

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1407 Session of
2011

INTRODUCED BY CLYMER, BARRAR, BRENNAN, R. BROWN, DENLINGER,
FABRIZIO, GEIST, GINGRICH, GODSHALL, HARHAI, HARHART,
HENNESSEY, HESS, MAHER, MILLER, MILNE, RAPP, READSHAW,
SCAVELLO, TALLMAN, VULAKOVICH AND GROVE, APRIL 28, 2011

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 4, 2011

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in early learning programs, further
6 providing for Head Start expansion and for duties of
7 department.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1505-D of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949, is
12 amended by adding subsections to read:

13 Section 1505-D. Head Start expansion.

14 * * *

15 (c) Moratorium.--

16 (1) Notwithstanding any other provision of law, a
17 moratorium is established on the implementation of 22 Pa.
18 Code § 405.44(a) (relating to staffing and professional
19 development) until December 31, ~~2015~~ 2012.



1 (2) The department shall post on its Internet website
2 and send written notification to school entities and eligible
3 providers registered with the Commonwealth of the moratorium
4 of the implementation of 22 Pa. Code § 405.44(a).

5 Section 2. Section 1513-D of the act, added July 20, 2007
6 (P.L.278, No.45), is amended to read:

7 Section 1513-D. Duties of department.

8 (a) General rule.--The department shall have the following
9 powers and duties:

10 (1) To promulgate regulations and establish guidelines
11 and standards necessary to implement this subarticle. In
12 promulgating the initial regulations, the department shall
13 follow the procedures provided in the act of July 31, 1968
14 (P.L.769, No.240), referred to as the Commonwealth Documents
15 Law, and the act of June 25, 1982 (P.L.633, No.181), known as
16 the Regulatory Review Act, for promulgation and review of
17 final-omitted regulations. Subsequent regulations promulgated
18 under this subarticle or amendments to the initial
19 regulations shall not be in final-omitted form.

20 (2) To establish the process through which eligible
21 providers may apply for grant funds, allowable and required
22 grant uses and per-student funding levels and the criteria
23 used to identify approved providers for grant funds.

24 (3) To identify one or more assessments to be used by
25 approved providers, the cost of which shall be paid as part
26 of an approved provider's grant award.

27 (4) To encourage the development and maintenance of
28 community coordination and partnerships.

29 (5) To perform all other functions necessary to carry
30 out the program, including the monitoring of approved

1 providers.

2 (6) To enter into agreements with third-party entities,
3 to include intermediate units, to carry out the provisions of
4 this subarticle.

5 (7) To publish the process through which eligible
6 providers may apply for grant funds, the criteria used to
7 identify approved providers for grant funds and the per-
8 student funding levels of approved providers, by county, on
9 the department's Internet website and in the Pennsylvania
10 Bulletin within 60 days of the effective date of this
11 section.

12 (b) Moratorium.--

13 (1) Notwithstanding any other provision of law, a
14 moratorium is established on the implementation of 22 Pa.
15 Code § 405.44(a) (relating to staffing and professional
16 development) until December 31, 2015 2012.

17 (2) The department shall post on its Internet website
18 and send written notification to school entities and eligible
19 providers registered with the Commonwealth of the moratorium
20 of the implementation of 22 Pa. Code § 405.44(a).

21 (c) Work group.--

22 (1) The department shall convene a work group of program
23 operators, association representatives and department
24 personnel to conduct a review of early childhood programs
25 funded through the department and the Department of Public
26 Welfare as follows:

27 (i) Departmental location and organizational
28 structure shall be assessed regarding the various early
29 childhood programs' legal authority, overlap of duties
30 and responsibilities and communication mechanisms.



1 (ii) Programs, policies and guidelines shall be
2 reviewed and revised to reduce unnecessary and
3 duplicative administrative procedures and paperwork.

4 (iii) Existing eligibility requirements for both
5 providers and program participants shall be reviewed to
6 ensure the greatest amount of opportunity across all
7 programs to the students most at risk.

8 (iv) Certification and inspection requirements shall
9 be reviewed and consolidated.

10 (v) Funding criteria and distribution across early
11 childhood programs shall be evaluated to ensure
12 compliance with legal requirements, focus on quality
13 programs and equity in the distribution where possible.

14 (vi) Reporting and information systems shall be
15 reviewed and limited to those data elements needed to
16 meet Federal program requirements and ensure program
17 quality and accountability.

18 (vii) Program copays across all early childhood
19 programs shall be reviewed for consistency of application
20 and administration and a determination of when copays
21 should be instituted to increase access to early
22 childhood programs.

23 (2) The majority of the work group shall consist of
24 program operators selected in consultation with the chairman
25 and minority chairman of the Education Committee of the
26 Senate and the chairman and minority chairman of the
27 Education Committee of the House of Representatives. THE WORK ←
28 GROUP SHALL CONSULT WITH REPRESENTATIVES OF HIGHER EDUCATION
29 INSTITUTIONS AND WITH CHILD ADVOCACY GROUPS.

30 (3) No later than February 1, 2012, the work group shall

1 submit to the Education Committee of the Senate and the
2 Education Committee of the House of Representatives a report
3 identifying recommended legislative and program changes,
4 provided that all changes shall be child and funding neutral.
5 EACH EDUCATION COMMITTEE DIRECTOR SHALL DISTRIBUTE THE REPORT ←
6 TO THE CHAIRMEN OF OTHER RELEVANT COMMITTEES OF THE
7 RESPECTIVE CHAMBER.

8 Section 3. This act shall take effect in 60 days.