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## SENATE BILL NO. 1095

## FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Hanger  
on February 4, 2019)

(Patron Prior to Substitute—Senator Howell)

A *BILL to direct the Superintendent of Public Instruction and the Commissioner of Social Services to convene a stakeholder group to consider the development of a statewide unified public-private system for early childhood care and education.*

**Be it enacted by the General Assembly of Virginia:**

1. § 1. *That the Superintendent of Public Instruction and the Commissioner of Social Services shall convene a stakeholder group to consider the development of a statewide unified public-private system for early childhood care and education in the Commonwealth. The stakeholder group shall include representatives of affected state and local agencies and divisions; early childhood education and before and after school providers representing licensed, religious-exempt, private and independent, and Head Start early education programs; representatives of licensed child day centers, family day homes, and child day programs that have entered into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant; representatives of child day programs and family day homes that are regulated by or subject to safety and supervisory standards established by local government; parents and guardians of children receiving care in a family day home or child day center that is licensed, exempt from licensure, or has entered into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant; representatives of child day programs and other programs that voluntarily participate in the Commonwealth's current quality rating and improvement system, child day programs and other programs that have chosen not to participate in the quality rating and improvement system, and programs that serve school-age children and are not eligible to participate in the quality rating and improvement system; administrators of Head Start early education programs; administrators of programs receiving funding through the Virginia Preschool Initiative; representatives of local departments of social services that have above-average caseloads and local departments of social services that have below-average caseloads regarding families that receive child care services funded by the Child Care and Development Block Grant; two or more members of the State Board of Social Services, or their designees; representatives of the Department of Social Services; two or more members of the Virginia Board of Education, or their designees; representatives of the Department of Education; providers of quality improvement initiatives funded by the Child Care and Development Block Grant, including one or more representatives of the Infant and Toddler Specialist Network and one or more representatives of Child Care Aware; community leaders affiliated with Smart Beginnings programs; and other stakeholders identified by the Superintendent of Public Instruction and the Commissioner of Social Services.*

*The stakeholder group shall (i) consult with the School Readiness Committee on its study of early childhood care and education systems used in other states, conduct independent research regarding early childhood care and education systems used in other states, and evaluate the advantages and disadvantages of these potential system models; (ii) consider the advantages and disadvantages of other models to develop a unified early childhood care and education system in the Commonwealth, including models that would (a) entail strong cross-collaboration governance across state government, (b) consolidate early childhood care and education programs under a single state agency, or (c) create a new agency responsible for early childhood care and education; (iii) develop a plan for implementation of such models that incorporates policy-making, funding, governance, oversight, and accountability functions, with a planned implementation date of July 1, 2021, and work with the Department of Planning and Budget to consider the fiscal implications of each model considered; (iv) ensure that any potential early childhood system focuses on the health, safety, and well-being of children, ensures access for low-income families and at-risk children, and includes developmentally appropriate education with a goal of kindergarten readiness; (v) review and consider the recommendations of the Joint Legislative Audit and Review Commission in its 2017 report entitled "Improving Virginia's Early Childhood Development Programs"; (vi) evaluate the effectiveness of current early childhood programs, especially programs providing services funded by the Child Care and Development Block Grant, in providing access to quality services for low-income families and at-risk children, and determine whether such families and children may be better served through other models being considered for a unified early childhood care and education system; (vii) make a recommendation as to the model determined to be the most appropriate for the Commonwealth; (viii) ensure that any plan for a unified early childhood*

60 care and education system preserves current protections for private and religious-exempt programs; (ix)  
61 consider the appropriateness of creating a special nonreverting fund for early childhood innovation,  
62 determine all purposes for which such fund would be used, and identify any funding streams that would  
63 be used to support such fund; and (x) submit to the Joint Subcommittee on the Virginia Preschool  
64 Initiative an interim report by January 1, 2020, for review and feedback, and a final report by October  
65 1, 2020.

66 The facilitator of the stakeholder group shall be approved by both the Superintendent of Public  
67 Instruction and the Commissioner of Social Services.

68 § 2. That the Department of Education and the Department of Social Services shall conduct at least  
69 four public hearings across the Commonwealth to seek public input on the development of a plan for a  
70 unified early childhood care and education system.

71 § 3. That the Superintendent of Public Instruction and the Commissioner of Social Services shall  
72 collaborate to develop a uniform quality rating and improvement system with required participation by  
73 publicly funded early childhood care and education programs and voluntary participation by privately  
74 funded providers. In developing such uniform quality rating and improvement system, the Superintendent  
75 of Public Instruction and the Commissioner of Social Services shall create a strategic implementation  
76 process to ensure that programs using the uniform quality rating and improvement system will be  
77 available throughout the state. The Superintendent of Public Instruction and the Commissioner of Social  
78 Services shall report to the Joint Subcommittee on the Virginia Preschool Initiative no later than  
79 January 1, 2020, on the development of the uniform quality rating and improvement system and provide  
80 a plan, with a timeline, for implementation. By October 1, 2020, and by October 1 each year thereafter,  
81 the Superintendent of Public Instruction and the Commissioner of Social Services shall submit a report  
82 to the Governor and the General Assembly as provided in the procedures of the Division of Legislative  
83 Automated Systems for the processing of legislative documents and reports regarding the uniform quality  
84 rating and improvement system, including the number of providers participating in the uniform quality  
85 rating and improvement system; the number and percentage of safety violations found in licensed and  
86 regulated programs; the number of low-income children and the total number of children receiving care  
87 in programs participating in the uniform quality rating and improvement system, categorized by age;  
88 and kindergarten readiness outcomes for children in public schools, including a comparison of outcomes  
89 for low-income children and other children.