

# HOUSE RESEARCH

## Bill Summary

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**Authors:** Slawik

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**Analyst:** Patrick J. McCormack, 651-296-5048

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### Overview

This is the omnibus early childhood learning bill for 2007.

#### Article 1: Child Care Provisions

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- 1 **General.** Adds childcare assistance programs to the list of programs able to exchange data for purpose of monitoring benefits.
- 2 **Exclusion.** Adds chapter 119B, childcare assistance, to the list of chapters prohibiting charging interest on overpayment of benefits.
- 3 **Eligibility requirements for child care assistance.** Amends eligibility standards, adding a standard to include persons who have household incomes less than or equal to 250 percent of federal poverty guidelines, adjusted for family size, and families whose assistance was terminated due to insufficient funds under Minnesota Rules. Removes receiving MFIP assistance or participating in employment and training services as provisions.
- 4 **Date of eligibility for assistance.** Limits retroactivity for payments to 6 months from the date of application.
- 5 **Payment of other child care expenses.** Payments by sources other than the family, of part or all of child care expenses, do not effect program eligibility, and the amount paid is excluded from family income, if the funds are paid directly to the child care provider on behalf of the family. Requires documentation.
- 6 **Sliding Fee. Clarifies the sliding fee nature of child care services.** Requires conversion of eligibility requirements and parent fee schedules to a standard based on a family size of

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three, and implements this by July 1, 2008. Requires the commissioner to report to eh 2008 legislature with statutory changes needed to codify this.

7 **Sliding Fee Scale.** Places the parent fee schedule into statute. Reduces minimum parent fee from \$10 per month to \$5 per month. Creates an effective date.

8 **Persons who cannot be authorized.** Makes an addition to the list of persons who cannot be legal non-licensed childcare providers - persons found guilty of wrongfully obtaining public assistance.

9 **Subsidy restrictions.** Changes the maximum subsidy rate to a blank percentile. Adds in half-day care. Allows all maximum provider rates to be effective the Monday following the effective date of the maximum provider rate.

10 **Provider rate differential for accreditation.** Allows a rate differential for a post-baccalaureate degree.

11 **Provider payments.** Limits the retroactivity of payment to 6 months from the date the provider is issued an authorization of care and a billing form.

12 **Absent Days.** Exempts absences due to documented medical conditions of parent or child from the provision limiting reimbursement for absent days. Allows public health nurses to verify the medical condition, or providers who send children home for fevers or contagious illnesses. Allows families with one parent under age 21, who are students in specified educational programs to be exempt from absent day limits. Allows counties to pay for more absent days than allowed for in state law, if market conditions justify this, and if that policy is included in the county plan - and makes this effective July 1, 2008.

13 **Child care services grants.** Adds to existing grant provisions to allow grants for supporting effective teacher-child interactions, child-focused teaching, and content driven classroom instruction.

14 **County fees for background studies and licensing inspections.** Limits county fees to \$50 for a one-year license and \$100 for a two-year license. Shifts responsibilities for background checks to the commissioner. See also several later sections in this Act, including sections 14 to 25.

15 **Delegation of authority to agencies.** Background studies for adult foster care, family adult day services, and child foster care are to be provided by county agencies. Requires the commissioner to work with counties to develop a funding allocation from the general fund to provide resources to counties to implement annual license review. Requires the commissioner to report to the House and Senate committees on that funding allocation formula.

16 **Recommendations to the commissioner.** Additional language to allow background studies by agencies.

17 **Licensed programs.** Transition language for background studies to be conducted by the commissioner; specifies information that is to be provided by the county agency.

18 **County agency.** Requires county agencies to collect required information for background studies, and to forward this to the commissioner.

19 **Electronic transmission.** Allows background studies materials to be electronically transmitted.

20 **Probation officer and corrections agent.** Applies these existing provisions of law to family child care in order to facilitate background checks.

21 **Background studies conducted by a county or private agency.** Removes family childcare homes from lists of background studies to be completed by these agencies.

22 **Notice to county agency.** Requires the commissioner to give a notice of background study

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- results to the county or private agency initiating the background study.
- 23 Submission of reconsideration request to county agency.** States how an individual may submit a reconsideration request in cases of disqualifications for licensure.
- 24 Commissioner's notice of disqualification that is not set aside.** Requires counties be notified by the commissioner regarding results of reconsiderations.
- 25 Authority and purpose.** Adds childcare assistance programs to the compliance powers of the commissioner.
- 26 Timing and disposition of penalty and case disallowance funds.** Allows penalties assessed to child care assistance programs to be reallocated to counties.
- 27 Disclosure to commissioner of human services.** Adds childcare assistance programs to the list off programs where the commissioner of revenue may disclose information to the commissioner of human services.
- 28 Inspection of legal unlicensed child care providers.** Requires the commissioners of health, human services, and education to develop and report to the legislature recommendations for methods to allow home visits one-time for each legally unlicensed child care provider receiving child care assistance funds.
- 29 Commissioner of Human Services Duties; Early Childhood and School-Age Professional Development Training.** Requires development of a voluntary professional development system for practitioners; specifies detailed features of such a system. Requires reports from the commissioner of human services; begins phase-in on July 1, 2007 if appropriations are sufficient to allow this; requires certification of new training to meet the two-hour early childhood development training requirement for new child care practitioners; requires input from labor unions.
- 30 School Readiness Service Agreements.** Allows the commissioner to enter into agreements with up to 50 childcare providers to support school readiness for children and economic stability for parents. Specifies provider rates; provider eligibility requirements; family and child eligibility requirements; and relationships of these agreements to current laws.
- 31 Family, Friend, and Neighbor Grant Program.** Establishes a family, friend, and neighbor grant program (FFN). Specifies program components. Limits administrative costs. Allows the commissioner to establish application forms. Requires an evaluation by the commissioner.
- 32 Child Care Provider Study.** Directs the commissioner of human services to study the implications for provider availability and other implications of restricting state childcare subsidies in accord with new state quality standards, and to publish the results by January 1, 2010. Lists elements of the study that must be included.
- 33 Summary of Appropriations.**
- 34 Human Services Appropriations.**
- 35 Human Services.** Appropriations.
- 36 Repealer.** Repeals one statute (119B.08, subdivision 4) that is outdated.

## Article 2: Education Provisions

- 1 Distribution of Appropriation.** Modifies statutes for distribution of Head Start programs; requires the commissioner to develop procedures to make payments based on the number of children reported to be enrolled during the required time of program operations. States requirements for such a procedure, including reporting schedules, corrective action plan requirements, and financial consequences to be imposed. Requires reduction of subsequent

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allocations to programs reporting chronic under-enrollment. Envisions shifting of funds for these programs to fully enrolled programs.

- 2 **Application requirements.** Modifies what is required for plans from eligible Head Start organizations, requiring a plan for providing Head Start services in conjunction with full-day child care programs to minimize child transitions, increase program intensity and duration, and improve outcomes.
- 3 **Full Day Requirements.** Requires a phase in of full-day services for Head Start programs or licensed childcare, with 25 percent by FY 2009; 40 percent by FY 2011; and 50 percent by FY 2013. Allows Head Start to provide full day services in their own program model or in cooperation with licensed full-day child care programs. Allows exemptions to be requested from the commissioner for stated reasons.
- 4 **Establishment; purpose.** Adds to the purpose clause for community education programs.
- 5 **Program requirements.** Amends the program requirements for early childhood family education programs. Amends the list of requirements for these programs.
- 6 **Teachers and Coordinators.** Changes requirements for hiring teachers for early childhood education programs to require teachers licensed in early childhood or parent education, and also requires coordinators to meet at a minimum the teacher licensure requirements for ECFE teachers.
- 7 **Plan and program data submission requirements.** Requires a biennial plan be submitted for ECFE programs. Phases in submission of this plan, with one-half by April 1, 2009, and the other by April 1, 2010. Requires submission of annual program data before certification of a levy.
- 8 **Revenue.** Sets revenue for ECFE for FY 2008 at \$120 per child under age 5 residing in the district.
- 9 **Early childhood family education levy.** Removes outdated language, requires that beginning with levies in FY 2011, districts may not certify levies for programs not meeting annual reporting requirements.
- 10 **Use of revenue restricted.** Allows up to 10 percent of ECFE program revenue to be used to purchase equipment, materials, and specified instructional aids. Allows application for an exemption from this limit to the commissioner.
- 11 **State Advisory Board on School Readiness.** Creates an advisory board on school readiness, in the Office of the Governor. Specifies members, defines terms. Specifies duties of the board, including recommending changes and plans for coordinating and integrating state services. Further refines duties of the board. Allows separate working groups to be formulated. Requires a report from the task force annually by February 15<sup>th</sup>. Sunsets this provision by January 1, 2013.
- 12 **Amount of aid.** Removes outdated language. Sets the school readiness aid entitlement at \$10,095,000 for 2008 and later.
- 13 **Expanding Department Developmental Assessment Administered to Entering Kindergartners.** Requires the commissioner of education to encourage school districts to expand assessments of the voluntary school readiness kindergarten assessment to 30 percent of children during 2008-2009, and requires a report each year on the assessment results for the current year, by January 1.
- 14 **Targeted Training of Early Childhood Professionals To Improve School Readiness.** Establishes a training program for staff of school readiness programs, Head Start programs, and child care centers, to improve school readiness of pre-kindergarten children. Specifies content. Requires this be made available if possible throughout the state. Allows for

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delivery of materials and training in other languages, and via the web.

- 15 Early Childhood Scholarships.** Creates early childhood scholarships, establishes an application and award process; outlines how programs can become approved and how payments would be made to approved programs.
- 16 Minnesota Early Learning Foundation.** Modifies the statutes creating MELF, removes language requiring the commissioner to establish MELF, and language describing MELF's board of directors, removes language subjecting the board to comply with various state laws, and specifying terms of membership. Makes numerous technical and minor substantive changes to duties of MELF. Delays expiration of this section to 2012. Creates a legislative advisory task force to meet with MELF regarding pilot programs for scholarships, created later in this bill. States membership of the task force.
- 17 After-School Community Learning Programs.** Establishes a competitive statewide after-school community learning grant program for programs serving youth after school or during non-school hours. States outcomes expected from grants, and plans that must be submitted to the commissioner from grant applicants.
- 18 State total adult basic education aid.** Sets the state total adult basic education aid level at \$40,430,000; sets aside 4100,000 beginning FY 2008 for a GED online system of instructional delivery.
- 19 Adult basic education program aid limit.** Increases aid per contact hour from \$21 to \$22. Establishes limits for program aid.
- 20 General Education Development (GED) Test Fees.** Increases the amount of fees to be paid, to 75 percent of the fee charted to individuals, not to exceed \$75, except for homeless persons, who receive 100 percent of initial fees.
- 21 Revenue Amount.** Increases aid amount for a program for adults with disabilities.
- 22 Aid.** Increases aid for a program for adults with disabilities.
- 23 Levy.** Makes technical changes to the levy formula for adults with disabilities.
- 24 Early Childhood Community Hub Planning and Implementation Grants.** Establishes a two-year program to create early childhood education hubs. Specifies eligibility and application procedures. Requires 3 hubs to be designated, from different areas of the state. Program components are specified. Requires applicants to submit plans. Requires each hub grantee to have an advisory committee of specified makeup. Requires an evaluation by Feb. 15, 2010.
- 25 Provisional Quality Rating System, Licensed Child Care.** Establishes a provisional quality rating system for FY 2009 only, for licensed childcare, if the provider certifies compliance with a list of specified actions and meets other criteria determined by the commissioner of human services.
- 26 Provisional Quality Rating System, School Readiness.** Establishes a provisional quality rating system for school readiness programs, if the provider certifies having met specified requirements, including criteria determined by the commissioner of education.
- 27 Scholarship Demonstration Projects.** Establishes two scholarship demonstration projects, in rural Minnesota, to be run by MELF, and the Departments of Human Services and Education. Specifies eligibility and standards that must be met. Requires an eligibility process, for families with incomes less than or equal to 185 percent of federal poverty guidelines. Operates program during 2008 and 2009.
- 28 Grant Program to Promote the healthy Development of Children and Youth Within Their Communities.** Establishes a program with the Search Institute to promote healthy development of children and youth.

**Section**

- 29**      **Appropriations.** Department of Education.
- 30**      **Department of Health.** Appropriations.
- 31**      **Minnesota Early Learning Foundation.** Appropriation.
- 32**      **Repealer.** Repeals outdated ABE language.