

SB 498

FILED

2009 MAY 12 PM 4: 01

OFFICE WEST VIRGINIA
OF STATE

WEST VIRGINIA LEGISLATURE

SEVENTY-NINTH LEGISLATURE

REGULAR SESSION, 2009



ENROLLED

COMMITTEE SUBSTITUTE

FOR

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 498

(SENATORS PLYMALE, PREZIOSO, KESSLER, WELLS,
FOSTER, JENKINS, STOLLINGS
AND UNGER, *original sponsors*)

[Passed April 11, 2009; in effect from passage.]

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AN ACT to amend and reenact §18-5-44 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §49-2E-1, §49-2E-2, §49-2E-3 and §49-2E-4, all relating to early childhood; requiring county boards to report certain information to the Secretary of the Department of Health and Human Resources and the state superintendent relating to the use of community-based programs to provide early childhood education services; quality rating and improvement system applicable to certain child care providers; findings and intent; Secretary of Department of Health and Human Resources rules; Quality Rating and Improvement System Advisory Council; statewide quality

rating system rules; statewide implementation; system components; review, reduction, suspension or disqualification; statewide quality improvement system; financial plan for implementation and quality improvement; plan components; pilot projects; third-party evaluator; reports to Legislature; gradual implementation; conditioning requirements on legislative appropriation; prioritization of components for funding; and PIECES advisory council.

Be it enacted by the Legislature of West Virginia:

That §18-5-44 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that said code be amended by adding thereto a new article, designated §49-2E-1, §49-2E-2, §49-2E-3 and §49-2E-4, all to read as follows:

CHAPTER 18. EDUCATION.

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-44. Early childhood education programs.

1 (a) For the purposes of this section, “early childhood
2 education” means programs for children who have at-
3 tained the age of four prior to September 1 of the school
4 year in which the pupil enters the program created in this
5 section.

6 (b) *Findings.* –

7 (1) Among other positive outcomes, early childhood
8 education programs have been determined to:

9 (A) Improve overall readiness when children enter
10 school;

11 (B) Decrease behavioral problems;

12 (C) Improve student attendance;

13 (D) Increase scores on achievement tests;

14 (E) Decrease the percentage of students repeating a
15 grade; and

16 (F) Decrease the number of students placed in special
17 education programs;

18 (2) Quality early childhood education programs im-
19 prove school performance and low-quality early childhood
20 education programs may have negative effects, especially
21 for at-risk children;

22 (3) West Virginia has the lowest percentage of its adult
23 population twenty-five years of age or older with a bache-
24 lor's degree and the education level of parents is a strong
25 indicator of how their children will perform in school;

26 (4) During the 2006-2007 school year, West Virginia
27 ranked thirty-ninth among the fifty states in the percent-
28 age of school children eligible for free and reduced lunches
29 and this percentage is a strong indicator of how the
30 children will perform in school;

31 (5) For the school year 2008-2009, thirteen thousand
32 one hundred thirty-five students were enrolled in
33 prekindergarten, a number equal to approximately
34 sixty-three percent of the number of students enrolled in
35 kindergarten;

36 (6) Excluding projected increases due to increases in
37 enrollment in the early childhood education program,
38 projections indicate that total student enrollment in West
39 Virginia will decline by one percent, or by approximately
40 two thousand seven hundred four students, by the school
41 year 2012-2013;

42 (7) In part, because of the dynamics of the state aid
43 formula, county boards will continue to enroll four-year
44 old students to offset the declining enrollments;

45 (8) West Virginia has a comprehensive kindergarten
46 program for five-year olds, but the program was estab-
47 lished in a manner that resulted in unequal implementa-
48 tion among the counties which helped create deficit
49 financial situations for several county boards;

50 (9) Expansion of current efforts to implement a compre-
51 hensive early childhood education program should avoid
52 the problems encountered in kindergarten implementa-
53 tion;

54 (10) Because of the dynamics of the state aid formula,
55 counties experiencing growth are at a disadvantage in
56 implementing comprehensive early childhood education
57 programs; and

58 (11) West Virginia citizens will benefit from the estab-
59 lishment of quality comprehensive early childhood
60 education programs.

61 (c) Beginning no later than the school year 2012-2013,
62 and continuing thereafter, county boards shall provide
63 early childhood education programs for all children who
64 have attained the age of four prior to September 1 of the
65 school year in which the pupil enters the early childhood
66 education program.

67 (d) The program shall meet the following criteria:

68 (1) It shall be voluntary, except, upon enrollment, the
69 provisions of section one, article eight of this chapter
70 apply to an enrolled student; and

71 (2) It may be for fewer than five days per week and may
72 be less than full day.

73 (e) Enrollment of students in Head Start, in any other
74 program approved by the state superintendent as provided
75 in subsection (k) of this section shall be counted toward
76 satisfying the requirement of subsection (c) of this section.

77 (f) For the purposes of implementation financing, all
78 counties are encouraged to make use of funds from
79 existing sources, including:

80 (1) Federal funds provided under the Elementary and
81 Secondary Education Act pursuant to 20 U. S. C. §6301, *et*
82 *seq.*;

83 (2) Federal funds provided for Head Start pursuant to
84 42 U. S. C. §9831, *et seq.*;

85 (3) Federal funds for temporary assistance to needy
86 families pursuant to 42 U. S. C. §601, *et seq.*;

87 (4) Funds provided by the School Building Authority
88 pursuant to article nine-d of this chapter;

89 (5) In the case of counties with declining enrollments,
90 funds from the state aid formula above the amount
91 indicated for the number of students actually enrolled in
92 any school year; and

93 (6) Any other public or private funds.

94 (g) Each county board shall develop a plan for imple-
95 menting the program required by this section. The plan
96 shall include the following elements:

97 (1) An analysis of the demographics of the county
98 related to early childhood education program implementa-
99 tion;

100 (2) An analysis of facility and personnel needs;

101 (3) Financial requirements for implementation and
102 potential sources of funding to assist implementation;

103 (4) Details of how the county board will cooperate and
104 collaborate with other early childhood education pro-
105 grams including, but not limited to, Head Start, to maxi-
106 mize federal and other sources of revenue;

107 (5) Specific time lines for implementation; and

108 (6) Any other items the state board may require by
109 policy.

110 (h) A county board shall submit its plan to the Secre-
111 tary of the Department of Health and Human Resources.
112 The secretary shall approve the plan if the following
113 conditions are met:

114 (1) The county board has maximized the use of federal
115 and other available funds for early childhood programs;

116 (2) The county board has provided for the maximum
117 implementation of Head Start programs and other public
118 and private programs approved by the state superinten-
119 dent pursuant to the terms of subsection (k) of this section;
120 and

121 (3) If the Secretary of the Department of Health and
122 Human Resources finds that the county board has not met
123 one or more of the requirements of this subsection, but
124 that the county board has acted in good faith and the
125 failure to comply was not the primary fault of the county
126 board, then the secretary shall approve the plan. Any
127 denial by the secretary may be appealed to the circuit
128 court of the county in which the county board is located.

129 (i) The county board shall submit its plan for approval
130 to the state board. The state board shall approve the plan
131 if the county board has complied substantially with the
132 requirements of subsection (g) of this section and has
133 obtained the approval required in subsection (h) of this
134 section.

135 (j) Every county board shall submit its plan for
136 reapproval by the Secretary of the Department of Health
137 and Human Resources and by the state board at least
138 every two years after the initial approval of the plan and
139 until full implementation of the early childhood education

140 program in the county. As part of the submission, the
141 county board shall provide a detailed statement of the
142 progress made in implementing its plan. The standards
143 and procedures provided for the original approval of the
144 plan apply to any reapproval.

145 (k) A county board may not increase the total number
146 of students enrolled in the county in an early childhood
147 program until its program is approved by the Secretary of
148 the Department of Health and Human Resources and the
149 state board.

150 (l) The state board annually may grant a county board
151 a waiver for total or partial implementation if the state
152 board finds that all of the following conditions exist:

153 (1) The county board is unable to comply either be-
154 cause:

155 (A) It does not have sufficient facilities available; or

156 (B) It does not and has not had available funds suffi-
157 cient to implement the program;

158 (2) The county has not experienced a decline in enroll-
159 ment at least equal to the total number of students to be
160 enrolled; and

161 (3) Other agencies of government have not made
162 sufficient funds or facilities available to assist in imple-
163 mentation.

164 Any county board seeking a waiver shall apply with the
165 supporting data to meet the criteria for which they are
166 eligible on or before March 25 for the following school
167 year. The state superintendent shall grant or deny the
168 requested waiver on or before April 15 of that same year.

169 (m) The provisions of subsections (b), (c) and (d), section
170 eighteen of this article relating to kindergarten apply to

171 early childhood education programs in the same manner
172 in which they apply to kindergarten programs.

173 (n) Annually, the state board shall report to the Legisla-
174 tive Oversight Commission on Education Accountability
175 on the progress of implementation of this section.

176 (o) Except as required by federal law or regulation, no
177 county board may enroll students who will be less than
178 four years of age prior to September 1 for the year they
179 enter school.

180 (p) Neither the state board nor the state department
181 may provide any funds to any county board for the
182 purpose of implementing this section unless the county
183 board has a plan approved pursuant to subsections (h), (i)
184 and (j) of this section.

185 (q) The state board shall promulgate a rule in accor-
186 dance with the provisions of article three-b, chapter
187 twenty-nine-a of this code for the purposes of implement-
188 ing the provisions of this section. The state board shall
189 consult with the Secretary of the Department of Health
190 and Human Resources in the preparation of the rule. The
191 rule shall contain the following:

192 (1) Standards for curriculum;

193 (2) Standards for preparing students;

194 (3) Attendance requirements;

195 (4) Standards for personnel; and

196 (5) Any other terms necessary to implement the provi-
197 sions of this section.

198 (r) The rule shall include the following elements relat-
199 ing to curriculum standards:

200 (1) A requirement that the curriculum be designed to
201 address the developmental needs of four-year old children,
202 consistent with prevailing research on how children learn;

203 (2) A requirement that the curriculum be designed to
204 achieve long-range goals for the social, emotional, physi-
205 cal and academic development of young children;

206 (3) A method for including a broad range of content
207 that is relevant, engaging and meaningful to young
208 children;

209 (4) A requirement that the curriculum incorporate a
210 wide variety of learning experiences, materials and
211 equipment, and instructional strategies to respond to
212 differences in prior experience, maturation rates and
213 learning styles that young children bring to the classroom;

214 (5) A requirement that the curriculum be designed to
215 build on what children already know in order to consoli-
216 date their learning and foster their acquisition of new
217 concepts and skills;

218 (6) A requirement that the curriculum meet the recog-
219 nized standards of the relevant subject matter disciplines;

220 (7) A requirement that the curriculum engage children
221 actively in the learning process and provide them with
222 opportunities to make meaningful choices;

223 (8) A requirement that the curriculum emphasize the
224 development of thinking, reasoning, decisionmaking and
225 problem-solving skills;

226 (9) A set of clear guidelines for communicating with
227 parents and involving them in decisions about the instruc-
228 tional needs of their children; and

229 (10) A systematic plan for evaluating program success
230 in meeting the needs of young children and for helping
231 them to be ready to succeed in school.

232 (s) The secretary and the state superintendent shall
233 submit a report to the Legislative Oversight Commission
234 on Education Accountability and the Joint Committee on
235 Government and Finance which addresses, at a minimum,
236 the following issues:

237 (1) A summary of the approved county plans for
238 providing the early childhood education programs pursu-
239 ant to this section;

240 (2) An analysis of the total cost to the state and county
241 boards of implementing the plans;

242 (3) A separate analysis of the impact of the plans on
243 counties with increasing enrollment; and

244 (4) An analysis of the effect of the programs on the
245 maximization of the use of federal funds for early child-
246 hood programs.

247 The intent of this subsection is to enable the Legislature
248 to proceed in a fiscally responsible manner, make any
249 necessary program improvements based on reported
250 information prior to implementation of the early child-
251 hood education programs.

252 (t) After the school year 2012-2013, on or before July 1
253 of each year, each county board shall report the following
254 information to the Secretary of the Department of Health
255 and Human Resources and the state superintendent:

256 (1) Documentation indicating the extent to which
257 county boards are maximizing resources by using the
258 existing capacity of community-based programs, includ-
259 ing, but not limited to Head Start and child care; and

260 (2) For those county boards that are including eligible
261 children attending approved, contracted community-based
262 programs in their net enrollment for the purposes of
263 calculating state aid pursuant to article nine-a of this

264 chapter, documentation that the county board is equitably
265 distributing funding for all children regardless of setting.

CHAPTER 49. CHILD WELFARE.

ARTICLE 2E. QUALITY RATING AND IMPROVEMENT SYSTEM.

§49-2E-1. Findings and intent; advisory council.

1 (a) The Legislature finds that:

2 (1) High quality early childhood development substan-
3 tially improves the intellectual and social potential of
4 children and reduces societal costs;

5 (2) A child care program quality rating and improve-
6 ment system provides incentives and resources to improve
7 the quality child care programs; and

8 (3) A child care program quality rating and improve-
9 ment system provides information about the quality of
10 child care programs to parents so they may make more
11 informed decisions about the placement of their children.

12 (b) It is the intent of the Legislature to require the
13 Secretary of the Department of Health and Human
14 Resources promulgate a legislative rule and establish a
15 plan for the phased implementation of a child care pro-
16 gram quality rating and improvement system not inconsis-
17 tent with the provisions of this article.

18 (c) The Secretary of the Department of Health and
19 Human Resources shall create a Quality Rating and
20 Improvement System Advisory Council to provide advice
21 on the development of the rule and plan for the phased
22 implementation of a child care program quality rating and
23 improvement system and the ongoing program review and
24 policies for quality improvement. The secretary shall
25 facilitate meetings of the advisory council. The advisory
26 council shall include representatives from the provider
27 community, advocacy groups, the Legislature, providers of

28 professional development services for the early childhood
29 community, regulatory agencies and others who may be
30 impacted by the creation of a quality rating and improve-
31 ment system.

32 (d) Nothing in this article requires an appropriation, or
33 any specific level of appropriation, by the Legislature.

**§49-2E-2. Creation of statewide quality rating system; legisla-
tive rule required; minimum provisions.**

1 (a) The Secretary of the Department of Health and
2 Human Resources shall propose rules for legislative
3 approval in accordance with the provisions of article
4 three, chapter twenty-nine-a of this code to implement a
5 quality rating and improvement system. The quality
6 rating and improvement system shall be applicable to
7 licensed child care centers and facilities and registered
8 family child care homes. If other types of child care
9 settings such as school-age child care programs become
10 licensed after the implementation of a statewide quality
11 rating and improvement system, the secretary may develop
12 quality criteria and incentives that will allow the other
13 types of child care settings to participate in the quality
14 rating and improvement system. The rules shall include,
15 but are not limited to, the following:

16 (1) A four-star rating system for registered family child
17 care homes and a four-star rating system for all licensed
18 programs, including family child care facilities and child
19 care centers, to easily communicate to consumers four
20 progressively higher levels of quality child care. One star
21 indicating meeting the minimum acceptable standard and
22 four stars indicating meeting or exceeding the highest
23 standard. The system shall reflect the cumulative attain-
24 ment of the standards at each level and all lesser levels:
25 *Provided*, That any program accredited by the National
26 Association for the Education of Young Children or the

27 National Association for Family Child Care, as applicable,
28 shall automatically be awarded four-star status;

29 (2) Program standards for registered family child care
30 homes and program standards for all licensed programs,
31 including family child care facilities and child care
32 centers, that are each divided into four levels of attributes
33 that progressively improve the quality of child care
34 beginning with basic state registration and licensing
35 requirements at level one, through achievement of a
36 national accreditation by the appropriate organization at
37 level four. Participation beyond the first level is volun-
38 tary. The program standards shall be categorized using
39 the West Virginia State Training and Registry System
40 Core Knowledge Areas or its equivalent;

41 (3) Accountability measures that provide for a fair,
42 valid, accurate and reliable assessment of compliance with
43 quality standards, including, but not limited to:

44 (A) Evaluations conducted by trained evaluators with
45 appropriate early childhood education and training on the
46 selected assessment tool and with a demonstrated inter-
47 rater reliability of eighty-five percent or higher. The
48 evaluations shall include an on-site inspection conducted
49 at least annually to determine whether programs are rated
50 correctly and continue to meet the appropriate standards.
51 The evaluations and observations shall be conducted on at
52 least a statistically valid percentage of center classrooms,
53 with a minimum of one class per age group;

54 (B) The use of valid and reliable observation and
55 assessment tools, such as environmental rating scales for
56 early childhood, infant and toddler, school-age care and
57 family child care as appropriate for the particular setting
58 and age group;

59 (C) An annual self-assessment using the proper obser-
60 vation and assessment tool for programs rated at two
61 stars; and

62 (D) Model program improvement planning shall be
63 designed to help programs improve their evaluation results
64 and level of program quality.

65 (b) The rules required pursuant to this section shall
66 include policies relating to the review, reduction, suspen-
67 sion or disqualification of child care programs from the
68 quality rating and improvement system.

69 (c) The rules shall provide for implementation of the
70 statewide quality rating system effective July 1, 2011,
71 subject to section four of this article.

**§49-2E-3. Creation of statewide quality improvement system;
financial plan to support implementation and
quality improvement required as part of rules.**

1 Attached to the proposed rules required in section two
2 of this article, the Secretary of the Department of Health
3 and Human Resources shall submit a financial plan to
4 support the implementation of a statewide quality rating
5 and improvement system and help promote quality
6 improvement. The financial plan shall be considered a
7 part of the rule and shall include specific proposals for
8 implementation of the provisions of this section as deter-
9 mined by the Secretary. The plan shall address, but is not
10 limited to, the following:

11 (1) State agency staffing requirements, including, but
12 not limited to:

13 (A) Highly trained evaluators to monitor the assessment
14 process and ensure inter-rater reliability of eighty-five
15 percent or higher;

16 (B) Technical assistance staff responsible for career
17 advising, accreditation support services, improvement
18 planning, portfolio development and evaluations for
19 improvement planning only. The goal for technical

20 assistance staffing is to ensure that individualized techni-
21 cal assistance is available to participating programs;

22 (C) A person within the department to collaborate with
23 other professional development providers to maximize
24 funding for training, scholarships and professional
25 development. The person filling this position also shall
26 encourage community and technical colleges to provide
27 courses through nontraditional means such as online
28 training, evening classes and off-campus training;

29 (D) Additional infant and toddler specialists to provide
30 high level professional development for staff caring for
31 infants and to provide on-site assistance with infant and
32 toddler issues;

33 (E) At least one additional training specialist at each of
34 the child care resource and referral agencies to support
35 new training topics and to provide training for school-age
36 child care programs. Training providers such as the child
37 care resource and referral agencies shall purchase new
38 training programs on topics such as business management,
39 the Devereux Resiliency Training and Mind in the Making;
40 and

41 (F) Additional staff necessary for program administra-
42 tion;

43 (2) Implementation of a broad public awareness cam-
44 paign and communication strategies that may include, but
45 are not limited to:

46 (A) Brochures, internet sites, posters, banners, certifi-
47 cates, decals and pins to educate parents; and

48 (B) Strategies such as earned media campaigns, paid
49 advertising campaigns, e-mail and internet-based out-
50 reach, face-to-face communication with key civic groups
51 and grassroots organizing techniques; and

52 (3) Implementation of an internet-based management
53 information system that meets the following requirements:

54 (A) The system shall allow for multiple agencies to
55 access and input data;

56 (B) The system shall provide the data necessary to
57 determine if the quality enhancements result in improved
58 care and better outcomes for children;

59 (C) The system shall allow access by Department of
60 Health and Human Resources subsidy and licensing staff,
61 child care resource and referral agencies, the agencies that
62 provide training and scholarships, evaluators and the child
63 care programs;

64 (D) The system shall include different security levels in
65 order to comply with the numerous confidentiality re-
66 quirements;

67 (E) The system shall assist in informing practice;
68 determining training needs; and tracking changes in
69 availability of care, cost of care, changes in wages and
70 education levels; and

71 (F) The system shall provide accountability for child
72 care programs and recipients and assure funds are being
73 used effectively;

74 (4) Financial assistance for child care programs needed
75 to improve learning environments, attain high ratings and
76 sustain long-term quality without passing additional costs
77 on to families that may include, but are not limited to:

78 (A) Assistance to programs in assessment and individ-
79 ual program improvement planning and providing the
80 necessary information, coaching and resources to assist
81 programs to increase their level of quality;

82 (B) Subsidizing participating programs for providing
83 child care services to children of low-income families in
84 accordance with the following:

85 (i) Base payment rates shall be established at the
86 seventy-fifth percentile of market rate; and

87 (ii) A system of tiered reimbursement shall be estab-
88 lished which increases the payment rates by a certain
89 amount above the base payment rates in accordance with
90 the rating tier of the child care program;

91 (C) Two types of grants shall be awarded to child care
92 programs in accordance with the following:

93 (i) An incentive grant shall be awarded based on the
94 type of child care program and the level at which the child
95 care program is rated with the types of child care pro-
96 grams having more children and child care programs rated
97 at higher tiers being awarded a larger grant than the types
98 of child care programs having less children and child care
99 programs rated at lower tiers; and

100 (ii) Grants for helping with the cost of national accredi-
101 tation shall be awarded on an equitable basis.

102 (5) Support for increased salaries and benefits for
103 program staff to increase educational levels essential to
104 improving the quality of care that may include, but are not
105 limited to:

106 (A) Wage supports and benefits provided as an incen-
107 tive to increase child care programs ratings and as an
108 incentive to increase staff qualifications in accordance
109 with the following:

110 (i) The cost of salary supplements shall be phased in
111 over a five-year period;

112 (ii) The Secretary of the Department of Health and
113 Human Resources shall establish a salary scale for each of

114 the top three rating tiers that varies the salary support
115 based on the education of the care giver and the rating tier
116 of the program; and

117 (iii) Any center with at least a tier two rating that
118 employs at least one staff person participating in the
119 scholarship program required pursuant to paragraph (B)
120 of this subsection or employs degree staff may apply to the
121 Secretary of the Department of Health and Human
122 Resources for funding to provide health care benefits
123 based on the Teacher Education and Compensation Helps
124 model in which insurance costs are shared among the
125 employees, the employer and the state; and

126 (B) The provision of scholarships and establishment of
127 professional development plans for center staff that would
128 promote increasing the credentials of center staff over a
129 five-year period; and

130 (6) Financial assistance to the child care consumers
131 whose income is at two hundred percent of the federal
132 poverty level or under to help them afford the increased
133 market price of child care resulting from increased
134 quality.

§49-2E-4. Quality rating and improvement system pilot projects; independent third-party evaluation; modification of proposed rule and financial plan; report to Legislature; limitations on implementation.

1 (a) The Secretary of the Department of Health and
2 Human Resources may promulgate emergency rules in
3 accordance with the provisions of article three, chapter
4 twenty-nine-a of this code to implement a quality rating
5 and improvement system in up to five counties as pilot
6 projects beginning July 1, 2009. The pilot quality rating
7 and improvement systems shall be in accordance with the
8 provisions of this article for the statewide system. The
9 purpose of the pilot projects is to test the rating system,

10 assess the quality of existing child care providers, provide
11 a basis for estimating the financial requirements of the
12 various elements of a statewide system as set forth in this
13 article and to inform future policy decisions. Notwith-
14 standing any provision of this article to the contrary, the
15 rating or potential rating of a child care provider partici-
16 pating in the study may not be individually disclosed. The
17 secretary may modify and develop additional policies
18 consistent with this article as appropriate.

19 (b) The secretary shall contract with an independent
20 third-party evaluator to assist the department and the
21 Quality Rating and Improvement System Advisory Council
22 with establishing and evaluating the pilot project quality
23 rating and improvement system and conducting research
24 on statewide implementation. The secretary also may
25 contract with the evaluator for ongoing evaluation and
26 research for quality improvement. The evaluator shall
27 have access to all project data including data in the
28 management information system provided for in section
29 two of this article.

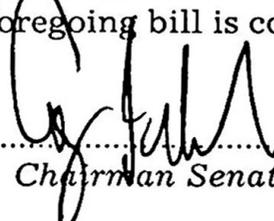
30 (c) The secretary shall report annually to the Legisla-
31 ture on the progress on development and implementation
32 of a child care quality rating and improvement system and
33 its impact on improving the quality of child care in the
34 state. The secretary may propose amendments to the rules
35 and financial plan necessary to promote implementation
36 of the quality rating and improvement system and improve
37 the quality of child care and may recommend needed
38 legislation. Nothing in this article requires the implemen-
39 tation of a quality rating and improvement system unless
40 funds are appropriated therefore. The secretary may
41 prioritize the components of the financial plan for imple-
42 mentation and quality improvement for funding purposes.
43 If insufficient funds are appropriated for full implementa-
44 tion of the quality rating and improvement system begin-

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45 ning on July 1, 2011, the rules shall provide for gradual
46 implementation over a period of several years.

47 (d) The Legislature recognizes that expenditures,
48 especially one-time types of expenditures or expenditures
49 of a limited duration, may be funded with moneys derived
50 through the American Recovery and Reinvestment Act of
51 2009. A study of the cost of implementing a quality rating
52 and improvement system statewide is expected to be
53 conducted over the next two years.

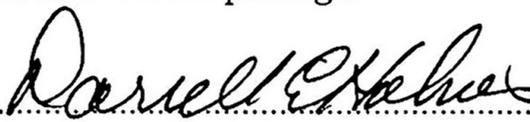
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


.....
Chairman Senate Committee


.....
Chairman House Committee

Originated in the Senate.

In effect from passage.


.....
Clerk of the Senate


.....
Clerk of the House of Delegates


.....
President of the Senate


.....
Speaker House of Delegates

The within is approved this the 12th
Day of May, 2009.


.....
Governor

PRESENTED TO THE
GOVERNOR

MAY - 8 2009

Time 10:35 *pm*