

Template for Creating State Advisory Councils on Early Education and Care

**Prepared by Elliot Regenstein
EducationCounsel LLC**

The creation of a State Advisory Council (Council) to inform state early learning policy is an outstanding opportunity for states to think comprehensively about the many programs they have serving young children. In many states, the birth-to-five system does not adequately connect to pre-kindergarten, Head Start, child care, birth-to-three programs, and other initiatives to prepare young children for school. The purpose of this document is to help states to best leverage the requirement in the Head Start reauthorization, Section 642B(b)(1)(A), related to State Advisory Councils. The statutory requirement can be fulfilled by converting or designating existing state planning bodies as a State Advisory Council, or by creating a new council. This template is intended to serve as a tool for the state to guide its formation of a Council and to serve as a basis for an application for federal funding, provided for under the 2007 Head Start legislation, of the Council's work.

Leaders establishing State Advisory Councils should do so with a clear sense of purpose. The basic purpose should be to develop and help implement a plan for high-quality early learning services, with the particulars varying from state to state. Federal law requires certain constituencies to be represented on the Council, but states must go beyond federal requirements and think strategically about the right combination of members for their state. Federal law will bring many of the right people to the table and provide a baseline of support, but it will take state leadership and resources (potentially supported by leveraged foundation investments) to make Councils engines of policy change.

Councils must be careful in how they choose their work and focus on where they can have the most impact. The challenges Councils face will typically be complex, requiring significant content knowledge of early learning policy. If they are successful, Councils will help pull together disparate policy pieces into a coherent early learning agenda.

The U.S. Department of Health and Human Services has yet to issue regulations in support of the Head Start statute. We plan to review any draft regulations to ensure that they are consistent with this document (and whether they warrant any changes to this document). In completing the template, states should consider what existing efforts they have underway, what response they wish to make, and what resources will be needed for that response.

I. Mission. The Council should be given a clear mission and task list by the executive order or legislation creating it. The most successful councils to date have been those that were able to articulate a clear vision for their state, and then work vigilantly to see it implemented. The legal framework creating the Council should define its role and require it to help the state develop its comprehensive plan for early childhood services.

Mission -- Key Issues	State Response
<p>The Creation of the Council</p> <ul style="list-style-type: none"> • The Head Start law assigns responsibility for the creation of the Council to the governor of a state. In some states, Councils will be created by executive order; in others, by legislation. <ul style="list-style-type: none"> ○ Creating the Council by statute can invest the legislature in the process earlier and give the Council a greater sense of permanence. ○ Creating the Council by executive order may give the Council greater flexibility. 	
<p>Comprehensive Planning</p> <ul style="list-style-type: none"> • The law creating the Council should require it to prepare a comprehensive plan for the provision of high-quality, birth-to-five services in the state, including Head Start and Early Head Start, state pre-k, child care, child development, home visiting, and other programs for young children. The plan should discuss how the state will provide necessary infrastructure and quality controls. • The Council should be given a deadline by which to prepare its comprehensive plan. • While Councils are comprehensive in scope, the purpose of a comprehensive plan is to provide focus and strategy. The plan should spell out specific goals and strategies, with defined benchmarks and timelines. • The Council should be required to report on its activities to the 	

Mission -- Key Issues	State Response
<p>governor (and potentially the legislature) at least annually.</p> <ul style="list-style-type: none"> • The comprehensive plan should also be designed to fulfill the federal requirement of submitting a statewide strategic report based on public hearings around the state. <ul style="list-style-type: none"> ○ The state should ensure that public hearings are held in as many areas of the state as possible, in compliance with state open meeting laws. ○ Local legislators, elected officials, educational providers, and advocates should be extended invitations as a courtesy, to help build goodwill for the Council. • After submitting the strategic report, federal law requires the Council to review the progress of implementation. 	
<p>Federally Required Tasks</p> <ul style="list-style-type: none"> • The state may seek to add tasks beyond those required by federal law. The tasks required by federal law include: <ul style="list-style-type: none"> ○ (I) conducting a periodic statewide needs assessment concerning the quality and availability of early childhood education and development programs and services for children from birth to school entry, including an assessment of the availability of high-quality pre-k services for low-income children in the State; ○ (II) identifying opportunities for, and barriers to, collaboration and coordination among federally funded and state-funded child development, child care, and early childhood education programs and services, including collaboration and coordination among State agencies responsible for administering such programs; 	

Mission -- Key Issues	State Response
<ul style="list-style-type: none"> ○ (III) developing recommendations for increasing the overall participation of children in existing federal, state, and local child care and early childhood education programs, including outreach to underrepresented and special populations; ○ (IV) developing recommendations regarding the establishment of a unified data collection system for public early childhood education and development programs and services throughout the state; ○ (V) developing recommendations regarding statewide professional development and career advancement plans for early childhood educators in the state; ○ (VI) assessing the capacity and effectiveness of two- and four-year public and private institutions of higher education in the state toward supporting the development of early childhood educators, including the extent to which such institutions have in place articulation agreements, professional development and career advancement plans, and practice or internships for students to spend time in a Head Start or pre-k program; and ○ (VII) making recommendations for improvements in state early learning standards and undertake efforts to develop high-quality comprehensive early learning standards, as appropriate. 	
<p>Potential State-Required Tasks</p> <ul style="list-style-type: none"> • Other program areas on which the state may want to consider requiring the Council to make recommendations include: <ul style="list-style-type: none"> ○ Building public awareness among parents of the opportunities for enrolling their young children in services; ○ Building awareness with the general public of the impact of 	

Mission -- Key Issues	State Response
<p>services for young children;</p> <ul style="list-style-type: none"> ○ Aligning comprehensive birth-to-five services; ○ Improving linkages with K-12; ○ Developing background documents explaining the differing requirements among different programs (child care, Head Start, pre-k, etc.) in key areas (eligibility, curriculum, program standards, etc.); ○ Coordinating with health, mental health, home visiting, and early intervention services; ○ Coordinating with the Early Childhood Comprehensive Systems Initiative funded by the federal Maternal and Child Health Bureau; ○ Designing a financing system that helps the state achieve its stated goals; ○ Making recommendations to federal lawmakers for changes to federal law based on the identification of federal barriers (as required in federally required task II); ○ Undertaking quality improvement activities authorized under the Child Care and Development Block Grant Act; ○ Improving assessment policy; ○ Connecting the unified data collection system with the required K-12 data collection system; ○ Encouraging public-private partnership at the state and local level; ○ Improving the quality of state technical assistance; ○ Improving the quality of state oversight; ○ Improving the quality of local collaboration; ○ Fulfilling the need for family support services; 	

Mission -- Key Issues	State Response
<ul style="list-style-type: none"> ○ Improving service delivery in urban areas; ○ Improving service delivery in rural areas; ○ Providing for the needs of children with diverse linguistic and cultural backgrounds; ○ Providing for the needs of children with special needs, including homeless students; ○ Ensuring adequate facilities for early care and education; ○ Coordinating high-quality evaluations of early childhood programs; and ○ Ensuring adequate quality in state services. ● The Council's task list should be commensurate with its size and scope. ● The authorizing legislation or executive order does not necessarily have to spell out every single task for the Council but could identify some areas for the Council to consider, with the expectation that the Council's strategic planning process will help determine its scope and priorities. 	
<p>Designation of the Council and Coordination with Other Councils</p> <ul style="list-style-type: none"> ● The state is not required to create an entirely new entity to fulfill the federal requirement; it may choose to designate an existing entity so long as that entity complies with federal requirements. <ul style="list-style-type: none"> ○ The governor is responsible for designating the Council, and designating an individual to coordinate the Council's activities. ○ If an existing entity is designated, its mission and membership may need to be amended to comply with federal requirements. ○ If the federally required Council is created by converting an existing coordinating body, the executive order or legislation 	

Mission -- Key Issues	State Response
<p>creating the Council should be clear about the transfer of function to the new entity.</p> <ul style="list-style-type: none"> ○ Even if the new Council does not replace an existing body, it is helpful to have language defining the Council's role with reference to other related entities. The Council may supplant other bodies on some functions and not others, and the governor (and legislature) should provide clarity. ○ This federal requirement could provide an opportunity for the state to examine whether it has the right mix of advisory councils and committees. For some states, it could be an opportunity to streamline the number of councils and create greater efficiency. The state could consider a timeline for merging other bodies with the new Council, including possible changes to state laws creating additional councils. ● The Council's relationship with any existing P-20 council should be defined in its authorizing document. <ul style="list-style-type: none"> ○ The state should use the Council as a conduit for putting early learning matters on the P-20 Council's agenda, rather than as an excuse to take early learning issues off the P-20 Council's agenda. 	
<p>Governance</p> <ul style="list-style-type: none"> ● The state may create the Council as a stand-alone entity, house it within the governor's office, or house it within an agency. ● The Council should not be too strongly associated with a single executive agency, because that might limit its ability to address a wide range of areas and pull together multiple stakeholders. 	

II. Personnel. Having the right agenda is critical, but having the right people to move it forward is just as important. While federal law requires certain entities to be represented on the Council, the most successful Councils will go beyond baseline federal requirements. The Council's membership should be sufficient to ensure the development of a true "united front" among early childhood advocates, with guidance from the executive and legislative branch as to what is political feasible. The Council's recommendations should combine technical expertise with political empowerment to help package policy in a way that maximizes the benefit for young children and is realistically achievable.

Membership -- Key Issues	State Response
<p>Federally Required Members</p> <ul style="list-style-type: none"> • Federal law requires certain representatives on the Council, including: <ul style="list-style-type: none"> ○ A representative of the state agency responsible for child care; ○ A representative of the state educational agency; ○ A representative of local educational agencies; ○ A representative of institutions of higher education in the State; ○ A representative of local providers of early childhood education and development services; ○ A representative from Head Start agencies located in the state, including migrant and seasonal Head Start programs and Indian Head Start programs; ○ The State Director of Head Start Collaboration; ○ A representative of the state agency responsible for programs under section 619 or part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.); and ○ A representative of the state agency responsible for health or mental health care. 	
<p>Additional Optional Members</p> <ul style="list-style-type: none"> • Federal law specifically authorizes states to add additional members that they feel are necessary to carry out the Council's 	

Membership -- Key Issues	State Response
<p>work. Other members worth considering include:</p> <ul style="list-style-type: none"> ○ Families; ○ Legislators from education or appropriations committees; ○ A representative of the state's executive budget or appropriations staff; ○ A representative of a public school provider; ○ A representative of a private provider; ○ A representative of a faith-based provider; ○ A representative of center-based child care; ○ A representative of home child care; ○ A representative of advocacy organizations; ○ A representative of business/industry; ○ A representative of a large-city school district; ○ A representative of a suburban school district; ○ A representative of a rural school district; ○ A representative of teacher unions; ○ A representative of other child-care services unions; ○ A representative of foundations; ○ A representative of families of children with special needs; ○ A representative of an organization of educators serving children with special needs; ○ A representative of population-focused advocacy (e.g. particular culture, homeless, special education, etc.); ○ A representative of research institutions; ○ A representative of state corrections or law enforcement; ○ A representative of the state agency responsible for child welfare; ○ A representative of the state agency with oversight of home 	

Membership -- Key Issues	State Response
<p>visiting;</p> <ul style="list-style-type: none"> ○ A representative of charter schools; ○ A representative of state regional education service providers or regional oversight agencies (if they exist in a state); ○ A representative of a professional-development provider; ○ A representative of counties or municipalities; ○ A representative of cultural institutions; ○ A representative of child care resource and referral agencies; and ○ A representative of any agency represented on a children's cabinet or other existing early childhood collaborative body. <ul style="list-style-type: none"> ● Several of these categories overlap with each other and with the federal requirements. However, the state may wish to be more specific in providing for the inclusion of some of these representatives on the Council, and governors may wish to appoint at-large members representing these constituencies if no such representative is appointed in fulfillment of the federal requirements. ● The state should create a Council that is the right size for its political context. While Councils should be large enough to be inclusive, in many states there is such a thing as a Council that is too large. The ability to operate effectively is a key consideration in determining membership. 	
<p>Ensuring the Right Mix of Members</p> <ul style="list-style-type: none"> ● While the members of the Council will represent particular constituencies, there are certain balances that the membership as a whole should strike. 	

Membership -- Key Issues	State Response
<ul style="list-style-type: none"> • Geographic diversity within the state will be important to the Council's statewide credibility. • Racial and ethnic diversity will be essential to make the Council credible with different constituencies. • In many states, "early childhood" has been treated as separate and distinct from K-12, rather than as part of the same continuum. The Council may provide an excellent opportunity to break down some of those barriers. • Representatives from different levels of the policy process. The policy process includes four types of actors: <ul style="list-style-type: none"> ○ Powerful, general-purpose elected and appointed officials (legislators, state board members, state superintendents); ○ Political translators (gubernatorial and legislative staff, knowledgeable legislators, lobbyists); ○ Policy translators (state early childhood staff, child care oversight staff, policy analysts at advocacy and membership organizations); and ○ Program personnel and line staff (direct service providers). ○ A mix of these actors will be essential for the Council to be successful. The actual development of policy frequently comes from the interaction between political translators and policy translators, and the Council can be a forum for these groups to work together effectively. ○ In states where political momentum is strong, the Council may be better off emphasizing membership among political and policy translators in order to develop the nuances of the policy that is likely to move forward. ○ In states where political momentum needs energy, the Council 	

Membership -- Key Issues	State Response
<p>may need more legislative leadership and grass-roots membership to help build political will.</p>	
<p>Staffing</p> <ul style="list-style-type: none"> • Quality staff work is essential to the success of a Council, supporting the leadership's efforts to ensure that the Council's work is moved forward on an appropriate schedule. • While Council members will typically be expected to serve as volunteers (potentially receiving a per diem or small stipend), the staff work generally must be paid for. In some instances, state agency personnel will be able to take on the role as part of their existing responsibilities, but in other instances, a different source of funding will be needed. • Staffing will typically be the primary expense of the Council. Support for the work of early childhood councils has to date come from a mix of sources, with the primary sources including: <ul style="list-style-type: none"> ○ State agency in-kind contributions; ○ State general fund grants; ○ Private donations and grants; and ○ Federal child care developmental block grant funds. • Other sources of funding have included: <ul style="list-style-type: none"> ○ Part C of the IDEA; ○ State Early Childhood Comprehensive Services Grants; ○ Tobacco settlement dollars, tobacco taxes, or state lottery dollars; and ○ Head Start State Collaboration Office Grants. • While federal grants may eventually be available to support the work of Councils, those grants will represent only a small share of 	

Membership -- Key Issues	State Response
<p>the Council's costs (30 percent). For the Council to succeed, the state – either through its government, its philanthropic community, or a combination of both – must be prepared to provide it with adequate resources.</p> <ul style="list-style-type: none"> • States should provide funding for staffing – not only because the Council should be an important voice in the state policy arena but because that allows the state to exercise greater control over the work done by staff. However, in providing the funding, the state should continue to keep in mind the need to ensure that the Council not be too closely associated with any single agency. • In some states, the use of an outside facilitator may be beneficial to the smooth conduct of meetings. 	

III. Early Operations. While the governor (and legislature) should set the Council's overall mission, place it in context, and provide it with the resources needed to succeed, the Council will need to establish itself and its agenda quickly. The Council's leadership will need to help the Council establish the right focus and structure to accomplish its goals.

Early Operations -- Key Issues	State Response
<p>Leadership Direction</p> <ul style="list-style-type: none"> • The Council's leadership should be prepared to set a direction for the Council based on how advanced the state is in its work on early childhood. Early on, the leaders should ensure that the Council establishes guiding principles for its work and articulates a common vision. A Council should develop a strategic plan that guides its work and is regularly re-evaluated. <ul style="list-style-type: none"> ○ In states that already have a strong commitment to serving 	

<p>young children, Councils can help coordinate among key players and develop a coherent agenda.</p> <ul style="list-style-type: none"> ○ In states unsure of their path in early childhood, Councils can help make life easier for elected officials by helping develop a roadmap. ● The leaders must also be prepared to navigate what may be one of the central struggles of the Council -- the balance between quality and quantity in state-funded early learning programs. <ul style="list-style-type: none"> ○ Many advocates who specialize in early childhood will seek to improve the quality of services for at-risk children, even if the added costs limit the number of children who can enroll at existing funding levels. But more politically inclined members may want to add as many kids as possible, even if quality is not high. ○ Extensive research shows that high quality is critical to child and family outcomes. Leaders of the Council must stand firm in guaranteeing a baseline of quality. Only above that baseline should the Council focus on striking an appropriate balance for the state between quality and quantity; if the state's quality is inadequate, the Council should focus on a plan for improving quality even while expanding access. 	
<p>Committee Structure and Membership</p> <ul style="list-style-type: none"> ● In order to work effectively, the Council may choose to develop standing committees devoted to particular topic areas or work groups focused on particular issues. ● If the Council forms committees, the committee structure should be based on the Council's overall strategic plan. ● Adding a committee structure does add to the Council's administrative and staffing responsibilities. 	

<ul style="list-style-type: none"> • In states where interest in Councils is high, states may wish to consider encouraging committee service by individuals and representatives who are not members of the full Council. <ul style="list-style-type: none"> ○ Allowing committee membership for individuals who are not Council members may allow organizations with a narrow focus – or a focus that overlaps only narrowly with early childhood issues – to use their resources most effectively. ○ As noted above, it may be appropriate for states to limit the size of Councils in order to guarantee their effectiveness. Allowing committee membership for individuals who are not Council members may be an effective strategy for working with groups who were not included on the Council because its size was intentionally limited. ○ A less formal committee structure may also allow agencies and organizations to deploy different staff members to different committees, based on availability and expertise. 	
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

IV. Federal Grant. The 2007 reauthorization of Head Start states that the Department of Health and Human Services can issue grants to support the work of Councils. To date, no funding for these grants has been provided. However, if funding is provided, states may well find the federal support beneficial to their work. For the most part, the grant application requirements track quite closely the requirements for developing a Council and should support work that states are required to undertake, regardless of whether or not grants are available.

Federal Grant -- Key Issues	State Response
<p>Grant Activities</p> <ul style="list-style-type: none"> • Federal grants, if issued, support the state's work in at least one of the following areas: <ul style="list-style-type: none"> ○ Promoting school preparedness of children from birth through school entry, including activities to encourage families and caregivers to engage in highly interactive, developmentally and 	

Federal Grant -- Key Issues	State Response
<p>age-appropriate activities to improve children's early social, emotional, and cognitive development, support the transition of young children to school, and foster parental and family involvement in the early education of young children;</p> <ul style="list-style-type: none"> ○ Supporting professional development, recruitment, and retention initiatives for early childhood educators; ○ Enhancing early childhood education and development programs and services (in existence on the date on which the grant involved is awarded), including quality improvement activities authorized under the Child Care and Development Block Grant Act of 1990; or ○ Other activities proposed by the state. <ul style="list-style-type: none"> ● Grants are intended to help the states develop high-quality systems in these areas or in another area proposed by the state. 	
<p>Grant Application and Reporting</p> <ul style="list-style-type: none"> ● To receive the grant, states must prepare a three-year plan that includes, at a minimum: <ul style="list-style-type: none"> ○ The required statewide strategic report, including a description of the Council's responsibilities; ○ A description of how funds will be used; ○ A description of the state's early learning standards and goals for increasing kindergarten readiness; ○ A description of how the state plans to sustain activities beyond the grant period; and ○ A designation of the agency or individual designated to carry out grant activities. ● Grants are one-time startup grants of not less than \$500,000, and require a 70 percent state match. The federal grant must supplement, not supplant, state funding. ● Grants will be competitively awarded. 	

Federal Grant -- Key Issues	State Response
<ul style="list-style-type: none"> • Within 18 months of receiving the grant, a state must provide an interim report that includes: <ul style="list-style-type: none"> ○ A description of the of the activities and services carried out under the grant, including the outcomes of such activities and services in meeting the needs described in the periodic needs assessment and statewide strategic report; ○ Information about how the state used grant funds to meet its goals through activities to develop or enhance high-quality systems of early childhood education and care, increase effectiveness of delivery systems and use of funds, and enhance existing programs and services; ○ Information regarding the needs described in the periodic statewide needs assessment and statewide strategic report that have not yet been addressed by the state; and ○ Any other information required by the Secretary of Health and Human Services. 	

V. Conclusion. While federal law requires states to have State Advisory Councils, to charge them with certain tasks, and to populate them with certain members, each state has wide latitude in providing for the scope of its Council. The most important, overarching considerations are to require the Council to define a vision for the state's early childhood services and to provide the Council with the right membership mix to see that the vision is appropriately developed and implemented. If federal funds are made available to states, the states best positioned to apply for them will be those that have already begun the work of developing a vision and a plan for early childhood services.