

**199.8944 Definition of "program" -- Legislative intent for program -- Express authorization from General Assembly required for administrative or regulatory change -- Requirements for plan -- Consultation with Kentucky Child Care Advisory Council -- Report required.**

- (1) As used in this section, "program" means the quality-based graduated early care and education program rating system established under KRS 199.8943.
- (2) It is the intent of the General Assembly that the program shall meaningfully and effectively support voluntary participation by licensed and certified child-care providers in building and maintaining high-quality early learning services for children across the Commonwealth. To that end, the General Assembly intends for the program to:
  - (a) Feature objective and measurable intended outcomes;
  - (b) Include long-term strategies for empirically assessing and validating the efficacy of the program and routinely studying it to ensure continuous improvement;
  - (c) Be predicated upon proven methods and standards that reflect the consensus of the highest-quality academic research on early childhood development;
  - (d) Align with state licensing and certification requirements and avoid duplication between those requirements and the program to the greatest extent possible;
  - (e) Offer effective financial incentives to encourage and enable providers to participate in the program and to strive for the highest possible rating under the program;
  - (f) Offer accessible and high-impact training opportunities for child-care providers and their staff to ensure that they are able to successfully participate in the program and advance their services to higher rating levels;
  - (g) Utilize digital administrative tools that are easy to use and minimize compliance burdens associated with participating in the program;
  - (h) Be accompanied by a robust outreach program that involves partnerships with community-based stakeholders to ensure that providers, parents, and employers are fully aware of the program and its benefits to children;
  - (i) Be simple and easy to understand for parents;
  - (j) Include a digital, public-facing data system that is accessible to the general public and researchers;
  - (k) Provide streamlined compliance processes for multisite operators to reduce administrative burdens; and
  - (l) Allow for flexibility within rating levels in order to accommodate different approaches to providing high-quality services, provided that these approaches are informed by research and the consensus of early childhood education professionals.
- (3) (a) On or after April 14, 2026, the Cabinet for Health and Family Services shall not make any administrative or regulatory changes to the program unless explicitly authorized to do so by the General Assembly or unless a change is required to conform with federal law or to access federal funding. If the

cabinet determines that administrative or regulatory changes to the program are necessary in accordance with this paragraph, the cabinet shall first notify the Interim Joint Committee on Families and Children before initiating any changes.

- (b) Notwithstanding paragraph (a) of this subsection, the cabinet shall, in consultation with the Family Child Care Network of Kentucky, promulgate administrative regulations in accordance with KRS Chapter 13A to incorporate setting-aligned quality standards under the program for certified family child-care homes and licensed Type II child-care centers by October 1, 2026.
- (4) Any established metrics or intended outcomes associated with the program, or strategies to evaluate the efficacy of the program, shall respect the privacy of children, families, and licensed and certified child-care providers, and shall account for programs for children with special needs, children in the welfare system, and children from economically disadvantaged households.
- (5) This section shall not be construed to limit or prohibit aspects of the program that are not mentioned in this section.
- (6) By October 1, 2026, the cabinet shall submit to the Legislative Research Commission a written plan outlining a process through which it will develop recommendations to modernize the program and align it with the General Assembly's intent as expressed in this section for referral to the Interim Joint Committees on Families and Children, Education, and Appropriations and Revenue and the Tobacco Settlement Agreement Fund Oversight Committee.
- (7) The modernization process plan submitted by the cabinet shall include but not be limited to:
  - (a) Strategies for robust engagement with impacted stakeholders, including but not limited to licensed and certified child-care providers, early childhood educators employed in regulated child-care programs, parents of young children, parents of children with special needs, parents of children benefiting from the Child Care and Development Fund as defined in 45 C.F.R. sec. 98.2, elementary school teachers, special education teachers, school district superintendents, and school principals;
  - (b) Strategies for robust engagement with outside experts, including but not limited to early childhood education professionals and experts, faculty at Kentucky-based colleges and universities, economists and statisticians, the federal Administration for Children and Families, and Child Care and Development Fund administrators in other states;
  - (c) Strategies for utilizing the Kentucky Child Care Advisory Council as a source for feedback and guidance;
  - (d) Strategies for utilizing technical assistance, financial, and programmatic support from the federal government where applicable;
  - (e) Strategies for updating and seeking feedback from the General Assembly and other executive branch agencies;
  - (f) Clear timelines, including expected project milestones, with the intention of

producing final recommendations to the Legislative Research Commission for modernization and alignment by no later than December 1, 2027; and

- (g) Estimates of projected costs to successfully carry out the modernization process plan, including potential costs for third-party contractors.
- (8) In developing the modernization process plan, the cabinet shall consult regularly and consistently with the Kentucky Child Care Advisory Council. The council shall provide feedback and guidance to the cabinet throughout the process. Prior to the submission of the plan to the Legislative Research Commission, the cabinet shall submit the plan to the council for a review and shall communicate comments and feedback from the council regarding the plan to the Commission.
- (9) By December 1, 2027, the cabinet shall submit its final recommendations for modernizing the program and aligning it with the General Assembly's intent, as expressed in this section, to the Legislative Research Commission for referral to the Interim Joint Committees on Families and Children, Education, and Appropriations and Revenue and the Tobacco Settlement Agreement Fund Oversight Committee.

**Effective:** April 14, 2026

**History:** Created 2026 Ky. Acts ch. 146, sec. 1, effective April 14, 2026.