

SENATE BILL 868

F5

5l3412
CF 5l3179

By: **Senator Henson**

Introduced and read first time: January 28, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Substitute Child Care Provider Pool Pilot Program – Established**

3 FOR the purpose of establishing the Substitute Child Care Provider Pool Pilot Program in
4 the State Department of Education; providing for the purpose, administration, and
5 funding for the Program; and generally relating to the Substitute Child Care
6 Provider Pool Pilot Program.

7 BY adding to

8 Article – Education

9 Section 9.5–118

10 Annotated Code of Maryland

11 (2022 Replacement Volume and 2024 Supplement)

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

14 **Article – Education**

15 **9.5–118.**

16 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
17 INDICATED.

18 (2) “CHILD CARE FACILITY” MEANS:

19 (I) A LICENSED CHILD CARE CENTER;

20 (II) A REGISTERED FAMILY CHILD CARE HOME; OR

21 (III) A REGISTERED LARGE FAMILY CHILD CARE HOME.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) “CHILD CARE PROVIDER” MEANS AN INDIVIDUAL WHO PROVIDES**
2 **CARE FOR A CHILD IN A CHILD CARE FACILITY.**

3 **(4) “PROGRAM” MEANS THE SUBSTITUTE CHILD CARE PROVIDER**
4 **POOL PILOT PROGRAM.**

5 **(5) “SUBSTITUTE CHILD CARE PROVIDER POOL” MEANS ONE OR**
6 **MORE CHILD CARE PROVIDERS WHO ARE AVAILABLE TO PROVIDE TEMPORARY CARE**
7 **TO CHILDREN AS A SUBSTITUTE FOR A REGULAR CHILD CARE PROVIDER IN A CHILD**
8 **CARE FACILITY AND WHO:**

9 **(I) HAVE THE REQUIRED CREDENTIALS, TRAINING,**
10 **EXPERIENCE, AND CRIMINAL HISTORY VETTING TO WORK IN A CHILD CARE**
11 **FACILITY; AND**

12 **(II) ARE LOCATED IN THE SAME REGION OF THE STATE AS THE**
13 **CHILD CARE FACILITY PARTICIPATING IN THE PROGRAM.**

14 **(B) (1) THERE IS A SUBSTITUTE CHILD CARE PROVIDER POOL PILOT**
15 **PROGRAM IN THE DEPARTMENT.**

16 **(2) THE PURPOSE OF THE PROGRAM IS TO FACILITATE THE**
17 **CONTINUOUS OPERATION OF CHILD CARE FACILITIES IN THE STATE BY ENSURING**
18 **THAT QUALIFIED SUBSTITUTE CHILD CARE PROVIDERS ARE AVAILABLE TO FILL**
19 **SHORT-TERM STAFFING NEEDS OF CHILD CARE FACILITIES ON A TEMPORARY BASIS.**

20 **(3) THE PROGRAM SHALL BEGIN JULY 1, 2026, AND END JUNE 30,**
21 **2030.**

22 **(C) (1) (I) THE DEPARTMENT SHALL SELECT A NONPROFIT**
23 **ORGANIZATION TO ADMINISTER THE PROGRAM THAT MEETS THE REQUIREMENTS**
24 **OF THIS SUBSECTION.**

25 **(II) FOR EACH OF FISCAL YEARS 2027 THROUGH 2030, THE**
26 **DEPARTMENT SHALL AWARD A GRANT OF \$350,000 TO THE NONPROFIT**
27 **ORGANIZATION SELECTED TO ADMINISTER THE PROGRAM.**

28 **(2) TO BE ELIGIBLE TO ADMINISTER THE PROGRAM AND RECEIVE A**
29 **GRANT UNDER THIS SECTION, A NONPROFIT ORGANIZATION SHALL:**

30 **(I) BE A PUBLIC BENEFIT CORPORATION THAT IS EXEMPT**
31 **FROM TAXATION AS PROVIDED BY LAW;**

1 **(II) OPERATE THROUGHOUT THE STATE;**

2 **(III) HAVE EXPERIENCE WORKING WITH CHILD CARE FACILITIES**
3 **OF ALL TYPES; AND**

4 **(IV) HAVE EXPERIENCE HELPING INDIVIDUALS MEET THE**
5 **LEGAL REQUIREMENTS TO WORK AS CHILD CARE PROVIDERS.**

6 **(D) THE NONPROFIT ORGANIZATION SELECTED BY THE DEPARTMENT**
7 **SHALL USE THE GRANT TO:**

8 **(1) ORGANIZE SUBSTITUTE CHILD CARE PROVIDER POOLS IN AT**
9 **LEAST THREE REGIONS IN THE STATE, INCLUDING A RURAL, SUBURBAN, AND URBAN**
10 **AREA;**

11 **(2) RECRUIT CREDENTIALLED CHILD CARE PROVIDERS TO PROVIDE**
12 **SUBSTITUTE CHILD CARE SERVICES IN MULTIPLE CHILD CARE FACILITIES**
13 **PARTICIPATING IN THE PROGRAM;**

14 **(3) ASSIST A SUBSTITUTE CHILD CARE PROVIDER WITH MEETING THE**
15 **REQUIREMENTS TO WORK IN A CHILD CARE FACILITY, INCLUDING BY HELPING THE**
16 **SUBSTITUTE CHILD CARE PROVIDER:**

17 **(I) OBTAIN A CRIMINAL HISTORY RECORDS CHECK, AS**
18 **REQUIRED UNDER § 5-551 OF THE FAMILY LAW ARTICLE, AS AN EMPLOYEE, A**
19 **CONTRACTOR, OR A SUBCONTRACTOR OF THE CHILD CARE FACILITY;**

20 **(II) MEET ANY EXPERIENTIAL OR EDUCATIONAL**
21 **REQUIREMENTS; AND**

22 **(III) COMPLETE ANY REQUIRED TRAINING, INCLUDING HEALTH**
23 **AND SAFETY TRAINING AND FIRST AID TRAINING;**

24 **(4) TO THE EXTENT PRACTICABLE, ASSIST A SUBSTITUTE CHILD CARE**
25 **PROVIDER IN COMPLETING A REGISTERED EARLY EDUCATION APPRENTICESHIP;**

26 **(5) IDENTIFY AND ORGANIZE, INTO REGIONAL AREAS, CHILD CARE**
27 **FACILITIES THAT AGREE TO WORK WITH SUBSTITUTE CHILD CARE PROVIDERS FROM**
28 **A POOL ESTABLISHED BY THE PROGRAM;**

29 **(6) KEEP ANY RECORDS REQUIRED BY THE DEPARTMENT; AND**

1 **(7) COMPLY WITH ANY OTHER REQUIREMENTS ESTABLISHED BY THE**
2 **DEPARTMENT.**

3 **(E) THE NONPROFIT ORGANIZATION SELECTED BY THE DEPARTMENT MAY**
4 **USE THE GRANT TO:**

5 **(1) CREATE A STATEWIDE DIGITAL PLATFORM TO FACILITATE THE**
6 **MATCHING OF SUBSTITUTE CHILD CARE PROVIDERS FROM THE SUBSTITUTE CHILD**
7 **CARE PROVIDER POOL WITH PARTICIPATING CHILD CARE FACILITIES, INCLUDING**
8 **PARTNERING WITH A THIRD-PARTY VENDOR; AND**

9 **(2) INCENTIVIZE PARTICIPATION IN THE PROGRAM BY QUALIFIED**
10 **CHILD CARE PROVIDERS AND CHILD CARE FACILITIES.**

11 **(F) FOR EACH OF FISCAL YEARS 2027 THROUGH 2030, THE GOVERNOR**
12 **SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$375,000 FOR**
13 **THE PROGRAM.**

14 **(G) EACH YEAR THE DEPARTMENT SHALL DEVELOP AND PUBLISH GOALS**
15 **FOR THE PROGRAM.**

16 **(H) ON OR BEFORE DECEMBER 1, 2029, THE DEPARTMENT SHALL REPORT**
17 **TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE**
18 **GOVERNMENT ARTICLE, ON THE STATUS OF THE PROGRAM, INCLUDING:**

19 **(1) AN EVALUATION OF THE PROGRAM; AND**

20 **(2) WHETHER THE PROGRAM HAS MET THE GOALS SET BY THE**
21 **DEPARTMENT.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2025. It shall remain effective for a period of 5 years and, at the end of June 30, 2030,
24 this Act, with no further action required by the General Assembly, shall be abrogated and
25 of no further force and effect.