



NOV 25 2014  
OFFICE OF THE  
MAYOR

VINCENT C. GRAY  
MAYOR

NOV 25 2014

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW, Suite 504  
Washington, DC 20004

Dear Chairman Mendelson:

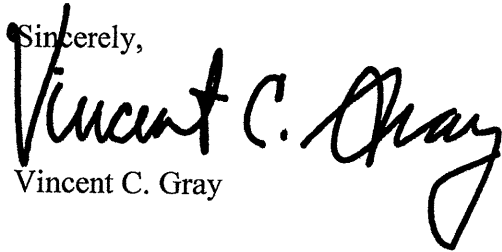
I have enclosed, for consideration by the Council of the District of Columbia, emergency legislation "Early Learning Quality Improvement Network Emergency Amendment Act of 2014" and accompanying declaration and temporary version to authorize establishment of a pilot community-based Quality Improvement Network (QIN) that will allow children and families to benefit from early, continuous, intensive, and comprehensive child development and family support engagement services, including educational, health, nutritional, behavioral, and family support services.

In August 2014, OSSE applied for a federal Department of Health and Human Services grant to support the QIN. This federal grant requires recipients to provide a continuum of care for children participating in the QIN. To date, OSSE has heard from the HHS that we are in the fundable range and thus anticipate receiving the federal grant, thereby elevating the need for this legislation. Additionally, the federal HHS grant requires recipients to provide children enrolled in the QIN free child care and comprehensive services. Under current District law, this is not possible. While a child's family may receive subsidy to cover his or her child care, current law requires the parent to pay for a portion of the child care based on a sliding scale adjusted for the guardian's income level. In order to fulfill the requirement of the federal grant, as well as to ensure that the District's most vulnerable population has access to complete and comprehensive health, mental health, nutrition, and family engagement services, a need exists for the children included in the pilot QIN to be exempt from the payment requirement sections of the Daycare Amendment Act of 1979.

As always, I am available to discuss any questions you may have regarding the proposed legislation. In order to facilitate a response to any questions concerning this proposed contract agreement, please have your staff contact Christina Setlow at (202) 724-1513.

I look forward to your favorable consideration of this proposed legislation.

Sincerely,

A handwritten signature in black ink that reads "Vincent C. Gray". The signature is written in a cursive style with a large, sweeping initial "V".

Vincent C. Gray



Chairman Phil Mendelson at the request  
of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an temporary basis, the Day Care Policy Act of 1979 to establish a pilot community-based Quality Improvement Network that will allow children and families to benefit from early, continuous, intensive, and comprehensive child development and family support engagement services, including educational, health, nutritional, behavioral, and family support services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Early Learning Quality Improvement Network Temporary Amendment Act of 2014".

Sec. 2. The Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official § 4-401 *et seq.*), is amended by adding a new section 15(a) to read as follows:

“Sec. 15(a). Comprehensive Child Development Programs

“(a) Notwithstanding sections 3 through 11 of the Day Care Policy Act of 1979 (D.C. Official Code §§ 4-402 – 4-410), the Office of the State Superintendent of Education (OSSE) shall establish a pilot community-based Quality Improvement Network (QIN) that shall be comprised of:

“(1) Child development hubs, selected through a competitive process, that will provide quality improvement technical assistance and comprehensive services to licensed child

1 development centers and licensed child development homes selected by OSSE to be partners and  
2 that agree to meet federal Early Head Start Program Performance Standards for program  
3 participation; and

4 “(2) Child development facilities and child development homes, selected through  
5 a competitive process, to provide low-income infants and toddlers high-quality, full-day, full-  
6 year comprehensive early learning and development services and continuum of care, that shall  
7 receive technical assistance from hubs to attain the following quality standards within 18 months  
8 of being selected by OSSE to participate in the QIN:

9 “(a) Adult-to-child ratios and group sizes that meet or exceed federal Early  
10 Head Start standards for all children from birth to 3 years of age in child development centers, or  
11 as otherwise approved by OSSE;

12 “(b) A comprehensive curriculum or program that is aligned with federal  
13 Head Start Program Performance Standards and the District’s early learning and development  
14 standards for serving infants, toddlers, and their families;

15 “(c) Staff who have direct supervision of infants and toddlers must, at a  
16 minimum, meet or exceed Early Head Start Standards for staff qualifications or credentials;

17 “(d) Partner with hubs, as defined in paragraph (1) above, to develop and  
18 implement a quality improvement plan, including aligning program policies and procedures to  
19 support on-site coaching, professional development, and teacher planning time;

20 “(e) Provide child, family, and program level data to OSSE and the child  
21 development hubs as requested;

22 “(f) Participation in on-going, on-site and desktop monitoring activities to  
23 ensure compliance with program requirements and Head Start Program Performance Standards

1 required to remain in good standing with OSSE, the hubs, as defined in paragraph (1) above, and  
2 the U.S. Department of Health and Human Services, Office of Head Start, if applicable.

3 “(g) Support for comprehensive services for children and families by the  
4 hubs, as defined in paragraph (1) above, including implementation of individualized family  
5 service plans (IFSP);

6 “(h) Participation in the Child and Adult Care Food Program (CACFP); and

7 “(i) Facilitation of children’s and families’ transitions to Pre-K or Head Start  
8 programs.

9 “(b) OSSE shall have authority to set payment rates, and to develop policies and  
10 procedures for high quality early learning and development services set under the authority of  
11 this section.

12 “(c) To be eligible for infant and toddler child development services provided by child  
13 care partners in the QIN, as established in subsection (a) above, a child shall be a resident of the  
14 District of Columbia and between birth and 3 years of age, with the exception that children may  
15 continue to receive services for the duration of a program year prior to transitioning into a pre-  
16 kindergarten or Head Start preschool program.

17 “(d) To the extent possible, priority enrollment shall be given to children between birth  
18 and 3 years of age, whose families are living at or below the federal poverty level, or who are  
19 homeless, or in the foster care system.

20 “(e) OSSE shall monitor the hubs and partner participants in the QIN for adherence to  
21 policies and procedures set under the authority of this Act.

22 “(f) OSSE may in whole, or in part, terminate the grant provided to a hub or partner  
23 participant at any time if OSSE determines that a hub or partner participant has:

1                   “(1) Substantially failed to comply with, or meet the objectives and terms of, the  
2 grant award; or

3                   “(2) Failed to comply with applicable federal or District of Columbia laws or  
4 regulations.

5                   “(g) OSSE shall continue on-site monitoring for health and safety licensing compliance  
6 of child care partners participating in the QIN; however, OSSE may delegate on-site monitoring  
7 of participating child development centers’ and homes’ compliance with federal Head Start  
8 Program Performance Standards, to the hubs, as defined in subsection (a) above, provided that  
9 relevant data collected by hubs is regularly reported to OSSE.”

10                   Sec. 3. Fiscal Impact Statement

11                   The Council adopts the fiscal impact statement of the Office of the Chief Financial  
12 Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia  
13 Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1  
14 206.02(c)(3)).

15                   Sec. 4. Effective date.

16                   (a) This act shall take effect following approval by the Mayor (or in the event of veto by  
17 the Mayor, action by the Council to override the veto), a 30-day period of Congressional review  
18 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
19 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
20 Columbia Register.

21                   (b) This act shall expire after 225 days of its having taken effect.

22

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE ATTORNEY GENERAL**

Legal Counsel Division



**MEMORANDUM**



**TO: Lolita S. Alston  
Director  
Office of Legislative Support**

**FROM: Janet M. Robins  
Deputy Attorney General  
Legal Counsel Division**

**DATE: November 21, 2014**

**SUBJECT: Certification of Legal Sufficiency of Bill, the "Early Learning Quality  
Improvement Network Emergency Amendment Act of 2014",  
Temporary Version and Emergency Declaration Resolution  
(AE-14-750)**

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**This is to Certify that** this Office has reviewed the above-referenced legislation and has found it to be legally sufficient. If you have any questions regarding this certification, please do not hesitate to contact me at 624-5524.

  
Janet M. Robins