

Bill No. 13-15
Concerning: [[Office of Child Care -
Established]] Child Care Expansion
and Quality Enhancement Initiative
Revised: 5/12/2015 Draft No. 8
Introduced: March 17, 2015
Enacted: May 12, 2015
Executive: May 20, 2015
Effective: August 19, 2015
Sunset Date: None
Ch. 24, Laws of Mont. Co. 2015

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmembers Navarro and Riemer
Co-Sponsor: Council President Leventhal

AN ACT to:

- (1) [[create an Office of Child Care, Early Care and Education as a principal office in County government]] require the Executive to designate an employee in the Department of Health and Human Services as a Child Care and Early Education Officer and specify the duties of the Officer;
- (2) create a Child Care Expansion and Quality Enhancement Initiative in the Department of Health and Human Services and specify the duties [[of the Office]] to implement the Initiative; [[and]]
- (3) establish an Early Childhood Coordinating Council and specify the duties of the Coordinating Council; and
- (4) generally amend County law regarding child care, human rights, and administration.

By amending

Montgomery County Code
[[Chapter 1A, Structure of County Government
Section 1A-201]]
Chapter 2, Administration
Section 2-42A

By renaming and adding

Chapter 10A, Child Care
Article 1, Division of Child Care
Section 10A-1 and 10A-2

Article 2, Early Childhood Coordinating Council
Section 10A-3

By renumbering

Chapter 10A, Child Care
Sections 10A-1, 10A-2, 10A-3, 10A-4, 10A-5, and 10A-6

Chapter 27, Human Rights and Civil Liberties

Sections 27-62 and 27-62A

By amending and adding
Chapter 44, Schools and Camps
Sections 44-3, 44-4, and 44-4A

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

[[Sec. 1. Section 1A-201 is amended as follows:

1A-201. Establishing departments and principal offices.

(a) Executive Branch.

(1) These are the departments and principal offices of the Executive Branch.

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Child Care (Section 10A-1)

**** * *]]***

[[Sec. 2. Chapter 10A is renamed and Article 1 (Sections 10A-1 and 10A-2) of Chapter 10A is added as follows:

Chapter 10A. [Child Day Care Facilities Loan Program] Child Care.

Article 1. Office of Child Care, Early Care and Education.

10A-1. Office of Child Care - Duties.

(a) Established. The Office of Child Care, Early Care and Education is a principal office in County government.

(b) Duties. The Office must:

(1) provide leadership and policy direction for an innovative approach to the research, review and implementation of child care programming;

(2) provide leadership and serve as a focal point for early childhood education and care services;

(3) promote coordination and collaboration among county agencies and departments to expand child care opportunities throughout the County;

(4) seek innovative public-private partnerships between private businesses, Montgomery County Public Schools, and the County;

- (5) provide technical assistance, consultation, and training for providers of early care and education programs in the County;
- (6) administer the selection of providers in public space, including in Montgomery County Public School facilities, to the extent authorized by State law;
- (7) develop ways to expand the amount of public and private space available for child care services; and
- (8) prepare a Strategic Plan for Child Care, in consultation with the Commission on Child Care, by [1 year from date of enactment] that includes:
- (A) specific goals and implementation strategies for improving early childhood services and child care provider assistance and counseling;
- (B) planning for new child care services in public space, including in public school projects;
- (C) planning for expansion of child care space through public-private partnerships;
- (D) research on the supply, demand, and affordability of child care throughout the County;
- (E) a plan for a countywide universal child care and preschool program that provides every child an opportunity to participate in a high-quality preschool, early care, and education program; and
- (F) a plan to improve readiness for children entering kindergarten through enhanced early care and education services.

53 **10A-2. Annual report.**

54 By February 1 each year, the Office must submit to the County Council an
 55 annual report on its activities, accomplishments, plans, and objectives, including steps
 56 taken to implement the Strategic Plan for Child Care, Early Care and Education the
 57 preceding year.]]

58 [[Sec. 3. Article 2 of Chapter 10A is added and Sections 10A-1, 10A-2,
 59 10A-3, 10A-4, 10A-5, and 10A-6 are renumbered as follows:

60 **Article 2. Child Day Care Facilities Loan Program.**

61 [10A-1] 10A-3. Purpose and objectives.

62 * * *

63 [10A-2] 10A-4. Eligibility.

64 * * *

65 [10A-3] 10A-5. Uses of funds.

66 * * *

67 [10A-4] 10A-6. Loan amounts and rates.

68 * * *

69 [10A-5] 10A-7. Loan procedures.

70 * * *

71 [10A-6] 10A-8. Revolving loan fund.

72 * * *]]

73 [[Sec. 4. Article VIII of Chapter 27 (Sections 27-62 and 27-62A) is
 74 renumbered as follows:

75 **Article VIII. [Commission on Child Care.] Reserved.**

76 **27-62. Reserved.**

77 **Article 3. Commission on Child Care.**

78 [27-62] 10A-9. Commission on child care.

79 * * *

80 **Article 4. Child Care Facilities Impact Statements.**

[27-62A] 10A-10. Child Care facilities impact statements.

** * **

[[Sec. 5. Sections 44-3 and 44-4 are amended and Section 44-4A is added as follows:

44-3. Interagency Coordinating Board.

(a) Establishment and responsibilities. [The] Except as provided in Section 44-4A, the Interagency Coordinating Board for Community Use of Public Facilities must review and coordinate the activities conducted under this Article. The Board must:

** * **

44-4. Director of Community Use of Public Facilities.

[The] Except as provided in Section 44-4A, the Director must:

** * **

44-4A. Child Care in Montgomery County Public School facilities.

The Office of Child Care, Early Care and Education must administer the selection of providers in public space, including in Montgomery County Public School facilities to the extent authorized by State law.]]

Sec. 1. Section 2-42A is amended as follows:

2-42A. Functions, powers, and duties.

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(d) Duties of the Department.

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(3) The Department provides staff support to:

** * **

(M) the Advisory Board for the Montgomery Cares Program;

[[and]]

(N) the Early Childhood Coordinating Council; and

(O) any program created to achieve health equity among County residents.

Sec. 2. Chapter 10A is renamed and Article 1 of Chapter 10A (Sections 10A-1 and 10A-2) is added as follows:

Chapter 10A. [[Child Day Care Facilities Loan Program]] Child Care.

Article 1. Child Care.

10A-1. Child Care and Early Education Officer.

(a) Definition. In this Section, *Officer* means the Child Care and Early Education Officer.

(b) The County Executive must designate an employee in the Department of Health and Human Services to serve as a Child Care and Early Education Officer. Among other duties, the Officer must:

(1) promote coordination and collaboration among county agencies and departments to expand child care opportunities throughout the County;

(2) monitor and support the coordination between the Department of Health and Human Services and the Office of Community Use of Public Facilities to administer the selection of providers in public space, including in Montgomery County Public School facilities, to the extent authorized by State law;

(3) monitor and support the implementation of the Child Care Expansion and Quality Enhancement Initiative described in Section 10A-2;

(4) provide staff support for the Early Childhood Coordinating Council established in Section 10A-3;

(5) monitor and support the implementation of the Early Childhood Initiative as developed by the Coordinating Council;

- (6) serve as a liaison between County government and the public on child care-related issues; and
- (7) prepare a Strategic Plan for Child Care by [1 year from date of enactment] that includes:
- (A) specific goals and implementation strategies for improving early childhood services and child care provider assistance and counseling;
- (B) planning for new child care services in public space, including in public school projects;
- (C) planning for expansion of child care space through public-private partnerships;
- (D) research on the supply, demand, and affordability of child care throughout the County;
- (E) a plan for a countywide universal child care and preschool program that provides every child an opportunity to participate in a high-quality preschool, early care, and education program; and
- (F) a plan to improve readiness for children entering kindergarten through enhanced early care and education services.
- (c) Annual report. By February 1 each year, the Officer must submit to the County Council and County Executive an annual report on:
- (1) its activities, accomplishments, plans, and objectives;
- (2) the implementation of the Child Care Expansion and Quality Enhancement Initiative, including the number of family child care providers serviced and types of services provided;

- (3) steps taken to implement the Strategic Plan for Child Care, Early Care, and Education in the preceding year; and
- (4) the activities, accomplishments, plans, and objectives of the Early Childhood Coordinating Council, including implementation of the Early Childhood Initiative.

10A-2. Child Care Expansion and Quality Enhancement Initiative.

- (a) Definitions. In this Article, the following words have the meanings indicated:

Department means the Department of Health and Human Services.

Director means the Director of the Department or the Director's designee.

Family child care provider has the same meaning as in Section 5-550 of the Family Law Article of the Maryland Code or any successor provision.

- (b) Initiative. The Department must:

- (1) at least quarterly, hold an information session:

- (A) for prospective family child care providers, on the steps necessary to become registered or licensed by the State; and

- (B) for licensed family child care providers, on the steps necessary to achieve State, regional, or national accreditation;

- (2) provide technical assistance and coordinate business training to family child care providers;

- (3) if a potential family child care provider is pursuing registration or licensing and has submitted an application to the State Office of Child Care, provide technical assistance and general program support to the provider; and

(4) provide services in Spanish, and other languages as requested, in a culturally competent manner.

(c) Regulations. The Executive may adopt regulations under Method (2) to administer the Initiative.

Sec. 3. Article 2 (Section 10A-3) of Chapter 10A is added as follows:

Article 2. Early Childhood Coordinating Council.

10A-3. Early Childhood Coordinating Council.

(a) Definitions. In this Section, the following words have the meanings indicated:

Coordinating Council means the Early Childhood Coordinating Council.

Department means the Department of Health and Human Services.

Director means the Director of the Department or the Director's designee.

(b) Established. The Executive must appoint, subject to confirmation by the Council, an Early Childhood Coordinating Council.

(c) Composition and terms of members.

(1) The Coordinating Council has up to 33 members.

(2) The Executive must appoint up to 15 public members. The public members should include:

(A) up to 4 representatives of local providers of early childhood education and development services;

(B) one representative of the Montgomery County Council Parent Teacher Associations;

(C) one representative of the Montgomery County Commission on Child Care;

(D) one representative of the Organization of Child Care Directors;

- 214 (E) one representative of the Family Child Care Association of
- 215 Montgomery County;
- 216 (F) one representative of the Maryland Association for the
- 217 Education of Young Children;
- 218 (G) one representative of the business community with
- 219 demonstrated leadership in early childhood care and
- 220 education;
- 221 (H) one representative of the local pediatrician community;
- 222 (I) one representative of the local philanthropic community;
- 223 (J) one representative of the local interfaith community; and
- 224 (K) up to 2 parent representatives.
- 225 (3) The Executive must appoint the following to serve as an ex officio
- 226 member:
- 227 (A) the Director of the Department;
- 228 (B) one representative of the Department's Division of Early
- 229 Childhood Services;
- 230 (C) one representative of the Department's Community Health
- 231 Services;
- 232 (D) one representative of the Department's School Health
- 233 Services;
- 234 (E) one representative of the Department's Infants and Toddlers
- 235 Program;
- 236 (F) one representative of the Montgomery County
- 237 Collaboration Council for Children, Youth and Families;
- 238 (G) one representative of the Montgomery County Child Care
- 239 Resource and Referral Center;

- (H) one representative of the Montgomery County Community Action Agency, the administrator of public Head Start programs in Montgomery County;
- (I) one representative of Montgomery County Department of Public Libraries; and
- (J) one representative of the Montgomery County Council;
- (4) The Executive must invite the following to serve as an ex officio member:
- (A) the Montgomery County Public Schools Superintendent or the Superintendent's designee;
- (B) one representative of the Montgomery County Public School's Division of Early Childhood Programs and Services;
- (C) one representative of the School's Division of Prekindergarten, Special Programs and Related Services;
- (D) one representative of the Office of Child Care Region 5, Maryland State Department of Education;
- (E) up to 2 representatives of public institutions of higher education in the County;
- (F) one elementary school principal in Montgomery County Public Schools; and
- (G) one prekindergarten teacher in Montgomery County Public Schools.
- (5) The term of each member is 4 years. If a member is appointed to fill a vacancy before a term expires, the successor serves the rest of the unexpired term.
- (d) Voting, officers, chairs, meetings, and compensation.

- (1) Each member of the Coordinating Council is a voting member.
- (2) The Executive must designate the Chair and Vice-Chair.
- (3) The Coordinating Council meets at the call of the Chair. The Coordinating Council must meet as often as necessary to perform its duties, but not less than 9 times each year.
- (4) A member serves without compensation. However, a member may request reimbursement for mileage and dependent care costs at rates established by the County.

(e) Duties. The Coordinating Council must:

- (1) conduct a periodic county-wide needs assessment concerning the quality and availability of early childhood education and development programs and services for children from birth to school entry, including an assessment of the availability of child care, prekindergarten, and other supportive services for low-income children and their families in the County;
- (2) identify opportunities for, and barriers to, collaboration and coordination among child development, child care and early childhood education programs, services, and advocacy groups including collaboration and coordination among State and local agencies and organizations responsible for administering or providing oversight for such efforts;
- (3) develop recommendations for increasing the overall participation of children and their families in existing programs, including outreach to underrepresented and special populations;
- (4) develop recommendations regarding the implementation and use of the State-established unified data collection system for public

- 293 early childhood education and development programs and services
 294 throughout the County;
- 295 (5) develop recommendations regarding professional development,
 296 career advancement plans, compensation scales and incentives for
 297 early childhood educators in the County; and
- 298 (6) assess the capacity and effectiveness of 2- and 4-year public and
 299 private institutions of higher education toward supporting the
 300 development of early childhood educators, including the extent to
 301 which such institutions have in place articulation agreements,
 302 professional development and career advancement plans, and
 303 practice or internships for students to spend time in Early Head
 304 Start, Head Start, prekindergarten, or child care programs;
- 305 (7) recommend uniform regulations for the availability of quality child
 306 care in public spaces;
- 307 (8) develop ways to leverage public and private partnerships between
 308 private businesses, Montgomery County Public Schools, and the
 309 County;
- 310 (9) develop a hub consortium that connects family child care providers
 311 to accredited child care centers and schools to provide training,
 312 technical assistance, and mentoring to family child care providers;
 313 and
- 314 (10) update and implement an Early Childhood Initiative to integrate
 315 public and private early childhood services, including areas such
 316 as child care, early literacy, early childhood mental health
 317 consultation services, and parent support services.

(f) Advocacy. The Coordinating Council must not engage in any legislative advocacy at the State or federal levels unless that activity is approved by the Office of Intergovernmental Relations.

(g) Staff. The Department of Health and Human Services must provide appropriate staff to the Coordinating Council.

Sec. 4. Article VIII of Chapter 27 (Sections 27-62 and 27-62A) is renumbered and moved to Chapter 10A, and Articles 3 and 4 of Chapter 10A (Sections 10A-4 and 10A-5) are added as follows:

Article VIII. [[Commission on Child Care.]] Reserved.

* * *

Article 3. Commission on Child Care.

[[27-62]] 10A-4. Commission on child care.

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Article 4. Child Care Facilities Impact Statements.

[[27-62A]] 10A-5. Child Care facilities impact statements.

* * *

Sec. 5. Article 5 of Chapter 10A is added and Sections 10A-1, 10A-2, 10A-3, 10A-4, 10A-5, and 10A-6 are renumbered as follows:

Article 5. Child Day Care Facilities Loan Program.

[[10A-1]] 10A-6. Purpose and objectives.

* * *

[[10A-2]] 10A-7. Eligibility.

* * *

[[10A-3]] 10A-8. Uses of funds.

* * *

[[10A-4]] 10A-9. Loan amounts and rates.

* * *

[[10A-5]] 10A-10. Loan procedures.

* * *

[[10A-6]] 10A-11. Revolving loan fund.

* * *

Sec. 6. Sections 44-3 and 44-4 are amended and Section 44-4A is added as follows:

44-3. Interagency Coordinating Board.

(a) *Establishment and responsibilities.* [[The]] Except as provided in Section 44-4A, the Interagency Coordinating Board for Community Use of Public Facilities must review and coordinate the activities conducted under this Article. The Board must:

* * *

44-4. Director of Community Use of Public Facilities.

[[The]] Except as provided in Section 44-4A, the Director must:

* * *

44-4A. Child Care in Public Spaces.

The Child Care and Early Education Officer designated in Section 10A-1 must monitor and support the coordination between the Department of Health and Human Services and the Office of Community Use of Public Facilities to administer the selection of providers in public space, including in Montgomery County Public School facilities to the extent authorized by State law.

Sec. 7. Transition of the Early Childhood Coordinating Council.

The County Executive must stagger the terms of the public members initially appointed to the Early Childhood Coordinating Council under Section 10A-3 as added by Section 3 of this Act so that approximately one-fourth of the terms of the public members expire each year.

372 *Approved:*

373

George Leventhal

5/14/15

George Leventhal, President, County Council

Date

374 *Approved:*

375

Isiah Leggett

5/20/15

Isiah Leggett, County Executive

Date

376 *This is a correct copy of Council action.*

377

Linda M. Lauer

5/21/15

Linda M. Lauer, Clerk of the Council

Date