



# NATIONAL CONFERENCE OF STATE LEGISLATURES EARLY CARE & EDUCATION 2017 STATE LEGISLATIVE ACTION

## 2017 ENACTED LEGISLATION ON EARLY CARE & EDUCATION

### *SESSION OVERVIEW*

The National Conference of State Legislatures' Early Care and Education Project in the Children and Families Program tracks introduced and enacted legislation related to child care, prekindergarten, home visiting, parent engagement and support, governance structures, and financing of programs. During the 2017 legislative session, state lawmakers addressed an array of policy issues related to young children introducing nearly 1,200 bills with approximately 140 bills signed into law in 33 states.

Child care was a dominant issue this year with 26 states passing legislation that ranged from background checks (11 states), provider inspections and subsidy eligibility requirements to actions that addressed the quality of the child care workforce. Another interesting 2017 legislative trend was that four states—California, Illinois, Maryland and Tennessee—passed legislation to prohibit the expulsion of children in early childhood programs.

This report provides an overview of significant 2017 legislative enactments in the following major topic areas:

- [Child care \(subsidy, quality, and access\).](#)
- [Early childhood financing.](#)
- [Early childhood governance.](#)
- [Home visiting and parent education.](#)
- [Prekindergarten and school readiness.](#)
- [Prenatal, infant and toddlers.](#)
- [Early childhood teacher workforce.](#)

This report does not include all appropriations bills. However, it does highlight those that contain substantive policy language or focus on a specific program model.

### *ENACTED LEGISLATION BY CATEGORY*

#### *Child Care (subsidy, quality, and access)*

As mentioned, child care was the dominant issue with over half of the states enacting child care legislation in 2017. This has been a recurring trend over the past few years and 2017 was no exception. Twenty-six states enacted legislation on a range of child care issues, including

criminal background checks, provider inspections, licensing, eligibility requirements and improving the quality of the child care workforce.

State	Legislation
Arkansas	<p><b>HB 1545:</b> Allows the Division of Child Care and Early Childhood Education of the Department of Human Services to independently promulgate rules.</p> <p><b>HB 1685:</b> Clarifies the criminal background checks required for an applicant or employee of a child care facility or a church-exempt child care facility.</p>
California	<p><b>AB 258:</b> Authorizes the county of Fresno to develop an individualized county child care subsidy plan. Requires the Early Education and Support Division of the state Department of Education to review and approve or disapprove the plan. Requires the county to annually prepare and submit a report.</p> <p><b>AB 273:</b> Adds for the purposes of eligibility under the Child Care and Development Services Act parents that are engaged in an educational program for English as a second language or to attain a high school diploma or general educational development certificate.</p> <p><b>AB 300:</b> Authorizes the counties of Monterey, San Benito, and Santa Cruz to develop individualized county child care subsidy plans. Requires the Early Education and Support Division of the state Department of Education to review and approve or disapprove the plans and any subsequent modifications to the plans.</p> <p><b>AB 377:</b> Authorized the counties of San Diego and Solano to develop and implement individualized county child care subsidy plans. Requires the plans to be submitted by the counties to their local planning council and their respective county board of supervisors for approval. Requires the Early Education and Support Division of the state Department of Education to review and approve or disapprove the plans and any subsequent modifications to the plans and would require the state Department of Social Services to only review the plans. Requires the counties to annually prepare and submit a report.</p> <p><b>AB 435:</b> Authorizes the counties of Contra Costa, Marin and Sonoma to develop individualized county child care subsidy plans. Requires the plans to be submitted by the counties to their local planning council and their respective county board of supervisors for approval. Requires the Early Education and Support Division of the state Department of Education to review and approve or disapprove the plans and any subsequent modifications to the plans and requires the state Department of Social Services to review certain plans. Requires the counties to annually prepare and submit a report that contains specified information relating to the success of the counties’ plans. Makes legislative findings and declarations as to the necessity of a special statute for these counties.</p>

	<p><b>AB 603:</b> Requires child care providers authorized to provide services to submit to the alternative payment program a monthly attendance record for each child who received services. Requires alternative payment programs to develop an electronic time sheet process for the monthly attendance record or invoices. Requires alternative payment programs to offer the electronic time sheet process to child care providers.</p> <p><b>AB 752:</b> Prohibits a contracting agency from expelling or unenrolling a child because of a child's behavior unless they have explored and documented all possible steps to maintain the child's safe participation. Requires the state Department of Education to develop criteria to ensure children are not expelled or unenrolled due to challenging behaviors. Prohibits penalizing a child care facility for failure to expel, unenroll, or provide special supervision.</p> <p><b>AB 1106:</b> Requires, for purposes of determining eligibility that the income of a person on state or federal active duty, active duty for special work, or Active Guard and Reserve duty in the military not include the amount of the basic allowance for housing if the allowance is equal to the lowest rate of the allowance for military housing area in which the person resides.</p> <p><b>SB 401:</b> Requires adequate space within an office building to meet the child care needs of state employees. Requires that the indoor activity space and outdoor activity space comply with requirements in specified regulations.</p>
<b>Colorado</b>	<p><b>HB 1135:</b> Concerns the portability of employment background checks for a child care worker who works for the same common ownership entity.</p> <p><b>HB 1355:</b> Expands allowable uses of such money to the provision of child care improvement activities as identified in the federal Child Care and Development Block Grant Act of 2014.</p> <p><b>SB 110:</b> Increases the accessibility of legal child care by expanding the circumstances under which an individual can care for children from multiple families for less than 24 hours without obtaining a child care license.</p>
<b>Connecticut</b>	<p><b>SB 1014:</b> Makes various changes to education statues, including extending the school security infrastructure grant program to FY 18 and specifying grants are available to private child care centers or preschools that have received threats.</p>
<b>Georgia</b>	<p><b>HB 250:</b> Exempts an employee of an early care and education program who has received a satisfactory fingerprint records check determination within the previous 24 months from submitting applications for an additional background check for purposes of providing care to children placed in a foster home.</p>
<b>Hawaii</b>	<p><b>HB 674:</b> Requires all child care providers subject to regulation by the state to obtain and maintain liability insurance as a condition of licensure, temporary permission, or registration.</p>

	<p><b>SB 149:</b> Repeals the requirement that all applicants for procurement contracts for health and human services possess all licenses necessary to conduct the subject business, repeals the requirement that all contracts include only costs, fees, and taxes reflected on the face of the proposal.</p>
<b>Iowa</b>	<p><b>HB 534:</b> Exempts from child care licensing regulations an instructional program for children who are at least three years of age and eligible for special education that is administered by a school system.</p>
<b>Illinois</b>	<p><b>HB 2388:</b> Requires the Department of Children and Family Services to establish and maintain a searchable web database that provides certain information on each day care home, group day care home, and day care center.</p> <p><b>HB 3213:</b> Adds families that are not recipients of benefits under the Temporary Assistance for Needy Families (TANF) program and that need child care assistance to participate in education and training activities to the list of family categories that are covered under the child care assistance program, deletes a provision requiring the department of human services to allocate a certain dollar amount annually for a test program for families that are income-eligible for child care.</p>
<b>Indiana</b>	<p><b>HB 1091:</b> Makes it a Level 6 felony to view a pictorial representation that depicts sexual conduct by a child. Requires a person convicted of disseminating material harmful to minors to register as a sex offender if the person is a child care worker and distributes the material to a child under the person's care or who attends a school where the person is employed.</p> <p><b>SB 447:</b> Requires child abuse and neglect training for school employees. Allows the department of child services to share certain costs. Prohibits the department from granting waivers to an applicant for a child care institution, foster family home, group home, or child placing agency license if the applicant has been convicted of certain felonies, and various other matters.</p>
<b>Kansas</b>	<p><b>HB 2304:</b> Requires child care facilities ensure children under 12 months of age are placed to sleep only on a surface or in an area approved for use by the state and requires the sleep surface is free from soft or loose bedding, including, but not limited to, blankets, bumpers and pillows.</p>
<b>Kentucky</b>	<p><b>HB 38:</b> Prohibits sex offender registrants from being on the grounds of a public school, publicly owned playground, preschool or licensed day care facility without advance written permission of the local legislative body with jurisdiction over the playground.</p> <p><b>HB 374:</b> Requires that all employers of applicants for initial employment in positions involving supervisory or disciplinary power over minors, request conviction information from the Justice and Public Safety Cabinet or the Administrative Office of the Courts.</p> <p><b>SB 236:</b> Permits a parent or legal guardian to request a background check of the child abuse and neglect registry records when employing a child</p>

	<p>care provider for his or her minor child. Requires the cabinet to make the request form available on its website, creates language to require the signature of the individual child care provider consenting to a background check, requires that school superintendents conduct a background check of child abuse and neglect records.</p>
<b>Louisiana</b>	<p><b>HB 557:</b> Authorizes the Department of Education to request criminal background checks relative to early learning centers, school employees, registered family child care providers and in-home providers.</p> <p><b>SB 255:</b> Requires each licensed early learning center to provide a written copy of all health-related policies established by the center to the parent or guardian of each child attending or enrolled in the early learning center.</p>
<b>Maryland</b>	<p><b>HB 418:</b> Requires the Department of Education to conduct a certain analysis regarding the child care subsidy program at specified intervals, consulting with certain entities prior to analysis and reporting to the General Assembly.</p> <p><b>HB 456:</b> Requires the state’s board of education to develop specified regulations relating to the establishment of a specified dispute resolution process to be used in specified disputes related to specified family child care homes and child care centers, provides for the content of the regulations, requires a specified dispute resolution process to be developed by a specified workgroup composed of specified members.</p> <p><b>SB 293:</b> Requires the Department of Education to report to certain committees of the General Assembly on or before a certain date on methodologies to set child care subsidy reimbursement rates in the child care subsidy program, requires the report to contain certain information including alternative methodologies, benefits and constraints, and feedback.</p> <p><b>SB 294:</b> Requires the Department of Education to conduct a specified analysis regarding the child care subsidy program, requiring the department to consult with specified entities before conducting a specified analysis, and requiring the department to report to specified committees of the General Assembly.</p> <p><b>SB 341:</b> Alters the definition of "school vehicle" to include specified vehicles that meet or comply with specified standards and requirements, were originally titled and used to transport children, students, and teachers in another state, comply with the regulations on transporting children enrolled in the federally-funded Head Start Program, and are used only for transporting children to and from a Head Start program.</p> <p><b>SB 943:</b> Requires the state’s department of education to develop a dispute resolution process to be used by families of children with disabilities and child care providers for resolving complaints of discrimination based on a child's disability.</p>

	<p><b>SB 1191:</b> Authorizes the Maryland Center for School Safety to make grants for specified security-related projects to schools and child care centers determined to be at risk of certain hate crimes or attacks, authorizes specified schools or child care centers to apply to the center for a specified state grant, establishes the terms and conditions for the use of specified state grant funds by specified recipients, provides that the funding for certain grants shall be as provided by the governor in the state budget.</p>
<b>North Dakota</b>	<p><b>SB 2060:</b> Requires parental notification of early childhood services investigations.</p> <p><b>SB 2090:</b> With respect to early childhood services, expands the scope of individuals that may require criminal history record checks; amends the definition of "staff member"; clarifies the timeline, protocol, and fees for renewal of a license or self-declaration; and revises licensure and self-declaration requirements relating to safety training to include infant and pediatric cardiopulmonary resuscitation and the use of an automated external defibrillator.</p>
<b>Nebraska</b>	<p><b>LB 335:</b> Changes provisions of the child care market rate survey and the rates of reimbursement market survey.</p> <p><b>LB 590:</b> Makes changes to the state building code, bringing in-home daycares and in-home care occupancy classifications into alignment with current childcare regulations.</p>
<b>New Hampshire</b>	<p><b>HB 367:</b> Requires, upon the request of another state's lead agency, the Department of Health and Human Services to check the name of an out-of-state child care provider, staff member, or prospective staff member against New Hampshire's registry of founded reports of abuse and neglect.</p>
<b>New Jersey</b>	<p><b>SB 651:</b> Requires family day care providers and certain household members to undergo criminal history record background checks.</p>
<b>Nevada</b>	<p><b>AB 346:</b> Requires the operator of a small child care establishment to register with the Division of Welfare and Supportive Services of the Department of Health and Human Services, requires certain persons who are employed at or otherwise present at a small child care establishment to undergo a criminal background check, authorizes the collection of the costs relating to an investigation of a child care facility or small child care establishment.</p> <p><b>SB 46:</b> Revises provisions governing background checks of operators, employees and certain adult residents of a child care facility.</p> <p><b>SB 189:</b> Revises the amount and type of training that an employee of a child care facility is required to complete, sets forth certain requirements relating to services performed by an independent contractor at a child care facility, requires the Division of Public and Behavioral Health of the Department of Health and Human Services to establish a system of rating child care facilities.</p>

	<p><b>SB 326:</b> Requires a child care facility to grant priority in admission to children of a parent serving or who has served in the Armed Forces of the United States.</p>
<b>Oklahoma</b>	<p><b>HB 1491:</b> Increases number of hours of care, from 15 to 21 for child care facility that is license exempt.</p> <p><b>HB 1968:</b> Authorizes a buyer of a child care facility to operate the facility pursuant to certain criteria rating, provides for codification, provides an effective date.</p> <p><b>SB 717:</b> Requires the Department of Human Services to develop rules to establish and maintain the Child Care Restricted Registry, accessible to the public through an online database, to address: a procedure for recording individuals on the restricted registry, a procedure to provide notice and an opportunity for review prior to recording an individual on the restricted registry, disclosure requirements for information on the restricted registry, and a procedure to prohibit licensure, ownership, employment, unsupervised access to children or residence in any facility providing care to children or vulnerable adults.</p> <p><b>SB 723:</b> Modifies the types of records searches that must be conducted prior to the Department of Health Services issuing a license to an individual to operate a child care facility and prior to a facility hiring an employee.</p>
<b>Oregon</b>	<p><b>HB 2259:</b> Requires the Office of Child Care complete criminal records checks and child abuse and neglect records check in accordance with rules adopted by Early Learning Council upon receipt of application for enrollment in central background registry, prohibits enrollment of subject individual who has disqualifying condition, removes requirement that enrollment in central background registry expires two years from date of enrollment.</p> <p><b>HB 2260:</b> Directs the Office of Child Care to maintain a website that provides information regarding certified and registered child care facilities and regulated subsidy facilities, authorizes office to maintain information in Central Background Registry through electronic records systems, authorizes office to receive and investigate complaints regarding certified or registered child care facilities, regulated subsidy facilities, preschool recorded programs or school-age recorded programs.</p> <p><b>HB 3447:</b> Prohibits use restrictions in instruments conveying real property and in "governing documents" for condominiums or planned communities that prevent operation of certified or registered family child care homes or exempt family child care providers.</p> <p><b>SB 245:</b> Modifies the definitions of child and child-caring agency.</p>
<b>Texas</b>	<p><b>HB 674:</b> Prohibits the out-of-school suspension for discipline of students younger than age 6.</p>

<p><b>Utah</b></p>	<p><b>HB 185:</b> Modifies provisions of the background check requirements for individuals who have direct access to children or vulnerable adults.</p> <p><b>SB 100:</b> Requires the Department of Workforce Services and the Office of Child Care to conduct a study concerning services and resources for children 5 years old and younger and their families.</p> <p><b>SB 124:</b> Exempts from the licensing and certification requirements certain child care facilities currently exempted from licensure by rule and requires these facilities to meet existing criminal background check requirements for child care facilities.</p>
<p><b>Vermont</b></p>	<p><b>HB 326:</b> Encourages savings by participants in Reach Up and the Child Care Financial Assistance Program.</p>
<p><b>Virginia</b></p>	<p><b>HB 896:</b> Revises provisions that govern the dissemination of criminal history record information to remove religious schools, and requires fees charged for the processing and administration of background checks shall not exceed the actual cost to the state of such processing and administration.</p> <p><b>HB 1146:</b> Prohibits a locality from requiring notice to or consent of a condominium association or homeowners' association prior to the issuance of a permit, certificate, license, building permit or business license for a business, profession or child care facility.</p> <p><b>HB 1568:</b> Requires a fingerprint-based national criminal history background check for applicants for employment by, employees of, applicants to serve as volunteers with, and volunteers with any assisted living facility, adult day care center, child-placing agency, or independent foster home.</p> <p><b>HB 1585:</b> Provides for regulation of child care services and facilities in certain counties.</p> <p><b>HB 1837:</b> Modifies the licensure exemption requirements for certified preschool or nursery school programs operated by a private school that is accredited by an organization recognized by the Board of Education, removes the list of accrediting associations from the licensure exemption language and provides a reference to the code section that establishes the process for recognition of accrediting organizations.</p> <p><b>SB 897:</b> Requires the following individuals to undergo a fingerprint-based national criminal history background check: applicants for employment by, employees of, applicants to serve as volunteers with, and volunteers with any licensed family day system, child day center exempt from licensure, registered family day home, or family day home approved by a family day system.</p> <p><b>SB 1008:</b> Clarifies the individual crimes that constitute a barrier for individuals seeking employment at nursing homes, home care organizations, hospices, state facilities, and private providers licensed by</p>

	the Department of Behavioral Health and Developmental Services, community services boards, behavioral health authorities, assisted living facilities, adult day care centers and children's welfare agencies.
<b>Washington</b>	<p><b>HB 1624:</b> Establishes and implements policies in the working connections child care program to promote stability and quality of care for children from low-income households.</p> <p><b>HB 1777:</b> Finances early learning facilities to support the needed expansion of early learning classrooms across Washington.</p> <p><b>SB 5357:</b> Establishes a pilot project to license outdoor early learning and child care programs.</p> <p><b>SB 5901:</b> Concerns eligibility for the working connections child care and early childhood education and assistance programs.</p>
<b>West Virginia</b>	<b>SB 233:</b> Excludes from protection oral communications uttered in child care center under Wiretapping and Electronic Surveillance Act.

*Early Childhood Financing*

Lawmakers appropriated state and federal funds for existing programs ranging from child care, early literacy, state prekindergarten programs, home visiting and others. This report does not include all appropriations bills. However, it does highlight those that contain substantive policy language or focus on a specific program model. For example, Colorado’s bill (HB 1002) extended the income tax credit for child care expenses. Iowa, Louisiana and Virginia created special funds. Washington’s bill (HB1777) finances early learning facilities to support early learning classroom expansion.

<b>State</b>	<b>Legislation</b>
<b>Colorado</b>	<b>HB 1002:</b> Extends the income tax credit for child care expenses paid by a resident individual with a federal adjusted gross income of \$25,000 or less for three years.
<b>Hawaii</b>	<b>HB 937:</b> Makes an appropriation for the Executive Office on Early Learning to enter into contracts with third party providers for family-child interaction learning programs, appropriates funds.
<b>Iowa</b>	<b>HB 565:</b> Authorizes the establishment of school district flexibility funds. Authorizes the transfer and expenditure of certain unexpended and unobligated funds. Provides for the determination for the transfer of preschool foundation aid funding for deposit in the school district's flexibility account. Designates amounts for professional development purposes from the school districts flexibility fund account under section.
<b>Louisiana</b>	<b>HB 584:</b> Creates a special fund for the purpose of funding early childhood education in Louisiana.
<b>Virginia</b>	<b>HB 47:</b> Establishes the Mixed-Delivery Preschool Services Fund and Grant Program for the purpose of awarding grants on a competitive basis to urban, suburban, and rural community applicants to field-test innovative strategies and evidence-based practices that support a robust system of mixed-delivery preschool services in Virginia.

<b>Washington</b>	<b>HB 1777:</b> Finances early learning facilities to support the needed expansion of early learning classrooms across Washington.
<b>Wyoming</b>	<b>HB 211:</b> Amends provisions related to development preschool payment calculations.

*Early Childhood Governance*

Lawmakers in 11 states passed legislation to establish or extend task forces, commissions, committees or studies to address specific early childhood issues including school readiness, child care, early childhood development, and systems coordination with health care organizations. Bills of note include Washington’s bill (HB 1661) to create the new Department of Children, Youth, and Families, which transfers early learning, children welfare and juvenile justice services to the department. Vermont created an adverse childhood experiences working group.

<b>State</b>	<b>Legislation</b>
<b>Colorado</b>	<b>HB 1106:</b> Extends the Early Childhood Leadership Commission.
<b>Georgia</b>	<b>HB 463:</b> Authorizes the Department of Early Care and Learning to establish a nonprofit corporation to qualify as a public foundation.
<b>Hawaii</b>	<b>HB 498:</b> Broadens the scope of the early learning program to include early childhood development, expands the function of the early learning advisory board beyond an advisory capacity and amends the composition and powers of some board members. Allows the board to appoint the director of the executive office on early learning.
<b>North Dakota</b>	<b>HB 1318:</b> Creates a legislative management study of the state aid funding formula for preschool, elementary and secondary education.  <b>SB 2038:</b> Establishes a task force on children's behavioral health, amends behavioral health training for educators and early childhood service providers and to emergency hold limitations for mental health examinations.
<b>New Hampshire</b>	<b>HB 536:</b> Requires the Wellness and Primary Prevention Council to study and develop criteria and a process to establish a system of family resource centers of quality to provide parent education and include supports for children birth to age 5.
<b>New York</b>	<b>SB 972:</b> Modifies the early childhood advisory council.
<b>Oklahoma</b>	<b>HB 1996:</b> Recreates the Oklahoma Partnership for School Readiness Board, effective until 2023.
<b>Oregon</b>	<b>HB 2956:</b> Directs Early Learning Council to conduct evaluation of Early Learning Hubs and submit report on evaluation each odd-numbered year, requires additional evaluation and report in 2018.  <b>SB 182:</b> Establishes the Educator Advancement Council. Changes the name of the Network of Quality Teaching and Learning Fund to the Educator Advancement Fund.
<b>Vermont</b>	<b>HB 508:</b> Creates the Adverse Childhood Experiences Working Group.

	<b>SB 133:</b> Requires the Secretary of Human Services to examine various aspects of the mental health system in order to improve access to care and care coordination throughout the system.
<b>Virginia</b>	<b>HB 46:</b> Establishes the School Readiness Committee. The goals of the committee are to address the development and alignment of an effective professional development and credentialing system for the early childhood education workforce, consideration of articulation agreements between associate and baccalaureate degree programs, review of teacher licensure and education programs, including programs offered at comprehensive community colleges, alignment of existing professional development funding streams, and development of innovative approaches to increasing accessibility, availability, affordability of the workforce development system.
<b>Washington</b>	<p><b>HB 1661:</b> Creates the Department of Children, Youth, and Families. Abolishes the Department of Early Learning and transfers its powers, duties, and functions to the Department of Children, Youth, and Families. Transfers child welfare services and juvenile justice services from the Department of Social and Health Services the Department of Children, Youth, and Families.</p> <p><b>HB 1719:</b> Updates certain Department of Early Learning advising and contracting mechanisms to reflect federal requirements, legislative mandates, and planned system improvements.</p> <p><b>SB 5107:</b> Creates a local pathway for local governments, school districts, and nonprofit organizations to provide more high quality early learning opportunities by reducing barriers and increasing efficiency.</p> <p><b>SB 5605:</b> Aligns the office of the superintendent of public instruction's background check authority with that of the Department of Early Learning.</p>

Home Visiting and Parent Education

Research points to the value of supporting good parenting during children’s early years. High-quality home visiting programs have been shown to improve outcomes for children and families, particularly those that face added challenges, such as teen or single parenthood, maternal depression and lack of social and financial supports. In response to the opioid epidemic, a few states are integrating addiction programs into home visiting.

<b>State</b>	<b>Legislation</b>
<b>Arkansas</b>	<b>HB 1968:</b> Repeals home visitation provisions under the State Child Abuse and Neglect Prevention Board.
<b>Indiana</b>	<b>SB 446:</b> Establishes an opioid addiction recovery pilot program to assist expectant mothers with an opioid addiction by providing treatment in a residential care facility and home visitation services following discharge from the residential care facility.

<b>New Jersey</b>	<b>SB 1475:</b> Establishes three-year Medicaid home visitation demonstration project to provide ongoing health and parenting information, parent and family support, and links to essential health and social services during pregnancy, infancy, and early childhood.
<b>Rhode Island</b>	<b>HB 6310/SB 324:</b> Directs the Department of Health to obtain an annual estimate of the number of children born to families who face significant risk factors known to impair child development.
<b>Utah</b>	<b>SB 135:</b> Requires the Department of Health to study the use of evidence-based home visiting programs in the state and creates the Home Visiting Restricted Account.

*Prekindergarten and School Readiness*

Eighteen states enacted legislation on prekindergarten programs and improving school readiness in children. Four states—California, Illinois, Maryland and Tennessee—passed legislation to prohibit the expulsion of children in early childhood programs.

<b>State</b>	<b>Legislation</b>
<b>California</b>	<p><b>AB 746:</b> Requires the local educational agency, if the lead level exceed a specified level, to notify the parents and guardians of the pupils who attend the school site or preschool. Requires immediate safety actions by school personnel.</p> <p><b>AB 752:</b> Prohibits a contracting agency from expelling or unenrolling a child because of a child's behavior unless they have explored and documented all possible steps to maintain the child's safe participation. Requires the state Department of Education to develop criteria to ensure children are not expelled or unenrolled due to challenging behaviors. Prohibits penalizing a child care facility for failure to expel, unenroll, or provide special supervision.</p>
<b>Colorado</b>	<b>SB 103:</b> Specifies the state's department of education technical assistance may include consultation concerning strategies that address the quality and availability of early childhood education opportunities. Requires an early childhood learning needs assessment, in addition to the general needs assessment, for school districts that include a public school that is operating under a priority improvement or turnaround plan and enrolls students in kindergarten through grade three and for public schools that serve children in kindergarten through third grade. Expands the list of actions for a public school that services children in kindergarten through third grade to include investing in research-based strategies to address any deficiencies identified in the early childhood learning needs assessment if those deficiencies are a direct cause of the public school's low performance and the public school has not previously implemented the strategies with success. Allows a public school to implement these strategies only in combination with at least one of the other research-based strategies identified in law.

<b>Connecticut</b>	<p><b>HB 7205:</b> Requires the results of the reading instruction survey be distributed to teachers and supervisors for the purpose of informing such teacher's professional development in reading instruction and establishes a reading readiness program that provides tiered supports in early literacy to schools and school districts.</p> <p><b>HB 7254:</b> Requires teachers applying for professional certification with a comprehensive special education or integrated early childhood and special education endorsement to complete a program of study in the diagnosis and remediation of reading and language arts that includes supervised practicum hours and instruction in the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia.</p> <p><b>SB 954:</b> Requires the Department of Education, in consultation with the Office of Early Childhood, to develop a plan for universal preschool beginning in 2022.</p>
<b>Hawaii</b>	<p><b>HB 937:</b> Makes an appropriation for the Executive Office on Early Learning to enter into contracts with third party providers for family-child interaction learning programs, appropriates funds.</p>
<b>Iowa</b>	<p><b>HB 565:</b> Authorizes the establishment of school district flexibility funds. Authorizes the transfer and expenditure of certain unexpended and unobligated funds. Provides for the determination for the transfer of preschool foundation aid funding for deposit in the school district's flexibility account. Designates amounts for professional development purposes from the school districts flexibility fund account under section.</p>
<b>Illinois</b>	<p><b>HB 2663:</b> Prohibits the expulsion of children in early childhood programs receiving State Board of Education grants for preschool educational programs. Provides instead that when persistent and serious challenging behaviors emerge, the early childhood program shall document steps taken to ensure that the child can participate safely in the program and utilize a range of community resources.</p>
<b>Indiana</b>	<p><b>HB 1004:</b> Allows the Division of Family Resources to award an early education matching grant to a provider that submits a specified expansion plan. Amends provisions concerning eligibility of a child for the early education matching grant and pilot programs.</p> <p><b>HB 1136:</b> Requires a school corporation to include children who attend preschool offered by the school corporation, if applicable, in a school age child care program conducted by the school corporation.</p>
<b>Maryland</b>	<p><b>HB 425:</b> Prohibits prekindergarten students from being suspended or expelled from public schools, authorizes the suspension or expulsion of students in kindergarten, first grade, or second grade if the student has knowingly brought a firearm to school or has possessed a firearm at school, requires the school to provide specified supports to address the student's behavior, requires the school system to remedy the impact of the student's behavior through specified intervention methods.</p>

	<p><b>HB 516:</b> Establishes the work group to Study the Implementation of Universal Access to Prekindergarten for a specified age, provides for the composition, chair, and staffing of the work group, prohibits a member of the work group from receiving specified compensation, but authorizing the reimbursement of specified expenses, requires the work group to study and make recommendations regarding specified matters and to report its findings to the Commission on Innovation and Excellence in Education.</p> <p><b>HB 548/SB 667:</b> Authorizes a county board of education to administer the early learning assessment to enrolled prekindergarten students in the county, authorizes the assessment to be administered to a specified student for the purpose of identifying a disability, and requires a county board to consult with prekindergarten teachers, including teachers nominated by the exclusive bargaining representative, in determining how to implement the assessment.</p> <p><b>HB 654:</b> Alters the date by which a statewide kindergarten assessment that has the purpose of measuring school readiness must be completed from Oct. 1 to Oct. 10.</p> <p><b>SB 581:</b> Establishes the Workgroup to Study the Implementation of Universal Access to prekindergarten for four-year-old's in order to estimate the number of 4-year-old children being served by publicly funded kindergarten programs by using the free and reduced-price meal eligibility data, requiring the workgroup to study and make recommendations regarding an implementation plan based on a specified report and to present its findings to the commission on Innovation and Excellence in Education.</p> <p><b>SB 651:</b> Prohibits prekindergarten students from being suspended or expelled from public schools, authorizes the suspension or expulsion of students in kindergarten, first grade, or second grade if the student has knowingly brought a firearm to school or has possessed a firearm at school, requires the school to provide specified supports to address the student's behavior, requires the school system to remedy the impact of the student's behavior through specified intervention methods.</p>
<b>North Dakota</b>	<p><b>SB 2250:</b> Specifies that a child enrolled in a federally funded Head Start program may not be counted for the purpose of determining grant eligibility.</p>
<b>New Jersey</b>	<p><b>SB 2081:</b> Limits expulsions and suspensions for students in preschool through grade two with certain exceptions and requires early detection and prevention programs for behavioral issues in preschool through grade two.</p>
<b>Oregon</b>	<p><b>HB 2013:</b> Directs the Early Learning Division to conduct an evaluation related to accessibility and quality of early learning programs. Requires a report to the interim committee related to education.</p> <p><b>HB 3106:</b> Modifies requirements for participation as preschool provider in preschool program administered by Early Learning Division.</p>

	<b>SB 221:</b> Requires the Teacher Standards and Practices Commission to establish by rule standards for approval of educator preparation providers and educator preparation programs.
<b>Rhode Island</b>	<b>HB 6313:</b> Defines and declares the purpose of child opportunity zones, provides for annual reporting from the commissioner of elementary and secondary education to the general assembly on each zone.
<b>Tennessee</b>	<b>HB 872:</b> Prohibits the suspension or expulsion of students in prekindergarten and kindergarten unless the student's behavior endangers the physical safety of other students or school personnel.
<b>Texas</b>	<b>HB 357:</b> Expands eligibility for free prekindergarten programs in public schools to the children of certain first responders. <b>HB 674:</b> Prohibits-out-of-school suspension for discipline of students younger than age 6.
<b>Utah</b>	<b>HB 92:</b> Amends provisions related to the use of physical restraint in public or private elementary, secondary or preschools. <b>SB 262:</b> Repeals provisions describing UPSTART as a pilot program and requires a contractor to work with the Department of Workforce Services and the State Board of Education to solicit certain families to participate in UPSTART.
<b>Virginia</b>	<b>HB 1837:</b> Modifies the licensure exemption requirements for certified preschool or nursery school programs operated by a private school that is accredited by an organization recognized by the Board of Education, removes the list of accrediting associations from the licensure exemption language and provides a reference to the Code section that establishes the process for recognition of accrediting organizations. <b>SB 467:</b> Allows exemptions from licensure for certain child care offered by public schools that serve preschool-age children or satisfy attendance laws of the Individuals with Disabilities Education Act.
<b>Vermont</b>	<b>SB 1:</b> Determines the average daily membership for the 2016 - 2017 school year and equalized pupil count for fiscal year 2018. Requires the average daily membership include each prekindergarten child who attended a prequalified program.
<b>Washington</b>	<b>HB 1777:</b> Finances early learning facilities to support the needed expansion of early learning classrooms across Washington. <b>SB 5357:</b> Establishes a pilot project to license outdoor early learning and child care programs.

*Prenatal, Infant and Toddlers*

Six states passed legislation ranging from screening, maternal and child well-being, early intervention, trauma-informed services and paid parental leave.

State	Legislation
<b>California</b>	<b>AB 340:</b> Requires that screening services under Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program include screening for trauma. Requires the adoption of tools and protocols for screening children for trauma.
<b>Delaware</b>	<b>HB 64:</b> Allows mothers who are full-time state employees up to six weeks of unpaid leave following the newborn discharge from the hospital even if their FMLA benefits have been exhausted.
<b>Illinois</b>	<b>HB 2426:</b> Specifies that, beginning in Fiscal Year 2018, at least 25 percent of any additional Preschool Education, Parental Training, and Prevention Initiative program funding over and above the previous fiscal year's allocation shall be used to fund programs for children ages 0-3 and funding for Preschool Education, Parental Training, and Prevention Initiative programs above the allocation for these programs in Fiscal Year 2017 must be used solely as a supplement for these programs and may not supplant funds received from other sources.
<b>North Dakota</b>	<b>SB 2038:</b> Establishes a task force on children's behavioral health, amends behavioral health training for educators and early childhood service providers and to emergency hold limitations for mental health examinations.  <b>SB 2325:</b> Creates a legislative management study on early intervention systems.
<b>Oregon</b>	<b>SB 314:</b> Directs Early Learning Division to establish Relief Nursery programs statewide that are certified by Oregon Association of Relief Nurseries and provide trauma-informed services to at-risk children statewide, describes how funding to support Relief Nursery programs may be used, requires Early Learning Division to enter into contracts with Relief Nursery programs.
<b>Washington</b>	<b>SB 5975:</b> Creates a family and medical leave insurance program to provide reasonable paid family leave for the birth or placement of a child with the employee, for the care of a family member who has a serious health condition, and for a qualifying need under the federal Family and Medical Leave act, and reasonable paid medical leave for an employee's own serious health condition and to assist businesses in implementing and maintaining a program to support their employees and family.

Teacher Workforce

During the 2017 session, eight states—Colorado, Connecticut, North Carolina, North Dakota, Oregon, Texas, Virginia and Washington—passed bills addressing the education, training and professional development, and staff qualifications of the early childhood workforce.

State	Legislation
<b>Colorado</b>	<b>HB 1332:</b> Allows an alternative teacher license to an applicant who agrees to participate fully in a one- or two-year alternative teacher

	program provided by a designated agency, which may include working in a nonpublic child care facility or other preschool facility.
<b>Connecticut</b>	<b>SB 912:</b> Revises the staff qualifications requirement for early childhood educators. Allows an individual who holds a bachelor's degree and has completed twelve credits or more in early childhood education or child development to satisfy the staff qualifications requirement for early childhood educators.
<b>North Carolina</b>	<b>SB 315:</b> Directs the University of North Carolina to implement the Undergraduate Degree Completion Improvement Plan. Directs the state to develop and implement a systemwide articulation agreement for the transfer of credit from a community college early education program to a University of North Carolina institution.
<b>North Dakota</b>	<b>HB 1098:</b> Outlines teacher requirements for prekindergarten and kindergarten and elementary, middle, and high school teacher qualifications.
<b>Oregon</b>	<b>SB 182:</b> Establishes the Educator Advancement Council. Changes the name of the Network of Quality Teaching and Learning Fund to the Educator Advancement Fund. Requires the Early Learning Division, under the direction of the Early Learning Council and in collaboration with the Educator Advancement Council to establish and implement policies and practices to achieve a comprehensive early childhood professional development system that incorporates improved recruitment, preparation, career advancement opportunities and support for early learning providers and professionals, including professionals who provide home visiting services.  <b>SB 221:</b> Requires the Teacher Standards and Practices Commission to establish by rule standards for approval of educator preparation providers and educator preparation programs.
<b>Texas</b>	<b>HB 2039:</b> Creates an early childhood certification to teach students in prekindergarten through grade three.
<b>Virginia</b>	<b>HB 46:</b> Establishes the School Readiness Committee. The goals of the committee are to address the development and alignment of an effective professional development and credentialing system for the early childhood education workforce, consideration of articulation agreements between associate and baccalaureate degree programs, review of teacher licensure and education programs, including programs offered at comprehensive community colleges, alignment of existing professional development funding streams, and development of innovative approaches to increasing accessibility, availability, affordability of the workforce development system.
<b>Washington</b>	<b>HB 1445:</b> Establishes a comprehensive approach to support English language learners by creating a grant program to expand dual language programs for early learning students and support and recruit bilingual teachers, among other things.

This report was prepared using StateNet, a legislative tracking database, to perform bill searches and analysis. Summaries provided in this document and in the 50-state, online [searchable database](#) are provided by StateNet and updated and revised by NCSL. This report is intended to provide an overview of significant enacted legislation in each state. It does not represent a comprehensive list of enacted bills and does not include all early care and education legislative enactments.

This document does not contain bills with technical changes or all state budget appropriations bills. Appropriation bills are included when the bill includes policy language or funding for a specific type of program. *Please note that the total number of enacted bills does not add up to what is listed here due to bills that address multiple topics and bills that are not included here.*



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