

Early Childhood Education Professional Recognition Act

Summary of ECE Professional Licensure Legislation and Regulations

This document provides a high-level summary of the Commission on Professional Excellence’s licensure legislation and regulations that is intended to serve as a model for states considering moving towards professional licensure for early childhood educators. It is grounded in the recommendations from the *Unifying Framework for the Early Childhood Education Profession*, which lays out a comprehensive, collective vision for moving towards the diverse, equitable, effective, well-prepared, and well-compensated early childhood education profession that our nation needs to ensure families have access to quality early learning and care options for their children.

As we move towards the *Unifying Framework’s* vision in the context of our work, and particularly in light of the current, urgent crises facing the early childhood education field, the Commission reaffirms the implementation commitments the Power to the Profession Task Force made to the field:

- We will not advocate for increased educational requirements without advocating for funding to provide requisite supports and attendant compensation.
- We will not advocate for new regulations or requirements for early childhood educators without advocating for increased funding and capacity supports so that programs, institutions, and educators across all settings can implement them.
- We will not advocate for new regulations or requirements for early childhood educators without advocating to establish and implement realistic timelines that recognize the challenges faced by the existing workforce, across all settings.
- We will not advocate for new regulations or requirements for early childhood educators without advocating for implementation plans and timelines that recognize the particular challenges that family child care and other community-based providers face, so as not to contribute to or worsen their widespread decline.
- We will not advocate for policies that disproportionately and negatively impact educators from communities of color.
- We will not advocate for policies that advance the early childhood education profession without doing the work to mitigate unintended consequences and create meaningful pathways for advancement.

We recognize that full implementation of the *Unifying Framework* includes a licensing and regulatory structure designed to support a professional workforce, working with children birth through age 8, earning professional salaries and benefits, with practice autonomy, across all states and settings. At the same time, the licensure legislation is intended to act in concert with other elements of licensure (such as accredited preparation programs, assessments, and practicum experience) as well as other critical elements of a transformed early childhood education system.

The Commission expects that any state interested in advancing licensure legislation and regulations will also be working to increase compensation for early childhood educators working across all settings. The Commission expects that any state interested in advancing licensure legislation will pair that work with (a) funded efforts to increase compensation for early childhood educators, including those working with infants and toddlers and in family child care homes, and (b) funded efforts to provide robust supports to educators across settings seeking credential and degree attainment at all levels. The Commission is committed to prioritizing a realization of the goal in which all early childhood educators are well compensated in accordance with the complex and demanding work they perform, as part of a system that recognizes the cost of quality and finances early childhood education as the public good that it is.

Background for Professional Licensure

Current child care licensing structures tend to focus primarily on settings, not people. The *Unifying Framework*, however, advocates for putting people at the center, focusing trust and investment in the education and compensation of early childhood educators themselves. In order to move to a future that is reflective of the values of equity, simplicity, clarity, and reciprocity, in which early childhood educators will hold a professional license to practice and be compensated at an ECE I, II or III designation, states will need to enact numerous legislative, regulatory, and procedural policy changes. These policy changes should seek to simplify – rather than add layers of complexity to – existing policies; ease inclusion of educators working across settings, and particularly those in family child care; and promote alignment across states.

As such, the Commission on Professional Excellence in Early Childhood Education has drafted model legislation and regulations to support states in amending existing and enacting new policies on professional licensure and requirements for early childhood educators.

- While it is inevitable that states may modify some language to adapt to local context, the concept of the *Unifying Framework* means that reciprocity is imperative and essential. *Therefore, it is highly recommended that states moving this work forward adopt statutory language that is as substantially aligned to the model legislation as possible.*
- Throughout the model legislation, sidebar commentary sections have been included to provide further context, clarification, and considerations to help states adapt and align language.
- There are aligned model regulations, which mirror and expand upon the elements and provisions of the legislative text to guide states’ interpretation and implementation of the statute.

What Does the Licensure Legislation Do?

Provides Definitions, Roles, and Responsibilities

- The legislation mirrors the *Unifying Framework* and the *Professional Standards and Competencies for Early Childhood Educators*; provides definitions for all relevant terms; and outlines the scopes of practice for each designation level.
- It also utilizes the sidebar and commentary sections to draw attention to related policy and investment decisions that states will have to structure in order to help current and future educators working in all settings move along the pathways towards inclusion in the ECE profession and alignment with the designations. Examples of policies that support designation alignment include, but are not limited to, investments to ensure that ECE Is and ECE IIs working in family child care homes or small centers can have access to supervision and supports via networks, on-site technical assistance, etc.

ECE I Designation \$		ECE II Designation \$\$		ECE III Designation \$\$\$	
Scope of Practice: Serve in a support role in birth-age 8 settings.	Education Requirement: Completion of (at least) 120 clock hours of an ECE preparation program	Scope of Practice: Serve as the lead educator in birth-5 settings. Serve in a support role in preK-3 settings where a baccalaureate degree is required for the lead educator.	Education Requirement: ECE Associate Degree	Scope of Practice: Serve as the lead educator in birth through age 8 settings	Education Requirement: ECE Baccalaureate Degree or ECE Initial Master’s Degree

Provides Guidance for the Creation of a State ECE Licensing Board and Delegation of Authority

- The legislative language outlines suggested Board composition, powers and duties while recognizing variation in state governance structures and authority. For example, the model legislation uses the creation of a new state board entity as a starting point; however, states may choose to utilize existing state licensing boards/entities and expand to include early childhood licensure.
- Regardless of structure, the Commission, reflecting its own practices, outlines a composition that includes educators from a variety of settings. States will determine the best approach and can use the legislation as a guide.

The Commission on Professional Excellence in Early Childhood Education is different from the state licensing board; the primary responsibilities of the Commission are to: hold the standards, competencies, and guidelines of the Profession; set the parameters for quality assurance of individuals and professional preparation programs, including exploring and setting parameters for the professional assessments required for ECE I, ECE II, and ECE III licensure and renewal; and coordinate with state and federal bodies to promote alignment with the profession's recommendations.

Establishes Key Elements and Processes for Early Childhood Educator Licensure

- **Initial licensure qualifications for ECE I, II, and III.** Stipulates that for every designation level, licensure applicants must complete an approved education program or professional preparation program, which includes a practicum, and pass an approved assessment in order to demonstrate proficiency in the *Professional Standards and Competencies*.
- **Core competencies.** Calls for the State ECE licensing Board to adopt the *Professional Standards and Competencies for Early Childhood Educators*. The components of licensure—professional preparation, field experiences and licensure assessments—will align to these standards and competencies.
- **Waiver of requirements.** Outlines circumstances that allow for certain requirements to be waived, including the completion of an approved assessment (while assessments are still being developed and/or approved) or approved education/professional preparation program, as well as a waiver for certain licensed preK-12 educators.
- **Transitional license.** Accounts for those already working in the field, providing a period of time and process for these educators to meet licensure requirements.
- **Reciprocal license.** Outlines a clear process for licensed educators to move between states.
- **Provisional license.** Provides a provisional license for educators who have not completed an approved assessment to temporarily work under supervision.
- **Licensure lattice.** Addresses licensed educators seeking higher designations (e.g. moving from ECE II to III after completing a Bachelor's degree).
- **Continuing education; Licensure renewal requirements; Reinstatement of License.** Specifies requirements and processes for maintaining, renewing, and reinstating licenses.
- **Discipline.** Includes policies and processes regarding educator discipline and enforcement, including due process, hearings, and filing complaints with the Board.
- **Specializations.** Provides that the Board may recognize specialization credentials for individuals holding an ECE I, II, or III license. Specializations are to be recognized by the Commission on Professional Excellence in ECE.

Related Work and Considerations

Licensed Settings

- The model legislation represents the intent to require and support licensed settings in hiring educators who are licensed as ECE I, II, and III under the legislation, while simultaneously lifting up the intent to unwind existing licensing rules that may be overly prescriptive; undermine the practice autonomy of educators; and place a burden on directors and educators that is insufficiently correlated to advancing health, safety, and quality.
- Because state laws applicable to licensed settings vary considerably, actual legislative language may also vary considerably; the model legislation is intended to serve as a guide toward implementing this intent.

Compensation and Appropriations

- This model legislation focuses on professional licensure, while stating clearly the intent and expectation for early childhood professionals to be compensated in keeping with the principles outlined in the *Unifying Framework*.
- The legislation includes high-level appropriations language, but does not advocate for the inclusion of particular mechanisms for increasing compensation, as states will seek different strategies that the organizational and individual members of the Commission on Professional Excellence recommend and advocate for in multiple contexts.
- These compensation supports and strategies must also include investments in equitable access to higher education including a focus on credit for prior learning and experience policies that recognize educator competence and experience, as well as policies that ensure educators have access to coursework in languages other than English along with release time and substitute pools that support them in pursuing professional preparation and development opportunities. In addition, investments must attend to conditions that support educator well-being, autonomy, and their ability to implement effective practices across settings.
- These supports must also take into consideration the additional burden of costs, time, and location of coursework for family child care and small business owners who may already be fulfilling multiple roles in their work settings.

Because differences in settings and funding streams do not dictate differences in the nature of the work being done, compensation principles outlined in the *Unifying Framework* include:

- Compensation will be comparable for early childhood educators with comparable qualifications, experience, and job responsibilities, regardless of the setting of their job.
- Compensation will include the provision of an adequate benefits package.
- Compensation will increase commensurate with increased preparation and increased competency.
- Compensation will not be differentiated on the basis of the ages of children served or on the settings where early childhood educators practice.

To learn more about the Commission on Professional Excellence and/or request access to the licensure legislative language, please visit CommissionECE.org.

To seek to join a peer learning community addressing licensure, credit for prior learning, or compensation in alignment with the *Unifying Framework*, please reach out to Maria Estlund, State Policy Specialist at NAEYC, at mestlund@naeyc.org.