



Office of Child Care (OCC) Advisory Council

Meeting Minutes

February 16, 2017



AGENDA ITEMS	DISCUSSION OUTCOME
Attendees	<p>Council Members: Chris Peusch, Dr. Cheryl DePinto, Jacqueline Grant, Diane Mellot, Sharon Holloway, Steve Rohde, Tymeerah Butts-Grandy, Ed Haden, Gloria Brown-Burnett, Barbara Andrews, Jody Burghardt, Jennifer Arnaiz, Crystal Barksdale, Les Hall</p> <p>MSDE Staff: Liz Kelley, Paula Johnson, TJ Bennett, Angeline Bishop-Oshoko, Roann Tsakalis, Brian Sitowski, Lindi Budd</p> <p>Guests: Cynthia Poindexter, Shay Gurry, Shaun Rose</p>
Welcome And Opening Remarks	<p>The meeting was called to order by Chris Peusch.</p> <p>Chris reminded everyone that seats at the table are reserved for members of the Council. Guests are invited to move to the main table after 10:30 if seats are available.</p>
Assistant Superintendent/ Director Report Legislation	<p>MSDE has not taken a position on any of the legislation under discussion. We have submitted letters of information for some of them.</p> <p>HB 395 – <i>Child Care Subsidy Program – Alternative Methodology - Report</i> Requires the Division to pull together a workgroup to study different ways to set rates for child care subsidy reimbursements. A report is due September 1, 2017.</p> <p>HB 418 – <i>Child Care Subsidy Program – Reimbursement Rate Adjustments</i> Requires the submission of a report on a bi-annual basis to inform the General Assembly on how the Department sets rates (market rate survey or alternative methodology, etc.). Requires the Division to report how much it would cost if we raised the rates by different percentage increments.</p> <p>HB 452 – <i>Income Tax Credits – Employer Child Care Center and Employer Provided Child Care Services</i> This bill came about as a result of the hearings over the summer. It would provide tax credits for companies providing child care services for their employees. (This bill did not pass during the Session.)</p> <p>HB 456 - <i>Children with Disabilities and Child Care Providers – Dispute Resolution Process</i> In 2013, the General Assembly passed Senate Bill 832, which required the establishment of a Dispute Resolution Workgroup to make recommendations to the State Superintendent of the MSDE regarding rules and regulations to establish a uniform and timely dispute resolution process for claims of discrimination against a child care provider that are based on a child’s disability. This bill is a follow-up to the 2013 legislation. We submitted a letter of information about what we believe the Department can do. The final bill that passed requires a workgroup to determine a dispute resolution process.</p> <p>Dr. DePinto commented that from the school health perspective, they are always telling parents to speak with the Office of Civil Rights (OCR). Parents do not always understand the process, so she believes this legislation could have a positive impact on child care and school age care in that it will require a formal resolution process that can be shared with parents.</p> <p>Paula also informed the group that the Licensing Branch has a nurse consultant (Manjula Paul) who can provide assistance to providers on accommodation and information on specific disabilities.</p> <p>HB 516 – <i>Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4-Year</i></p>



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	<p><i>Olds.</i> This legislation requires the establishment of a workgroup to study the implementation of universal pre-k for a half-day. Chris said the Maryland State Child Care Association has asked to be represented on this workgroup to ensure early childhood providers are represented.</p> <p><i>HB 1080 – Education – Universal Prekindergarten – Established</i> This legislation would implement universal prekindergarten for either a full or a half day. It has a HUGE fiscal note attached to it. (This legislation did not pass the Session.)</p> <p><i>HB 548 – Education – Prekindergarten Student Assessment - Moratorium</i> The Department is very concerned about this legislation. It would place a moratorium on the Early Learning Assessment (ELA). The ELA is a voluntary assessment available to local school systems. However, the Department’s Division of Special Education trained many of their staff on some of the indicators for use in assessing children in special education settings to fulfill federal reporting requirements. The intent of properly using the ELA was never for all of the indicators to be used. Local school systems can choose to use as few, or as many, of them as they find necessary. (The legislation was amended during session to allow for the administration of the ELA after the County Board consults with Prekindergarten teachers (including those represented by a bargaining unit) to determine how to implement the assessment.)</p> <p><i>HB 654 – Education – Statewide Kindergarten Assessment – Completion</i> This allows more time for completion of the annual assessment as a result of the Governor’s Executive Order pushing the start date of school until after Labor Day. It added ten more days to allow for completion of the assessment. The date is now October 10.</p> <p><i>HB 1319 – Child Care Centers – Operating without a License – Penalties</i> This would increase the penalties for child care centers found to be operating without a license. A child in this setting must suffer a serious injury or death for the penalties to take effect. (This bill did not pass the Session.)</p> <p><i>SB 244 – Task Force to Study Suspension Rates of African American Prekindergarten Students</i> This legislation requires a Task Force to study the suspension rates of prekindergarten children and to determine if African American children are being disproportionately affected. This bill did not pass the Session. This data is not collected by the State for child care providers or by the local school systems on a consistent basis. <i>HB 425 – Public Schools – Suspensions and Expulsions</i> is more broad in scope and did pass the Session.</p> <p>Chris also mentioned <i>SB 965 – Auto-Injectable Epinephrine – Certification for Emergency Administration</i></p> <p>Dr. DePinto said DHMH has opposed this legislation. A lot of education, appropriate training and clinical expertise is necessary to effectively administer an epi-pen. NOTE: This bill did not pass this Session.</p> <p>Chris asked about the status of the 2016 Session <i>SB 312 – Children – Family Child Care Homes and Child Care Centers – Adversiting and Penalties</i>. Paula said the developed policies are currently under review by the Attorney General’s office. She said she is concerned about educating the general public - most people do not know a license/registration number needs to be in an</p>



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	<p>advertisement, or even what a license looks like.</p> <p>Lindi added that Maryland EXCELS is also working on a public information campaign with those materials currently undergoing in-house review.</p> <p>Jennifer Arnaiz suggested all materials should be in multiple languages since Maryland has such diversity in its population.</p> <p>Dr. DePinto asked what the incentive would be to get illegally operating providers to become licensed. Some illegal providers are operating within a community and they are the only provider many people have ever known. How can we reach out to them in a way that is non-punitive and non-threatening?</p> <p>Barbara Andrews reported that Montgomery County is currently working on a campaign as well. One of the items they are taking into consideration is the word "illegal" since Montgomery County has many undocumented immigrants. In addition, you cannot become a registered provider without a social security number so they are trying to be very mindful in how they craft the message.</p> <p>Lindi suggested the message should also include the pathway to becoming licensed/registered to assist those who are providing care and may not know they are required to be licensed/registered.</p>
<p>Child Care Development Fund (CCDF) State Plan</p>	<p>We are finalizing the Basic Health and Safety training required by CCDF for all providers. The tentative date for posting to the website is March 17. The training via the website will be free. There are 13 modules that range from five to twenty minutes in length for a total of three clock hours of core of knowledge training. The training does not have to be completed at one time. We are currently looking at how to make it as user friendly as possible. Training will be available in English only for right now. The date for completion of the training is July 1, 2017. Licensing staff have been instructed not to cite a non-compliance until January 1, 2018 to allow sufficient time for providers and staff to complete the training.</p> <p>We will be holding Train the Trainer sessions for approved trainers, R&R staff and licensing staff. Chris reported that Steve Rohde will provide training at the Maryland State Child Care Association conference as well. They have a small grant from the American Academy of Pediatrics to develop the training.</p> <p>The criminal background check requirements under the CCDBG reauthorization are underway. TJ reported that CJIS and the FBI are working together to get a new system in place that will allow for a "rap-back" of any federal criminal hits. That system is already in place for Maryland hits. Once the system is in place, all child care providers will need to be re-fingerprinted to enroll in the "rap-back" program, which will meet the requirements of the CCDBG and will negate the need for providers to get printed every five years.</p> <p>With regard to the requirement to search the NCIC database for sex offender hits, the FBI and Health and Human Services are working together to determine how to meet this requirement. There are many different databases within the NCIC and non criminal justice agencies should not have access to that information. (Maryland applied for, and was granted, a one-year extension on this provision because we cannot meet the NCIC requirement at this time.) This gives us until September 2018 to meet this requirement.</p> <p>We are planning to pay for the costs of the fingerprinting to make this process easier on the provider</p>



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	<p>community.</p> <p>The retention and expulsion policy for child care has been drafted and is in review. The policy is that children cannot be expelled and will include resources for providers - unless a child is a danger to others.</p> <p>The emergency/disaster response policy is with Liz for review. This documents what DECD will do to assist providers in getting up and operational again following a declared disaster.</p>
Credentialing Branch Updates	<p><i>Angeline Bishop-Oshoko lead the discussion.</i></p> <p>There are currently 19 colleges participating in the Child Care Career and Professional Development Fund. Applications for the current round of awards are due March 1.</p> <p>All credentialing applications submitted in January are processed.</p> <p>There is a backlog of 147 training reviews for entry into the system. Most of these are due to foreign college transcripts that need in-depth review.</p> <p>Requests for training vouchers can now be submitted online and documentation can be uploaded.</p>
Maryland EXCELS Branch Updates	<p><i>Lindi Budd lead the discussion.</i></p> <p>Maryland EXCELS is working on an engagement campaign to get providers who are level 2 and accept child care subsidy children to move to level 3 or higher so they can benefit from additional financial payments. There are 183 of these providers.</p> <p>Kaplan Early Learning donated two \$2,500 shopping sprees to programs participating in EXCELS and published.</p> <p>Chris donated five conference registrations for the "Conference by the Sea" for a giveaway for next month.</p>
	<p>Teresa Dantzler is the new ombudsperson for MSDE. The regional offices will send that information out to providers and licensing staff will update their voice mail messages.</p>
Member Updates	<p>There were no member updates.</p>
Next Meeting	<p>May 18, 2017 - 10:00 am – 12:00 Noon @ MSDE, 8th Floor Conference Room 6/7</p>
2017 Meeting Dates	<p>May 18 August 17 November 16</p>