

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 636

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO THE OFFICE OF EARLY CHILDHOOD SERVICES; PROVIDING LEGISLATIVE
2 INTENT; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER
3 97, TITLE 67, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR THE APPOINT-
4 MENT OF THE DIRECTOR OF THE OFFICE OF EARLY CHILDHOOD SERVICES, AND TO
5 PROVIDE FOR A TRANSITION PLAN FOR THE OFFICE OF EARLY CHILDHOOD SER-
6 VICES; AMENDING CHAPTER 97, TITLE 67, IDAHO CODE, BY THE ADDITION OF
7 A NEW SECTION 67-9704, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING
8 THE DUTIES OF THE OFFICE OF EARLY CHILDHOOD SERVICES; AMENDING SECTION
9 67-2601, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 182, LAWS OF 2023,
10 AND BY SECTION 33, CHAPTER 220, LAWS OF 2023, TO ESTABLISH THE OFFICE OF
11 EARLY CHILDHOOD SERVICES IN THE DEPARTMENT OF SELF-GOVERNING AGENCIES;
12 AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.
13

14 Be It Enacted by the Legislature of the State of Idaho:

15 SECTION 1. LEGISLATIVE INTENT. (1) It is hereby declared by the Legis-
16 lature of the state of Idaho that:

17 (a) Early childhood development is directly linked to economic devel-
18 opment because it improves the quality of the future workforce and has
19 been shown to create cost savings to taxpayers by reducing the need for
20 educational remediation, social services, and other government ser-
21 vices;

22 (b) The deliberate coordination of Idaho's public and private early
23 childhood services will allow for greater efficiency, expanded
24 parental choice, and allow for a more accurate inventory of existing
25 services, programs, and initiatives for use by families and policy mak-
26 ers;

27 (c) Families should have choices when it comes to services for their
28 young children and, if they choose to seek services outside the home,
29 should have high-quality options and support for the decision-making
30 process;

31 (d) The long-term academic success of children is dependent on third
32 grade reading proficiency, with a foundation built on the language and
33 literacy experiences of children from birth to age five;

34 (e) Early childhood services providers offer services that are essen-
35 tial to the success of the state, both because of their impact on long-
36 term outcomes for children and their impact on the ability of parents to
37 participate in the workforce;

38 (f) Idaho's successful economy and growing workforce depend on at-
39 tracting and retaining families with young children, and such families
40 often have limited time and resources to access early childhood ser-
41 vices; and

1 (g) The state of Idaho seeks to be as efficient as possible in providing
 2 high-quality early childhood services to make it easy for families and
 3 providers to thrive.

4 (2) It is hereby declared that the purposes of this act are to:

5 (a) Authorize under the Department of Self-Governing Agencies an of-
 6 fice of early childhood services that will provide oversight and sup-
 7 port to the early childhood system;

8 (b) Support collaboration and coordination with and among all relevant
 9 state agencies, local agencies, providers, and families;

10 (c) Facilitate the effective functioning of the early childhood sys-
 11 tem;

12 (d) Help state government serve families and providers more effi-
 13 ciently and effectively;

14 (e) Help to maintain access to the early childhood services needed to
 15 support child development in the state of Idaho as established by the
 16 Governor's Executive Order No. 2019-14; and

17 (f) Help to maintain access to the early childhood services needed to
 18 support the state of Idaho's workforce.

19 SECTION 2. That Title 67, Idaho Code, be, and the same is hereby amended
 20 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
 21 ter 97, Title 67, Idaho Code, and to read as follows:

22 CHAPTER 97
 23 OFFICE OF EARLY CHILDHOOD SERVICES

24 67-9701. DEFINITIONS. As used in this chapter, the following terms
 25 have the following meanings unless the context indicates otherwise:

26 (1) "Child care" means the care and supervision of children.

27 (2) "Director" means the director of the office of early childhood ser-
 28 vices.

29 (3) "Early childhood" means the period of life from birth to five (5)
 30 years of age, unless otherwise specified.

31 (4) "Early childhood advisory council" or "council" means the state
 32 advisory council required by the improving head start for school readiness
 33 act, 42 U.S.C. 9837b(b) (1).

34 (5) "early childhood services provider" means an entity that provides
 35 early childhood services.

36 (6) "Early childhood services" includes child care, early childhood
 37 special education, early education, head start, home visiting, and any other
 38 similar service meant to support children from birth to five (5) years of age
 39 and their families.

40 (7) "Early childhood special education" means services provided to
 41 children under five (5) years of age pursuant to the federal individuals with
 42 disabilities education act, 20 U.S.C. 1400 et seq.

43 (8) "Early education" means any program with a stated purpose of pro-
 44 moting child development based on the Idaho early learning e-guidelines.

45 (9) "Early learning e-guidelines" means a set of learning standards and
 46 guidelines maintained by the office that address multiple domains of child
 47 development.

1 (10) "Head start" means services provided by early childhood services
2 providers pursuant to 42 U.S.C. 9801 et seq.

3 (11) "IdahoSTARS" means a program that rates the quality of early child-
4 hood services providers and provides support to early childhood services
5 providers for continuous improvement.

6 (12) "Home visiting" means an evidence-based home visiting service that
7 supports the health and development of pregnant women, expectant fathers,
8 and parents and caregivers of children under five (5) years of age.

9 (13) "Mixed delivery system" means a system of early childhood services
10 delivered through a combination of early childhood services providers that
11 is supported with a combination of public and private funds.

12 (14) "Office" means the office of early childhood services.

13 (15) "Oversight" means authority for the budget and administration of
14 a program or service and designation as the lead agency on any issue within
15 that authority.

16 67-9702. OFFICE OF EARLY CHILDHOOD SERVICES -- APPOINTMENT OF THE DI-
17 RECTOR. (1) The director shall be appointed by the governor.

18 (2) The director may delegate authority to office employees, unless
19 otherwise prohibited by law.

20 67-9703. OFFICE OF EARLY CHILDHOOD SERVICES -- TRANSITION. (1) The di-
21 rector shall support the development of a proposed fiscal year 2026 budget
22 for the office and shall be available to the legislature to discuss the de-
23 velopment of such budget.

24 (2) The director shall prepare a transition plan that shall be made pub-
25 lic by February 1, 2025. The director shall hold at least one (1) public in-
26 put session to help develop the transition plan and shall conduct at least
27 one (1) public presentation regarding the transition plan in April 2025. The
28 director shall consult with the early childhood advisory council in the de-
29 velopment of the transition plan.

30 (3) The director shall request funds in the state fiscal year 2026 bud-
31 get to conduct an external audit of the transition process. If funds are ap-
32 propriated, the external audit shall be completed by April 1, 2026.

33 SECTION 3. That Chapter 97, Title 67, Idaho Code, be, and the same is
34 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
35 ignated as Section 67-9704, Idaho Code, and to read as follows:

36 67-9704. OFFICE OF EARLY CHILDHOOD SERVICES -- DUTIES. The office of
37 early childhood services is hereby established in the department of self-
38 governing agencies as of July 1, 2025. The duties of the office shall in-
39 clude:

40 (1) Oversight of the following early childhood services:

41 (a) Child care, including but not limited to the Idaho child care pro-
42 gram;

43 (b) Early education;

44 (c) Early childhood special education services; and

45 (d) Early childhood services;

46 (2) Statutory authorities previously provided to the department of
47 health and welfare pursuant to chapters 11 and 12, title 39, Idaho Code;

- 1 (3) Leading statewide efforts to improve early childhood services and
2 strengthen the mixed delivery system;
- 3 (4) Collaboration and coordination with:
 - 4 (a) Other child-serving agencies, including but not limited to the de-
5 partment of health and welfare and the state board of education;
 - 6 (b) Any other state agencies whose policy responsibilities are related
7 to those of the office; and
 - 8 (c) The early childhood advisory council, with the director to serve as
9 chair of the council;
- 10 (5) Collaboration and coordination with tribal governments to support
11 the delivery of early childhood services;
- 12 (6) Supporting the work of early childhood services providers;
- 13 (7) Assisting families who wish to obtain early education services;
- 14 (8) Ensuring the successful function of the mixed delivery system by
15 conducting the following activities:
 - 16 (a) Working across programs to set terms for service quality to guar-
17 antee quality for children and families in a way that is feasible for
18 providers to implement;
 - 19 (b) Measuring and reporting on the quality of service in a way that
20 guarantees accountability, while supporting providers to be success-
21 ful;
 - 22 (c) Reporting an annual office budget that provides transparency on the
23 state's investment in young children;
 - 24 (d) Implementing a plan for strengthening the workforce of early child-
25 hood services providers to ensure that talented personnel are being at-
26 tracted into the field and are supported to remain in the field;
 - 27 (e) Creating a unified eligibility portal that makes it easy for fami-
28 lies to enroll in services;
 - 29 (f) Communicating to the public about the value and availability of
30 early childhood services;
 - 31 (g) Leveraging and integrating existing data more effectively to quan-
32 tify the state's existing early education and care capacity and the
33 needs of families and to mobilize resources to meet those needs;
 - 34 (h) Updating and supporting the implementation of the Idaho early
35 learning e-guidelines;
 - 36 (i) Supporting effective transitions into kindergarten for all chil-
37 dren; and
 - 38 (j) Supporting effective transitions for all children receiving early
39 childhood special education services, including any changes in ser-
40 vices prior to kindergarten entry and the transition into kindergarten;
- 41 (9) Ensuring that the delivery of early childhood services in Idaho
42 complies with all relevant federal laws and regulations;
- 43 (10) Applying for public or private funding to carry out the office's
44 responsibilities;
- 45 (11) Providing an annual report on the current status of the early
46 childhood services field that utilizes integrated data to provide trans-
47 parency and accountability for the office's work; and
- 48 (12) Any other duties assigned by the governor and legislature.

1 SECTION 4. That Section 67-2601, Idaho Code, as amended by Section 2,
2 Chapter 182, Laws of 2023, and by Section 33, Chapter 220, Laws of 2023, be,
3 and the same is hereby amended to read as follows:

4 67-2601. DEPARTMENT CREATED -- ORGANIZATION. (1) There is hereby cre-
5 ated the department of self-governing agencies. The department shall, for
6 the purposes of section 20, article IV of the constitution of the state of
7 Idaho, be an executive department of the state government.

8 (2) The department shall consist of the following:

9 (a) Agricultural commodity commissions: Idaho apple commission, as
10 provided by chapter 36, title 22, Idaho Code; Idaho bean commission,
11 as provided by chapter 29, title 22, Idaho Code; Idaho beef council, as
12 provided by chapter 29, title 25, Idaho Code; Idaho cherry commission,
13 as provided by chapter 37, title 22, Idaho Code; Idaho dairy products
14 commission, as provided by chapter 31, title 25, Idaho Code; Idaho pea
15 and lentil commission, as provided by chapter 35, title 22, Idaho Code;
16 Idaho potato commission, as provided by chapter 12, title 22, Idaho
17 Code; Idaho wheat commission, as provided by chapter 33, title 22, Idaho
18 Code; and Idaho alfalfa and clover seed commission, as provided in chap-
19 ter 42, title 22, Idaho Code.

20 (b) The board of commissioners of the Idaho state bar, as provided by
21 chapter 4, title 3, Idaho Code.

22 (c) The board of examiners, pursuant to section 67-2001, Idaho Code.

23 (d) The division of veterans services, to be headed by a division ad-
24 ministrator who shall be a nonclassified employee exempt from the pro-
25 visions of chapter 53, title 67, Idaho Code. The administrator of the
26 division shall administer the provisions of chapter 2, title 65, Idaho
27 Code, and chapter 9, title 66, Idaho Code, with the advice of the vet-
28 erans affairs commission established under chapter 2, title 65, Idaho
29 Code, and shall perform such additional duties as are imposed upon him
30 by law.

31 (e) The board of library commissioners, pursuant to section 33-2502,
32 Idaho Code.

33 (f) The Idaho state historical society, pursuant to section 67-4123,
34 Idaho Code.

35 (g) The office of the state appellate public defender, pursuant to
36 chapter 59, title 19, Idaho Code, and the office of the state public
37 defender, pursuant to chapter 60, title 19, Idaho Code.

38 (h) The division of occupational and professional licenses, which is
39 hereby created.

40 (i) The office of administrative hearings, pursuant to section
41 67-5280, Idaho Code.

42 (j) The office of early childhood services, pursuant to chapter 97, ti-
43 tle 67, Idaho Code.

44 (3) Notwithstanding any other provision of law to the contrary, the
45 governor shall have the authority to assign entities listed in subsection
46 (2) of this section to divisions, sections, or units in such a manner as will
47 tend to provide an orderly arrangement in the administrative organization of
48 state government.

1 SECTION 5. An emergency existing therefor, which emergency is hereby
2 declared to exist, Sections 1, 2, and 4 of this act shall be in full force and
3 effect on and after July 1, 2024, and Section 3 of this act shall be in full
4 force and effect on and after July 1, 2025.