

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1639

S. P. 515

In Senate, March 28, 1973

Referred to the Committee on State Government. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Katz of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Establishing an Office of Early Childhood Development in Maine.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 20, c. 306, additional. Title 20 of the Revised Statutes is amended by adding a new chapter 306 to read as follows:

CHAPTER 306

CHILD CARE PROGRAMS

§ 2321. Findings and purposes

The Legislature finds that comprehensive child care programs are essential to the achievement of the full potential of Maine's children. These programs make it possible for the parents of such children to undertake or continue full or part-time employment, training, education or other activities designed to strengthen the family structure. There is a need to provide an appropriate legislative framework and resources for the consolidation of existing programs and for the future expansion of such programs to all children, with continued priority to children of low-income families. It is crucial to the meaningful development of such programs that decisions as to their nature and funding be made at the community level with the full involvement of parents and other individuals and organizations in the community interested in child development and with appropriate assistance from state and federal agencies.

The purpose of this chapter is to provide for a comprehensive early childhood development program, by emphasizing preventive measures designed to provide the services which will enable children to develop to the maximum level the physical, mental and social potentials which they possess; to

strengthen the role of the family as the first and most fundamental influence on child development; and to provide improved services to young children and their families through better coordination of existing services.

§ 2322. Office of Early Childhood Development

There is created as an independent agency of the State Government, the Office of Early Childhood Development. The Office of Early Childhood Development is directed and authorized to establish comprehensive child care programs through the support of activities in accordance with this chapter and the Governor shall designate the appropriate state agency to support this office.

§ 2323. Child Care Council

The Office of Early Childhood Development shall establish a comprehensive State Child Care Council.

The key requirement for the membership of the state council is that it be broadly representative of educational, welfare, health, manpower training and other state agencies interested in child care development in the State, as well as other individuals and public and private organizations interested in child care development. Not less than $\frac{1}{3}$ of the members of the State Child Care Council must consist of parents of children in child care programs under this chapter chosen by democratic selection procedures, with the initial designation made on the basis of these children enrolled in federal, state or privately funded child care programs.

The council shall meet as necessary to carry out its responsibilities, but in no instance will it meet less than 10 times annually.

§ 2324. —responsibilities

The principal responsibilities of the state council shall include: The preparation and submission of a state comprehensive children's services plan; the review of applications for designation of regional community child care councils; and the review of regional and community child care plans. Upon such reviews, the State Child Care Council is authorized to recommend to the Office of Early Childhood Development any proposed changes deemed to be in the interest of maintaining the quality of programs and an equitable distribution of programs within the State, insuring cooperation and coordination, and encouraging the maximum utilization of available services within the State.

§ 2325. Child care plans

The state council will develop a state comprehensive children's services plan which shall include: Identifying child care goals, needs and priorities within the State; providing technical assistance through state agencies and other organizations to assist in the establishment of regional community child care councils; plan and develop effective coordination between child care programs within the State; and assist in the acquisition or improvement of facilities for child care programs; assist in developing programs providing for training of personnel working in child care programs within the State; asses-

sing the effect of research on child care programs; assessing the effect of state and local licensing codes on programs; encouraging, assisting and developing experimental, developmental, demonstration and pilot projects; making recommendations to the Office of Early Childhood Development and to regional community child care councils and other agencies with respect to programs under this chapter; identifying potential federal, state and local resources.

§ 2326. Applications for designation of regional and community child care councils

The Office of Early Childhood Development, in consultation with the State Child Care Council, is authorized to designate regional and community child care councils to be responsible for the planning, coordination and development of child care programs in each area of the State. These areas shall conform to the regional planning districts established by Executive Order.

An application for designation as a regional and community child care council may be submitted on behalf of such councils by any public agency, including departmental regional offices, or nonprofit organizations or combination of such agencies or organizations within the area.

Such an application shall include provisions which:

1. Agency. Provide for the establishment of regional councils, except where a recognized community coordinated child care organization is in operation. These councils shall be responsible for the planning, coordination and development of child care development programs. Applications must indicate that membership on the council will have broad representation similar to the state council, but not less than $\frac{1}{3}$ of the membership of the council shall consist of parents of children enrolled in child care programs, which parents shall be chosen by democratic selection procedures established by the state council;

2. Capabilities. Evidence capability for effective planning, coordination and development by the community child care council of child care programs in the area to be served;

3. Funds. Demonstrate capability to be responsible for disbursing funds and effective coordination between programs in accordance with the regional and community child care plan submitted by the council;

4. Coordination. Demonstrate clearly a plan for coordinating activities with all agencies within the area which provide direct or indirect services to children.

In the case of 2 or more applications from a single geographical area, the Office of Early Childhood Development, with the advice of the State Child Care Council, shall determine the one which will most effectively carry out the purposes of this chapter.

§ 2327. Responsibilities of regional and community child care councils

A. A regional and community child care council shall be responsible for:

1. Needs. Identifying and establishing regional and community child care needs, goals and priorities;
2. Programs. The planning, coordination and development of publicly funded child care programs in the area served;
3. Requirements. The submission to the State Child Care Council of a community child care plan meeting the requirements of this chapter for such programs;
4. Hearing. Providing for a hearing before the regional and community council for consumers or project applicants who may be dissatisfied with any actions taken by the council;
5. Assistance. Providing technical assistance to individuals, agencies and organizations interested in the establishment, conduct and evaluation of child care programs in the area served;
6. Funds. Recommending to the State Child Care Council disbursement of public funds to project applicants;
7. Obstacles. Working for the elimination or modification of existing institutional and legal obstacles to the establishment and development of child care programs; and working for and towards establishing necessary institutional and legal reforms, laws and developments necessary to establishing the purposes of this chapter.

§ 2328. Authorization

A regional and community child care council shall be authorized to:

1. Personnel. Obtain the services of such full-time professional, technical and clerical personnel as may be required in the performance of its duties, and to contract or otherwise arrange for such assistance and services, including planning, technical assistance and evaluation services, as may be necessary; and
2. Utilization. Utilize the services, personnel, facilities and information including statistical information, of federal departments and agencies and private research agencies with the consent of such agencies or councils with or without reimbursement thereof.

§ 2329. Regional and community child care plans

Certain requirements for regional and community child care plans and projects submitted to and by the councils must be met. Each plan must include a description of the purposes for which financial assistance will be used; programs to ensure assistance on an equitable basis for children of migrants and other low-income families; formal arrangements for the integration of programs of appropriate federal agencies; arrangements for program coordination between approved project applicants; arrangements for linkage between preschool and public school programs; arrangements for the integration of programs conducted under the auspices or with support of business, proprietary, industry, labor, employee and labor management organizations; arrange-

ments for the continued participation of parents of children utilizing child care services in the decision making and policies determined by the individual projects.

No plan may be approved by the Office of Early Childhood Development unless the State Child Care Council has had an opportunity to submit comments and recommendations to the regional and community child care council.

Other general provisions established by the state council and the Office of Early Childhood Development shall govern the procedures regarding approval and disapproval of plans.

§ 2330. Project applications to the regional and community child care council

Any public or private agency or organization shall be eligible to apply to the regional community child care council for financial assistance to be provided pursuant to a regional and community child care plan.

The regional and community child care councils shall: Plan, coordinate and develop a broad range of services and activities for which present and future public funds for child care and development programs may be made available and for which applications may be made available; develop and conduct a wide range of training programs for persons working in the program including programs to teach the fundamentals of child care to parents and other members of the family; assure the establishment of child care information centers in the community; coordinate the provisions or development, or both, of necessary diagnostic and assessment services as well as remedial programs to deal with medical, dental, psychological, educational and other children's needs; assure transportation arrangements or expenses where necessary to make it possible for children of low-income families to participate in programs.

§ 2331. Powers and procedures

Projects funded under this chapter shall meet program, construction and staff training requirements as established by local, state and federal standards where appropriate.

Sec. 2. Appropriation. There is appropriated from the General Fund the sum of \$101,500 for the period from January 1, 1974, to the end of the fiscal year ending June 30, 1974, and \$215,700 for the fiscal year ending June 30, 1975, to carry out the purposes of this Act. The breakdown shall be as follows:

	1973-74	1974-75
OFFICE OF EARLY CHILDHOOD DEVELOPMENT AND STATE CHILD CARE COUNCIL		
Personal Services	(3) \$16,500	(3) \$35,000
All Other	1,400	3,900
Capital Expenditures	1,250	2,000
	<hr/> \$19,150	<hr/> \$40,900

REGIONAL COMMUNITY CHILD CARE COUNCILS

Personal Services	(16) \$ 72,500	(16) \$150,000
All Other	3,550	14,800
Capital Expenditures	6,300	10,000
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	\$82,350	\$174,800

STATEMENT OF FACT

The intent of this Act is to provide:

1. One broad authority under which all types of child development and child care programs can be funded, planned and coordinated.
2. A state and local regional planning mechanism involving consumers of services, which provides authorization and a framework to plan, coordinate and develop child care services.
3. A means for developing a broad range of comprehensive child care services for Maine children and their families including programs meeting children's needs for intellectual, emotional, social and physical development.
4. For working parents, a high quality of services established for the care of their children while employed, training for employment or seeking employment.
5. To focus on and provide adequate resources, preventive rather than remedial, to give priority to children (infancy to age 6) during the most important time of their lives.