

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:

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

2 *1A-201. Establishing departments and principal offices.*

3 *(a) Executive Branch.*

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

6 * * *

7 *Child Care (Section 10A-1)*

8 * * *]]

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

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

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

13 *10A-1. Office of Child Care - Duties.*

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

16 *(b) Duties. The Office must:*

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

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

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

25 *(4) seek innovative public-private partnerships between private*
26 *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 Public
88 Facilities must review and coordinate the activities conducted under this
89 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 **Sec. 1. Section 2-42A is amended as follows:**

99 **2-42A. Functions, powers, and duties.**

100 * * *

101 (d) Duties of the Department.

102 * * *

103 (3) The Department provides staff support to:

104 * * *

105 (M) the Advisory Board for the Montgomery Cares Program;
106 [[and]]

107 (N) the Early Childhood Coordinating Council; and

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

110 **Sec. 2. Chapter 10A is renamed and Article 1 of Chapter 10A (Sections**
111 **10A-1 and 10A-2) is added as follows:**

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

113 **Article 1. Child Care.**

114 **10A-1. Child Care and Early Education Officer.**

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

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

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

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

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

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

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

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

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

166 **10A-2. Child Care Expansion and Quality Enhancement Initiative.**

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

169 Department means the Department of Health and Human Services.

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

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

174 (b) Initiative. The Department must:

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

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

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

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

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

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

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

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

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

193 **10A-3. Early Childhood Coordinating Council.**

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

196 Coordinating Council means the Early Childhood Coordinating Council.

197 Department means the Department of Health and Human Services.

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

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

202 (c) Composition and terms of members.

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

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

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

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

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

212 (D) one representative of the Organization of Child Care
213 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;

- 240 (H) one representative of the Montgomery County Community
 241 Action Agency, the administrator of public Head Start
 242 programs in Montgomery County;
- 243 (I) one representative of Montgomery County Department of
 244 Public Libraries; and
- 245 (J) one representative of the Montgomery County Council;
- 246 (4) The Executive must invite the following to serve as an ex officio
 247 member:
- 248 (A) the Montgomery County Public Schools Superintendent or
 249 the Superintendent's designee;
- 250 (B) one representative of the Montgomery County Public
 251 School's Division of Early Childhood Programs and
 252 Services;
- 253 (C) one representative of the School's Division of
 254 Prekindergarten, Special Programs and Related Services;
- 255 (D) one representative of the Office of Child Care Region 5,
 256 Maryland State Department of Education;
- 257 (E) up to 2 representatives of public institutions of higher
 258 education in the County;
- 259 (F) one elementary school principal in Montgomery County
 260 Public Schools; and
- 261 (G) one prekindergarten teacher in Montgomery County Public
 262 Schools.
- 263 (5) The term of each member is 4 years. If a member is appointed to
 264 fill a vacancy before a term expires, the successor serves the rest
 265 of the unexpired term.
- 266 (d) *Voting, officers, chairs, meetings, and compensation.*

- 267 (1) Each member of the Coordinating Council is a voting member.
- 268 (2) The Executive must designate the Chair and Vice-Chair.
- 269 (3) The Coordinating Council meets at the call of the Chair. The
 270 Coordinating Council must meet as often as necessary to perform
 271 its duties, but not less than 9 times each year.
- 272 (4) A member serves without compensation. However, a member may
 273 request reimbursement for mileage and dependent care costs at
 274 rates established by the County.
- 275 (e) Duties. The Coordinating Council must:
- 276 (1) conduct a periodic county-wide needs assessment concerning the
 277 quality and availability of early childhood education and
 278 development programs and services for children from birth to
 279 school entry, including an assessment of the availability of child
 280 care, prekindergarten, and other supportive services for low-
 281 income children and their families in the County;
- 282 (2) identify opportunities for, and barriers to, collaboration and
 283 coordination among child development, child care and early
 284 childhood education programs, services, and advocacy groups
 285 including collaboration and coordination among State and local
 286 agencies and organizations responsible for administering or
 287 providing oversight for such efforts;
- 288 (3) develop recommendations for increasing the overall participation
 289 of children and their families in existing programs, including
 290 outreach to underrepresented and special populations;
- 291 (4) develop recommendations regarding the implementation and use
 292 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.

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

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

323 Sec. 4. Article VIII of Chapter 27 (Sections 27-62 and 27-62A) is
324 renumbered and moved to Chapter 10A, and Articles 3 and 4 of Chapter 10A
325 (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.

* * *

Article 4. Child Care Facilities Impact Statements.

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

* * *

334 Sec. 5. Article 5 of Chapter 10A is added and Sections 10A-1, 10A-2, 10A-3,
335 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.

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

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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