

CHAPTER 363
FORMERLY
HOUSE BILL NO. 470

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EARLY
CHILDHOOD EDUCATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 1703(n), Title 14 of the Delaware Code by striking the language currently existing therein and by inserting the following language in its place:

“(n)(1)a. The Interagency Resource Management Committee (IRMC) shall have administrative responsibility for establishing a comprehensive and coordinated early childhood system. The IRMC shall be composed of the following members (or their designee with full voting powers):

1. Secretary of Education, who shall be the chairperson of the IRMC;
2. Secretary of the Department of Health and Social Services;
3. Secretary of the Department of Services for Children, Youth and Their Families;
4. Director of the Office of Management and Budget;
5. Controller General; and
6. Chair of the Early Childhood Council as an *ex officio* member with no voting authority.

An affirmative vote of a majority of all voting members shall be required to take action.

b. The IRMC shall promote interagency collaboration in the delivery of early childhood services to young children and their families including young children with disabilities. The IRMC will work to support and coordinate the implementation of the recommendations of the State early childhood plan. To accomplish these goals, the IRMC shall do the following:

1. Allocate all funds provided by the State, obtained by it, or under its control, which are designated for children eligible for services under this subsection except for unit funding for children with disabilities as described in this Title.
2. Coordinate resources, federal and State and public and private, to support family-centered services for eligible children and their families, as appropriate.
3. Seek to develop collaborative approaches with the institutions of higher education for children eligible for services under this subsection. Special emphasis shall be placed on the use of existing preschool educator training and child care provider training programs.
4. Coordinate planning, policy, program and funding to establish a comprehensive and coordinated early childhood system.

c. The IRMC may, at its discretion, apply for and allocate grant funds. Sources of such grant funds may include, but not be limited, to the federal Childcare Block Grant, Developmental Disabilities Council, federal Child and Maternal Health Grant, federal Title XX, and federal Head Start, where appropriate.

d. The IRMC shall report to the Governor, President Pro Tempore of the Senate, and the Speaker of the House on April 15 of each fiscal year. Each report shall include:

1. A summary of IRMC experience in attempting to accomplish its purposes as stated above; and
2. A recommendation of the IRMC whether and how to institutionalize its activities and functions.

e. The Director of the Office of Management and Budget and the Controller General are hereby authorized to transfer additional funds serving this population among the budgets of the departments represented on the IRMC if there is prior agreement by the Secretary of the department, as the case may be, to which the funds were previously allocated.

f. For the purpose of facilitating the continuation of services, programs receiving an allocation under the provisions of this section may receive twenty percent (20%) of the prior year's allocation at the outset of each fiscal year. These programs are required to present program proposals

to the IRMC as required by the IRMC. Upon IRMC approval, adjustments to the program allocations may be made.

g. The IRMC shall be staffed by the Early Development and Learning Resources Office in the Department of Education. Such Office shall be composed of at least two Education Specialists and a clerical support position. Funding shall be provided by the Department of Health and Social Services and the Department of Services for Children, Youth and Their Families by no later than July of each fiscal year to support the operational costs associated with one Educational Specialist and clerical support positions. Funds allocated in this section are to be used to support the work of the Office and to continue the inter-agency coordination process for Delaware's early childhood programs.”.

Section 2. Amend § 3002, Title 14 of the Delaware Code by striking the language currently existing therein and by inserting the following language in its place:

“§ 3002. Early Childhood Council.

(a) The Delaware Early Childhood Council (ECC) shall be the State Advisory Council on Early Childhood for children from birth to eight years of age, and carry out all such functions designated in the federal Improving Head Start for School Readiness Act of 2007, *et seq.*, and those functions designated herein and those assigned by the Governor, the General Assembly, and the Interagency Resource Management Committee (IRMC), provided sufficient monies are available from the annual State appropriations act, federal funding, private funding, or a combination thereof.

(b) The ECC shall be comprised primarily of private sector members but shall include all representatives as designated in the above-referenced federal legislation and shall advise the Governor and General Assembly on a continuing basis, working with the IRMC, concerning the status and improvement of services of the early childhood sector and the implementation of the State's early childhood strategic plan. In addition to any responsibilities assigned by the Governor through the IRMC, the Delaware Early Childhood Council shall make recommendations to the Governor, the General Assembly, and the IRMC that promote the appropriate coordination and effectiveness of State services and policies. The ECC shall be responsible for maintaining and expanding a statewide network of early care and education institutions that includes providers, advocates, State program officers, private and non-profit community institutions, and others who support the development and delivery of high quality early childhood services.”.

Section 3. Amend § 3003, Title 14 of the Delaware Code by striking the language currently existing therein and by inserting the following language in its place:

“§ 3003. Organization and composition.

(a) The ECC shall be appointed by the Governor upon recommendation by the Interagency Resource Management Committee (IRMC) and shall: (1) represent the racial, economic and geographic diversity of the State; (2) serve for staggered, renewable terms of three (3) years, except in the case of public employees continuing in the same designated position; and (3) consist of the following members:

- (1) Two center-based early care and education providers;
- (2) One family-home-based early care and education provider;
- (3) One parent whose child participates in early childhood services;
- (4) One Delaware Head Start/Early Childhood Assistance Program Association representative;
- (5) One representative of a State-wide early care and education resource and referral agency;
- (6) Two representatives from advocacy organizations focused on children's health and well-being;
- (7) One representative of the Delaware Association for the Education of Young Children;
- (8) One public school district superintendent;

- (9) One Higher education representative who also serves on the P-20 Council;
- (10) One business community representative;
- (11) Two community members;
- (12) One representative of the General Assembly;
- (13) The State Director of Head Start Collaboration;
- (14) A representative of the Delaware Department of Health and Social Services, representing children's health, child cares subsidy, and Part C of IDEA;
- (15) A representative of the Delaware Department of Services to Children, Youth and Their Families, representing child mental health, child care licensing, and family services;
- (16) A representative of the Delaware Department of Education, representing early childhood professional development, section 619 of IDEA, and State early learning guidelines; and
- (17) *Ex officio*, non-voting members shall include the director of the Early Development and Learning Resource Center of the Department of Education, the chair of the Family Support Coordinating Council, and the director of the State's Institute for Excellence in Early Childhood Education. The ECC may appoint *ex officio* members and advisors to assist them in meeting their responsibilities.

(b) The Governor shall appoint a Chairperson from the non-governmental members of the ECC, and who shall serve as a member of the State's P-20 Council. The Chairperson shall coordinate the activities of the ECC. The Governor shall also appoint a Vice-Chairperson from the non-governmental members of the ECC.”.

Section 4. Amend § 3004, Title 14 of the Delaware Code by striking the language currently existing therein and by inserting the following language in its place:

“§ 3004. Meetings; organizational structure.

The ECC shall convene regularly-scheduled meetings at least six (6) times annually. The ECC may form an executive committee from its members and other subcommittees. The ECC may form standing subcommittees including, but not limited to: Professional Development, Quality Rating and Improvement System, Data, and Higher Education. The ECC shall fulfill all the responsibilities designated under the above-referenced federal legislation for the State's Advisory Council on Early Childhood Education and Care.”.

Section 5. Amend § 3005, Title 14 of the Delaware Code by striking the language currently existing therein and by inserting the following language in its place:

“§ 3005. Staffing and annual reporting.

The Department of Education shall staff the ECC with support from the Interagency Resource Management Committee (IRMC) as needed. The ECC will report annually to the IRMC, the Governor, President Pro Tempore, Speaker of the House, and the General Assembly's committees on Education, Health and Social Services, and Health and Human Development regarding the status of its work and the progress of Council plans and proposals. A summary of the Council's work shall be included in the IRMC's annual report.”.

Approved July 12, 2010