
OLR Bill Analysis

sSB 1

AN ACT CONCERNING CHILDHOOD MENTAL AND PHYSICAL HEALTH SERVICES IN SCHOOLS.

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§ 1 – SURVEY ON SCHOOL SOCIAL WORKERS, PSYCHOLOGISTS, COUNSELORS, AND NURSES

Requires SDE to develop and distribute a survey that school districts must annually complete on the number of school social workers, psychologists, counselors, and nurses they employ; requires the education commissioner to calculate the student-to-worker ratio for each of the four types of professionals and report the survey results and the ratios to the Education and Children's committees

This bill requires the State Department of Education (SDE), by January 1, 2023, and within available appropriations, to develop and distribute a survey to local school boards to determine how many school social workers, school psychologists, school counselors and school nurses they employ. The survey must also include information on (1) the number of each of these four types of professionals employed and assigned to each school in a district, including whether any of them are assigned to more than one; (2) if they are assigned to more than one school, the geographic area they cover; (3) an annual estimate of the number of students receiving direct services from each of the four types of professionals during the five-year period before the survey is completed.

Annually beginning with the 2022-23 school year, the bill requires each school district to complete the SDE survey and submit the completed survey to the education commissioner when and how she requires.

Existing law requires school districts to compile information included in the annual strategic school profile for each district and each school within the district. While the law does not specifically require districts to compile detailed staffing information, it does require them to compile measures of “school resources” and the “equitable allocation of resources among schools.” In practice, the report includes staffing information by district and school including (1) “counselors, social workers, and school psychologists” as a group and (2) school nurses.

Ratios

Following the receipt of a completed school district survey, the bill requires the education commissioner to annually calculate the student-

to-worker ratio for each of the four types of professionals listed above for each school and each district.

Report

Annually beginning by January 1, 2023, the commissioner must submit a report on the results of the survey and the student-to-worker ratios for each of the four types of professionals included in the survey, to the Education and Children’s committees.

EFFECTIVE DATE: Upon passage

§ 2 & 18 – NEW GRANT FOR SCHOOL SOCIAL WORKERS, PSYCHOLOGISTS, COUNSELORS, AND NURSES

Requires SDE to administer grants for FYs 23 to 25, for school districts to hire and retain more school social workers, psychologists, counselors, and nurses; requires SDE to calculate the return on investment for the grants and make recommendations on the program’s renewal beyond FY 25; appropriates \$60,000 for FY 23 for SDE to hire a program administrator

The bill requires SDE to administer a program, for FYs 23 to 25, to provide grants to school districts to hire and retain more school social workers, school psychologists, school counselors and nurses. Under the bill, a school social worker is a person who holds a professional educator certificate with a school social worker endorsement. (Presumably, the school psychologists, school counselors and school nurses must also hold the respective education certificates and endorsements for those positions.)

Applications

The bill requires grant applications to be filed with the education commissioner when and she decides. As part of the application, an applicant must submit a (1) grant fund expenditure plan and (2) copy of the completed survey required by the bill.

The plan must include, at a minimum:

1. the number of additional school social workers, school psychologists, school counselors, or school nurses to be hired;
2. the number of each of the four types of professionals being

retained who were previously hired with the assistance of these grant funds; and

3. whether each of the four types of professionals will conduct student assessments or provide services to students based on assessment results, and the type of those services.

In determining whether to award a grant to an applicant, the bill requires the commissioner to give priority to those school districts (1) with large student-to-worker ratios for any of the four types of professionals listed above or (2) that have many students using mental health services.

Grant Awards

Under the bill, for FY 23, the commissioner may award a grant to an applicant and must determine the grant amount based on the applicant's submitted plan.

The bill requires the commissioner to administer grant amounts in each of the program's three fiscal years as follows:

1. for FY 23, the commissioner determines the amount of the grant under the bill;
2. for FY 24, the grant amount must be the same as that awarded in the prior fiscal year; and
3. for FY 25, the grant amount must be 70% of the amount of the grant awarded for the prior fiscal year.

Expenditure Reports and Refunding Unexpended Amounts

The bill requires grant recipients to file annual expenditure reports with SDE when and how the commissioner prescribes and they must refund to SDE (1) any unexpended amounts at the close of the fiscal year in which the grant was awarded and (2) any amounts not expended as required under the approved grant application plan.

Utilization Rate and Return on Investment

The bill requires SDE to annually track and calculate the utilization

rate of the grant for each recipient. The utilization rate is calculated using metrics that include, at a minimum, the number of students served, and the hours of service provided, using program grant funds.

SDE must also annually calculate the return on investment for the grant program using the required filed expenditure reports and the utilization rates calculated under the bill. (Presumably, it is up to SDE how to weigh the expenditure reports and utilization rates when determining the return on investment.)

Reporting

By January 1 of 2024, 2025, and 2026, the commissioner must submit a report to the Children's and Education committees on the utilization rate for each grant recipient and the return on investment for the grant program.

Recommendations Whether to Renew

By January 1, 2026, the bill requires the education commissioner to develop recommendations on (1) extending and funding the grant program in FY 26 and each fiscal year after that and (2) the program's grant award amounts. The commissioner must submit the recommendations to the Children's and Education committees.

Donations

Under the bill, SDE may accept funds from private sources or any state agency, gifts, grants, and donations, including but not limited to, in-kind donations in order to carry out the grant.

Appropriation (§ 18)

The bill appropriates \$60,000 to SDE for FY 23 to hire a full-time administrator to run the school social workers and school psychologists grant program it creates (see § 2).

EFFECTIVE DATE: July 1, 2022

§ 3 – HUMAN SERVICES PERMIT

Authorizes SBE to issue human services permits to qualified applicants with specialized training, experience, or expertise in social work, human services, psychology, or sociology.

The bill authorizes the State Board of Education (SBE) to issue, at the request of a school district or regional educational service center (RESC), a human services permit to qualified applicants with specialized training, experience, or expertise in social work, human services, psychology, or sociology. The permit authorizes the applicant to work for a school district or RESC and provide students with mental health and human services, in accordance with the applicant's scope of practice or area of expertise or specialty.

Under the bill, a qualifying applicant must (1) hold a bachelor's degree in social work, human services, psychology, sociology, or other equivalent subject area from a state or regionally accredited higher education institution and (2) have at least four years of work experience in those subject areas, or one year of work experience and two years of specialized schooling in them.

Each human services permit is valid for three years and the commissioner can renew it for good cause upon the request of the RESC or superintendent of the school district employing the person (presumably, the renewal is for three more years).

EFFECTIVE DATE: July 1, 2022

§§ 4 & 5 – MENTAL HEALTH PLAN FOR STUDENT ATHLETES

Requires SDE to establish, and boards of education to implement, a mental health plan for student athletes to raise awareness about available resources

By July 1, 2023, the bill requires SDE to make a mental health plan for student athletes in collaboration with the intramural and interscholastic athletics governing authority. (A local or regional board of education governs its own intramural athletics. The Connecticut Interscholastic Athletics Conference (CIAC), a private nonprofit organization, governs high school interscholastic athletics for all public schools and certain private schools.)

Under the bill, the plan must be made available to local and regional boards of education to raise awareness about available mental health resources for student athletes, and all boards of education must implement it beginning in the 2023-24 school year. SDE must also post

the plan on its website and provide technical assistance to school districts implementing the plan.

At a minimum, the bill requires the plan to address:

1. access to the school district's mental health services team,
2. screening and recognizing appropriate referrals for student athletes,
3. communication among mental health services team members,
4. student athlete medication management,
5. crisis intervention services,
6. mitigation of student athletes' risk, and
7. transition care for student athletes leaving athletics due to graduation, dismissal, or suspension.

EFFECTIVE DATE: July 1, 2022

BACKGROUND

Related Bill

SB 2, favorably voted by the Children's Committee, has the same provisions creating a mental health plan for student athletes and requiring school districts to implement the plan.

§§ 6-8 – OPIOID ANTAGONISTS IN SCHOOLS

Generally (1) allows school nurses and qualified school employees to maintain and administer opioid antagonists to students who do not have prior written authorization to receive the medication; (2) requires SDE to develop related guidelines by October 1, 2022; (3) authorizes certain prescribers and pharmacists to enter into agreements with school boards on the distribution and administration of opioid antagonists; and (4) requires DCP to provide school boards with information on how to acquire opioid antagonists from manufacturers

School Nurse and Qualified Employee Authorization (§ 6)

The bill authorizes a school nurse, or in the absence of a school nurse, a qualified school employee, to maintain opioid antagonists to administer emergency first aid to a student who is experiencing an

opioid-related drug overdose, but who does not have prior written authorization from a parent or guardian or prior order from a qualified medical professional to receive this medication.

Under the bill, a school nurse or principal must select qualified school employees to administer an opioid antagonist and at least one of them must be on school grounds during regular school hours when the school nurse is not. A qualified school employee may administer an opioid antagonist when the school nurse is absent or unavailable. A school nurse or qualified school employee administering an opioid antagonist must do so in accordance with the school board's policies and procedures the bill requires it to adopt.

Under the bill, a "qualified school employee" is a principal, teacher, licensed athletic trainer, coach, school paraprofessional, or licensed physical or occupational therapist employed by a school district.

The bill prohibits a school nurse or qualified school employee from administering an opioid antagonist unless they complete training in its distribution and administration (1) under a local agreement with a prescriber or pharmacist (see below) or (2) in a training offered by the departments of consumer protection (DCP), education (SDE), and public health (DPH).

The bill also prohibits schools from administering opioid antagonists to a student under these provisions if the student's parent or guardian has stated in writing that he or she does not consent to it. A parent or guardian may submit this request to the school nurse or school medical advisor, if any.

Guidelines (§ 6)

The bill requires SDE to develop guidelines for local and regional school boards on storing and administering opioid antagonists in schools. They must do this by October 1, 2022, and in consultation with DCP and DPH.

Opioid Antagonist Distribution Agreements (§ 7)

The bill authorizes prescribers or pharmacists certified to prescribe

an opioid antagonist to enter into an agreement with local or regional school boards on the distribution and administration of opioid antagonists. Existing law already allows prescribers and pharmacists to make these agreements with law enforcement agencies, emergency medical service providers, government agencies, and community health organizations.

As under existing law, the bill requires the agreement to address the school boards' opioid antagonist storage, handling, labeling, recalls, and record keeping. The prescriber or pharmacist must train the people who will distribute or administer opioid antagonists under the agreement. Additionally, people who will distribute or administer opioid antagonists must be trained first.

Information on Opioid Antagonist Acquisition (§ 8)

For the 2021-2022 school year, the bill requires DCP, in collaboration with SDE, to provide information to local and regional school boards on where boards can acquire opioid antagonists. The information must include the name and contact information of any opioid antagonist manufacturers that provide the medication at no cost to school districts.

Definitions (§ 6)

By law and under the bill, an "opioid antagonist" is naloxone hydrochloride (e.g., Narcan) or any other similarly acting and equally safe drug that the Food and Drug Administration has approved for treating a drug overdose (see CGS § 17a-714a). A "qualified medical professional" is a state-licensed physician, optometrist, advanced practice registered nurse, or physician assistant.

EFFECTIVE DATE: Upon passage, except the provisions (1) allowing school boards to enter into local agreements with a prescriber or pharmacist and (2) requiring DCP to provide information to local school boards on acquiring opioid antagonists take effect July 1, 2022.

§§ 9 & 19 – MINORITY TEACHER CANDIDATE SCHOLARSHIP PROGRAM

Requires SDE to administer a new minority teacher candidate scholarship program; authorizes grants of up to \$20,000 a year for high school graduates of priority school

districts who are enrolled in a teacher preparation program at any four-year institution of higher education; appropriates \$30,000 for a staff person to administer the program

The bill requires SDE to administer a new minority teacher candidate scholarship program in consultation with the Office of Higher Education. (The bill does not define “minority;” presumably, it means racial and ethnic minorities.)

Under the bill, the program must provide an annual scholarship to minority students who (1) graduated from a public high school in a priority school district and (2) are enrolled in a teacher preparation program at any four-year higher education institution. Maximum grants cannot exceed \$20,000 per year and SDE must ensure that men receive at least 50% of the scholarships.

By law, a priority school district is a district that receives additional state grants based on a formula that considers high populations or concentrations of students (1) on temporary family assistance and (2) performing poorly on statewide mastery exams (CGS § 10-266p). There are currently 15 priority school districts.

Under the bill, SDE must develop a policy for administering the scholarships by January 1, 2023. The policy must address (1) any additional eligibility criteria, (2) scholarship payment and distribution, and (3) notifying high school students in priority school districts of the scholarship program.

Beginning with FY 24, the bill requires SDE to annually award scholarships according to SDE’s policy and the bill’s requirements.

The bill also allows SDE to accept public or private gifts, grants, and donations for the scholarship program.

Appropriation for Scholarship Program Staff (§ 19)

The bill appropriates \$30,000 to SDE from the General Fund for FY 23 to hire a full-time minority teacher candidate scholarship program administrator.

EFFECTIVE DATE: July 1, 2022

§ 10 – TASK FORCE TO COMBAT ABLEISM

Establishes a 13-member task force to combat ableism and requires it to submit its findings and recommendations to the Children’s and Education committees by January 1, 2023

The bill establishes a 13-member task force to combat ableism that must identify (1) current efforts to educate all students on disability and combat ableism in classrooms and in the public school curriculum and (2) opportunities to expand these efforts and integrate them into social-emotional learning. Under the bill “ableism” means intentional or unintentional bias, prejudice, or discrimination, against people with physical, psychiatric, or intellectual disabilities.

The task force must submit its findings and recommendations to the Children’s and Education committees by January 1, 2023. The task force terminates on this date or the date it submits the report, whichever is later.

Membership

Under the bill, task force members include the education, early childhood, and children and families commissioners; chief court administrator, and Special Education Equity for Kids of Connecticut director, or their designees.

It also includes 8 appointed members as listed in Table 1 below.

Table 1: Task Force to Combat Ableism Appointed Members

Appointing Authority (number of appointments)	Member Organization or Other Qualifier
House speaker (two)	<ul style="list-style-type: none"> educator employed by a local or regional board of education a leader in social-emotional learning who works with children
Senate president (two)	<ul style="list-style-type: none"> a special education teacher a member of the social and emotional learning and school climate advisory collaborative
House majority leader (one)	<ul style="list-style-type: none"> school administrator employed by a board of education

Senate majority leader (one)	<ul style="list-style-type: none"> local or regional board of education chairperson
House minority leader (one)	<ul style="list-style-type: none"> director or employee of a private nonprofit service or program provider for children with disabilities
Senate minority leader (one)	<ul style="list-style-type: none"> director or employee of a private nonprofit organization that provides disability-related services or programs for children

Under the bill, appointing authorities must make initial appointments by July 31, 2022, and fill any vacancies. Appointed members may be legislators.

The bill requires the House speaker and Senate president to select the task force chairpersons from among its members. The chairpersons must schedule the first task force meeting by August 29, 2022.

Under the bill, the Children’s Committee administrative staff serve in this capacity for the task force.

EFFECTIVE DATE: July 1, 2022

§ 11 – CIAC TASK FORCE

Establishes a seven-member task force to study the governance structure and internal procedures of CIAC and requires it to submit its findings and recommendations to the Education Committee by January 1, 2023

The bill establishes a seven-member task force to study CIAC’s governance structure and internal procedures, including (1) CIAC’s leadership structure and how leadership positions are filled and (2) how the organization receives and resolves complaints filed by CIAC members and individuals.

CIAC is a private, nonprofit organization that regulates high school athletics (almost all Connecticut public and parochial high schools are dues-paying members). CIAC members elect the organization’s governing board members.

Membership

Under the bill, task force members include the CIAC director, or his designee, and six appointed members listed in Table 2 below.

Table 2: CIAC Task Force Appointed Members

Appointing Authority	Member Organization or Other Qualifier
House speaker	<ul style="list-style-type: none"> • person with experience in coaching (presumably, at the interscholastic level)
Senate president	<ul style="list-style-type: none"> • person with expertise in sports management
House majority leader	<ul style="list-style-type: none"> • coach for a CIAC member school
Senate majority leader	<ul style="list-style-type: none"> • athletic director for a CIAC member school
House minority leader	<ul style="list-style-type: none"> • administrator at a CIAC member school
Senate minority leader	<ul style="list-style-type: none"> • parent of a student athlete at a CIAC member school

Under the bill, appointing authorities must make initial appointments within 30 days of the bill's passage and fill any vacancies. Appointed task force members may be legislators.

Leadership and Meetings

The bill requires the House speaker and Senate president to select the task force chairpersons from among its members. The chairpersons must schedule the first task force meeting within 60 days of the bill's passage.

Under the bill, Education Committee administrative staff serve as the task force administrative staff.

Report

The bill requires the task force to submit its report to the Education Committee by January 1, 2023. The task force terminates on this date, or the date it submits the report, whichever is later.

EFFECTIVE DATE: Upon passage

§§ 12 & 14 —SCHOOL READINESS PROGRAM EXPANSION

Eliminates the requirement that school readiness programs be nonreligious; requires OEC to conduct a needs assessment for infant, toddler, and preschool spaces in school readiness programs statewide; requires the commissioner to award school readiness grants to fund these additional spaces beginning in FY 24

Under current law, a school readiness program is a nonreligious, state-funded education program that provides a developmentally

appropriate learning experience for children between ages three and five who are too young to enroll in kindergarten (CGS § 10-16p). The bill eliminates the requirement that school readiness programs be nonreligious.

Beginning in FY 23, the bill requires the Office of Early Childhood (OEC) commissioner to coordinate with local and regional school readiness councils to conduct needs assessments for infant, toddler, and preschool spaces in Connecticut school readiness programs. The commissioner must use the assessment's results to (1) increase or adjust the number of these spaces to meet each community's need or demand and (2) provide grants for these space adjustments. Existing law, unchanged by the bill, limits school readiness program enrollment to children aged three to five (see COMMENT).

By law, OEC awards school readiness funds using two different methods: a school readiness grant program and a competitive grant program. School readiness program grants are awarded to priority and former priority school districts. Competitive grants are awarded to (1) areas served by a priority or former priority school, (2) the 50 poorest or formerly poorest towns whose school district is not a priority district, and (3) towns that are alliance districts (CGS § 10-16p(c)-(d)). Priority school districts are those (1) whose students earned low standardized test scores, (2) that have high poverty levels, or (3) that are in one of the eight most populated towns (CGS § 10-266p).

The bill requires the OEC commissioner to provide school readiness grants under the following timeline to increase infant, toddler, and preschool spaces in school readiness programs based upon needs assessment results:

1. in FY 24, the commissioner must provide grants to programs in priority school districts;
2. in FYs 25-26, the commissioner must provide grants to programs in competitive municipalities, defined for FY 25 as the 100 poorest municipalities (but undefined for FY 26, see COMMENT); and

3. in FY 27 and after that, the commissioner must provide grants to programs in each community in the state.

(The bill does not specify which of the two types of school readiness grants OEC must award for this purpose.)

EFFECTIVE DATE: July 1, 2022

§ 13 — SCHOOL READINESS COMPETITIVE GRANT PROGRAM

Increases the per child cost cap used to calculate certain school readiness program grants beginning in FY 23

Beginning in FY 23, the bill increases the per child cost cap used to calculate school readiness program grants for OEC's school readiness competitive grant program. Specifically, it raises the cap on the per child cost of a program for enrolled children ages three to five by \$5,473, increasing the maximum cost from \$9,027 per enrolled student to \$14,500. It also creates a new per child cost cap for children ages three or younger who are in infant or toddler care and not in a preschool program, setting the per child cost for that age group at \$16,000.

This increase affects the calculation of OEC's competitive school readiness grant. By law, the grant amount for an applicant town is calculated by multiplying the per child cost by the number of spaces in the school readiness program. Therefore, a program that provides services at a cost above the current per child cap will receive a grant for enrolled students ages three to five years old that is up to \$5,473 larger per child under the bill. (School readiness programs currently do not serve infants and toddlers ages two and younger (see COMMENT).)

EFFECTIVE DATE: July 1, 2022

§ 14 — EXCESS SCHOOL READINESS GRANT FUNDS

Allows OEC to use appropriated, unexpended school readiness funds to provide scholarships for early childhood care and education program providers and their staff; eliminates licensed school readiness programs' authority to use unspent school readiness grant funds that exceed the per child school readiness cost to increase classroom teacher or caregiver salaries

The bill makes two changes to how the OEC commissioner and licensed school readiness programs may spend excess school readiness

grant funds. The bill also makes several technical and conforming changes.

Provider and Staff Scholarships

Current law allows the OEC commissioner to use up to \$1 million of any appropriated, unexpended school readiness grant funds in the following fiscal year to provide, among other things, professional development for early childhood care and education program providers and their staff, so long as their programs accept state funds for infant, toddler, and preschool spaces. The bill expands this use of funds to include scholarships for these providers and their staff members.

Existing law, unchanged by the bill, requires the commissioner to use the funds to assist individual staff members with the cost of higher educational courses leading to a bachelor's degree. She may give up to \$10,000 per staff member per year for this purpose.

Staff Salary Increases

Current law requires licensed school readiness programs to use unspent school readiness grant funds that exceed the per child school readiness cost for FY 20 (i.e., \$8,927) to increase salaries for individuals who directly teach or care for children in a school readiness classroom. The bill eliminates this requirement.

EFFECTIVE DATE: July 1, 2022

§ 15 — EARLY CHILDHOOD CARE SALARY ENHANCEMENT GRANT

Requires OEC to administer an annual salary enhancement grant to eligible employees of family child care homes and early childhood care and education programs beginning in FY 23

Beginning in FY 23, the bill requires OEC to administer the early childhood care and education salary enhancement grant program. OEC must annually pay a salary enhancement grant to each family child care home and early childhood care and education program, which in turn must distribute the funds to their eligible employees consistent with OEC policy. Under the bill, early childhood care and education programs are the following:

1. child care centers;
2. group child care homes;
3. private preschool programs;
4. school readiness programs;
5. state funded child care centers for disadvantaged children; and
6. any state-funded, unlicensed child care services provider or school readiness program with infant, toddler, and preschool spaces located in a public school building but not part of the public school system.

The bill requires the OEC commissioner to develop a grant program policy by October 1, 2022, before distributing grant funds to these entities. The policy must address at least the following: eligibility criteria, registration process, grant distribution requirements, and any other requirements the commissioner finds necessary.

Grants to Family Child Care Homes

Under the bill, OEC must annually pay each family child care home a salary enhancement grant in the following amount for each of the following employees: \$20,000 for each licensee; \$6,000 for each OEC-approved full-time assistant or substitute staff member; and \$3,000 for each part-time OEC-approved assistant or substitute staff member.

Each licensee must distribute the grant funds consistent with the OEC-developed policy.

Grants to Early Childhood Care and Education Programs

The bill requires each early childhood care and education program to register with OEC to receive a grant under the program, providing any information required by the office consistent with the program policy. The commissioner determines when and how the programs must register.

Under the bill, OEC must give each of these programs a grant that

equals its respective salary enhancement amount. Each program's salary enhancement amount is calculated using the following formula:

1. finding the difference between each individual employee's (a) prescribed salary under the OEC's early childhood compensation schedule (see §§ 16 & 17 below) and (b) actual salary paid on December 31, 2021, or the annual starting salary for the position on that date if it was vacant;
2. adding \$7,500 to that number for each employee; and
3. adding together the above sums for each individual employee in the program for the fiscal year.

The bill requires these programs to distribute the grant funds to their employees consistent with the policy that OEC develops for the grant's administration.

EFFECTIVE DATE: July 1, 2022

§§ 16 & 17 — EARLY CHILDHOOD COMPENSATION SCHEDULE AND SALARIES

Requires OEC to amend its proposed early childhood educator compensation schedule to include more employee categories; requires each early childhood care and education program employee to be paid an annual salary as prescribed in the OEC-developed compensation schedule beginning in FY 23

Existing law required OEC to develop a proposed early childhood educator compensation schedule for employees of early childhood education programs and submit it, along with cost estimates, implementation recommendations, and other analyses to the Appropriations and Education committees by January 1, 2021. Specifically, the compensation schedule must be a list or series of lists specifying a series of compensation steps and ranges for the salary, wages, benefits, and other forms of valuable consideration provided to employees for their work.

Compensation Schedule Amendment (§ 17)

The bill requires OEC to amend the compensation schedule to include employees of "early childhood care and education programs"

by January 1, 2023.

Under the bill, these employees include people who meet the following criteria:

1. work for a (a) child care center, group child care home, or school readiness program that does not accept state funds; (b) child care or school readiness program that accepts state funds for infant, toddler, and preschool spaces; (c) private preschool program; or (d) state-funded child care center for disadvantaged children and
2. satisfy the eligibility criteria described in OEC's (a) compensation schedule, rather than the staff qualifications requirements established by law as current law requires for the January 2021 schedule, and (b) policies for the early childhood care and education salary enhancement program (see COMMENT).

Salaries to Match Compensation Schedule (§ 16)

Beginning July 1, 2022, the bill requires each early childhood care and education program employee to be paid an annual salary as prescribed in the OEC-developed compensation schedule. By law, OEC must establish a recommended minimum salary for employees as part of the proposed early childhood educator compensation schedule. If, however, an employee's salary is greater than the amount prescribed in the schedule, then the employee must be paid the greater amount.

Because this requirement takes effect in 2022, salaries must reflect the 2021 compensation schedule, not the new 2023 schedule required by this bill (see § 17; see COMMENT).

Early Childhood Education Program Definition (§ 17)

The bill also defines the term "early childhood education program" a second time. Under current law, the term refers to any child care or school readiness program with state-funded infant, toddler, and preschool spaces. The bill adds a second, separate definition, defining the term to mean a private preschool program, a private school readiness program, or a state-funded child care center for disadvantaged children. (Presumably, the term captures both

definitions, which do not conflict.)

EFFECTIVE DATE: July 1, 2022

BACKGROUND

Related Bills

HB 5465 (File 462), reported favorably by the Education Committee, contains the following similar provisions:

1. requires school readiness councils to conduct a needs assessment for infant and toddler spaces and allows unused school readiness space to be converted to these spaces (§ 12);
2. increases the per child cost cap used to calculate school readiness grants beginning in FY 23, but by \$1,000 rather than \$5,473 as under the bill (§ 5);
3. allows OEC to use unexpended school readiness funds for scholarships for early childhood care and education program providers and their staff (§ 6);
4. requires OEC to administer an annual salary enhancement grant to eligible employees of family child care homes and early childhood care and education programs beginning in FY 23 (§ 1); and
5. requires OEC to amend its proposed early childhood educator compensation schedule to include more employee categories and requires employees to be paid an annual salary as prescribed in the schedule beginning in FY 23 (§§ 2 & 3).

SB 2 (File 276), reported favorably by the Committee on Children, contains the following similar provisions:

1. requires school readiness councils to conduct a needs assessment for infant and toddler spaces and allows unused school readiness space to be converted to these spaces (§ 20) and
2. increases the per child cost cap used to calculate school readiness

grants beginning in FY 23 by the same amount as the bill: \$5,473 (§ 1).

COMMENTS

Missing Conforming Changes

In § 12, the bill requires the OEC commissioner to adjust the number of infant, toddler, and preschool spaces in school readiness programs. In § 13, the bill establishes a \$16,000 cap on the per-child cost for infants and toddlers who are not in preschool to calculate the competitive school readiness grant. Existing law, however, limits school readiness program enrollment to children aged three to five. This requirement remains unchanged by the bill, excluding enrollment of infants and toddlers (i.e., children aged two and younger). Additionally, under the bill, it is unclear whether a three-year-old enrolled in a school readiness program is considered enrolled in (1) preschool and subject to the lower grant amount or (2) in an infant and toddler program, not in preschool, and therefore subject to the higher grant amount.

Incomplete Information

In § 12, the bill defines “competitive municipalities” for FYs 24 and 25. However, it does not provide a definition for FY 26. Therefore, it is unclear which municipalities are eligible to receive a school readiness grant from OEC for infant, toddler, and preschool spaces in FY 26.

Conflict

In § 17, the bill references the early childhood care and education salary enhancement program in §1 of the bill, but § 1 does not mention this program.

Conflict

In § 16, the bill requires each early childhood care and education program employee to be paid an annual salary as prescribed in the OEC-developed compensation schedule beginning July 1, 2022. However, because this requirement takes effect in 2022, salaries must reflect the 2021 compensation schedule, not the new 2023 schedule required by this bill. The 2021 schedule, therefore, does not contain a prescribed minimum salary for the following employees that the bill contemplates

(1) child-care centers, group child care homes, and school readiness programs that do not receive state funding and (2) private preschool programs.

§§ 20 & 21 – SCHOOL-BASED HEALTH CENTER GRANTS

Appropriates \$21.24 million in FY 22 to DPH to expand school-based health centers' services to include mental health services and requires \$590,000 of the appropriation to be used for grants in FY 23 to expand mental health services in 36 specified school-based health centers

The bill makes a \$21.24 million appropriation in FY 22 to DPH to expand existing school-based health centers' services to include mental health services. (It is unclear how funds will be appropriated if the bill takes affect after FY 22 and whether a FY 22 appropriation can be used in FY 23.) It also requires the department to make available \$590,000 of this appropriation for grants in FY 23 to expand mental health services in the 36 sites recommended in the School-Based Health Center Expansion Working Group's final report.

EFFECTIVE DATE: Upon passage

§§ 22 & 23 – LEARNER ENGAGEMENT AND ATTENDANCE PROGRAM (LEAP) FUNDS

Allocates \$13 million each year for FYs 23 and 24 from state ARPA funds for the 15 school districts participating in the LEAP program and expands the program to five more high-needs districts

The bill allocates \$13 million each year for FYs 23 and 24 from federal American Rescue Plan Act (ARPA) of 2021 funds designated for the state to SDE to support school districts participating in the Learner Engagement and Attendance Program (LEAP). For FY 23 the funds support LEAP in 15 existing school districts and expands participation to an additional five high-need districts. In FY 24, the funds support LEAP in all 20 districts.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute Change of Reference - APP
Yea 33 Nay 6 (03/25/2022)

Appropriations Committee

Joint Favorable

Yea 40 Nay 9 (04/07/2022)