

Chapter 232

(House Bill 461)

AN ACT concerning

State Early Childhood Advisory Council

FOR the purpose of establishing the State Early Childhood Advisory Council; providing for the composition, chair, and staffing of the Council; prohibiting a member of the Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; providing for the purposes of the Council; requiring the Council to hold certain meetings at least a certain number of times per year and to maintain minutes of meetings; authorizing the Council to adopt certain procedures and bylaws; providing for the automatic resignation of a Council member, subject to a certain waiver, under certain circumstances; requiring the Council to take certain actions, including developing a strategic plan to improve the school readiness skills of young children and generally providing an infrastructure of continuous program improvement for the State's early learning and development programs; requiring the Council to provide a certain statewide strategic report to the Governor and the General Assembly on or before a certain date; requiring the Council to meet periodically after a certain report is submitted to review implementation of the report's recommendations and any changes in State and local need; defining a certain term; and generally relating to the State Early Childhood Advisory Council.

BY adding to

Article – Education

Section 7–1601 through 7–1608 to be under the new subtitle “Subtitle 16. State Early Childhood Advisory Council”

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

SUBTITLE 16. STATE EARLY CHILDHOOD ADVISORY COUNCIL.

7–1601.

IN THIS SUBTITLE, “COUNCIL” MEANS THE STATE EARLY CHILDHOOD ADVISORY COUNCIL.

7-1602.

(A) THERE IS A STATE EARLY CHILDHOOD ADVISORY COUNCIL IN THE DEPARTMENT.

(B) THE PURPOSES OF THE COUNCIL ARE TO:

(1) COORDINATE EFFORTS AMONG EARLY CHILDHOOD CARE AND EDUCATION PROGRAMS;

(2) CONDUCT NEEDS ASSESSMENTS CONCERNING EARLY CHILDHOOD EDUCATION AND DEVELOPMENT PROGRAMS; AND

(3) DEVELOP A STATEWIDE STRATEGIC REPORT REGARDING EARLY CHILDHOOD EDUCATION AND CARE.

7-1603.

(A) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(3) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE SUPERINTENDENT'S DESIGNEE;

(4) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE SECRETARY'S DESIGNEE;

~~(4)~~ (5) THE DIRECTOR OF THE HEAD START STATE COLLABORATION, OR THE DIRECTOR'S DESIGNEE;

~~(5)~~ (6) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE FOR CHILDREN, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

~~(6)~~ (7) THE ASSISTANT STATE SUPERINTENDENT OF THE DIVISION OF EARLY CHILDHOOD DEVELOPMENT, OR THE ASSISTANT STATE SUPERINTENDENT'S DESIGNEE;

~~(7)~~ (8) THE STATE CHILD CARE ADMINISTRATOR DIRECTOR OF THE OFFICE OF CHILD CARE WITHIN THE DIVISION OF EARLY CHILDHOOD DEVELOPMENT, OR THE DIRECTOR'S DESIGNEE;

~~(8)~~ (9) THE ASSISTANT STATE SUPERINTENDENT OF THE DIVISION OF SPECIAL EDUCATION/EARLY INTERVENTION SERVICES, OR THE ASSISTANT STATE SUPERINTENDENT'S DESIGNEE;

~~(9)~~ (10) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(I) ~~UP TO TWO REPRESENTATIVES~~ ONE REPRESENTATIVE OF A LOCAL EDUCATION AGENCIES AGENCY;

(II) ~~UP TO TWO REPRESENTATIVES~~ ONE REPRESENTATIVE OF INSTITUTIONS AN INSTITUTION OF HIGHER EDUCATION IN THE STATE;

(III) ~~UP TO FOUR REPRESENTATIVES OF TWO REPRESENTATIVES WHO ARE LOCAL PROVIDERS OF EARLY CHILDHOOD EDUCATION AND DEVELOPMENT SERVICES~~ ONE REPRESENTATIVE OF THE MARYLAND STATE CHILD CARE ASSOCIATION;

(IV) ONE REPRESENTATIVE OF THE MARYLAND STATE FAMILY CHILD CARE ASSOCIATION;

(V) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION FOR THE EDUCATION OF YOUNG CHILDREN;

(VI) ONE REPRESENTATIVE OF THE MARYLAND SCHOOL AGE CHILD CARE ALLIANCE;

(VII) ONE REPRESENTATIVE OF A NONPUBLIC PREKINDERGARTEN PROVIDER;

~~(IV)~~ (VIII) ~~UP TO TWO REPRESENTATIVES~~ ONE REPRESENTATIVE OF A HEAD START AGENCIES LOCATED AGENCY IN THE STATE;

~~(V)~~ ~~UP TO TWO REPRESENTATIVES OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, AT LEAST ONE OF WHOM SPECIALIZES IN MATERNAL AND CHILD HEALTH;~~

~~(VI)~~ ~~(V)~~ (IX) ONE REPRESENTATIVE OF A LOCAL MANAGEMENT BOARD;

~~(VII)~~ ~~(VI)~~ (X) ONE REPRESENTATIVE OF THE STATE INTERAGENCY COORDINATING COUNCIL;

~~(VIII)~~ ~~(VII)~~ (XI) ONE REPRESENTATIVE OF THE READY AT FIVE PARTNERSHIP;

~~(IX)~~ ~~(VIII)~~ (XII) ONE REPRESENTATIVE OF THE MARYLAND PARENT TEACHER ASSOCIATION;

~~(X)~~ ~~(IX)~~ (XIII) ONE REPRESENTATIVE OF THE MARYLAND PUBLIC LIBRARIES LIBRARY ASSOCIATION;

~~(XI)~~ ~~(X)~~ (XIV) ~~UP TO TWO REPRESENTATIVES~~ ONE REPRESENTATIVE OF THE BUSINESS COMMUNITY WITH DEMONSTRATED LEADERSHIP IN EARLY CHILDHOOD CARE AND EDUCATION;

~~(XII)~~ ~~(XI)~~ (XV) ~~UP TO TWO REPRESENTATIVES~~ ONE REPRESENTATIVE OF THE MARYLAND FAMILY NETWORK;

~~(XIII)~~ ~~(XII)~~ (XVI) ONE REPRESENTATIVE OF THE OFFICE OF CHILD CARE ADVISORY COUNCIL;

~~(XIV)~~ ~~(XIII)~~ (XVII) ONE REPRESENTATIVE OF THE MARYLAND STATE EDUCATION ASSOCIATION;

~~(XV)~~ ~~(XIV)~~ (XVIII) ONE REPRESENTATIVE OF THE SERVICE EMPLOYEES INTERNATIONAL UNION;

~~(XVI)~~ ~~(XV)~~ (XIX) ONE REPRESENTATIVE OF THE DEPARTMENT OF DISABILITIES;

~~(XVII)~~ ~~(XVI)~~ (XX) ONE REPRESENTATIVE OF THE SOCIAL SERVICES ADMINISTRATION OF THE DEPARTMENT OF HUMAN RESOURCES;

~~(XVIII)~~ ~~(XVII)~~ (XXI) ONE REPRESENTATIVE OF A PHILANTHROPIC INSTITUTION;

~~(XIX)~~ ~~(XVIII)~~ (XXII) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF ELEMENTARY SCHOOL PRINCIPALS;

~~(XX)~~ ~~(XIX)~~ (XXIII) ONE REPRESENTATIVE OF A LOCAL GOVERNMENT AGENCY THAT PROVIDES SERVICES TO CHILDREN;

~~(XXI) (XX)~~ (XXIV) ONE REPRESENTATIVE OF A LOCAL COMMUNITY ACTION AGENCY;

~~(XXII) (XXI)~~ (XXV) ONE REPRESENTATIVE OF THE MARYLAND CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS; ~~AND~~

~~(XXIII) (XXII)~~ (XXVI) ONE REPRESENTATIVE ~~OF~~ WHO PROVIDES SCHOOL HEALTH SERVICES TO CHILDREN; AND

~~(XXIII)~~ (XXVII) ONE REPRESENTATIVE OF THE MARYLAND DEVELOPMENTAL DISABILITIES COUNCIL;

~~(XXIV)~~ (XXVIII) ONE REPRESENTATIVE OF THE MARYLAND COUNCIL FOR AMERICAN PRIVATE EDUCATION;

~~(XXV)~~ (XXIX) ONE REPRESENTATIVE FROM THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION;

~~(XXVI)~~ (XXX) ONE REPRESENTATIVE FROM THE HOME VISITING ALLIANCE; AND

~~(XXVII)~~ (XXXI) ONE REPRESENTATIVE WHO ADVOCATES FOR HOMELESS CHILDREN; AND

~~(10)~~ (11) ~~UP TO FIVE ONE~~ EX-OFFICIO ~~MEMBERS~~ MEMBER, APPOINTED BY THE COUNCIL.

(B) (1) ~~THE MEMBERS~~ A MEMBER APPOINTED BY THE GOVERNOR SHALL SERVE AT THE PLEASURE OF THE GOVERNOR FOR STAGGERED 4-YEAR TERMS, ~~AS DETERMINED BY THE GOVERNOR.~~

(2) ~~MEMBERS~~ A MEMBER MAY SERVE UP TO TWO CONSECUTIVE 4-YEAR TERMS.

(3) A MEMBER SELECTED TO FILL A VACANCY SERVES ONLY FOR THE BALANCE OF THE TERM REMAINING AT THE TIME OF APPOINTMENT.

7-1604.

(A) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE COUNCIL, ~~AND THE CHAIR SHALL SERVE AT THE PLEASURE OF THE GOVERNOR.~~

(B) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE COUNCIL.

(C) A MEMBER OF THE COUNCIL:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE COUNCIL; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

7-1605.

(A) THE COUNCIL SHALL MEET AT LEAST THREE TIMES PER CALENDAR YEAR.

(B) MEETINGS SHALL BE:

(1) OPEN TO THE GENERAL PUBLIC;

(2) HELD IN A PLACE ACCESSIBLE TO THE GENERAL PUBLIC; AND

(3) ANNOUNCED IN ADVANCE.

(C) MINUTES SHALL BE KEPT OF ALL COUNCIL MEETINGS.

7-1606.

THE COUNCIL MAY ADOPT PROCEDURES AND BYLAWS AS NECESSARY TO ENSURE THE ORDERLY TRANSACTION OF BUSINESS.

7-1607.

(A) A MEMBER OF THE COUNCIL APPOINTED BY THE GOVERNOR WHO FAILS TO ATTEND AT LEAST 50% OF THE REGULARLY SCHEDULED MEETINGS OF THE COUNCIL DURING ANY CONSECUTIVE 12-MONTH PERIOD SHALL BE CONSIDERED TO HAVE RESIGNED.

(B) (1) ON OR BEFORE JANUARY 15 OF EACH CALENDAR YEAR, THE CHAIR OF THE COUNCIL SHALL FORWARD TO THE GOVERNOR:

(I) THE NAME OF ANY MEMBER CONSIDERED TO HAVE RESIGNED UNDER SUBSECTION (A) OF THIS SECTION; AND

(II) A STATEMENT DESCRIBING THE MEMBER'S HISTORY OF ATTENDANCE DURING THE PRECEDING 12-MONTH PERIOD.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, AFTER RECEIVING THE CHAIR'S NOTICE, THE GOVERNOR SHALL APPOINT A SUCCESSOR FOR THE REMAINDER OF THE TERM OF THE RESIGNING MEMBER.

(3) IF A MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR REASONS SATISFACTORY TO THE GOVERNOR, THE GOVERNOR MAY WAIVE THE RESIGNATION.

7-1608.

(A) THE COUNCIL SHALL:

(1) CONDUCT A PERIODIC STATEWIDE NEEDS ASSESSMENT CONCERNING THE QUALITY AND AVAILABILITY OF EARLY CHILDHOOD EDUCATION AND DEVELOPMENT PROGRAMS AND SERVICES FOR CHILDREN FROM BIRTH TO SCHOOL ENTRY, INCLUDING:

(I) ~~AN ASSESSMENT OF THE~~ THE AVAILABILITY OF HIGH QUALITY PREKINDERGARTEN SERVICES FOR LOW-INCOME CHILDREN IN THE STATE; ~~AND~~

(II) HEALTH-RELATED BARRIERS TO SCHOOL READINESS AND EARLY CHILDHOOD EDUCATIONAL SUCCESS; AND

(III) AN ASSESSMENT OF THE AVAILABILITY OF HIGH QUALITY EARLY CHILDHOOD EDUCATION AND DEVELOPMENT PROGRAMS THAT SERVE CHILDREN WITH AND WITHOUT DISABILITIES TOGETHER;

(2) IDENTIFY OPPORTUNITIES FOR, AND BARRIERS TO, COLLABORATION AND COORDINATION AMONG FEDERALLY FUNDED AND STATE-FUNDED CHILD DEVELOPMENT, CHILD CARE, AND EARLY CHILDHOOD EDUCATION PROGRAMS;

(3) ASSESS THE CAPACITY AND EFFECTIVENESS OF 2-YEAR AND 4-YEAR PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION IN THE STATE TOWARD SUPPORTING THE DEVELOPMENT OF EARLY CHILDHOOD EDUCATORS, INCLUDING THE EXTENT TO WHICH THE INSTITUTIONS HAVE ARTICULATION AGREEMENTS, PROFESSIONAL DEVELOPMENT AND CAREER ADVANCEMENT PLANS, AND PRACTICE OR INTERNSHIPS FOR STUDENTS TO SPEND TIME IN A HEAD START OR PREKINDERGARTEN PROGRAM;

~~(3)~~ (4) ~~DEVELOP RECOMMENDATIONS FOR~~ MAKE
RECOMMENDATIONS:

(I) FOR INCREASING THE OVERALL PARTICIPATION OF CHILDREN IN EXISTING FEDERAL, STATE, AND LOCAL CHILD CARE AND EARLY CHILDHOOD EDUCATION PROGRAMS, INCLUDING OUTREACH TO UNDERREPRESENTED AND SPECIAL POPULATIONS;

~~(4)~~ (II) ~~DEVELOP RECOMMENDATIONS REGARDING~~
REGARDING THE ESTABLISHMENT OF A UNIFIED DATA COLLECTION SYSTEM FOR PUBLIC EARLY CHILDHOOD EDUCATION AND DEVELOPMENT PROGRAMS AND SERVICES THROUGHOUT THE STATE;

~~(5)~~ (III) ~~DEVELOP RECOMMENDATIONS REGARDING~~
REGARDING STATEWIDE PROFESSIONAL DEVELOPMENT AND CAREER ADVANCEMENT PLANS FOR EARLY CHILDHOOD EDUCATORS IN THE STATE; AND

~~(6)~~ ~~ASSESS THE CAPACITY AND EFFECTIVENESS OF 2-YEAR AND 4-YEAR PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION IN THE STATE TOWARD SUPPORTING THE DEVELOPMENT OF EARLY CHILDHOOD EDUCATORS, INCLUDING THE EXTENT TO WHICH THE INSTITUTIONS HAVE ARTICULATION AGREEMENTS, PROFESSIONAL DEVELOPMENT AND CAREER ADVANCEMENT PLANS, AND PRACTICE OR INTERNSHIPS FOR STUDENTS TO SPEND TIME IN A HEAD START OR PREKINDERGARTEN PROGRAM;~~

~~(7)~~ (IV) ~~MAKE RECOMMENDATIONS FOR~~ FOR IMPROVEMENTS TO STATE EARLY LEARNING STANDARDS AND HOW TO UNDERTAKE EFFORTS TO DEVELOP HIGH-QUALITY COMPREHENSIVE EARLY LEARNING STANDARDS, AS APPROPRIATE;

~~(8)~~ (5) HOLD PUBLIC HEARINGS AND PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT ON THE ACTIVITIES DESCRIBED IN ITEMS (1) THROUGH ~~(7)~~ (4) OF THIS SUBSECTION; AND

~~(9)~~ (6) PERFORM ANY OTHER DUTIES THAT MAY BE REQUESTED BY THE GOVERNOR.

(B) (1) ON OR BEFORE DECEMBER 1, 2015, THE COUNCIL SHALL SUBMIT TO THE GOVERNOR, THE STATE SUPERINTENDENT OF SCHOOLS, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, A STATEWIDE STRATEGIC REPORT ON THE ACTIVITIES DESCRIBED IN SUBSECTION (A)(1) THROUGH ~~(7)~~ (4) OF THIS SECTION.

(2) AFTER SUBMISSION OF THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COUNCIL SHALL CONTINUE TO MEET PERIODICALLY TO REVIEW IMPLEMENTATION OF THE REPORT'S RECOMMENDATIONS AND ANY CHANGES IN STATE AND LOCAL NEEDS AFTER SUBMISSION OF THE REPORT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2014.

Approved by the Governor, April 14, 2014.