

**MEMORANDUM**

March 13, 2015

TO: County Council

FROM: Amanda Mihill, Legislative Attorney *A. Mihill*

SUBJECT: **Introduction:** Bill 13-15, Office of Child Care - Established

Bill 13-15, Office of Child Care - Established, sponsored by Councilmember Riemer, is scheduled to be introduced on March 17, 2015. A public hearing is tentatively scheduled for March 31 at 7:30 p.m.

Bill 13-15 would create an Office of Child Care as a principal office in County government and specify the duties of that Office. A memo from the sponsor explaining the rationale for this legislation is on ©8.

This packet contains:

Bill 13-15

Legislative Request Report

Riemer memorandum

Circle #

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Bill No. 13-15  
Concerning: Office of Child Care -  
Established  
Revised: 3/12/2015 Draft No. 7  
Introduced: March 17, 2015  
Expires: September 17, 2016  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: Councilmember Riemer

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**AN ACT** to:

- (1) create an Office of Child Care, Early Care and Education as a principal office in County government;
- (2) specify the duties of the Office; and
- (3) 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

By renaming and adding

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

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

<b>Boldface</b>	<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.

\* \* \*

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;

- 27           (5) provide technical assistance, consultation, and training for  
28           providers of early care and education programs in the County;
- 29           (6) administer the selection of providers in public space, including in  
30           Montgomery County Public School facilities, to the extent  
31           authorized by State law;
- 32           (7) develop ways to expand the amount of public and private space  
33           available for child care services; and
- 34           (8) prepare a Strategic Plan for Child Care, in consultation with the  
35           Commission on Child Care, by [1 year from date of enactment]  
36           that includes:
- 37           (A) specific goals and implementation strategies for improving  
38           early childhood services and child care provider assistance  
39           and counseling;
- 40           (B) planning for new child care services in public space,  
41           including in public school projects;
- 42           (C) planning for expansion of child care space through public-  
43           private partnerships;
- 44           (D) research on the supply, demand, and affordability of child  
45           care throughout the County;
- 46           (E) a plan for a countywide universal child care and preschool  
47           program that provides every child an opportunity to  
48           participate in a high-quality preschool, early care, and  
49           education program; and
- 50           (F) a plan to improve readiness for children entering  
51           kindergarten through enhanced early care and education  
52           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.**

81 **[27-62A] 10A-10. Child Care facilities impact statements.**

82 \* \* \*

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

85 **44-3. Interagency Coordinating Board.**

86 (a) *Establishment and responsibilities.* [The] Except as provided in Section  
87 44-4A, the Interagency Coordinating Board for Community Use of  
88 Public Facilities must review and coordinate the activities conducted  
89 under this Article. The Board must:

90 \* \* \*

91 **44-4. Director of Community Use of Public Facilities.**

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

93 \* \* \*

94 **44-4A. Child Care in Montgomery County Public School facilities.**

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

98

## LEGISLATIVE REQUEST REPORT

Bill 13-15

*Office of Child Care - Established*

**DESCRIPTION:** Bill 13-15 would create an Office of Child Care as a principal office in County government and specify the duties of that Office.

**PROBLEM:** The demand for quality child care exceeds supply in the County.

**GOALS AND OBJECTIVES:** To create an Office of Child Care, Early Care, and Education to make affordable, quality, enriching child care available to all families.

**COORDINATION:** Health and Human Services; Office of the County Executive.

**FISCAL IMPACT:** To be requested.

**ECONOMIC IMPACT:** To be requested.

**EVALUATION:** To be requested.

**EXPERIENCE ELSEWHERE:** To be researched.

**SOURCE OF INFORMATION:** Amanda Mihill, Legislative Attorney, 240-777-7815

**APPLICATION WITHIN MUNICIPALITIES:** To be researched.

**PENALTIES:** N/A





**MONTGOMERY COUNTY COUNCIL**  
Rockville, Maryland

TO: Councilmembers  
FROM: Councilmember Hans Riemer  
DATE: March 12, 2015  
RE: Legislation to create an Office of Child Care, Early Care and Education

On March 17, I plan to introduce legislation creating a Montgomery County Office of Child Care, Early Care and Education to make affordable, quality, enriching child care available to all families. I hope you will consider cosponsoring and supporting this legislation.

A rising number of families in Montgomery County are struggling to find affordable, high quality child care. Census data shows that there are more than 64,852 children below the age of five in the county and the Maryland Family Network reports that regulated child care providers offer only 39,084 slots. This leaves a gap of some 26,000 children. Some undoubtedly stay home with family members and many more are cared for by informal, unregistered providers. Some kids may attend child care in other jurisdictions. But ask any parent about their experience with waiting lists and it is clear that demand far exceeds supply for quality, regulated child care. The skyrocketing price of regulated child care supports this theory. The U.S. Department of Health and Human Services recommends that parents spend 10% or less of their family income on child care. Montgomery County residents, on average, spent 22% of their income on child care in 2014. Child care in Montgomery County costs between 32% and 40% more than the state average. The State predicts that costs will continue to increase through 2018 by between 9% and 14% on average. Infant care is predicted to increase a staggering 40% over the next three years with family care providers.

To address these challenges, I propose legislation establishing a new Office of Child Care, Early Care and Education. This Office would have a Director with the seniority and authority to shape policy and forge meaningful partnerships across agencies and with the private sector. Some functions would be consolidated from the Early Childhood group in the County's Department of Health and Human Services and other offices with child care functions across the government. The Office would be charged with developing, updating, and implementing a Child Care Strategic Plan that addresses child care and early learning in a comprehensive way, establishing new relationships and partnerships with agencies and businesses, overseeing the selection of child care providers in public space, and building a stronger bond with parents in the community.

As President Obama said in his most recent State of the Union, "It's time we stop treating child care as a side issue, or a women's issue, and treat it like the national economic priority that it is for all of us." I agree with those comments and I believe this Office will help us to appropriately define the challenge and meet it.

In Maryland, most government regulation and promotion of child care is handled by the State, though the County supplements the state's efforts in certain areas. HHS is laser focused, as it's website states, on core services that "protect the community's health, protect the health and safety of at-risk children and vulnerable adults and address basic human needs including food, shelter and clothing." This is as it should be. We rely on this Department to provide a robust safety net that protects our most vulnerable residents.

We do not, however, only provide education for the most disadvantaged children. I believe we should have a policy strategy for child care that is similarly focused on the entire population, while resources are prioritized according to need. Like education, adequate availability of child care affects every family in Montgomery County. A county program that ensures that every family in Montgomery County has access to high quality, affordable, enriching child care is crucial for developing our workforce and economy, ensuring equal opportunity for men and women, and reducing the achievement gap. The creation of this Office will not solve these problems by itself, but it will at least provide us with the analytical framework and focused staffing to make informed investments and take a deliberate approach to define our next steps. The mission is broader than social services and for this reason I believe it is necessary to establish this function as a principal office rather than a division inside of HHS.

The goals for the Office include:

- Researching need, availability and cost of care.
- Identifying measures to reduce the rising cost of child care, and ensuring that affordable early child care and learning are available to all County residents.
- Ensuring that there are sufficient providers and spaces to meet rising demand.
- Improving the overall quality of early care and education to adequately prepare children for kindergarten and beyond.
- Fully integrating child care and early learning into our economic and workforce development strategy.
- Regular reporting on progress towards the plan.

Thank you for your consideration.