



NCSL REPORT

Early Care & Education

Early Childhood Care and Education Enacted Legislation Highlights 1/01/07 – 5/01/07

Early Intervention

Legislatures in three states – Colorado, Hawaii, and Wyoming – passed legislation that addressed early intervention services. **Colorado** sent a bill to the Governor that establishes a statewide system of early intervention services and a coordinated system of payments for these services. It also directs the Division of Insurance to establish a registry of early intervention service providers, to negotiate payments, and to process reimbursements, and to negotiate payments. **Hawaii** enacted three bills regarding early intervention. They appropriate additional funds to the Department of Health to provide early intervention services for children ages birth to three years old and appropriate \$1.6 million in TANF funds for improvements to Hawaii's Healthy Start program. A third piece of legislation establishes the Hawaii 3-5 transition task force to study the feasibility of expanding the state's early intervention system. **Wyoming's** legislature also passed three bills which pertain to early intervention services. One of them requires a report on the activities of the developmental disabilities division, a feasibility study on certain cost-based reimbursement mechanisms, and the implementation of certain funding mechanisms. Another piece of legislation increases the developmental preschool funding to include mental health or social-emotional developmental services and includes training and technical assistance to certain early childhood services providers on these topics. Lawmakers also increased the state's per-child reimbursement amount for developmental preschool service providers.

Prekindergarten

Five states – Indiana, Iowa, Mississippi, North Dakota, and Vermont – passed legislation that included prekindergarten programs. **Indiana** created the Prekindergarten Grant Pilot Program. Its purpose is to provide grants to certain providers to implement a pilot prekindergarten program. The program prioritizes lower performing school corporations and private providers located in areas served by lower performing school corporations, and it permits these organizations to contract with other programs to deliver the services.

Iowa's legislature passed a bill to create a statewide voluntary preschool program for four-year-old children and made appropriations for this purpose. The bill is currently eligible for the governor's approval. Children will receive instruction for a minimum of ten hours per week, and be taught by teachers who are school district employees, are licensed, and possess a bachelor's or graduate degree with a major in early childhood education or other appropriate major. Under this program, providers must submit a proposal that demonstrates the involvement of multiple community stakeholders. **Mississippi** passed legislation that directs the Department of Human Services to develop a voluntary early care and education grant program, which is a collaboration among the programs providing prekindergarten services. The legislation creates a governor-appointed committee that will award the grants to early care and education programs. **North Dakota's**

Governor signed legislation that permits the boards of school districts to create prekindergarten programs and use state, federal, or private funds which are specifically appropriated for the program. In **Vermont**, a bill is before the Governor that requires the State Board of Education and the Secretary of Human Services to adopt joint rules regarding prekindergarten education. The bill establishes minimum quality standards and clarifies that a public school choosing to offer ten hours of prekindergarten education per week to three- and four-year-olds may count these children within its average daily membership with a weight of .46. The legislation limits the number of children a school district may count within its average daily membership, and permits them to contract with private providers.

Professional Development

Four states – Illinois, Nebraska, Washington, and Wyoming – passed legislation which addressed the professional development of early childhood professionals. **Illinois** passed legislation that permits candidates for an early childhood certificate to be paid and receive credit while student teaching with their current employer, provided that the student teaching experiences meets certain requirements. **Nebraska** required the State Department of Education to assume responsibility for all operations of the Early Childhood Training Center. The purpose of the Center is to train individuals who provide education and development activities for infants, young children, and their parents. Legislators in **Washington** sent a bill to the Governor that requires the State Board for Community and Technical Colleges to inventory and survey all campus-based early learning programs and services. The findings will be used to create a coordinated system of course offerings and early learning education opportunities. This legislation also directs the State Board to consult with the Department of Early Learning to develop articulation standards for coursework and training in early childhood development. **Wyoming** enacted legislation that provides educational grants to assist the owners and staff of child care facilities to obtain certificates or degrees in early childhood development or a related field. Grant recipients are required to work for a child care facility in the state for a specified period of time.

Task Forces

Five states – Colorado, Hawaii, Indiana, Mississippi and Oklahoma – passed legislation that created or modified early childhood commissions, councils, committees, or boards. **Colorado's** legislators approved a bill that creates the Early Childhood and School Readiness Commission. The purpose of the Commission is to create an integrated delivery system that has the flexibility to meet local needs. The legislation creates an Early Childhood Council Advisory team to develop a system of local early childhood councils. Governor Ritter issued an executive order that creates the P-20 Education Coordinating Council, which will better coordinate education the state's education systems. Lawmakers in **Hawaii** established the Hawaii 3-5 Transition Task Force to study the feasibility of expanding Hawaii's early intervention services. The Legislature appropriated \$120,000 for the Task Force's activities. **Indiana** established Child Care Advisory Committees for child care centers and home-based child care providers. The purpose of the Committees is to provide information, advice and assistance concerning the implementation of child care regulations. **Mississippi** legislators created a Governor-appointed committee to award grants to early care and education programs that are a part of the Early Learning Collaborative Act. This Act created a voluntary program that is a collaboration amongst programs that provide prekindergarten services. **Oklahoma** added a governor-appointed representative of a federally funded early childhood program to the Oklahoma Partnership for School Readiness Board.

Health and Welfare

Legislatures in at least four states – Iowa, Mississippi, New York, and Washington – passed legislation that addresses the health and welfare of young children. Both **Iowa** and **Mississippi** enacted bills to require children who attend child care centers to be immunized against invasive pneumococcal disease. **New York** required the Office of Children and Family Services to collaborate with the Department of Health to develop regulations for the administration of medication and treatments at child care centers and family child care homes. **Washington's** legislature passed a bill that prohibits the use of certain window blinds or coverings in child care settings. The legislation targets those blinds or coverings with cords that are capable of forming a loop and pose a risk of strangulation of young children.

Family Child Care Providers

Three states – Colorado, Virginia, and Washington – passed legislation that included family child care issues. **Colorado** required exempt family child care providers who receive funds from a publicly funded state child care assistance program to undergo a fingerprint-based criminal history records check. **Virginia** rescinded its requirement that family child care providers must tell parents the amount of liability insurance that covers the operation of the family child care home and instead required only that the providers tell parents whether or not the home has obtained such insurance. **Washington** reassigned the responsibility to engage in negotiated rule making with representatives of family child care licensees. This legislature also directed that arbitration regarding certain care providers include a comparison of child care provider subsidy rates and reimbursement programs by public entities, the public's interest in reducing turnover and increasing retention of child care providers, the state's interest in a stable child care workforce, and the state's fiscal interest in reducing reliance upon public benefit programs.

Facilities

Four states – Arkansas, Colorado, and New Jersey, and Virginia – enacted legislation that pertains to early childhood facilities. **Arkansas** has incorporated child care facilities into emergency and disaster plans and has approved early childhood preparedness courses and workshops to fulfill its in-service training requirements. The state also appropriated \$10,000,000 to the Department of Education for the construction and renovation of pre-kindergarten facilities. **Colorado** authorized districts to raise and spend local property tax revenues for capital construction needs associated with the district's full-day kindergarten program. The first enacted bill during **New Jersey's** 2007 legislative session required the Department of Health and Senior Services to establish procedures for the evaluation and assessment of buildings that are to be used for a licensed child care center. The Department must also establish maximum contaminant levels for these buildings, and these standards shall account for the difference in rates of absorption, metabolism, and excretion of certain compounds between adults, children, and infants. **Virginia** lawmakers permitted local emergency management agencies the authority to review, and suggest amendments to, the emergency plans of certain child care centers.

Licensing

Four state legislatures enacted bills that regarded child care licensing topics. **Connecticut** changed its regulations to require only one license for a child care center that operates in two or more buildings which are joined by a contiguous playground. **Montana** required the Department of Health and Human Services to make annual unannounced visits to day care centers that are licensed annually, those that are granted 2- or 3-year licenses, and those that have successfully passed

inspections for 10 consecutive years. **Washington** required its agencies to give written notice of the denial or modification of a child care license and to provide written notice to the person against whom it assesses a civil fine. This law also defines the licensee's rights to appeal changes to the license and the assessment of fines. **West Virginia** authorized the Division of Human Services to promulgate legislative rule relating to child care center and family child care licensing requirements.

Methodology

This document was prepared by Caroline Smith, Policy Specialist, National Conference of State Legislatures. It is a preliminary overview, and a final version will be posted on our website, <http://www.ncsl.org/programs/cyf/cc.htm>. The author used StateNet, a legislative tracking database, to perform the bill searches. If you'd like to contribute information about your state, or have questions about the content, please contact Caroline Smith at (303) 856-1389 or caroline.smith@ncsl.org.

Please note: This document is intended to provide examples of significant legislation in each state and does not include state budget appropriations or bills with technical changes.