and education network. Also requires the commission to produce reports for the governor, legislature, state superintendent of education, and BESE and to establish a task force to identify and recommend funding strategies.

Proposed law provides for termination of the commission on July 1, 2022, and for the subsequent responsibility of the advisory council to 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))

#### 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.

The House Floor Amendments to the engrossed bill:

1. Change when the advisory council shall begin to evaluate and provide recommendations to support the implementation of the commission's plan from April of 2023 to July of 2022.