

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2019 Legislative Session

Legislative Day No. **3**

Bill No. 5-2019

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the purpose of the Local Children's Board; amending the membership of the Board; amending certain provisions related to the Officers of the Board; amending the number of meetings required to be held by the Board; amending the responsibilities of the Board; removing certain review requirements; making certain technical corrections and generally relating to the Local Children's Board.

Introduced and read first time _____, 2019. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2019.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2019 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2019 at ___ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2019

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the Howard
2 County Code is amended as follows:

3 *By amending:*

4 *Title 12. Health and Social Services.*

5 *Subtitle 3. Local Children's Board.*

6

7

TITLE 12. HEALTH AND SOCIAL SERVICES.

8

SUBTITLE 3. LOCAL CHILDREN'S BOARD.

9

10 **Section 12.300. Local Children's Board established; STAFFING; purpose; GENERAL**
11 **PROVISIONS.**

12 (a) *Board Established.* There is a Howard County Local Children's Board within the Department
13 of Community Resources and Services. IN THIS SUBTITLE, THE TERM "BOARD" SHALL MEAN THE
14 HOWARD COUNTY LOCAL CHILDREN'S BOARD.

15 (b) *Staffing.* Except as provided in [[subsection]] SECTION 12.306(a) of this subtitle, the
16 Department of Community Resources and Services shall provide staffing for the [[Local
17 Children's]] Board.

18 (c) *Purpose of THE [[Local Children's]] Board:*

19 [[(1)]] The [[Local Children's]] Board shall [[approve and oversee the implementation of]]
20 APPROVE, OVERSEE, AND ACT AS a [[local,]] NEUTRAL CONVENER THAT FACILITATES
21 interagency [[service delivery system]] COLLABORATION, YOUTH EMPOWERMENT AND
22 COMMUNITY ENGAGEMENT TO CREATE AND IMPLEMENT A SHARED VISION for children,
23 youth and families in Howard County.

24 [[(2)]] The Local Children's Board shall act as the planning and coordinating mechanism for
25 children's services.]]

26 (D) *GENERAL PROVISIONS.* GENERAL PROVISIONS APPLICABLE TO THE BOARD ARE SET FORTH IN
27 SUBTITLE 3, "BOARDS AND COMMISSIONS," OF TITLE 6, "COUNTY EXECUTIVE AND THE EXECUTIVE
28 BRANCH," OF THE HOWARD COUNTY CODE.

29

30 **Section 12.301. Membership of THE [[Local Children's]] Board; appointment.**

31 (a) *Appointment:*

1 (1) Members of the [[Local Children's]] Board shall be appointed by the County Executive and
2 confirmed by the County Council.

3 (2) The [[Officers of the Local Children's]] Board may RECOMMEND INDIVIDUALS [[appoint a
4 nominating committee, which may recommend individuals]] to fill a vacancy on the Board.
5 The County Executive shall consider the individuals recommended by the
6 BOARD[[nominating committee]], but need not fill a vacancy from the list of individuals
7 recommended.

8 (b) *Number of Board Members; Apportionment of Representation:*

9 (1) The [[Local Children's]] Board shall have at least 19 members and no more than 29
10 members.

11 (2) (i) [[The Local Children's Board shall maintain at all times 51 percent public sector
12 representation and 49 percent private sector representation.]] AS PRACTICABLE, THE
13 BOARD SHALL CONSIST OF A MAJORITY OF PUBLIC SECTOR (EX-OFFICIO)
14 REPRESENTATION AND A MINORITY OF PRIVATE SECTOR REPRESENTATION.

15 (ii) At least 20 percent of the private sector representation shall be comprised of [[former
16 service consumers or family members of consumers]]FORMER CONSUMERS OR
17 FAMILY MEMBERS OF CONSUMERS OF SERVICES FOR CHILDREN, YOUTH AND FAMILIES
18 IN HOWARD COUNTY.

19 (c) *Qualifications of Members of the [[Local Children's]] Board:*

20 (1) Members of the [[Local Children's]] Board [[shall either reside or work in Howard County
21 and]] shall demonstrate an interest in children's services. As far as is practicable, the
22 [[Local Children's]] Board shall reflect the gender, geographic, ethnic and racial makeup
23 of the County.

24 (2) The membership of the [[Local Children's]] Board shall reflect, as closely as is reasonable
25 and practical, the profile contained in this paragraph.

26 [[(i)The Board shall contain at least four consumer or family members, including:

- 27 a. A former consumer of child services;
- 28 b. A parent, family member, or guardian of a consumer of child services; and
- 29 c. An adolescent currently enrolled in the Howard County Public School System.

30 (ii) The members of the Board from the private sector shall include:

- 31 a. An individual representing private nonprofit child serving agencies;

- 1 b. An individual with business experience;
- 2 c. A child advocate;
- 3 d. An academician;
- 4 e. An individual representing a private nonprofit agency serving individuals with
- 5 disabilities; and
- 6 f. An individual from a philanthropic organization.

7 (iii) Members of the Board from the private sector may include:

- 8 a. Individuals with business experience;
- 9 b. Individuals with legal experience;
- 10 c. Individuals with financial experience;
- 11 d. Individuals representing the religious community;
- 12 e. A health care professional;
- 13 f. A mental health professional;
- 14 g. A child care professional;
- 15 h. Individuals representing private for-profit child serving agencies; and
- 16 i. A pediatrician.]]

17 (i) THE MEMBERS OF THE BOARD FROM THE PRIVATE SECTOR MAY INCLUDE:

- 18 A. A MINIMUM OF TWO YOUTH MEMBERS (AGES 14-24) WITH ONE CURRENTLY
- 19 ATTENDING A HOWARD COUNTY PUBLIC SCHOOL;
- 20 B. AT LEAST ONE INDIVIDUAL REPRESENTING PRIVATE NON-PROFIT CHILD-SERVING
- 21 AGENCIES;
- 22 C. AT LEAST ONE INDIVIDUAL WITH BUSINESS EXPERIENCE;
- 23 D. AT LEAST ONE INDIVIDUAL FROM THE FAITH COMMUNITY;
- 24 E. AT LEAST ONE INDIVIDUAL REPRESENTING THE DISABILITY COMMUNITY;
- 25 F. AT LEAST ONE INDIVIDUAL REPRESENTING THE HEALTH CARE COMMUNITY; AND
- 26 G. AT LEAST ONE INDIVIDUAL REPRESENTING THE MENTAL HEALTH COMMUNITY.

27 [[(iv)]](ii)The following [[individuals from the public sector]] EX OFFICIO MEMBERS shall
28 [[be invited to]] serve on the Board:

- 29 a. The Director of the local Department of Social Services;
- 30 b. The Superintendent of [[Public Schools]]THE HOWARD COUNTY PUBLIC SCHOOL
- 31 SYSTEM [[or an assistant superintendent]];

- c. The Supervisor of the Local Office of Juvenile [[Justice]]SERVICES;
- d. The Health Officer [[of Howard County]];
- e. The Chief of Police [[of Howard County]];
- f. The State's Attorney [[for Howard County]];
- g. The Director of THE DEPARTMENT OF Recreation and Parks;
- h. The Director of the Department of Community Resources and Services; [[and]]
- i. [[The Executive Director of the Howard County Mental Health Authority]]THE DIRECTOR OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;
- J. THE REGIONAL MANAGER OF THE LOCAL CHILD CARE ADMINISTRATION;
- K. THE ADMINISTRATOR OF THE OFFICE OF WORKFORCE DEVELOPMENT; AND
- L. THE DIRECTOR OF THE HOWARD COUNTY LIBRARY SYSTEM.

[[v) The following individuals from the public sector may be invited to serve on the Board:

- a. A judge from the District Court of Howard County or designee;
- b. A judge from the Circuit Court of Howard County or designee;
- c. The regional manager of the local child care administration or designee;
- d. A member of the Howard County Housing Authority or designee;
- e. An individual with responsibilities for coordination of transportation; and
- f. The Director of the Howard County Library.]]

(d) *Voting Members:*

- (1) All members appointed to the [[Local Children's]] Board shall be voting members.
- (2) A SIMPLE majority, but no less than ten voting members of the [[Local Children's]] Board shall constitute a quorum for the purpose of conducting business.
- (3) In all matters before the [[Local Children's]] Board, the members shall make every attempt to reach consensus prior to a vote being called.
- [[4) In the event consensus is not reached during a reasonable period of time as determined by the Chairperson, the vote of a majority of members then serving on the Local Children's Board shall decide the matter.]]

(e) *Terms of Members of THE[[Local Children's]] Board:*

1 (1) EXCEPT FOR YOUTH MEMBERS, THE [[The]] members of the [[Local Children's]] Board
2 shall serve staggered terms of five years. YOUTH MEMBERS SHALL SERVE STAGGERED
3 TERMS OF TWO YEARS.

4 (2) Vacancies on the [[Local Children's]] Board shall be filled in the same manner as the
5 original appointment or for the unexpired term.

6 (3) At the end of the term a member of the [[Local Children's]] Board, the member continues
7 to serve until a successor is appointed.

8 (4) A member of the [[Local Children's]] Board who is appointed to complete an unexpired
9 term serves only for the rest of that term, unless the member is reappointed.

10 (f) *Removal from Office:* In accordance with the provisions of section 903 of the Howard County
11 Charter, a member of the [[Local Children's]] Board may be removed for incompetence,
12 misconduct, or failure to perform the duties of the position.

13 (g) *Officers of the [[Local Children's]] Board:*

14 (1) The [[Local Children's]] Board shall elect Officers from among its members, to serve
15 [[one]]TWO-year terms AS OFFICERS.

16 (2) The Officers shall consist of a Chairperson, a Vice-Chairperson, [[a Secretary,]] and [[a
17 Treasurer]]THREE SECOND VICE-CHAIRPERSONS.

18 (3) A member may not be elected to the same office for more than [[three]]TWO consecutive
19 terms.

20 **Section 12.302. Meetings of the [[Local Children's]] Board.**

21 (a) *Number and Place:* The [[Local Children's]] Board shall meet [[at least ten]]A MINIMUM OF
22 SIX times per year at the times and places it determines. The Board may meet more often for special
23 meetings at the call of the Chairperson [[with ten days' notice to members]].

24 (b) *Board Meetings Are Public:* All meetings of the [[Local Children's]] Board shall be open to
25 the public except[:

26 (1) When the Board is meeting regarding matters related to personnel;

27 (2) When matters discussed would breach laws regarding the confidentiality of juvenile
28 records; or

29 (3) When]]WHEN a meeting is closed as authorized under [[Federal, State, or local law]]
30 FEDERAL OR STATE LAW.

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Section 12.303. Committees of the [[Local Children's]] Board.

- (a) *Committee Establishment and Structure:* The Officers of the [[Local Children's]] Board may appoint committees of the Board as it deems necessary for the execution of the mission, purpose, and goals of the Board.
- (b) *Committee Membership:* Committee members may include members of the community or members of the Board AND A BOARD MEMBER SHALL SERVE AS COMMITTEE CHAIR.

Section 12.304. Responsibilities and duties of THE[[Local Children's]] Board.

- (a) *Responsibilities and Duties:* The [[Local Children's]] Board shall:
 - (1) [[Conduct an ongoing]]PERIODICALLY CONDUCT A needs assessment which identifies priorities, gaps in services, and areas of duplication;
 - (2) Identify barriers to integration or access to services;
 - (3) [[Create a plan for an integrated continuum of care and services that is child centered and family oriented, emphasizing prevention, early intervention, and community-based programs]] PRIORITIZE, DESIGN, AND IMPLEMENT STRATEGIES TO ACHIEVE CLEARLY DEFINED RESULTS FOR FAMILIES AND CHILDREN;
 - (4) MAINTAIN STANDARDS OF ACCOUNTABILITY FOR LOCALLY AGREED UPON RESULTS FOR CHILDREN AND FAMILIES;
 - (5) INFLUENCE THE ALLOCATION OF RESOURCES ACROSS SYSTEMS AS NECESSARY TO ACCOMPLISH DESIRED RESULTS;
 - (6) COORDINATE CHILDREN AND FAMILY SERVICES WITHIN THE COUNTY TO ELIMINATE FRAGMENTATION AND DUPLICATION OF SERVICES;
 - (7) CREATE AN EFFECTIVE SYSTEM OF SERVICES, SUPPORTS AND OPPORTUNITIES THAT IMPROVE OUTCOMES FOR CHILDREN, YOUTH AND FAMILIES;
 - (8) OPERATE BASED ON LOCALLY AGREED UPON PRINCIPLES CONCERNING SERVICE DELIVERY;
 - (9) REPRESENT LOCAL RESIDENTS, COMMUNITIES AND STATE AND LOCAL GOVERNMENT; AND
 - [[4]]10) By [[December]] APRIL1 of each year, submit a report to the County Executive and County Council describing the [[Local Children's]] Board's activities in the previous fiscal year, assessing the Board's progress toward the goals and objectives for the previous fiscal year and stating the goals and objectives for the next fiscal year and making

- 1 recommendations for any legislative and funding changes the Board deems necessary to
2 accomplish the responsibilities and duties established by this section[[];
- 3 (5) Implement a multidisciplinary, interagency effort that is collaborative to maximize
4 available resources in the County;
- 5 (6) Encourage, promote, and actively develop services which are complementary to the goals
6 of the plan;
- 7 (7) Provide for community and family involvement in the service delivery system, including
8 involvement in the planning processes and evaluation of service;
- 9 (8) Assure the development of an integrated data collection system;
- 10 (9) Implement an integrated management information system with the capacity to track case
11 level data, monitor service delivery, track outcomes, and track expenditures for reporting
12 on service delivery;
- 13 (10) Monitor expenditures to ensure they are in line with the priorities of the interagency plan;
- 14 (11) In addition to process evaluation, develop measurable outcomes to document program
15 effectiveness;
- 16 (12) Continuously measure program performance against projected goals;
- 17 (13) Monitor service delivery to ensure access to effective programs with measurable
18 outcomes;
- 19 (14) Assure the development of tracking processes which will document progress toward
20 desired outcomes;
- 21 (15) Established open communication with and accountability to the citizens of Howard
22 County;
- 23 (16) Promote training for all involved parties, including Board members, agency staff, and the
24 community to impart the goals and vision of the Local Children's Board;
- 25 (17) Assure that contractor staff have the training necessary to perform their contracted tasks;
- 26 (18) Advocate for public policies, including legislation, which ensure all children a safe,
27 nurturing, permanent environment and access to quality services which enable them to
28 reach their full potential;
- 29 (19) Advocate for adequate fiscal resources to service children and families in Howard
30 County;
- 31 (20) Advocate for quality services and seek to optimize community-based services.

1 (21) Review and make recommendations on all contracts submitted for the provision of family
2 preservation, return/diversion services and all programs funded through the subcabinet
3 fund.

4 (22) Monitor all private or public agency subcontractors, subgrantees and consultants for
5 compliance with program requirements, as set forth in the Board's contracts and grants
6 and the terms of its community partnership agreement.

7 (23) Participate in decision making for the expenditure of all funds which flow through the
8 Local Children's Board.

9 (24) Participate in the evaluation of the Human Services Specialist II, Titled Program
10 Manager, and the Human Services Specialist III, titled local Children's Board
11 Coordinator.

12 (25) Develop an evaluation plan and establish baseline results through a review of established
13 results, historical data and Federal requirements]].

14 (b) *Limits on Powers of the Board:* The powers and duties granted to the [[Local Children's]]
15 Board may not be construed to authorize the Board to:

16 (1) Preempt or supersede the regulatory authority of any State or County [[Department or
17 Agency]]DEPARTMENT OR AGENCY; or

18 (2) Engage in any activity which is beyond the express powers of the Board.

19
20 **Section 12.305. Conflict of interest.**

21 (a) *Members and Employees of the Board:* Members and employees of the [[Local Children's]]
22 Board shall be subject to the Howard County public ethics law.

23 (b) *Conflict of Interest:*

24 (1) A member of the [[Local Children's]] Board shall declare the member's interest in any
25 matter before the Board.

26 (2) If there is any interest to a private sector member in a matter before the Board, the member
27 may not participate in discussions or vote on the matter.

28 (c) The [[Local Children's]] Board's subcontractor(s) or subgrantee(s) may not be paid consultants
29 to the [[Local Children's]] Board.

30
31 **Section 12.306. In kind services.**

1 (a) *Acceptance by [[Local Children's]]THE Board:* The [[Local Children's]] Board may accept in-
2 kind services of County [[Departments and Agencies]] DEPARTMENTS OR AGENCIES for needs
3 associated with the operation of the Board.

4 (b) *Consultants.* The Board may engage any necessary consultants.
5

6 **[[Section 12.307. Panel to review operations of the Board.**

7 (a) *Appointment:* The County Executive shall appoint every three years beginning with the year
8 2004 a panel of at least eight people to include the County Auditor, a member of the Local
9 Children's Board, two members of the general public and other members appointed by the County
10 Executive to review the operations and effectiveness of the Local Children's Board.

11 (b) *Panel Recommendations:* Recommendations of the review panel may include recommended
12 changes to improve the operation of the Board.

13 (c) *Report of Findings:* Within 12 months of its appointment, the review panel shall report its
14 findings and recommendations to the County Executive and the County Council.]]
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16 **Section 12.308. Reserved.**
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18 *Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland,*
19 *that this Act shall become effective 61 days after its enactment.*