

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER 2022-04]

Pennsylvania State Advisory Council on Early Childhood Education and Care

October 5, 2022

Whereas, the early learning, development, and education of young children is of critical importance to Pennsylvania's families, workforce, education system, employers, and economy; and

Whereas, Pennsylvania has increased its investment in early learning, development, and education programs and has made steady progress to assure that more children receive quality early learning and development services; and

Whereas, the Commonwealth of Pennsylvania is committed to quality early learning opportunities that intentionally engage and support parents and families in their children's development and strengthen the parent-child bond; and

Whereas, on September 21, 2016, the U.S. Department of Health & Human Services and the U.S. Department of Education issued a joint policy statement to provide guidance to State Advisory Councils (SACs) on Early Childhood Education and Care; on sustaining Federal and State investments; and on advancing work that supports the coordination of quality, comprehensive systems of early care and education at the state level; and

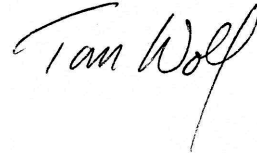
Whereas, the Child Care and Development Fund requires coordination of the provision of child care services funded with other Federal, State, and local child care and early childhood development programs (including programs for the benefit of Native American children, infants and toddlers, children with disabilities, children experiencing homelessness, and children in foster care) to expand accessibility and continuity of care as well as full-day services; and

Whereas, Pennsylvania continues to be a leader in addressing early childhood program governance issues through the Office of Child Development and Early Learning (OCDEL), a collaborative effort between the Pennsylvania Department of Education and the Pennsylvania Department of Human Services, which is focused on creating opportunities for the Commonwealth's youngest citizens to develop and learn to their fullest potential; and

Whereas, OCDEL has established numerous advisory groups to aid its work and to provide opportunities for stakeholders to engage in the process of policy development.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by the virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby order and direct that the Pennsylvania Early Learning Council, shall

continue and hereafter be named the Pennsylvania State Advisory Council on Early Childhood Education and Care (Council) and, further, order and direct as follows:



Governor

Fiscal Note: GOV-2022-04. No loss of revenue. This action will result in a nominal increase in program costs to the Commonwealth but no costs to its political subdivisions. (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter CC. [Reserved]

Sec.
6.361—6.368. [Reserved].

(*Editor's Note:* Subchapter CC, §§ 6.361—6.368, which is the codification of Executive Order 2008-07, is reserved as a result of the rescission of Executive Order 2008-07 under § 6.800.)

Subchapter OOO. PENNSYLVANIA STATE ADVISORY COUNCIL ON EARLY CHILDHOOD EDUCATION AND CARE COUNCIL

Sec.
6.791. Purpose.
6.792. Responsibilities.
6.793. Composition.
6.794. Subcommittees.
6.795. Chairperson, vice chairperson and members.
6.796. Operations.
6.797. Relationship with other agencies.
6.798. Effective date.
6.799. Termination date.
6.800. Rescission.

§ 6.791. Purpose.

The Pennsylvania State Advisory Council on Early Childhood Education and Care (Council) shall advise the administration in planning for the expansion of effective early learning and development services for young children and their families and make recommendations to ensure the plans are implemented successfully. The Council will be responsible for advising on the coordination of the delivery of Federal and Commonwealth programs designed to serve young children from birth through their entry into school and making recommendations to ensure a smooth transition for those children into K—12 education and other programs serving older children.

§ 6.792. Responsibilities.

The Pennsylvania State Advisory Council on Early Childhood Education and Care shall have the following responsibilities, consistent with Federal law:

- (1) Perform a periodic Statewide needs assessment concerning the quality and availability of early childhood learning and development programs and services for children from low-income families from birth to school entry.
- (2) Identify opportunities for, and barriers to, collaboration and coordination among Federally-funded and Commonwealth-funded child care, child learning, development, and education services, and early childhood programs and services.
- (3) Develop recommendations for the Child Care Development Fund State Plans to increase the overall participation of children in existing Federal, Commonwealth and local child care and early childhood learning, education,

and development programs aimed at ensuring a continuum of care from birth through kindergarten entry and to facilitate enrollment in these programs for underrepresented and special populations.

(4) Develop recommendations to expand access to quality care and education opportunities for children experiencing homelessness.

(5) Advise on the continuous improvement of the Pennsylvania Statewide Child Care Emergency Plan to address the needs of all children in Early Childhood Education (ECE) settings.

(6) Advise on the alignment of policies and funding across ECE programs to encourage healthy child development, comprehensive developmental and behavioral screening, linkages to services and follow up.

(7) Develop recommendations to streamline enrollment for families who are eligible for multiple public benefits.

(8) Develop recommendations to align the Office of Child Development and Early Learning's (OCDEL) child care facility licensing requirements and monitoring efforts with program and regulatory requirements for other early learning programs such as Head Start, PA Pre-K Counts and Early Intervention.

(9) Provide recommendations to OCDEL and institutions of higher education on implementation and continued enhancement of the standards for professional development and qualifications for early childhood educators as well as the established markers for career advancement through the Pennsylvania ECE Career Pathway at <https://www.pakeys.org/career-pathway/> to improve the knowledge, skills, and abilities of ECE teachers and administrators.

(10) Develop consistent policies and training across ECE settings to include all of the following:

- (i) Reduce suspension and expulsion of young children.
- (ii) Increase inclusion opportunities.
- (iii) Support children and families who are dual language learners.
- (iv) Promote trauma-informed care.

(11) Review and advise on the Commonwealth's policies for children and families transitioning between ECE programs and services and between ECE and the public school system.

§ 6.793. Composition.

The members of the Pennsylvania State Advisory Council on Early Childhood Education and Care (Council) shall be appointed by the Governor, consist of at least 25 but no more than 30 individuals representing the following sectors and constitute a diverse representation of the Commonwealth's population. The Governor will fill vacancies as they occur.

(1) Deputy Secretary for the Office of Child Development and Early Learning.

(2) Two representatives of institutions of higher education in the Commonwealth.

(3) Three representatives of local providers of early childhood education and development services from each of the following areas:

- (i) Child Care.
- (ii) Head Start or Early Head Start, including migrant and seasonal Head Start programs.
- (iii) Local educational agencies.

(4) The Commonwealth Director of Head Start State Collaboration.

(5) A representative of the Department of Human Services' Office of Mental Health and Substance Abuse Services or the Department of Health.

(6) The Chairperson or, if applicable, a Co-Chairperson of the Early Learning Investment Commission, or the Chairperson's or, if applicable, the Co-Chairperson's designee.

(7) The Chairperson of the Commonwealth's State Interagency Coordinating Council.

(8) Three individuals representing families, including at least one individual who is a current or former recipient of TANF, Child Care Works or Early Intervention Services.

(9) Seventeen individuals representing any of the following:

(i) Early Childhood or Family advocacy organizations.

(ii) Business and industry.

(iii) Local governments.

(iv) State corrections or law enforcement.

(v) The child welfare community.

(vi) The children's health community.

(vii) The early childhood mental health community with experience in providing trauma-informed care.

(viii) The philanthropic community.

(ix) The professional development community that services early learning programs and practitioners.

(x) Commonwealth social services agencies.

(xi) Community-based programs supporting families with young children.

(xii) An other individual who can assist the Council with the purposes outlined in this subchapter, including, but not limited to, a representative from any of the subcommittees of the Council.

§ 6.794. Subcommittees.

To ensure robust stakeholder participation, the Pennsylvania State Advisory Council on Early Childhood Education and Care (Council) may have both standing and ad hoc subcommittees, which subcommittees shall include Council and non-Council members. The following standing subcommittees shall be established: Access to Programs; Professional Development; Physical, Behavioral and Mental Health; Child Care Certification and Quality Rating; and Diversity, Equity and Inclusion. Additional ad hoc committees may be established at the discretion of the Co-Chairpersons.

§ 6.795. Chairperson, vice chairperson and members.

(a) The Deputy Secretary for the Office of Child Development and Early Learning shall serve as Chairperson of the Pennsylvania State Advisory Council on Early Childhood Education and Care (Council). In addition, the Governor shall appoint a member to serve as Vice Chairperson of the Council, who shall serve at the pleasure of the Governor.

(b) Council members appointed by the Governor and serving by virtue of their official position with the Commonwealth are those identified in § 6.793(1) and (4)—(7) (relating to composition). Other Council members appointed by the Governor will serve for a term of 3 years.

(c) Members will serve without compensation except for payment of necessary and actual expenses incurred in attending meetings and in performing their duties to only those members who are appointed as the individuals representing families under § 6.793(8). See Chapter 40 (relating to travel and subsistence).

§ 6.796. Operations.

The Pennsylvania State Advisory Council on Early Childhood Education and Care (Council) operations will include all of the following:

(1) The Council will hold public meetings and provide opportunities for public comment on the responsibilities under § 6.792 (relating to responsibilities).

(2) The Council will meet virtually or in-person at least three times annually.

The Office of Child Development and Early Learning will assist the Council by providing staff support or information, or both, requested by the Council that is needed for the Council to make informed recommendations pursuant to this subchapter. Information provided shall not contain personal information but shall be aggregated or anonymized and otherwise comply with Commonwealth data governance policies and Commonwealth and Federal confidentiality laws, such as those requiring de-identification of individual information.

§ 6.797. Relationship with other agencies.

Commonwealth agencies under the Governor's jurisdiction shall cooperate with and review the recommendations of the Pennsylvania State Advisory Council on Early Childhood Education and Care with respect to its purpose and responsibilities as set forth in this subchapter.

§ 6.798. Effective date.

This subchapter shall take effect immediately.

§ 6.799. Termination date.

This subchapter shall remain in effect until amended or rescinded by the Governor.

§ 6.800. Rescission.

Effective immediately, Executive Order 2008-07, Early Learning Council, is hereby rescinded.

(Editor's Note: Subchapter CC, §§ 6.361—6.368, which is the codification of Executive Order 2008-07, is reserved as a result of the rescission of Executive Order 2008-07.)

[Pa.B. Doc. No. 22-1644. Filed for public inspection October 28, 2022, 9:00 a.m.]