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State Superintendent of Schools

BILL: SB 1018 **DATE:** March 12, 2020
SUBJECT: Child Care Centers – Employee Qualifications – Requirements and Application Review **COMMITTEE:** Education, Health, and Environmental Affairs
POSITION: Information Only
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EXPLANATION:

The Maryland State Department of Education (MSDE) is providing information for your consideration regarding Senate Bill (SB) 1018, Education – Child Care Centers – Employee Qualifications – Requirements and Application Review. This bill requires regulations adopted by the State Board of Education to govern the licensing and operation of child care centers to include provisions that –

- allow an individual who holds an Associate Degree (A.A.) or Bachelor’s Degree (B.A.) to qualify as a child care lead teacher if the individual successfully completes the required 90 hours of approved pre–service training within 6 months after being hired;
- require each child care center employee to complete, within 90 days after the date the individual is hired, approved training in: basic health and safety; Americans with Disabilities Act Compliance; and supporting breastfeeding practices; and
- mandate review of an individual’s qualifications for employment in a child care center and approve or deny the application within a 14 days.

SB 1018 has multiple areas of concern. One of these issues is the provision to allow an individual who holds an A.A. or B. A. degree to qualify as a child care lead teacher if the individual successfully completes the required 90 hours of approved pre-service training within 6 months after being hired.

Pre-service training is by definition training that is completed prior to serving as a teachers. The OCC currently allows a child care program to submit a variance to be qualified as a Child Care Teacher if a candidate holds an A.A. or B.A. and they have taken one of the 45 hour courses within the 90 hour and other compensating factors, such as experience. The OCC licensing specialists work with the director of the program to take into account each candidate’s needs. Typically only one variance for teacher qualifications is given for each early childhood program so that there are other staff with qualifications to assist, if needed. A lead teacher with only an A.A. degree or a

B.A. degree in any field without at least one part of the 90 hour pre-service training may put children at risk for health, safety, and educational achievement. This also is in conflict with Maryland's efforts to strengthen – not weaken – teacher requirements.

SB 1018 would require specific training to be completed within 90 days after the hire date: Basic Health and Safety; Americans with Disabilities Act Compliance; and Supporting Breastfeeding Practices. Basic Health and Safety training is already currently required within 90 days of employment. Supporting Breastfeeding Practices training has been embedded in the Office of Child Care (OCC) free, on-line Health and Safety training, which will be available to all providers beginning April 1, 2020. The OCC will propose to the State Board that the pre-service requirement be removed from the regulations; it will essentially also not be required as pre-service and instead within 90 days of employment.

The Americans with Disabilities Act Compliance training is an important pre-service requirement that provides staff with information, strategies, and resources on how to develop and implement an early childhood education environment that is inclusive to all children and families. This training was established as a pre-service requirement due to the high probability that an early childhood teacher will be working with a child who has a disability. Early detection of a disability is key to a child being successful as they grow into their school age years. Teachers must be informed about the law to best meet the needs of children and to not risk non-compliance.

The OCC understands there have been some issues with Personnel Qualification Evaluations in some regions. The OCC is in the process of looking at how it can improve the process. The OCC receives approximately 1,800 applications each month for candidates needing to be qualified. Each licensing specialist currently has a caseload of between 90-130 cases. The specialist's primary responsibility is keeping children healthy and safe. The specialists must visit each child care program at least one time per year, investigate any program complaint that is received during the year, and investigate all illegal child care complaints. They also complete the Personnel Qualification Evaluations. The additional requirement to process a staff person within 14 days is an insufficient time frame. Often times, the OCC must contact colleges and request the class description to verify requirements have been met. Requests for information, especially if out of state, require more than a week for colleges and professional development entities to comply. Licensing specialists are also reviewing and following up on criminal background checks daily to ensure children's safety. If a candidate has a criminal alert, the specialists must go to the courthouse to get court documents or request them from an out-of-state agency.

We respectfully request that you consider this information as you deliberate **SB 1018**. For further information, please contact Tiffany Clark at 410-260-6028 or tiffany.clark1@maryland.gov.