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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 1970

03/02/2017 Authored by Thissen
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; creating an Early Care and Learning Commission;
1.3 coordinating early care and learning activities across Minnesota; authorizing early
1.4 care and learning funds to be reallocated; appropriating money; amending
1.5 Minnesota Statutes 2016, sections 4.045; 119A.03, subdivision 2; 119B.02,
1.6 subdivision 1; 127A.05, by adding a subdivision; 144.05, subdivisions 1, 2;
1.7 145A.17, subdivision 1.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2016, section 4.045, is amended to read:

1.10 **4.045 CHILDREN'S CABINET AND EARLY CARE AND LEARNING**
1.11 **COMMISSION.**

1.12 Subdivision 1. **Children's cabinet.** The Children's Cabinet shall consist of the
1.13 commissioners of education, human services, employment and economic development,
1.14 public safety, corrections, management and budget, health, administration, Housing Finance
1.15 Agency, and transportation, and the director of the Office of Strategic and Long-Range
1.16 Planning. The governor shall designate one member to serve as cabinet chair. The chair is
1.17 responsible for ensuring that the duties of the Children's Cabinet are performed.

1.18 Subd. 2. **Early Care and Learning Commission established.** (a) The Early Care and
1.19 Learning Commission is established. The commission's nine members include the
1.20 commissioners of education, human services, health, and employment and economic
1.21 development, and five other members appointed by the governor. The governor's appointees
1.22 must include at least one public school educator and at least one child care provider. The
1.23 governor shall designate one member to convene the first meeting. Thereafter, the
1.24 commission shall elect its chair. The chair is responsible for ensuring that the duties of the

2.1 Early Care and Learning Commission are performed. The commission may hire a director
2.2 who shall serve in the unclassified service. The commissioner may hire other staff as
2.3 necessary. The Department of Education must serve as the fiscal host for the commission.

2.4 (b) Decisions of the Early Care and Learning Commission become effective the day
2.5 following their adoption by two-thirds vote of the membership of the commission.

2.6 Subd. 3. **Early Care and Learning Commission duties.** The Early Care and Learning
2.7 Commission must:

2.8 (1) coordinate policy for early learning scholarships, establish the maximum scholarship
2.9 amounts for each year, and determine the shares of the early learning scholarships to be
2.10 allocated between Pathway I and Pathway II;

2.11 (2) coordinate the parent aware quality rating and improvement system under section
2.12 124D.142;

2.13 (3) recommend changes to the voluntary prekindergarten program regarding the funding
2.14 level, curricular requirements, and teacher qualifications;

2.15 (4) coordinate home visiting programs overseen by the Departments of Health and
2.16 Education;

2.17 (5) evaluate Head Start funding and make annual recommendations regarding the
2.18 state-funded Head Start programs;

2.19 (6) annually recommend efforts to integrate early childhood family education, school
2.20 readiness, early learning scholarships, and voluntary prekindergarten programs;

2.21 (6) review promise neighborhood programs and recommend future funding levels for
2.22 promise neighborhood activities; and

2.23 (7) monitor child care assistance programs, making annual recommendations regarding
2.24 state funding levels, reimbursement rates, and family eligibility.

2.25 Subd. 4. **Early care and learning programs.** The programs that must be reviewed and
2.26 coordinated by the Early Care and Learning Commission, include, but are not limited to,
2.27 child care assistance programs, early learning scholarships, school readiness, Head Start,
2.28 voluntary prekindergarten, and early childhood family education home visiting programs.

2.29 Subd. 5. **Early care and learning budget review.** The Early Care and Learning
2.30 Commission must review the biennial budgets of the Departments of Education, Health,
2.31 Human Services, and Employment and Economic Development and make recommendations

3.1 to the governor regarding funding levels for each early care and learning program operated
 3.2 by each agency.

3.3 Subd. 6. **Early Care and Learning Commission; federal funds.** The Early Care and
 3.4 Learning Commission must review any agency plan required for receipt of federal funds
 3.5 affecting early care and learning programs and recommend changes prior to the agency
 3.6 submitting that plan. The Early Care and Learning Commission must annually review the
 3.7 spending of federal funds for early care and learning programs.

3.8 Subd. 7. **Early Care and Learning Commission; program outreach.** The Early Care
 3.9 and Learning Commission must coordinate outreach to families with young children. The
 3.10 commission must develop a family eligibility form and single application process that may
 3.11 be used across all early care and learning programs.

3.12 Subd. 8. **Revenue redistribution.** Notwithstanding any law to the contrary, the Early
 3.13 Care and Learning Commission may adopt a resolution to reallocate money among the
 3.14 programs listed in subdivision 4. Any funds proposed for reallocation are reallocated
 3.15 beginning July 1 of the following fiscal year.

3.16 Sec. 2. Minnesota Statutes 2016, section 119A.03, subdivision 2, is amended to read:

3.17 Subd. 2. **Duties of commissioner.** The commissioner shall:

3.18 (1) identify measurable outcomes by which programs administered by the department
 3.19 will be evaluated at the state and local level;

3.20 (2) develop linkages with other state departments to ensure coordination and consistent
 3.21 state policies promoting healthy development of children and families;

3.22 (3) prepare, in consultation with the Children's Cabinet, Early Care and Learning
 3.23 Commission, and affected parties, prior to July 1 of each year, guidelines governing planning,
 3.24 reporting, and other procedural requirements necessary to administer this chapter;

3.25 (4) facilitate inclusive processes when designing or implementing guidelines and strategies
 3.26 to achieve agency goals for children and families;

3.27 (5) facilitate intergovernmental and public-private partnership strategies necessary to
 3.28 implement this chapter;

3.29 (6) submit to the federal government, or provide assistance to local governments and
 3.30 organizations in submitting, where appropriate and feasible, requests for federal waivers or
 3.31 recommendations for changes in federal law necessary to carry out the purposes of this
 3.32 chapter;

4.1 (7) coordinate review of all plans and other documents required under the guidelines
4.2 provided for in clause (3);

4.3 (8) coordinate development of the management support system components required
4.4 for implementation of this chapter;

4.5 (9) administer early care and learning programs in the manner specified by the Early
4.6 Care and Learning Commission;

4.7 (10) review other programs serving children and families to determine the feasibility
4.8 for transfer to the Department of Education or the feasibility of inclusion in the funding
4.9 consolidation process; and

4.10 ~~(10)~~ (11) monitor local compliance with this chapter.

4.11 Sec. 3. Minnesota Statutes 2016, section 119B.02, subdivision 1, is amended to read:

4.12 Subdivision 1. **Child care services.** (a) The commissioner shall develop standards for
4.13 county and human services boards to provide child care services to enable eligible families
4.14 to participate in employment, training, or education programs. Within the limits of available
4.15 appropriations, the commissioner shall distribute money to counties to reduce the costs of
4.16 child care for eligible families. The commissioner shall adopt rules to govern the program
4.17 in accordance with this section. The rules must establish a sliding schedule of fees for parents
4.18 receiving child care services. The rules shall provide that funds received as a lump-sum
4.19 payment of child support arrearages shall not be counted as income to a family in the month
4.20 received but shall be prorated over the 12 months following receipt and added to the family
4.21 income during those months. The commissioner shall maximize the use of federal money
4.22 under title I and title IV of Public Law 104-193, the Personal Responsibility and Work
4.23 Opportunity Reconciliation Act of 1996, and other programs that provide federal or state
4.24 reimbursement for child care services for low-income families who are in education, training,
4.25 job search, or other activities allowed under those programs. Money appropriated under
4.26 this section must be coordinated with the programs that provide federal reimbursement for
4.27 child care services to accomplish this purpose. Federal reimbursement obtained must be
4.28 allocated to the county that spent money for child care that is federally reimbursable under
4.29 programs that provide federal reimbursement for child care services. The counties shall use
4.30 the federal money to expand child care services. The commissioner may adopt rules under
4.31 chapter 14 to implement and coordinate federal program requirements.

5.1 (b) The commissioner must incorporate any recommendations from the Early Care and
5.2 Learning Commission in the administration and delivery of child care assistance programs
5.3 under this chapter.

5.4 Sec. 4. Minnesota Statutes 2016, section 127A.05, is amended by adding a subdivision to
5.5 read:

5.6 Subd. 1a. **Early care and learning coordination.** The commissioner must develop and
5.7 implement early care and learning policies in accordance with the principles and policies
5.8 established by the Early Care and Learning Commission.

5.9 Sec. 5. Minnesota Statutes 2016, section 144.05, subdivision 1, is amended to read:

5.10 Subdivision 1. **General duties.** The state commissioner of health shall have general
5.11 authority as the state's official health agency and shall be responsible for the development
5.12 and maintenance of an organized system of programs and services for protecting, maintaining,
5.13 and improving the health of the citizens. This authority shall include but not be limited to
5.14 the following:

5.15 (a) Conduct studies and investigations, collect and analyze health and vital data, and
5.16 identify and describe health problems;

5.17 (b) Plan, facilitate, coordinate, provide, and support the organization of services for the
5.18 prevention and control of illness and disease and the limitation of disabilities resulting
5.19 therefrom;

5.20 (c) Establish and enforce health standards for the protection and the promotion of the
5.21 public's health such as quality of health services, reporting of disease, regulation of health
5.22 facilities, environmental health hazards and personnel;

5.23 (d) Affect the quality of public health and general health care services by providing
5.24 consultation and technical training for health professionals and paraprofessionals;

5.25 (e) Promote personal health by conducting general health education programs and
5.26 disseminating health information;

5.27 (f) Coordinate and integrate local, state and federal programs and services affecting the
5.28 public's health;

5.29 (g) Continually assess and evaluate the effectiveness and efficiency of health service
5.30 systems and public health programming efforts in the state; ~~and~~

5.31 (h) Advise the governor and legislature on matters relating to the public's health; and

6.1 (i) Advise the Early Care and Learning Commission on home visiting programs and
6.2 other public health initiatives designed to aid school readiness.

6.3 Sec. 6. Minnesota Statutes 2016, section 144.05, subdivision 2, is amended to read:

6.4 Subd. 2. **Mission; efficiency.** It is part of the department's mission that within the
6.5 department's resources the commissioner shall endeavor to:

6.6 (1) prevent the waste or unnecessary spending of public money;

6.7 (2) use innovative fiscal and human resource practices to manage the state's resources
6.8 and operate the department as efficiently as possible;

6.9 (3) coordinate the department's activities wherever appropriate with the activities of
6.10 other governmental agencies, including activities conducted by or under the direction of
6.11 the Early Care and Learning Commission;

6.12 (4) use technology where appropriate to increase agency productivity, improve customer
6.13 service, increase public access to information about government, and increase public
6.14 participation in the business of government;

6.15 (5) utilize constructive and cooperative labor-management practices to the extent
6.16 otherwise required by chapters 43A and 179A;

6.17 (6) report to the legislature on the performance of agency operations and the
6.18 accomplishment of agency goals in the agency's biennial budget according to section 16A.10,
6.19 subdivision 1; and

6.20 (7) recommend to the legislature appropriate changes in law necessary to carry out the
6.21 mission and improve the performance of the department.

6.22 Sec. 7. Minnesota Statutes 2016, section 145A.17, subdivision 1, is amended to read:

6.23 Subdivision 1. **Establishment; goals.** The commissioner shall establish a program to
6.24 fund family home visiting programs designed to foster healthy beginnings, improve
6.25 pregnancy outcomes, promote school readiness, prevent child abuse and neglect, reduce
6.26 juvenile delinquency, promote positive parenting and resiliency in children, and promote
6.27 family health and economic self-sufficiency for children and families. The commissioner
6.28 must incorporate recommendations from the Early Care and Learning Commission in its
6.29 home visiting programs. The commissioner shall promote partnerships, collaboration, and
6.30 multidisciplinary visiting done by teams of professionals and paraprofessionals from the
6.31 fields of public health nursing, social work, and early childhood education. A program

7.1 funded under this section must serve families at or below 200 percent of the federal poverty
 7.2 guidelines, and other families determined to be at risk, including but not limited to being
 7.3 at risk for child abuse, child neglect, or juvenile delinquency. Programs must begin prenatally
 7.4 whenever possible and must be targeted to families with:

7.5 (1) adolescent parents;

7.6 (2) a history of alcohol or other drug abuse;

7.7 (3) a history of child abuse, domestic abuse, or other types of violence;

7.8 (4) a history of domestic abuse, rape, or other forms of victimization;

7.9 (5) reduced cognitive functioning;

7.10 (6) a lack of knowledge of child growth and development stages;

7.11 (7) low resiliency to adversities and environmental stresses;

7.12 (8) insufficient financial resources to meet family needs;

7.13 (9) a history of homelessness;

7.14 (10) a risk of long-term welfare dependence or family instability due to employment

7.15 barriers;

7.16 (11) a serious mental health disorder, including maternal depression as defined in section

7.17 145.907; or

7.18 (12) other risk factors as determined by the commissioner.

7.19 **Sec. 8. APPROPRIATIONS.**

7.20 \$..... in fiscal year 2018 and \$..... in fiscal year 2019 are appropriated from the general

7.21 fund to the commissioner of education for the purposes and duties of the Early Care and

7.22 Learning Commission.