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LC004914

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF HUMAN SERVICES -- QUALITY OF EARLY CARE AND EDUCATION AND SCHOOL-AGE CHILD CARE THROUGH VOLUNTARY QUALITY RATING SYSTEM

Introduced By: Senators Tikoian, Gallo, DiPalma, Ciccone, Felag, Burke, Murray, McKenney, Paolino, and LaMountain

Date Introduced: February 06, 2026

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-12-23.1 of the General Laws in Chapter 42-12 entitled
2 "Department of Human Services" is hereby amended to read as follows:

3 **42-12-23.1. Quality of early care and education and school-age child care through**
4 **voluntary quality rating system.**

5 (a) There is hereby established a voluntary quality rating system which will assess quality
6 in early care and education programs and school-age child care. For purposes of this section, early
7 care and education programs and school-age child care shall mean programs licensed under chapter
8 12.5 of title 42 and approved under chapter 48 of title 16, including, without limitation, childcare
9 centers, family childcare homes, group family childcare homes, school-age childcare programs and
10 preschools, but excluding child placement agencies. The voluntary quality rating system is
11 established to promote continuous quality improvement of programs and to further the goals of
12 Rhode Island's "starting right" initiative.

13 (b) The department of human services, the department of children, youth and families, the
14 department of health, the department of elementary and secondary education, and other partners
15 and agencies shall share information and work cooperatively with the Rhode Island quality rating
16 system, a public-private partnership, to ensure that Rhode Island children have access to quality
17 early care and education programs and school-age child care.

18 (c) The voluntary quality rating system shall also provide a mechanism to gather data about

1 program quality, and shall report this information to parents, providers, and other persons interested
2 in the quality of early care and education programs and school-age childcare services in Rhode
3 Island.

4 (d) School building presumption for facility-based rating elements.

5 (1) Notwithstanding any other provision of the voluntary quality rating system established
6 in this section, when a school-age child care program is operated within a RIDE-certified school
7 building, any facility-based element of any observational tool or environment rating scale used by
8 the Rhode Island quality rating system to assess such program including, without limitation, the
9 School-Age Care Environment Rating Scale (SACERS) or any successor or replacement tool, shall
10 be deemed met or otherwise treated as neutral for the purpose of determining the program's quality
11 rating level.

12 (2) The requirement in subsection (d)(1) of this section shall apply to any facility-based
13 element including, but not limited to, items, indicators, components, or scoring elements relating
14 to room arrangement, space configuration, furnishings, fixtures, storage, building systems, indoor
15 or outdoor space characteristics, and staff-only spaces.

16 (3) Nothing in this subsection shall be construed to waive, diminish, or otherwise affect:

17 (i) Any licensure requirement applicable to child care centers or school-age child care
18 programs;
19 (ii) Any health and safety requirement applicable to the program; or
20 (iii) The authority of the department of children, youth and families, the department of
21 health, the state fire marshal, the Rhode Island department of elementary and secondary education,
22 or any other state agency to enforce applicable laws and regulations.

23 (e) Definitions.

24 As used in subsections (d) and (f) of this section, the following terms shall have the
25 meanings set forth below:

26 (2) "RIDE-certified school building" means a building located in the state that is used
27 primarily to provide kindergarten through grade twelve (K-12) instruction by:

28 (i) A local education agency (LEA) or public school district;
29 (ii) A charter public school; or
30 (iii) An approved non-public school; and
31 (iv) That is subject to oversight by the Rhode Island department of elementary and
32 secondary education and the council on elementary and secondary education, including applicable
33 health and safety requirements and standards under the basic education program pursuant to § 16-
34 22-34, or other governance structure approved by the Rhode Island department of elementary and

1 secondary education.

2 (1) "Facility-based element" means any item, indicator, component, scoring element, or
3 sub-element within an observational tool or environment rating scale used by the Rhode Island
4 quality rating system that assesses, rates, or scores the physical environment, space, layout,
5 furnishings, fixtures, storage, building systems, or staff-only spaces.

6 (3) "School-age child care" and "school-age child care program" shall have the same
7 meaning as set forth in subsection (a) of this section including, without limitation, school-age child
8 care programs licensed under chapter 12.5 of title 42 and approved under chapter 48 of title 16.

9 (f) Implementation - Guidance - Contracts.

10 The department of human services shall, in consultation with the Rhode Island department
11 of elementary and secondary education and any other partner agencies participating in the Rhode
12 Island quality rating system, ensure implementation of subsection (d) of this section not later than
13 one hundred eighty (180) days after the effective date of this subsection. Such implementation shall
14 include, as applicable, updates to standards, scoring practices, guidance to observers, and
15 contractual requirements for any entity administering, coordinating, or conducting assessments for
16 the Rhode Island quality rating system.

17 SECTION 2. Severability.

18 If any provision of this act or the application thereof to any person or circumstance is held
19 invalid by a court of competent jurisdiction, the validity of the remainder of the act shall not be
20 affected thereby.

21 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF HUMAN
SERVICES -- QUALITY OF EARLY CARE AND EDUCATION AND SCHOOL-AGE CHILD
CARE THROUGH VOLUNTARY QUALITY RATING SYSTEM

- 1 This act would amend the statute establishing Rhode Island's voluntary quality rating
- 2 system for early care and education and school-age child care by requiring that, for school-age child
- 3 care programs operating in RIDE-certified school buildings, facility-based elements of
- 4 observational tools or environment rating scales (including SACERS or successor tools) be deemed
- 5 met or treated neutrally in order that such facility-based elements do not reduce a program's quality
- 6 rating level.

7 This act would take effect upon passage.

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