

# The Early Childhood Success Act

## Frequently Asked Questions

SB 1095 (Howell/Dunnavant)

HB 2458 (Landes/Bulova)

### **What problem is the bill trying to solve?**

Early childhood care and education programs like child care and Head Start are currently administered across multiple agencies. There are inconsistencies in the standards that quality early childhood development and education programs are required to meet. Virginia lacks a uniform set of criteria for measuring quality of these programs. Families have a difficult time navigating the system and obtaining information about the programs available in their communities and their quality in comparison to other programs. Program providers also have a difficult time navigating different rules and regulations, and this can be a disincentive for serving the most at-risk children in their local community and can limit the supply of essential early care and education programs.

### **What are the core components of the bill?**

To strengthen the system to help prepare more Virginia children for kindergarten, the Act:

- 1) Directs the Board of Education to establish a statewide unified system for early childhood care and education and designates the Board, Superintendent of Public Instruction, and the Virginia Department of Education (VDOE) with responsibility and accountability for the system;
- 2) Transfers the main program components, the licensing, funding, and regulation of child day programs and the Head Start Collaboration Office, currently under the Virginia Department of Social Services (VDSS), to the VDOE; and
- 3) Establishes an innovation fund to support public-private partnership and build capacity of communities to deliver school readiness solutions tailored to their unique needs.

### **Why consolidate early childhood care and education programs within the VDOE?**

A primary aspect of early childhood care and education programs is ensuring a high quality learning experience for young children. Consolidating programs at DOE reflects the primacy of education, training, and learning in early childhood programs that is appropriate for very young children.

### **Will this impact the health and safety standards at early childhood care and education programs currently overseen by the Department of Social Services?**

Ensuring a healthy, safe environment at these programs will remain a top priority for the Commonwealth. The VDOE, which has experience with health and safety expectations for schools, will become the agency with primary responsibility for oversight, and the transfer will include relevant funds, existing state and local/regional personnel/positions for minimal disruption and to maintain focus on the health and safety components.

### **Would this happen immediately?**

No. The Act calls for a plan first, then a phased-in implementation to be completed by 2021. These changes would NOT go into effect immediately.

### **Will new money be requested this year to expand programs?**

No. The focus of the Act is to direct the executive branch agencies to develop a plan to unify the system of early childhood care and education programs. Once the plan is developed, key legislative partners, the administration, and stakeholders will be better positioned to assess future funding needs.

**Does moving all of the early childhood programs to VDOE mean that K-12 standards and assessments (like SOLs) will be imposed on young children?**

No. The plan will prioritize utilization of tools and progress measures that are appropriate for the ages and stages of young children, and will be attentive to and supportive of their multi-faceted development in these early years.

**Will these changes and focus on quality of school readiness services result in a more limited supply of early care and education programs?**

A priority of the VDOE would be to work closely with local departments and other partners as changes (particularly in standards and/or rating systems) are implemented to ensure that access to care is not reduced, especially for Virginia's most vulnerable working families. In fact, as more uniform quality standards are developed for these programs and support is provided for meeting these standards, it is anticipated this would assist local departments of social services in their efforts to offer a wide array of quality early care and education program options for the families they serve.

**Does the Board of Education have the expertise and capacity to take on/oversee early childhood care and education?**

To support the Board of Education in their new responsibilities, including development and implementation of the plan, the Early Childhood Success Act would establish an Early Childhood Advisory Council to the Board of Education (similar to what exists for Career & Technical Education). The House bill (HB 2458) has been amended to specify that membership of the advisory council would include representatives from stand-alone licensed child care centers that meet the accountability standards of state-recognized accreditation pursuant to § 22.1-19, and one representative of child care centers exempt from licensure pursuant to §22.1-289.029.

**What does this mean for local school divisions?**

Local school divisions will not be responsible for assessing eligibility, licensing, and regulation of child care centers. For all publicly-funded programs including public school-based preschool programs, the Act calls for establishing a uniform rating system (which would be phased in over time). Local divisions will have the opportunity to engage with other community partners including local departments of social services to help shape localities' early childhood systems and the array of quality early care and education options available to families, but will not have primary responsibility. As it relates to the Innovation Fund, local school divisions may be eligible for additional funding along with other public and private partners to be used to innovate or strengthen their local birth to five early childhood system.

**What does this mean for local departments of social services?**

Currently, local departments of social services are responsible for determining a family's eligibility for financial assistance and regional offices for regulating/inspecting early childhood care and education programs. It is envisioned that local/regional departments and offices (and the relevant personnel) would maintain the responsibility for determining eligibility and for inspections for relevant programs, and would contract with VDOE to deliver these services. This relationship would be similar to the current relationship the local departments have with other state agencies, like the Department of Medical Assistance Services (DMAS) in eligibility and enrollment in the Virginia Medicaid program.

**What does this mean for religious-exempt programs?**

Programs will maintain their current license-exempt status and processes. Because the child care licensing functions, staff and funding would be transferred to the VDOE, the bill language moves the relevant licensing codes sections from the Social Services section of the Code to the Education section of the Code. Other than changing “Commissioner” to “Superintendent”, the licensing and regulatory language is untouched.

Additional language has been added to the House bill (HB 2458) to include a representative of programs exempt from licensure pursuant to §22.1-289.029 on the early childhood advisory council to the Board of Education.

**What does this mean for Head Start?**

The Act calls for establishing a uniform rating system (which would be phased in over time) for publicly-funded programs, including center-based Early Head Start and Head Start. The Act aligns with new federal expectations that programs are participating in state quality rating systems. As it relates to the Innovation Fund, Head Start programs may be eligible for additional funding along with other public and private partners to be used to innovate or strengthen localities’ birth to five early childhood systems.

**What does this mean for child care centers or family day homes?**

The Act calls for establishing a uniform rating system for publicly-funded programs, including child care centers and family day homes that take child care subsidy or other public funds for providing care and education. Centers and family day homes that do NOT take public funding would NOT be required to participate but would have the option to if so desired. As it relates to the Innovation Fund, programs may be eligible for additional funding along with other public and private partners to be used to innovate or strengthen their localities’ birth to five early childhood system.

**Does this bill change the way private programs will be licensed?**

No. Programs will maintain their current status and licensing processes. Because the child care licensing functions, staff and funding would be transferred to the VDOE, the bill language moves the relevant licensing codes sections from the Social Services section of the Code to the Education section of the Code. Other than changing “Commissioner” to “Superintendent”, the licensing and regulatory language is untouched.

**Does this bill direct other early childhood programs like home visiting, Early Intervention Part C, WIC, and CACFP to be moved to DOE?**

No. The focus is on care and education programs out-of-the home that promote early learning and development. The Early Childhood Success Act only directs the transfer of child care licensing and regulation, provision of the Child Care and Development Fund federal block grant, and the Head Start Collaboration Office to VDOE. These other programs will continue to be administered by the agencies with current responsibility for doing so.