



The Commonwealth of Massachusetts

MASSACHUSETTS SENATE

COMMITTEE ON WAYS AND MEANS

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CHAIR

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M E M O R A N D U M

TO: Members of the Senate Committee on Ways and Means

FROM: Chair Michael J. Rodrigues

DATE: March 7, 2024

SUBJECT: Poll

Attached is a summary of the bill presently before the Senate Committee on Ways and Means. Committee members will be polled today from 10:30 am to 11:30 am on the question of reporting the bill favorably.

Please be advised that under Senate Rule 12, all recorded votes of the Senate Committee on Ways and Means will be posted on the website of the General Court immediately following the conclusion of the poll.

Do not hesitate to contact Aaron Carty in my office if you have any questions. Thank you for your participation.

SENATE 2619:

**AN ACT ENSURING AFFORDABILITY, READINESS AND
LEARNING FOR OUR YOUTH AND DRIVING
ECONOMIC DEVELOPMENT**

(summary reflects text as redrafted)

SPONSORS:

Senators Lewis, Moran, Kennedy, Miranda, Rausch, Mark, Cronin, Comerford, DiDomenico, Brady, Jehlen, Pacheco, Oliveira, Barrett, O'Connor, Moore, Edwards, Montigny, Cyr, Eldridge, Gomez, Timilty, Friedman, Keenan, Crighton, Velis, Lovely, Gobi, Rush, and Payano and several members of the House of Representatives

**LEGISLATIVE
HISTORY:**

02/08/24 Reported from the Committee on Education; Bill reported favorably by the Committee and referred to the Committee on Senate Ways and Means

**EXISTING LAWS
AFFECTED:**

Ch. 15A; Ch. 15D §§ 1A, 2, 3A, and 17.

**PROPOSED
LEGISLATION:**

- Directs the Board of Higher Education to establish, subject to appropriation, an early education and care educator scholarship program.
- Directs the Board of Higher Education to establish, subject to appropriation, a loan forgiveness program for early education and care educators in the Commonwealth.
- Removes the large family child care providers capacity limit of 10 children.
- Requires the sliding fee scale for families receiving child care financial assistance to be updated at least every 5 years to reflect affordability standards.
- Ensures that families with incomes under 100% of the federal poverty level are not charged fees for child care financial assistance.
- Ensures that fees charged to any recipient of child care financial assistance are limited to not more than 7 per cent of the families total income.

- Requires the annual collection and publication of data from child care providers on the cost, and quality of early education and care services.
- Establishes a Data Advisory Commission to promote the improved use of state, provider and program-level data related to the cost, quality and utilization of early education and child care services.
- Directs the Department of Early Education and Care to maintain, subject to appropriation, an early education and care child care financial assistance program to enable eligible families to afford and access early education and care for infants, toddlers, preschool-age and school-age children.
- Directs the child care financial assistance program to assist: (i) families who receive services through the Department of Children and Families; (ii) families receiving or transitioning from TAFDC benefits; and (iii) families in need of early education and care services whose family income is not more than 85 per cent of the state median income.
- Requires the Department of Early Education and Care to establish a prioritization schedule for income-eligible child care financial assistance for families whose income is not more than 85 per cent of the state median income.
- Directs the Department of Early Education and Care to expand access to child care financial assistance for incomes up to 125 per cent of the state median income should additional funding become available.
- Provides that the Department of Early Education and Care cannot terminate a family's child care financial assistance unless the family is determined to be ineligible and is given the opportunity for an administrative review.

- Directs the Department of Early Education and Care to review the child care financial assistance program not less than annually to identify access barriers to families and opportunities to improve families' experiences with the child care financial assistance process.
- Codifies the operational grant program for early education and care providers to provide high-quality and sustainable education and care.
- Requires the Department of Early Education and Care to maintain a formula for distributing operational grants that gives preference to providers that serve: (i) high numbers of children receiving child care financial assistance; (ii) high numbers of high needs children; or (iii) unique populations.
- Prohibits certain early education and care providers that operate more than 10 center-based programs in the Commonwealth from receiving more than 1 percent of annual operational grant program funds unless the provider is granted a waiver by the Commissioner of Early Education and Care.
- Directs the Department of Early Education and Care to review and update the operational grant formula annually.
- Requires that, as a condition for receiving an operational grant, an early education and care provider shall: (i) enter into and comply with contractual agreements with the Department of Early Education and Care; (ii) continue to, or demonstrate willingness to, enroll children receiving child care financial assistance; (iii) comply with the career ladder or provide increased salaries, compensation and benefits to the extent possible; and (iv) provide the Department of Early Education and Care with data as required.

- Requires certain early education and care providers that operate more than 10 center-based programs in the Commonwealth and receive operational grants to: (i) demonstrate a willingness to accept more children receiving child care financial assistance in proportion to the provider's size; (ii) dedicate a certain percentage of the provider's operational grant funds to increasing compensation for their educators; and (iii) annually provide the Department of Early Education and Care with an audited financial statement detailing how the provider's operational grant funds are spent.
- Requires the Department of Early Education and Care to report annually on the operational grant program.
- Requires the Department of Early Education and Care to maintain, and annually review, an early education and care career ladder that includes minimum recommended salaries, benefits and professional development benefits for early education and care providers.
- Updates the membership of the State Advisory Council on Early Education and Care.
- Requires the Department of Early Education and Care to submit a report and proposed methodology to calculate the cost of providing high-quality early education and care in the Commonwealth.
- Directs the Department of Early Education and Care to establish a competitive matching grant pilot program to increase access to high-quality and affordable early education and care by incentivizing employer investments.
- Requires the Department of Early Education and Care and Executive Office of Labor and Workforce Development to report on enhancing the early education and care workforce pipeline and develop strategies to ensure the early educator workforce meets the needs of the Commonwealth.

- Requires the Executive Office of Labor and Workforce Development to study and make recommendations on employer-supported early education and care benefits.
- Requires the Department of Early Education and Care to report on the current supply of early education and care services across the state and the unmet needs of families under 125 per cent of the state median income, taking into account regional differences, services outside of standard hours and subsidized transportation.
- Requires the Department of Early Education and Care to report on a plan to pilot, scale and regularly evaluate shared services and quality licensed hubs for early education and care programs including family childcare providers.
- Requires the Department of Early Education and Care to report on the operational grant program including the distribution formula, eligibility criteria, allowable uses and strategy for ensuring program openings are accessible to children receiving child care financial assistance.
- Requires the Department of Higher Education to report on the design and implementation of the early education and child care educator scholarship program and loan forgiveness program.
- Requires the Department of Early Education and Care to report on the Commonwealth Preschool Partnership Initiative grant program.
- Requires the Department of Early Education and Care to report on improvements to the Early Education and Out of School Time Capital Fund.

**ESTIMATED
FISCAL IMPACT:**

This legislation will be funded by the more than \$1.5 billion appropriated for early education and care in the fiscal year 2024

budget, a 78 percent increase over fiscal year 2021, and will be subject to additional appropriations in future fiscal years.

(KHV)