

**Part I
Free Public Schools
Chapter 30**

EARLY CHILDHOOD EDUCATION PROGRAM

§ 3001 State Early Childhood Education Program.

(a) The Department of Education shall be authorized to provide early childhood educational services to eligible children, which shall include preschool age children who live in poverty, using such funds as are appropriated by the General Assembly for that purpose.

(b) The Department of Education shall provide the early childhood educational services by contracting with public and private providers, including, but not limited to, providers administering federal Head Start programs within the State; provided however, that state funds paid to such contracting providers shall not be used to supplant state and/or federally funded programs or to make a federal Head Start provider ineligible for a Head Start expansion grant. All contracts may be in place for a period not to exceed 3 years; provided that there is sufficient funding contained within the annual appropriations act and the contractor adheres to the required Head Start performance standards, which include parental involvement and receipt of acceptable monitoring results which will be completed at least once during the contract period.

(c) Each contracting provider will be required to establish written agreements within the provider's respective service area with their local Head Start and/or other Early Childhood Initiative contracting provider as well as the local school district, to address issues including, but not limited to, service areas, recruitment, transition of children and families and sharing resources and information.

(d) The Department of Education shall establish Delaware Stars for Early Success, a quality rating and improvement system. Such rating system shall measure the level of quality of service provided by an early care and education program to safeguard and ensure the growth, development, and learning of the children. The rating and improvement system shall:

(1) Establish quality standards that build upon the child care licensing regulations and include quality standards in the categories of learning environment and curriculum, qualifications and professional development, family and community partnerships, and management and administration.

(2) Ensure that the standards are based on research on best practice related to early care and education and that support children in being physically and emotionally healthy and eager to learn.

(3) Inform families and other purchasers of early care and education about the level of quality in a simple and easy-to-understand manner.

(4) Develop a quality improvement plan that informs participating early care and education programs of their strengths, weaknesses and strategies to improve the quality of their programs.

(5) Target resources to support and recognize programs as they work on implementing improvement plans and increasing the quality of services to children and families.

(6) Provide professional development and technical assistance to assist programs in accomplishing targeted improvements.

(7) Establish public-private partnerships to implement and sustain the quality rating and improvement system including state agencies, higher education, adult education programs, early childhood organizations and community based agencies.

(8) Evaluate Delaware Stars for Early Success to ensure continuous improvement of the system.

(e) The Interagency Resource Management Committee (IRMC) shall have administrative responsibility for all appropriations made to the Department of Education pursuant to this section. Such administrative responsibility shall include, but not be limited to:

(1) Determining unserved and underserved areas within the State, to be addressed in any given year. Such identified areas will be specified within the Request for Proposal (RFP) issued to prospective providers;

(2) Reviewing, recommending and disbursing grant awards for contracts to qualifying providers to deliver early childhood educational services to preschool-age children who live in poverty;

(3) Reallocating unobligated or unspent appropriations made to the Department of Education pursuant to this section; and

(4) Verifying that the contracting providers use state funds paid to them for the purposes specified in their contracts.

(f) All public and private providers contracting with the Department of Education pursuant to this section shall ensure that each and every employee receives a minimum of 1 hour of training every year in the detection and reporting of child abuse. Such training, and all materials used in such training, shall be prepared by the Division of Family Services.

(69 Del. Laws, c. 351, § 1; 71 Del. Laws, c. 132, § 336; 71 Del. Laws, c. 180, § 144; 72 Del. Laws, c. 94, § 355; 72 Del. Laws, c. 173, § 3; 73 Del. Laws, c. 321, §§ 9, 10; 76 Del. Laws, c. 313, §§ 1, 2.)

§ 3002 Early Childhood Council.

(a) The Delaware Early Childhood Council (ECC) shall be the State Advisory Council on Early Childhood for children from birth to 8 years of age, and carry out all such functions designated in the federal Improving Head Start for School Readiness Act of 2007 [P.L.

110-134] et seq., and those functions designated herein and those assigned by the Governor, the General Assembly, and the Interagency Resource Management Committee (IRMC), provided sufficient moneys are available from the annual State appropriations act, federal funding, private funding, or a combination thereof.

(b) The ECC shall be comprised primarily of private sector members but shall include all representatives as designated in the above-referenced federal legislation and shall advise the Governor and General Assembly on a continuing basis, working with the IRMC, concerning the status and improvement of services of the early childhood sector and the implementation of the State's early childhood strategic plan. In addition to any responsibilities assigned by the Governor through the IRMC, the Delaware Early Childhood Council shall make recommendations to the Governor, the General Assembly, and the IRMC that promote the appropriate coordination and effectiveness of state services and policies. The ECC shall be responsible for maintaining and expanding a statewide network of early care and education institutions that includes providers, advocates, state program officers, private and nonprofit community institutions, and others who support the development and delivery of high quality early childhood services.

(69 Del. Laws, c. 351, § 1; 71 Del. Laws, c. 180, § 144; 76 Del. Laws, c. 53, § 1; 77 Del. Laws, c. 363, § 2.)

§ 3003 Organization and composition.

(a) The Delaware Early Childhood Council (ECC) shall be appointed by the Governor upon recommendation by the Interagency Resource Management Committee and shall:

- (1) Represent the racial, economic and geographic diversity of the State;
- (2) Serve for staggered, renewable terms of 3 years, except in the case of public employees continuing in the same designated position; and
- (3) Consist of the following members:
 - a. Two center-based early care and education providers;
 - b. One family-home-based early care and education provider;
 - c. One parent whose child participates in early childhood services;
 - d. One Delaware Head Start/Early Childhood Assistance Program Association representative;
 - e. One representative of a statewide early care and education resource and referral agency;
 - f. Two representatives from advocacy organizations focused on children's health and well-being;
 - g. One representative of the Delaware Association for the Education of Young Children;
 - h. One public school district superintendent;
 - i. One higher education representative who also serves on the P-20 Council;
 - j. One business community representative;
 - k. Two community members;
 - l. One representative of the General Assembly;
 - m. The State Director of Head Start Collaboration;
 - n. A representative of the Delaware Department of Health and Social Services, representing children's health, child cares subsidy, and Part C of Individuals with Disabilities Education Act (IDEA) [20 U.S.C. § 1431 et seq.];
 - o. A representative of the Delaware Department of Services to Children, Youth and Their Families, representing child mental health, child care licensing, and family services;
 - p. A representative of the Delaware Department of Education, representing early childhood professional development, § 619 of IDEA [20 U.S.C. § 1419], and State early learning guidelines; and
 - q. Ex officio, nonvoting members shall include the director of the Early Development and Learning Resource Center of the Department of Education, the chair of the Family Support Coordinating Council, and the director of the State's Institute for Excellence in Early Childhood Education. The ECC may appoint ex officio members and advisors to assist them in meeting their responsibilities.

(b) The Governor shall appoint a Chairperson from the nongovernmental members of the ECC, and who shall serve as a member of the State's P-20 Council. The Chairperson shall coordinate the activities of the ECC. The Governor shall also appoint a Vice-Chairperson from the nongovernmental members of the ECC.

(76 Del. Laws, c. 53, § 2; 77 Del. Laws, c. 363, § 3.)

§ 3004 Meetings; organizational structure.

The Delaware Early Childhood Council (ECC) shall convene regularly-scheduled meetings at least 6 times annually. The ECC may form an executive committee from its members and other subcommittees. The ECC may form standing subcommittees including, but not limited to: professional development, quality rating and improvement system, data, and higher education. The ECC shall fulfill all the responsibilities designated under the above-referenced federal legislation for the State's Advisory Council on Early Childhood Education and Care.

(76 Del. Laws, c. 53, § 3; 77 Del. Laws, c. 363, § 4.)

§ 3005 Staffing and annual reporting.

The Department of Education shall staff the Delaware Early Childhood Council (ECC) with support from the Interagency Resource Management Committee (IRMC) as needed. The ECC will report annually to the IRMC, the Governor, President Pro Tempore, Speaker of the House, and the General Assembly's committees on Education, Health and Social Services, and Health and Human Development regarding the status of its work and the progress of Council plans and proposals. A summary of the Council's work shall be included in the IRMC's annual report.

(77 Del. Laws, c. 363, § 5.)