

2018 Regular Session

HOUSE BILL NO. 676

BY REPRESENTATIVES HILFERTY, ANDERS, BACALA, BAGNERIS, BERTHELOT, BILLIOT, BOUIE, BRASS, CHADBROWN, TERRY BROWN, GARY CARTER, ROBBY CARTER, STEVE CARTER, CONNICK, COX, DAVIS, EDMONDS, FALCONER, FOIL, GAROFALO, GISCLAIR, GLOVER, HALL, HODGES, HOFFMANN, HOLLIS, HORTON, HUNTER, JACKSON, JEFFERSON, NANCY LANDRY, LEGER, LYONS, MACK, MARCELLE, MARINO, MCFARLAND, GREGORY MILLER, NORTON, PIERRE, POPE, REYNOLDS, SCHEXNAYDER, SMITH, STAGNI, STOKES, THOMAS, WHITE, WRIGHT, AND ZERINGUE 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) and Part

3 X-F of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be

4 comprised of R.S. 17:407.101, and R.S. 36:651(G)(6), and to repeal R.S.

5 17:407.23(D)(3) and Part X-F of Chapter 1 of Title 17 of the Louisiana Revised

6 Statutes of 1950, comprised of R.S. 17:407.101, and R.S. 36:651(G)(6), relative to

7 the development of early childhood care and education; to establish the Early

8 Childhood Care and Education Commission; to provide relative to the purpose,

9 membership, and meetings of the commission; to require the commission to study

10 and make recommendations relative to specific matters; to require the commission

11 report to the legislature; to provide for termination of the commission; to provide for

12 an early childhood care and education pilot program within the Department of

13 Education; to provide for program funding; to provide for the authority and

14 responsibilities of the State Board of Elementary and Secondary Education; to

15 provide for participation in pilot programs; to provide for the powers and duties of

1 the Advisory Council on Early Childhood Care and Education; and to provide for
2 related matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. R.S. 17:407.51(H) is hereby amended and reenacted and R.S.
5 17:407.23(B)(6) and (D) and Part X-F of Chapter 1 of Title 17 of the Louisiana Revised
6 Statutes of 1950, comprised of R.S. 17:407.101, are hereby enacted to read as follows:

7 §407.23. Early Childhood Care and Education Network; creation; components;
8 duties and responsibilities; pilot programs

9 * * *

10 B. To facilitate the creation of this network, the state board shall:

11 * * *

12 (6) Incorporate feedback from the Early Childhood Care and Education
13 Commission into a statewide policy on local governance and coordination.

14 * * *

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

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

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

27 (b) Establish a local, collaborative governing structure for shared
28 decisionmaking.

1 (c) Identify shared resources that can support improved access to and quality
2 of early childhood care and education programs for children from birth through age
3 four and determine how resources can be leveraged to maximize the impact of such
4 programs for each age year.

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

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

10 * * *

11 §407.51. Advisory Council

12 * * *

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

20 (2) Beginning April 1, 2020, the council shall regularly evaluate the
21 implementation of the plan for early childhood care and education established by the
22 Early Childhood Care and Education Commission and provide recommendations to
23 support its implementation.

24 * * *

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

26 §407.101. Early Childhood Care and Education Commission

27 A.(1) The legislature finds that the early childhood care and education
28 network established by Act No. 3 of the 2012 Regular Session of the Legislature and
29 community networks created by the State Board of Elementary and Secondary

1 Education have been instrumental in improving kindergarten readiness. Community
2 networks, especially those with the highest performance, are able to demonstrate that
3 affordable access can be achieved when provided with adequate resources.
4 Providing early childhood programming of high quality, rather than affordable
5 access alone, must remain a state priority. While quality can be measured on a
6 statewide basis, it is best assured through community-based plans and local early
7 childhood program collaboration.

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

12 C.(1) The commission is comprised in part of twenty-six voting members as
13 follows:

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

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

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

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

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

22 (f) One business representative, appointed by the speaker of the House of
23 Representatives.

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

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

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

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

4 (k) Two members of the House of Representatives, appointed by the speaker
5 of the House of Representatives.

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

7 (m) One local school superintendent, appointed by the president of the
8 Senate.

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

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

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

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

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

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

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

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

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

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

3 (2) The commission is comprised in part of twelve nonvoting members as
4 follows:

5 (a) One representative of maternal, infant, and early childhood home
6 visitation programs within the Bureau of Family Health, appointed by the secretary
7 of the Louisiana Department of Health.

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

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

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

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

16 (f) A staff member of the Board of Regents, appointed by the Board of
17 Regents.

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

20 (h) The secretary of the Department of Economic Development, or his
21 designee.

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

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

26 (k) One early intervention researcher from a Louisiana public postsecondary
27 education institution, appointed by the Board of Regents.

28 (l) One early childhood education researcher from a Louisiana public
29 postsecondary education institution, appointed by the Board of Regents.

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

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

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

7 D. The state Department of Education shall provide staff support for the
8 commission.

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

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

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

24 (3) Determine a sustainable infrastructure to ensure quality programs across
25 providers. Such infrastructure shall include workforce and professional development,
26 monitoring and assessment, coordinated enrollment, and data-informed
27 decisionmaking.

1 (4) Identify opportunities for collaboration and coordination among
2 programs and agencies responsible for development of children from birth through
3 age four.

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

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

9 F. Before the 2019 Regular Session of the Legislature, the commission shall
10 produce a report of its findings and recommendations. Before the 2020 Regular
11 Session of the Legislature, the commission shall produce a report on the status of the
12 implementation of its recommendations. The reports shall be provided to the
13 governor, members of the legislature, the state superintendent of education, and the
14 State Board of Elementary and Secondary Education no less than fourteen days prior
15 to the first day of the regular session.

16 G. The commission shall meet at least twice between the 2018 and 2019
17 Regular Sessions of the Legislature and shall meet at least twice between the 2019
18 and 2020 Regular Sessions of the Legislature during which meetings the state
19 Department of Education shall provide updates on how the commission's
20 recommendations are being implemented. The commission shall make any further
21 recommendations it deems necessary to advance the vision and goals established.

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

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

26 §651. Transfer of boards, commissions, departments, and agencies to Department
27 of Education; boards, commissions, and agencies within Department of
28 Education

29 * * *

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

4 * * *

5 (6) The Early Childhood Care and Education Commission (R.S. 17:407.101).

6 * * *

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

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

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 676 Reengrossed

2018 Regular Session

Hilferty

Abstract: 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.

Proposed law 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 26 voting members and 12 non-voting members.

Proposed law provides for termination of the commission on March 31, 2020, and requires, beginning April 1, 2020, the advisory council to regularly evaluate and provide recommendations to support the implementation of the commission's plan.

Proposed law authorizes BESE to use 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. Requires pilot program

findings to be used to inform statewide efforts to improve the effectiveness of local early childhood care and education programs.

(Amends R.S. 17:407.51(H); Adds R.S. 17:407.23(B)(6) and (D) and 407.101 and R.S. 36:651(G)(6); Repeals R.S. 17:407.23(D)(3) and 407.101 and R.S. 36:651(G)(6))

Summary of Amendments Adopted by House

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

1. Expand the scope of the study from publicly funded early care and education programs to all such programs.
2. Increase total commission membership from 34 to 36.
3. Instead of commission chairman being elected by the commission, provide for joint appointment by chairman of House and Senate education committees of a voting commission member as commission chairman.

The House Floor Amendments to the engrossed bill:

1. Add two voting members, increasing total commission membership from 36 to 38.
2. Provide that House and Senate education committee chairmen shall select two voting members to serve as commission co-chairmen.