

## General Assembly

Substitute Bill No. 5051

February Session, 2024



## AN ACT ESTABLISHING EARLY START CT.

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

- 1 Section 1. (NEW) (Effective July 1, 2026) As used in this section and
- 2 sections 2 to 10, inclusive, of this act:
- 3 (1) "Accredited" means accredited by the National Association for the
- 4 Education of Young Children, National Association for Family Child
- 5 Care, Early Head Start or Head Start federal approval, or other
- 6 nationally recognized accreditations or certifications as approved by the
- 7 commissioner;
- 8 (2) "Commissioner" means the Commissioner of Early Childhood;
- 9 (3) "Office" means the Office of Early Childhood; and
- 10 (4) "Early Start CT" means the state-funded early care and education
- 11 system administered by the office that coordinates and facilitates the
- 12 efficient delivery of early childhood care and education programs for
- 13 eligible children.
- Sec. 2. (NEW) (Effective July 1, 2026) The Office of Early Childhood
- shall operate and administer Early Start CT in order to:
- 16 (1) Provide open access for infants and toddlers and preschool-age

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- children to high-quality programs that promote the health and safety of children and prepare them for school;
- (2) Provide opportunities for parents to choose among affordable and
  accredited and Head Start approved programs;
- 21 (3) Encourage coordination and cooperation among programs and 22 prevent the duplication of services;
- 23 (4) Recognize the specific service needs and unique resources 24 available to particular municipalities;
- 25 (5) Prevent or minimize the potential for developmental delay in 26 children prior to their reaching the age of five;
- 27 (6) Strengthen the family through: (A) Encouragement of family 28 engagement and partnership in a child's development and education, 29 and (B) enhancement of a family's capacity to meet the special needs of 30 the children, including children with disabilities;
- 31 (7) Reduce educational costs by decreasing the need for special 32 education services for school-age children;
- (8) Assure that children with disabilities are integrated into programs
  available to children who do not have disabilities;
- 35 (9) Improve the availability and quality of Early Start CT programs 36 and their coordination with the services of child care providers;
- 37 (10) Facilitate the racial, ethnic and socioeconomic diversity of the 38 children, families and staff in Early Start CT programs; and
- 39 (11) Maximize local and federal early childhood education funding 40 to expand capacity and access.
- Sec. 3. (NEW) (*Effective July 1, 2026*) The Office of Early Childhood shall establish a sliding fee scale for families participating in Early Start CT. Such sliding scale shall be based on family income and align with the sliding fee scale used in the child care subsidy program described in

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45 section 17b-749 of the general statutes.

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Sec. 4. (NEW) (Effective July 1, 2026) The Commissioner of Early Childhood shall implement policies and procedures necessary to (1) administer the provisions of sections 1 to 3, inclusive, and 5 to 10, inclusive, of this act, (2) implement infant and toddler and school-age ratios and group size requirements, and (3) implement head teacher staffing requirements for programs that serve only school-age children, while in the process of adopting such policies and procedures in regulation form. Any existing regulations relating to infant and toddler and school-age ratios, group size requirements and head teacher staffing requirements for programs that serve only school-age children that are generally applicable to child care centers and group child care homes shall continue to be applicable to such centers and homes that serve infants and toddlers and school-age children until replaced by the policies and procedures described in this section. The commissioner shall post notice of the intent to adopt regulations on the department's Internet web site and the eRegulations System not later than twenty days after the date of implementation of such policies and procedures. Such policies and procedures shall be valid until the time final regulations are adopted.

Sec. 5. (NEW) (Effective July 1, 2026) (a) As part of Early Start CT, the state, acting by and in the discretion of the Commissioner of Early Childhood, may enter into direct or third-party contracts to provide financial assistance to municipalities, local and regional boards of education, regional educational service centers, family resource centers, Head Start programs, preschool programs, nonprofit organizations, child care centers, group child care homes, family child care homes, as such terms are described in section 19a-77 of the general statutes, and any other programs that meet standards established by the commissioner for the purpose of operating early childhood care and education programs that focus on providing early childhood access based on economic, social or environmental conditions, including in regions with insufficient access to child care. At least sixty per cent of the eligible children participating in Early Start CT and enrolled in a

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child care center, group child care home or family child care home shall be members of a family that is at or below seventy-five per cent of the state median income. No such financial assistance shall be available to (1) any such child care center, group child care home or family child care home unless such center or home has been licensed by the Commissioner of Early Childhood pursuant to section 19a-80 or 19a-87b of the general statutes, as amended by this act, or (2) any such local or regional board of education or regional educational service center unless the preschool program is approved by the Department of Education. The majority of such programs eligible for such financial assistance shall serve children that reside in or attend programs located in priority school districts pursuant to section 10-266p of the general statutes, former priority school districts or towns with schools deemed severe need schools because forty per cent or more of the lunches served are served to students who are eligible for free or reduced price lunches pursuant to federal law. In determining eligibility for financial assistance, the commissioner may consider (A) a community's participation in the state's subsidized child care subsidy program established pursuant to section 17b-749 of the general statutes, and (B) the Centers for Disease Control and Prevention's social vulnerability index determined by census tract, and such index may include a review of a community's indices of social, economic, racial, ethnic, housing, transportation and household characteristics as determined by the Centers for Disease Control and Prevention.

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(b) Any contract entered into under this section shall be contingent upon available funding and a successful application to a request for proposal issued by the office and informed by the appropriate local or regional governance partner's needs assessment and community plan, as described in section 8 of this act. Any Early Start CT facility that has been approved to operate a child care program financed through the Connecticut Health and Education Facilities Authority and has received a commitment for debt service from the Department of Social Services, pursuant to section 17b-749i of the general statutes, on or before June 30, 2014, and on or after July 1, 2014, from the office are exempt from the

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requirement for issuance of requests for proposals.

- (c) The office, in operating and administering Early Start CT, shall allocate an amount up to five per cent of the total funding for each town or city, or, in the case of a regional application, the participating towns or cities, but not more than seventy-five thousand dollars per town or city, for coordination, program evaluation and administration. Such amount shall be increased by an amount equal to local funding provided for early childhood education coordination, program evaluation and administration, not to exceed twenty-five thousand dollars. Each local or regional governance partner, established pursuant to section 8 of this act, shall designate a staff person to be responsible for such coordination, program evaluation and administration and to act as a liaison between the town and the commissioner.
- (d) Any program under Early Start CT that receives funds pursuant to this section shall not discriminate based on ancestry, race, color, national origin, sex, gender identity or expression, sexual orientation, religion, learning, physical, intellectual or mental disability or any other protected class described in chapter 814c of the general statutes.
- (e) No funds received as part of Early Start CT under this section shall be used to supplant federal, state or local funding received for early childhood education on behalf of children in an early childhood education program.
- (f) For the fiscal year ending June 30, 2027, the office may pay, in an individual contract entered into under this section, a per-child rate, or an equivalent per-classroom rate, that has been determined by the commissioner. The per-child cost paid by the office under this section for each eligible child enrolled in a program under Early Start CT who is three or four years of age and each child who is five years of age and not eligible to enroll in school, pursuant to section 10-15c of the general statutes, shall be at least ten thousand five hundred dollars for each such child, or paid at an equivalent rate and amount per classroom for eighteen children. For each eligible child who is under the age of three

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and enrolled in an infant or toddler classroom and not in a preschool classroom, the per-child cost paid by the office shall be at least thirteen thousand five hundred dollars for each such child, or paid at an equivalent rate and amount per classroom of eight children. The office shall use data-driven, outcomes-based contract provisions to facilitate and incentivize full enrollment.

- (g) The office may use up to two per cent of funds allocated to the early care and education appropriation to evaluate program effectiveness and impact on participating children, families and programs, including, but not limited to, child outcomes, later school performance, quality standards, professional development and preparation, and parent engagement impact.
- Sec. 6. (NEW) (*Effective July 1, 2026*) (a) Except as otherwise provided in subsection (b) of this section, for the fiscal year ending June 30, 2026, and each fiscal year thereafter, if funds appropriated to the Office of Early Childhood for Early Start CT are not expended by the Commissioner of Early Childhood, an amount up to one million dollars of such unexpended funds may be available (1) for the provision of professional development for early childhood care and education program providers, and staff employed in such programs, provided such programs accept state funds for infant, toddler and preschool slots, or (2) to support early childhood education programs in satisfying the staff qualifications requirements, provided such programs accept state funds. The commissioner shall determine how such unexpended funds shall be distributed.
  - (b) If any unexpended funds described in subsection (a) of this section are not expended by the office under said subsection (a), the commissioner, with the consent of the Secretary of the Office of Policy and Management, may use such unexpended funds to provide support for purposes that include, but are not limited to, (1) assisting programs in meeting and maintaining accreditation requirements, (2) providing training in implementing preschool assessments and curricula, including training to enhance literacy teaching skills, (3) developing and

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178 implementing best practices for parents in supporting preschool and 179 kindergarten student learning, (4) developing and implementing 180 strategies for children to successfully transition to preschool and from preschool to kindergarten, including through parental engagement and 182 whole-family supports that may be utilized through the two-183 generational initiative, established pursuant to section 17b-112l of the 184 general statutes, or through other available resources, and (5) providing 185 for professional development.

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Sec. 7. (NEW) (Effective July 1, 2026) Any program participating in Early Start CT, including, but not limited to, licensed family child care homes, group child care homes, child care centers and other licensed exempt child care providers and settings, shall be accredited or Early Head Start or Head Start approved not later than three years after entering into a contract with the Office of Early Childhood to serve children under Early Start CT. Any such program that is not accredited shall have an approved program plan not later than twelve months after entering into a contract with the office.

Sec. 8. (NEW) (Effective July 1, 2026) (a) There shall be established, within available appropriations, local governance partners to assist in the provision of early care and education in a community under Early Start CT. Two or more towns or school districts and appropriate representatives of groups or entities interested in early childhood education in a region may establish a regional governance partner.

(b) The membership of each local or regional governance partner shall reflect the racial, ethnic and socioeconomic composition of the town or region it serves and consist of early care and education stakeholders, including, but not limited to, elected and appointed officials, parents, representatives with expertise in early childhood education, a representative, where applicable, of Smart Start established pursuant to section 10-506 of the general statutes, local education and healthcare providers in the community, a local homeless education liaison, community representatives from a workforce or job training entity and other community representatives who provide services to

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- (c) The role and responsibilities of a local or regional governance partner shall include, but are not limited to, (1) conducting and administering a data-driven needs assessment for its respective community or region in accordance with the provisions of subsection (c) of this section, (2) employing strategies to solicit parental engagement and membership, (3) providing periodic technical assistance regarding best practices in early childhood and family engagement for its town or region, (4) jointly sponsoring with the office, professional development opportunities, and (5) ensuring that community outreach is regularly conducted and maintained with community stakeholders.
- (d) Each local or regional governance partner shall, within available appropriations, conduct a data-driven needs assessment for the town or region in which such partner serves. Such needs assessment may include recommendations for the preferred distribution and allocation of child care spaces within such partner's respective town or region, and, subject to the office's approval, may include a data-driven methodology to reassign child care spaces before the contract date has lapsed. Such needs assessment shall be created by the office in collaboration with communities and shall directly inform, among other things, the assignment of child care spaces across a mixed-delivery system, including, but not limited to, licensed family child care providers, group child care homes, child care centers and license-exempt public schools.
- (e) Each local or regional governance partner shall employ a staff liaison to aid and support the local or regional governance partner in implementing the provisions of this section. Each staff liaison shall ensure (1) that partnerships are established and fostered among child care providers, (2) that cooperation is maintained with the Office of Early Childhood in monitoring and evaluating child care programs, (3) that existing and potential resources and services available to children and families are identified, (4) facilitation and coordination of efficient, data-driven, delivery of services to children and families, including (A) referral procedures, and (B) before and after school child care for

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244 children attending school day, school year programs, (5) the exchange 245 of information with other community organizations serving the needs 246 of children and families, (6) that recommendations are made to school 247 officials concerning transition from child care programs to preschool 248 programs and kindergarten, (7) that effective community engagement 249 strategies are employed to ensure diverse participation, (8) that 250 biannual child assessments, approved by the office, are performed at 251 programs, and conducted in partnership with families, and (9) 252 collaboration with the office related to planning improvements to the 253 state early care and education governance structure.

(f) The office shall monitor each local or regional governance partner to ensure compliance with the provisions of this section.

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Sec. 9. (NEW) (Effective July 1, 2026) (a) As part of Early Start CT, the Commissioner of Early Childhood shall establish a state-funded competitive program in which contracts are entered into with nonprofit agencies and local and regional boards of education, which are federal Head Start grantees, to assist in (1) establishing extended-day and fullday, year-round, Head Start programs or expanding existing Head Start programs to extended-day or full-day, year-round programs, (2) enhancing program quality, (3) increasing the number of children served in programs that are both a Head Start program and Early Head Start grantee or delegate, (4) increasing the number of Early Head Start children served above those who are federally funded, and (5) increasing the hours for children currently receiving Early Head Start services. Nonprofit agencies or boards of education seeking contracts pursuant to this section shall make application to the commissioner on such forms and at such times as the commissioner shall prescribe. The commissioner shall include contract provisions that mandate at least twenty-five per cent of the funding for such contracts shall be for the purpose of enhancing program quality. All contracts entered into under this section shall be funded within the limits of available appropriations or otherwise from federal funds and private donations. All Head Start programs funded pursuant to this section shall be in compliance with federal Head Start performance standards.

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(b) The commissioner may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, for purposes of this section.

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Sec. 10. (NEW) (*Effective July 1, 2026*) Notwithstanding the provisions of sections 4-98, 4-212 to 4-219, inclusive, 4a-51 and 4a-57 of the general statutes, the Commissioner of Early Childhood may, within available appropriations, allocate funds to regional educational service centers for the provision of professional development services, technical assistance and evaluation and program planning and implementation activities, local and regional boards of education, child care centers, group child care homes and family child care homes, as such terms are described in section 19a-77 of the general statutes, and other early childhood care and education entities, as determined by the commissioner. Any funds allocated by the commissioner under this section shall be expended in accordance with procedures and conditions prescribed by the commissioner.

Sec. 11. (NEW) (Effective July 1, 2024) For the fiscal years ending June 30, 2025, and June 30, 2026, the office may pay, in an individual contract entered into under sections 8-210 of the general statutes, as amended by this act, and 10-16p of the general statutes, or a grant awarded pursuant to section 10-16n of the general statutes, as amended by this act, a perchild rate, or an equivalent per-classroom rate, that has been determined by the commissioner. The per-child cost paid by the office under this section for each eligible child enrolled in a program who is three or four years of age and each child who is five years of age and not eligible to enroll in school, pursuant to section 10-15c of the general statutes, shall be at least ten thousand five hundred dollars for each such child, or paid at an equivalent rate and amount per classroom for eighteen children. For each eligible child who is under the age of three and enrolled in an infant or toddler classroom and not in a preschool classroom, the perchild cost paid by the office shall be at least thirteen thousand five hundred dollars for each such child, or paid at an equivalent rate and amount per classroom of eight children. The office shall use data-driven, outcomes-based contract provisions to facilitate and incentivize full

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- Sec. 12. Subsection (b) of section 8-210 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):
  - (b) The state, acting by and in the discretion of the Commissioner of Early Childhood, may enter into a contract with a municipality, a group child care home or family child care home, as described in section 19a-77, a human resource development agency or a nonprofit corporation for state financial assistance in developing and operating child care centers, group child care homes and family child care homes for children disadvantaged by reasons of economic, social or environmental conditions, provided no such financial assistance shall be available for the operating costs of any such child care center, group child care home or family child care home unless it has been licensed by the Commissioner of Early Childhood pursuant to section 19a-80. Such financial assistance shall be available for a program of a municipality, of a group child care home or family child care home, of a human resource development agency or of a nonprofit corporation which may provide for personnel, equipment, supplies, activities, program materials and renovation and remodeling of the physical facilities of such child care centers, group child care homes or family child care homes. Such contract shall provide for state financial assistance, within available appropriations, in the form of a state grant-in-aid (1) for a portion of the cost of such program, as determined by the Commissioner of Early Childhood, if not federally assisted, (2) equal to one-half of the amount by which the net cost of such program, as approved by the Commissioner of Early Childhood, exceeds the federal grant-in-aid thereof, or (3) (A) for the fiscal year ending June 30, 2024, in an amount not less than [(A)] (i) the per child cost as described in subdivision (1) of subsection (b) of section 10-16q, as amended by this act, for each child in such program that is three or four years of age and each child that is five years of age who is not eligible to enroll in school, pursuant to section 10-15c, while maintaining services to children under three years of age under this section, and [(B)] (ii) thirteen thousand five hundred

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346 dollars for each child three years of age or under who is in infant or 347 toddler care and not in a preschool program, and (B) for the fiscal years 348 ending June 30, 2025, and June 30, 2026, in accordance with the provisions of section 11 of this act. Any such contract entered into on or 349 350 after July 1, 2022, shall include a provision that at least sixty per cent of 351 the children enrolled in such child care center, group child care home or 352 family child care home are members of families who are at or below 353 seventy-five per cent of the state median income. The Commissioner of 354 Early Childhood may authorize child care centers, group child care 355 homes and family child care homes receiving financial assistance under 356 this subsection to apply a program surplus to the next program year. 357 The Commissioner of Early Childhood shall consult with directors of 358 child care centers in establishing fees for the operation of such centers. 359 For the fiscal year ending June 30, 2023, the Commissioner of Early 360 Childhood shall, within available appropriations, enter into contracts 361 under this section for the purpose of expanding the number of spaces 362 available to children three years of age or under who are in infant or 363 toddler care and not in a preschool program.

Sec. 13. Subdivision (1) of subsection (b) of section 10-16q of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

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(b) (1) For the fiscal year ending June 30, 2020, the per child cost of the Office of Early Childhood school readiness program offered by a school readiness provider shall not exceed eight thousand nine hundred twenty-seven dollars. For the fiscal years ending June 30, 2021, to June 30, 2024, inclusive, the per child cost of the Office of Early Childhood school readiness program offered by a school readiness provider shall not exceed nine thousand twenty-seven dollars. For the fiscal [year] years ending June 30, 2025, and June 30, 2026, the per child cost of the Office of Early Childhood full-time school readiness program offered by a school readiness provider shall [not exceed ten thousand five hundred dollars] be in accordance with the provisions of section 11 of this act.

Sec. 14. Subsection (b) of section 10-16n of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1,* 380 2024):

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(b) The Office of Early Childhood shall annually allocate to each town in which the number of children under the temporary family assistance program, as defined in subdivision (17) of section 10-262f, equals or exceeds nine hundred children, (1) determined for the fiscal [year] <u>years</u> ending June 30, 1996, to June 30, 2024, inclusive, an amount equal to one hundred fifty thousand dollars plus eight and one-half dollars for each child under the temporary family assistance program, provided such amount may be reduced proportionately so that the total amount awarded pursuant to this subsection does not exceed two million seven hundred thousand dollars, and (2) for the fiscal years ending June 30, 2025, and June 30, 2026, an amount determined in accordance with the provisions of section 11 of this act. The office shall award grants to the local and regional boards of education for such towns and nonprofit agencies located in such towns which meet the criteria established pursuant to subsection (a) of this section to maintain the programs established or expanded with funds provided pursuant to this subsection in the fiscal years ending June 30, 1996, and June 30, 1997. Any funds remaining in the allocation to such a town after grants are so awarded shall be used to increase allocations to other such towns. Any funds remaining after grants are so awarded to boards of education and nonprofit agencies in all such towns shall be available to local and regional boards of education and nonprofit agencies in other towns in the state for grants for such purposes.

Sec. 15. Subsection (l) of section 19a-87b of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(l) For the fiscal years ending June 30, 2022, to June 30, [2026] 2028, inclusive, the Commissioner of Early Childhood may issue a license to maintain a family child care home in New Britain, New Haven, Bridgeport, Stamford, Hartford, Danbury, [or] Waterbury or a town in New London County in accordance with the provisions of this chapter

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to a person or group of persons who have partnered with an association, organization, corporation, institution or agency, public or private, to provide child care services in a space provided by such association, organization, corporation, institution or agency, provided such space has been approved by the commissioner and is not in a private family home. The commissioner shall not approve more than one facility in each such city to be used for licenses issued under this subsection. An application for a license under this subsection shall include a copy of the current fire marshal certificate of compliance with the Fire Safety Code, and written verification of compliance with the State Building Code, local zoning and building requirements and local health ordinances. The commissioner may require an applicant for a license under this subsection to comply with additional conditions relating to the health and safety of the children who will be served in such facility. The commissioner may waive any requirement that does not apply to such facility. Any license issued under this subsection shall expire on June 30, 2026, except that the commissioner may suspend or revoke any such license at any time in accordance with the provisions of section 19a-87e.

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Sec. 16. Sections 8-210, 10-16n to 10-16r, inclusive, 10-16t, 10-16u, 10-16aa, 10-520b, 17b-749a and 17b-749d of the general statutes are repealed. (*Effective July 1*, 2026)

This act shall take effect as follows and shall amend the following			
sections:			
Section 1	July 1, 2026	New section	
Sec. 2	July 1, 2026	New section	
Sec. 3	July 1, 2026	New section	
Sec. 4	July 1, 2026	New section	
Sec. 5	July 1, 2026	New section	
Sec. 6	July 1, 2026	New section	
Sec. 7	July 1, 2026	New section	
Sec. 8	July 1, 2026	New section	
Sec. 9	July 1, 2026	New section	
Sec. 10	July 1, 2026	New section	
Sec. 11	July 1, 2024	New section	
Sec. 12	July 1, 2024	8-210(b)	

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Sec. 13	July 1, 2024	10-16q(b)(1)
Sec. 14	July 1, 2024	10-16n(b)
Sec. 15	July 1, 2024	19a-87b(l)
Sec. 16	July 1, 2026	Repealer section

## Statement of Legislative Commissioners:

In Sections 5 and 8, references to "local governance partner" were changed to "local or regional governance partner" for consistency.

**ED** Joint Favorable C/R APP

APP Joint Favorable Subst.

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