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## OLR Bill Analysis

### sHB 6686

#### ***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF EARLY CHILDHOOD.***

#### **SUMMARY**

This bill lowers the eligibility age of children for the Office of Early Childhood's (OEC) School Readiness preschool program. Under current law, eligible children are those ages three or four, and children age five who are not eligible to enroll in school (by law a child must reach age five before January of the school year to attend school that year). The bill lowers entry age to birth (§ 1). It also modifies the current requirements for a school-eligible five-year-old to stay in a school readiness program (§ 3).

By law, School Readiness is a nonreligious, state-funded program that (1) meets state standards, (2) provides at least 450 hours and 180 days of developmentally appropriate learning per year, and (3) is open to age-eligible children.

The bill also does the following:

1. (a) removes a requirement that School Readiness and other child care program grants that exceed a per-child threshold be used for teacher salaries, and (b) changes the grant frequency from annual to biennial (§§ 2 & 4-5);
2. removes the sunset date for the smart start competitive grant and changes the requirements for grant applications to receive priority consideration (§ 6);
3. requires OEC to create a parent advisory cabinet (§ 7);
4. changes the name of early childhood "councils" to

“collaboratives” (§ 8);

5. requires OEC to disclose the complainant’s name and investigation records related to child care facility licensure complaints, upon request, to state and federal law enforcement (§§ 9 & 11); and
6. requires OEC to develop best practices for when OEC can order a medical exam related to a license matter or complaint investigation (§ 12).

It also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2023

## **§§ 2 & 5 — SCHOOL READINESS AND CHILD CARE GRANTS**

### ***Excess Grant Award Flexibility***

Under current law, state-licensed school readiness programs that operate full-day, year-round programs and receive school readiness per-pupil state grants must use any grant amount exceeding \$8,927 per child exclusively to increase the salary of individuals directly responsible for teaching or caring for children in school readiness program classrooms.

Current law also has a similar excess-funds salary provision for state-contracted child care facilities that was set to begin with FY 24. This applies to child care facilities’ contracts with the state for a grant for (1) an amount at least equal to the per-child cost set in state law for each child ages three to five, and not yet eligible to enroll in school, and (2) a \$13,500 per-child grant for children ages three and younger who are in toddler or infant care and not in a preschool program. The amount per child that is over the amount of the per-child cost stated in the FY 23 contract must be used exclusively to increase salaries of early childhood educators employed at these child care facilities.

The bill repeals both of these excess-funds salary provisions.

### ***Biennial Grant Award***

The bill also changes school readiness grants for priority school districts from an annual to a biennial award beginning in FY 23. As under current law, awards depend on available funding and a satisfactory annual evaluation.

### **§ 3 — SCHOOL READINESS AND FIVE-YEAR-OLDS**

Current law allows a five-year-old to stay in a school readiness program if the child has been in the program for at least one year and the parent or guardian, the school board of the district where the child would be attending school, and the school readiness provider agree the child is not ready for kindergarten. The bill additionally requires that the parent or guardian sign a written authorization stating that the child will not attend kindergarten until the following year, and file it with the school district. The bill also replaces “not ready for kindergarten” with “would benefit from another year in the program,” presumably expanding eligibility.

### **§ 6 — SMART START COMPETITIVE GRANT PROGRAM**

The bill removes the FY 24 sunset date (i.e., June 30, 2014) for the smart start competitive grant to provide funds for capital and operating expenses for school districts to expand or establish preschool programs. The bill makes the program permanent with no end date.

Under current law, the OEC commissioner must prioritize school boards (1) that demonstrate the greatest need to establish or expand a preschool program and (2) whose plan allocates (a) at least 60% of the spaces in the preschool program to children who are members of families at or below 75% of the state median income or (b) 50% of the spaces to children who are eligible for free and reduced price lunches (FRPL). The bill eliminates the option for the commissioner to give priority to boards that reserve spaces for FRPL-eligible children.

### **§ 7 — PARENT ADVISORY CABINET**

The bill expands OEC’s statutory duties to include establishing a parent advisory cabinet. The cabinet must advise OEC on ways to:

1. strengthen partnership and communication with families,

2. bring awareness to gaps and barriers to services,
3. increase access to services for families, and
4. help improve the lives of young children and families in the state.

### **§ 8 — EARLY CHILDHOOD COUNCILS**

The bill changes the name of early childhood “councils” to “collaboratives.” Under current law, these councils are local or regional. The bill eliminates references to regional councils, which in practice do not exist. OEC collaborates with the councils to implement early care and education and child development programs at the local level.

### **§§ 9-11 — LICENSURE VIOLATION COMPLAINTS**

The bill requires OEC to share the complainant’s identity and certain records related to complaints about licensure violations with state and federal law enforcement officers, including a military law enforcement authority under the U.S. Department of Defense, upon a written request. It applies to licensing complaints against child care centers, group child care homes, family child care homes, and youth camps.

Under current law, the name of the person making the report or complaint cannot be disclosed unless (1) the person consents or (2) a judicial or administrative proceeding or a license action results from the complaint. Also under current law, records OEC obtains in connection with an investigation are exempt from Freedom of Information Act disclosure (1) for 30 days after the date of the petition or other event causing the investigation; (2) until the investigation is terminated; or (3) a hearing is convened, whichever is earlier. The bill requires the records, whether obtained or generated by OEC, to be disclosed without redaction.

### **§ 12 — BEST PRACTICES FOR OEC-ORDERED MEDICAL EXAMS**

The bill requires OEC, in consultation with the Department of Public Health, to develop best practices for a physician, physician’s assistant (PA), or advanced practice registered nurse (APRN) ordering a medical examination during an investigation over:

1. an application, reinstatement, or renewal of a license for a child care center, group child care home, or family child care home;
2. a complaint about child care services, which includes child care centers, group child care homes, and family child care homes; or
3. child care from an unlicensed provider.

The best practices must at least include:

1. who would be subject to an OEC-ordered medical examination;
2. how the examination's nature and scope would be determined;
3. how the physician, PA, or APRN would be chosen to conduct the examination; and
4. the possible consequences and enforcement mechanisms for any failure to submit to an examination.

The bill requires OEC to submit a report on the best practices, including any legislative recommendations, to the Education Committee by February 1, 2024.

### **COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute

Yea 41 Nay 0 (03/17/2023)