

---

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 AND VULAKOVICH, APRIL 28, 2011

---

REFERRED TO COMMITTEE ON EDUCATION, APRIL 28, 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.

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.

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.

28          (3) No later than February 1, 2012, the work group shall  
29 submit to the Education Committee of the Senate and the  
30 Education Committee of the House of Representatives a report

1 identifying recommended legislative and program changes,  
2 provided that all changes shall be child and funding neutral.  
3 Section 3. This act shall take effect in 60 days.