Karen B. Salmon, Ph.D.
State Superintendent of Schools

BILL:	HB 1008	**DATE:**	February 26, 2020
SUBJECT:	Child Abuse and Sexual Misconduct Prevention- Hiring Emergent Employees	**COMMITTEE:**	Ways and Means
POSITION:	Information Only		
CONTACT:	Tiffany Clark 410-260-6028 (Annapolis) tiffany.clark1@maryland.gov		

EXPLANATION:

The Maryland State Department of Education (MSDE) is providing information for your consideration regarding House Bill (HB) 1008, Education – Child Abuse and Sexual Misconduct Prevention- Hiring Emergent Employees. This bill authorizes county boards and nonpublic schools to hire an applicant as an "emergent applicant" during a period (not to exceed 60 days) pending the review of previous employment records relating to child abuse and sexual misconduct.

House Bill 1008 allows a county board or nonpublic school the ability to hire an emergent applicant if the applicant provides all information and supporting documentation required to conduct the employment history investigation. An individual may only be employed in this manner if the employer is not aware of information that would disqualify the applicant, affirms that the applicant is not disqualified from employment, and does not allow the applicant to work alone with minors. The bill stipulates that within the period pending the review of employment history, a county board or nonpublic may rescind the offer of employment, dismiss the employee, or complete the hiring process.

Additionally, the bill authorizes a county board to share the results of an employment history review with other county boards. In Maryland, each county board is its own employer. This provision allows one prospective employer to share the results of an investigation with another prospective employer, essentially providing information to another organization that does not have permission to gather this information from the applicant. Furthermore, the bill allows a prospective employer to use the information gathered by other prospective employers in place of completing their own employment history review.

The MSDE is in the process of adopting regulations that carry out the provisions of Education Article 6-113.2. Since passed in 2019, the law has required substantial operational and fiscal impacts to Maryland public schools, nonpublic schools, and contracting agencies that provide services to Maryland schools.

We respectfully request that you consider this information as you deliberate **HB 1008**. For further information, please contact Tiffany Clark at 410-260-6028 or tiffany.clark1@maryland.gov.