

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 2566**  
**98TH GENERAL ASSEMBLY**

6528H.02C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal section 161.216, RSMo, and to enact in lieu thereof one new section relating to the early learning quality assurance report pilot program.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 161.216, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 161.217, to read as follows:

- 161.217. 1. The department of elementary and secondary education, in collaboration with the Missouri Head Start State Collaboration Office and the departments of health and senior services, mental health, and social services, shall develop, as a three-year pilot program, a voluntary early learning quality assurance report. The early learning quality assurance report shall be developed based on evidence-based practices.**
- 2. Participation in the early learning quality assurance report pilot program shall be voluntary for any licensed or license-exempt early learning providers that are center-based or home-based and are providing services for children from any ages from birth up to kindergarten.**
- 3. The early learning quality assurance report may include, but is not limited to, information regarding staff qualifications, instructional quality, professional development, health and safety standards, parent engagement, and community engagement.**
- 4. The early learning quality assurance report shall not be used for enforcement of compliance with any law or for any punitive purposes.**
- 5. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
20 chapter 536 are nonseverable, and if any of the powers vested with the general assembly  
21 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul  
22 a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
23 any rule proposed or adopted after August 28, 2016, shall be invalid and void.

24 **6. Under section 23.253 of the Missouri sunset act:**

25 **(1) The provisions of the new program authorized under this section shall**  
26 **automatically sunset three years after the effective date of this section unless reauthorized**  
27 **by an act of the general assembly; and**

28 **(2) If such program is reauthorized, the program authorized under this section**  
29 **shall automatically sunset three years after the effective date of the reauthorization of this**  
30 **section; and**

31 **(3) This section shall terminate on September first of the calendar year immediately**  
32 **following the calendar year in which the program authorized under this section is sunset.**

[161.216. 1. No public institution of higher education, political  
2 subdivision, governmental entity, or quasi-governmental entity receiving state  
3 funds shall operate, establish, or maintain, offer incentives to participate in, or  
4 mandate participation in a quality rating system for early childhood education, a  
5 training quality assurance system, any successor system, or any substantially  
6 similar system for early childhood education, unless the authority to operate,  
7 establish, or maintain such a system is enacted into law through:

8 (1) A bill as prescribed by Article III of the Missouri Constitution;

9 (2) An initiative petition as prescribed by Section 50 of Article III of the  
10 Missouri Constitution; or

11 (3) A referendum as prescribed by Section 52(a) of Article III of the  
12 Missouri Constitution.

13 2. No public institution of higher education, political subdivision,  
14 governmental entity or quasi-governmental entity receiving state funds shall  
15 promulgate any rule or establish any program, policy, guideline, or plan or change  
16 any rule, program, policy, guideline, or plan to operate, establish, or maintain a  
17 quality rating system for early childhood education, a training quality assurance  
18 system, any successor system, or any substantially similar system for early  
19 childhood education unless such public institution of higher education, political  
20 subdivision, governmental entity or quasi-governmental entity receiving state  
21 funds has received statutory authority to do so in a manner consistent with  
22 subsection 1 of this section.

23                   3. Any taxpayer of this state or any member of the general assembly shall  
24                   have standing to bring suit against any public institution of higher education,  
25                   political subdivision, governmental entity or quasi-governmental entity which is  
26                   in violation of this section in any court with jurisdiction to enforce the provisions  
27                   of this section.

28                   4. This section shall not be construed to limit the content of early  
29                   childhood education courses, research, or training carried out by any public  
30                   institution of higher education. A course on quality rating systems or training  
31                   quality assurance systems shall not be a requirement for certification by the state  
32                   as an individual child care provider or any licensing requirement that may be  
33                   established for an individual child care provider.

34                   5. For purposes of this section:

35                   (1) "Early childhood education" shall mean education programs that are  
36                   both centered and home-based and providing services for children from birth to  
37                   kindergarten;

38                   (2) "Quality rating system" or "training quality assurance system" shall  
39                   include the model from the Missouri quality rating system pilots developed by the  
40                   University of Missouri center for family policy and research, any successor  
41                   model, or substantially similar model. "Quality rating system" or "training  
42                   quality assurance system" shall also include but not be limited to a tiered rating  
43                   system that provides a number of tiers or levels to set benchmarks for quality that  
44                   build upon each other, leading to a top tier that includes program accreditation.  
45                   "Quality rating system" or "training quality assurance system" may also include  
46                   a tiered reimbursement system that may be tied to a tiered rating system;

47                   (3) "Tiered reimbursement system" or "training quality assurance system"  
48                   shall include but not be limited to a system that links funding to a quality rating  
49                   system, a system to award higher child care subsidy payments to programs that  
50                   attain higher quality levels, or a system that offers other incentives through tax  
51                   policy or professional development opportunities for child care providers.]

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