



STEVEN L. BESHEAR
GOVERNOR

EXECUTIVE ORDER

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ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Allen

Secretary of State
Frankfort
Kentucky

2012-731
August 24, 2012

**AMENDED ORDER RELATING TO THE
EARLY CHILDHOOD ADVISORY COUNCIL**

WHEREAS, the Commonwealth of Kentucky has always promoted effective and efficient management of state government operations; and

WHEREAS, improved efficiency and economy will result from the establishment and alteration of new and current organizational entities as set out in this Executive Order; and

WHEREAS, the provisions of this Executive Order will streamline governmental operations and enhance the provision of services to the citizens of the Commonwealth of Kentucky; and

WHEREAS, the Commonwealth of Kentucky is committed to the educational success, health and welfare of its children; and

WHEREAS, the Commonwealth of Kentucky has made substantial commitments to improving the provision of early childhood development and education services through the KIDS NOW programs funded through Kentucky's tobacco settlement proceeds, the KERA pre-school program, and several other initiatives aimed at improving child and maternal health, child development, and school readiness; and

WHEREAS, research shows that investment in high quality early childhood care and education results in later academic and personal success; and

WHEREAS, the Commonwealth of Kentucky's system of early childhood development and education recognizes, incorporates and values the continuing role of private child care providers and private early childhood education providers, both not-for-profit and for profit; and further recognizes that the delivery of early childhood



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development and education services crosses the boundaries of several different government sectors; and

WHEREAS, the Commonwealth of Kentucky can best achieve its objective of school readiness and child success through a coordinated approach to the delivery of early childhood development and education services to children from birth to school entry; and

WHEREAS, continuous, comprehensive review of the delivery of early childhood development and education services is appropriate to ensure effective use of the public's resources, greater collaboration and coordination among the wide variety of early childhood development and education providers, and an effective transition to kindergarten; and

WHEREAS, pursuant to Executive Order 2009-154, the Governor's Task Force on Early Childhood Development and Education was established to review the delivery of early childhood development and education services in the Commonwealth of Kentucky and to recommend improvements to the system and its Final Report has been issued; and

WHEREAS, the Improving Head Start for School Readiness Act of 2007, 42 U.S.C. § 9837b(b)(1)(A), requires the governor of each state to designate or establish a State Advisory Council on Early Childhood Education and Care and to designate an individual to coordinate its activities; and

WHEREAS, the 2012 General Assembly failed to ratify Executive Order 2011-534:



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NOW THEREFORE, I, Steven L. Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of the Commonwealth and KRS 12.028, do hereby Order and Direct the following:

- I. The Early Childhood Advisory Council is hereby created and established, which shall be attached to the Office of the Governor for administrative purposes. The Council shall be headed by an executive director appointed by the Governor pursuant to KRS 12.050, and the executive director shall report to the secretary of the Education and Workforce Development Cabinet.
 - A. The Kentucky Early Intervention System Interagency Coordinating Council is hereby established and attached for administrative purposes, to the Early Childhood Advisory Council.
- II. The Early Childhood Development Authority established in KRS 200.700 and attached to the Education and Workforce Development Cabinet, Department of Education for administrative purposes, is hereby abolished. All records, equipment, duties, functions, responsibilities and funds are hereby transferred to the newly created Early Childhood Advisory Council.
 - A. The Kentucky Early Intervention System Interagency Coordinating Council established in KRS 200.658 and attached to the Early Child Development Authority, is hereby abolished. All records, equipment, duties, functions, responsibilities and funds are hereby transferred and attached for administrative purposes to the Early Childhood Advisory Council.
- III. The Early Childhood Business Council established in KRS 200.709 and attached to the Education and Workforce Development Cabinet, Department of Education for administrative purposes, is hereby abolished. All records, equipment, duties, functions, responsibilities and funds are hereby transferred to the newly created Early Childhood Advisory Council.
- IV. In addition to the duties and responsibilities transferred to the Early Childhood Advisory Council from the Early Childhood Development Authority and from the Early Childhood Business Council, the Early Childhood Advisory Council is designated as the State Advisory Council on Early Childhood Education and Care in compliance with 42 U.S.C. § 9837b(b)(1)(A)(i) and responsible for the following:
 - A. Promoting the vision for Kentucky's early childhood system;
 - B. Advocating for improved quality of early childhood services;



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- C. Promoting the definition of school readiness and the expanded and appropriate use of the early childhood standards;
- D. Collaborating with the Kentucky Department of Education to identify a screening tool for children's transition and entry into kindergarten, monitoring the utilization and results of the screening tool, and ensuring that the results are communicated to the pre-school providers and others as appropriate;
- E. Analyzing and providing recommendations on child assessment in cooperation with the Kentucky Department of Education, local school districts, Head Start, appropriate higher education partners, and local Community Early Childhood Councils;
- F. Strengthening state, regional, and local level coordination and collaboration among the various sectors and settings of early childhood programs in the state;
- G. Identifying opportunities and strategies to reduce barriers to coordination and collaboration among existing private, federal and state-funded early childhood programs;
- H. Conducting periodic statewide needs assessments on the quality and availability of programs and services for children from birth to school entry;
- I. Developing and implementing recommendations for:
 - 1. Increasing overall participation of children in existing federal, state, and local child care and early education programs, including outreach to underrepresented and special populations;
 - 2. Establishing or improving core elements of the state early childhood system, such as a statewide unified data collection system;
 - 3. Enhancing the professional development system and career ladder for early childhood educators and caregivers; and
 - 4. Promoting high-quality state early learning standards and undertaking efforts to ensure the development and use of high-quality comprehensive early learning standards, as appropriate;
- J. Assessing the capacity and effectiveness of institutes of higher education in the state toward supporting the development of early childhood educators;
- K. Facilitating the development or enhancement of high-quality systems of early childhood care and education designed to improve school readiness through one or more of the following activities:



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1. Promoting school preparedness of children from birth through school entry;
 2. Supporting professional development, recruitment, and retention initiatives for early childhood educators and caregivers;
 3. Enhancing existing early childhood education and development programs and services;
 4. Carrying out other activities consistent with the state's plan and application; and
 5. Establishing priorities for programs and the expenditure of funds that include but are not limited to the following:
 - a. Implementation of public health initiatives identified by the General Assembly, including those listed in KRS 211.690 and KRS 199.8945;
 - b. Provision of preconception and prenatal vitamins, with priority for folic acid for the prevention of neural tube defects;
 - c. Voluntary immunization for children not covered by public or private health insurance;
 - d. Expanding availability of high-quality, affordable early child-care and education options; and
 - e. Increasing public awareness of the importance of the early childhood years for the well-being of all of Kentucky's citizens;
- L. Establishing procedures for accountability and measurement of the success of programs that receive early childhood care and education funds;
- M. Requesting reports and issuing progress updates on state and federally funded services that impact the quality of Kentucky's early childhood system;
- N. Receiving, requesting, and utilizing consistent with this Order, federal, state, and private funds, including from philanthropic sources; and
- O. Other duties and responsibilities as designated by the Governor.
- V. The Early Childhood Advisory Council shall consist of twenty-six (26) members appointed by the Governor, except as indicated by this Order. The membership of the Council shall be as follows:
- A. Secretary of the Education and Workforce Development Cabinet or designee;
 - B. Secretary of the Cabinet for Health and Family Services or designee;



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- C. One (1) early childhood development advocate;
 - D. State Director of Head Start Collaboration;
 - E. Six (6) private sector members knowledgeable about the health, mental health, education, and development of children, prenatal to school entry. One (1) private sector member shall be appointed from each congressional district;
 - F. Seven (7) citizens-at-large of the state;
 - G. One (1) member representing higher education with an expertise in early childhood;
 - H. Six (6) members representing the following: one (1) member from Head Start located in the state, one (1) member from a local education agency, one (1) member from the state agency responsible for education, one (1) member from the state agency responsible for child care, one (1) member from the state agency responsible for Part C of the Individuals with Disabilities Education Act (IDEA), and one (1) member from the state agency responsible for health or mental health;
 - I. One (1) nonvoting member from the House of Representatives who shall be appointed by and serve at the pleasure of the Speaker of the House; and
 - J. One (1) nonvoting member from the Senate who shall be appointed by and serve at the pleasure of the President of the Senate.
- VI. The private and citizen-at-large members shall serve four (4) year terms, until their successors have been duly appointed and qualified, except that the original appointments shall be on staggered terms. The private and citizen-at-large members shall serve no more than two (2) full successive terms. A term shall expire on June 30 in the appropriate year.
- VII. If a vacancy on the Early Childhood Advisory Council occurs, the Governor shall appoint a replacement for the remainder of the unexpired term except for the members appointed by the Speaker of the House of Representatives and the President of the Senate.
- VIII. The Governor shall appoint the chairperson of the Early Childhood Advisory Council from the private sector or citizen-at-large membership to serve at the pleasure of the Governor.
- IX. The chairperson may appoint non-members of the Early Childhood Advisory Council to committees or workgroups.
- X. Private sector and citizen-at-large members and non-members appointed to a committee or workgroup shall serve without compensation, but shall be



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reimbursed for their expenses in accordance with state travel expense and reimbursement administrative regulations.

- XI. The executive director shall serve as the Early Childhood Advisory Council's chief administrative officer to coordinate the Council's activities, and to coordinate the activities of the Council in accordance with 42 U.S.C. § 9837b(b)(1)(A)(ii). The executive director may employ staff as deemed necessary for the Council in accordance with the laws applicable to state personnel. The secretary of the Education and Workforce Development Cabinet or his designee shall be the appointing authority for the Early Childhood Advisory Council.
- XII. The members and non-member appointees of the Early Childhood Advisory Council are hereby subject to the provisions of Executive Orders 2008-454 and 2009-882 as well as the gift and conflict of interest rules for Executive Branch public servants set forth in KRS Chapter 11A. Any conflict of interest issue shall be submitted to the Executive Branch Ethics Commission for resolution.
- XIII. The Education and Workforce Development Cabinet, the Personnel Cabinet, the Finance and Administration Cabinet and the Office of the State Budget Director shall take any and all necessary actions to effectuate the provisions of this Order.
- XIV. The following individuals are appointed to the Early Childhood Advisory Council and for the designated staggered term:

- A. I hereby appoint the following to serve as members of the Council for a term expiring June 30, 2013:

Paula Goff, 3620 Rabbits Foot Trail, Lexington,
Kentucky 40503, representing the State Agency
Responsible for Part C of IDEA;

Terry Holliday, First Floor CPT, Frankfort,
Kentucky 40601, representing State Education Agency;

Amy Hood Hooten, 868 Logansport Road,
Morgantown, Kentucky 42261, representing Higher Education;

Aubrey Nehring, 5846 Roby Road, Philpot,
Kentucky 42366, representing Local Head Start;

Nicki Patton Rowe, 709 Indian Ridge Road,
Louisville, Kentucky 40207, representing Private
Sector-Congressional District 3.



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- B. I hereby appoint the following to serve as members of the Council for a term expiring June 30, 2014:

Randy Coe, 1503 Sylvan Way, Louisville,
Kentucky 40205, representing citizens-at-large;

Ben Cundiff, 6490 Wallonia Road, Cadiz, Kentucky
42211, representing Private Sector –Congressional
District 1;

Steve Davis, 321 Strathmore Road, Lexington,
Kentucky 40505, representing State Health Agency;

Cindy Heine, 324 Stoneybrook Drive, Lexington,
Kentucky 40517, representing Private Sector –
Congressional District 6; and

Anna Shepherd, 488 East Dorton Boulevard,
Staffordsville, Kentucky 41256, representing
Private Sector -Congressional District 5

- C. I hereby appoint the following to serve as members of the Council for a term expiring June 30, 2015:

Tommy Floyd, 301 Adams Hill Drive, Richmond,
Kentucky 40475, representing Local Education Agency;

Tracy Haddix, 3730 Old Munfordville Road, Cave
City, Kentucky 42127, representing Private Sector –
Congressional District 2;

Rick Hulefeld, 830 Willard, Covington, Kentucky
41011, representing Private Sector –Congressional District 4;

Lacey McNary, 2621 Longview Avenue, Louisville,
Kentucky, 40206, representing citizens-at-large;

Brigitte Ramsey, 601 Maple Avenue, Falmouth,
Kentucky 41040, representing citizens-at-large; and

Bill Scott, 712 Winterhaven Lane, Frankfort,
Kentucky 40601, representing citizens-at-large.

- D. I hereby appoint the following to serve as members of the Council for a term expiring June 30, 2016:

Marilyn Coffey, 8613 KY 501 South, Liberty,
Kentucky 42539, representing citizens-at-large;



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Jane Chandler, 122 Hickory Place, Corbin,
Kentucky 40701, representing citizens-at-large;

Mary Beth Jackson, 1721 Poosey Ridge Road,
Richmond, Kentucky 40475, representing State
Child Care Agency;

June Widman, 117 Elm Street, Berea, Kentucky
40403, representing citizens-at-large; and

LaQuandra S. Nesbitt, 400 East Gray Street, Louisville,
Kentucky, 40202, representing Early Childhood
Development Advocate.

- XV. I hereby appoint Rick Hulefeld to serve as Chair of the Early Childhood Advisory Council.

Please issue Commissions to them.

This Order is effective June 16, 2012.


STEVEN L. BESHEAR, GOVERNOR
Commonwealth of Kentucky


ALISON LUNDERGAN GRIMES
Secretary of State

EDUCATION AND WORKFORCE DEVELOPMENT CABINET
EARLY CHILDHOOD ADVISORY COUNCIL
REORGANIZATION PLAN

Summary

Kentucky has a history of successful, innovative initiatives in the field of early childhood development and education; from Head Start's inception in Kentucky in 1965 to the Kentucky Education Reform Act (KERA) in 1990 to the KIDS NOW initiative and legislation in 2000.

This executive order enables Kentucky to move closer to a seamless delivery system of early childhood services for our children through the creation of an Early Childhood Advisory Council (ECAC) as required by the Head Start Reauthorization Act, as well as the creation of the Office of Early Childhood to provide administrative support to the ECAC.

The purposes of the Commonwealth's Early Childhood Advisory Council (ECAC) are to provide vision, leadership, oversight, collaboration, advocacy and accountability for the delivery of early childhood services to children from birth (including pre-natal services) to school entry. The ultimate focus of the delivery of services is school readiness and child success.

Kentucky will build upon its experience with the Early Childhood Development Authority (ECDA) and take advantage of that experience and the opportunities presented by the Head Start Reauthorization Act to accomplish these purposes by the reorganization and repurposing of the ECDA to fulfill the purposes of the ECAC as well as to continue many of the ECDA's traditional functions.

The ECDA is tasked with the expenditure of the 25% of Kentucky's tobacco settlement funds that have been earmarked for early childhood development and has the duty of developing a state plan on a biennial basis that identifies early childhood development funding priorities (KRS 200.703). This funding has supported the KIDS NOW initiative programs which include a focus on assuring maternal and child health, supporting families, and enhancing early care and education. Programs included in the KIDS NOW initiative function across state cabinets and are located in the Department for Public Health, the Department of Behavioral Health, Developmental and Intellectual Disabilities, the Commission for Children with Special Health Care Needs, the Department of Community Based Services, the Kentucky Department of Education, and the Kentucky Higher Education Assistance Authority.

Kentucky offers a wide range of services to families and children prenatal to school entry. These services are delivered through a variety of state governmental agencies, local government entities, health, mental health, and social service entities, non-profit and for-profit providers, and federally funded quasi-governmental entities. The ECAC will expand on the collaborative efforts of the KIDS NOW initiative and will have the authority and status, to work across cabinet, government and sector lines.

Personnel Impact

The Office of Early Childhood (OEC) will consist of six (6) positions and this number will be the established CAP. Two (2) of these positions established will be non-merit in nature.

The remaining five (4) positions established will be merit positions with the following titles:

Federal Program Coordinator (1)
Education Administration Program Consultant II (1)
Administrative Specialist III (2)

Fiscal Impact

The Governor's Office appropriation structure will be revised for a \$1,950,600 FY12 Tobacco Appropriation and a \$530,800 FY12 Federal Appropriation. The Kentucky Department of Education appropriation structure will be reduced by the same appropriation amounts.

Net Effect

There will be no net enterprise increase, the Governor's Office appropriation increase is offset by a parallel decrease in the Kentucky Department of Education.