

SENATE BILL 402

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CF HB 396

By: **Senators Brooks, Benson, Harris, Salling, M. Washington, and West**

Introduced and read first time: January 28, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

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 requiring operators of certain residential child care programs to provide
5 certain educational opportunities to the children for whom they have legal custody
6 or care and control; requiring that applicants to be child and youth care practitioners
7 undergo certain training; and generally relating to residential child care programs.

8 BY repealing and reenacting, with amendments,

9 Article – Education

10 Section 7–309

11 Annotated Code of Maryland

12 (2025 Replacement Volume and 2025 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Health Occupations

15 Section 20–302.1

16 Annotated Code of Maryland

17 (2021 Replacement Volume and 2025 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article – Human Services

20 Section 8–704(8), (10), and (11)

21 Annotated Code of Maryland

22 (2019 Replacement Volume and 2025 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

25 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 7-309.

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

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

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

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

9 (i) Group homes;

10 (ii) Alternative living units; and

11 (iii) Emergency shelter care.

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

15 (1) Shall enroll the child in the local school system where the residential
16 child care program is located unless the residential child care program operates an
17 approved educational program in accordance with the licensing regulations that govern the
18 residential child care program;

19 (2) Shall expeditiously initiate and monitor the transfer of the academic
20 records of a child in the operator’s care from the transferring school to [insure] ENSURE
21 that the academic records are transferred to the school that the child will be attending
22 while living in the operator’s care;

23 (3) (i) May request a meeting with the child’s teachers; [and]

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

27 (III) **SHALL CONTACT THE CHILD’S TEACHER WITH ANY**
28 **QUESTIONS ABOUT SCHOOL ASSIGNMENTS, THE CHILD’S BEHAVIOR AT SCHOOL, AND**
29 **EXTRACURRICULAR OPPORTUNITIES TO SUPPORT THE CHILD;**

30 (4) Shall sign the child’s report card, [insure] ENSURE that the report card
31 is returned to school, and include a copy of the report card in the child’s case record; AND

1 **(5) SHALL ENSURE THAT THE CHILD IS PROVIDED:**2 **(I) REGULARLY SCHEDULED TIME TO STUDY TO SUPPORT THE**
3 **CHILD'S ACADEMIC WORK;**4 **(II) ASSISTANCE WITH HOMEWORK ASSIGNMENTS, PROJECTS,**
5 **AND TEST PREPARATION IN ORDER TO REINFORCE EDUCATIONAL CONCEPTS**
6 **TAUGHT TO THE CHILD;**7 **(III) ENCOURAGEMENT AND SUPPORT FOR PARTICIPATION IN**
8 **EXTRACURRICULAR ACTIVITIES;**9 **(IV) FOR A CHILD WITH AN INDIVIDUALIZED EDUCATION**
10 **PROGRAM UNDER THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT**
11 **OR A 504 PLAN UNDER § 504 OF THE FEDERAL REHABILITATION ACT OF 1973,**
12 **APPLICABLE EDUCATIONAL GOALS TO COMPLETE WITHIN THE RESIDENTIAL CHILD**
13 **CARE PROGRAM THAT ARE CONSISTENT WITH THE CHILD'S PROGRAM OR PLAN;**14 **(V) FOR A CHILD WITH A BEHAVIORAL INTERVENTION PLAN**
15 **UNDER SUBTITLE 11 OF THIS TITLE, BEHAVIORAL SUPPORTS AND GOALS THAT**
16 **REINFORCE THE GOALS OF THE CHILD'S PLAN IN THE SCHOOL SETTING; AND**17 **(VI) FOR CHILDREN DUALLY ENROLLED IN A HIGH SCHOOL AND**
18 **AN INSTITUTION OF HIGHER EDUCATION, ACCESS TO A COMPUTER IN ORDER TO**
19 **COMPLETE ASSIGNMENTS THAT REQUIRE COMPUTER SOFTWARE OR THE INTERNET.**20 **Article – Health Occupations**

21 20–302.1.

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

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

25 (c) The applicant shall have completed:

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

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

29 (d) The applicant shall be:

30 (1) At least 21 years old; or

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

3 (e) The applicant shall have:

6 (2) (i) At least 2 years' experience in the human service field; or

7 (ii) An associate's or bachelor's degree from an accredited college or
8 university.

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

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

2. CHILD DEVELOPMENT:

3. CHILDREN WITH SPECIAL NEEDS:

4. RECOGNIZING DIFFERENCES IN PROCESSING INFORMATION AND THE DIVERSE WAYS CHILDREN LEARN:

7 SUICIDE RISK ASSESSMENT AND PREVENTION: A PRACTICAL PERSPECTIVE

26 **9 COMMUNICATION SKILLS:**

10. PARENTING ISSUES, COLLABORATION WITH FAMILIES AND THE SUPPORT OF CHILDREN.

11. THE PSYCHOSOCIAL AND EMOTIONAL NEEDS OF 2 CHILDREN, FAMILIAL RELATIONSHIPS, AND THE IMPACT OF SEPARATION;

7 14. MEDICATION MANAGEMENT;

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

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

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

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

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

Article – Human Services

27 8-704.

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

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

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

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
7 1, 2026.