

HOUSE BILL 396

O4

(6lr1324)

ENROLLED BILL

— *Ways and Means/Education, Energy, and the Environment* —

Introduced by **Delegates Pasteur, Acevero, Addison, Alston, Amprey, Boyce, Conaway, Crutchfield, Ebersole, Embry, Forbes, Hill, Holmes, Lewis, J. Long, Martinez, McCaskill, Mireku-North, Patterson, Phillips, Pruski, Ruff, Schmidt, Simmons, Stein, Stinnett, Taveras, Toles, White Holland, Williams, Wilson, Wims, and Young**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Residential Child Care Programs – Education of Children and Training of Child**
3 **and Youth Care Practitioners**

4 FOR the purpose of repealing the maximum age for children in certain residential child
5 care programs who receive educational support; requiring operators of certain
6 residential child care programs to provide certain educational opportunities to the
7 children for whom they have legal custody or care and control; requiring that
8 applicants to be child and youth care practitioners undergo certain training;
9 prohibiting an individual who holds a certificate as a residential child and youth care
10 practitioner from being required to complete certain training under certain
11 circumstances; and generally relating to residential child care programs.

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.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
2 Article – Education
3 Section 7–309
4 Annotated Code of Maryland
5 (2025 Replacement Volume and 2025 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article – Health Occupations
8 Section 20–302.1
9 Annotated Code of Maryland
10 (2021 Replacement Volume and 2025 Supplement)

11 BY repealing and reenacting, without amendments,
12 Article – Human Services
13 Section 8–704(8), (10), and (11)
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2025 Supplement)

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

18 **Article – Education**

19 7–309.

20 (a) (1) In this section, “residential child care program” means a program that:

21 (i) Provides care for children 24 hours a day within a structured set
22 of services and activities designed to achieve objectives related to the needs of the children
23 served; and

24 (ii) Is licensed by the Maryland Department of Health, the
25 Department of Human Services, or the Department of Juvenile Services.

26 (2) A “residential child care program” includes:

27 (i) Group homes;

28 (ii) Alternative living units; and

29 (iii) Emergency shelter care.

30 (b) Each licensed operator of a residential child care program who has legal
31 custody or care and control of a child who is at least 5 years old ~~and under the age of 16~~
32 ~~years~~ and receives State funding as provided in § 5–526 of the Family Law Article:

1 (1) ~~Shall enroll the child in the local school system where the residential~~
 2 ~~child care program is located unless the residential child care program operates an~~
 3 ~~approved educational program in accordance with the licensing regulations that govern the~~
 4 ~~residential child care program~~ **ENSURE THE CHILD REMAINS ENROLLED IN THE**
 5 **SCHOOL IN WHICH THE CHILD WAS PREVIOUSLY ENROLLED, UNLESS A**
 6 **DETERMINATION IS MADE BY A LOCAL DEPARTMENT OF SOCIAL SERVICES THAT**
 7 **REMAINING ENROLLED IS NOT IN THE CHILD'S BEST INTEREST, THEN:**

8 **(I) THE CHILD SHALL BE ENROLLED IN THE LOCAL SCHOOL**
 9 **SYSTEM WHERE THE RESIDENTIAL CHILD CARE PROGRAM IS LOCATED; OR**

10 **(II) IF THE RESIDENTIAL CHILD CARE PROGRAM OPERATES AN**
 11 **APPROVED EDUCATIONAL PROGRAM IN ACCORDANCE WITH THE LICENSING**
 12 **REGULATIONS THAT GOVERN RESIDENTIAL CHILD CARE PROGRAMS, THE CHILD**
 13 **SHALL BE ENROLLED IN THAT PROGRAM;**

14 (2) ~~Shall expeditiously initiate and monitor the transfer of the academic~~
 15 ~~records of a child in the operator's care from the transferring school to [insure] ENSURE~~
 16 ~~that the academic records are transferred to the school that the child will be attending~~
 17 ~~while living in the operator's care;~~

18 ~~(3)~~ (i) May request a meeting with the child's teachers; [and]

19 (ii) Shall meet the child's teachers at the time of enrollment and at
 20 any other time the school or a teacher requests **TO DETERMINE THE BEST WAYS TO**
 21 **SUPPORT THE CHILD;** and

22 **(III) SHALL CONTACT THE CHILD'S TEACHER WITH ANY**
 23 **QUESTIONS ABOUT SCHOOL ASSIGNMENTS, THE CHILD'S BEHAVIOR AT SCHOOL, AND**
 24 **EXTRACURRICULAR OPPORTUNITIES TO SUPPORT THE CHILD;**

25 ~~(4)~~ **(3)** Shall sign the child's report card, [insure] ENSURE that the
 26 report card is returned to school, and include a copy of the report card in the child's case
 27 record; AND

28 ~~(5)~~ **(4)** SHALL ENSURE THAT THE CHILD IS PROVIDED:

29 **(I) REGULARLY SCHEDULED TIME TO STUDY TO SUPPORT THE**
 30 **CHILD'S ACADEMIC WORK;**

31 **(II) ASSISTANCE WITH HOMEWORK ASSIGNMENTS, PROJECTS,**
 32 **SKILLS PRACTICE, AND TEST PREPARATION IN ORDER TO REINFORCE EDUCATIONAL**
 33 **CONCEPTS TAUGHT TO THE CHILD;**

1 (III) ENCOURAGEMENT AND SUPPORT FOR PARTICIPATION IN
2 EXTRACURRICULAR ACTIVITIES;

3 (IV) FOR A CHILD WITH AN INDIVIDUALIZED EDUCATION
4 PROGRAM UNDER THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT
5 OR A 504 PLAN UNDER § 504 OF THE FEDERAL REHABILITATION ACT OF 1973,
6 APPLICABLE EDUCATIONAL GOALS TO COMPLETE WITHIN THE RESIDENTIAL CHILD
7 CARE PROGRAM THAT ARE CONSISTENT WITH THE CHILD'S PROGRAM OR PLAN;

8 (V) FOR A CHILD WITH A BEHAVIORAL INTERVENTION PLAN
9 UNDER SUBTITLE 11 OF THIS TITLE, BEHAVIORAL SUPPORTS AND GOALS THAT
10 REINFORCE THE GOALS OF THE CHILD'S PLAN IN THE SCHOOL SETTING; AND

11 (VI) FOR CHILDREN ~~DUALLY~~ ENROLLED IN A HIGH SCHOOL ~~AND~~
12 OR AN INSTITUTION OF HIGHER EDUCATION, ACCESS TO A COMPUTER IN ORDER TO
13 COMPLETE ASSIGNMENTS THAT REQUIRE COMPUTER SOFTWARE OR THE INTERNET.

14 Article – Health Occupations

15 20–302.1.

16 (a) To qualify for a certificate as a residential child and youth care practitioner,
17 an applicant shall be an individual who meets the requirements of this section.

18 (b) The applicant shall be of good moral character.

19 (c) The applicant shall have completed:

20 (1) A State and national criminal history records check; and

21 (2) Unless waived by the Board under § 20–303(d) of this subtitle, a child
22 protective services background clearance.

23 (d) The applicant shall be:

24 (1) At least 21 years old; or

25 (2) At least 18 years old and have earned at least an associate's or
26 bachelor's degree from an accredited college or university.

27 (e) The applicant shall have:

28 (1) A high school diploma or equivalent and have successfully completed
29 an approved training program; and

1 (2) (i) At least 2 years' experience in the human service field; or
2 (ii) An associate's or bachelor's degree from an accredited college or
3 university.

4 (f) (1) **(I)** Except as provided in paragraph (2) of this subsection, the
5 applicant shall have successfully completed a training program approved by the Board.

6 **(II) THE BOARD'S PROGRAM SHALL INCLUDE TRAINING ON:**

7 **1. THE ROLE OF THE RESIDENTIAL CHILD AND YOUTH
8 CARE PRACTITIONER;**

9 **2. CHILD DEVELOPMENT;**

10 **3. CHILDREN WITH ~~SPECIAL NEEDS~~ DISABILITIES;**

11 **4. RECOGNIZING DIFFERENCES IN PROCESSING
12 INFORMATION AND THE DIVERSE WAYS CHILDREN LEARN;**

13 **5. RECOGNIZING BEHAVIORS THAT IMPACT A CHILD'S
14 ABILITY TO LEARN AND PRACTICE SOCIAL NORMS;**

15 **6. CHILD ABUSE AND NEGLECT IDENTIFICATION AND
16 REPORTING;**

17 **7. SUICIDE RISK ASSESSMENT AND PREVENTION;**

18 **8. APPROVED FORMS OF DISCIPLINE AND BEHAVIORAL
19 MANAGEMENT TECHNIQUES, INCLUDING THE USE OF BEHAVIORAL INTERVENTION
20 PLANS UNDER TITLE 7, SUBTITLE 11 OF THE EDUCATION ARTICLE;**

21 **9. COMMUNICATION SKILLS;**

22 **10. PARENTING ISSUES, COLLABORATION WITH
23 FAMILIES, AND THE SUPPORT OF CHILDREN;**

24 **11. THE PSYCHOSOCIAL AND EMOTIONAL NEEDS OF
25 CHILDREN, FAMILIAL RELATIONSHIPS, AND THE IMPACT OF SEPARATION;**

26 **12. EMERGENCY PREPAREDNESS AND SAFETY
27 PRACTICES;**

1 **13. ANNUAL FIRST AID TRAINING, INCLUDING**
2 **CERTIFICATION IN CARDIOPULMONARY RESUSCITATION;**

3 **14. MEDICATION MANAGEMENT;**

4 **15. INFECTION CONTROL; AND**

5 **16. IF APPLICABLE, FOOD PREPARATION AND**
6 **NUTRITION.**

7 (2) (i) An applicant who has an associate's or bachelor's degree from an
8 accredited college or university may be waived from the training program requirement, if
9 the applicant passes an examination and meets other requirements established by the
10 Board under this subtitle.

11 (ii) The Board shall establish requirements and procedures for
12 waiving the training program requirement for an applicant under subparagraph (i) of this
13 paragraph.

14 (g) The applicant shall pass an examination given by the Board under this
15 subtitle.

16 (h) The Board shall waive the education, experience, training, and examination
17 requirements of this section for an applicant who:

18 (1) Applies for certification on or before October 1, 2015; and

19 (2) Presents to the Board satisfactory evidence that the applicant worked
20 as a residential child and youth care practitioner in the State for at least 2 years before
21 October 1, 2015.

22 **Article – Human Services**

23 8–704.

24 A contract awarded or renewed between an agency and a provider for a residential
25 child care program shall:

26 (8) require the provider to comply with § 7–309 of the Education Article;

27 (10) require the residential child care program to have certified residential
28 child and youth care practitioners, as required under § 20–301 of the Health Occupations
29 Article; and

30 (11) require the residential child care program to have a certified program
31 administrator as required under § 20–301 of the Health Occupations Article.

1 SECTION 2. AND BE IT FURTHER ENACTED, That an individual who holds a
2 certificate as a residential child and youth care practitioner on July 1, 2026, may not be
3 required to complete:

4 (1) any program of training required by § 20-302.1 of the Health
5 Occupations Article, as enacted by Section 1 of this Act, that the individual has already
6 completed; and

7 (2) any new program of training required by § 20-302.1 of the Health
8 Occupations Article, as enacted by Section 1 of this Act, until the individual's certificate is
9 due for renewal in accordance with § 20-310 of the Health Occupations Article.

10 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 July 1, 2026 January 1, 2027.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.