

## VIRGINIA ACTS OF ASSEMBLY — CHAPTER

*An Act to amend and reenact § 9-291.1 of the Code of Virginia, relating to the Commission on Early Childhood and Child Day Care Programs.*

[S 759]

Approved

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

**1. That § 9-291.1 of the Code of Virginia is amended and reenacted as follows:**

§ 9-291.1. Commission created; powers and duties; appointment and terms of members; vacancies, etc.

A. There is hereby created the Commission on Early Childhood and Child Day Care Programs, hereinafter referred to as the Commission. The purpose of the Commission shall be, through its powers and performance of duties set forth in this chapter, to study and provide recommendations addressing the need for *and implementation of* quality developmental early childhood and child day care programs and services. In so doing, it shall encourage the development of uniform policies and services to ensure the availability of quality, affordable and accessible early childhood and child day care programs and provide a forum for continuing the review and study of such programs and services. In addition to its own proposals, the Commission shall coordinate the proposals and recommendations of all commissions and agencies as to legislation affecting such programs and services.

B. The Commission shall be composed of ~~twenty fifteen~~ members. ~~The first members of the Commission so to serve shall be the members of the Joint Commission on Health Care Studying Early Childhood and Day Care Programs who served from January 1, 1990, to December 31, 1990. Thereafter, appointments shall be made as follows: seven six~~ members from the House of Delegates *and two citizen members* to be appointed by the Speaker of the House; *, and* four members from the Senate *and one citizen member* to be appointed by the Senate Committee on Privileges and Elections; ~~and three citizens~~ to be appointed by the Governor, one of whom shall be a representative of the business community, and one of whom shall be a representative of local government. In addition, the Commissioner of Social Services, the Superintendent of Public Instruction, the Director of the State Council of Higher Education, the Chancellor of the Virginia Community College System, the Executive Director of the Virginia Council on Child Day Care and Early Childhood Programs, and the Chairman of the Child Day Care Council Secretaries of Health and Human Resources and Education shall serve as ex officio members ~~with full~~ *without* voting privileges. The members of the Commission shall elect a chairman and a vice-chairman ~~annually biennially~~ *from the legislative members. The chairmanship shall rotate between the two houses of the General Assembly and the chairman and vice-chairman shall not be members of the same house.*

All such members of the Commission shall serve until the expiration of their terms of office or until their successors shall qualify. However, the appointments of citizen members shall be for a term of five years. Subsequent appointments shall be made for similar terms, and vacancies shall be filled for the unexpired terms ~~by the persons authorized to make the original appointments.~~

Commission members shall be compensated as specified in § 14.1-18, and shall be reimbursed for expenses incurred in the performance of their duties.

C. The Commission shall have the power and duty to:

1. Determine the number of at-risk four-year-olds in the Commonwealth and the number of such children who are not enrolled in developmental early childhood or child day care programs;

2. Determine the number of *children in day care and seeking day care in the Commonwealth, including school age children in the Commonwealth*, the number of day care slots, and the extent of the need for public school day care programs;

3. Develop a mechanism for the phased integration of and funding for quality developmental early childhood and child day care programs;

4. Assess the need for additional child day care services, and the types of program options desired by families, including the need for employer-sponsored child day care services for state *and other public-sector and private-sector* employees, and *determine future demands for and trends in day care* ;

5. Recommend ways to promote significant parental, state and local, public-private sector, and corporate involvement in and support of early childhood and child day care programs;

6. Monitor and evaluate the implementation of programs, *including in-service training and programs and curricula within the community colleges and institutions of higher education*, to provide appropriate education and training for early childhood professionals and child day care providers;

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7. Recommend eligibility criteria for participation in and appropriate ways by which early childhood and day care programs may be provided which minimize the potentiality for competition between the Commonwealth and private day care providers;

8. Review the status of agency efforts to promote the coordination and dissemination of child care information and day care services;

9. Develop incentives to promote the recruitment and retention of qualified early childhood professionals and child day care providers;

10. Review the provisions of and monitor the implementation of the Family Support Act of 1988, the Child Care Act, P.L. 101-508, the Head Start Authorization Increase, P.L. 101-120, and such other federal legislation and regulations concerning early childhood and child day care programs as may be enacted, *determine whether the Commonwealth is receiving and maximizing use of available federal money*, and recommend ~~such~~ amendments to relevant state statutes as ~~may~~ be necessary to ensure consistency between state and federal law and regulations;

11. Analyze the several policy and legal issues related to early childhood and day care programs, e.g., establishment of entitlement programs, effect on the compulsory school attendance laws, modifications in licensing requirements, and program content, and determine the need for the development of appropriate policy or changes in current state policy and laws pertaining to such issues;

12. Determine the appropriate mechanism for and level of funding necessary to assist low income families and the working poor in obtaining quality, affordable child day care services, including the impact of any state, local, or federal fiscal exigency on early childhood and child day care programs and services;

13. Coordinate the revision and implementation of child day care licensing laws and review such related matters as may be referred to it;

14. Monitor and coordinate health and early intervention programs for young children and such children with special needs to ensure the delivery of appropriate services, *and determine the availability of day care slots for children with special needs and whether and how day care providers should receive training that will encourage acceptance of children with special needs; and*

15. *Review and evaluate early childhood programs or child day care programs funded or administered by the Departments of Education and Social Services; and*

16. Recommend any statutory, regulatory, or policy changes as it deems necessary to ensure the viability of quality, affordable and accessible early childhood and child day care programs.

D. The Division of Legislative Services shall provide such staff support, both administrative and professional, as the Commission may require. The Commission may request and shall receive from every department, division, board, bureau, commission, authority or other agency created by this Commonwealth, or to which the Commonwealth is party, or from any political subdivision of the Commonwealth, cooperation and assistance as it may deem necessary in the performance of its duties.

E. The Commission shall report ~~its findings and recommendations regarding early childhood and child day care programs and services to the 1992 Session of the General Assembly, and thereafter, report annually on the status and needs concerning such~~ of early childhood and child day care programs and services in the Commonwealth to the Governor and the General Assembly.

F. This section shall expire on July 1, ~~1996~~ 1998.