



# NCSL REPORT

## Early Care & Education

### Child Care and Early Education 2013 Legislative Action

#### *Session Overview*

During the 2013 legislative session, lawmakers in 48 states, the District of Columbia and Puerto Rico introduced nearly 700 bills on the topic of early care and education. Of those, 174 became law in 38 states and Puerto Rico (Table 1). Compared to recent years, the number of 2013 bills enacted on early care and education was considerably higher.<sup>1</sup>

Legislation to address the quality of *child care*, including basic health and safety, continued to play a prominent theme in state legislatures; 25 states and Puerto Rico enacted more than 60 bills. Lawmakers in more 20 states also approved bills to expand, fund and improve programming of *state prekindergarten*, boost early literacy development in young children and promote school readiness. Nearly 30 bills addressing early childhood *governance* and passed in 14 states and Puerto Rico, and 22 new laws to support quality *home visiting* and expand birth-to-3 services were enacted in 14 states. In addition, lawmakers enacted comprehensive bills or bill packages to address multiple aspects of state early care and education policy, including longitudinal student data systems, the early childhood workforce, appropriations and innovative financing for programs and services.

**Table 1. Total Enacted Legislation on Early Care and Education – 2013 Session**

TOPIC	Enacted Bills	States/Jurisdictions
Child Care	62	25 and P.R.
Prekindergarten, School Readiness and Early Literacy Development	29	22
Early Childhood Governance and Data Systems	29	14 and P.R.
Home Visiting and Birth-to-3 Services	22	14
Early Childhood Workforce	11	10
Appropriations and Innovative Financing	32	15
Comprehensive Bills	10	9
<b>TOTAL Enacted Legislative Bills</b>	<b>174</b>	<b>38 and P.R.</b>

Sources: NCSL and State Net, 2013.

#### **Methodology of Report**

This document was prepared using StateNet, a legislative tracking database, to perform bill searches and analysis. It is intended to provide an overview of significant enacted legislation in each state and does not represent a comprehensive list of enacted bills with technical changes, state budget appropriations bills, adopted resolutions or Executive Orders. Total enacted bills may not add up due to bills that address multiple topics. Bill status is current as of this report date. Full summaries of bills by state and topic are available [HERE](http://www.ncsl.org/research/human-services/2013-child-care-early-education-legislative-actions.aspx) (<http://www.ncsl.org/research/human-services/2013-child-care-early-education-legislative-actions.aspx>). For comments, questions or corrections, contact [Phuonglan.Nguyen@ncsl.org](mailto:Phuonglan.Nguyen@ncsl.org) or (303) 856-1582.

<sup>1</sup> Reports on legislative actions for previous years are available on the NCSL Early Care and Education webpage at <http://www.ncsl.org/research/human-services/early-care-and-education.aspx>.

## 2013 Selected Bills of Note<sup>2</sup>

### Child Care

States enacted bills to address child care *quality*, including **Nebraska's** LB 507 and LB 507A, which require statewide implementation of a quality rating and improvement system (QRIS). Legislators in four other states approved financial incentives for child care providers who meet state quality standards (**Colorado, Montana, Washington** and **Texas**). Lawmakers also increased professional development opportunities for the early childhood workforce (**Connecticut, Nevada** and **Oregon**) or approved measures to address the rights, responsibilities and labor organization of child care providers (**Indiana, Minnesota, New York, Oregon** and **Rhode Island**).

*Child care assistance* policy was addressed in 13 states through 17 enacted bills, including **California** AB 86, which implements a flat parent copayment system, and **North Dakota** HB 1422, which increases the family income eligibility for child care assistance up to the maximum amount allowed under federal law. Bills in **Rhode Island, Texas** and **Washington** addressed income eligibility and enacted bills in six other states addressed affordability and access of child care (**Colorado, Connecticut, Nebraska, Oregon, Tennessee** and **Utah**).

State lawmakers in 22 states enacted more than 40 bills related to child care personnel *background checks, health and safety* standards, and *facilities*. Lawmakers approved bills to allow states to cross reference state and national criminal background check databases (**Illinois, Indiana** and **Massachusetts**) or repeal current background check exemptions (**Utah**).

### Prekindergarten, School Readiness and Early Literacy Development

Legislatures in 15 states enacted 17 bills to strengthen existing or create new programs and initiatives. **Mississippi** SB 2395 implements a phased-in, statewide *prekindergarten* pilot program, while **Colorado's** comprehensive school finance bill (SB 213<sup>3</sup>) seeks to expand the Colorado Preschool Program. **Hawaii's** SB 1093 designates a statewide voluntary prekindergarten program for low- to moderate-income children; new laws in **Florida, Minnesota, Mississippi** and **Ohio** seek to address program standards and quality; and **Indiana** HB 1004 will require a new statewide evaluation of early learning programs.

Lawmakers in 11 states also enacted laws to boost early childhood *literacy development*, a stepping stone for reading success in the elementary grades. Enacted **Arkansas** SB 756 encourages early childhood providers and pediatricians to collaborate to create literacy-rich settings; **Connecticut** SB 1097 requires pre-K to kindergarten transition plans to specifically include literacy development components; and **Oregon** HB 3232 provides funding and support to local libraries to increase the presence of books and other literacy resources in home and community settings.

### Early Childhood Governance and Data Systems

In 2013, lawmakers in 14 states and Puerto Rico continued to work on building effective and coordinated early childhood governance through new entities, task forces and workgroups. **Florida** HB 7165 adds the Office of Early Learning to the State Office of Independent Education and Parent Choice; **Louisiana** SCR 70 directs state agencies to submit a comprehensive plan to transfer the duties of the Department of Children and Family Services to the Department of Education; and **Oregon** HB 3234 creates a new Division of Early Learning within the State Department of Education. In **Texas**, a workgroup will be convened as a result of enacted HB 376 and tasked to improve standards in the state Quality Rating and Improvement System (QRIS), including professional development, infant and toddler care, and long-term funding strategies.

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<sup>2</sup> **Note:** Full summaries of bills by state and topic are available [HERE](http://www.ncsl.org/research/human-services/2013-child-care-early-education-legislative-actions.aspx) (<http://www.ncsl.org/research/human-services/2013-child-care-early-education-legislative-actions.aspx>).

<sup>3</sup> A legislatively referred ballot measure (Amendment 66) asked voters to approve a statewide tax increase that would go in part to expand the CPP program and implement full-day kindergarten. Voters did not pass Amendment 66 in November 2013.

Lawmakers also approved measures to establish longitudinal student data systems to capture the progress and results of state policy and initiatives across the continuum of early care and education, K-12 education, post-secondary education and workforce development. **Kentucky** SB 83 requires the state Early Childhood Advisory Council to help state agencies oversee a statewide system to link data from pre-K to workforce. **Nebraska** LB 495 funds an integrated early childhood to post-secondary student information system. In **Nevada**, AB 259 adds an early childhood representative to its revised P-20-W Advisory Council to ensure that early learning goals, benchmarks and results are included in statewide efforts to increase student achievement.

### ***Home Visiting and Birth-to-3 Services***

Lawmakers in five states—**Arkansas, Kentucky, New Mexico, Texas** and **Vermont**—enacted comprehensive bills that addressed state home visiting standards, program quality and outcome accountability. Provisions in the new laws require state programs to focus on at-risk pregnant mothers and children between birth and age 5; meet evidence-based or promising practice standards; have well-trained staff; coordinate with other state agencies to deliver comprehensive services; and comply with rigorous accountability and reporting requirements, including requirements to collect, analyze and share home visiting data and outcomes with relevant stakeholders.

States also enacted measures to broaden prevention services for children from birth to age 3. **Colorado** HB 1291 offers incentives to providers to offer high-quality care for low-income infants and toddlers; **Illinois** SB 626 ensures that early intervention services are grounded in scientific research; and **Hawaii** HB 908 establishes a statewide, hospital-based screening process to identify and refer newborns and parents who would benefit most from home visiting. Lawmakers in **Oregon** passed HB 2013, which requires the Early Learning Council to collaborate with state health authorities to develop prenatal and infant care guidelines, align health and early learning objectives, and expand screening and referral services.

### ***Early Childhood Workforce***

In addition to addressing early care and education providers' compensation, rights, responsibilities, and collective bargaining ability, lawmakers approved measures to require new teachers to obtain training in early childhood social and emotional development (**Connecticut** HB 6292) or establish statewide professional development system and funding (**Oregon** HB 3233). Lawmakers in at least two other states enacted legislation to address broader aspects of the early care and education workforce, including recruitment and retention (**Washington**) and inclusion of the early childhood workforce in the state's overall workforce development and job readiness initiatives (**Maryland**).

### ***State Appropriations and Innovative Financing***

Lawmakers appropriated state, federal and dedicated funds for existing programs ranging from subsidized child care, state prekindergarten, home visiting, and others. Lawmakers also appropriated funds to expand or develop new initiatives in **Alabama, Georgia, Hawaii, Indiana, Mississippi, New Mexico, Nevada** and **Utah**. In addition, lawmakers in at least six states explored innovative financing strategies to support quality early learning. **North Dakota** HB 1429 and SB 2229 allow local governments to levy taxes to fund programs; **Hawaii** HR 90 and HCR 119 request the Office of Early Learning to explore using social impact bonds as a funding source; **Texas** SB 1836 allows individuals to make cash donations to the state home visiting program; and **Washington** SB 5809 requires local communities to match state funds with local, public-private funds to expand and improve home visiting services.

### ***Comprehensive Bills on Early Care and Education***

In 2013, lawmakers in several states enacted comprehensive bills or bill packages that address multiple state goals, needs and financing mechanisms for early care and education. Examples of state bills and selected provisions follow.

### Florida HB 7165 (Chapter 252)

- ✓ *Prekindergarten*: Requires the Voluntary Pre-Kindergarten (VPK) curriculum to be developmentally appropriate and research-based.
- ✓ *Financing*: Establishes the Child Care Executive Partnership and Program to provide incentives for local early learning councils to match existing state and federal funds and establishes child care purchasing pools to help low-income working parents with child care costs.
- ✓ *Governance*: Adds the Office of Early Learning (OEL) to the State Office of Independent Education and Parental Choice and requires the OEL and the commissioner of education to submit a reorganization plan to the governor and Legislature.
- ✓ *Child care*: Designates the OEL as the lead agency to administer the federal Child Care and Development Fund and requires the office to align child care performance standards to early learning domains of the VPK, such as self-regulation.
- ✓ *Workforce*: Requires the OEL to implement a professional development plan for all VPK instructors and new performance standards, training and credentialing for private VPK providers.

### Indiana HB 1001 and HB 1004 (P.A. 205 and P.A. 267)

- ✓ *School readiness*: Requires early learning providers to administer the state kindergarten readiness assessment, provide 180 days of programming annually, and engage parents in the care and education of children.
- ✓ *Financing*: Establishes the Early Education Matching Grant Program to ensure that public and private sources are invested in and targeted at programs and services that meet the needs of low-income children.
- ✓ *Governance*: Requires the state Early Learning Advisory Committee to conduct periodic statewide needs assessments on the quality and availability of high-quality prekindergarten programs to improve coordination between various programs and services.
- ✓ *Data and accountability*: Establishes the Early Education Evaluation Program and requires the state to track the growth and development of children in the program and assess school readiness levels of children who attend three- or four-star rated programs.
- ✓ *Workforce*: Requires the Early Learning Advisory Committee to make recommendations to improve the effectiveness of higher education institutions in early educator training and development.

### Minnesota HF 630 (Chapter 116)

- ✓ *School readiness*: Implements a research-based early kindergarten admissions policy and assessment tool to determine the social, emotional, cognitive and developmental readiness of children prior to enrolling in kindergarten.
- ✓ *Financing*: Expands flexibility for school districts to fund programs to promote school readiness, including early education, parent education, full-day and early entry kindergarten, and home visiting programs. Establishes the Early Childhood Education scholarship program for low-income children. Prohibits scholarships to count against families' income eligibility for various public assistance programs.
- ✓ *Early literacy development*: Appropriates \$4 million annually to leverage federal and private funding to operate the Minnesota Reading Corps, a literacy program for children from age 3 to third grade.

### Oregon HB 2013 (Chapter 728)

- ✓ *School readiness*: Directs the Early Learning Council (ELC), the Oregon Department of Education and school districts to implement kindergarten readiness assessments.
- ✓ *Governance and financing*: Establishes the Early Learning Kindergarten Readiness Partnership and Innovation Fund to connect early childhood program results to success in the early elementary grades. Directs the ELC to establish seven community-based Early Learning Hubs in the first year of the biennium and nine additional hubs in the second year.
- ✓ *Birth to age 3 services*: Requires the ELC and Oregon Health Authority to jointly develop prenatal and infant care guidelines; align health and early learning objectives; and expand screening, assessment and referral services for children from birth to age 3 and their families.
- ✓ *Workforce*: Requires establishment of a professional development and labor management committee for family, friend and neighbor child care providers.