



**Testimony for the Senate Education, Energy, and the Environment
Committee**

**Senate Bill 402 – Residential Child Care Programs – Education of
Children and Training of Child and Youth Care Practitioners**

Favorable

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The ACLU of Maryland urges a favorable report on SB 402, which seeks to ensure that children living in residential childcare programs licensed by the Maryland Department of Health, the Department of Human Services, or the Department of Juvenile Services receive adequate educational support from their legal custodians. Children living in foster care, in group homes, or in other alternative arrangements experience significantly lower academic outcomes than their peers. SB 402 represents a critical step in ensuring that these children receive the support they need to access the full benefits of the *Blueprint* programs and make progress toward becoming college and career ready.

SB 402 would require the legal custodians of children at these residential childcare programs to meet with their teachers at the time of enrollment to determine the best ways to support the children with their education. Custodians would be required to communicate with teachers when there are questions or concerns about school assignments, behavioral issues, or extracurricular opportunities. SB 402 also requires custodians to provide a scheduled routine at the residential facilities to ensure they regularly support children with understanding the content of their schoolwork, completing assignments and projects, and studying for tests and assessments. Custodians would also encourage and support children to participate in extracurricular activities.

The bill also ensures that custodians support children receiving special education services and that activities at the residential facility align with each child's individualized plan. For example, these supports can include specific activities related to, but not limited to, behavioral interventions, a daily self-help routine such as getting dressed, or activities to support speech therapy.

Lastly, SB 402 would require residential childcare programs to provide training for their custodians to ensure that they have the knowledge and skills necessary to support the children in their care. The training, which must be approved by the Board for the Certification of Residential Child Care Program

Professionals, must include the critical areas of study such as child development, children with special needs, the role of the custodian, diversity in the ways children learn, behaviors that impact learning, child abuse and neglect, suicide risk and prevention, psychosocial and emotional needs of children, and general medical and health needs.

There are approximately 3,800 children in out-of-home foster care placements in Maryland, as of October 2025¹. About 71% of the children reside in family homes, over 500 live in group homes, and close to 300 are in independent living programs. Children in foster care settings frequently experience disruptions in their education, inconsistent educational support, and barriers to academic success due to a variety of factors, including transient living situations, unaddressed special education needs, and trauma and mental health challenges.² Many of these children have been victims of abuse and neglect and are likely to have had an incarcerated parent, been exposed to violence and substance abuse, and/or lived in poverty.³ Consequently, on average, these children score significantly lower on tests and assessments, have higher absenteeism, disciplinary infractions, and dropout rates, and often have difficulty forming relationships with teachers and their peers.⁴

State and local government entities must do better to support children living in residential childcare programs. These children deserve high quality comprehensive programming and caretakers that are responsible, and have the ability to provide the supports and guidance necessary to help them achieve in school and in life beyond. Passing SB 402 is a critical step in moving towards this vision. For the forgoing reasons, the ACLU of Maryland urges the committee to give this bill a favorable report.

¹ *Out-Of-Home Care, Foster Love Maryland*. (2026). Maryland Department of Human Services. <https://dhs.maryland.gov/out-of-home-care/>

² Ryan, J. B., Hurley, Z., & Randall, K. N. (2025). Addressing the educational needs of foster children. *Beyond Behavior*, 1(1), 1-11.

³ Helping Children with Parents in Prison and Children in Foster Care. (2018). The Future of Children. Princeton-Brookings.

https://futureofchildren.princeton.edu/sites/g/files/toruqf2411/files/media/foc-policy_brief_spring_2018__0.pdf

⁴ Somers, Cheryl L., et al. (2021). *Academic Achievement Among a Sample of Youth in Foster Care: The Role of School Connectedness*. National Institutes of Health. <https://pubmed.ncbi.nlm.nih.gov/articles/PMC7942201/>