

SENATE BILL 75

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2002 Regular Session  
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(PRE-FILED)

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By: **Senators Van Hollen, Lawlah, and Kasemeyer**

Requested: October 11, 2001

Introduced and read first time: January 9, 2002

Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Building Foundations for School Success Act of 2002**

3 FOR the purpose of requiring the Subcabinet for Children, Youth, and Families,  
4 through a certain steering committee of the Subcabinet, to develop a  
5 comprehensive plan for establishment of a system to promote early childhood  
6 social and emotional development for school readiness of children under a  
7 certain age; specifying that the comprehensive plan include a certain  
8 assessment, a certain detailed timeline, certain recommendations, and a certain  
9 mechanism to provide objective performance standards and outcome  
10 measurements; requiring the system developed under this Act to include certain  
11 screening and consultation services, establishment of certain community-based  
12 early childhood mental health services, certain formal training of child care  
13 providers, and certain partnerships; establishing an initiative to provide  
14 matching fund grants for early childhood screening and consultation services to  
15 local management boards; specifying the requirements for a local management  
16 board to apply for a matching fund grant; specifying that certain matching funds  
17 may include funds provided as a part of a community partnership agreement;  
18 prohibiting certain matching funds from supplanting local funding of certain  
19 treatment and services; requiring the Subcabinet to submit a certain report on  
20 or before a certain date; defining certain terms; and generally relating to  
21 children's early childhood social and emotional development for school  
22 readiness.

23 BY adding to  
24 Article 49D - Office for Children, Youth, and Families  
25 Section 40 through 43, inclusive, to be under the new subtitle "Building  
26 Foundations for School Success"  
27 Annotated Code of Maryland  
28 (1998 Replacement Volume and 2001 Supplement)

29 Preamble

30 WHEREAS, The General Assembly has identified as a priority the development  
31 of strategies to prepare children to enter school ready to learn; and

1 WHEREAS, Recent neurological research strongly supports the proposition that  
2 young children's social and emotional development before they enter school is an  
3 essential foundation to young children's learning skills and later school success; and

4 WHEREAS, The National Academy of Sciences has concluded that enhancement  
5 of social and emotional development is as important in early childhood as  
6 enhancement of linguistic and cognitive competence and has recommended that  
7 resources similar to those focused on literacy and numerical skills should be devoted  
8 to promoting young children's social and emotional development; and

9 WHEREAS, Few early childhood programs supported by the State and federal  
10 government have sufficient capacity to address the emotional and social  
11 developmental needs of eligible children and their families with prevention and early  
12 intervention services; and

13 WHEREAS, Research overwhelmingly demonstrates that a child's development  
14 is deeply influenced by relationships with parents, the behavior of parents, and early  
15 interventions with eligible children and their families can increase the probability of  
16 healthy development and academic success; and

17 WHEREAS, Second to the influence of immediate family, child care providers  
18 shape children's emotional and social development with 61% of children under the age  
19 of 4 years in regularly scheduled child care with someone other than a parent; and

20 WHEREAS, The United States Surgeon General's Conference on Children's  
21 Mental Health has recommended the creation of tangible tools for early childhood  
22 service providers to assist in assessment of children's social and emotional needs, to  
23 discuss children's needs with the families, and to make referrals for families; and

24 WHEREAS, The Maryland State Early Childhood Mental Health Steering  
25 Committee of the Subcabinet for Children, Youth, and Families has been working on  
26 a plan to integrate mental health services into existing early childhood programs, is  
27 in the process of mapping existing early childhood mental health services in each  
28 jurisdiction in collaboration with local management boards, and has made  
29 recommendations for development of a comprehensive, integrated early childhood  
30 mental health system of care for Maryland's children; and

31 WHEREAS, Early intervention for children with social and emotional  
32 development needs can lead to later savings in public expenditures for special  
33 education, income support, and criminal justice; and

34 WHEREAS, The healthy social and emotional development of young children in  
35 this State is critical to meeting the goal of children entering school ready to learn;  
36 now, therefore,

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

**Article 49D - Office for Children, Youth, and Families**

## BUILDING FOUNDATIONS FOR SCHOOL SUCCESS

3 40.

4 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
5 INDICATED.

6 (B) "COMMUNITY PARTNERSHIP AGREEMENT" MEANS AN AGREEMENT  
7 EXECUTED BETWEEN THE STATE AND A LOCAL MANAGEMENT BOARD FOR THE  
8 PROVISION OF SERVICES TO CHILDREN, YOUTH, AND FAMILIES.

9 (C) "EARLY CHILDHOOD SOCIAL AND EMOTIONAL DEVELOPMENT" MEANS  
10 SOCIAL AND EMOTIONAL DEVELOPMENT OF CHILDREN UNDER THE AGE OF 6 YEARS,  
11 INCLUDING:

12 (1) THE DEVELOPMENT OF A CHILD'S CURIOSITY, SELF-DIRECTION, AND  
13 PERSISTENCE IN LEARNING SITUATIONS;

14 (2) THE ABILITY OF A CHILD TO COOPERATE, DEMONSTRATE CARING,  
15 AND RESOLVE CONFLICT WITH PEERS; AND

16 (3) THE CAPACITY OF A CHILD TO RECOGNIZE AND REGULATE THE  
17 CHILD'S EMOTIONS AND BEHAVIORS.

18 (D) "LOCAL MANAGEMENT BOARD" MEANS THE NONPROFIT CORPORATION OR  
19 PUBLIC AGENCY DESIGNATED UNDER § 11 OF THIS ARTICLE.

20 (E) "STEERING COMMITTEE" MEANS THE EARLY CHILDHOOD MENTAL  
21 HEALTH STEERING COMMITTEE OF THE SUBCABINET CHAIRED BY THE MENTAL  
22 HYGIENE ADMINISTRATION IN THE DEPARTMENT OF HEALTH AND MENTAL  
23 HYGIENE AND THE STATE DEPARTMENT OF EDUCATION.

24 (F) "SUBCABINET" MEANS THE SUBCABINET FOR CHILDREN, YOUTH, AND  
25 FAMILIES ESTABLISHED UNDER THIS ARTICLE.

26 (G) "THERAPEUTIC NURSERY PROGRAM" MEANS A CLINICAL PROGRAM  
27 APPROVED TO PROVIDE THERAPEUTIC NURSERY SERVICES UNDER REGULATIONS  
28 ADOPTED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

29 41.

30 (A) THE SUBCABINET, THROUGH THE STEERING COMMITTEE, SHALL  
31 DEVELOP A COMPREHENSIVE PLAN FOR THE ESTABLISHMENT OF A SYSTEM TO  
32 PROMOTE EARLY CHILDHOOD SOCIAL AND EMOTIONAL DEVELOPMENT FOR SCHOOL  
33 READINESS OF CHILDREN UNDER THE AGE OF 6 YEARS.

34 (B) THE COMPREHENSIVE PLAN SHALL INCLUDE:

1 (1) A THOROUGH ASSESSMENT OF THE AVAILABILITY AND ADEQUACY  
2 OF EXISTING EARLY CHILDHOOD MENTAL HEALTH SERVICES IN EACH COUNTY OF  
3 THE STATE;

4 (2) A DETAILED TIMELINE FOR IMPLEMENTATION AND FUNDING OF  
5 THE SERVICES IDENTIFIED IN § 42 OF THIS SUBTITLE IN EACH COUNTY OF THE  
6 STATE;

7 (3) RECOMMENDATIONS FOR INCREASING THE NUMBER OF EARLY  
8 CHILDHOOD TRAINED MENTAL HEALTH PROFESSIONALS THROUGH SUPPORT OF  
9 HIGHER EDUCATION TRAINING AND SCHOLARSHIP PROGRAMS; AND

10 (4) A MECHANISM TO PROVIDE OBJECTIVE PERFORMANCE STANDARDS  
11 AND OUTCOME MEASUREMENTS OF THE SERVICES PROVIDED UNDER THIS  
12 SUBTITLE.

13 42.

14 (A) THE SYSTEM DEVELOPED BY THE SUBCABINET SHALL INCLUDE:

15 (1) MENTAL HEALTH SCREENING AND CONSULTATION SERVICES FOR  
16 CHILDREN UNDER THE AGE OF 6 YEARS IN EARLY CHILDHOOD PROGRAMS, IN  
17 LICENSED OR REGISTERED CHILD CARE CENTERS AND PROGRAMS, AND TO  
18 LICENSED CHILD CARE PROVIDERS;

19 (2) THE ESTABLISHMENT OF COMMUNITY-BASED EARLY CHILDHOOD  
20 MENTAL HEALTH SERVICES;

21 (3) FORMAL TRAINING OF CHILD CARE PROVIDERS IN THE SOCIAL AND  
22 EMOTIONAL DEVELOPMENT OF THE YOUNG CHILD; AND

23 (4) PARTNERSHIPS BETWEEN THE STATE, LOCAL GOVERNMENTS, AND  
24 EARLY CHILDHOOD MENTAL HEALTH PROVIDERS TO ASSIST THE DEVELOPMENT OF  
25 STATEWIDE EARLY CHILDHOOD MENTAL HEALTH PROGRAMS AND SERVICES.

26 (B) THE MENTAL HEALTH SCREENING AND CONSULTATION SERVICES  
27 ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION SHALL:

28 (1) USE VALID, RELIABLE, AND APPROPRIATE MEASURES AND  
29 PROCEDURES TO SCREEN AND ASSESS CHILDREN FOR DELAYS IN SOCIAL AND  
30 EMOTIONAL DEVELOPMENT;

31 (2) PROVIDE ONGOING, CONSISTENT MENTAL HEALTH SCREENING,  
32 CONSULTATION, BEHAVIOR ASSESSMENT, PROGRAM PLANS, SUPPORT, AND  
33 TRAINING TO EARLY CHILDHOOD PROGRAMS AND LICENSED OR REGISTERED CHILD  
34 CARE PROVIDERS THAT HAVE CHILDREN IN THEIR CARE WHO ARE EXHIBITING  
35 CHALLENGING SOCIAL AND EMOTIONAL BEHAVIORS;

36 (3) PROVIDE CONSULTATION AND REFERRAL SERVICES TO FAMILIES OF  
37 CHILDREN EXHIBITING CHALLENGING SOCIAL AND EMOTIONAL BEHAVIORS; AND

1 (4) PROVIDE ONGOING AND CONSISTENT MENTAL HEALTH SCREENING,  
2 ASSESSMENT, AND CONSULTATION SERVICES FOR CHILDREN AND CAREGIVERS OF  
3 CHILDREN WHO HAVE BEEN REMOVED TO FOSTER CARE.

4 (C) THE COMMUNITY-BASED EARLY CHILDHOOD MENTAL HEALTH SERVICES  
5 ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE:

6 (1) OUTPATIENT MENTAL HEALTH TREATMENT AND SERVICES FOR  
7 CHILDREN UNDER THE AGE OF 6 YEARS AND THEIR FAMILIES;

8 (2) THERAPEUTIC NURSERY PROGRAMS;

9 (3) FAMILY SUPPORT INITIATIVES;

10 (4) CRISIS INTERVENTION SERVICES; AND

11 (5) SERVICES PROVIDED TO CHILDREN IN AN ENVIRONMENT THAT IS  
12 THEIR NATURAL SETTING, INCLUDING SERVICES PROVIDED IN THE HOME, IN  
13 EXISTING EARLY CHILDHOOD PROGRAMS, AND OTHER EARLY CHILD CARE  
14 SETTINGS.

15 (D) THE FORMAL TRAINING OF CHILD CARE PROFESSIONALS REQUIRED  
16 UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE:

17 (1) PROFESSIONAL DEVELOPMENT TO ASSIST CHILD CARE  
18 PROFESSIONALS IN FOSTERING HEALTHY SOCIAL, EMOTIONAL, AND BEHAVIORAL  
19 DEVELOPMENT OF CHILDREN IN THEIR CARE; AND

20 (2) PROGRAMMATIC CONSULTATION TO CHILD CARE PROFESSIONALS  
21 AND PROGRAMS TO ASSIST THEM IN CREATING AN ENVIRONMENT AND PROVIDING  
22 INTERVENTIONS AND SUPPORTS THAT ARE MOST CONDUCIVE TO THE HEALTHY  
23 SOCIAL, EMOTIONAL, AND BEHAVIORAL DEVELOPMENT OF CHILDREN IN THEIR  
24 CARE.

25 43.

26 (A) THERE IS AN INITIATIVE TO PROVIDE MATCHING FUND GRANTS FOR  
27 EARLY CHILDHOOD SCREENING AND CONSULTATION SERVICES TO LOCAL  
28 MANAGEMENT BOARDS FOR EARLY CHILDHOOD MENTAL HEALTH SCREENING AND  
29 CONSULTATION SERVICES.

30 (B) AT THE TIME WHEN A LOCAL MANAGEMENT BOARD ENTERS INTO A  
31 COMMUNITY PARTNERSHIP AGREEMENT OR RENEWS A COMMUNITY PARTNERSHIP  
32 AGREEMENT, THE LOCAL MANAGEMENT BOARD SHALL BE ELIGIBLE TO RECEIVE A  
33 \$50,000 MATCHING FUND GRANT FOR EARLY CHILDHOOD MENTAL HEALTH  
34 SCREENING AND CONSULTATION SERVICES.

35 (C) (1) TO APPLY FOR A MATCHING FUND GRANT FOR EARLY CHILDHOOD  
36 MENTAL HEALTH SCREENING AND CONSULTATION SERVICES, A LOCAL  
37 MANAGEMENT BOARD SHALL:

1 (I) DEVELOP A PLAN WITH THE ASSISTANCE OF THE LOCAL  
2 SCHOOL SYSTEM, THE LOCAL DEPARTMENT OF SOCIAL SERVICES, THE LOCAL CORE  
3 SERVICE AGENCY, AND LOCAL EARLY CHILDHOOD PROGRAMS IN THE JURISDICTION  
4 IN WHICH THE LOCAL MANAGEMENT BOARD IS LOCATED TO PROVIDE SERVICES  
5 WITH THE MATCHING FUND GRANT THAT ARE CONSISTENT WITH THE SERVICES  
6 REQUIRED UNDER § 42(B) OF THIS SUBTITLE;

7 (II) SUBMIT AN APPLICATION TO THE OFFICE OF CHILDREN,  
8 YOUTH, AND FAMILIES THAT CONTAINS THE PLAN DEVELOPED UNDER ITEM (I) OF  
9 THIS PARAGRAPH; AND

10 (III) DEMONSTRATE IN THE APPLICATION THAT THE LOCAL  
11 MANAGEMENT BOARD HAS ALLOCATED LOCAL MATCHING FUNDS IN AN AMOUNT  
12 EQUAL TO \$50,000 FROM ANY SOURCE TO PROVIDE EARLY CHILDHOOD MENTAL  
13 HEALTH SCREENING AND CONSULTATION SERVICES.

14 (2) THE MATCHING FUNDS REQUIRED UNDER THIS SECTION MAY  
15 INCLUDE FUNDS PROVIDED AS A PART OF A COMMUNITY PARTNERSHIP  
16 AGREEMENT.

17 (3) THE MATCHING FUNDS RECEIVED BY A LOCAL MANAGEMENT  
18 BOARD UNDER THIS SECTION SHALL BE IN ADDITION TO AND MAY NOT SUPPLANT  
19 ANY LOCAL FUNDING OF TREATMENT OR SERVICES TO PROMOTE THE EARLY  
20 CHILDHOOD SOCIAL AND EMOTIONAL DEVELOPMENT OF CHILDREN UNDER THE  
21 AGE OF 6 YEARS.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the Subcabinet for  
23 Children, Youth, and Families shall report to the Senate Budget and Taxation  
24 Committee and the House Appropriations Committee on or before August 1, 2002, in  
25 accordance with § 2-1246 of the State Government Article, on the comprehensive plan  
26 required under this Act for the establishment of a system to promote early childhood  
27 social and emotional development and school readiness of children under the age of 6  
28 years.

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 June 1, 2002.