



Office of Child Care (OCC) Advisory Council

Meeting Minutes

May 18, 2017



AGENDA ITEMS	DISCUSSION OUTCOME
Attendees	
Council Members	Chris Peusch, 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, Terry Bridger, Rachel London, Ed Haden
MSDE Staff	Liz Kelley, Deborah Royster, Paula Johnson, Cyndi Lessner, Angeline Bishop-Oshoko, René Williams, Lindi Budd, Andrea Zabel, TJ Bennett, Janeille Shorts
Guests:	Cynthia Poindexter, Shay Gurry, Shaun Rose, Anita Stokes, Jed Miller (for Dr. DePinto), Madie Greene, Jordan Helgeson, Meg McFadden
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	<p>SB 145/HB 654 – <i>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>HB 548 – <i>Education – Prekindergarten Student Assessment - Moratorium</i> This bill passed, but with amendments that removed the moratorium from the Early Learning Assessment (ELA). The ELA is a voluntary assessment available to local school systems. 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.</p> <p>MFN is offering 2-hour Core of Knowledge training on the ELA. Contact Steve Rohde for more information.</p> <p>SB 293/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 other than the Market Rate Survey, which we currently use. A report is due September 1, 2017.</p> <p>Shaun Rose said the group discussed the idea of adding a rate reporting requirement to regulations. He has received negative feedback from providers about adding that but there is no problem with filling out a survey. Some have suggested having providers complete the paperwork and put it in their files so Licensing Specialists can gather the information.</p> <p>Liz said that MFN currently collects the needed data, as well as other information and the method of gathering that information may not necessarily change.</p> <p>Liz also said she believes there is some hesitancy in the provider community about putting down what their rates are because they have a lot of flexibility in setting their rates and how they choose to work with families. She further stated that the rate information gathered will not be public information.</p> <p>There is only one state that uses an alternative methodology.- the District of Columbia. The other</p>
Legislation	



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	<p>states are using a hybrid where they use the Market Rate Survey as the baseline and build on it. Liz added that the group seems to be leaning toward a hybrid model.</p> <p><i>SB 294/HB 418 – Child Care Subsidy Program – Reimbursement Rate Adjustments</i> Requires the submission of a report on a bi-annual basis by September 1, 2017 to inform the General Assembly on how the Department sets rates (market rate survey or alternative methodology, etc.). We currently reimburse at the 9th percentile. For this report, we will use the market rate survey since that's what we have in place for right now.</p> <p>The legislation also requires us to include the methodology of analysis, the cost estimate for raising the reimbursement rates to the 45th, 55th, 65th and 75th percentile. The 75th percentile is recommended under the CCDF rules.</p> <p>The report must also include the minimum base payment rate for child care providers to meet the federal guidelines for health and safety requirements, as well as staffing requirements and quality. The rate adjustments the Department will make as a result of the analysis; any adjustments made to family co-pays; and any potential impact to providers or parents. If we raise the rates, we will have to eliminate families already participating in the program because there is only so much funding available.</p> <p><i>HB 456 - 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.</p> <p>Rachel reported that the legislation was not codified into Statute. It is a workgroup that will make recommendations about an official dispute resolution process. It outlines a few things that are required, such as an investigation, a system of technical assistance to help resolve issues. The final bill that passed requires a workgroup to determine a dispute resolution process. The report is due October 1, 2017. Paula Johnson, Licensing Branch Chief, has the lead on this one.</p> <p><i>HB 516 – Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4-Year Olds.</i> This legislation requires the establishment of a workgroup to study the implementation of universal pre-k for a half-day. The first meeting of the group was Friday, May 12, 2017 and was very well attended. Anyone who wants to come to these meetings, the information will be posted on our website about upcoming meetings.</p> <p>Rachel Hise from legislative services came and talked about the bill. The State is to estimate the number of children eligible for pre-k, make recommendations about implementing universal access and a delivery system. Maryland has a mixed delivery system, pre-k is not just offered in the public schools, but also in qualified quality child care facilities.</p> <p>There is also a requirement to look at a sliding income scale for family contributions. In child care, we are very used to this. Families who have higher incomes would contribute a portion of the funding.</p> <p>Credentialed staff was a big concern. Do we even have enough certified teachers in early childhood to</p>



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	<p>fill the capacity? Or, are there other models we can use? This report is due in September.</p> <p>Chris reported that the child care center association is very concerned with losing 4-year olds.</p> <p>Shaun reported there is a lot of anxiety in the child care field. Not all providers will be able to provide pre-k services. That will have ramifications for the providers. We want to make it as accessible as possible for all providers and we know there are not enough certified teachers. There is also evidence that having certified teachers is not necessarily required for the children.</p> <p>Liz said we cannot ignore the implications of this on the provider community. The legislation does not address the impact on child care providers; it only addresses the impact on schools. We will be adding the impact on child care.</p> <p>There are not enough programs out there with 4-year degrees in early childhood.</p> <p>We had the alternative pathway program that we are stopping. It was just not successful and those who participated have jobs in the school system, rather than in child care.</p> <p>Terry Bridger informed the group that all colleges that have early childhood programs are being urged to collaborate. They are pushing at the national level for dual certification.</p> <p>Liz also said one thing we'd have to comment on in the report are the long term issues and this cannot happen over night. We have to build the capacity first. Liz said she would very interested in implementing a Network/Hub model.</p> <p>Steve mentioned that the per pupil amount in public schools should be shared with the providers.</p> <p>Steve – Everything changes; it's a constant. Whether for good or bad, if we do not keep up, we suffer the consequences. Can there be an alternative, such as the CDA? Can there be some category in between that recognizes the CDA? Can that be used as a proxy for the challenge exams?</p> <p>Liz said the other thing to keep in mind is that just because it's universal does not mean mandatory.</p> <p>Shaun said that one of the things that came up is a lower reimbursement rate for private providers versus the higher pay and benefits in the public system. The group came to the conclusion that this needs to change</p> <p>Steve asked if we have, or are, looking into the military model. For instance, someone who had a CDA was recognized as high quality.</p>
<p>Child Care Development Fund (CCDF) State Plan</p>	<p>The basic health and safety training is available for free on the website. Training on the website 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. The regulations have not been finalized yet.</p> <p>Maryland Family Network received a grant through Child Care Aware of America and AARP to provide</p>



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	<p>a 3-hour face-to-face version of the training. MSDE approved the training. There have also been several train-the-trainer sessions for 5-hour face-to-face training.</p> <p>Jennifer Arnaiz reported that the Montgomery County Resource and Referral center is translating the MFN training into Spanish. They will share the translated materials with MFN so it reaches the entire network.</p> <p>Madie asked why the training had to be done every year. Liz clarified that the initial training is one-time. Everyone has to take it. Every year, MSDE will send out an update, like a little newsletter. Providers will be able to download the updates, sign and date them, and put them in their folders for specialists to review.</p> <p>Madie asked for further clarification on registering in the system. She was informed that it could take up to two days to get the code. Liz said yes. The person who is issuing the code works Monday through Friday and is getting them out as quickly as possible. She stated that if an individual has not received a response within 3 days, they should register again. Also, to remind people to look in their spam folders, trash folders, etc. The registration may have gone to one of those folders.</p> <p>Shaun asked if the registration for the on-line system expires. Is it possible to register all of your staff and have them complete the training at a later date.</p> <p>Liz said no the registration does not expire and reminded the group that the training does not all have to be done at once. Providers will be able to take the online training twice. If they fail both attempts, they must take the training face-to-face. Everyone MUST take the training and MUST pass. Providers will have to take it as many times as possible until they pass</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, other than the National Sex Offender Registry (NSOR), 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 NSOR requirement at this time.) This gives us until September 2018 to meet the five parts of the new criminal background check requirements.</p> <p>TJ reported that Maryland's CJIS system has volunteered to send mobile units to large gatherings of child care providers to make getting printed easier. Anyone interested in getting a mobile unit should contact TJ once the system goes live and she will set it up with CJIS.</p> <p>Liz asked everyone with contacts to the provider community to please tell them to wait for further instructions before getting re-printed. New hires, etc., will still have to be printed under the existing system and then again once the new system goes live.</p> <p>The retention and expulsion policy has been drafted and is in review with the statewide Early Childhood Advisory Council. It is incredible how many pre-k children are being expelled in public schools. The policy (what you should do – not what you must do) is that children cannot be expelled (unless a child is a danger to themselves or others) and will include resources to help providers.</p>



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	<p>Steve asked for whom the policy was written – is it just child care, is it public schools? Liz said it was written to be global so that it applies to school systems, as well as child care providers.</p>
<p>Collaboration and Program Improvement Branch Updates</p>	<p><i>Cyndi LeMarca-Lessner lead the discussion.</i></p> <p>Family Engagement/SEFEL.</p> <p>The Office is looking at how to revisit SEFEL and get information back into the community. Providers should not just be using the different strategies but should be using the full pyramid model. All staff should be trained and know to get access to community resources.</p> <p>For the next ECAC, there is a workforce development goal group. We need to build the capacity of providers. We are also looking at trainers to ensure we have enough of them to train on all of the topics.</p> <p>Steve said it's not just the training, providers will need technical assistance.</p> <p>Cyndi said we are looking at coaching. SEFEL isn't just a strategy to support kids; it's how to set up and manage the classroom, how to manage the balance of teacher-directed and child-directed activities, etc. It should not be seen as one more thing to do, but should be embedded into the program.</p> <p>Barbara said that SEFEL is a cultural change in the program; it's an approach. To really do SEFEL the correct way, it's very expensive and very intensive. Participants are in a program for six to nine months coaching and modeling.</p>
<p>Licensing Branch Updates</p>	<p><i>Liz Kelley and Paula Johnson lead the discussion.</i></p> <p>We are working on the substantiated complaints section of the website. It has required some changes to our data systems.</p> <p>We will no longer post the canned comments that re-state the regulations. Instead, we will post the additional comments, which is what the specialist writes.</p> <p>All inspections will be reviewed by the licensing manager or supervisor before being posted to the website to ensure we are being grammatically correct and that we are being consistent with the regulations.</p> <p>We are required to post the number of serious injuries (requiring child to be seen by a medical professional) and deaths (as a result of an action by a provider) by type of injury/death. This information needs to be pulled into an aggregate report.</p> <p>Jacqueline said that for children with previous health conditions, we do not want providers to be fearful of taking care of these children because of this posting requirement.</p> <p>Liz said she understands the concerns and that's why we are taking such care to determine how best to implement this requirement. The CCDF says the information has to be readily available. It does not say the information has to be on the landing page. It can be on the inspection page.</p> <p>Jed (DHMH) asked if there is an established framework for reporting serious injuries/death.</p> <p>Paula said there is a form for reporting those. All providers are required to submit this form if there has</p>



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	<p>been a serious injury or death.</p> <p>Child Care facilities must enter their license/registration number on any advertisements. The Department can issue a civil citation to individuals advertising illegally. New procedures are in place and all the forms have been updated.</p> <p>As of today, we have not issued any citations because our procedures were just put into place.</p> <p>There is an investigation report available for licensing staff to use and copies of letters to go to the providers and parents.</p>
<p>Child Care Subsidy Branch Updates</p>	<p><i>René Williams lead the discussion.</i></p> <p>There are two special payments going out.</p> <p>The Summer Enhancement Bonus went out to all EXCELS providers taking care of subsidy children attending during a certain window of time. Also, one of the new CCDF requirements is that we assist families on child care subsidy with registration fees. This payment went to providers who were in EXCELS and taking care of children on subsidy during the calendar year of 2016. Those payments should be received in the next few days.</p> <p>We are in the soft launch process of the public portal for CCATS. Providers will be able to submit attendance electronically on the portal.</p> <p>One of the CCDF requirements is to monitor non-relative providers (providers who are caring for children in the child's home). DECD has hired Janeille Shorts to conduct the inspections of these providers.</p> <p>There are approximately 86 non-relative providers that will require monitoring. Janeille will start her monitoring on July 1. She will be monitoring them for health and safety, as well as using a specific checklist during her visit. These providers will also have to complete the health and safety training.</p> <p>Lindi asked if there would be consequences for the providers once monitoring begins.</p> <p>Rene said she has told Janeille that they are "building the plane as they are flying it." Coaching will be offered to help bring the providers into compliance, For those who don't come into compliance, the subsidy payment would be stopped. The parent will have the option to choose another provider. The key factor we need to remember is that the home we are monitoring is the home the child lives in. Even if we stop the payment, the child will still be living in that environment.</p> <p>Liz said it is also possible that children are not being cared for in their own home. We will stop the subsidy payments in those instances and send letters to the parents and the providers. The parent will have the option to choose another type of care.</p> <p>Barbara said she'd just like to say how much Montgomery County misses Rene, since "you people" stole her.</p>
<p>Credentialing Branch Updates</p>	<p><i>Angelina Bishop-Oshoko lead the discussion.</i></p> <p>A new credentialing booklet is available, with an updated Professional Activity Unit (PAU) chart. The chart is more descriptive and the information that needs to be submitted for each PAU is included. The</p>



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	<p>revised booklet also has updated FAQ's.</p> <p>Page 15 of the booklet has information on the Staff Credential 4 that now includes the CDA. The Montessori credential automatically meets the training requirement for staff level 4.</p> <p>Money is available for all providers participating in Credentialing, including bonuses and training reimbursements. Angeline asked for everyone to help her get the information out by distributing the postcards to child care providers.</p> <p>Meg asked how she should respond to providers who have participated in the past and were frustrated with the program. She suggested MSDE do something to assure them things are different now and that money is available.</p> <p>Angeline said submitting the paperwork by fax is best. The system will automatically capture the information. Information and documentation can also be emailed or sent through regular mail. If they are emailing the documentation, that has to be printed out and scanned, which slows the process down.</p> <p>Steve said the postcard and booklet do not have compelling messages; they do not tell a story. He further stated, that if "you can equate a provider with a story, it is more compelling." He suggested the Department consider using social media to reach out to the providers.</p> <p>Liz said she and the branch chiefs met the previous day and discussed the use of Maryland.gov delivery and creating a Facebook presence specifically for early childhood.</p> <p>Jennifer said MSDE should reach out to the R&R's. They can push the information out so providers are getting it more quickly.</p> <p>Paula said to ensure staff being referred to credentialing are reported to licensing so they can be entered into the CCATS system. They cannot participate in Credentialing if they are not entered into CCATS by the licensing staff.</p> <p>Child Care Central is working on applications received in May. They are current.</p>
<p>Maryland EXCELS Branch Updates</p>	<p><i>Lindi Budd lead the discussion.</i></p> <p>Participation rates are remaining steady and growing in some categories. 40% of all family providers are participating and 71% of all child care centers.</p> <p>Published programs that represent 44% of all child care programs can now be found on the Maryland EXCELS website so parents searching for child care now have more options than previously. This is thanks to the great work of the R&R's and our own staff reaching out.</p> <p>1,500 programs have published or re-published in the last three months. 15% of those programs moved into higher levels.</p> <p>Maryland EXCELS is doing a lot of outreach. We've developed a partnership with the Maryland Department of Agriculture and have provided them with Maryland EXCELS information to pass out at some of the larger fairs throughout the State. We will also be in attendance.</p>



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	<p>We have minor league partnerships. There is a whole page describing the six minor league teams in Maryland on the EXCELS website. There are different family events o which we are connected</p> <p>We also just finished a radio campaign. They were endorsement campaigns with local radio personalities talking about the importance of quality child care and Maryland EXCELS.</p> <p>Lindi thanked Chris for helping with the May giveaway. There were five people who won free registrations to the MD Child Care Provider Association conference. We will also be doing this with the Family Child Care Provider Association in the fall.</p> <p>On June 30th, five providers will receive \$1,000 gift certificates from Discount School Supplies to purchase materials for their facilities.</p>
Member Updates	<p>Steve said MFN has gotten a small grant from the Department of Health and Mental Hygiene to work with 50 child care centers for virtual trainings by webinar to increase the activity level of children in child care and to improve nutrition. They will begin recruiting programs in the summer. They have a long-range goal of expanding the training to all providers sometime during next Spring.</p> <p>Jacqueline reported that the MD State Family Child Care Association will have its annual conference in October in Ocean City. It's actually a three-day conference , October 13-15. The 15th is for leadership training. Donna Fowler from NAFCC will be teaching.</p>
Next Meeting	August 17, 2017 - 10:00 am – 12:00 Noon @ MSDE, 8th Floor Conference Room 6/7
2017 Meeting Dates	August 17 November 16