



**Office of Child Care
Advisory Council Meeting**

Office of Child Care
Advisory Council



AGENDA
Thursday, May 16, 2019

Welcome and Introductions

Review Guidelines/Goals of Council (language): Advise and counsel the Office of Child Care, review proposed regulations, review issues and problems relating to care of children and suggested priorities for consideration by OCC and identify interdepartmental issues of importance to child care providers and users that should be addressed by OCC and other state agencies.

Legislative Updates:

- a. **Senate Bill 181 and House Bill 248:**
Education-Child Care Subsidies Mandatory Funding Level: Expedites increasing child care subsidy reimbursement rates to the 60th percentile of the most recent market rate survey or a certain equivalent by FY 2021
- b. **SB 1030:** Kirwan Commission legislation and impact on child care
- c. **Minimum wage changes in Maryland and impact on child care**
- d. **HB 810:** Refundable Tax Credits and increase to caps for parents- relevant to child care

Director, Office of Child Care Report:

Regulations and the role of the Office of Child Care Advisory Council:

Refer to charge

Discuss new protocol and process for OCC Advisory Council and community stakeholder participation and review of all regulations prior to posting for public comments

Training Branch- share the changes in oversight and accountability

Old Business:

- a. **Updates on Child Care Scholarships (Subsidy)**
- b. **Updates on Market Rate Cost of Care Survey**
- c. **IMPACT Project updates**
- d. **Preschool Development Grant Birth to 5**
- e. **Quality Incentive Grants/Family Child Care Grants**

Discussion:

Workforce Development – steps to address critical workforce shortage

Topics/presentations for future meetings:

Commission on Innovations and Excellence in Education
NGA/CCSSO Early Childhood Education Workforce
Training Advisory Council
Workforce Competency Workgroup
School Age Regulations
Lead Poisoning Prevention Commission-Results of pilot program

BRANCH UPDATES

(Submitted in writing at request of Council prior to meetings)

Council Member Reports/Updates

Adjournment

Next Meeting: August 22, 2019

10:00 am – 12:00 Noon

8th Floor, Conference Room 6

Maryland State Department of Education

200 West Baltimore Street

Baltimore, Maryland 21201

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AGENDA ITEMS	DISCUSSION OUTCOME	
Attendees	Council members:	Jennifer Nizer, Christina Peusch, Paula Montgomery, Barbara Andrews, Rachel London, Maureen Creitz, Sharon Holloway, Bill Fields, Less Hall, Stacie Burch, Angeline Bishop-Oshoko, Shay Gurry, Dona Mullen, Gloria Brown-Burnett, Crystal Barksdale, and Lou Valenti.
	Guests:	Rebecca Hancock, Susan Olsen, Lawrence Hsin, Derek Newbury, Flora Gee, Shaun Rose, Melanie (Montessori), Beth Marrow, Pamela Trumbull,
	MSDE Staff:	Tara Bartosz, Debbie Langer, Jacqueline Woodruff, Manjula Paul, Jena Smith, Agneatha Wright
Welcome And Opening Remarks	Informed participants that this is being recorded – there were no objections. Chris Peusch called the meeting to order.	
Review Guidelines/Goals of Council	<p>While this was not discussed at the last meeting, as a reminder:</p> <p>The purpose of the OCC Advisory Council is to:</p> <ul style="list-style-type: none"> Advise and counsel the Office of Child Care; Review regulations proposed by state agencies regulating child care; Review issues and problems relating to care of children and suggested priorities for consideration by the Office of Child Care; and Identify interdepartmental issues of importance to child care providers and users that should be addressed by the Office of Child Care and other state agencies. <p>The Council meetings are “open” meetings but not “public” hearings. What this means is that the meeting is open to anyone who would like to attend. However, it is not a “public” meeting, in that the topics of discussion are limited to only those items on the Agenda. OCC Advisory Council meetings are not the appropriate forum to share concerns or complaints.</p> <p>The Agenda for each meeting is set prior to the meeting in consultation between the Department and the Chairperson for the Council. A Council member who would like to have an item considered for the agenda should make the request no later than two weeks prior to the meeting by contacting Tara Bartosz, tara.bartosz@maryland.gov or Chris Peusch, mscca1@comcast.net. The Department will share information as specified on the Agenda set for the meeting.</p> <p>After all items on the Agenda are concluded, the Council meeting will be opened to “Other Business.” This will allow for discussion of items not necessarily related to those on the Agenda. To ensure an equal amount of time for participation, each speaker will be asked to limit their thoughts and comments to no more than three minutes. Comments made during this time should be succinct, specific and of interest to the Council members.</p> <p>Places at the table are reserved for Council members only. Therefore, non-member visitors attending the meetings should sit at the tables indicated for guests until the OCC Advisory Council chair invites visitors to sit in any remaining seats at the table.</p> <p>Comments and remarks that do not coincide directly with Agenda items may not be shared until the meeting is opened to “Other Business”.</p>	

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Legislative Updates	<p>Christina Peusch Comment: SB 181 and HB 248 with regard to subsidies and fast tracking to 60% reimbursement rates for 2021 which is good news. Great for families and children and providers. You got a copy of attached for SB 1030, which was the blueprint for Maryland's education, which is the Kirwan Bill and that has a lot of information. Currently, Steven is busy with town halls, but I'm sure he'd like to address some of that. We may do a presentation. The governor is finishing signing bills. There was an article in the Washington Post from Governor Hogan about the Kirwan Bill, which was posted on our website and our MSCCA website and very interesting reading.</p> <p>Minimum wage has pass in Maryland. This defiantly will impact childcare providers. I thought that would be of interest to our council as well. So I think we need to consider that, maybe have a presentation. I know that we're working on that as one of our priorities in our association to help a template to build help businesses figure out how to implement that in a way that's not gonna impact families too much.</p> <p>Council Member Comment: The governor signed the bill on Monday. Families who are married up to about \$140,000 are eligible to receive the child independent care tax credit and families at the lower income level. If their tax liability exceeds their tax bills, they can get a refund.</p>
Regulation Updates	<p>Licensing regulations: the board did pass the regulations on April 23rd to go back out for public comment and they will be going back out. We invite everyone to provide input once it does go out for public comment.</p> <p>Subsidy Regulations. There is a public hearing scheduled for July, 11. Those who want to publically comment can sign up, OCC want to make sure that the regulatory process open and more transparent. OCC wants your feedback prior. There is a concern at this time that we are not meeting CCDF funding if the regulations do not go out in t a timely manner</p> <p>Question from Council Member: When do you intend to put the draft out? Jennifer responded: They are still being reviewed but hopefully within the next week or two. We want to ensure that the council receives them and if we have your email, we can send them out. They will also be put it in Tuesday tidbits. We will place them on our website and also the IMPACT newsletter. The Subsidy regulations are not an easy read. They're not going to be as straightforward as a licensing regulations. The changes in Subsidy regulation are Federal mandates and MSDE has not added except the federal mandates. We defiantly want opinions.</p> <p>Question from Council Member: how do you plan on getting feedback from the Council? Jennifer responded: You can either submit your comments if you're on the council or you can come to the public hearing. There will be an email set up for comments for both licensing and subsidy regulations. It will not be sent to Jennifer Nizer</p>
MSDE PowerPoint Presentation	<p>Presentation was distributed on 08.13.19.</p>
PDG Grant B-5	<ul style="list-style-type: none"> • We have hired Rachel Demma as the program manager. She comes to us from the ACF and has worked closely with the director Shannon Christian. We're really excited to have

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<p>NGA</p> <p>IMPACT Project:</p> <p>Branch Updates</p> <p>Maryland Child Care Scholarship Program</p>	<p>her. She literally had to hit the floor running because as you know, this is a one year planning grant and we're hoping to be able to get the next three years' worth of grants.</p> <ul style="list-style-type: none"> • We need to work on the needs assessments and get those completed and there are several town hall meetings occurring. We would like more parent involvement, which is voice we need to hear more from within the community • The mid-Atlantic Equity Commission is going to put together a report for that too that we can then plan and do the planning grants, the grants for the future • MSDE was funded for a one year project NGA for workforce development Project. • MSDE is looking at many different options, especially Power to the Profession with NAEYC because that's something that is going to be critical in the decisions that we need to make. • This is a two year technical assistance project. • There have been regular monthly meetings with our assigned TA specialist, Sangree and the MSDE Team. • The Team includes the Branch and Deputy Chiefs, and training. • MSDE has obtained an assessment, designed by Harriett Dickter (?) for the QRIS across the county to evaluate your system. • IMPACT Project is meant to be designed for us to be able to move forward on things that MSDE needs to be implemented in the state of Maryland and that we know are in the best interest of children and families in the state of Maryland. We will be extending invitations to providers and other stakeholders soon • Formally known as Child Care Subsidy • Everyone is aware of the program changes, the legislation that was passed to accelerate the buying power for families. The provider reimbursement rates will go up to the 30th percentile in July 2019. • The cost of care survey was sent out. Received a good amount of responses. Looking at doing things within the regulation to have providers who's receiving child care subsidy dollars to report their rates to us for accountability • We need the programs that are charging a lot more to answer these questions so that we can really get that provider reimbursement rate up. • Talked about incentives such as gift cards or PAU opportunities

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Credentialing Branch	<ul style="list-style-type: none"> Reviewed the many different grants within the branch Reviewed data within the PPT in the Credentialing Branch. Revised the booklets for distribution 8,181 in the credential program
Child Care Career Professional Development Fund (CCPDF)	<ul style="list-style-type: none"> Currently looking at paying for the CDA. Workforce development group is looking at including the CDA in this process and the CDA and the childcare credentialing. MSDE want to make sure we have money set aside to help providers. Especially if we're going to go towards CDA in Maryland at any time. Angeline commented that Credentialing is currently paying for the training itself. It's just that we are not paying for the CDA. Working with the CDA council at this moment.
Childcare quality incentive program	<ul style="list-style-type: none"> New updated pamphlets are available for center and family providers Jacqueline Woodruff stated that more people are applying. Last year MSDE had 20 and this year approx. 100 applied
State coordinating Entity for Resource and Referral	<ul style="list-style-type: none"> MFN has done several of training with providers, lots of technical assistance MFN is now also assisting the resource centers are also assisting in moving providers up in Maryland in Maryland EXCELS under the PDG grant
Zero to Three Competencies	<ul style="list-style-type: none"> We will be having two training sessions for 30 trainers each. It is an intensive training, 10 days that they'll have to commit Trainers can go out and work with infant and toddler providers specifically on the critical competencies that they need to be infant & Toddler teachers. Will be a free training. Must be an approved trainer in Maryland.
Training voucher reimbursement program	<ul style="list-style-type: none"> For the MSCCA conference, there were 623 vouchers issued. MFSCCA had 50 vouchers issued.

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<p>Training</p>	<ul style="list-style-type: none"> • We have 110 approved training organizations, 40 approved individual trainers, 80 associated training trainers working organizations • Working on training regulations and they will be changing • Monitoring: MSDE is finding that are not appropriate and they are not following the regulations that we have in place. MSDE is working with everyone and not being punitive. The goal of the monitoring visit is to make sure the train organizations are following the regulations that we have for training. • Held a trainers conference. 115 in attendance <p>Chris P commented: This topic has come up and we obviously all would agree on this council as what MSCCA leadership. That accountability is most important and we do not want to see people receiving certificates that did not get the quality training that they are supposed to have because that impacts children. Our members have said to us that there have been licensing issues where they're not allowed to use their certificate because their trainer has been pulled or that training has been pulled and that person didn't even know that the training was a valid. We need to come up with ways more respectful as well as the person that's doing the training is an approved MSDE trainer.</p> <p>Jennifer Commented: We had a trainee advisory committee not too long ago and it was stated that we were sending something out to all the licensing specialists. So if there's any one specific that is turning down training certificates, we need to know who it is.</p>
<p>Maryland EXCELS Branch</p>	<ul style="list-style-type: none"> • 56% of all eligible childcare programs as of March of 2019 • With the IMPACT project, we want to make sure we looking at what we want to look at within Maryland EXCELS • Bonus have provided an uptick in providers going to higher levels. More programs are also publishing for the first time • Several community outreach opportunities, Ravens Purple Ladies, Bowie Baysocks and O's. • Hosting Birthday celebrations. This is just a thank you and celebration
<p>Licensing Branch</p>	<ul style="list-style-type: none"> • Reviewed data • Working on the coding guides for licensing specialist. This will be on the website • Looking more closely at training the specialist. They will be in a new hire training given. We want a unified training for specialist • Region offices are now conducting regional round tables with the provider community and

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	<p style="text-align: center;">all orientations are done face to face now</p> <p>Question was asked about if MSDE has any data with unlicensed day care</p> <p>Lou Valenti responded: I don't have the numbers specifically. We do field illegal childcare complaints every week. I can't tell you how many as of right now. MSDE does investigate each one that we get and we do have the wish was cease and desist letter. It's very difficult to anti consuming to try to build a caseload on illegal childcare because regulations allow care for up to 20 hours a month. We have to determine whether there's payment involved, if children are related to the providers. We are dependent on information from parents to give us that information. Whether they pay for childcare, whether they're related to the provider and it's sometimes difficult to get that information.</p> <p>Jennifer responded: There's a process that has to happen in order for us to gain information. We can serve a cease and desist letter. So once the cease and desist is, is sent within three to five days, the specialist goes back out to see if that care is still being offered. It is tracked in the CCAT system</p> <p>Jennifer Nizer reviewed changes to the Licensing regulations (See PPT)</p>
Licensing Regulation Updates	<ul style="list-style-type: none"> • ADA: has been taken out • Pools: changed the language to include the height of the fence • Medical evaluations: listened to public comment. Centers will be every 5 yrs • BHS training: Added 90 days of employment. It was NOT taken out by on purpose. • BHS training Update: MSDE changed the wording . The updates will be a memo from MSDE. All childcare providers will get it and you will have to have your staff sign off on it. If there are changes it will be noted and when licensing specialist come out, they will look for the memo. • Fingerprint Clearance and Substitutes/Volunteers: MSDE used the wording "upon approval of all the criminal background" and with the CCDF waiver, OCC will continue to do the "watchdog" <p>Question: Where are we fitting in volunteers, parents and student teachers?</p> <p>Jennifer Nizer responded: If they are left alone with children, they have to be fingerprinted. If a person comes in and reads books to children, and they are with a watch dog in the room, they do not have to be fingerprinted just as long as they are with someone who has completed all the checks.</p> <p>Clarifying comment from Flora Gee: With criminal background checks, we get notification so we know they are cleared. With Child Protective Services, we never get feedback. We never know who's passed.</p>

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	<p>Jennifer Nizer responded: If you don't hear anything they passed. CJIS is making big changes to their systems. But the problem that it's illegal to disseminate anyone's criminal background check information unless it is a governmental agency or that person. The issue that they're having is that CJIS just is still sending out to provider's people's criminal background check history that stop eventually. Providers will not get that information because only the governmental agency will get it, which is why we are really looking at how we need to structure licensing and possibly the headquarters here to look at your criminal background checks and centralize that process here.</p> <p>Regulation that have not changed:</p> <ul style="list-style-type: none"> • Regardless of intent: it is for fraudulent documents being turned into us and we find out that they are fraudulent. • Advertisement: Kept regulation as written. <p style="padding-left: 40px;">Some Guidance and examples given:</p> <ul style="list-style-type: none"> • If you are using shirts as an advertisement • If you have a sign in front of your building • If you have a stand in your front lawn <p>Comment made by Flora Gee: This particular regulation is very burdensome on providers to add license numbers on things It just costs a lot of money to redo signs and things. It's more important that programs be licensed and that they have this on every single thing that has their name on it</p> <p>Jennifer Nizer responded: the concern is that MSDE needs to know that there are likely that they are licensed, they're licensed programs. if you want families to start respecting the fact that we have licensed programs and illegal childcare, we have to start somewhere.</p> <p>Question by Shaun Rose: Asks if a uniform shirt is a violation.</p> <p>Jennifer Nizer responded: if you get your shirts specifically for staff as a uniform, that's not an advertisement. If it's an advertisement for your facility and you have your name, address, zip code and phone number, that's an advertisement</p> <p>Clarifying question from Rebecca Hancock: Wanted clarification for T-shirts and advertising, Asked that if you are taking all the children on a field trip and they have the same T-shirts, so that they can be easily recognized but it doesn't have any information it, you don't need your license number?</p> <p>Jennifer Nizer responded: An advertisement is providing your business information to someone so that they can contact with you so they can come to your program.</p> <ul style="list-style-type: none"> • Volunteers: If they are never alone, no fingerprints needed • Individual living on the child care premises: Kept regulation as written <p>Question: is there any way you can link your current day cares with the pedophile registry or criminal</p>

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	<p>registry?</p> <p>Jennifer Nizer responded: That's part of the criminal background check now. We do a state sexual offender registry, an out of state if they've lived out of state within five years and a national sex offender registry. And the wrap back program provides "hits" if someone does something that is reportable to</p> <ul style="list-style-type: none"> • Medical evaluations: it needs to be completed by the individual who conducted the evaluation. we did not change that regulation. <p>Question: What about TB testing?</p> <p>Manujua Reponded: The individual medical provider decides on based on the individual's status, whether they migrated from other country or they visited other countries or have had contact with someone.</p>
2019 Meetings	All meetings are between 10:00 am – 12:00 Noon @ MSDE, 8 th Floor Conference Room 6/7 November 21
2020 Meetings	