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HOUSE BILL NO. 1972
AMENDMENT IN THE NATURE OF A SUBSTITUTE
 (Proposed by the House Committee on Education
 on _____)

(Patron Prior to Substitute—Delegate Gardner)

A BILL to amend and reenact § 22.1-289.03 of the Code of Virginia, relating to statewide, unified, universally accessible, public-private system for early childhood care and education in the Commonwealth.

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-289.03 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-289.03. Statewide, unified, universally accessible, public-private system for early childhood care and education in the Commonwealth.

A. As used in this section, "universally accessible" means providing each family with a child who is three or four years of age with access to at least one slot in an early childhood care and education setting, and in the case of certain families, providing such slot at no cost to the family or at a reduced rate based on a sliding scale and an analysis of family means as determined by the Department.

B. The Board shall establish a statewide, unified, universally accessible, public-private system for early childhood care and education in the Commonwealth to ensure that every child has the opportunity to enter kindergarten healthy and ready to learn. Such system shall be administered by the Board, the Superintendent, and the Department and shall be formed, implemented, and sustained through a structure that engages and leverages both state-level authority and regional-level public-private partnership assets.

B. C. It is the intent of the General Assembly that the system established pursuant to subsection A B shall (i) provide families with coordinated access for referral to early childhood education programs, (ii) provide families with easy-to-understand information about the quality of publicly funded early childhood care and education programs, (iii) establish expectations for the continuous improvement of early childhood care and education programs, and (iv) establish shared expectations for early childhood care and education programs among the Department of Education, the Department of Social Services, local school divisions, and state and regional stakeholders.

C. D. The system established pursuant to subsection A B shall consist of a combination of programs offered through (i) the Virginia Preschool Initiative, pursuant to § 22.1-289.09, or any other school-based early childhood care and education program; (ii) licensed programs, pursuant to Article 3 (§ 22.1-289.010 et seq.); and (iii) unlicensed programs, pursuant to Article 4 (§ 22.1-289.030 et seq.).

D. E. To address family demand and preferences for affordable, high-quality early childhood care and education services, state general funds that support the provision of services to families for early childhood care and education shall be provided as specified in the general appropriation act. Each year, no later than November 15, the Department shall report to the Governor and the Chairs of the House Committee on Appropriations, the House Committee on Education, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations the projected general funds needed for the upcoming two fiscal years based on cost of quality rate per child in order to (i) maintain the current number of slots, (ii) increase the number of slots using a projected growth rate, and (iii) increase the number of slots to fully accommodate parent demand and eliminate waitlists. Such projected general funds to meet such needs shall be based on:

1. An annual per-child cost determined through re-benchmarking for the Virginia Preschool Initiative;
2. An annual per-child cost based on the Department's federally approved alternative cost methodology for the Mixed Delivery Program identified in the general appropriation act;

3. An annual per-child cost based on the Department's federally approved alternative cost methodology for the Child Care Subsidy Program, which program shall be open to each child who is under the age of 13 in each family for as long as:

a. The family's income does not exceed 85 percent of the state median income;
b. The family includes at least one child who is five years of age or younger and has not started kindergarten; and

c. The family meets all other eligibility requirements;

4. Current program eligibility criteria; and

5. Maximization of regularly recurring federal funding including federal funding provided for the Child Care Subsidy Program, Early Head Start, or Head Start, or pursuant to Part B of the federal Individuals with Disabilities Education Act, 20 U.S.C. § 1411 et seq.

No later than May 15 before each upcoming year, each regional entity established by the Board pursuant to subsection D of § 22.1-289.05 shall indicate the number of slots needed in the region for the Mixed Delivery Program, each local school division shall indicate the number of slots needed in the local school

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60 division for the Virginia Preschool Initiative, and each locality shall indicate the number of slots needed in
61 the locality for the Child Care Subsidy Program. The Department shall reallocate slots with available funding
62 from the Child Care Subsidy Program and Mixed Delivery Program as determined pursuant to this subsection
63 no later than July 1. Following fall enrollment periods, the Department shall make adjustments based on
64 family preferences. In providing funding for slots pursuant to this subsection, all current-year state general
65 funds shall be expended first.