

# SENATE . . . . . No. 2973

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## The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court  
(2021-2022)

SENATE, June 30, 2022.

The committee on Senate Ways and Means, to whom was referred the Senate Bill to expand access to high-quality, affordable early education and care (Senate, No. 2883),- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2973).

For the committee,  
Michael J. Rodrigues

**SENATE . . . . . No. 2973**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act to expand access to high-quality, affordable early education and care.

*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. The sixth paragraph of section 22N of chapter 7 of the General Laws, as  
2 appearing in the 2020 Official Edition, is hereby amended by adding the following sentence:-  
3 Notwithstanding any general or special law to the contrary, child care and school age programs  
4 contracting with the department of early education and care or their agents shall be exempt from  
5 the price limitations set forth by the bureau.

6           SECTION 2. Chapter 10 of the General Laws is hereby amended by adding the following  
7 section:-

8           Section 79. (a) There shall be established and set up on the books of the commonwealth a  
9 separate fund to be known as the Early Education and Child Care Workforce Development Trust  
10 Fund. The fund shall be administered by the secretary of education, in consultation with the  
11 commissioner of early education and care and the commissioner of higher education, for the  
12 purpose of strengthening the pipeline of early childhood educators and promoting professional  
13 development opportunities for child care providers. The fund shall be credited with: (i)

14 appropriations, bond proceeds or other money authorized or transferred by the general court and  
15 specifically designated to be credited to the fund; (ii) funds from public and private sources,  
16 including, but not limited to, gifts, grants and donations; and (iii) any interest earned on such  
17 money. Revenues deposited in the fund that are unexpended at the end of a fiscal year shall not  
18 revert to the General Fund and shall be available for expenditure in the following fiscal year. No  
19 expenditure made from the fund shall cause the fund to become deficient.

20 (b) Annually, not later than July 1, the secretary of education shall submit a report  
21 detailing expenditures from the trust fund to the clerks of the senate and the house of  
22 representatives, the senate and house committees on ways and means and the joint committee on  
23 education.

24 SECTION 3. Chapter 15A of the General Laws is hereby amended by inserting after  
25 section 19E the following 2 sections:-

26 Section 19F. (a) Subject to appropriation, the board, in consultation with the department  
27 of early education and care, shall establish an early education and child care educator scholarship  
28 program for early education and child care sector educators pursuant to clause (10) of section 5  
29 of chapter 15D, including, but not limited to, standards and application criteria for the  
30 administration of the program including mechanisms to ensure the scholarship provides  
31 meaningful improvements in the delivery of high-quality early education and child care.

32 (b) The scholarship may be used to cover the cost of tuition, fees and related expenses,  
33 including, but not limited to, supports unique to the diverse learning needs of the field, including  
34 personal child care expenses in order to attend classes and class meetings, and other supports  
35 deemed appropriate by the board for degree-granting programs for early educators who are

36 pursuing associate-level or bachelor-level degrees to meet the teacher and program quality  
37 standards of the department of early education and care.

38 (c) The amount of each scholarship shall, at a minimum, be sufficient to cover the full  
39 cost of tuition and associated fees for 1 semester of classes at a community college in the  
40 commonwealth.

41 (d) Eligible recipients shall be current or prospective early education and child care  
42 educators and providers employed in early education and child care programs in the  
43 commonwealth who commit to teaching in early education and child care programs for a term of  
44 service after graduation to be determined by the board and shall reflect the diversity of the  
45 commonwealth's early education and child care workforce.

46 (e) Preference shall be given to applicants identified as providers who have displayed a  
47 proven commitment to early childhood education.

48 (f) The program shall be administered by the department in a manner that ensures  
49 recipients receive adequate support in selecting programs and courses that lead to credentials and  
50 further their career in early education and child care.

51 Section 19G. Subject to appropriation, the board shall establish an early education and  
52 child care educator loan forgiveness program for early education and child care sector educators  
53 in the commonwealth pursuant to clause (10) of section 5 of chapter 15D with preference given  
54 to applicants identified as providers who have displayed a proven commitment to early  
55 childhood education and who work in communities predominantly serving children and families  
56 with high needs, as defined under section 1A f said chapter 15D, or areas with a shortage of early  
57 education and child care slots.

58 SECTION 4. Section 1A of chapter 15D, as appearing in the 2020 Official Edition, is  
59 hereby amended by inserting after the definition of “Board” the following definition:-

60 “Caregiver”, a person living with, supervising and caring for at least 1 child whose  
61 parents are not living in the home with them.

62 SECTION 5. Said section 1A of said chapter 15D, as so appearing, is hereby further  
63 amended by inserting after the definition of “Child care center” the following 2 definitions:-

64 “Child care provider”, a licensed or exempt center-based child care program or a licensed  
65 family-based child care program located in the commonwealth.

66 “Child care subsidy”, financial assistance given to eligible parents for child care provided  
67 by a child care program pursuant to a contract or agreement with the department, a child care  
68 resource and referral agency or a contracted child care provider.

69 SECTION 6. Said section 1A of said chapter 15D, as so appearing, is hereby further  
70 amended by inserting after the definition of “Group care facility” the following definition:-

71 “High needs”, a designation for those individuals or families whose income is not more  
72 than 85 per cent of the state median income and individuals with needs that may result in the  
73 individual or family needing more services, which may include, but shall not be limited to, an  
74 individual or family experiencing any physical, mental, emotional, intellectual, cognitive,  
75 behavioral or health-related disability or condition, exposure to domestic violence, trauma  
76 history, limited English proficiency, limited literacy, homelessness or housing instability.

77 SECTION 7. Said section 1A of said chapter 15D, as so appearing, is hereby further  
78 amended by inserting after the definition of “Mixed system” the following definition:-

79 “Operational grant”, financial assistance from the commonwealth to a child care program  
80 or provider used for those costs directly attributable to the financial sustainability of the program,  
81 such as educator salary and benefits, instructional materials and program quality improvements.

82 SECTION 8. Said section 1A of said chapter 15D, as so appearing, is hereby further  
83 amended by inserting after the definition of “Services” the following definition:-

84 “Subsidized child care provider”, a child care provider, program or individual that holds a  
85 contract or voucher service agreement with the department for the provision of subsidized child  
86 care services.

87 SECTION 9. The second paragraph of section 2 of said chapter 15D, as so appearing, is  
88 hereby amended by striking out clause (e) and inserting in place thereof the following clause:-

89 (e) establish and develop a schedule for revising: (1) a rate structure for voucher and  
90 contracted payments to subsidized child care programs on behalf of low-income, at-risk and  
91 other eligible children designed with a goal of meeting the cost of providing high-quality early  
92 education and care services in conformity with federal and state law, regulations and quality and  
93 safety standards; and (2) a sliding fee scale for participants in those programs, which is updated  
94 at least every 5 years to reflect affordability standards for participating families; provided,  
95 however, that recipients of subsidized child care services whose income is not more than 100 per  
96 cent of the federal poverty level shall not be charged fees for care; and provided further that, a  
97 public hearing under chapter 30A and the approval of the board shall be required before the  
98 establishment or revision of the rate structure and sliding fee scale.

99 SECTION 10. Said second paragraph of said section 2 of said chapter 15D, as so  
100 appearing, is hereby further amended by adding the following clause:-

101 (v) annually, in consultation with the data advisory commission established in section  
102 12A, collect and make publicly available data from child care providers that provides  
103 information on the cost and quality of early education and child care services; provided,  
104 however, that the collected data shall include, but not be limited to, the: (1) number of licensed  
105 or exempt child care providers; (2) per cent of children enrolled in a subsidized child care  
106 program whose family has an income of not more than 85 per cent of the state median income;  
107 (3) tuition charged for full-time and part-time early education and child care services by age  
108 group; and (4) number of children enrolled by age group, family income range, race, ethnicity,  
109 country of origin and preferred language.

110 SECTION 11. Said chapter 15D is hereby further amended by inserting after section 5  
111 the following section:-

112 Section 5A. (a) There shall be an early education and child care workforce development  
113 advisory council that shall consist of: the commissioner of early education and care or a  
114 designee, who shall serve as co-chair; the secretary of labor and workforce development or a  
115 designee, who shall serve as co-chair; the secretary of education or a designee; the house and  
116 senate chairs of the joint committee on education or designees; the chairs of the joint committee  
117 on labor and workforce development; 1 member who shall be appointed by the minority leader  
118 of the senate; 1 member who shall be appointed by the minority leader of the house of  
119 representatives; 1 member who shall be a family child care provider appointed by the  
120 commissioner of early education and care; and 19 members who shall be appointed by the  
121 governor, 1 of whom shall be a representative of Nurtury, Inc., 1 of whom shall be a  
122 representative of the Massachusetts Association of Community Partnerships for Children, Inc., 1  
123 of whom shall be a representative of the Massachusetts Child Care Resource and Referral

124 Network, Inc., 1 of whom shall be a representative of the MADCA, Inc., 1 of whom shall be a  
125 representative of Jumpstart for Young Children, Inc., 1 of whom shall be a representative of the  
126 Massachusetts Association of Community Colleges., 1 of whom shall be a representative of the  
127 Public Higher Education Network of Massachusetts Inc., 1 of whom shall be the president of a  
128 community college or a designee, 1 of whom shall be a representative of the Massachusetts Head  
129 Start Association, Inc., 1 of whom shall be a representative of the Massachusetts Association for  
130 the Education of Young Children, Inc., 1 of whom shall be a representative of the Massachusetts  
131 Association of Early Childhood Teacher Educators, 1 of whom shall be a representative of  
132 Strategies for Children, Inc., 1 of whom shall be a representative of the Alliance of  
133 Massachusetts YMCAs, Inc., 1 of whom shall be a representative of the United Way of  
134 Massachusetts Bay, Inc., 1 of whom shall be a representative of the Massachusetts Business  
135 Roundtable, 1 of whom shall be a representative of the Greater Boston Chamber of Commerce, 1  
136 of whom shall be a representative of the Associated Industries of Massachusetts, Inc., 1 of whom  
137 shall be a representative of the Massachusetts Chapter of the American Academy of Pediatrics, 1  
138 of whom shall be a representative of the Massachusetts Independent Child Care Organization,  
139 Inc. and 1 of whom shall be a representative of the Service Employees International Union Local  
140 509.

141 (b) The advisory council shall regularly make recommendations to the secretary of labor  
142 and workforce development, the secretary of education, the commissioner of early education and  
143 care and the commissioner of higher education on the improvement of the design, oversight and  
144 implementation of workforce development programs for early childhood educators.

145 The advisory council may receive and consider reports and input from expert individuals,  
146 educators, early education and child care providers, parents, community-based organizations,

147 voluntary education organizations and other relevant public and private organizations recognized  
148 as having expertise in early education and child care.

149 (c) There shall be an early education and care workforce development program to  
150 strengthen the pipeline of early educators and promote professional development opportunities  
151 for early education and child care providers. The secretary of education, in consultation with the  
152 secretary of labor and workforce development, the commissioner of early education and care and  
153 the commissioner of higher education, may expend funds from the Early Education and Child  
154 Care Workforce Development Trust Fund established in section 79 of chapter 10 to fund the  
155 program.

156 SECTION 12. Said chapter 15D is hereby further amended by inserting after section 12  
157 the following section:-

158 Section 12A. (a) There shall be a data advisory commission to promote the improved use  
159 of state-level, provider-level and program-level data to inform the cost and quality of early  
160 education and child care services.

161 The data advisory commission shall assist the department in identifying, analyzing and  
162 making recommendations on high-impact, cost-effective data strategies for assessing the needs  
163 of families and children, including, but not limited to:

164 (i) establishing a data collection and reporting system to track: (A) the total number of  
165 children receiving child care subsidies, delineated by region, age, type of care and other  
166 demographic characteristics; (B) the utilization of available contracted slots and vouchers by  
167 region and type of care provided; and (C) the monthly average number of children on the

168 department's waitlist for subsidized care, delineated by region, type of care and other  
169 demographic characteristics;

170 (ii) strengthening the department's capacity to analyze and report on staffing, scheduling  
171 and financial data in ways that support strategic resource allocation decisions, including a review  
172 of national best practice models that ensure greater financial transparency;

173 (iii) strengthening the department's capacity to use data to inform strategic resource  
174 allocation and implementation decisions; and

175 (iv) streamlining data reporting, eliminating duplicative reporting requirements and  
176 improving data quality.

177 (b) The data advisory commission shall consist of: the commissioner of early education  
178 and care or a designee, who shall serve as chair; the secretary of education or a designee; 10  
179 members who shall have demonstrated knowledge and experience in data collection and analysis  
180 for the purpose of improving access to high-quality and affordable early education and child care  
181 services, 1 of whom shall be a representative of the Massachusetts Association for Early  
182 Education & Care, Inc, 1 of whom shall be a representative of the Massachusetts Budget and  
183 Policy Center, Inc., 1 of whom shall be a representative of the Common Start Coalition, 1 of  
184 whom shall be a representative of the Massachusetts Early Childhood Funder Collaborative, 1 of  
185 whom shall be a representative of the Massachusetts Business Roundtable, 1 of whom shall be a  
186 representative of the Massachusetts Business Coalition for Early Childhood Education, Inc., 1 of  
187 whom shall be a representative of the Boston Foundation, Inc., 1 of whom shall be a  
188 representative of Jumpstart for Young Children, Inc., 1 of whom shall be a representative of  
189 Strategies for Children, Inc. and 1 of whom shall be a representative of Massachusetts Taxpayers

190 Foundation, Inc.; and 4 members who shall be appointed by the commissioner, 1 of whom shall  
191 be an early education and child care provider, 1 of whom shall be a parent of a child currently  
192 enrolled in an early education and child care program and 2 of whom shall have professional  
193 experience and knowledge in the area of data collection, quality and usage in establishing  
194 education policy and improving child and family outcomes.

195 (c) Annually, not later than December 1, the data advisory commission shall report on its  
196 progress to the clerks of the senate and house of representatives, the house and senate  
197 committees on ways and means and the joint committee on education. The report shall be made  
198 publicly available on the department's website.

199 SECTION 13. Said chapter 15D is hereby further amended by inserting after section 13  
200 the following section:-

201 Section 13A. (a) The department shall use funding that is appropriated or otherwise  
202 provided to it for the purpose of subsidizing education and care to fulfill the requirements of this  
203 section, including, but not limited to, increasing per child rates set by the department.

204 (b) Subject to appropriation, the child care subsidy program shall provide sufficient  
205 subsidies to enable eligible families to afford and access high-quality early education and child  
206 care for infants, toddlers, preschool-age children and school-age children; provided, however,  
207 that a school-age child's subsidy shall continue until at least the end of the school year in which  
208 the child reaches the maximum age. Notwithstanding any general or special law to the contrary,  
209 reimbursement for voucher and contracted payments to child care providers of subsidized early  
210 education and child care programs and services on behalf of income eligible and other at-risk  
211 children shall be based on quarterly enrollment rather than the daily attendance of participants.

212 (c) The department shall subsidize early education and care through means including, but  
213 not limited to: (i) providing vouchers for payment to child care providers, enabling families to  
214 access child care providers of their choice; or (ii) offering families the alternative of an open  
215 space with a child care provider that is subsidized under the provider's contract with the  
216 department.

217 (d) Subsidies may be used for early education and child care provided by public, private,  
218 non-profit and for-profit entities licensed or approved by the department, including, but not  
219 limited to, preschools, child care centers, nursery schools, before-school programs and after-  
220 school programs, out-of-school time programs, Head Start and Early Head Start programs and  
221 independent and system-affiliated family child care homes.

222 (e) The department shall provide subsidies to families receiving services from the  
223 department of children and families as provided in section 2 of chapter 18B.

224 (f) The department shall provide subsidies to families currently involved with, or  
225 transitioning from, transitional aid to families with dependent children; provided, however, that  
226 early education and care benefits shall be available to: (i) recipients of transitional aid to families  
227 with dependent children benefits; (ii) former participants who are working for up to 1 year after  
228 termination of their benefits; (iii) participants who are working for up to 1 year after the  
229 transitional period; and (iv) parents who are under 18 years of age who are currently enrolled in a  
230 job training program and who would qualify for benefits under chapter 118 of the General Laws  
231 if not for the consideration of the grandparents' income; provided further, that early education  
232 and care benefits shall be made available to recipients of the supplemental nutrition assistance

233 program who are participating in education and training services approved by the department of  
234 transitional assistance.

235 (g)(1) The department shall provide subsidies pursuant to this section to families eligible  
236 under income limits under this subsection.

237 (2) Subject to appropriation, the department shall subsidize the cost of early education  
238 and child care services to all families in need of these services with an income of not more than  
239 85 per cent of the state median income; provided, however, that if appropriations are insufficient  
240 to subsidize the cost of early education and child care services to all families in need of these  
241 services with an income of not more than 85 per cent of the state median income, first priority  
242 shall be provided to those children whose family's household income is not more than 50 per  
243 cent of the state median income or children with a documented disability whose family's  
244 household income is not more than 85 per cent of the state median income and to all children in  
245 families who are experiencing homelessness or who are headed by a parent under the age of 20;  
246 and provided further, that second priority shall be given to children whose family's household  
247 income is greater than 50 per cent but not more than 85 per cent of the state median income;  
248 provided, however, that the department may consider length of time families wait to receive a  
249 subsidy.

250 (3) If additional state or federal funds are available or the federal government otherwise  
251 obligates itself to release additional funding for the purpose of expanding access to child care  
252 services, the department shall, in a manner consistent with any requirements or conditions placed  
253 on the receipt or expenditure of the relevant federal funds, allocate funding to increase the  
254 numbers of families receiving subsidies based on income eligibility in the following order of

255 priority: (i) to those eligible for subsidies as stipulated in paragraph (2); (ii) to subsidize the cost  
256 of early education and child care services to all families in need of such services, whose income  
257 is above 85 per cent, but not exceeding 100 per cent, of the state median income; (iii) to  
258 subsidize the cost of early education and child care services to all families in need of these  
259 services, whose income is above 100 per cent, but not exceeding 110 per cent, of the state  
260 median income; and (iv) to subsidize the cost of early education and child care services to all  
261 families in need of these services, whose income is above 110 per cent, but not exceeding 125  
262 per cent, of the state median income.

263 (h) For the purposes of eligibility for child care subsidies, “family income” shall include  
264 income of parents living with the child receiving subsidized care but shall not include: (i) any  
265 form of income of foster parents, caregivers or other adult family members; (ii) income of or for  
266 siblings who are not receiving subsidized care; or (iii) earned income of any minor child.

267 (i) As a condition for receiving subsidies from the department under this section, child  
268 care providers shall enter into and comply with a contract with the department or its agents. The  
269 department shall develop the contract and the contract shall include a requirement that the child  
270 care provider comply with all applicable requirements of this chapter and any other federal or  
271 state requirements necessary to receive funding for subsidies provided to families under this  
272 section.

273 (j) The department or its agents shall not reduce, terminate or deny continued subsidies to  
274 a family unless and until the family is determined to be ineligible and is given the opportunity for  
275 an administrative review. If the department or its agents reduce, terminate or deny a family’s  
276 application for a child care subsidy, the department shall provide the family with an opportunity

277 for an administrative appeal hearing and shall process the appeal within 60 days from the date a  
278 request is made.

279 (k) The department or its agents shall not reduce, terminate or deny continued child care  
280 subsidies to a family based solely on a family's household income unless and until the family's  
281 household income exceed not less than 85 per cent of the state median income or the income  
282 threshold for currently eligible families as prioritized in subsection (f), whichever is higher.

283 (l) The department shall review the child care subsidy program not less than annually to  
284 identify access barriers to families and opportunities to improve families' experience with the  
285 child care subsidy process, including, but not limited to, department paperwork and verification  
286 requirements. The department shall take action to remove any access barriers, including, but not  
287 limited to: (i) making technological improvements; (ii) streamlining the application and renewal  
288 processes; (iii) improving outreach to potentially eligible families regarding the availability of  
289 subsidies and the process for applying; and (iv) improving access for families whose primary  
290 language is not English.

291 (m) The department shall, in accordance with chapter 30A, promulgate any regulations  
292 necessary to implement this section.

293 SECTION 14. Said chapter 15D is hereby further amended by adding the following 2  
294 sections:-

295 Section 19. Notwithstanding any general or special law to the contrary and subject to  
296 appropriation, the department shall establish, distribute and maintain an operational grant  
297 program for child care providers. Annually, the department shall review and update the

298 operational grant formula to ensure continued equity and effectiveness in promoting the financial  
299 sustainability and viability of child care providers.

300 The department shall require early education and care providers, as a condition for  
301 receiving funding under this section, to: (i) enter into and comply with contractual agreements  
302 with the department, which shall be developed by the department; (ii) continue or begin to enroll  
303 children with subsidies through the department, provided the family chooses the provider and  
304 the provider has an available opening; (iii) comply with any recommended salaries or  
305 compensation put forth by the department; and (iv) provide data that the department requires, as  
306 needed to carry out the department's assessment and reporting requirements under this chapter.  
307 Absent any changes in circumstances, assuming compliance with this section and as otherwise  
308 determined as necessary by the department, operational grants shall, subject to appropriation and  
309 the methodology, be renewed to each provider annually.

310 The department shall annually review and update the operational grant formula to ensure  
311 continued equity and effectiveness in promoting the financial sustainability and viability of child  
312 care providers

313 A public hearing under chapter 30A and the approval of the board shall be required  
314 before the establishment or revision of the operational grant formula.

315 Section 20. The department shall develop the early education and care career ladder  
316 considered under clause (11) of the second paragraph of section 5. The department shall review  
317 the career ladder's compensation structure and benefits guidelines annually and update them, as  
318 needed, based on increased cost of living and other factors deemed relevant by the department to  
319 determine appropriate compensation for the field.

320 SECTION 15. (a) The department of early education and care shall submit a report for  
321 the implementation of the permanent operational grant program for child care providers under  
322 section 19 of chapter 15D of the General Laws that shall include recommendations and proposed  
323 methodology.

324 (b) The department shall make recommendations on: (i) a formula for the distribution of  
325 the grants to child care providers; (ii) criteria for determining eligible grant recipients; (iii)  
326 allowable uses for the grants; and (iv) the incorporation of the cost of quality care methodology  
327 to be proposed by the department.

328 (c) In developing recommendations for the distribution formula for operational grants, the  
329 department shall consider the following factors: (i) provider licensed capacity and enrollment;  
330 (ii) employee staffing costs and benefits; (iii) the number of children enrolled in the child care  
331 program receiving a child care subsidy; (iv) the number of children enrolled in the child care  
332 program identified as high needs; (v) the cost of goods and services necessary for the operation  
333 of a child care program, including rent, utilities, maintenance and facility improvements; (vi) the  
334 cost of quality care methodology developed by the department and until such time as the  
335 methodology is established, any available information regarding the cost of quality early  
336 education and care including available credentialing frameworks and applicable salary  
337 guidelines; and (vii) any other factors impacting costs to the provider of providing quality care in  
338 areas of need such as serving infants and toddlers, providing non-standard hours of care, or  
339 providing care in areas that have overall shortages of early education and care slots. The  
340 department shall also incorporate geographic equity into the development of the distribution  
341 formula.

342 (d) In developing its recommendations regarding the grants recipient eligibility, the  
343 department shall require that, as a condition for receiving funding under this section, child care  
344 providers: (i) enter into and comply with contracts with the department that shall be developed  
345 by the department; (ii) continue or begin to enroll children with subsidies through the department  
346 if the family chooses the provider and the provider has an available opening; (iii) comply with  
347 any recommended salaries or compensation put forth by the department; and (iv) provide the  
348 department with data that the department needs to carry out the department's assessment and  
349 reporting requirements under said chapter 15D.

350 (e) Prior to filing the report, the department shall solicit public comment.

351 (f) The department shall file the report with the clerks of the senate and the house of  
352 representatives, the senate and house committees on ways and means and the joint committee on  
353 education not later than June 30, 2023.

354 (g) The operational grant program for child care providers under said section 19 of said  
355 chapter 15D shall be established based on the recommendations and proposed methodology in  
356 the report required under this section.

357 SECTION 16. (a) There shall be a special commission to study and make  
358 recommendations on employer-supported child care benefits.

359 The commission shall consist of: the chairs of the joint committee on education or their  
360 designees who shall serve as co-chairs; 1 member who shall be appointed by the minority leader  
361 of the senate; 1 member who shall be appointed by the minority leader of the house of  
362 representatives; the chairs of the joint committee on labor and workforce development or their  
363 designees; the secretary of education or a designee; the secretary of housing and economic

364 development or a designee; 10 members appointed by the governor, 1 of whom shall be a  
365 representative of the Massachusetts Association for Early Education & Care, Inc, 1 of whom  
366 shall be a representative of Massachusetts Budget and Policy Center, Inc., 1 of whom shall be a  
367 representative of the Common Start Coalition, 1 of whom shall be a representative of the  
368 Massachusetts Early Childhood Funder Collaborative, 1 of whom shall be a representative of the  
369 Massachusetts Business Roundtable, 1 of whom shall be a representative of the Greater Boston  
370 Chamber of Commerce, 1 of whom shall be a representative of Massachusetts Taxpayers  
371 Foundation, Inc., 1 of whom shall be a representative of the Associated Industries of  
372 Massachusetts, Inc. 1 of whom shall be a representative of the Boston Foundation, Inc., Strategies  
373 for Children, Inc., and 1 of whom shall be a representative of Massachusetts Business Coalition  
374 for Early Childhood Education.

375 (b) In making its recommendations, the commission shall consider the feasibility and  
376 economic impact of employer-supported early education and care benefits in the commonwealth,  
377 including, but not limited to: (i) on-site child care; (ii) financial assistance stipends for child care  
378 services; (iii) pre-tax spending child care spending accounts; (iv) partnerships with child care  
379 programs to provide child care services for employees; and (iv) flexible work schedules.

380 The commission shall make recommendations on: (i) encouraging employers to provide  
381 employer-supported early education and care benefits to employees; (ii) requirements for  
382 specific subgroups of employers to provide employer-supported early education and care  
383 benefits to employees; and (iii) other matters related to the expansion of employer-supported  
384 early education and care benefits in the commonwealth.

385 (c) The commission shall hold not less than 3 public meetings and may hold additional  
386 meetings, hearings and other forums that is considers necessary. The commission shall file its  
387 report and recommendations with the clerks of the senate and the house of representatives, the  
388 senate and house committees on ways and means and the joint committee on education not later  
389 than June 30, 2023.

390 SECTION 17. The department of early education and care shall file a report: (i) detailing  
391 a plan to expand local partnerships, including strategies and resources necessary to address  
392 community-based program expansion plans currently in development under the Commonwealth  
393 Preschool Partnership Initiative grant; (ii) identifying means by which existing programming  
394 may be continued using existing resources available to child care providers in the mixed delivery  
395 system; (iii) identifying strategies for expanding the number of slots available in communities  
396 currently receiving Commonwealth preschool partnership initiative grants; and (iv) identifying  
397 best practices to expand local partnerships to more communities, including through mixed  
398 delivery programs administered by the local school system, municipal scholarship programs  
399 provided directly to families based on successful models already being implemented in certain  
400 municipalities and other approaches to expand access to public high-quality care. The report  
401 shall be filed with the clerks of the senate and house of representatives, the senate and house  
402 committees on ways and means and the joint committee on education not later than December  
403 31, 2022.

404 SECTION 18. Not later than December 31, 2022, the department of early education and  
405 care, in consultation with the Children’s Investment Fund and the Community Economic  
406 Development Assistance Corporation, shall file a report with the clerks of the senate and house  
407 of representatives, the senate and house committees on ways and means and the joint committee

408 on education detailing proposed improvements to the Early Education and Out of School Time  
409 Capital fund. The report shall include, but not be limited to: (i) eligibility criteria; (ii) size of  
410 grants; (iii) ways to streamline the application process; (iv) any other parameters to increase the  
411 impact of the fund; and (iv) any data available on unmet needs for early education and care  
412 facilities improvements.

413 SECTION 19. Not later than January 15, 2023, the department of higher education shall  
414 file a report with the clerks of the senate and house of representatives, the senate and house  
415 committees on ways and means and the joint committee on education, on design and  
416 implementation plans for the early education and care educator scholarship program and the  
417 early education and care educator loan forgiveness program established in sections 19F and 19G  
418 of chapter 15A of the General Laws.

419 SECTION 20. Not later than June 30, 2023, the department of early education and care  
420 shall file a report with the clerks of the senate and house of representatives, the senate and house  
421 committees on ways and means and the joint committee on education that assesses the extent of  
422 current supply and the unmet needs of families, taking into account relevant differences among  
423 geographic locations within the commonwealth including: (i) subsidized transportation of  
424 children to and from child care providers; (ii) early education and care services for time periods  
425 outside standard hours; (iii) substitute care on days on which the family's regular child care  
426 provider is unavailable; and (iv) any other factors that prevent families from accessing state early  
427 education and care subsidies and to assess the cost of addressing these unmet needs.

428 SECTION 21. Not later than June 30, 2023, the department of early education and care  
429 shall submit a report to the clerks of the house of representatives and the senate, the house and

430 senate committees on ways and means and the joint committee on education on a proposed  
431 methodology to calculate and assess the cost to provide high-quality early education and care.  
432 The methodology shall take into consideration the full cost of service delivery, including, but not  
433 limited to, costs that vary based on: (i) geographic region; (ii) child care provider type and size;  
434 (iii) age ranges of children served; (iv) group size and ratios; and (v) the demographics of the  
435 populations served by child care providers; and (vi) costs of additional services to children and  
436 families with high needs, as defined under section 1A f said chapter 15D of the General Laws,  
437 including staff and staff training needed for accommodating children with disabilities or other  
438 high needs, interpreter services, mental health supports for children and staff, and staff time  
439 required to provide comprehensive family engagement and services to ensure effective early  
440 education and promote multi-generational success.

441 In developing the proposed methodology, the department shall consider the categories  
442 that affect the cost of service delivery, including, but not limited to: (i) administration; (ii) staff  
443 pay and benefits; (iii) professional development and instructional coaching; (iv) operations and  
444 maintenance, including, but not limited to, rent, furniture and utility costs; (v) equipment, office  
445 supplies and technology; (vi) educational supplies and curricula; (vii) food services; and (viii)  
446 transportation services.

447 In the report, the department shall include recommendations to annually assess and  
448 update the methodology to ensure continued alignment with the cost of providing high-quality  
449 early education and care in the commonwealth and compliance with federal regulations. The  
450 department shall also include recommendations regarding the use of the proposed methodology  
451 to inform the development of subsidy reimbursement rates.

452 SECTION 22. Not later than March 31, 2023, the department of early education and care  
453 shall develop the early education and care career ladder required by section 20 of chapter 15D of  
454 the General Laws. The department shall file a report with the clerks of the senate and house of  
455 representatives, the senate and house committees on ways and means and the joint committee on  
456 education that includes: (i) a copy of the career ladder; (ii) recommendations for linking  
457 professional development and educational credentials to increased compensation and leadership  
458 opportunities in the field of early education and care; (iii) minimum recommended salaries and  
459 compensation for each level of the career ladder that are commensurate with the salaries of  
460 public school teachers with equivalent credentials and training when required for a position; and  
461 (iv) minimum recommended benefits for child care provider staff, including, but not limited to,  
462 health insurance, retirement benefits, paid vacation and other leave time.

463 SECTION 23. Not later than October 1, 2023, the department of early education and care  
464 shall file a report detailing a plan to pilot, scale and regularly evaluate shared services and  
465 quality licensed hubs for early education and care programs, including family child care  
466 providers with the clerks of the senate and house of representatives, the senate and house  
467 committees on ways and means and the joint committee on education.

468 SECTION 24. Not later than 180 days after the effective date of this act, the department  
469 of early education and care shall file a report with the clerks of the house and the senate, the  
470 senate and house committees on ways and means and the joint committee on education on the  
471 steps required to implement this act and a preliminary assessment of the funding and  
472 administrative resources that would aid the department in implementing this act, such as  
473 technological resources, technical expertise and staffing of the department. The report shall be  
474 made publicly available on the department's website.

475 SECTION 25. Section 13 shall take effect 1 year after the effective date of this act.

476 SECTION 26. Section 14 shall take effect on January 15, 2024.