

Chapter 37

(House Bill 662)

AN ACT concerning

**Large Family Child Care Homes and Child Care Centers – Child Care Teachers
– Minimum Age**

FOR the purpose of requiring that certain regulations governing the registration and operation of large family child care homes and the licensing and operation of child care centers require that child care teachers be a certain minimum age; and generally relating to the minimum age of child care teachers in large family child care homes and child care centers.

BY repealing and reenacting, without amendments,
Article – Education
Section 9.5–303(a) and (b) and 9.5–404(a)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 9.5–303(c)(10) through (12) and 9.5–404(b)(9) through (12) and (c)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

BY adding to
Article – Education
Section 9.5–303(c)(11) and 9.5–404(b)(9)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

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

Article – Education

9.5–303.

(a) The State Board shall adopt regulations that relate to the registration of family child care homes and large family child care homes.

(b) So far as practicable, the regulations shall be uniform with the rules and regulations adopted by other State agencies as those rules and regulations relate to other types of child care.

(c) At a minimum, the regulations shall provide for:

(10) A requirement that each registered child care provider shall hold a current certificate indicating successful completion of approved:

(i) Basic first aid training through the American Red Cross or through a program with equivalent standards; and

(ii) Cardiopulmonary resuscitation (CPR) training through the American Heart Association or through a program with equivalent standards appropriate for the ages of children for whom care is provided in the family child care home or large family child care home; [and]

(11) A REQUIREMENT THAT THE MINIMUM AGE OF A FAMILY CHILD CARE TEACHER IN A REGISTERED LARGE FAMILY CHILD CARE HOME BE AT LEAST 18 YEARS OLD AND THAT AN INDIVIDUAL NOT BE PRECLUDED FROM BEING A FAMILY CHILD CARE TEACHER SOLELY FOR BEING 18 YEARS OLD;

~~[(11)]~~ **(12)** (i) A requirement that a family child care home or large family child care home that receives notice of a contaminated drinking water supply from the family child care home's or large family child care home's supplier of water, in accordance with § 9-410 of the Environment Article or otherwise, send notice of the drinking water contamination to the parent or legal guardian of each child attending the family child care home or large family child care home; and

(ii) A requirement that the notice sent by the family child care home or large family child care home shall:

1. Be sent within 10 business days after receipt of the notice of contamination from the family child care home's or large family child care home's water supplier;

2. Be in writing;

3. Identify the contaminants and their levels in the family child care home's or large family child care home's water supply; and

4. Describe the family child care home's or large family child care home's plan for dealing with the water contamination problem until the family child care home's or large family child care home's water is determined by the appropriate authority to be safe for consumption; and

~~[(12)]~~ **(13)** A requirement that a family child care home or large family child care home prohibit the administration of corporal punishment to discipline a child.

9.5–404.

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

(b) These rules and regulations shall:

(9) REQUIRE THAT THE MINIMUM AGE OF A CHILD CARE TEACHER IN A CHILD CARE CENTER BE AT LEAST 18 YEARS OLD AND AN INDIVIDUAL MAY NOT BE PRECLUDED FROM BEING A CHILD CARE TEACHER SOLELY FOR BEING 18 YEARS OLD;

[(9)] (10) (i) Require that a child care center that receives notice of a contaminated drinking water supply from the child care center's supplier of water, in accordance with § 9–410 of the Environment Article or otherwise, send notice of the drinking water contamination to the parent or legal guardian of each child attending the child care center; and

(ii) Require that the notice sent by the child care center shall:

1. Be sent within 10 business days after receipt of the notice of contamination from the child care center's water supplier;

2. Be in writing;

3. Identify the contaminants and their levels in the center's water supply; and

4. Describe the child care center's plan for dealing with the water contamination problem until the child care center's water is determined by the appropriate authority to be safe for consumption;

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

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

1. A designated relocation site and evacuation route;

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

3. Procedures to address the needs of individual children,

including children with special needs;

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

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

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

~~[(11)]~~ **(12)** Require a child care center to have window coverings in accordance with § 5–505 of the Family Law Article; and

~~[(12)]~~ **(13)** Subject to subsection (c) of this section, establish probationary employment qualifications for an individual who is applying for the first time to be a child care teacher in a child care center in the State that serves preschool or school–age children who are at least 3 years old.

(c) (1) The probationary employment qualifications established under subsection ~~[(b)(12)]~~ **(B)(13)** of this section shall allow an individual to be employed as a child care teacher during a probationary period if the individual:

- (i)
1. Is enrolled in approved pre–service training;
 2. Successfully completes the required 90 hours of the approved pre–service training within 6 months after being hired; and
 3. Holds an associate degree or a bachelor’s degree in:
 - A. Early childhood education;
 - B. Elementary education;
 - C. Child development;
 - D. Home economics;
 - E. Nursing;
 - F. Social work;
 - G. Special education; or
 - H. A related field approved by the Department; or

- (ii) 1. Is enrolled in approved pre-service training;
2. Has successfully completed at least 45 hours of the approved pre-service training at the time the child care center hires the individual;
3. Successfully completes the remaining hours of the pre-service training within 6 months after being hired; and
4. Holds an associate degree or a bachelor's degree in a field other than a field listed under item (i)3 of this paragraph.

(2) If, at the end of the 6-month probationary period, an individual described in paragraph (1) of this subsection has not completed the required pre-service training, the child care center shall, with no further cause, terminate the individual or reassign the individual to a nonteaching position.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, April 9, 2024.