

HOUSE No. 4665

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act ensuring high quality early education.

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 2 of chapter 15D of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out clause (e) and inserting in place thereof the
3 following clause:-

4 (e) establish and develop a schedule for revising: (1) a rate structure for voucher and
5 contracted payments to providers of subsidized early education and care programs and services
6 on behalf of low-income and other at-risk children that is adequate to help meet the cost of
7 providing high quality early education and care programs to low-income and other at-risk
8 children in conformity with federal and state law, regulations and quality and safety standards;
9 and (2) a sliding fee scale for participants in those programs. A public hearing under chapter 30A
10 and the approval of the board shall be required before the establishment or revision of the rate
11 structure and sliding fee scale.

12 SECTION 2. Said section 2 of said chapter 15D, as so appearing, is hereby further
13 amended by striking out clause (t) and inserting in place thereof the following clause:-

14 (t) establish the early childhood mental health consultation grant program to provide
15 consultation services and workforce development to meet the behavioral health needs of children
16 in early education and care programs, giving preference to those designed to prevent expulsions
17 and suspensions. The grant program shall promote efforts to ensure healthy social and emotional
18 development in child care settings and shall include, but not be limited to: (i) consultation
19 services utilizing on-site, child focused observations using evidence-based observation tools; and
20 (ii) providing on-site coaching for educators to address challenging behaviors and identify and
21 facilitate referrals for children in need of more intensive services.

22 SECTION 3. Said chapter 15D, as so appearing, is hereby further amended by inserting,
23 after section 12, the following section:-

24 Section 12A. Pursuant to clause (t) of section 2, the department shall develop
25 performance standards for prohibiting or significantly limiting the use of suspension and
26 expulsion in all licensed early education and care programs. The standards shall ensure that
27 expulsion is only used in extraordinary circumstances where there is a serious safety threat that
28 cannot be reduced or eliminated by the provision of reasonable program modifications.

29 The standards shall include, but not be limited to:

30 (1) benchmarks and goals for supporting children's social, emotional and behavioral
31 development to include reducing the use of exclusion as a disciplinary tool and for eliminating
32 disparities in the use of suspension and expulsion, and facilitating referrals for children with
33 intensive needs;

34 (2) engagement steps to be taken with the child and parent or guardian prior to
35 suspension or expulsion;

36 (3) requirements for communicating disciplinary policies, including suspension and
37 expulsion policies, to staff, families and community partners;

38 (4) pathways for programs to access technical assistance to support ongoing development
39 of staff and teacher skills for supporting children's social, emotional and behavioral
40 development, reducing disparities and limiting the use of suspension and expulsion; and

41 (5) infant and toddler program reporting requirements.

42 SECTION 4. Said chapter 15D, as so appearing, is hereby further amended by adding the
43 following section:-

44 Section 19. (a) The board shall, subject to appropriation, establish the early education and
45 care educator scholarship program for all early childhood educators in the commonwealth
46 pursuant to clause (10) of section 5.

47 (b) The commissioner, in consultation with the commissioner of the department of higher
48 education, shall make recommendations to the board establishing appropriate guidelines,
49 standards and application criteria for the administration of the program, including mechanisms to
50 ensure the scholarship provides meaningful improvements in the delivery of high quality early
51 education and care across the state.

52 (c) The scholarship shall cover the cost of tuition, fees and related expenses, including
53 supports unique to the diverse learning needs of the field, and other supports deemed appropriate
54 by the board for degree granting programs for early educators who are pursuing associate or
55 bachelor level degrees to meet the teacher and program quality standards of the department.

56 (d) The scholarship program shall be administered by the department through a
57 memorandum of understanding with the department of higher education.

58 (e) Eligible recipients shall be early educators and providers employed in early education
59 and care programs in the commonwealth who commit to teaching in early education and care
60 programs for a term of service after graduation to be determined by the board and shall reflect
61 the diversity of the state's early education and care workforce.

62 (f) Preference shall be given to applicants identified as providers who have displayed a
63 proven commitment to early childhood education as demonstrated by longevity in the field, who
64 may not have otherwise met program quality standards of the department.

65 SECTION 5. The department of early education and care shall file a report, by
66 December 31, 2018 with the clerks of the house and the senate, who shall forward the report to
67 the chairs of the house and senate committees on ways and means, and the joint committee on
68 education, on recommendations to support continued programming in communities awarded the
69 U.S. Department of Education's Preschool Expansion Grant, including strategies and resources
70 necessary to address community-based program expansion plans currently in development under
71 the Commonwealth Preschool Partnership Grant; provided, that the report shall identify means
72 by which existing programming may be continued and existing planning grants implemented
73 using existing resources available to providers in the mixed delivery system, in order to ensure
74 that any additional state appropriations for planning or implementation are one-time, non-
75 recurring investments.

76 SECTION 6. The department of early education and care shall file a report, by January
77 15, 2019 with the clerks of the house and the senate, who shall forward the report to the chairs of

78 the house and senate committees on ways and means and the joint committee on education, on
79 design and implementation plans for the early education and care educator scholarship program
80 pursuant to section 4 of this act.