

**HOUSE . . . . . No. 476**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Jeffrey Sánchez*

*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 early education and out of school time capital fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jeffrey Sánchez</i>	<i>15th Suffolk</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Katherine M. Clark</i>	<i>Fifth Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Steven M. Walsh</i>	<i>11th Essex</i>
<i>Martha M. Walz</i>	<i>8th Suffolk</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>

**HOUSE . . . . . No. 476**

By Mr. Sánchez of Boston, a petition (accompanied by bill, House, No. 476) of Jeffrey Sánchez and others relative to funding for improvements to early education child care facilities. Education.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act relative to early education and out of school time capital fund.

*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. (a) Traditional community development investments create affordable  
2 housing, workforce development and an array of services for low income residents of the  
3 Commonwealth. It is in the interest of the Commonwealth to expand the community  
4 development infrastructure to include facilities for early childhood education and out-of-school  
5 time programs. An investment with a focus on the safety, health and education of young  
6 children is crucial to development of human capital, an essential component of effective  
7 community development.

8 Without child care, parents cannot work. Without high quality child care, disadvantaged  
9 children cannot thrive because deprivation and stress in early childhood interfere with healthy  
10 development and learning. Children need high quality education in physical environments that  
11 support their wellbeing, and a well-designed, suitably equipped facility is a key element in  
12 program quality. Creating space for high quality education and care is critical to the  
13 Commonwealth’s ability to expand those interventions that reduce the achievement gap, decrease  
14 the need for special education, improve health outcomes, and lead to better lives, lower crime,  
15 and reduced social costs.

16 As used in this chapter the following words shall unless the context clearly requires  
17 otherwise, have the following meanings:

18 “Department” is defined as the Department of Housing and Community Development.

19 “EEC” is defined as the Department of Early Education and Care.

20 “Eligible Project” is defined as the acquisition design, construction, repair, renovation,  
21 rehab, or other capital improvement or deferred maintenance of an eligible facility.

22 For each project funded, each project shall meet the following findings:

23 The project is an eligible project

24 There is a demonstrated need for the project

25 The project benefits low income children and the community it serves

26 There is a financial need for the loan or grant

27 There is local support

28 “Eligible Facility” is defined as a building, structure or site that is, or will be, owned,  
29 leased, or otherwise used by 1 or more Eligible Organization(s) and licensed by EEC. At least  
30 25% of the slots in the facility shall serve low income families who are eligible for public  
31 subsidy. Leased facilities shall have a lease term that is consistent with the scale of the capital  
32 investment.

33 Municipally owned buildings are eligible provided that there is dedicated single purpose  
34 space for licensed early education or out of school time programs.

35 “Eligible Organization” is defined as a non-profit corporation that is exempt from income  
36 taxation pursuant to Chapter 180 of the General Laws or organizations in which such nonprofit  
37 corporations have a controlling financial or managerial interest,

38 “Grant” is a direct grant of capital funds to an applicant for payment of the costs of an  
39 eligible project.

40 “Loan” is a direct loan of capital funds to an applicant to finance a portion of the cost of  
41 an eligible project.

42 SECTION 2. There shall be within the department a separate fund to be known as the  
43 Early Education and Out of School Time Capital Fund. The department shall administer the  
44 fund for the purpose of making grants or loans for the development of Eligible Facilities for  
45 licensed early care and education and out of school time programs; provided, that the grant or  
46 loan program shall be administered by the department through contracts with the Community  
47 Economic Development Assistance Corporation established in Chapter 40H of the General  
48 Laws, provided further that the agency may develop or finance Eligible Facilities, or may enter  
49 into subcontracts with nonprofit organizations established pursuant to Chapter 180 of the General  
50 Laws , or organizations in which such nonprofit corporations have a controlling financial or  
51 managerial interest; provided further that the department shall:

52 (1) consider a balanced geographic plan for such Eligible Facilities when issuing the  
53 funding commitments; (2) that the department shall consider funding large group and school age  
54 child care centers as defined by the department of early education and care ; (3) that the services  
55 made available pursuant to such loans or grants shall not be construed as a right or entitlement  
56 for any individual or class of persons to the benefits financing; provided further that no  
57 expenditure shall be made from this item without the prior approval of the secretary for  
58 administration and finance; provided further that eligibility shall be established by regulations  
59 promulgated by the department; pursuant to chapter 30A for the General Laws for the  
60 implementation , administration and enforcement of this  
61 item.....  
62 .....\$45,000,000.