

Bill No. 11-15  
Concerning: Child Care Expansion and  
Quality Enhancement Initiative  
Revised: 5/5/2015 Draft No. 5  
Introduced: March 3, 2015  
Enacted: May 5, 2015  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## **COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsors: Councilmembers Navarro and Riemer  
Co-Sponsors: Council Vice President Floreen, Councilmember Elrich, Council President Leventhal,  
and Councilmembers Berliner, Katz, Rice, and Hucker

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### **AN ACT to:**

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

### **By amending**

Montgomery County Code  
Chapter 2, Administration  
Section 2-42A

### **By renaming and adding**

Chapter 10A, Child Care  
Article 1, Child Care  
Sections 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**

Underlining

**[Single boldface brackets]**

Double underlining

**[[Double boldface brackets]]**

\* \* \*

*Heading or defined term.*

*Added to existing law by original bill.*

*Deleted from existing law by original bill.*

*Added by amendment.*

*Deleted from existing law or the bill by amendment.*

*Existing law unaffected by bill.*

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

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

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

\* \* \*

**(d) Duties of the Department.**

\* \* \*

**(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. ~~[[1]]~~ 2. Chapter 10A is renamed and Article 1 of Chapter 10A  
~~[[Section]]~~ Sections 10A-1 and 10A-2 is added as follows:**

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

**Article 1. Child Care [[Expansion and Quality Enhancement]].**

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

**(a) [[Definitions]] 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) (A) administer the selection of providers in public space, after  
consulting with the Montgomery County Board of**

Education where school facilities are to be used, to the extent authorized by State law; and

(B) to the extent not authorized by State law, 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 May 5, 2016 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 requested, conduct a site-visit for potential family child care providers to provide feedback and assistance to obtain state licensing]] 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[[;

(5) conduct an annual assessment of child care needs in the County; and

(6) prepare an annual report, as required in subsection (c)].

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

107 [(d) *Annual report.* By February 1 each year, the Department must submit to  
 108 the County Council an annual report on:  
 109 (1) its activities, accomplishments, plans, and objectives;  
 110 (2) the results of the annual child care needs assessment; and  
 111 (3) the number of family child care providers serviced and types of  
 112 services provided.]]

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

114 **Article 2. Early Childhood Coordinating Council.**

115 **10A-3. Early Childhood Coordinating Council.**

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

118 *Coordinating Council* means the Early Childhood Coordinating  
 119 Council.

120 *Department* means the Department of Health and Human Services.

121 *Director* means the Director of the Department or the Director's  
 122 designee.

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

125 (c) *Composition and terms of members.*

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

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

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

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

- 133                    (C) one representative of the Montgomery County  
 134                    Commission on Child Care;
- 135                    (D) one representative of the Organization of Child Care  
 136                    Directors;
- 137                    (E) one representative of the Family Child Care Association of  
 138                    Montgomery County;
- 139                    (F) one representative of the Maryland Association for the  
 140                    Education of Young Children;
- 141                    (G) one representative of the business community with  
 142                    demonstrated leadership in early childhood care and  
 143                    education;
- 144                    (H) one representative of the local pediatrician community;
- 145                    (I) one representative of the local philanthropic community;
- 146                    (J) one representative of the local interfaith community; and
- 147                    (K) up to 2 parent representatives.
- 148                    (3) The Executive must appoint the following to serve as an ex  
 149                    officio member:
- 150                    (A) the Director of the Department;
- 151                    (B) one representative of the Department's Division of Early  
 152                    Childhood Services;
- 153                    (C) one representative of the Department's Community Health  
 154                    Services;
- 155                    (D) one representative of the Department's School Health  
 156                    Services;
- 157                    (E) one representative of the Department's Infants and  
 158                    Toddlers Program;



- 159                   (F) one representative of the Montgomery County
- 160                   Collaboration Council for Children, Youth and Families;
- 161                   (G) one representative of the Montgomery County Child Care
- 162                   Resource and Referral Center;
- 163                   (H) one representative of the Montgomery County Community
- 164                   Action Agency, the administrator of public Head Start
- 165                   programs in Montgomery County;
- 166                   (I) one representative of Montgomery County Department of
- 167                   Public Libraries; and
- 168                   (J) one representative of the Montgomery County Council;
- 169                   (4) The Executive must invite the following to serve as an ex officio
- 170                   member:
- 171                   (A) the Montgomery County Public Schools Superintendent or
- 172                   the Superintendent's designee;
- 173                   (B) one representative of the Montgomery County Public
- 174                   School's Division of Early Childhood Programs and
- 175                   Services;
- 176                   (C) one representative of the School's Division of
- 177                   Prekindergarten, Special Programs and Related Services;
- 178                   (D) one representative of the Office of Child Care Region 5,
- 179                   Maryland State Department of Education;
- 180                   (E) up to 2 representatives of public institutions of higher
- 181                   education in the County;
- 182                   (F) one elementary school principal in Montgomery County
- 183                   Public Schools; and
- 184                   (G) one prekindergarten teacher in Montgomery County Public
- 185                   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, ~~[[pre-kindergarten]]~~ 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;

- 211           (3)   develop recommendations for increasing the overall participation  
212                   of children and their families in existing programs, including  
213                   outreach to underrepresented and special populations;
- 214           (4)   develop recommendations regarding the implementation and use  
215                   of the State-established unified data collection system for public  
216                   early childhood education and development programs and  
217                   services throughout the County;
- 218           (5)   develop recommendations regarding professional development,  
219                   career advancement plans, compensation scales and incentives  
220                   for early childhood educators in the County; and
- 221           (6)   assess the capacity and effectiveness of 2- and 4-year public and  
222                   private institutions of higher education toward supporting the  
223                   development of early childhood educators, including the extent to  
224                   which such institutions have in place articulation agreements,  
225                   professional development and career advancement plans, and  
226                   practice or internships for students to spend time in Early Head  
227                   Start, Head Start, [[Pre-kindergarten]] prekindergarten, or child  
228                   care programs;
- 229           (7)   recommend uniform regulations for the availability of quality  
230                   child care in public spaces;
- 231           (8)   develop ways to leverage public and private partnerships between  
232                   private businesses, Montgomery County Public Schools, and the  
233                   County;
- 234           (9)   develop a hub consortium that connects family child care  
235                   providers to accredited child care centers and schools to provide  
236                   training, technical assistance, and mentoring to family child care  
237                   providers; and

(10) update and implement an Early Childhood Initiative to integrate public and private early childhood services, including areas such as child care, early literacy, early childhood mental health consultation services, and parent support services.

[(e)] (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.

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

Sec. [[3]] 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-8]] 10A-4. Commission on child care.

\* \* \*

Article 4. Child Care Facilities Impact Statements.

[27-62A] [[10A-9]] 10A-5. Child Care facilities impact statements.

\* \* \*

Sec. [[2]] 5. Article [[2]] 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 [[2]] 5. Child Day Care Facilities Loan Program.

[10A-1] [[10A-2]] 10A-6. Purpose and objectives.

\* \* \*

[10A-2] [[10A-3]] 10A-7. Eligibility.

\* \* \*

**[10A-3] ~~[[10A-4]]~~ 10A-8. Uses of funds.**

\* \* \*

**[10A-4] ~~[[10A-5]]~~ 10A-9. Loan amounts and rates.**

\* \* \*

**[10A-5] ~~[[10A-6]]~~ 10A-10. Loan procedures.**

\* \* \*

**[10A-6] ~~[[10A-7]]~~ 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:

- (a) administer the selection of providers in public space, after consulting with the Montgomery County Board of Education where school facilities are to be used, to the extent authorized by state law; and
- (b) to the extent not authorized by State law, 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

292 selection of providers in public space, including in Montgomery County  
 293 Public School facilities [[to the extent authorized by State law]].

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

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

299 *Approved:*

300  5/7/2015  
 George Leventhal, President, County Council Date

301 *Approved:*

302 \_\_\_\_\_  
 Isiah Leggett, County Executive Date

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

304 \_\_\_\_\_  
 Linda M. Lauer, Clerk of the Council Date