PA 26-105—sSB-137
Education Committee

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF EARLY CHILDHOOD.

SUMMARY: This act makes various unrelated changes affecting education providers and programs. Specifically, it:

1. adds a licensed pediatrician, appointed by the governor, to the Early Child Cabinet, bringing its membership to 33 (§1);
2. increases the maximum per child and per classroom grant a school board can receive under the Smart Start program (§2);
3. requires youth camps to give the Office of Early Childhood (OEC) the camp's contact information and receive notices from an emergency notification system whenever there is an emergency situation in the area that could affect the children's safety (§3);
4. requires child care providers to notify OEC if they have knowledge that a worker at their facility is listed on the child abuse and neglect registry (§§ 4 & 6); and
5. clarifies and adds new definitions for each person under the child care services provider or staff member definition who must undergo a background check (§5).

EFFECTIVE DATE: July 1, 2026, except that the provision on the emergency notification system takes effect October 1, 2026.

§ 2 — SMART START GRANT RATE INCREASE

By law, OEC, in consultation with the state Department of Education, administers the Connecticut Smart Start competitive grant program to give school boards grants for capital and operating expenses to establish or expand preschool programs. Under the program, school boards may receive (1) a one-time capital expenses grant up to $75,000 per classroom and (2) an annual operating expenses grant in an amount based on either the number of children or preschool classrooms in the program.

The act increases the maximum annual operating expenses grant from $5,000 to $6,500 per child and from $75,000 to $97,500 per preschool classroom.

§ 3 — EMERGENCY NOTIFICATION SYSTEM AND YOUTH CAMPS

The act requires every OEC-licensed youth camp (licensee) to provide, verify, and update OEC (when appropriate) with their youth camp's contact information, including its name, address, and telephone number.

The act also requires OEC to share this contact information, in a memorandum of understanding or other agreement, with the Department of Emergency Services and Public Protection for use in an emergency notification system that notifies licensees about emergency situations (such as a fire, criminal act, emergency, or act of nature, such as an earthquake or hurricane) that occur in a youth camp's vicinity that may endanger the safety or wellbeing of the children at the camp.

§ 5 — DEFINITION EXPANSION AND BACKGROUND CHECK REQUIREMENTS FOR CHILD CARE PROVIDERS AND STAFF MEMBERS

Child Care Services Provider or Staff Member Definition Modification and Expansion

The act makes distinctions between child care staff, program staff, assistants, and substitute staff members which apply to all three types of licensed settings: (1) child care centers, (2) group child care homes, and (3) family child care homes (see BACKGROUND). Under the act, these individuals must all undergo background checks.

By law, and unchanged by the act, a "child care services provider or staff member" is any person who is (1) a licensee, employee, volunteer, assistant, or household member of a child care facility; (2) a family child care provider; or (3) generally anyone who provides child care services under the Care 4 Kids child care subsidy program.

Under prior law, a "child care services provider or staff member" additionally included anyone who was an alternate staff or substitute. The act (1) eliminates "alternate staff," (2) specifies that a "substitute" is a "substitute staff member," and (3) adds "staff" and "program staff" to the definition.

Additionally, the act adds statutory definitions for the subset of terms included in the expanded definition of child care services provider or staff member, as described in the table below.

Child Care Services Providers' or Staff Members' Definitions Under the Act

Child Care Staff Member or Household Member	***Definition Under Act***
Employee	Any (1) person paid to work for a family child care provider as a substitute staff member or assistant or (2) staff or program staff in a child care center or group child care home
Volunteer	Any person (1) who is not a child care center or group child care home employee and (2) whose activities involve the direct care of, or the opportunity for unsupervised access to, children
Staff	Any person who is (1) employed by a child care center or group child care home and (2) at least age 16, but not directly responsible for children's care and does not have unsupervised access to children

Child Care Staff Member or Household Member	Definition Under Act
Program Staff	Any person who is (1) employed by a child care center or group child care home, (2) at least age 16, and (3) directly responsible for children's care
Assistant	Any person approved by OEC to provide child care services in a family child care home
Substitute Staff Member	Any person approved by OEC to provide child care services in a family child care home
Household Member	Any person (other than the licensee) who (1) is at least age 18 and (2) resides in the family child care home

Background Check for Child Care Services Providers or Staff Members

By law, each of the following types of child care services providers or staff members must undergo a background check: (1) prospective employees at a child care center or group child care home; (2) people applying for a family child care home license; or (3) people, other than relatives, who provide child care services to a child and receive the Care 4 Kids child care subsidy.

The act further specifies that this background check must include a check of:

1. national and state criminal history records as under the existing law requiring the person being checked to submit their fingerprints to the state police for the state check, and the state police submit them to the FBI for the national check;
2. national and state sex offender registries;
3. the state's child abuse or neglect registry; and
4. child abuse or neglect registries for any other state where the child care services provider or staff member lived within the last five years.

The child care services provider or staff member definition expansion and background check specifications meet related federal background check requirements (see BACKGROUND).

§§ 4 & 6 — NOTIFICATION OF EMPLOYEES ON CHILD ABUSE REGISTRY

Child Care Center or Group Child Care Home

By law, anyone licensed to operate a child care center or group child care home must notify OEC if the owner, conductor, operator, maintainer, or employee of the center or home is convicted of any crime. Failure to comply with this notification requirement (1) may result in license suspension or revocation and (2) subjects the licensee to a civil penalty of up to $100 per day for each day after the person learned about the conviction.

The act additionally requires these licensed child care centers and group homes to notify OEC if the owner, conductor, operator, maintainer, or employee is placed on the child abuse and neglect registry. Failure to disclose knowledge of registry placement is subject to the same disciplinary measures as knowledge of criminal convictions.

Family Child Care Homes

The act makes similar modifications to family child care homes by subjecting any person who applies or is licensed to operate a family child care home, or any household member at least age 18, to the same requirements listed above. For family child care homes, the act also:

1. adds household members to the list of child care workers that must be reported if they have a criminal conviction or are on the registry;
2. changes the age of a household member in a family child care home to someone who is at least age 18, rather than at least age 16 (related provisions already apply to those at least age 18 for household member background checks); and
3. aligns the family child care home statute with the child care center and group child care home statute by requiring OEC notification about a conviction of any crime rather than just crimes referred to under this provision.

BACKGROUND

Types of Child Care Licenses

By law, family child care homes provide child care usually offered in the provider's private home, generally serving six to nine children. Group child care homes (1) offer or provide care to between 7 and 12 children (related or unrelated) on a regular basis or (2) meet the family child care home definition, except that they do not operate in a private home. Child care centers offer or provide care to more than 12 children outside the children's homes on a regular basis (CGS § 19a-77(a)).

Related Federal Background Check Requirements

Under P.L. 92-544, the FBI requires state laws requiring national criminal records checks to meet several criteria before the state may receive criminal history record information from the FBI. Among other things, statutes requiring these records checks must (1) exist as a result of a legislative enactment; (2) require applicants who are subject to a national criminal history background check to be fingerprinted; (3) authorize, either expressly or by implication, the use of FBI records to screen applicants; and (4) identify the specific licensee or employee categories that fall within the reporting scope.