

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2023

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Legislative Document

No. 1799

S.P. 724

In Senate, April 25, 2023

**An Act to Expand Maine's High-quality Early Learning and Care  
for Children by Increasing Public Preschool Opportunities in  
Communities**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator VITELLI of Sagadahoc.  
Cosponsored by Representative LaROCHELLE of Augusta and  
Senators: BAILEY of York, HARRINGTON of York, President JACKSON of Aroostook,  
PIERCE of Cumberland, RAFFERTY of York, Representatives: CLUCHEY of Bowdoinham,  
JAUCH of Topsham, MILLETT of Cape Elizabeth.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §4272** is enacted to read:

3 **§4272. Expansion of public preschool programs report**

4 The commissioner shall report annually by February 15th to the joint standing  
5 committee of the Legislature having jurisdiction over education matters on the department's  
6 initiatives, incentives and progress to expand public preschool programs.

7 **Sec. 2. Department of Education responsibilities.** The Department of Education,  
8 referred to in this section as "the department," shall establish a timeline, an implementation  
9 plan and incentives to expand publicly funded preschool programming to 30 hours per  
10 week or the length of the local school day at a school administrative unit with the goal of  
11 establishing an equitable, mixed delivery public preschool system that provides universal  
12 access for preschool-aged children and their families. To accomplish this goal, the  
13 department shall do the following.

14 1. The department shall establish a working group of stakeholders to explore expansion  
15 to full-day preschool and pathways for child care programs to become publicly funded. The  
16 working group shall establish a plan that must include the following components and  
17 address the following:

18 A. How publicly funded preschool may be offered in all types of programs and  
19 classrooms where 4-year-olds are enrolled, including, but not limited to, school  
20 administrative units and licensed child care programs such as family child care, child  
21 care centers and Head Start programs;

22 B. Partnerships between school administrative units and child care programs that meet  
23 or could be supported to meet the public preschool basic approval standards under  
24 Department of Education rule Chapter 124: Basic Approval Standards: Public  
25 Preschool Programs;

26 C. Aligning the credentials and training earned through the Maine Roads to Quality  
27 Professional Development Network with those earned through the Department of  
28 Education Early Childhood Education certification;

29 D. A timeline and incentive program to implement a common early childhood  
30 assessment upon kindergarten entry for all elementary schools. The early childhood  
31 assessment may not be designed to be used to inappropriately label children, restrict  
32 kindergarten entry or predict future academic and life success; and

33 E. Collaborating with local adult education providers, apprenticeship sponsors, career  
34 and technical education programs, the Maine Community College System and the  
35 University of Maine System to create articulation agreements between these entities  
36 for the transfer of credits for coursework related to early childhood education and to  
37 facilitate enrollment in courses that lead to the awarding of a postsecondary degree by  
38 an accredited institution of higher education.

39 2. The department shall contract with consultants with experience in early childhood  
40 education to facilitate mixed delivery publicly funded preschool expansion with school  
41 administrative units and licensed child care programs.

1           3. The department shall establish a professional development and certification  
2 stakeholder working group. The working group shall develop a plan that must include the  
3 following components:

4           A. A competency-based credential that recognizes experience, cumulative elective  
5 training hours and a demonstration of knowledge and skills in early childhood teaching  
6 practices;

7           B. Reciprocity for credit for or training hours toward certification from other states and  
8 countries;

9           C. A Maine Roads to Quality Professional Development Network career lattice to align  
10 with department educator credentials and that considers credentials obtained in the  
11 absence of college course work of the same content;

12           D. Eligibility of family child care providers who hold and maintain national  
13 accreditation standards accepted by the Department of Health and Human Services and  
14 the Department of Health and Human Services, Office of Child and Family Services  
15 as publicly funded preschool locations; and

16           E. Scholarship and apprenticeship opportunities to support educators seeking  
17 certification.

18           **Sec. 3. Commission established.** The Commission to Study Governance and  
19 Funding in Early Care and Early Childhood Education, referred to in this section as "the  
20 commission," is established.

21           1. Notwithstanding Joint Rule 353, the commission consists of 15 members appointed  
22 as follows:

23           A. Two members of the Senate appointed by the President of the Senate, including a  
24 member from each of the 2 parties holding the largest number of seats in the  
25 Legislature;

26           B. Two members of the House of Representatives appointed by the Speaker of the  
27 House, including a member from each of the 2 parties holding the largest number of  
28 seats in the Legislature;

29           C. One representative from the Department of Health and Human Services involved in  
30 the provision of services for children and families of children under 5 years of age  
31 selected by the Commissioner of Health and Human Services;

32           D. One representative from the Department of Education involved in the provision of  
33 services for children and families of children under 5 years of age selected by the  
34 Commissioner of Education;

35           E. One representative of the public school system nominated by the Maine School  
36 Management Association and appointed by the President of the Senate;

37           F. Three parents of children who are under 5 years of age who have used state services  
38 for their children, one appointed by the President of the Senate and 2 appointed by the  
39 Speaker of the House; and

40           G. Five representatives of early childhood educators and providers of services for  
41 children who are under 5 years of age, 2 appointed by the President of the Senate and  
42 3 appointed by the Speaker of the House.

1           2. The first-named Senate member is the Senate chair and the first-named House of  
2 Representatives member is the House chair of the commission.

3           3. All appointments must be made no later than 30 days following the effective date of  
4 this Act. The appointing authorities shall notify the Executive Director of the Legislative  
5 Council once all appointments have been completed. After appointment of all members,  
6 the chairs shall call and convene the first meeting of the commission. If 30 days or more  
7 after the effective date of this Act a majority of but not all appointments have been made,  
8 the chairs may request authority and the Legislative Council may grant authority for the  
9 commission to meet and conduct its business.

10          4. The commission shall study and make recommendations on aligning governance and  
11 blending and braiding funding in early care and early childhood education systems,  
12 including but not limited to any child care subsidy programs, the Temporary Assistance for  
13 Needy Families child care program, child care licensing, the First 4 ME Early Care and  
14 Education Program under the Maine Revised Statutes, Title 22, section 3931, any early  
15 childhood consultation programs, the Help Me Grow Maine initiative within the  
16 Department of Health and Human Services, any child care wage supplements and grants,  
17 the Maine Roads to Quality Professional Development Network, the Department of Health  
18 and Human Services-funded T.E.A.C.H. scholarship program of the Maine Association for  
19 the Education of Young Children, any early childhood education apprenticeship programs,  
20 the Child Development Services System, any publicly funded preschool programs and  
21 Head Start programs. The commission shall examine ways to integrate the various early  
22 care and early childhood education systems with a central state access point and a regional  
23 hub structure. In addition, the commission shall make recommendations on the following:

24           A. Improving the opportunities for children under 5 years of age by ensuring the  
25 availability and coordination of early childhood programs and services through the  
26 State with a focus on child development and education;

27           B. Prioritizing the interests and input of children, parents, providers and the community  
28 in designing and delivering early childhood programs and services and the equitable  
29 delivery of resources and supports for early childhood education;

30           C. Establishing state and community partnerships for a mixed delivery of child care  
31 and early childhood education programs and services through community and school-  
32 based providers;

33           D. Coordinating at the community and regional levels, including by considering the  
34 development of regional hubs or early learning councils to improve access to services  
35 for children and families;

36           E. Examining how various funding streams can be blended and braided to provide more  
37 efficient service delivery for families and providers;

38           F. Ensuring that data about programs and early care and early childhood education  
39 systems are available to the public and are shared, coordinated and used by the State to  
40 improve policies and outcomes for children and families;

41           G. Creating an early childhood department or division. In making a recommendation  
42 under this paragraph, the commission shall review how other states have prioritized or  
43 improved coordination of early childhood programs and services for young children  
44 and their families through a unified early childhood department or division; and

1 H. Unifying the administration of early childhood programs and services that are in the  
2 best interests of the State's children and families.

3 5. Notwithstanding Joint Rule 353, no later than March 1, 2024, the commission shall  
4 submit a report that includes its findings and recommendations, including suggested  
5 legislation, to the Joint Standing Committee on Education and Cultural Affairs and the Joint  
6 Standing Committee on Health and Human Services. The Joint Standing Committee on  
7 Education and Cultural Affairs may report out a bill based on the recommendations to the  
8 Second Regular Session of the 131st Legislature.

9 **SUMMARY**

10 This bill establishes an annual reporting requirement for the Department of Education  
11 to report to the joint standing committee of the Legislature having jurisdiction over  
12 education matters on the expansion of public preschool programs. The bill also requires the  
13 department to:

14 1. Establish a timeline, an implementation plan and incentives to expand publicly  
15 funded preschool programming to 30 hours per week or the length of the local school day  
16 at a school administrative unit with the goal of establishing an equitable, mixed delivery  
17 public preschool system that provides universal access for preschool-aged children and  
18 their families;

19 2. Establish a working group of stakeholders to explore expansion to full-day preschool  
20 and pathways for child care programs to become publicly funded;

21 3. Contract with consultants with experience in early childhood education to facilitate  
22 mixed delivery publicly funded preschool expansion with school administrative units and  
23 licensed child care programs; and

24 4. Establish a professional development and certification stakeholder working group.

25 The bill also establishes a commission to study and make recommendations on aligning  
26 governance and blending and braiding funding in early care and early childhood education  
27 systems. The commission is required to report back to the Joint Standing Committee on  
28 Education and Cultural Affairs and the Joint Standing Committee on Health and Human  
29 Services no later than March 1, 2024.