

HOUSE BILL 1386

O4

0lr2722
CF SB 1018

By: **Delegate Kelly**

Introduced and read first time: February 7, 2020

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2020

CHAPTER _____

1 AN ACT concerning

2 **Child Care Centers – ~~Employee~~ Teacher Qualifications – ~~Requirements and~~**
3 **Application Review**

4 FOR the purpose of requiring the regulations adopted by the State Board of Education to
5 govern the licensing and operation of child care centers to include provisions that
6 establish certain qualifications for ~~child care teachers and require each child care~~
7 ~~center employee to complete certain training within a certain number of days after~~
8 ~~the individual is hired; requiring the State Department of Education to review an~~
9 ~~individual's qualifications for employment in a child care center and approve or deny~~
10 ~~the application within a certain period of time~~ probationary employment for a certain
11 individual to be a child care teacher in a certain child care center; requiring that the
12 probationary employment qualifications allow an individual to be employed as a
13 child care teacher in a probationary period under certain circumstances; requiring a
14 child care center to terminate or reassign a certain individual to a nonteaching
15 position under certain circumstances; and generally relating to the qualifications of
16 child care center ~~employees~~ teachers.

17 BY repealing and reenacting, without amendments,
18 Article – Education
19 Section 9.5–404(a)
20 Annotated Code of Maryland
21 (2018 Replacement Volume and 2019 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – Education

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 9.5–404(b)(10) and (11)
 2 Annotated Code of Maryland
 3 (2018 Replacement Volume and 2019 Supplement)

4 BY adding to
 5 Article – Education
 6 Section 9.5–404(b)(12) ~~and (13) and 9.5–414.1~~ and (c)
 7 Annotated Code of Maryland
 8 (2018 Replacement Volume and 2019 Supplement)

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 10 That the Laws of Maryland read as follows:

11 **Article – Education**

12 9.5–404.

13 (a) The State Board shall adopt rules and regulations for licensing and operating
 14 child care centers.

15 (b) These rules and regulations shall:

16 (10) (i) Require a child care center to have a written emergency
 17 preparedness plan for emergency situations that require evacuation, sheltering in place, or
 18 other protection of children, such as in the event of fire, natural disaster, or other
 19 threatening situation that may pose a health or safety hazard to the children in the child
 20 care center;

21 (ii) Require the plan under item (i) of this item to include:

22 1. A designated relocation site and evacuation route;

23 2. Procedures for notifying parents or other adults
 24 responsible for the child of the relocation;

25 3. Procedures to address the needs of individual children,
 26 including children with special needs;

27 4. Procedures for the reassignment of staff duties during an
 28 emergency, as appropriate; and

29 5. Procedures for communicating with local emergency
 30 management officials or other appropriate State or local authorities; and

31 (iii) Require a child care center to train staff and ensure that staff are
 32 familiar with the plan; [and]

1 (11) Require a child care center to have window coverings in accordance with
2 § 5–505 of the Family Law Article; AND

3 (12) ~~ESTABLISH~~ SUBJECT TO SUBSECTION (C) OF THIS SECTION,
4 ESTABLISH PROBATIONARY EMPLOYMENT QUALIFICATIONS FOR ~~CHILD CARE~~
5 ~~TEACHERS THAT ALLOW AN INDIVIDUAL WHO HOLDS AN ASSOCIATE DEGREE OR~~
6 ~~BACHELOR’S DEGREE TO QUALIFY AS A CHILD CARE LEAD TEACHER IF THE~~
7 ~~INDIVIDUAL SUCCESSFULLY COMPLETES THE REQUIRED 90 HOURS OF APPROVED~~
8 ~~PRE SERVICE TRAINING WITHIN 6 MONTHS AFTER BEING HIRED; AND AN~~
9 INDIVIDUAL WHO IS APPLYING FOR THE FIRST TIME TO BE A CHILD CARE TEACHER
10 IN A CHILD CARE CENTER IN THE STATE THAT SERVES PRESCHOOL OR SCHOOL-AGE
11 CHILDREN WHO ARE AT LEAST 3 YEARS OLD.

12 (C) (1) THE PROBATIONARY EMPLOYMENT QUALIFICATIONS
13 ESTABLISHED UNDER SUBSECTION (B)(12) OF THIS SECTION SHALL ALLOW AN
14 INDIVIDUAL TO BE EMPLOYED AS A CHILD CARE TEACHER DURING A PROBATIONARY
15 PERIOD IF THE INDIVIDUAL:

16 (i) 1. IS ENROLLED IN AN APPROVED PRE-SERVICE
17 TRAINING;

18 2. SUCCESSFULLY COMPLETES THE REQUIRED 90
19 HOURS OF THE APPROVED PRE-SERVICE TRAINING WITHIN 6 MONTHS AFTER BEING
20 HIRED; AND

21 3. HOLDS AN ASSOCIATE DEGREE OR A BACHELOR’S
22 DEGREE IN:

23 A. EARLY CHILDHOOD EDUCATION;

24 B. ELEMENTARY EDUCATION;

25 C. CHILD DEVELOPMENT;

26 D. HOME ECONOMICS;

27 E. NURSING;

28 F. SOCIAL WORK;

29 G. SPECIAL EDUCATION; OR

30 H. A RELATED FIELD APPROVED BY THE DEPARTMENT;

31 OR

1 (II) 1. IS ENROLLED IN AN APPROVED PRE-SERVICE
2 TRAINING;

3 2. HAS SUCCESSFULLY COMPLETED AT LEAST 45 HOURS
4 OF THE APPROVED PRE-SERVICE TRAINING AT THE TIME THE CHILD CARE CENTER
5 HIRES THE INDIVIDUAL;

6 3. SUCCESSFULLY COMPLETES THE REMAINING HOURS
7 OF THE PRE-SERVICE TRAINING WITHIN 6 MONTHS AFTER BEING HIRED; AND

8 4. HOLDS AN ASSOCIATE DEGREE OR A BACHELOR'S
9 DEGREE IN A FIELD OTHER THAN A FIELD LISTED UNDER ITEM (I)3 OF THIS ITEM.

10 (2) IF, AT THE END OF THE 6-MONTH PROBATIONARY PERIOD, AN
11 INDIVIDUAL DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION HAS NOT
12 COMPLETED THE REQUIRED PRE-SERVICE TRAINING, THE CHILD CARE CENTER
13 SHALL, WITH NO FURTHER CAUSE, TERMINATE THE INDIVIDUAL OR REASSIGN THE
14 INDIVIDUAL TO A NONTEACHING POSITION.

15 ~~(13) REQUIRE EACH CHILD CARE CENTER EMPLOYEE TO COMPLETE,~~
16 ~~WITHIN 90 DAYS AFTER THE DATE THE INDIVIDUAL IS HIRED, APPROVED TRAINING~~
17 ~~IN:~~

18 ~~(i) BASIC HEALTH AND SAFETY;~~

19 ~~(ii) AMERICANS WITH DISABILITIES ACT COMPLIANCE; AND~~

20 ~~(iii) SUPPORTING BREASTFEEDING PRACTICES.~~

21 ~~9.5-414.1.~~

22 ~~WITHIN 14 DAYS AFTER RECEIVING A COMPLETE APPLICATION, THE~~
23 ~~DEPARTMENT SHALL REVIEW AN INDIVIDUAL'S QUALIFICATIONS FOR EMPLOYMENT~~
24 ~~IN A CHILD CARE CENTER AND APPROVE OR DENY THE APPLICATION.~~

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2020.