SPONSOR: Sen. Sturgeon & Sen. Lockman & Rep. Romer & Rep. Heffernan
Sens. Gay, Hansen, Hoffner, S. McBride, Sokola; Reps. S. Moore, Morrison, Parker Selby, Phillips

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE BILL NO. 305

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 § 3001, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating Delaware Code provisions accordingly:

§ 3001. State Early Childhood Education Program.

(a) For purposes of this section:

(1) "Department" means the Department of Education.

(2) "Full day" means a minimum of 6 hours per day and at a minimum of 180 days per year.

(3) "Preschool-age child" means a child who is not yet attending kindergarten or a higher grade.

~~(a)~~ (b) The Department ~~of Education shall be~~ is authorized to provide early childhood educational services to eligible children, ~~which shall include preschool age children who live in poverty,~~ as defined by the Department, using ~~such~~ funds ~~as are~~ appropriated by the General Assembly for that purpose.

(c) Subject to the availability of appropriations, the Department shall provide free, full-day early childhood educational services for preschool-age children who satisfy the eligibility requirements developed by the Department.

(d) The early childhood educational services under subsection (c) of this section must be high quality and align with the quality standards developed under paragraph (g)(1) of this section in all the following categories:

(1) Learning environment and curriculum.

(2) Qualifications and professional development.

(3) Family and community partnerships.

(4) Management and administration.

~~(b)~~ (e) (1) The Department ~~of Education~~ shall provide the early childhood educational services by contracting with public and private providers, ~~including, but not limited to,~~ including providers administering federal Head Start programs within ~~the State; provided however, that state~~ this State.

(2) State funds paid to ~~such~~ the contracting providers ~~shall not~~ may not be used to supplant ~~state and/or federally~~ State- or federally funded programs or to make a federal Head Start provider ineligible for a Head Start expansion grant.

(3) ~~All contracts may be in place for a period not to exceed 3 years; provided that~~ A contract under this paragraph may be in place for up to 5 years, including renewals, if there is sufficient funding contained within the annual appropriations act and the contractor adheres to ~~the required Head Start performance standards, which include parental involvement and receipt of acceptable monitoring results which will be completed at least once during the contract period.~~ program standards, as defined by the Department.

(4) A contract under this paragraph must comply with State procurement requirements under Chapter 69 of Title 29.

~~(c)~~ (f) Each contracting provider ~~will be required to~~ shall establish written agreements within the provider's respective service area with ~~their~~ the provider's local Head ~~Start and/or other~~ Start, other Early Childhood ~~Initiative~~ Initiative contracting provider, or both, as well as the local school district, to address issues ~~including, but not limited to,~~ including service areas, recruitment, transition of children and ~~families~~ families, and sharing resources and information.

~~(d)~~ (g) The Department ~~of Education~~ shall establish ~~Delaware Stars for Early Success,~~ a quality ~~rating and~~ improvement system. ~~Such rating~~ The quality improvement system ~~shall~~ must measure the level of quality of service provided by an early care and education program to safeguard and ensure the growth, development, and learning of the children. The ~~rating and~~ quality improvement system ~~shall:~~ must do all of the following:

(1) Establish quality standards that build upon the child care licensing regulations and include quality standards in the categories of learning environment and curriculum, qualifications and professional development, family and community partnerships, and management and administration. The Department ~~of Education~~ shall ensure that ~~Delaware Stars for Early Success~~ the quality improvement system standards are consistent with the regulations of the Office of Child Care Licensing.

(7) Establish public-private partnerships to implement and sustain the quality ~~rating and~~ improvement system including state agencies, higher education, adult education programs, early childhood ~~organizations~~ organizations, and ~~community~~ community-based agencies.

(8) Evaluate ~~Delaware Stars for Early Success~~ the quality improvement system to ensure continuous improvement of the system.

~~(e)~~ (h) The Interagency Resource Management Committee (IRMC) ~~shall have~~ has administrative responsibility for all appropriations made to the Department ~~of Education pursuant to~~ under this section. ~~Such~~ This administrative responsibility ~~shall include, but not be limited to:~~ includes all of the following:

(1) Determining unserved and underserved areas within the State, to be addressed in any given year. ~~Such~~ These identified areas will be specified within the Request for Proposal (RFP) issued to prospective ~~providers;~~ providers.

(2) Reviewing, recommending and disbursing grant awards for contracts to qualifying providers to deliver early childhood educational services to preschool-age children who live in ~~poverty;~~ poverty.

(3) Reallocating unobligated or unspent appropriations made to the Department ~~of Education pursuant to this section; and~~ under this section.

(4) Verifying that the contracting providers use ~~state~~ State funds paid to them for the purposes specified in their contracts.

~~(f)~~ (i) All public and private providers contracting with the Department ~~of Education pursuant to this section~~ under this section shall ensure that ~~each and~~ every employee receives a minimum of 1 hour of training every year in the detection and reporting of child abuse. ~~Such training, and all materials used in such training, shall be prepared by the Division of Family Services.~~ The Division of Family Services shall prepare this training, and all materials used in the training.

Section 2. Amend § 3004, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3004. Meetings; organizational structure.

The Delaware Early Childhood Council (ECC) shall convene regularly-scheduled meetings at least 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:~~ including 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~~ the federal Improving Head Start for School Readiness Act of 2007 [P.L. 110-134] et seq., for the State's Advisory Council on Early Childhood Education and Care.

SYNOPSIS

This Act streamlines and modernizes the State Early Childhood Education Program in § 3001 of Title 14, also referred to as State-funded early care and education, as follows:

(1) Adds definitions.

(2) Provides the Department of Education (Department) with a general grant of authority to provide early childhood educational services.

(3) Subject to available appropriations, § 3001(c) of this Act requires the Department to provide free, full-day early childhood educational services for preschool-age children who satisfy eligibility requirements developed by the Department. This provision incorporates elements of epilogue language from the FY 2024 Annual Appropriation Act regarding the Redding Consortium and the Early Childhood Assistance Program (ECAP).

(4) Allows for common standards and processes across programs.

(5) Requires the early childhood educational services under § 3001(c) to align with quality standards in the categories of learning environment and curriculum, qualifications and professional development, family and community partnerships, and management and administration.

(6) Aligns the length of contracts with the Head Start program, while clarifying that contracts under this section must comply with State procurement standards under Chapter 69 of Title 29.

(7) Updates the Code to reflect that the Department uses a quality improvement system instead of Delaware Stars for Early Success.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual and for clarity.

Author: Senator Sturgeon