

Commonwealth of
Massachusetts



MASSACHUSETTS
**Department of
Early Education and Care**
2019 Annual Report

Submitted
November 30, 2020





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Submission of Annual Report:

This report satisfies the Board of Early Education and Care's reporting mandates, as codified in M.G.L. c. 15D, §§ 3(g), 4, 5, 10, and 13(d)¹, to submit an annual report describing its progress in achieving the goals and implementing the programs authorized under Chapter 15D of the General Laws of the Commonwealth. The accomplishments and activities described in this report are for 2019. See Appendix A for the reporting language.

Although this report represents activities for calendar year 2019, it is important to note the current state of affairs during the time in which the report was voted on by the Board of Early Education and Care in the fall of 2020.

On March 10 2020, Governor Baker declared a state of emergency due to the Coronavirus disease 2019 (COVID-19), an ongoing worldwide pandemic which created an immediate threat to the health and safety of the public, which required emergency protective measures to be put in place by the Department of Early Education and Care. To help accommodate need of essential workers, the Governor issued an executive order temporarily closing child care programs across the Commonwealth and authorized the creation and operation of emergency child care programs (EECCP) for the children of essential workers.

As the reopening of child care began during the summer of 2020, EEC worked to support providers make the extensive changes needed to accommodate the new pandemic landscape. EEC submits this 2019 report with the acknowledgement of the evolving needs of families, communities, and providers as we move through 2020 and 2021 amidst the continuing public health crisis.

Mission of Department:

The Department of Early Education and Care was established in 2005 with a mission to provide "***the foundation that supports all children in their development as lifelong learners and contributing members of the community, and supports families in their essential work as parents and caregivers.***"

We support this mission in partnership with the approximately 9,000 programs licensed by the Commonwealth through our agency. The Department of Early Education and Care serves as the entry point of Massachusetts' birth to 21 education pipeline. "Early education and care" includes formal programs for infants, toddlers, preschoolers, and school age children during out-of-school time; group homes; foster care and adoption placement agencies; and residential schools for children with special needs; as well as programs in informal settings such as home visiting and community-based family engagement networks that provide literacy and other developmental activities for children and parents in libraries and adult education centers. We also administer financial support for children from families that are low-income or who have been referred by the Department of Children and Families or the



Department of Transitional Assistance to attend a high-quality early education and care program. See Appendix B for Subsidized Child Care Enrollment data.

The Department of Early Education and Care endeavors to deliver the most effective high-quality, comprehensive early learning and development system in the nation. This requires ensuring that programs meet safety and best practice standards through regulatory review, technical assistance, and monitoring, and are supported in advancing to higher levels of quality through a system of standards and support. At the heart of a high-quality and comprehensive early education and care system are its educators, and to this end the Department works to build the knowledge, competencies, and career pathways of the over 100,000 educators who comprise our workforce and are key to closing the early achievement gap and ensuring that all of our children enter school ready to succeed.

Governance:

The Department of Early Education and Care (EEC) is part of the Executive Office of Education (EOE), one of nine secretariats under Governor Charlie Baker. Education Secretary James A. Peyser oversees the Executive Office of Education and is Governor Baker's top advisor on education. The Commissioner of Early Education and Care, Samantha Aigner-Treworgy, manages the Department of Early Education and Care and assumed this position in August 2019, replacing Tom Weber who stepped down in June 2019.

An eleven member Board of Early Education and Care sets policies and regulations related to early education and care programs and services in the Commonwealth of Massachusetts. Education Secretary Peyser and the Secretary of Health and Human Services are ex-officio members of the Board of Early Education and Care; the other nine members are appointed by the Governor. Commissioner Aigner-Treworgy is the Secretary to the Board. The members of the Board of Early Education and Care are:

Nonie Lesaux, Ph.D, Chair

Juliana W. and William Foss Thompson Professor of Education and Society, Harvard University

At-large Representative

James A. Peyser – Secretary, Executive Office of Education

Marylou Sudders – Secretary, Executive Office of Health and Human Services (Carolyn Kain, designee)

Mary Walachy, Vice Chairperson – Executive Director of the Irene E. & George A. Davis Foundation
At-large Representative

Sheila Balboni – Executive Director, The Community Group
Appointed as early education and care provider with management and administrative experience

Joni Block – Grant Specialist, Brockton Public Schools
Appointed as an early education and care teacher

David Cruise – President and CEO, Regional Employment Board of Hampden County



Appointed as business representative with demonstrated commitment in education

Nicki Ruiz de Luzuriaga – Vice President of Institutional Advancement at Economic Mobility Pathways
Appointed as a parent of a child receiving early education and care services*

Alison Schonwald, MD - Pediatrician; Department of Pediatrics at the Cambridge Health Alliance, and
Associate Professor in Pediatrics at Harvard Medical School
Appointed as pediatrician with a focus on child development

Eleonora Villegas-Reimers, Ed.D. - Clinical Professor at Boston University Wheelock College of
Education
Appointed as an expert in evaluation and assessment of pre-schools

Joan Wasser Gish, Esq. - Director of Strategic Initiatives, Boston College
At-large Representative

*Appointed on December 11, 2019, to fill the seat vacated by Kathleen C. Joyce.

The Board of Early Education and Care (EEC Board) typically meets monthly from September to June each year, usually at EEC's office in Boston. The meetings are open to the public and include 30 minutes for public testimony. In 2019 the EEC Board also met in Worcester (March 12, 2019) to allow for greater participation of stakeholders across the state.

The EEC Board continued with the committee structure consisting of a Fiscal and Oversight Committee that meets regularly (monthly or bi-monthly), and *ad hoc* working groups that meet as needed to address specific objectives that support the agency and are guided by the larger strategic goals of the Board. The Fiscal and Oversight Committee met five times in 2019 to review EEC budget-related activities that are brought to the Board for discussion and decision making.

The EEC Board convened a Workforce *ad hoc* working group seven times in 2019; agenda topics covered included interim changes to the Quality Rating and Improvement System (QRIS) standards, development of a public/private partnership with New Profit, educator core competencies, a career lattice for early educators, the Massachusetts StrongStart Professional Development System, EEC's Learning Management System, Career Pathways funding, Commonwealth Preschool Partnership Initiative funding, and IT supports. In September 2019, the Workforce *ad hoc* working group became the Programs *ad hoc* committee and it met three times in 2019. Topics covered at these meetings included coordination of EEC-funded professional supports, agency-wide strategic plan development, and budget priorities.

Chapter 154 of the Acts of 2018 established the Early Education and Care (EEC) Workforce Council, charged with making recommendations on professional development, higher education opportunities, and workforce strategic initiatives. The EEC Workforce Council met seven times in 2019 and discussed the Department's strategic action planning process, the Massachusetts StrongStart Professional Development System, EEC's Learning Management System, the Quality Rating and Improvement System (QRIS), and workforce funding priorities. (See Appendix F for the members of the Early Education and Care Workforce Council.)

In accordance with M.G.L. c. 15D, § 3A there is also an Advisory Council on Early Education and Care (EEC Advisory Council). The EEC Advisory Council is comprised of representatives from the early childhood, K-12, and higher education sectors; civic, labor, and business communities; social service agencies; health care providers; and parent organizations. All members and appointees have a special expertise or



interest in high-quality early childhood education and care. The Advisory Council may review and offer comments on any rules or regulations before promulgation by the Board of Early Education and Care, and may, from time to time, make recommendations to the Board that it considers appropriate for changes and improvements in early education and care programs and services.

The EEC Advisory Council met four times in 2019 and reviewed the following topics: EEC's current activities related to the Child Care and Development Block Grant (March 8, 2019); the Massachusetts StrongStart Initiative, a QRIS update, and a demo of EEC's Learning Management System (May 10, 2019); an introduction from the new Commissioner of EEC and a description of EEC's strategic action planning process (October 11, 2019); and a Joint Meeting of the EEC Workforce Council, the EEC Advisory Council and EEC's Board Programs Subcommittee to review EEC's strategic planning process (December 17, 2019).



Statutory Responsibilities:

The Department of Early Education and Care is the lead agency for all early education and care services and funding in the Commonwealth. EEC is the state education agency for the purposes of early education and care services under federal law and is responsible for compliance with early education and care services under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193). EEC's statutory obligations include:

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- Licensing or approval of early education and care programs, group care facilities, adoption and placement agencies, school-aged child care programs, and temporary shelter facilities;
- Establishing provider rates and participant fees for EEC-licensed programs;
- Implementing a number of programs and administering any related grant awards;
- Providing ongoing program monitoring to ensure quality as well as adherence to regulations and standards;
- Providing technical assistance to providers and potential providers;
- Facilitating the development of the EEC workforce and, when appropriate, providing training and Professional Development;
- Building educator pathways and maintaining a comprehensive registry of certified educators
- Maintaining a comprehensive waitlist of children expressing interest in services;
- Providing family education and resources in English and other, commonly spoken languages when available;
- Addressing infant and toddler needs, including parent education, early literacy services, and informal developmental opportunities and;
- Stewarding federal funds for early education and care services.





2019 ACTIVITIES AND ACCOMPLISHMENTS

FOCUS AREA: CCDBG, REGULATIONS, FINANCIAL ASSISTANCE

Child Care Development Block Grant

Much of EEC's work over 2019 was aligned with the priorities of the federal Child Care Development Block Grant (CCDBG) program, which provides significant funding for early education and care in Massachusetts. The CCDBG provides \$5.3 billion for the Child Care Development Fund (CCDF), which grants monies to states to provide access to quality child care services in order to promote economic self-sufficiency for low-income families and support their children's healthy development and school readiness. EEC is the lead agency in the Commonwealth for the administration of the CCDF program. Annually, EEC receives \$218 million from CCDF, which supports the vast majority of the agency's programs and initiatives. In order to receive CCDF funding, states must use the funds in accordance with federal spending requirements. New mandates under the Child Care Development Block Grant (CCDBG) Act of 2014 covered areas including family eligibility for a subsidy, consumer education, health and safety trainings for educators, unannounced annual program visits, pre-licensure inspections, parent fees, emergency preparedness planning, and background record checks.

Regulatory Amendments

In 2019 EEC made emergency amendments to the regulations on **Criminal Offender and Other Background Record Checks** at 606 CMR 14.00 to align with the new background record check mandates set forth in the Child Care Development Block Grant Reauthorization Act of 2014, 45 USC § 9858f, 45 CFR § 9843. These emergency amendments made specific, discrete changes to 606 CMR 14.00, as follows:

- 1) Frequency of Background Record Checks (BRCs):
 - a) 606 CMR 14.09(3)(c) was amended to allow a BRC to be run on a candidate who has a break of more than 180 days from affiliation with an EEC program;
 - b) 606 CMR 14.09(3)(g) was added to allow BRCs to be re-run more frequently when a candidate is changing program types.
- 2) Presumptive Disqualifications:
 - a) Language in 606 CMR 14.10(5) was amended to clarify the definition of a presumptive disqualification, as follows: Language in the current regulation referring to "non-conviction" or "non-delinquent" was stricken.
- 3) Volunteers:
 - a) The term "volunteer" in 606 CMR 14.04 was clarified to reflect that a volunteer cannot have any unsupervised access to children.
 - b) Language surrounding the frequency of volunteers' presence in the Program was stricken throughout the regulations.
- 4) Other:
 - a) The language at 606 CMR 14.11(1) and 14.13(2)(e) was revised to add licensees as roles that are not eligible for provisional hiring because they cannot feasibly be supervised in light of their duties.

The Child Care Development Block Grant Reauthorization Act of 2014, 45 USC § 9858f, 45 CFR § 9843 made significant changes to how states are required to administer CCDBG funds, including increasing child care access and stability for families while maintaining the integrity of the child care subsidy program. To meet the new CCDBG requirements, in 2019 EEC implemented revised **Child Care Financial Assistance regulations** at 606 CMR 10.00, including extending children's eligibility for child care to 12 months,



adopting a more expansive definition of homelessness under the federal McKinney-Vento Act, and creating an exemption system for children with chronic illnesses so they are not excluded from care.

Regulations on Civil Fines and Sanctions¹

The revised regulations included sanctions that impose disqualification from subsidy eligibility for cases of intentional program violations and substantiated fraud. Details on these sanctions can be found in Appendix C.

Child Care Financial Assistance

EEC provides financial assistance for children from eligible families to attend high quality early education and care programs. EEC subsidizes approximately 55,000 children from birth to age 14 (up to age 16 for children with a special need) in settings across EEC's mixed delivery system of care, which includes center-based programs, family child care homes, public preschool programs, and Head Start/Early Head Start classrooms. Together these programs have the capacity to serve over 230,000 children.

The three major state funding programs for child care financial assistance that EEC administers are Income Eligible Child Care, Supportive/Department of Children and Families (DCF) Related Child Care, and Transitional/Department of Transitional Assistance (DTA) Related Child Care.

- The Income Eligible Child Care program provides child care financial assistance for low-income families with a service need, on a first come/first served basis. The Income Eligible Child Care Program also funds two specific types of care: (1) Teen Parent Child Care and (2) Homeless Child Care for families residing in homeless shelters affiliated with the Department of Housing and Community Development (DHCD); or in domestic violence shelters and substance abuse shelters affiliated with DCF.
- The Supportive/DCF-Related Child Care Program provides child care placements for families referred by the Department of Children and Families. EEC primarily enrolls children in Supportive/DCF-Related Child Care through contracts with providers but also through an increasing number of vouchers to meet the demand for child care in this high priority population. EEC uses this mixed delivery system to ensure compliance with the mandate to provide subsidized child care for every child referred by DCF.
- The Transitional/DTA-Related Child Care Program provides child care vouchers for families receiving Transitional Aid to Families with Dependent Children (TAFDC) cash assistance and participating in the Employment Services Program. Transitional/DTA-Related Child Care also provides continued Transitional and Post-Transitional care for families in the first 24 months after closure of their TAFDC benefits.

FOCUS AREA: PROGRAM LICENSING AND SUPPORT

Commonwealth Preschool Partnership Initiative – Expansion

In FY2019, through the Commonwealth Preschool Partnerships Initiative Grant (CPPI), the state funded implementation activities in local communities who sought to expand pre-kindergarten or preschool opportunities to children who will be eligible for kindergarten by September 2020. These funds provided the opportunity for high needs communities that had engaged in prior planning efforts to enter a competitive bid to implement preschool expansion and local preschool quality improvement and alignment efforts, utilizing the Massachusetts Preschool Expansion Grant public-private partnership model. Nine communities in Massachusetts with significant populations of high needs children -- Boston,

¹ This satisfies the requirement at M.G.L. c. 15D, Sec.10 to: "include...rules and regulations promulgated by the board relative to the use of civil fines and sanctions, the types of sanctions, and the amount of those fines."



Holyoke, Lawrence, Lowell, Northampton, North Adams, New Bedford, Somerville, and Springfield – have been funded to expand access to high quality full-day, full-year preschool for three and four-year-olds through public-private partnerships between the local public school district and local EEC-licensed early learning providers.

Universal Pre-Kindergarten Classroom Quality (UPK) Grant

The Universal Pre-Kindergarten (UPK) Classroom Quality Grant is a statutorily authorized program that is designed to provide targeted state dollars toward high quality early education and care programs from the Commonwealth's mixed delivery system that serve preschool-aged children. The UPK grant is developed, in accordance with M.G.L. c. 15D, § 13, to ensure preschool children demonstrate school readiness and positive outcomes through UPK programs utilizing and incorporating developmentally appropriate curricula and supports. The UPK grant is designed to ensure that all UPK grantees are "willing and able to serve and integrate children of diverse abilities and special needs, diverse cultural and linguistic backgrounds and diverse economic circumstances." Through the UPK grant, EEC funds high quality programs that serve preschool-age children who will support the programmatic requirements articulated in M.G.L. c. 15D, § 13. In order to be eligible for the UPK competitive grant, designated classrooms and/or family child care homes must meet *all* of the criteria outlined below:

- Serve preschool-aged children.
- Have a Level 3 or Level 4 rating on the Quality Rating and Improvement System (QRIS).
- Have an income-eligible contract and/or voucher agreement in place and be willing to accept EEC-subsidized or low-income children, which includes children attending preschool programs operated by public schools in high needs districts.
- All programs must provide access to full-day, full-year services for working families.

In FY2019, EEC awarded approximately \$5.7 million in UPK Grants through an open competitive procurement process to 115 preschool programs and a total of 437 classrooms serving 6,983 children. These 115 preschool programs consist of 81 center-based programs, 7 public school programs, and 27 system-affiliated family child care providers. In FY2020, EEC awarded \$5.7 million in UPK Grants through a renewal procurement process, to 115 preschool programs consisting of 81 center-based programs, 7 public school programs, and 27 family child care providers. EEC is not making any additional recommendations on the Massachusetts universal pre-Kindergarten program this year.²

Early Childhood Mental Health

The Commonwealth, through EEC, has provided funding for early childhood mental health consultation services since 2008, and in FY2020, EEC awarded \$2.5 million to six agencies through the Mental Health Consultation Grant program. The grantees provide mental health strategies and services that address the developmental, emotional, and behavioral challenges of young children; help promote children's success in school; and help to reduce the rate of suspensions and expulsions in early education and care settings. In 2019 EEC included a tiered model approach to triaging supports offered to early care and education programs through the Early Childhood Mental Health Consultation (ECMHC) Grant in order to better ensure that appropriate interventions are provided to programs. The tiered model allows the intake coordinators of the ECMHC grant to triage referrals to provide the best promotion, prevention, and

² Information satisfies the requirement at M.G.L. c. 15D, § 13(d) to: "...present any additional recommendations on the programmatic, financing, and phase-in options for the development and universal implementation of the Massachusetts universal pre-Kindergarten program."



resources to early education and care programs. The tiered model of supports includes the following elements at each tier:

- a. Tier I: Trained staff conduct phone interviews developed by the ECMHC grantee to gather information about the issue and provide strategies and resources based on the need.
- b. Tier II: Trained staff provide short term technical assistance in developmentally appropriate and/or social-emotional supports for behaviors described by the program as more serious and/or where teacher frustration is high.
- c. Tier III: Early Childhood Mental Health Consultants provide support to the program in situations where the behavior identified is frequent and extreme and/or identified trauma history or multi-system involvement is required.

More information on the Mental Health Consultation Grant can be found in Appendix E.

Positive Behavior Supports for Improving Positive Social-Emotional Skills and Relationships

In order to address EEC's enabling statute regarding prevention practices to reduce expulsion rates, in 2017 EEC began implementing a Preschool Positive Behavior Supports initiative using the Pyramid Model design (PBS Pyramid Model). The PBS Pyramid Model is designed to provide resources to early education programs such as coaching and professional development on behavioral health, trauma, equity, and social emotional wellness that supports children and reduces educator turnover. The PBS Pyramid Model framework of evidence-based practices includes:

- Strategies for building relationships with families to engage and include them in decisions around inclusion and supporting positive social emotional and behavioral skills for their child(ren).
- Strategies, resources, and tools for developing appropriate practices for promoting inclusive settings and developing curriculum to meet the diverse needs of young children.
- Ways to build community connections to support children and families who attend multiple settings and sectors to ensure continuity of care.

EEC and the Department of Elementary and Secondary Education (DESE) are continuing to bring the PBS Pyramid Model strategies to programs across the Commonwealth, creating linkages across community-based programs and school districts. Currently there are 31 school district implementation sites, 62 EEC community licensed implementation sites, and 3 community-wide implementation sites. Through this initiative, EEC and DESE offer professional development opportunities in the following areas: equity in supporting children of color, use of language in fostering social-emotional development, and tools that support fidelity to the Pyramid Model. DESE and EEC are sponsoring ongoing external evaluations of the Pyramid Model initiatives to assess the quality and effectiveness of the professional development, fidelity of program-wide and classroom implementation, and outcomes for children. The Pyramid Model Consortium is now part of the EEC StrongStart Training and Technical Assistance Grant to help build capacity within the Commonwealth to implement the Pyramid Model in more early education programs.



FOCUS AREA: WORKFORCE DEVELOPMENT

EEC's work in 2019 was largely focused on providing the necessary infrastructure to better stabilize the early education and care system, and to enhance the quality of services throughout the system, through resources and supports to increase educators' competencies, promote educator retention, and improve program quality. EEC is developing and implementing a system of supports with strategic partners and enhanced internal capacity to support educators' career pathway progression and within the context of program quality improvement. Central to EEC's efforts is a focus on aligning EEC resources to support educators and the programs that hire them to break the low pay/high turnover cycle. Highlights of EEC's workforce development efforts in 2019 are listed below.

Center-Based Child Care Rate Increase

In May 2019, the EEC Board approved a FY2020 rate increase for state-subsidized center-based providers worth \$7.2 million, which helped bring regional rates closer to the market rates in each region of the state. In October 2019, the Board of Early Education and Care voted to approve a rate increase worth \$20 million, retroactive to July 1, for center-based early education providers who receive state subsidies for childcare. The funding provided a 3.52 percent across the board rate increase and raised the daily add-on rate for children under the supervision of the Department of Children and Families to \$19 a day. The money was used to improve quality and boost salaries of educators and staff. With this increase, early educators have received rate increases worth a total of \$127 million during the past four years.

Workforce Council / Community College Support for Early Educator Workforce Development

The FY2019 GAA established an Early Education and Care Workforce Council, tasked with making recommendations on improving and enhancing professional development and higher education opportunities for the early education and care workforce; and supporting the implementation of workforce strategic initiatives. Membership is comprised of government, advocacy, and providers in the early education and care field. See Appendix F for a list of the Workforce Council membership. With the establishment of the EEC Workforce Council, the FY2019 GAA included new funding to support partnerships with community colleges to build systems and implement strategies for recruiting more and diverse early educators to their programs; supporting early educators in new, enhanced, and comprehensive instructional methods; and providing coursework that aligns with EEC's revised core competencies and future career lattice. Through this funding, each of the state's fifteen community colleges offers a Career Pathways program in Early Childhood Education that leads to professional certification or degree attainment.

Early Childhood Educator Scholarships

The state's Early Childhood Educator (ECE) Scholarship Program was established to increase early educators' access to higher education and to support them in attaining college degrees. The ECE Scholarship Program provides financial assistance to early education and care out-of-school time providers working in EEC-licensed or licensed-exempt programs who are pursuing Associate's or Bachelor's degrees in early childhood education at 50 colleges and universities in Massachusetts. The ECE Scholarship is jointly administered by EEC and the Department of Higher Education's Office of Student Financial Assistance. The application period for the 2019-2020 ECE Scholarship Program opened in April 2019. In total, 523 educators were approved for a scholarship that funds the cost of up to six credits in the fall 2019 term and up to six credits in the spring 2020 term.



APPENDICES

Appendix A: Annual Reporting Requirements

M.G.L. c. 15D, Sec. 3:

(g) The board shall submit an annual report to the secretary of education, the secretary of administration and finance, and the clerks of the House of Representatives and senate, who shall forward the same to the joint committee on education, describing its progress in achieving the goals and implementing the programs authorized in this chapter. The report shall evaluate the progress made toward universal early education and care for preschool-aged children and toward reducing expulsion rates through developmentally appropriate prevention and intervention services.

The department shall include an annual report on behavioral health indicators that includes estimates of the annual rates of preschool suspensions and expulsions, the types and prevalence of behavioral health needs of children served by the department, the racial and ethnic background of the children with identified behavioral health needs, the existing capacity to provide behavioral health services, and an analysis of the best intervention and prevention practices, including strategies to improve the delivery of comprehensive services and to improve collaboration between and among early education and care and human services providers. The report and any recommendations for legislative or regulatory changes shall be submitted by February 15th to the secretary of health and human services, the secretary of administration and finance, the children's behavioral health advisory council, the child advocate, and the general court by filing it with the house committee on ways and means, the senate committee on ways and means, the joint committee on education, the joint committee on mental health and substance abuse, the joint committee on children, families and persons with disabilities, the clerk of the house and the clerk of the senate.

M.G.L. c. 15D, Sec. 4:

The board shall by a 2/3 vote of its members submit to the secretary, for the secretary's approval, a recommended candidate to serve as the commissioner of early education and care, in this chapter called the commissioner. The secretary may appoint the recommended candidate as commissioner. If the secretary declines to appoint the candidate, the board shall submit a new candidate for consideration. The secretary may appoint the commissioner only from candidates submitted to the secretary by the board.

The board may in its discretion by majority vote of its members remove the commissioner. The commissioner shall be the secretary to the board and its chief executive officer and shall be the executive and administrative head of the department. The commissioner shall receive a salary to be determined by the board.

The commissioner shall have substantial professional or administrative experience in the fields of early education and care. The commissioner shall devote full-time during business hours to the duties of the office. The commissioner shall be responsible for administering and enforcing the law relative to the department. The commissioner may authorize any officer of the department to exercise in his name any power or to discharge any duty assigned to the commissioner by law, and may at any time revoke that authority.

Subject to the approval of the board of early education and care, the commissioner may apply for and accept on behalf of the commonwealth, any federal, local, or private grants, bequests, gifts, or contributions to aid in the financing of any of the programs or policies of the department. Such funds shall be received by the state treasurer on behalf of the commonwealth and deposited in a separate account and shall be expended under the direction of the commissioner, with the approval of the board of early education and care. Federal funds paid as reimbursement to the commonwealth shall be deposited into the General Fund.



The commissioner, with the approval of the board, shall establish divisions or other offices considered necessary for the efficient operation of the department. Each division or office shall be under the charge of an associate commissioner who shall be appointed by the commissioner and who shall be subject to the direction, control and supervision of the commissioner. Each associate commissioner shall be a person of skill and experience in the field of appointment and shall be appointed by and may be removed by the commissioner. Each associate commissioner shall devote full-time during business hours to the duties of the office. Sections 9A, 9B and 9D of chapter 30, and chapter 31 shall not apply to the commissioner, to associate commissioners that he may appoint, or to other such supervisory positions that he may create.

The commissioner shall propose a budget to the board. The budget shall reflect the goals and objectives of the board and the secretary. The board shall review and make recommendations regarding the budget to the secretary. The secretary shall then prepare and submit a budget request on behalf of the department to the house and senate committees on ways and means, the joint committee on education, and to the secretary of administration and finance.

The commissioner may make agreements with other departments and agencies of the commonwealth and may contract with other persons, including, but not limited to, private agencies, to carry out this chapter. The commissioner shall establish standards and procedures governing these agreements and contracts, subject to the approval of the board.

The commissioner shall analyze the present and future goals, needs and requirements of early childhood education and care in the commonwealth and recommend to the board comprehensive means to achieve a well-coordinated system that promotes positive social and emotional development, high educational achievement, and quality care in the commonwealth. Following consultation with the board, the commissioner shall prepare and submit to the secretary, for the secretary's review and approval, a 5-year master plan for achieving such a coordinated system. The master plan along with an annual progress report shall reflect the goals and standards established by the board and the secretary.

The master plan shall include, but not be limited to: enrollment projections; identification of measures for age-appropriate child development and school readiness; expulsion rate projections; utilization of existing facilities; promotion of research; programmatic excellence; recommendations for construction or acquisition of new facilities; program distribution; the addition of new programs; the elimination of existing programs; and the need for program revisions. The commissioner shall receive reports, undertake research, and facilitate coordination among and between all entities delivering programs or services under this chapter. The commissioner shall promote the partnership of providers of early education and care programs and services with elementary and secondary schools, institutions of higher education and business and civic organizations.

The board may delegate its authority, or any portion thereof, to the commissioner whenever, in its judgment, such delegation may be necessary or desirable. The commissioner shall exercise such delegated powers and duties with the full authority of the board.

The commissioner may, subject to appropriation, appoint such other employees as he deems necessary to carry out his duties and responsibilities. The commissioner shall be provided with adequate offices, and may expend sums for other necessary expenses of the department.

The commissioner shall consult with the commissioner of mental health prior to taking an action substantially affecting the design and implementation of behavioral health services for children under guidelines established by the secretary of health and human services and the commissioner of early education and care under section 16S of chapter 6A.



M.G.L. c. 15D, Sec. 5:

The board shall develop and annually update an implementation plan for a workforce development system designed to support the education, training and compensation of the early education and care workforce, including all center, FCC, infant, toddler, preschool and school-age providers. The board shall solicit input from organizations and agencies that represent a diverse spectrum of expertise, knowledge and understanding of broader workforce development issues and of the professional development needs of the early childhood and care workforce. In order to inform the plan, the board shall conduct:

- (1) an inventory and assessment of the current resources and strategies available for workforce and professional development in the commonwealth, including but not limited to Head Start trainings, community-based trainings, higher education programs, child care resource and referral agency trainings, state and federally funded workforce development trainings/programs, public school system trainings/credentialing, and other trainings that address the needs of those who work with children and make recommendations for coordinating the use of those existing resources and strategies;
- (2) analyses using current data on the status of the early education and care workforce, including work experience, certifications, education, training opportunities, salaries, benefits and workplace standards; and
- (3) an assessment of the workforce capacity necessary to meet the state's early education and care needs in the future.

In the development of the plan, the board shall consider:

- (1) core competencies, a common and shared body of knowledge, for all those working in the early education and care fields;
- (2) streamlined and coordinated state certification, credentialing, and licensing within the early education and care fields including teacher and provider certification and licensing, the child development associate, public school teacher certification, and other program standards as appropriate for director, teacher and provider credentialing requirements;
- (3) a mandatory and regularly updated professional development and qualification registry;
- (4) agreements among IHEs for an articulated system of education, training, and professional development in early education and care;
- (5) approval of early education and care training programs and academic coursework, incentives for associates and bachelors programs to meet best practices and to modify curricula to reflect current child development research, and certification of trainers and teachers;
- (6) coordination of existing workforce resources among public agencies, including establishing regional workforce support resources in coordination with child care resource and referral agencies;
- (7) a range of professional development and educational opportunities that provide appropriate coursework and degree pathways for FCC as well as center-based providers at all levels of the career ladder that are available in locations, days, and times that are accessible;
- (8) credit for prior learning experiences, development of equivalencies to 2 and 4 year degrees, and the inclusion of strategies for multiple pathways for entry into the field of early education and care;
- (9) recruitment and retention of individuals into the early education and care workforce who reflect the ethnic, racial, linguistic, and cultural diversity of Massachusetts families based on the current census data;
- (10) incentives and supports for early education and care professionals to seek additional training and education, such as scholarships, stipends, loan forgiveness connected to a term of service in the field, career counseling and mentoring, release time and substitutes;
- (11) guidelines for a career ladder or career lattice representing salaries and benefits that suitably compensate professionals for increases in educational attainment and with incentives for advancement, including a salary enhancement program;
- (12) public and private resources to support the workforce development system;
- (13) a data collection and evaluation system to determine whether the workforce and professional development activities established pursuant to this chapter are achieving recruitment, retention and quality of the workforce goals;



- (14) ways to recognize and honor advancement in educational attainment among early educational and care professionals;
- (15) professional development opportunities that are provided in languages other than English, and incorporation of these opportunities into any broader, articulated system that is developed; and
- (16) alignment of the core competencies, course offerings and other professional development opportunities, where appropriate, with the program quality standards established under section 11.
- (17) training to identify and address infant toddler and early childhood behavioral health needs.

M.G.L. c. 15D, Sec. 10:

The board shall include in its annual report rules and regulations promulgated by the board relative to the use of civil fines and sanctions, the types of sanctions, and the amount of those fines.

M.G.L. c. 15D, Sec. 13(d):

The department of early education and care, with the approval of the board and in consultation with the state advisory committee on early education and care established in [section 3A](#), shall study and present any additional recommendations on the programmatic, financing, and phase-in options for the development and universal implementation of the Massachusetts universal pre-Kindergarten program. This study shall include an estimate of the need for full-day, full-year care that meets the needs of parents who work full-time and shall include the number of pre-school aged children in the commonwealth who may be at risk due to family poverty, TAFDC status, special needs, or other risk factors. The department shall include its findings and recommendations, and any updates of its findings, in the annual report required under section 3.



Appendix B: Subsidized Child Care Enrollment data

Number of Children Receiving EEC-Subsidized Child Care by Age and Funding Type in 2019

Age Group	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
Infant	3,028	3,005	2,979	2,989	3,000	2,938	2,936	2,949	3,196	3,182	3,132	2,949
Toddler	9,552	9,531	9,471	9,368	9,308	9,129	9,156	9,050	9,448	9,678	9,623	9,573
Preschool	17,753	17,712	17,883	17,976	17,867	17,903	17,888	17,923	18,510	18,254	18,240	17,911
School Age	24,816	25,581	25,749	26,724	26,538	28,745	27,836	28,221	24,835	24,411	24,751	25,174
Total	55,149	55,829	56,082	57,057	56,713	58,715	57,816	58,143	55,989	55,525	55,746	55,607

Funding Type	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
Supportive (DCF)	10,067	10,343	10,636	10,944	11,163	11,802	12,277	12,433	11,917	11,882	12,023	12,021
Transitional (DTA)	11,077	11,204	11,325	11,611	11,779	12,317	12,435	12,559	12,348	12,455	12,433	12,217
Income Eligible	34,005	34,282	34,121	34,502	33,771	34,596	33,104	33,151	31,724	31,188	31,290	31,369
Total Children	55,149	55,829	56,082	57,057	56,713	58,715	57,816	58,143	55,989	55,525	55,746	55,607



Appendix C. Regulations on Civil Fines and Sanctions

606 CMR 10.12: Sanctions - A Parent determined by the EEC to have committed Substantiated Fraud or an Intentional Program Violation shall have a period of disqualification from eligibility for each child the Parent is authorized for pursuant to the following:

(1) Non-payment of Fees. If a Parent is determined to be in violation of the fee obligation pursuant to 606 CMR 10.03(2), the Child Care Subsidy shall be terminated until the unpaid balance is paid in full. After that time, the Parent is eligible to return to care if allowable under 606 CMR 10.10 (4) or (5) or is eligible to return to the waitlist in accordance with 606 CMR 10.04, or pursuant to the applicable Referral in accordance with 606 CMR 10.05 and 10.06.

(2) First Offense of IPV or Third Offense of Non-payment of Fees. If a Parent is determined to have committed an IPV (other than non-payment of fees) or a third offense of non-payment of fees then the Parent shall receive a warning notification putting the Parent on notice that subsequent offenses will result in disqualification.

(3) Second Offense of IPV or Fourth Offense of Non-payment of Fees. If a Parent is determined to have committed a second IPV (other than non-payment of fees) or a fourth offense of non-payment of fees, then the Parent shall be disqualified from eligibility until the debt is repaid or for a period of 12 months from the date of termination, whichever is greater. After that time the Parent is eligible to return to the waitlist in accordance with 606 CMR 10.04 or, pursuant to the applicable Referral, in accordance with 606 CMR 10.05 and 10.06.

(4) Third Offense of IPV or Fifth Offense of Non-payment of Fees. If a Parent is determined to have committed a third IPV (other than non-payment of fees) or a fifth offense of non-payment of fees, then the Parent shall be disqualified from eligibility until the debt is repaid or for a period of 24 months from the date of termination, whichever is greater. After that time the Parent is eligible to return to the waitlist in accordance with 606 CMR 10.04 or, pursuant to the applicable Referral, in accordance with 606 CMR 10.05 and 10.06.

(5) Fourth or More Offense of IPV, Substantiated Fraud, or Sixth or More Offense of Non-payment of Fees. If a Parent is determined to have committed a fourth or more IPV (other than non-payment of fees), or a sixth or greater offense of non-payment of fees, or Substantiated Fraud, the Parent shall be disqualified from eligibility until the debt is repaid or for a period of 36 months from the date of termination, whichever is greater. After that time the Parent is eligible to return to the waitlist in accordance with 606 CMR 10.04 or, pursuant to the applicable Referral, in accordance with 606 CMR 10.05.

(6) A Parent with an active TAFDC case in accordance with 606 CMR 10.05(4)(a) shall be exempt from the termination or disqualification sanctions during the period his or her TAFDC case remains open or through the end of their eligibility period under 606 CMR 10.05(4)(a), whichever is later.

(7) A Parent with an active DCF Referrals pursuant to 606 CMR 10.06 will be exempt from the termination or disqualification sanctions during the period the Parent receives DCF-related child care pursuant to 606 CMR 10.06(4).



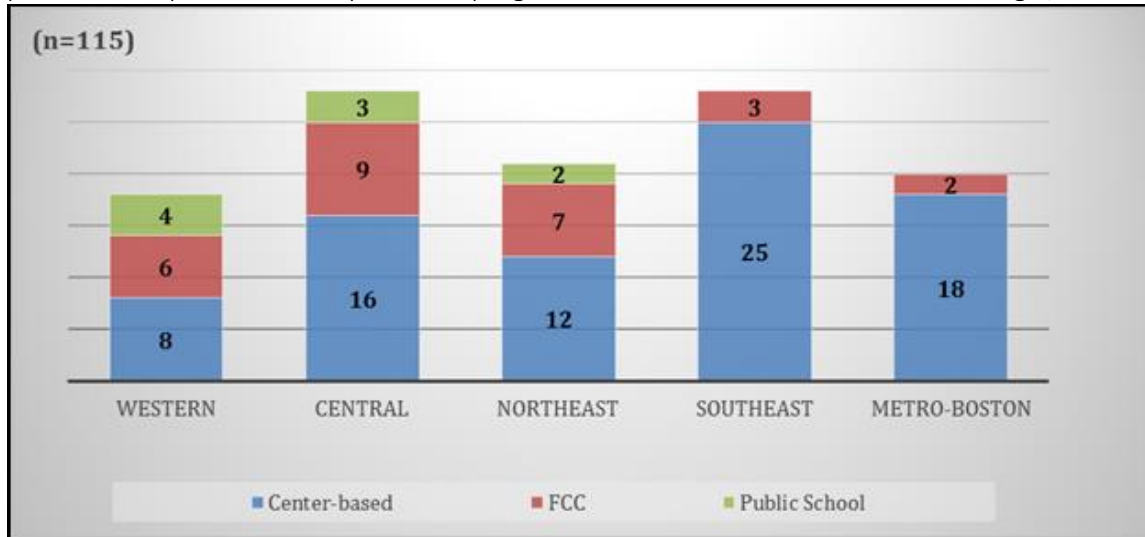
Appendix D: Preschool Age Children in Massachusetts and Universal Pre-Kindergarten Implementation³

Selected Data on Preschool Age (0-5) Children in Massachusetts

Massachusetts Children age 0-5, 2018	433,679 ⁴
Massachusetts Children age 0-5 with all parents working, 2018	305,000 ⁵
Massachusetts Children age 0-5 living in poverty, 2018	55,000 ⁶
Massachusetts Children 3-5 years old enrolled in special education, 2018-19	16,907 ⁷
Massachusetts Children enrolled in public PreKindergarten who were homeless, 2017-18	624 ⁸
Massachusetts Children 0-3 with an Early Intervention IFSP, 2017	20,565 ⁹
TAFDC Active Cases with Children aged 3-5 (2019 average):	7,640 ¹⁰

Universal Pre-Kindergarten Classroom Quality (UPK) Grant: Children Served

In FY2019, EEC awarded approximately \$5.7 million in UPK Grants through an open competitive procurement process to 115 preschool programs and a total of 437 classrooms serving 6,983 children.



Number of Preschool Children Receiving EEC-Subsidized Child Care in 2019

Age	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
Preschool	17,753	17,712	17,883	17,976	17,867	17,903	17,888	17,923	18,510	18,254	18,240	17,911

³ Data provided pursuant to M.G.L. c. 15D, Sec. 13(d): "...an estimate of the need for full-day, full-year care that meets the needs of parents who work full-time and shall include the number of pre-school aged children in the commonwealth who may be at risk due to family poverty, TAFDC status, special needs, or other risk factors..."

⁴ Source: <https://datacenter.kidscount.org/data/tables/100-child-population-by-single-age>

⁵ Source: <https://datacenter.kidscount.org/data/tables/5057-children-under-age-6-with-all-available-parents>

⁶ Source: <https://datacenter.kidscount.org/data/tables/5650-children-in-poverty-by-age-group>

⁷ Source: <http://www.doe.mass.edu/infoservices/reports/enroll/default.html?yr=sped1819>

⁸ Source: <http://www.doe.mass.edu/sfs/mv/2017-18districtdata.html>

⁹ Source: mass.gov/doc/part-c-state-performance-plan-spp-annual-performance-report-apr-ffy17/

¹⁰ Source: Massachusetts Department of Transitional Assistance



Appendix E: Mental Health Consultation Grant Information

Early Childhood Mental Health Consultation Program

EEC receives state funding to administer an Early Childhood Mental Health Consultation program, which provides resources to support young children and their families experiencing emotional and behavioral challenges. The Early Childhood Mental Health Consultation program promotes school success and healthy social-emotional development, and aims to reduce the suspension and expulsion rate in early education and care settings. The consultation services involve general classroom/program and on-site child focused observations, which may include the use of evidenced based observation tools used to identify strategies for improving the learning environment and to assess children’s social-emotional and behavioral skills. Consultants meet with educators and families to discuss the strengths and needs of the classroom and/or the child and work together to develop classroom management plans and/or individualized behavior plans to support the needs of specific children. Consultants also provide on-site modeling/coaching to educators to provide guidance on how to provide appropriate responses to address challenging behaviors. If the child presents with behaviors that may require more intensive services, beyond the scope of consultation, the consultants will assist programs and families in locating and accessing appropriate additional services, which may include Early Intervention, special education services and/ or behavioral health services through a community-based mental health service provider.

In FY2020 EEC competitively awarded the Early Childhood Mental Health grants to six agencies:

FY20 Grantees	Award	Region	Cities/Towns
Behavioral Health Network	\$495,621	Western	102
Community Healthlink	\$364,572	Central	65
Enable, Inc.	\$283,347	Northeast, Metrowest, Southeast	47
Justice Resource Institute	\$473,129	Southeast, Cape and Islands	69
MSPCC	\$630,239	Northeast	63
The Home for Little Wanderers	\$253,092	Metro Boston	5
Total	\$2,500,000		351

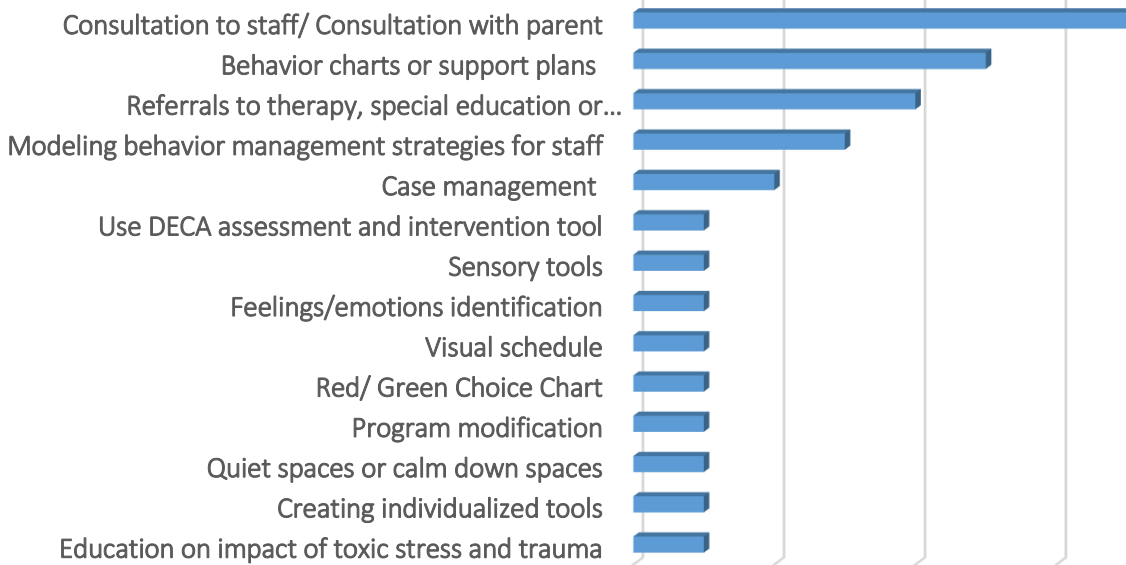
Below are data on the Early Childhood Mental Health (ECMH) Grant program in 2019:

Behavioral Issues Identified in Children who Received Child / Family Focused Consultation (CY 2019)
Aggression (biting, hitting, etc.--peers and adults, throwing items) Oppositional (defiant ,disobedient)
Peer relations/social skills (difficulty taking turns, sharing, negotiating, social bullying)
Attention (inability to focus, follow directions)
Oppositional (defiant, disobedient)
Overactive/Impulsive (restless, uncontrolled)Attention, (inability to focus, follow directions)
History of trauma/peer relations/social skills (difficulty taking turns, sharing, negotiating,bullying)
Anxiety (nervous, fearful, extreme shyness), Attachment(separation distress)

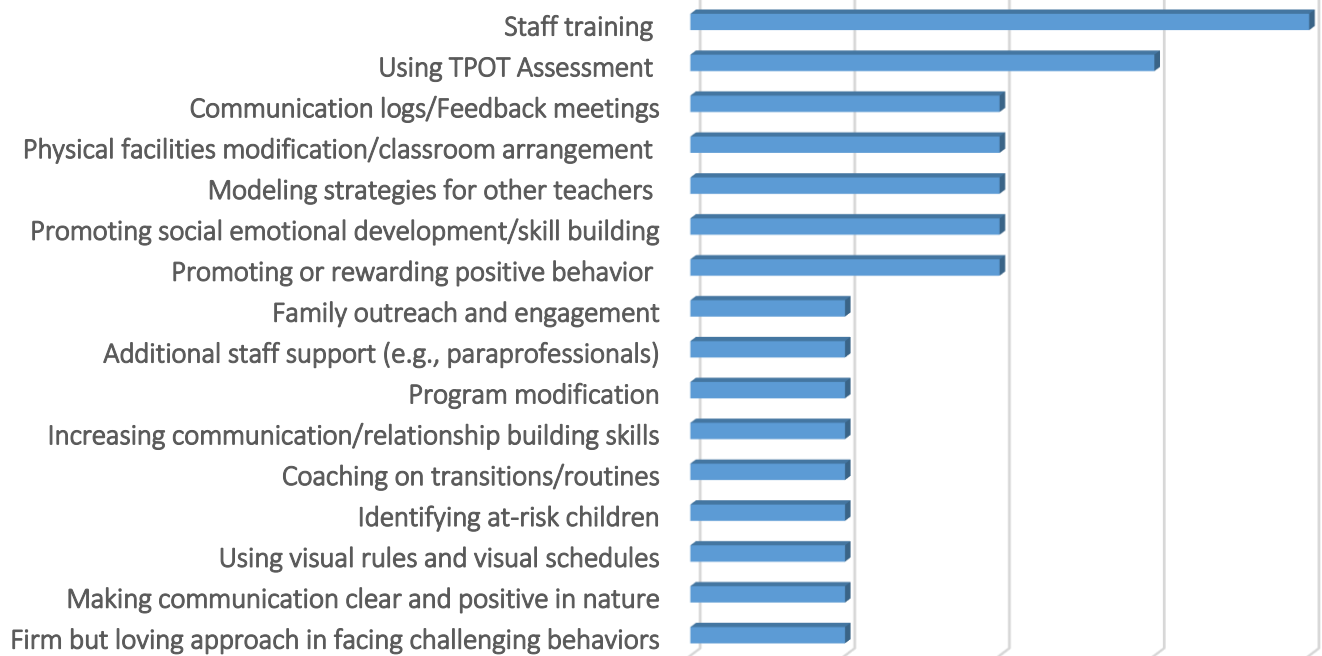
ECMH clinicians focus on both preventive strategies and interventions to support child social emotional development and prevent school expulsion. Prevention and intervention strategies are relational, individualized, strengths-based, developmentally grounded, and culturally informed. Below are the intervention and prevention strategies used by the ECMH consultation providers in 2019.



Intervention Strategies Most Frequently Used by ECMH Consultants

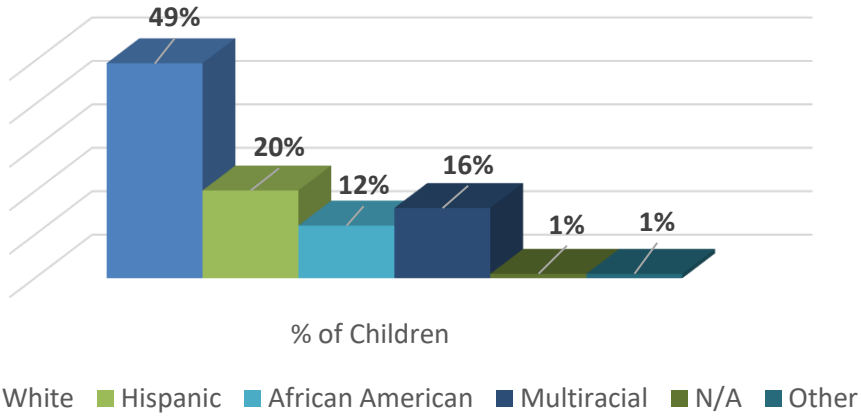


Prevention Strategies Most Frequently Used by ECMH Consultants





2019 Annual Reported Percentage of Massachusetts
Preschool Expulsions & Suspensions by
Race/Ethnicity



11

¹¹ The numbers on suspension/expulsion may duplicate children, since a child may have first been suspended and then expelled. The race data is unduplicated.



Appendix F: Early Education and Care Workforce Council Members

EEC Workforce Council Membership	
Appointed by Speaker of the House	Alice Hanlon Peisch, Representative, Chair of Joint Committee on Education
	Christine Barber, Representative, Joint Committee on Labor and Workforce Development
	Michele Lisio, Senior Advisor, Speaker Robert DeLeo
Appointed by House Minority Leader	TBD
Appointed by Senate President	Michael Moore, Senator
	Jill Dixon, President, Taly Foundation
	Lesley Kinney, Suburban Athletic & Child
Appointed by Senate Minority Leader	Mary Jayne Byrnes
Commissioner of Higher Education	Winnie Hagan, Associate Commissioner for Academic Affairs and Student Success
Secretary of Labor and Workforce Development	Jennifer James, Undersecretary, Workforce Development
Massachusetts Association of Early Education and Care (MADCA)	Stephen Huntley, President
Executive Office of Community Colleges	Gretchen Manning, Deputy Executive Director
President of Community College	David Podell, President, Mass Bay Community College
Massachusetts Head Start Association	Michelle Haimowitz, Executive Director
	Alternate: Anat Weisenfreund, Chair for Massachusetts Head Start Association Board
Massachusetts Association for the Education of Young Children	Lynn Calling, Executive Director
Massachusetts Association of Early Childhood Teacher Educators	Sandra McElroy, President
Massachusetts Business Alliance for Education	Rebecca Fracassa, Director of Community Impact for Comcast
Strategies for Children/ Early Education for All	Amy O'Leary, EEA Campaign Director
	Alternate: Titus DosRemedios, Director of Research and Policy
YMCA Alliance of Massachusetts	Peter Doliber, Executive Director
United Way of Massachusetts Bay	Karley Ausiello, Senior Vice President for Community Impact
Massachusetts Business Roundtable	J.D. Chesloff, Executive Director
Alliance for Business Leadership, Inc.	Jesse Mermell, President
	Alternate: Meagan Greene, Senior Director of Policy & Operations
SEIU FCC Representative	TBD
FCC Provider Selected by Commissioner	TBD