



General Assembly

Substitute Bill No. 6759

January Session, 2023



AN ACT CONCERNING EARLY CHILDHOOD CARE AND EDUCATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2023*) Each employee of an early
2 childhood care and education program shall be paid an annual salary
3 as prescribed in the compensation schedule developed pursuant to
4 section 10-531 of the general statutes except if such employee's salary is
5 greater than the amount prescribed in such compensation schedule,
6 then such employee shall be paid such greater amount. As used in this
7 section, "early childhood care and education program" means (1) a
8 child care center or group child care home, as those terms are
9 described in section 19a-77 of the general statutes, (2) a private
10 preschool program, school readiness program, as defined in section 10-
11 16p of the general statutes, or program pursuant to section 8-210 of the
12 general statutes, or (3) any child care services provider or school
13 readiness program that (A) accepts state funds for infant, toddler or
14 preschool spaces associated with such program, (B) is not required to
15 be licensed pursuant to subsection (b) of section 19a-77 of the general
16 statutes, and (C) is located in a public school building but is not
17 administered by a public school system.

18 Sec. 2. Subsections (a) to (d), inclusive, of section 17b-749 of the
19 general statutes are repealed and the following is substituted in lieu
20 thereof (*Effective July 1, 2023*):

21 (a) The Commissioner of Early Childhood shall establish and
22 operate a child care subsidy program to increase the availability,
23 affordability and quality of child care services for families with a
24 parent or caretaker who (1) is (A) working or attending high school, or
25 (B) subject to the provisions of subsection (d) of this section, is enrolled
26 or participating in (i) a public or independent institution of higher
27 education, (ii) a private career school authorized pursuant to sections
28 10a-22a to 10a-22o, inclusive, (iii) a job training or employment
29 program administered by a regional workforce development board,
30 (iv) an apprenticeship program administered by the Labor
31 Department's office of apprenticeship training, (v) an alternate route to
32 certification program approved by the State Board of Education, (vi) an
33 adult education program pursuant to section 10-69 or other high
34 school equivalency program, or (vii) a local Even Start program or
35 other adult education program approved by the Commissioner of
36 Early Childhood; or (2) receives cash assistance under the temporary
37 family assistance program from the Department of Social Services and
38 is participating in an education, training or other job preparation
39 activity approved pursuant to subsection (b) of section 17b-688i or
40 subsection (b) of section 17b-689d. Services available under the child
41 care subsidy program shall include the provision of child care
42 subsidies for children under the age of thirteen or children under the
43 age of nineteen with special needs. The Commissioner of Early
44 Childhood may institute a protective service class in which the
45 commissioner may waive eligibility requirements for at-risk
46 populations that meet the guidelines prescribed by the commissioner,
47 and subject to review by the Secretary of the Office of Policy and
48 Management. Such at-risk populations are children placed in a foster
49 home by the Department of Children and Families and for whom the
50 parent or legal guardian receives foster care payments, adopted
51 children for one year from the date of adoption and homeless children
52 and youths, as defined in 42 USC 11434a, as amended from time to
53 time. The Office of Early Childhood shall open and maintain
54 enrollment for the child care subsidy program and shall administer
55 such program within the existing budgetary resources available. The

56 office shall issue a notice on the office's Internet web site any time the
57 office closes the program to new applications, changes eligibility
58 requirements, changes program benefits or makes any other change to
59 the program's status or terms, except the office shall not be required to
60 issue such notice when the office expands program eligibility. Any
61 change in the office's acceptance of new applications, eligibility
62 requirements, program benefits or any other change to the program's
63 status or terms for which the office is required to give notice pursuant
64 to this subsection, shall not be effective until thirty days after the office
65 issues such notice.

66 (b) The commissioner shall establish income standards for
67 applicants and recipients at a level to include a family with gross
68 income up to fifty per cent of the state-wide median income, except the
69 commissioner (1) may increase the income level up to the maximum
70 level allowed under federal law, (2) upon the request of the
71 Commissioner of Children and Families, may waive the income
72 standards for adoptive families so that children adopted on or after
73 October 1, 1999, from the Department of Children and Families are
74 eligible for the child care subsidy program, and (3) on and after March
75 1, 2003, shall reduce the income eligibility level to up to fifty-five per
76 cent of the state-wide median income for applicants and recipients
77 who qualify based on their loss of eligibility for temporary family
78 assistance. The commissioner may adopt regulations in accordance
79 with chapter 54 to establish income criteria and durational
80 requirements for such waiver of income standards.

81 (c) The commissioner, in consultation with the Commissioner of
82 Social Services, shall establish eligibility and program standards
83 including, but not limited to: (1) A priority intake and eligibility
84 system with preference given to serving (A) recipients of temporary
85 family assistance who are employed or engaged in employment
86 activities under the Department of Social Services' "Jobs First"
87 program, (B) working families whose temporary family assistance was
88 discontinued not more than five years prior to the date of application

89 for the child care subsidy program, (C) teen parents, (D) low-income
90 working families, (E) adoptive families of children who were adopted
91 from the Department of Children and Families and who are granted a
92 waiver of income standards under subdivision (2) of subsection (b) of
93 this section, (F) working families who are at risk of welfare
94 dependency, (G) parents or caretakers participating in an
95 apprenticeship program administered by the Labor Department's
96 office of apprenticeship training, (H) parents or caretakers enrolled in
97 an adult education program pursuant to section 10-69 or other high
98 school equivalency program, (I) parents or caretakers participating in a
99 job training or employment program administered by a regional
100 workforce development board, and (J) parents or caretakers enrolled in
101 a public or independent institution of higher education; (2) health and
102 safety standards for child care providers not required to be licensed;
103 (3) a reimbursement system for child care services which account for
104 differences in the age of the child, number of children in the family, the
105 geographic region and type of care provided by licensed and
106 unlicensed caregivers, the cost and type of services provided by
107 licensed and unlicensed caregivers, successful completion of fifteen
108 hours of annual in-service training or credentialing of child care
109 directors and administrators, and program accreditation; (4)
110 supplemental payment for special needs of the child and extended
111 nontraditional hours; (5) an annual rate review process for providers
112 which assures that reimbursement rates are maintained at levels which
113 permit equal access to a variety of child care settings; (6) a sliding
114 reimbursement scale for participating families; (7) an administrative
115 appeals process; (8) an administrative hearing process to adjudicate
116 cases of alleged fraud and abuse and to impose sanctions and recover
117 overpayments; (9) an extended period of program and payment
118 eligibility when a parent who is receiving a child care subsidy
119 experiences a temporary interruption in employment or other
120 approved activity; and (10) a waiting list for the child care subsidy
121 program that (A) allows the commissioner to exercise discretion in
122 prioritizing within and between existing priority groups, including,
123 but not limited to, children described in 45 CFR 98.46, as amended

124 from time to time, and households with an infant or toddler, and (B)
125 reflects the priority and eligibility system set forth in subdivision (1) of
126 this subsection, which is reviewed periodically, with the inclusion of
127 this information in the annual report required to be issued annually by
128 the office to the Governor and the General Assembly in accordance
129 with section 17b-733. Such action will include, but not be limited to,
130 family income, age of child, region of state and length of time on such
131 waiting list.

132 (d) [Not later than July 1, 2015, an] An applicant determined to be
133 eligible for program benefits by the Commissioner of Early Childhood
134 shall remain eligible for such benefits for a period prescribed by
135 federal law. [, except any applicant determined to be eligible for
136 program benefits by the commissioner under subparagraph (B) of
137 subdivision (1) of subsection (a) of this section shall only be eligible for
138 and receive such benefits upon the availability of federal funds
139 received pursuant to Coronavirus Response and Relief Supplemental
140 Appropriations Act, P.L. 116-260, as amended from time to time, or the
141 American Rescue Plan Act of 2021, P.L. 117-2, as amended from time to
142 time, and designated by the commissioner for such benefits.]

143 Sec. 3. (NEW) (*Effective July 1, 2023*) Any provider of child care
144 services, as described in section 19a-77 of the general statutes licensed
145 by the Office of Early Childhood, that maintains a supply of
146 epinephrine cartridge injectors pursuant to section 19a-909 of the
147 general statutes, may administer such epinephrine for the purpose of
148 emergency first aid to a child in the care of such provider who
149 experiences an allergic reaction and does not have a prior written
150 authorization of a parent or guardian or a prior written order of a
151 qualified medical professional for the administration of epinephrine,
152 provided the person administering such epinephrine is a person with
153 training, as defined in section 19a-909 of the general statutes. The
154 parent or guardian of a child may submit, in writing, to such child's
155 provider of child care services, that epinephrine shall not be
156 administered to such child pursuant to this section.

157 Sec. 4. Subdivision (1) of subsection (b) of section 10-16q of the
158 general statutes is repealed and the following is substituted in lieu
159 thereof (*Effective July 1, 2023*):

160 (b) (1) For the fiscal year ending June 30, 2020, the per child cost of
161 the Office of Early Childhood school readiness program offered by a
162 school readiness provider shall not exceed eight thousand nine
163 hundred twenty-seven dollars. For the fiscal [year] years ending June
164 30, 2021, [and each fiscal year thereafter] to June 30, 2023, inclusive, the
165 per child cost of the Office of Early Childhood school readiness
166 program offered by a school readiness provider shall not exceed nine
167 thousand twenty-seven dollars. For the fiscal year ending June 30,
168 2024, the per child cost of the Office of Early Childhood full-time
169 school readiness program offered by a school readiness provider shall
170 not exceed fourteen thousand two hundred fifty dollars. For the fiscal
171 year ending June 30, 2025, and each fiscal year thereafter, the per child
172 cost of the Office of Early Childhood full-time school readiness
173 program offered by a school readiness provider shall not exceed
174 nineteen thousand thirty-one dollars.

175 Sec. 5. (*Effective July 1, 2023*) (a) As used in this section:

176 (1) "Early childhood education program operator" means a private
177 child care services provider that does not receive state funding under
178 section 10-16p or 8-210 of the general statutes or other state financial
179 assistance; and

180 (2) "Child care services provider" means a child care center, group
181 child care home or family child care home, as those terms are
182 described in section 19a-77 of the general statutes.

183 (b) For the fiscal years ending June 30, 2024, and June 30, 2025, the
184 Office of Early Childhood shall establish and administer a wage
185 supplement and child care program enhancement grant program for
186 early childhood education program operators. On and after August 1,
187 2023, the office shall provide grants to those early childhood education

188 program operators that meet the eligibility requirements developed by
189 the office pursuant to subsection (d) of this section, and submit an
190 application for a grant, on a form and in such manner as prescribed by
191 the office. A grant awarded under this section may be used by such
192 early childhood education program operator to supplement the annual
193 salaries of the employees of such operator or to address any other
194 programmatic or administrative needs, in accordance with the
195 guidelines developed by the office pursuant to subsection (d) of this
196 section.

197 (c) In determining whether to award a grant under this section, the
198 commissioner shall give priority to those early childhood education
199 program operators that will use such grant exclusively to supplement
200 the annual salaries of the employees of such operator.

201 (d) The office shall develop (1) eligibility criteria for which early
202 childhood education program operators are eligible to receive a grant
203 under this section, and (2) guidelines for the administration of the
204 program and the expenditure of a grant awarded under this section by
205 a childhood education program operator.

206 Sec. 6. (*Effective from passage*) The Commissioner of Early Childhood
207 shall conduct a study regarding the development of a system in which
208 early childhood education program operators and child care services
209 providers are funded in accordance with the cost of quality care. Not
210 later than January 1, 2024, the commissioner shall submit a report on
211 its findings and recommendations to the joint standing committee of
212 the General Assembly having cognizance of matters relating to
213 education, in accordance with the provisions of section 11-4a of the
214 general statutes.

215 Sec. 7. Section 17b-749 of the general statutes is amended by adding
216 subsection (l) as follows (*Effective July 1, 2023*):

217 (NEW) (l) For the fiscal year ending June 30, 2023, and each fiscal
218 year thereafter, the amount of the subsidy paid to providers under the

219 child care subsidy program shall be at least seventy-five per cent of the
220 market rate, as determined by the Commissioner of Early Childhood
221 pursuant to the current market rate study required under federal law.

222 Sec. 8. (*Effective July 1, 2023*) (a) For the fiscal year ending June 30,
223 2024, the Commissioner of Early Childhood shall (1) provide a grant in
224 an amount of two hundred fifty thousand dollars to existing Even Start
225 programs, and (2) provide up to five expansion planning grants in an
226 amount of fifty thousand dollars each for new Even Start programs.

227 (b) For the fiscal year ending June 30, 2025, the commissioner shall
228 provide up to eight grants in an amount of two hundred fifty thousand
229 dollars to Even Start programs.

230 Sec. 9. Subsection (l) of section 19a-87b of the general statutes is
231 repealed and the following is substituted in lieu thereof (*Effective July*
232 *1, 2023*):

233 (l) For the fiscal years ending June 30, 2022, to June 30, 2026,
234 inclusive, the Commissioner of Early Childhood may issue a license to
235 maintain a family child care home in New Britain, New Haven,
236 Bridgeport, Stamford, Hartford, Danbury or Waterbury in accordance
237 with the provisions of this chapter to a person or group of persons who
238 have partnered with an association, organization, corporation,
239 institution or agency, public or private, to provide child care services
240 in a space provided by such association, organization, corporation,
241 institution or agency, provided such space has been approved by the
242 commissioner and is not in a private family home. The commissioner
243 shall not approve more than one facility in each such city to be used
244 for licenses issued under this subsection. An application for a license
245 under this subsection shall include a copy of the current fire marshal
246 certificate of compliance with the Fire Safety Code, and written
247 verification of compliance with the State Building Code, local zoning
248 and building requirements and local health ordinances. The
249 commissioner may require an applicant for a license under this
250 subsection to comply with additional conditions relating to the health

251 and safety of the children who will be served in such facility. The
252 commissioner may waive any requirement that does not apply to such
253 facility. Any license issued under this subsection shall expire on June
254 30, 2026, except that the commissioner may suspend or revoke any
255 such license at any time in accordance with the provisions of section
256 19a-87e. For the fiscal year ending June 30, 2024, the commissioner
257 shall, within available appropriations, provide grants in the amount of
258 two hundred thousand dollars to a municipality described in this
259 subsection for the purpose of planning and implementing family child
260 care business incubators.

261 Sec. 10. Section 10-502 of the general statutes is repealed and the
262 following is substituted in lieu thereof (*Effective July 1, 2023*):

263 The Office of Early Childhood shall collaborate with and may,
264 within available appropriations, provide funding to local [and
265 regional] early childhood [councils] collaboratives for the
266 implementation of early care and education and child development
267 programs at the local level. Such local early childhood [councils]
268 collaboratives shall: (1) Develop and implement a comprehensive plan
269 for an early childhood system for the community served by such local
270 early childhood [council] collaborative, (2) develop policy and
271 program planning, (3) encourage community participation by
272 emphasizing substantial parental involvement, (4) collect, analyze and
273 evaluate data with a focus on program and service outcomes, (5)
274 allocate resources, and (6) perform any other functions that will assist
275 in the provision of early childhood programs and services. Such local
276 early childhood [councils] collaboratives may enter into memoranda of
277 agreement with the local or regional school readiness council,
278 described in section 10-16r, of the town or region served by such local
279 early childhood [council] collaborative to perform the duties and
280 functions of a school readiness council, in accordance with the
281 provisions of section 10-16r, or if no such local or regional school
282 readiness council exists for the town or region of such local early
283 childhood [council] collaborative, perform the duties and functions of

284 a school readiness council, in accordance with the provisions of section
285 10-16r.

286 Sec. 11. (*Effective July 1, 2023*) The sum of two hundred twenty-seven
287 million dollars is appropriated to the Office of Early Childhood from
288 the General Fund, for the fiscal year ending June 30, 2024, for early
289 care and education.

290 Sec. 12. (*Effective July 1, 2024*) The sum of two hundred seventy-four
291 million dollars is appropriated to the Office of Early Childhood from
292 the General Fund, for the fiscal year ending June 30, 2025, for early
293 care and education.

294 Sec. 13. (*Effective July 1, 2023*) The sum of fifty million dollars is
295 appropriated to the Office of Early Childhood from the General Fund,
296 for the fiscal year ending June 30, 2024, for the purpose of
297 administering a wage supplement and child care program
298 enhancement grant program for early childhood education program
299 operators under section 5 of this act.

300 Sec. 14. (*Effective July 1, 2024*) The sum of fifty million dollars is
301 appropriated to the Office of Early Childhood from the General Fund,
302 for the fiscal year ending June 30, 2025, for the purpose of
303 administering a wage supplement and child care program
304 enhancement grant program for early childhood education program
305 operators under section 5 of this act.

306 Sec. 15. (*Effective July 1, 2023*) The sum of one million dollars is
307 appropriated to the Office of Early Childhood from the General Fund,
308 for the fiscal year ending June 30, 2024, for Even Start programs in
309 accordance with the provisions of section 8 of this act.

310 Sec. 16. (*Effective July 1, 2024*) The sum of two million dollars is
311 appropriated to the Office of Early Childhood from the General Fund,
312 for the fiscal year ending June 30, 2025, for Even Start programs in
313 accordance with the provisions of section 8 of this act.

314 Sec. 17. (*Effective July 1, 2023*) The sum of five hundred thousand
315 dollars is appropriated to the Office of Early Childhood from the
316 General Fund, for the fiscal year ending June 30, 2024, for the purpose
317 of providing grants under subsection (j) of section 19a-87b of the
318 general statutes, as amended by this act, for planning and
319 implementing family child care business incubators.

320 Sec. 18. (*Effective July 1, 2024*) The sum of five hundred thousand
321 dollars is appropriated to the Office of Early Childhood from the
322 General Fund, for the fiscal year ending June 30, 2025, for the purpose
323 of providing grants under subsection (j) of section 19a-87b of the
324 general statutes, as amended by this act, for planning and
325 implementing family child care business incubators.

326 Sec. 19. (*Effective July 1, 2023*) The sum of one million dollars is
327 appropriated to the Office of Early Childhood from the General Fund,
328 for the fiscal year ending June 30, 2024, for the purpose of providing
329 grants to local early childhood collaboratives under section 10-502 of
330 the general statutes, as amended by this act.

331 Sec. 20. (*Effective July 1, 2024*) The sum of two million dollars is
332 appropriated to the Office of Early Childhood from the General Fund,
333 for the fiscal year ending June 30, 2025, for the purpose of providing
334 grants to local early childhood collaboratives under section 10-502 of
335 the general statutes, as amended by this act.

336 Sec. 21. (*Effective July 1, 2023*) The sum of one hundred twenty-four
337 million dollars is appropriated to the Office of Early Childhood from
338 the General Fund, for the fiscal year ending June 30, 2024, for
339 Care4Kids TANF/CCDF.

340 Sec. 22. (*Effective July 1, 2024*) The sum of one hundred twenty-four
341 million dollars is appropriated to the Office of Early Childhood from
342 the General Fund, for the fiscal year ending June 30, 2025, for
343 Care4Kids TANF/CCDF.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	New section
Sec. 2	<i>July 1, 2023</i>	17b-749(a) to (d)
Sec. 3	<i>July 1, 2023</i>	New section
Sec. 4	<i>July 1, 2023</i>	10-16q(b)(1)
Sec. 5	<i>July 1, 2023</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>July 1, 2023</i>	17b-749(l)
Sec. 8	<i>July 1, 2023</i>	New section
Sec. 9	<i>July 1, 2023</i>	19a-87b(l)
Sec. 10	<i>July 1, 2023</i>	10-502
Sec. 11	<i>July 1, 2023</i>	New section
Sec. 12	<i>July 1, 2024</i>	New section
Sec. 13	<i>July 1, 2023</i>	New section
Sec. 14	<i>July 1, 2024</i>	New section
Sec. 15	<i>July 1, 2023</i>	New section
Sec. 16	<i>July 1, 2024</i>	New section
Sec. 17	<i>July 1, 2023</i>	New section
Sec. 18	<i>July 1, 2024</i>	New section
Sec. 19	<i>July 1, 2023</i>	New section
Sec. 20	<i>July 1, 2024</i>	New section
Sec. 21	<i>July 1, 2023</i>	New section
Sec. 22	<i>July 1, 2024</i>	New section

ED

Joint Favorable Subst. C/R

APP