

HOUSE BILL 461

F1

(4lr0090)

ENROLLED BILL

— *Ways and Means/Education, Health, and Environmental Affairs* —

Introduced by **Chair, Ways and Means Committee (By Request – Departmental – Education)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **State Early Childhood Advisory Council**

3 FOR the purpose of establishing the State Early Childhood Advisory Council;
4 providing for the composition, chair, and staffing of the Council; prohibiting a
5 member of the Council from receiving certain compensation, but authorizing the
6 reimbursement of certain expenses; providing for the purposes of the Council;
7 requiring the Council to hold certain meetings at least a certain number of
8 times per year and to maintain minutes of meetings; authorizing the Council to
9 adopt certain procedures and bylaws; providing for the automatic resignation of
10 a Council member, subject to a certain waiver, under certain circumstances;
11 requiring the Council to take certain actions, including developing a strategic
12 plan to improve the school readiness skills of young children and generally
13 providing an infrastructure of continuous program improvement for the State's
14 early learning and development programs; requiring the Council to provide a

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 certain statewide strategic report to the Governor and the General Assembly on
2 or before a certain date; requiring the Council to meet periodically after a
3 certain report is submitted to review implementation of the report's
4 recommendations and any changes in State and local need; defining a certain
5 term; and generally relating to the State Early Childhood Advisory Council.

6 BY adding to

7 Article – Education

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

10 Annotated Code of Maryland

11 (2008 Replacement Volume and 2013 Supplement)

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

14 **Article – Education**

15 **SUBTITLE 16. STATE EARLY CHILDHOOD ADVISORY COUNCIL.**

16 **7–1601.**

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

19 **7–1602.**

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

22 **(B) THE PURPOSES OF THE COUNCIL ARE TO:**

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

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

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

29 **7–1603.**

30 **(A) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:**

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

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

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

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

9 ~~(4)~~ (5) THE DIRECTOR OF THE HEAD START STATE
10 COLLABORATION, OR THE DIRECTOR'S DESIGNEE;

11 ~~(5)~~ (6) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S
12 OFFICE FOR CHILDREN, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

13 ~~(6)~~ (7) THE ASSISTANT STATE SUPERINTENDENT OF THE
14 DIVISION OF EARLY CHILDHOOD DEVELOPMENT, OR THE ASSISTANT STATE
15 SUPERINTENDENT'S DESIGNEE;

16 ~~(7)~~ (8) ~~THE STATE CHILD CARE ADMINISTRATOR~~ DIRECTOR
17 OF THE OFFICE OF CHILD CARE WITHIN THE DIVISION OF EARLY CHILDHOOD
18 DEVELOPMENT, OR THE DIRECTOR'S DESIGNEE;

19 ~~(8)~~ (9) THE ASSISTANT STATE SUPERINTENDENT OF THE
20 DIVISION OF SPECIAL EDUCATION/EARLY INTERVENTION SERVICES, OR THE
21 ASSISTANT STATE SUPERINTENDENT'S DESIGNEE;

22 ~~(9)~~ (10) THE FOLLOWING MEMBERS, APPOINTED BY THE
23 GOVERNOR:

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

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

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

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

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

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

7 (VII) ONE REPRESENTATIVE OF A NONPUBLIC
 8 PREKINDERGARTEN PROVIDER;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 ~~(10)~~ (11) ~~UP TO FIVE~~ ONE EX-OFFICIO ~~MEMBERS~~ MEMBER,
 4 APPOINTED BY THE COUNCIL.

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

8 (2) ~~MEMBERS~~ A MEMBER MAY SERVE UP TO TWO CONSECUTIVE
 9 4-YEAR TERMS.

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

12 **7-1604.**

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

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

16 (C) A MEMBER OF THE COUNCIL:

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

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

22 **7-1605.**

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

25 (B) MEETINGS SHALL BE:

26 (1) OPEN TO THE GENERAL PUBLIC;

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

28 (3) ANNOUNCED IN ADVANCE.

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

2 **7-1606.**

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

5 **7-1607.**

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

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

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

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

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

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

23 **7-1608.**

24 **(A) THE COUNCIL SHALL:**

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

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

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

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

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

13 (3) ASSESS THE CAPACITY AND EFFECTIVENESS OF 2-YEAR AND
14 4-YEAR PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION IN THE
15 STATE TOWARD SUPPORTING THE DEVELOPMENT OF EARLY CHILDHOOD
16 EDUCATORS, INCLUDING THE EXTENT TO WHICH THE INSTITUTIONS HAVE
17 ARTICULATION AGREEMENTS, PROFESSIONAL DEVELOPMENT AND CAREER
18 ADVANCEMENT PLANS, AND PRACTICE OR INTERNSHIPS FOR STUDENTS TO
19 SPEND TIME IN A HEAD START OR PREKINDERGARTEN PROGRAM;

20 ~~(3)~~ (4) ~~DEVELOP RECOMMENDATIONS FOR~~ MAKE
21 RECOMMENDATIONS:

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

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

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

33 ~~(6)~~ ~~ASSESS THE CAPACITY AND EFFECTIVENESS OF 2 YEAR AND~~
34 ~~4-YEAR PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION IN THE~~
35 ~~STATE TOWARD SUPPORTING THE DEVELOPMENT OF EARLY CHILDHOOD~~

1 ~~EDUCATORS, INCLUDING THE EXTENT TO WHICH THE INSTITUTIONS HAVE~~
 2 ~~ARTICULATION AGREEMENTS, PROFESSIONAL DEVELOPMENT AND CAREER~~
 3 ~~ADVANCEMENT PLANS, AND PRACTICE OR INTERNSHIPS FOR STUDENTS TO~~
 4 ~~SPEND TIME IN A HEAD START OR PREKINDERGARTEN PROGRAM;~~

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

9 ~~(8)~~ (5) HOLD PUBLIC HEARINGS AND PROVIDE AN
 10 OPPORTUNITY FOR PUBLIC COMMENT ON THE ACTIVITIES DESCRIBED IN ITEMS
 11 (1) THROUGH ~~(7)~~ (4) OF THIS SUBSECTION; AND

12 ~~(9)~~ (6) PERFORM ANY OTHER DUTIES THAT MAY BE
 13 REQUESTED BY THE GOVERNOR.

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.