

# HOUSE BILL 461

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

Introduced and read first time: January 27, 2014

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: February 25, 2014

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## 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  
15 certain statewide strategic report to the Governor and the General Assembly on  
16 or before a certain date; requiring the Council to meet periodically after a  
17 certain report is submitted to review implementation of the report's  
18 recommendations and any changes in State and local need; defining a certain  
19 term; and generally relating to the State Early Childhood Advisory Council.

20 BY adding to

21 Article – Education

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

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**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.



1 Annotated Code of Maryland  
2 (2008 Replacement Volume and 2013 Supplement)

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

5 **Article – Education**

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

7 **7-1601.**

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

10 **7-1602.**

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

13 (B) THE PURPOSES OF THE COUNCIL ARE TO:

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

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

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

20 **7-1603.**

21 (A) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

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

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

26 (3) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE  
27 SUPERINTENDENT’S DESIGNEE;

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

3           **(4) (5) THE DIRECTOR OF THE HEAD START STATE**  
 4 **COLLABORATION, OR THE DIRECTOR'S DESIGNEE;**

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

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

10           **(7) (8) THE ~~STATE CHILD CARE ADMINISTRATOR~~ DIRECTOR**  
 11 **OF THE OFFICE OF CHILD CARE WITHIN THE DIVISION OF EARLY CHILDHOOD**  
 12 **DEVELOPMENT, OR THE DIRECTOR'S DESIGNEE;**

13           **(8) (9) THE ASSISTANT STATE SUPERINTENDENT OF THE**  
 14 **DIVISION OF SPECIAL EDUCATION/EARLY INTERVENTION SERVICES, OR THE**  
 15 **ASSISTANT STATE SUPERINTENDENT'S DESIGNEE;**

16           **(9) (10) THE FOLLOWING MEMBERS, APPOINTED BY THE**  
 17 **GOVERNOR:**

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

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

22                   **(III) ~~UP TO FOUR REPRESENTATIVES~~ OF TWO**  
 23 **REPRESENTATIVES WHO ARE LOCAL PROVIDERS OF EARLY CHILDHOOD**  
 24 **EDUCATION AND DEVELOPMENT SERVICES;**

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

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

30                   **(VI) (V) ONE REPRESENTATIVE OF A LOCAL MANAGEMENT**  
 31 **BOARD;**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7                   (XXIII) ONE REPRESENTATIVE OF THE MARYLAND  
8 DEVELOPMENTAL DISABILITIES COUNCIL;

9                   (XXIV) ONE REPRESENTATIVE OF THE MARYLAND  
10 COUNCIL FOR AMERICAN PRIVATE EDUCATION;

11                   (XXV) ONE REPRESENTATIVE FROM THE MARYLAND  
12 ASSOCIATION OF BOARDS OF EDUCATION;

13                   (XXVI) ONE REPRESENTATIVE FROM THE HOME  
14 VISITING ALLIANCE; AND

15                   (XXVII) ONE REPRESENTATIVE WHO ADVOCATES FOR  
16 HOMELESS CHILDREN; AND

17                   ~~(10)~~ (11) UP TO FIVE ONE EX-OFFICIO MEMBERS MEMBER,  
18 APPOINTED BY THE COUNCIL.

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

22                   (2) ~~MEMBERS~~ A MEMBER MAY SERVE UP TO TWO CONSECUTIVE  
23 4-YEAR TERMS.

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

26 7-1604.

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

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

1           **(C) A MEMBER OF THE COUNCIL:**

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

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

7 **7-1605.**

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

10           **(B) MEETINGS SHALL BE:**

11                   **(1) OPEN TO THE GENERAL PUBLIC;**

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

13                   **(3) ANNOUNCED IN ADVANCE.**

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

15 **7-1606.**

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

18 **7-1607.**

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

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

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

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

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

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

8 7-1608.

9           (A) THE COUNCIL SHALL:

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

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

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

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

23           (3) ASSESS THE CAPACITY AND EFFECTIVENESS OF 2-YEAR AND  
24 4-YEAR PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION IN THE  
25 STATE TOWARD SUPPORTING THE DEVELOPMENT OF EARLY CHILDHOOD  
26 EDUCATORS, INCLUDING THE EXTENT TO WHICH THE INSTITUTIONS HAVE  
27 ARTICULATION AGREEMENTS, PROFESSIONAL DEVELOPMENT AND CAREER  
28 ADVANCEMENT PLANS, AND PRACTICE OR INTERNSHIPS FOR STUDENTS TO  
29 SPEND TIME IN A HEAD START OR PREKINDERGARTEN PROGRAM;

30           ~~(3) (4) DEVELOP RECOMMENDATIONS FOR~~ MAKE  
31 RECOMMENDATIONS:

32           (I) FOR INCREASING THE OVERALL PARTICIPATION OF  
33 CHILDREN IN EXISTING FEDERAL, STATE, AND LOCAL CHILD CARE AND EARLY

1 CHILDHOOD EDUCATION PROGRAMS, INCLUDING OUTREACH TO  
2 UNDERREPRESENTED AND SPECIAL POPULATIONS;

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

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

10 ~~(6) ASSESS THE CAPACITY AND EFFECTIVENESS OF 2-YEAR AND~~  
11 ~~4-YEAR PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION IN THE~~  
12 ~~STATE TOWARD SUPPORTING THE DEVELOPMENT OF EARLY CHILDHOOD~~  
13 ~~EDUCATORS, INCLUDING THE EXTENT TO WHICH THE INSTITUTIONS HAVE~~  
14 ~~ARTICULATION AGREEMENTS, PROFESSIONAL DEVELOPMENT AND CAREER~~  
15 ~~ADVANCEMENT PLANS, AND PRACTICE OR INTERNSHIPS FOR STUDENTS TO~~  
16 ~~SPEND TIME IN A HEAD START OR PREKINDERGARTEN PROGRAM;~~

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

21 ~~(8) (5)~~ (5) HOLD PUBLIC HEARINGS AND PROVIDE AN  
22 OPPORTUNITY FOR PUBLIC COMMENT ON THE ACTIVITIES DESCRIBED IN ITEMS  
23 (1) THROUGH ~~(7) (4)~~ OF THIS SUBSECTION; AND

24 ~~(9) (6)~~ (6) PERFORM ANY OTHER DUTIES THAT MAY BE  
25 REQUESTED BY THE GOVERNOR.

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

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



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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.