

1 S.268

2 Introduced by Senator Ayer

3 Referred to Committee on Government Operations

4 Date: January 5, 2010

5 Subject: Human services; children; building bright futures council

6 Statement of purpose: This bill proposes to establish in statute the building
7 bright futures council.

8 An act relating to the building bright futures council

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 ~~Sec. 1. FINDINGS~~

11 ~~The general assembly finds that:~~

12 ~~(1) While Vermont has a wide range of high-quality programs for~~
13 ~~families and young children, a report issued by the Smart Start National~~
14 ~~Technical Assistance Center states, "Vermont's early childhood system might~~
15 ~~be best described as many diverse patches or pieces, ready to be linked and~~
16 ~~sewn together into a New England patchwork quilt."~~

17 ~~(2) In order to address issues of overlap and fragmentation, program~~
18 ~~accountability, and equitable access to services across the state, engaged~~
19 ~~community members, policy-makers, early childhood service providers, and~~
20 ~~advocates agree that there is a need for a comprehensive and integrated system~~

1 ~~for all children below the age of six and their families in Vermont who are in~~
2 ~~need of and desiring such services.~~

3 ~~(3) Research shows that a child's "environment of relationships" has a~~
4 ~~critical impact on developing brain architecture during the first months and~~
5 ~~years of life.~~

6 ~~(4) There are approximately 39,000 children under the age of six in~~
7 ~~Vermont, including over 5,500 in poverty, 11,000 living in single-parent~~
8 ~~households, 20,489 living in two-parent households with both parents in the~~
9 ~~labor force, and approximately 1,300 young children with developmental~~
10 ~~delays.~~

11 ~~(5) An estimated 23,000 children under the age of six are enrolled full-~~
12 ~~or part-time in over 1,900 registered or licensed child care programs funded by~~
13 ~~a combination of parent fees and public dollars such as the Child Care~~
14 ~~Financial Assistance Program and the Education Fund. Programs that receive~~
15 ~~no public funds generally have little to no formal connection to an overall early~~
16 ~~childhood system with established goals and policies for addressing the needs~~
17 ~~of young children.~~

18 ~~(6) In addition to the care by their parents and families, thousands of~~
19 ~~Vermont children from a range of socioeconomic backgrounds receive~~
20 ~~services, support, or both from state, federal, and private programs. Many~~
21 ~~children are served by multiple programs with no mechanism in place to~~

1 ~~ensure a holistic, family centered approach to service delivery. Early~~
2 ~~childhood services are important to the economic well-being of families~~
3 ~~throughout the state. They have a positive impact on the state's labor supply~~
4 ~~and influence the overall economic competitiveness of the state.~~

5 (7) Section 642B of the federal Improving Head Start for School
6 Readiness Act of 2007 mandates that the governor "designate or establish a
7 council to serve as the State Advisory Council on Early Childhood Education
8 and Care for children from birth to school entry, and the Governor may
9 designate an existing entity in the State to serve as the State Advisory
10 Council."

11 (8) In November 2009, the building bright futures state council adopted
12 a conceptual framework based on the work of Dr. Jack Shonkoff, a Harvard
13 University professor and one of the nation's foremost experts on early
14 childhood learning.

15 Sec. 2. 33 V.S.A. chapter 46 is added to read:

16 CHAPTER 46. BUILDING BRIGHT FUTURES COUNCIL

17 § 4601. DEFINITIONS

18 As used in this chapter:

19 (1) "Early care, health, and education" means all services provided to
20 families expecting a child and to children up to the age of six, including child

1 ~~care, family support, early education, mental and physical health services,~~
2 nutrition services, and disability services.

3 (2) "Regional council" means a regional entity linked to the state
4 building bright futures council to support the creation of an integrated system
5 of early care, health, and education at the local level.

6 § 4602. BUILDING BRIGHT FUTURES COUNCIL

7 (a) The building bright futures program shall be governed by a statewide
8 council comprising no more than 23 members. The building bright futures
9 council's membership shall be as follows:

10 (1) the secretary of human services or designee;

11 (2) the secretary of commerce and community development or designee;

12 (3) the commissioner of education;

13 (4) the commissioner for children and families;

14 (5) the commissioner of health;

15 (6) the commissioner of mental health;

16 (7) two members of the house of representatives, appointed by the
17 speaker of the house;

18 (8) at least one but no more than two members of the senate, appointed
19 by the senate committee on committees;

20 (9) the Head Start collaboration office director; and

1 ~~(10) 12 at large members selected on the basis of their commitment to~~
2 early childhood well-being and representing a range of perspectives and
3 geographic diversity. One of the at-large members shall be a representative of
4 a local Head Start program.

5 (b) Technical assistance to the council shall be provided by staff within the
6 departments of health, of education, and for children and families.

7 (c) For council meetings held when the general assembly is not in session,
8 the legislative members of the council shall be entitled to per diem
9 compensation and reimbursement of expenses in accordance with section 406
10 of Title 2. Members of the council who are not state employees or whose
11 participation is not supported through their employment or association may be
12 entitled to compensation and reimbursement for expenses for attending
13 meetings of the council under section 1010 of Title 32 to the extent funds are
14 available.

15 (d) The council shall function as a public-private partnership with the
16 ability to raise and disburse funds and shall be exempt from all Vermont
17 taxation; provided, however, that the council shall be subject to Vermont
18 taxation on income that is subject to federal taxation under Sections 511 and
19 514 of the Internal Revenue Code.

20 (e) The council shall adopt bylaws detailing its governance and procedures.

1 ~~(f) The council shall establish and maintain relationships with regional~~
2 ~~councils providing regional capacity to further the council's goals.~~

3 § 4603. POWERS AND DUTIES

4 The council established by section 4602 of this title shall have the following
5 powers and duties necessary and appropriate to effectuating the purposes of
6 this chapter:

7 (1) Advise the administration and general assembly on the status and
8 needs of the early care, health, and education system by conducting a review of
9 the status of young children in Vermont and the care, health, and education
10 services and systems that support them and by submitting a report every two
11 years to the governor and general assembly regarding the findings and
12 activities of the building bright futures program.

13 (2) Monitor overall system performance by regularly tracking and
14 reporting system data on the well-being of young children and the performance
15 of the system of care related to the council's commitments to children and
16 selected indicators.

17 (3) Develop an early care, health, and education system plan for
18 Vermont to serve as the basis for policy and funding recommendations.

19 (4) Review and formulate recommendations for amendments or
20 revisions to policies, rules, or regulations that may impede the ability to
21 address state and local priorities and the ability to ensure system effectiveness.

1 ~~(5) Work with the secretaries of human services and of commerce and~~
2 ~~community development and the commissioner of education to ensure the~~
3 ~~coordination of existing budgets and policies that affect the care, health, and~~
4 ~~education of young children.~~

5 ~~(6) Work with the agencies of human services and of commerce and~~
6 ~~community development, the department of education, and the regional~~
7 ~~councils to coordinate and integrate the development of an early childhood~~
8 ~~budget that reflects alignment of funding with priorities identified in the~~
9 ~~system plan.~~

10 ~~(7) Contract with state agencies and departments to deliver services as~~
11 ~~agreed upon.~~

12 ~~(8) Pursue and accept funding from diverse sources outside of state~~
13 ~~government to sustain, expand, and enhance the early care, health, and~~
14 ~~education system according to the early care, health, and education system~~
15 ~~plan.~~

16 ~~(9) Disburse funds raised through fund development activities in~~
17 ~~accordance with priorities defined in the system plan.~~

18 ~~§ 4604. LIMITATION OF SCOPE~~

19 ~~Nothing in this chapter shall be construed to supersede or usurp the~~
20 ~~statutory powers or authority of any state agency or department or any school~~
21 ~~district.~~

Sec. 1. FINDINGS

The general assembly finds that:

(1) While Vermont has a wide range of high-quality programs for families and young children, a report issued by the Smart Start National Technical Assistance Center states, "Vermont's early childhood system might be best described as many diverse patches, or pieces, ready to be linked and sewn together into a New England patchwork quilt."

(2) In order to address issues of overlap and fragmentation, program accountability, and equitable access to services across the state, engaged community members, policy-makers, early childhood service providers, and advocates agree that there is a need for a comprehensive and integrated system for all children below the age of six and their families in Vermont who are in need of and desiring such services.

(3) Research shows that a child's "environment of relationships" has a critical impact on developing brain architecture during the first months and years of life.

(4) There are approximately 39,000 children under the age of six in Vermont, including over 5,500 in poverty, 11,000 living in single-parent households, 20,489 living in two-parent households with both parents in the labor force, and approximately 1,300 young children with developmental delays.

(5) An estimated 23,000 children under the age of six are enrolled full- or part-time in over 1,900 registered or licensed child care programs funded by a combination of parent fees and public dollars such as the Child Care Financial Assistance Program and the Education Fund. Programs that receive no public funds generally have little to no formal connection to an overall early childhood system with established goals and policies for addressing the needs of young children.

(6) In addition to the care by their parents and families, thousands of Vermont children from a range of socioeconomic backgrounds receive services, support, or both from state, federal, and private programs. Many children are served by multiple programs with no mechanism in place to ensure a holistic, family-centered approach to service delivery. Early childhood services are important to the economic well-being of families throughout the state. They have a positive impact on the state's labor supply and influence the overall economic competitiveness of the state.

(7) Section 642B of the federal Improving Head Start for School Readiness Act of 2007 mandates that the governor "designate or establish a council to serve as the State Advisory Council on Early Childhood Education

~~and Care for children from birth to school entry, and the Governor may designate an existing entity in the State to serve as the State Advisory Council.”~~

~~(8) In November 2009, the building bright futures state council adopted a conceptual framework based on the work of Dr. Jack Shonkoff, a Harvard University professor and one of the nation’s foremost experts on early childhood learning.~~

~~Sec. 2. 33 V.S.A. chapter 46 is added to read:~~

~~CHAPTER 46. BUILDING BRIGHT FUTURES COUNCIL~~

~~§ 4601. DEFINITIONS~~

~~As used in this chapter:~~

~~(1) “Early care, health, and education” means all services provided to families expecting a child and to children up to the age of six, including child care, family support, early education, mental and physical health services, nutrition services, and disability services.~~

~~(2) “Regional council” means a regional entity linked to the state building bright futures council to support the creation of an integrated system of early care, health, and education at the local level.~~

~~§ 4602. BUILDING BRIGHT FUTURES COUNCIL~~

~~(a) The building bright futures program shall be governed by a statewide council comprising no more than 23 members. The building bright futures council’s membership shall be as follows:~~

~~(1) the secretary of human services or designee;~~

~~(2) the secretary of commerce and community development or designee;~~

~~(3) the commissioner of education;~~

~~(4) the commissioner for children and families;~~

~~(5) the commissioner of health;~~

~~(6) the commissioner of mental health;~~

~~(7) two members of the house of representatives, appointed by the speaker of the house;~~

~~(8) at least one but no more than two members of the senate, appointed by the senate committee on committees;~~

~~(9) the Head Start collaboration office director; and~~

~~(10) 12 at large members selected on the basis of their commitment to early childhood well-being and representing a range of perspectives and geographic diversity. One of the at-large members shall be a representative of a local Head Start program.~~

~~(b) In the event of a vacancy in one of the at-large member positions on the council, the remaining members shall endeavor to fill the vacancy with an individual representing a perspective or geographic area not currently represented on the council.~~

~~(c) Technical assistance to the council shall be provided by staff within the departments of health, of education, and for children and families.~~

~~(d) For council meetings held when the general assembly is not in session, the legislative members of the council shall be entitled to per diem compensation and reimbursement of expenses in accordance with section 406 of Title 2. Members of the council who are not state employees or whose participation is not supported through their employment or association may be entitled to compensation and reimbursement for expenses for attending meetings of the council under section 1010 of Title 32 to the extent funds are available.~~

~~(e) The council shall function as a public-private partnership with the ability to raise and disburse funds.~~

~~(f) The council shall establish and maintain relationships with regional councils providing regional capacity to further the council's goals.~~

~~§ 4603. POWERS AND DUTIES~~

~~The council established by section 4602 of this title shall have the following powers and duties necessary and appropriate to effectuating the purposes of this chapter:~~

~~(1) Advise the administration and general assembly on the status and needs of the early care, health, and education system by conducting a review of the status of young children in Vermont and the care, health, and education services and systems that support them and by submitting a report every two years to the governor and general assembly regarding the findings and activities of the building bright futures program.~~

~~(2) Monitor overall system performance by regularly tracking and reporting system data on the well-being of young children and the performance of the system of care related to the council's commitments to children and selected indicators.~~

~~(3) Develop an early care, health, and education system plan for Vermont to serve as the basis for policy and funding recommendations.~~

~~(4) Review and formulate recommendations for amendments or revisions to policies, rules, or regulations that may impede the ability to address state and local priorities and the ability to ensure system effectiveness.~~

~~(5) Work with the secretaries of human services and of commerce and community development and the commissioner of education to ensure the coordination of existing budgets and policies that affect the care, health, and education of young children.~~

~~(6) Work with the agencies of human services and of commerce and community development, the department of education, and the regional councils to coordinate and integrate the development of an early childhood budget that reflects alignment of funding with priorities identified in the system plan.~~

~~(7) Contract with state agencies and departments to deliver services as agreed upon.~~

~~(8) Pursue and accept funding from diverse sources outside of state government to sustain, expand, and enhance the early care, health, and education system according to the early care, health, and education system plan.~~

~~(9) Disburse funds raised through fund development activities in accordance with priorities defined in the system plan.~~

~~(10) Increase the instances where the council convenes members of the child care community, medical community, education community, and other organizations, as well as state agencies serving young children, to ensure that families receive quality services in the most efficient and cost-effective manner.~~

~~(11) Work within the budget process to help ensure effective and efficient allocation of resources for early care, health, and education, and to identify and reduce duplication of services.~~

~~(12) Work with state agencies that provide early childhood services to avoid duplication of services by improving coordination across agencies.~~

~~(13) Select the key indicators to be tracked in early childhood and identify priority strategies to improve outcomes.~~

~~(14) Make sure children from birth to six years of age are included in data systems being developed by the department of education and in other state efforts aimed at streamlining and coordinating state services.~~

~~(15) Monitor and analyze data to assess progress in achieving outcomes and make recommendations for any necessary adjustments.~~

(16) Report to the governor and the legislative committees of jurisdiction during the first month of each legislative biennium on progress toward outcomes and recommendations for priorities for the biennium.

§ 4604. LIMITATION OF SCOPE

Nothing in this chapter shall be construed to supersede or usurp the statutory powers or authority of any state agency or department or any school district.

Sec. 2. COMPOSITION OF COUNCIL

The members of the building bright futures council serving as of the effective date of this act shall continue to serve on the council after that date and shall adopt bylaws detailing the council's governance and procedures.

Sec. 3. EFFECTIVE DATE

This act shall take effect upon passage.

Sec. 1. FINDINGS

The general assembly finds that:

(1) While Vermont has a wide range of high-quality programs for families and young children, a report issued by the Smart Start National Technical Assistance Center states, "Vermont's early childhood system might be best described as many diverse patches, or pieces, ready to be linked and sewn together into a New England patchwork quilt."

(2) In order to address issues of overlap and fragmentation, program accountability, and equitable access to services across the state, engaged community members, policy-makers, early childhood service providers, and advocates agree that there is a need for a comprehensive and integrated system for all children below the age of six and their families in Vermont who are in need of and desiring such services.

(3) Research shows that a child's "environment of relationships" has a critical impact on developing brain architecture during the first months and years of life.

(4) There are approximately 39,000 children under the age of six in Vermont, including over 5,500 in poverty, 11,000 living in single-parent households, 20,489 living in two-parent households with both parents in the labor force, and approximately 1,300 young children with developmental delays.

(5) An estimated 23,000 children under the age of six are enrolled full- or part-time in over 1,900 registered or licensed child care programs funded by a combination of parent fees and public dollars such as the Child

Care Financial Assistance Program and the Education Fund. Programs that receive no public funds generally have little to no formal connection to an overall early childhood system with established goals and policies for addressing the needs of young children.

(6) In addition to the care by their parents and families, thousands of Vermont children from a range of socioeconomic backgrounds receive services, support, or both from state, federal, and private programs. Many children are served by multiple programs with no mechanism in place to ensure a holistic, family-centered approach to service delivery. Early childhood services are important to the economic well-being of families throughout the state. They have a positive impact on the state's labor supply and influence the overall economic competitiveness of the state.

(7) Section 642B of the federal Improving Head Start for School Readiness Act of 2007 mandates that the governor "designate or establish a council to serve as the State Advisory Council on Early Childhood Education and Care for children from birth to school entry, and the Governor may designate an existing entity in the State to serve as the State Advisory Council." The governor has designated the building bright futures state council as Vermont's entity.

(8) In November 2009, the building bright futures state council adopted a conceptual framework based on the work of Dr. Jack Shonkoff, a Harvard University professor and one of the nation's foremost experts on early childhood learning.

Sec. 2. 33 V.S.A. chapter 46 is added to read:

CHAPTER 46. BUILDING BRIGHT FUTURES COUNCIL

§ 4601. DEFINITIONS

As used in this chapter:

(1) "Early care, health, and education" means all services provided to families expecting a child and to children up to the age of six, including child care, family support, early education, mental and physical health services, nutrition services, and disability services.

(2) "Regional council" means a regional entity linked to the state building bright futures council to support the creation of an integrated system of early care, health, and education at the local level.

§ 4602. BUILDING BRIGHT FUTURES COUNCIL

(a) The building bright futures program shall be governed by a statewide council comprising no more than 23 members. The building bright futures council's membership shall be as follows:

- (1) the secretary of human services or designee;
 - (2) the secretary of commerce and community development or designee;
 - (3) the commissioner of education;
 - (4) the commissioner for children and families;
 - (5) the commissioner of health;
 - (6) the commissioner of mental health;
 - (7) two members of the house of representatives, appointed by the speaker of the house;
 - (8) at least one but no more than two members of the senate, appointed by the senate committee on committees;
 - (9) the Head Start collaboration office director; and
 - (10) 12 at-large members selected on the basis of their commitment to early childhood well-being and representing a range of perspectives and geographic diversity. One of the at-large members shall be a representative of a local Head Start program and one shall be a member of a school board, to be chosen by the Vermont school boards association.
- (b) In the event of a vacancy in one of the at-large member positions on the council, the remaining members shall endeavor to fill the vacancy with an individual representing a perspective or geographic area not currently represented on the council.
- (c) Technical assistance to the council shall be provided by staff within the departments of health, of education, and for children and families.
- (d) For council meetings held when the general assembly is not in session, the legislative members of the council shall be entitled to per diem compensation and reimbursement of expenses in accordance with section 406 of Title 2. Members of the council who are not state employees or whose participation is not supported through their employment or association may be entitled to compensation and reimbursement for expenses for attending meetings of the council under section 1010 of Title 32 to the extent funds are available.
- (e) The council shall function as a public-private partnership with the ability to raise and disburse funds.
- (f) The council shall support the establishment of, and maintenance of relationships with, regional councils providing regional capacity to further the council's goals.

§ 4603. POWERS AND DUTIES

The council established by section 4602 of this title shall have the following powers and duties necessary and appropriate to effectuating the purposes of this chapter:

(1) Advise the administration and general assembly on the status and needs of the early care, health, and education system by conducting a review of the status of young children in Vermont and the care, health, and education services and systems that support them.

(2) Monitor overall system performance by regularly tracking and reporting system data on the well-being of young children and the performance of the system of care related to the council's commitments to children and selected indicators.

(3) Develop an early care, health, and education system plan for Vermont to serve as the basis for policy and funding recommendations.

(4) Review and formulate recommendations for amendments or revisions to policies, rules, or regulations that may impede the ability to address state and local priorities and the ability to ensure system effectiveness.

(5) Work with the secretaries of human services and of commerce and community development and the commissioner of education to ensure the coordination of existing budgets and policies that affect the care, health, and education of young children.

(6) Identify and reduce duplication of services and of administrative approval processes and improve coordination across agencies.

(7) Work with the agencies of human services and of commerce and community development, the department of education, and the regional councils to coordinate and integrate the development of an early childhood budget that reflects alignment of funding with priorities identified in the system plan.

(8) Support the regional councils in their efforts to coordinate and implement services in accordance with identified priorities in system and regional plans.

(9) Contract with state agencies and departments to deliver services as agreed upon.

(10) Pursue and accept funding from diverse sources outside of state government to sustain, expand, and enhance the early care, health, and education system according to the early care, health, and education system plan.

(11) Disburse funds raised through fund development activities in accordance with priorities defined in the system plan.

(12) Convene members of the child care community, medical community, education community, and other organizations, as well as state agencies serving young children, to ensure that families receive quality services in the most efficient and cost-effective manner.

(13) Select the key indicators to be tracked in early childhood and identify priority strategies to improve outcomes.

(14) Ensure children from birth to six years of age are included in statistical data systems developed by the department of education and other state agencies and that all such systems are interoperable.

(15) Analyze data to assess progress in achieving outcomes consistent with No. 68 of the Acts of the 2009 Adj. Sess. (2010) and make recommendations for any necessary adjustments.

(16) Report to the governor and the legislative committees of jurisdiction during the first month of each legislative biennium on the council's findings and recommendations, progress toward outcomes consistent with No. 68 of the Acts of the 2009 Adj. Sess. (2010), and recommendations for priorities for the biennium.

§ 4604. LIMITATION OF SCOPE

Nothing in this chapter shall be construed to supersede or usurp the statutory powers or authority of any state agency or department or any school district.

Sec. 2. COMPOSITION OF COUNCIL

The members of the building bright futures council serving as of the effective date of this act shall continue to serve on the council after that date and shall adopt bylaws detailing the council's governance and procedures.

Sec. 3. EFFECTIVE DATE

This act shall take effect upon passage.