

# HOUSE . . . . . No. 4291

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, January 15, 2020.

The committee on Education to whom were referred the petition (accompanied by bill, House, No. 398) of Brian M. Ashe and others relative to the mandatory minimum age for children to attend kindergarten, the petition (accompanied by bill, House, No. 401) of Ruth B. Balsler and others for legislation to require the development of standards for prohibiting or limiting the use of suspension and expulsion in preschools, the petition (accompanied by bill, House, No. 404) of Christine P. Barber and others that the Department of Early Education and Care reimburse family child care providers and center-based providers at the same rate, the petition (accompanied by bill, House, No. 413) of Antonio F. D. Cabral and others relative to compulsory full-day kindergarten, the petition (accompanied by bill, House, No. 414) of Antonio F. D. Cabral and others for legislation to establish a special commission for the purpose of making an investigation and study relative to how to expand universal pre-kindergarten, the petition (accompanied by bill, House, No. 470) of Kenneth I. Gordon and others relative to affordable and accessible high quality early education and care, the petition (accompanied by bill, House, No. 480) of Stephan Hay and others relative to rates of payment for early childhood education and care programs, the petition (accompanied by bill, House, No. 520) of Elizabeth A. Malia and Russell E. Holmes that the Commissioner of the Department of Early Education and Care be directed to ensure reasonable assignment levels for day care centers and family day care homes, the petition (accompanied by bill, House, No. 551) of Alice Hanlon Peisch and others for legislation to authorize a grant program to support the implementation of high quality pre-kindergarten programs, the petition (accompanied by bill, House, No. 552) of Alice Hanlon Peisch and others relative to early education and care, and the petition (accompanied by bill, House, No. 553) of Alice Hanlon Peisch and others relative to the development of early education and care career incentives and opportunities, reports recommending that the accompanying bill (House, No. 4291) ought to pass.

For the committee,

ALICE HANLON PEISCH.

**HOUSE . . . . . No. 4291**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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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: 1 of 5

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  
21 identify and 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: Section 12A. Pursuant to clause (t) of section 2, the  
24 department shall develop performance standards for prohibiting or significantly limiting the use  
25 of suspension and expulsion in all licensed early education and care programs. The standards  
26 shall ensure that expulsion is only used in extraordinary circumstances where there is a serious  
27 safety threat that cannot be reduced or eliminated by the provision of reasonable program  
28 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: Section 19. (a) The board shall, subject to appropriation, establish the early  
44 education and care educator scholarship program for all early childhood educators in the  
45 commonwealth pursuant to clause (10) of section 5.

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

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

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

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

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

64 SECTION 5. The department of early education and care shall file a report, by December  
65 31, 2019 with the clerks of the house and the senate, who shall forward the report to the chairs of  
66 the house and senate committees on ways and means, and the joint committee on education, on  
67 recommendations to support continued programming in communities awarded the U.S.  
68 Department of Education's Preschool Expansion Grant, including strategies and resources  
69 necessary to address community-based program expansion plans currently in development under  
70 the Commonwealth Preschool Partnership Grant; provided, that the report shall identify means  
71 by which existing programming may be continued and existing planning grants implemented  
72 using existing resources available to providers in the mixed delivery system, in order to ensure  
73 that any additional state appropriations for planning or implementation are one-time, non-  
74 recurring investments.

75 SECTION 6. The department of early education and care shall file a report, by January  
76 15, 2020 with the clerks of the house and the senate, who shall forward the report to the chairs of  
77 the house and senate committees on ways and means and the joint committee on education, on

78 design and implementation plans for the early education and care educator scholarship program  
79 pursuant to section 4 of this act.

80 SECTION 7. Not later than December 31, 2020, the department of early education and  
81 care shall develop an early education and care career ladder. The department shall file a report to  
82 include: (i) a copy of the career ladder, and (ii) recommendations for linking professional  
83 development and educational credentials to increased compensation and leadership opportunities  
84 in the field of early education and care.

85 The report shall be filed to the Joint Committee on Education not later than December 31,  
86 2020.