EXECUTIVE ORDER
01.01.2006.03
(Amends Executive Order 01.01.2005.34)

Governor's Office for Children - Children's Cabinet - Advisory Council for Children

WHEREAS, The Governor's Office for Children has met with local Management Boards, members of the Joint Committee on Children, Youth and Families, advocates, parents, State agency representatives, members of the Children's Cabinet and other individuals;

WHEREAS, The expansion of the Advisory Council for Children to include representation from all interested groups is recommended;

WHEREAS, It was determined that this recommendation serves the purpose of improving the Advisory Council's role and function of making recommendations for integrated children and family programs and coordinating State programs with those operated by local governments, Local Management Boards, and private groups; and

WHEREAS, It is appropriate to amend Executive Order 01.01.2005.34 to make this change.

NOW, THEREFORE, I, ROBERT L. EHRLICH, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY AMEND EXECUTIVE ORDER 01.01.2005.34 AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

1. Definition. In this Executive Order, "Local Management Board" means an entity established by a local subdivision, consisting of members which include, but are not limited to, representatives from the Department of Juvenile Services, the local department of social services, the local health department, the Developmental Disabilities Administration of the Department of Health and Mental Hygiene and the local core services agency, which has been certified by the Chairperson of the Children's Cabinet.
2. The Governor's Office for Children is hereby established as a separate agency within the Executive Department to provide a coordinated, comprehensive, interagency approach to the development of a continuum of care that is family and child- oriented and that emphasizes prevention, early intervention, and community-based services for all children and families with special attention to at-risk populations.
    1. The Office shall be managed by an Executive Director who shall be primarily responsible for developing and coordinating the delivery of interagency State government services to children and families. The Executive Director shall be appointed by and serve at the pleasure of the Governor.

2.S taffing. The Governor's Office for Children shall be comprised of professional staff appointed by the Governor and by professional staff liaisons from State agencies.

3.Du ties. The Office shall:

1. Inform and support the collective and specific work of the Children's Cabinet;
2. Promote values, policies and practices that continually advance the well-being of Maryland's children and families;
3. Partner with Local Management Boards to plan, coordinate, and monitor the delivery of integrated services along the full continuum of care and oversee the use of Children's Cabinet Interagency funds in accordance with policies and procedures established by the Children's Cabinet; and
4. Assist the Children's Cabinet in the allocation of any funds assigned to the Children's Cabinet for distribution as grants to any State agency, local government or organization, Local Management Board or private organization.

4.All S tate departments, agencies, commissions, and boards are authorized and directed to cooperate with the Governor's Office for Children in implementing the provisions of this Executive Order.

5.Thi s Executive Order shall not be construed to alter existing authorities of any executive agency or department, or the designation of any agency to act for purposes of federal law, except that all executive departments and agencies are directed to assist the Governor's Office for Children in carrying out the purposes of this Executive Order.

6.Re ports. The Governor's Office for Children shall report to the Governor annually on the status of children in Maryland and the efforts to meet the policy goals of the State for services to children and families.

3. The Children's Cabinet is hereby established for the purpose of convening on a regular basis to develop and implement coordinated State policies to improve the health and welfare of children and families.

1.Me mbership and Procedures.

1. The Cabinet shall consist of:
    1. The Secretary of Budget and Management;
    2. The Secretary of Disabilities;
    3. The Secretary of Health and Mental Hygiene;
    4. The Secretary of Human Resources;
    5. The Secretary of Juvenile Services;
    6. The State Superintendent of Schools; and
    7. The Executive Director of the Governor's Office for Children, who shall serve as Chairperson and be responsible for the administration and operation of the Children's Cabinet.
2. The Children's Cabinet shall meet at the call of the Chairperson, no less than six times per year.

3. The Governor's Office for Children shall provide staff to the Children's Cabinet as necessary.

2.Duti es and Responsibilities. The Children's Cabinet shall:

1. Promote the vision of the State for a stable, safe, and healthy environment for children and families;
2. Provide a regular forum for State agencies responsible for implementing the vision of the State to meet and develop coordinated policy recommendations for the Governor;
3. Prepare and annually update a 3-year Plan establishing priorities and strategies for the coordinated delivery of State interagency services for children and families. The Plan should include best practices for implementation of systems of care that are child centered and family focused, based on individual strengths and needs, and focused on providing such services in the least restrictive setting. This Plan, and all updates, shall be coordinated with any other approved State plans relating to services for children and families; and
4. Establish a committee to perform the functions of the State Coordinating Council, as provided in State regulations.

3.Re ports. The Children's Cabinet shall submit the State 3-year Plan for children and families to the Governor on or before October 1, 2006.

4. The Children's Cabinet Interagency Fund (the Fund) is hereby established to replace the Subcabinet for Children, Youth, and Families Resource Fund.

1.The Fund consists of:

1. Moneys appropriated, transferred, credited, or paid into the Fund from any source; and
2. Federal grants or allocations accepted for the benefit of the Fund.

2.Ex cept as otherwise provided by law, at the end of each fiscal year, the unspent balance of the Fund shall revert to the general fund of the State.

3.The Department of Education shall be the fiscal agent for the Fund.

4.Ex penditures from the Fund shall:

1. Be made to local subdivisions that have Local Management Boards;
2. Reflect the priorities set forth in the State 3-year Plan; and
3. Be made by the Children's Cabinet in accordance with those priorities.

5.The Children's Cabinet shall review and approve applications for grants from the Fund and ensure that all programs funded by the Fund are implemented in accordance with the State 3-year Plan and policies and procedures adopted in accordance with this Executive Order.

5. The Advisory Council for Children is hereby established.

1.Me mbership and Procedures.

1. The Advisory Council shall consist of [not more than 11 voting members appointed by the Governor from among the geographic regions of the State.] UP TO 15 VOTING MEMBERS INCLUDING:

1. THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE FOR CHILDREN, WHO SHALL SERVE AS CHAIRPERSON;
2. THE SECRETARY OF THE DEPARTMENT OF DISABILITIES, OR DESIGNEE;
3. THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES, OR DESIGNEE;
4. THE SECRETARY OF THE DEPARTMENT OF JUVENILE SERVICES, OR DESIGNEE;
5. THE DIRECTOR OF A LOCAL DEPARTMENT OF SOCIAL SERVICES, DESIGNATED BY THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES;
6. THE SENATE AND HOUSE CO-CHAIRS OF THE MARYLAND GENERAL ASSEMBLY JOINT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES SUBJECT TO THE CONCURRENCE OF THE RESPECTIVE PRESIDING OFFICERS; AND
7. UP TO 8 MEMBERS APPOINTED BY THE GOVERNOR TO INCLUDE A LOCAL MANAGEMENT BOARD REPRESENATIVE, A PARENT, AND MEMBERS OF THE GENERAL PUBLIC WITH INTEREST, KNOWLEDGE, OR EXPERTISE IN CHILDREN'S SERVICES.

2. The voting members of the Advisory Council may include representatives of organizations of parents, non-profit organizations with interest in Maryland children and family issues, local organizations and individuals who may have interest or expertise in Statewide and community-based education, health care, or other child and family services.
3. At least one member shall be a parent of a disabled child with intensive needs.
4. The Governor shall designate a Chairperson from among the members of the Advisory Council.
5. With the consent of the Advisory Council, the Chairperson may designate additional individuals, including interested citizens, elected officials, educators, or specialists with relevant experience to serve as nonvoting members of any subcommittee or workgroup of the Advisory Council.
6. The members of the Advisory Council shall serve at the pleasure of the Governor.
7. The term of a member is 3 years, which shall be staggered from initial appointment.] MEMBERS SERVING UNDER E(1)(A)(I) THROUGH (VI) SHALL SERVE SO LONG AS THEY HOLD THE OFFICE OF DESIGNATION SPECIFIED IN THE EXECUTIVE ORDER. MEMBERS APPOINTED BY THE

GOVERNOR UNDER E(1)(A)(VII) SHALL SERVE AT HIS PLEASURE FOR STAGGERED, 3-YEAR TERMS AND MAY NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.

8. A member of the Advisory Council may be reappointed, but may not serve more than two consecutive terms.
9. Members of the Advisory Council may not receive any compensation for services, but may receive reimbursement for reasonable travel expenses in accordance with the Standard State Travel Regulations, and as provided in the State budget.
10. The Advisory Council shall meet at least six times per year.
11. A majority of the members of the Advisory Council shall constitute a quorum for the transaction of any business. The Advisory Council may adopt such other procedures, including the creation of subcommittees or work groups, as may be necessary to ensure the orderly transaction of business.

2. Duti es and Responsibilities. The Advisory Council shall make recommendations to the Children's Cabinet on methods for meeting the policy and program goals of the State for integrated children and family programs and coordinating State programs with those operated by local governments, Local Management Boards, and private groups.

6. Local Coordinating Councils are hereby established in Baltimore City and each county in the State. The Councils shall have such duties and responsibilities as may be assigned by the Children's Cabinet or by regulation.

1. Me mbership. Each Local Coordinating Council shall consist of a representative from:

1. The Department of Juvenile Services;
2. The Developmental Disabilities Administration of the Department of Health and Mental Hygiene;
3. The Alcohol and Drug Abuse Administration of the Department of Health and Mental Hygiene;
4. The local health department;
5. The local department of social services;
6. The local office of the Division of Rehabilitation Services of the Department of Education;
7. The local management board for the subdivision;
8. The local Core Service Agency, as designated under Title 10, Subtitle 12 of the Health - General Article; and
9. A parent, parent advocate, or both, appointed by the Chairperson of the Local Coordinating Council.

2. An individual recommended by the local Board of Education may be appointed by the Chairperson.

3. The L ocal Coordinating Council shall select a Chairperson from among its members.

4. Lo cal Coordinating Councils shall be part of the Local Management Boards for administrative, staffing and budgetary purposes, but shall be

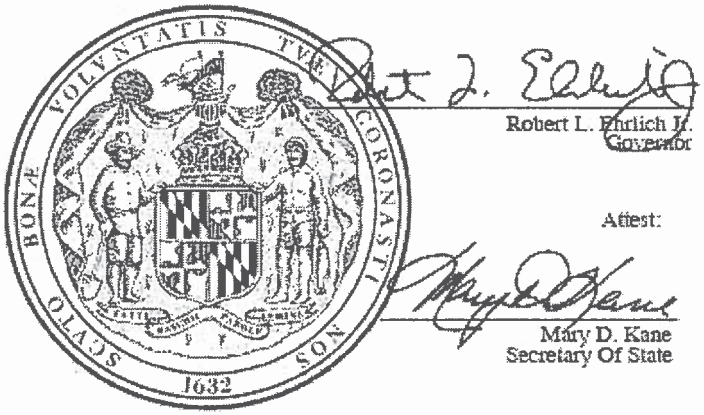
independent of the Local Management Board in their review and recommendations regarding individual plans of care.

7.

1. The agencies of the Children's Cabinet shall establish regulations as necessary to implement this Executive Order.
2. Each agency of the Children's Cabinet shall take immediate measures to adopt the provisions of COMAR Title 1, Subtitle 4 as its agency's regulations, to the extent practicable.

8. Except as otherwise provided by law or this Executive Order, all existing policies and procedures, contracts, property, and other duties and responsibilities associated with the Subcabinet for Children, Youth, and Families and the Governor's Office of Children, Youth, and Families shall continue in effect under the Children's Cabinet and the Governor's Office for Children, respectively, unless completed, withdrawn, cancelled, or modified or otherwise changed pursuant to law.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 24th Day of March, 2006



Robert L. Ehrlich Jr.
Governor

Attest:

Mary D. Kane
Secretary Of State