

HOUSE No. 546

The Commonwealth of Massachusetts

PRESENTED BY:

Christine P. Barber

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to quality funding for early childhood education and care programs.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------|------------------------------------|------------------|
| <i>Christine P. Barber</i> | <i>34th Middlesex</i> | <i>2/9/2021</i> |
| <i>Joseph A. Boncore</i> | <i>First Suffolk and Middlesex</i> | <i>2/17/2021</i> |
| <i>Adrian C. Madaro</i> | <i>1st Suffolk</i> | <i>2/23/2021</i> |
| <i>Sal N. DiDomenico</i> | <i>Middlesex and Suffolk</i> | <i>2/26/2021</i> |
| <i>Peter Capano</i> | <i>11th Essex</i> | <i>2/26/2021</i> |
| <i>Daniel Cahill</i> | <i>10th Essex</i> | <i>2/26/2021</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>3/1/2021</i> |
| <i>Michael P. Kushmerek</i> | <i>3rd Worcester</i> | <i>3/3/2021</i> |
| <i>David Biele</i> | <i>4th Suffolk</i> | <i>3/4/2021</i> |
| <i>Frank A. Moran</i> | <i>17th Essex</i> | <i>3/6/2021</i> |
| <i>Vanna Howard</i> | <i>17th Middlesex</i> | <i>3/6/2021</i> |
| <i>Maria Duaine Robinson</i> | <i>6th Middlesex</i> | <i>4/1/2021</i> |
| <i>Michael D. Brady</i> | <i>Second Plymouth and Bristol</i> | <i>4/1/2021</i> |

HOUSE No. 546

By Ms. Barber of Somerville, a petition (accompanied by bill, House, No. 546) of Christine P. Barber and others relative to quality funding for early childhood education and care programs. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to quality funding for early childhood education and care programs.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of Chapter 15D, as appearing in the 2014 Official Edition, is
2 hereby amended by inserting after the phrase “It is hereby declared to be the policy of the
3 Commonwealth” the following:

4 to contribute a commensurate share of funding that matches annual funding from the
5 federal government in order.

6 SECTION 2. Section 1A of Chapter 15D, as appearing in the 2014 Official Edition, is
7 hereby amended by inserting after the definition of “Family foster care” the following
8 definitions:

9 “Foundation Awards” shall mean an amount of funding from the Department to programs
10 providing subsidy early education and subsidy Out of School Time (OST) programs and services
11 as a quality add-on to the subsidy rate. Said funding shall be used for educator compensation
12 and credentialing as well as program quality and sustainability.

13 “Governmental mandate” shall mean a state or federal statutory requirement,
14 administrative rule, regulation, assessment, executive order, judicial order or other governmental
15 requirements that directly or indirectly imposes an obligation and associated compliance cost
16 upon a subsidized child care provider to take any action or to refrain from taking any action in
17 order to fulfill the subsidized child care provider’s contractual duty to a procuring governmental
18 unit.

19 "Governmental unit", the commonwealth, any department, agency board, commission, or
20 political subdivision of the commonwealth.

21 SECTION 3. Section 1A of Chapter 15D, shall be amended by inserting after the
22 definition of “Services” the following definition:

23 “Subsidized Child Care Provider” shall mean a licensed or exempt child care center, or a
24 licensed family child care home located within the Commonwealth of Massachusetts that
25 provides subsidized early education and care programs and services to low-income and at-risk
26 children.

27 SECTION 4. Chapter 15D, as appearing in the 2014 Official Edition, is hereby amended
28 by inserting after Section 18 the following new sections:

29 Section 19. Notwithstanding the provisions of any general or special law or regulation to
30 the contrary, the board in fulfilling its responsibility in section 2 (e) of chapter 15D shall have the
31 sole responsibility for establishing rates of payment for subsidized early education and care
32 providers which are reasonable and adequate to meet the costs which are incurred by subsidized
33 early education and care providers in providing early education programming and services to low
34 income and at- risk children in conformity with federal and state law, regulations, quality and

35 safety standards. In addition to meeting this standard, the board shall work with the department
36 to establish and distribute foundation awards as a quality add-on to the subsidy rate. Said
37 Foundation Awards funding shall be used for educator compensation and credentialing as well as
38 program quality and sustainability and must take into account and compensate at: (i) the number
39 of subsidy children receiving early education and Out of School Time programs and services; (ii)
40 the costs of credentials, salaries and benefits of educators towards a goal of lead classroom
41 educators being compensated at a commensurate level as outlined in Bureau of Labor Statistic
42 frameworks for early educator compensation target goals.

43 In creating said foundation awards, the board shall use (i) available cost and geographic
44 market data related to early education and care providers; (ii) annual inflation costs of the
45 Commonwealth and (iii) available educator credentialing frameworks and the Bureau of Labor
46 Statistics data for early educator compensation target goals.

47 Section 20. Within six months of passage of this act and annually moving forward, the
48 board shall conduct at least four regional meetings available to all early education and Out of
49 School Times programs providing subsidy programming in order to discuss and receive data on
50 the costs of providing high quality early education services and shall create a standardized
51 methodology to develop and implement a Foundation Award.

52 SECTION 6. This act shall take effect on July 1, 2022.