

HB1254_Child_Care_Centers_Criminal_Records_Check_M

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR HB1254
Child Care Providers - Criminal History Records Checks and Abuse and Neglect
Clearances - Requirements

Bill Sponsor: Delegate Wells

Committee: Education, Energy, and the Environment

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: **FAVORABLE**

I am submitting this testimony in favor of HB1254 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

This bill, if enacted, would require individuals who apply for a position that would require them to interact directly with children to submit to a criminal history check. It would also stand up a unit within the Department of Education that would be staffed by credentialing specialists in the regional child care licensing offices throughout the state. That unit would be responsible for processing the history checks and maintaining a list of individuals who have passed a criminal history check. The criminal history checks would have to be repeated every 5 years.

Our children are precious to us all and keeping them safe from harm is an important goal. Ensuring that the people who are caring for them when they are in a child care situation do not have criminal records is critical. Our members support this bill and recommend a **FAVORABLE** report in committee.

HB1254 CPMC FAV.pdf

Uploaded by: Diana Philip

Position: FAV

THE COALITION TO PROTECT MARYLAND'S CHILDREN

Our Mission: To combine and amplify the power of organizations and citizens working together to keep children safe from abuse and neglect. We strive to secure the budgetary and public policy resources to make meaningful and measurable improvements in safety, permanence, and well-being.

Testimony before the Senate Education, Energy, and Environment Committee
HB1254 – Child Care Providers – Criminal History Records Checks and Abuse and Neglect Clearances -
Requirements
March 27, 2024

Position: SUPPORT

The Coalition to Protect Maryland's Children (CPMC) is a consortium of Maryland organizations and individuals formed in 1996 to promote meaningful child welfare reform. CPMC **supports** passage of HB1254 – Child Care Providers – Criminal History Records Checks and Abuse and Neglect Clearances – Requirements.¹

HB1254 would create a unit within the Maryland State Department of Education (MSDE) to process and manage information about criminal history record checks for individuals providing childcare services. It also spells out that both criminal background checks and child abuse and neglect clearances from the Department of Human Services are valid for a five-year period. It appears that this will require repeating both background checks every five years.

The creation of a state unit for conducting background checks would streamline the pre-employment background check process that childcare staff and volunteers must complete per federal requirements and would ensure consistent interpretation of background check policies. Currently, the process is completed by individual county licensing offices who may interpret policies differently and may not share information.

A requirement for repeat criminal and child abuse and neglect clearances would improve the protection of children who attend licensed childcare. Currently, childcare centers are notified if there is a report of suspected maltreatment occurring at their facility. Notification does not occur if abuse occurs outside of the facility. Without requiring repeat clearances, it is possible that a childcare provider might physically or sexually abuse a child who does not attend the childcare center, and the individual could continue caring for children, putting these children at risk for harm.

CPMC requests clarification of language in several parts of the bill. The five-year validity of the clearance doesn't explicitly state whether the clearance will need to be repeated every five years, or whether the clearance can be made available to other employers for five years. The intent should be clarified. Additionally, the sponsors should consider including the task of gathering DHS child abuse and neglect clearances as an additional responsibility of the state background check unit. This would further streamline the background check process.

Clearer, more consistent, and updated information about criminal and CPS maltreatment determinations will protect children and reduce the likelihood of maltreatment. A dedicated unit within MSDE would streamline this process and could reduce the time needed for obtaining the background checks, potentially putting prospective employees to work more quickly.

For these reasons we recommend a favorable committee report on HB1254 – Child Care Providers – Criminal History Records Checks and Abuse and Neglect Clearances – Requirements

¹ CPMC members in support of HB1254 include Center for Hope, Citizens Review Board for Children, FCN Foundation, Franklin Law Group P.C., Maryland Chapter of the American Academy of Pediatrics, Maryland Children's Alliance, MOMCares, National Association of Social Workers – Maryland, Tim Briceland-Betts (individual), and Diana Philip (individual).

HB1524 Senate Testimony.pdf

Uploaded by: Lisa Kovacs

Position: FAV



March 27, 2024

SUPPORT – HB1254 - Child Care Providers - Criminal History Records Checks and Abuse and Neglect Clearances - Requirements

Dear Senators:

On behalf of the Anne Arundel Early Childhood Coalition, I am writing in support of HB1254 to support an office within the Maryland State Department of Education to be dedicated to processing criminal background checks. The Early Childhood Childcare Taskforce is a group of stakeholders who work within the early childhood education field including government agencies, childcare providers, and nonprofits. Anne Arundel County Executive Stuart Pittman signed the executive order in February 2024 to create the taskforce, showing Anne Arundel's commitment to solving issues related to the childcare industry. Having a dedicated unit with MSDE for background checks will provide a mainstream process.

HB1254 will create a dedicated unit with MSDE to review background checks, but will also ensure the decisions are created in a timely manner. This bill will hold MSDE accountable to notify applicants within 10 days of receipt of application materials and within 45 days of the decision. Providers have expressed concerns in regards to how long they have waited for responses on background check submissions, and this bill will potentially alleviate these issues. The early childhood field is experiencing a crisis when it comes to recruiting staff, and addressing background check wait time will get people hired more quickly to fill open positions with childcare providers. Children's safety will still be prioritized, and allow them to access the early childcare they deserve.

We urge you to support HB1254, Child Care Providers - Criminal History Records Checks and Abuse and Neglect Clearances - Requirements to create a more streamlined process for background checks for early childhood professionals, which will then better serve our youngest children.

Sincerely,

A handwritten signature in black ink that reads "P M Brown".

Pamela M. Brown, PhD
Chair

HB 1254 Molly McGriff Testimony .pdf

Uploaded by: Molly McGriff

Position: FAV

Good afternoon chair and vice chair,

My name is Molly McGriff. I am the Sr Director of United for Childcare with the United Way of Central Maryland. I'm here today in support of **House Bill 1254**.

I have worked in childcare licensing in New York and Maryland. I have seen first-hand the policies and procedures I will be discussing today.

House Bill 1254 strengthens protections for children at no cost. All existing childcare background checks will remain, but they will be done more efficiently, so that people can start working faster.

Childcare is essential to our economy. In "Counting our Losses", Maryland Family Network estimates childcare disruptions cost Maryland employers 2.41 billion dollars and reduced the state's economic output by 1.28 billion dollars in 2016 alone.

HB 1254 aims to address one key piece of the childcare staffing crisis. Workers in licensed childcare programs cannot begin work until the program is notified by MSDE's Office of Childcare that the individual has passed comprehensive background checks. The background checks are numerous and complex, comprising 6-9 or more different background checks. Delays in background check results keep staff out of classrooms, which cannot operate without meeting strict adult to child ratios.

HB 1254 will require Maryland State Department of Education's Office of Childcare to create a dedicated team to process childcare background checks, freeing up the remaining licensing specialists to complete their other duties. The dedicated team will be more efficient and will create consistency between jurisdictions. When I was a licensing specialist, I spent about 70% of every day working on processing staff moving between programs. When I talk to licensing specialists, they are very excited about this idea. It's truly what's needed. No special staff need to be hired, simply rearrange the job duties of the 100 licensing specialists on staff at Office of Childcare.

HB 1254 will also require clear and timely communication from Office of Childcare. Child care programs will have clarity on whether staff are approved to start work and applicants will know if their paperwork is incomplete complete within 10 days.

We have worked hard to ensure this bill, with its amendments, meets the needs of those impacted. I ask that you support the passing of HB 1254 so we can ease the staffing crisis in childcare and get people to work. Thank you.

hb1254 fav marfy.pdf

Uploaded by: Tyahna Arnold

Position: FWA



February 28, 2024

**House Bill 1254- Criminal History Records Checks and Abuse and Neglect Clearances-Requirements
House Ways and Means Committee**

Position: SUPPORT

The Maryland Association of Resources for Families and Youth (MARFY) is an association of private child caring organizations providing foster care, group homes, and other services through more than 200 programs across Maryland. The members of MARFY represent providers who serve Maryland's most vulnerable children who are in out of home placements due to abuse, neglect or severe mental health, and medical needs. We operate group homes, treatment foster care programs and independent living programs, primarily serving the foster care population as well as a juvenile services population.

MARFY writes to support House Bill 1254, which mandates a comprehensive criminal history record checks and child abuse and neglect clearances for individuals seeking employment or volunteer positions involving direct contact with children in licensed childcare centers, registered family care homes, or registered large family childcare homes. This bill represents a crucial step forward in ensuring the safety and well-being of our children, and we commend Delegate Wells for introducing it.

Furthermore, the bill enforces enhanced child safety measures which is a standard for prospective employees, volunteers, or any additional adults having direct contact with children to undergo a criminal history records check. Implementing this measure will significantly mitigate the risk of endangering child welfare and ensure that only individuals with clear backgrounds are allowed to work in such sensitive positions.

Overall, House Bill 1254, is a thoughtful, necessary, and forward-looking piece of legislation. It addresses a critical need for enhanced safety measures in childcare settings, reflecting our collective responsibility to protect the most vulnerable

members of our society. **It is for these reasons we politely ask for a favorable report on House Bill 1254.**

For more information call or email:

Therese M. Hessler | 301-503-2576 | therese@ashlargr.com

1500 Union Avenue, Suite 2500, Baltimore, MD 21211
410-727-6367 | www.marylandnonprofits.org



Maryland Association of
Resources for Families & Youth

HB 1254_MFN_UNFAV_Morrow_Background-X-OVER_.pdf

Uploaded by: Beth Morrow

Position: UNF



Testimony Concerning HB 1254
“Child Care Providers - Criminal History Records Checks and
Abuse and Neglect Clearances - Requirements”
Submitted to the Senate Education, Energy, and the Environment Committee
March 27, 2024

Position: Oppose

Maryland Family Network (MFN) opposes HB 1254, which would undercut important provisions around criminal history records checks and abuse and neglect clearances for child care providers and parties associated with child care programs.

MFN has worked since 1945 to improve the availability and quality of child care and early childhood education as well as other supports for children and families in Maryland. We have been active in state and federal debates on child care policy and are strongly committed to ensuring that children, along with their parents, have access to high-quality, affordable programs and educational opportunities.

Currently, the Maryland State Department of Education’s Office of Child Care (OCC) regional licensing staff review and process in-state and out-of-state criminal background clearances and child abuse and neglect records for child care providers. The submission and review of these records is a critical component of measures designed to safeguard children’s safety in child care programs. Without additional resources dedicated to the background check process, provisions of this bill raise significant capacity concerns for already overextended OCC staff.

Among the bill’s flaws is an apparently inadvertent decrease in the frequency of child abuse checks. While this is not our only concern, it buttresses our belief that this bill needs more deliberate consideration and further vetting. In light of issues raised by Maryland State Department of Education’s OCC in their letter of information submitted to the Ways & Means Committee, MFN requests that additional time and study be undertaken before potentially compromising a system so crucial to child safety.

MFN respectfully urges an unfavorable report on HB 1254.



HB 1254_Maryland Center on Economic Policy_UNF.pdf

Uploaded by: Christopher Meyer

Position: UNF

Background checks for child care providers require a timely process

Position Statement in Opposition to House Bill 1254

Given before the Senate Committee on Education, Energy, and the Environment

Child care is critically important for Maryland’s families. It enables parents to pursue their careers knowing that their children are in good hands. As introduced, House Bill 1254 had potential to strengthen Maryland’s child care system by ensuring that child care centers had safe and appropriate staff, and providing state support to make that possible. However, as amended, House Bill 1254 increases hiring barriers for child care providers, promises little state support with background checks, and conflicts with federal law – all in service of cutting costs. **For these reasons, the Maryland Center on Economic Policy opposes House Bill 1254** as amended.

While background checks for prospective child care workers are a reasonable safety measure, House Bill 1254 as amended places no limit on how long the state can take to provide results to providers, which creates a severe hiring barrier at a time when the child care industry already faces a significant workforce shortage. Conditioning basic public services on “the availability of existing resources” at a time when the state faces multibillion-dollar deficits nearly guarantees that services will not be provided in a timely manner, in possible violation of federal regulations.ⁱ This reflects a set of upside-down priorities, undermining Maryland’s child care system rather than raising the revenue needed to support a safe and effective system.

An effective child care system ensures that parents are able to work in order to provide for the families while at the same ensuring that their children are receiving the care and learning they need at a critical time in childhood development. Widespread access to high quality child care is also essential for Maryland businesses and the health of our economy. The Office of the Comptroller’s 2024 “State of the Economy” report found that rising child care costs are one of the most significant factors preventing women from rejoining the traditional labor force and that Maryland has seen a greater decline in the number of women working or actively seeking work than the national average.ⁱⁱ Maryland’s lower labor force participation rate is making it more challenging for businesses to hire the workers they need.

For these reasons, the Maryland Center on Economic Policy respectfully requests that the Senate Committee on Education, Energy, and the Environment make an unfavorable report on House Bill 1254.

Equity Impact Analysis: House Bill 1254

Bill summary

As introduced, House Bill 1254 would have required prospective child care workers to obtain a criminal background check, and established a process for the state to provide necessary information in a timely manner.

As amended, the bill makes all related state agency responsibilities subject to the availability of existing resources.

Background

Chapter 226 of 2023 creates similar requirements for certain youth camp applicants and requires a written determination within three days, not conditional on resource availability.

Equity Implications

As amended, House Bill 1254 would worsen gender inequity in Maryland by making the state's child care system less effective. Insufficient access to child care places an especially high burden on women, who in most families still carry a greater share of child care responsibilities than men:

- 57% of working mothers with children under 12 reported difficulty handling child care as of October 2020, compared to 47% of fathers.
- Working mothers are also more likely than working fathers (including remote and in-person workers) to report cutting their work hours, having their dedication to work questioned, or even missing out on a promotion because of child care responsibilities.

Impact

House Bill 44 would likely **worsen gender inequity** in Maryland.

ⁱ <https://www.govinfo.gov/content/pkg/CFR-2023-title45-vol1/pdf/CFR-2023-title45-vol1-sec98-43.pdf>

ⁱⁱ "State of the Economy," Office of the Comptroller, 2023 <https://www.marylandtaxes.gov/reports/static-files/SOTE.pdf>

HB 1254 LOO 3.26.24.pdf

Uploaded by: Dr. Carey Wright

Position: UNF

TO: Senate Education, Energy, and the Environment Committee
BILL: House Bill (HB) 1254 – Child Care Providers – Criminal History Records Checks and Abuse and Neglect Clearances – Requirements
DATE: March 27, 2024
POSITION: Oppose

EXPLANATION:

The Maryland State Department of Education (MSDE) and the Maryland State Board of Education (State Board) respectfully oppose House Bill (HB) 1254 - Child Care Providers - Criminal History Records Checks and Abuse and Neglect Clearances – Requirements, which requires the Department, subject to the availability of existing resources, to establish a dedicated unit to process criminal history record checks for individuals seeking positions in child care across the State.

While MSDE is in support of guidelines and initiatives intended to keep children safe, the Agency notes concerns with several components of the bill. First, HB 1254 would require Child Protection Services (CPS) record clearances on a five-year basis, as opposed to the current requirement of submitting release forms every two years. During that time frame, if CPS fails to notify MSDE’s Office of Child Care (OCC) of a pending CPS investigation or finding, the OCC would not be able to determine the suitability of employment for an individual until the next clearance is completed. Unlike the Criminal Justice Information System (CJIS) system for fingerprinting personnel, the CPS clearance process is not automated. The change in the CPS background check timeframe creates a serious risk to child safety.

Currently, the OCC’s regional licensing staff reviews and processes in-state and out-of-state criminal background clearances and child abuse and neglect records for all providers, adult residents, child care staff, and associated parties. For the 2022 calendar year, there were more than 75,000 associated parties in the child care database and 101,776 in state criminal background clearances that were received and processed. The processes for receiving, reviewing, and investigating the in-state background checks are determined based on the Federal mandates of the CJIS and Child Care and Development Block Grant (CCDBG). Any operational changes to the processing of the in-state criminal background clearances would need to be in alignment with federal requirements and approved by CJIS.

Under current procedures, if the Agency receives an “alert” (for prospective staff) and/or a “hit” (for employed staff) in regard to a criminal charge, the OCC is required to obtain court records regarding the incident and determine whether it took place in-state or out of state, which involves further engagement with the courts and law enforcement agencies involved. The OCC also partners with the local Department of Human Services (DHS) Child Protection Services (CPS) offices to review initial child abuse and neglect records for providers, adult residents, child care staff, and associated parties and every two years thereafter. Given the policy changes in HB 1254, MSDE registers major concerns with the new five-year time frame for CPS clearances. Additionally, it should be noted that in some cases, the OCC must request additional records from DHS to determine the suitability of employment. As part of this process, the OCC may be required to obtain additional CPS records and has no control over the time frame for obtaining this information.

Lastly, HB1254 recommends that a Credentialing Specialist in the regional licensing offices process the background checks. OCC does not have any Credentialing Specialist positions. As mentioned, the current licensing staff are tasked with obtaining the clearances. Given the timeframes specified in the bill, which may not be attainable due to the timeframes of outside agencies, it would be imperative that licensing staff receive overtime compensation in order to meet the requirement of HB 1254. The OCC recently filled the 126 licensing positions to maintain manageable caseloads in accordance with the federal CCDBG standards, and the additional responsibilities of this bill raise capacity concerns for these individuals.

MSDE seeks to draw awareness to additional challenges the Agency would face in its efforts to operationalize this legislation. First, considering that the criminal background clearances and child abuse and neglect records come from other agencies such as the Department of Human Services (DHS) and the Criminal Justice Information System (CJIS), the Department cannot guarantee the timeframes specified for the clearances. Thus, statutory language would need to account for these factors outside the Agency's control by making the timelines flexible.

Additionally, MSDE previously provided information indicating that the Department does not have the capacity to absorb the additional work as outlined in HB 1254 without added resources. While MSDE notes amendments to the bill, specifically subsection (A), attempt to provide flexibility for implementation based on the Agency's resources, MSDE is concerned that the language is impermissibly vague. Subsection (A) states the statute is contingent on "the availability of existing resources" but the rest of the statute relies on mandatory language (i.e. "shall"). The language of the bill, as amended, creates legal ambiguity around the mandatory nature of the provisions of the proposed statute, unnecessarily complicating the implementation of any adopted language.

In summary, while MSDE recognizes the need for comprehensive criminal history record checks and child abuse and neglect clearances that will ensure the health and well-being of our children, the Department cannot extend its support to HB1254 with these outstanding concerns around child safety and without proper consideration for the operational and fiscal impact to the agency. The Department requests that this initiative be revisited in the interim period to allow opportunities for collaboration.

The Department and the State Board respectfully request that the committee consider this information on **HB 1254**. Please contact Dr. Akilah Alleyne, Executive Director of Government Affairs, Education Policy, and Government Relations, at Akilah.alleyne@maryland.gov or at 410-767-0504 or Zach Hands, Executive Director of the State Board, at Zachary.hands1@maryland.gov or at 443-915-6094, if you would like any additional information.

HB 1254 - OPP - EEE - Child Care providers Crimina

Uploaded by: Henry Bogdan

Position: UNF



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March 27, 2024

Testimony on House Bill 1254
**Child Care Providers - Criminal History Records Checks and Abuse and Neglect
Clearances - Requirements**
Senate Education, Energy, and the Environment Committee

Position: Oppose/Amend

Maryland Nonprofits is a statewide association of more than 2000 nonprofit organizations and institutions. We must urge you to oppose House Bill 1254 as it has been amended in the House of Delegates.

The House passed version of HB 1254 goes against the original intent of the bill, creating a law that on its face allows MSDE and the Department of Human Services to ignore federal requirements, excusing in some cases failure to meet even worst case federal deadlines on the basis that they lack adequate staff or resources.

The bill's original intent was understood to mandate compliance with a maximum 45-day limit in federal regulations. As a practical matter, if anything even approaching that amount of time becomes the operating standard for these agencies, it will have serious negative impacts for early childhood learning centers and other day care/child care providers. When new staff are hired, or are needed to replace staff leaving, dismissed, or on extended sick leave, delays of two or three weeks in hiring, or putting a replacement in the classroom or center can be disruptive of care, family circumstances and employment situations.

Deadlines and requirements that are mandated will normally get priority for resources over those that can be excused. With state funding tight and structural deficits uncorrected, and the state working to boost employment and the economy, this is not the time for a measure that jeopardizes such an important workforce support.



Maryland Nonprofits' mission is to strengthen organizations and networks for greater quality of life and equity.

HB1254 Oppose as Amended Child Care Providers – C

Uploaded by: Sarah Miicke

Position: UNF

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WRITTEN TESTIMONY

House Bill 1254 – Child Care Providers – Criminal History Records Checks and Abuse and Neglect Clearances – Requirements

Education, Energy and the Environment Committee

March 27, 2024

Oppose as Amended

MEMBER ORGANIZATIONS

Adat Chaim Congregation
 American Jewish Committee
 Americans for Peace Now
 Baltimore Chapter
 American Israel Public Affairs Committee
 American Red Magen David for Israel
 American Zionist Movement
 Amit Women
 Association of Reform Zionists of America
 Baltimore Board of Rabbis
 Baltimore Hebrew Congregation
 Baltimore Jewish Green and Just Alliance
 Baltimore Men's ORT
 Baltimore Zionist District
 Beth Am Congregation
 Beth El Congregation
 Beth Israel Congregation
 Beth Shalom Congregation of
 Howard County
 Beth Tfiloh Congregation
 B'nai B'rith, Chesapeake Bay Region
 B'nai Israel Congregation
 B'nai Jacob Shaarei Zion Congregation
 Bolton Street Synagogue
 Chevra Ahavas Chesed, Inc.
 Chevrei Tzedek Congregation
 Chizuk Amuno Congregation
 Congregation Beit Tikvah
 Congregation Tiferes Yisroel
 Federation of Jewish Women's
 Organizations of Maryland
 Hadassah
 Har Sinai - Oheb Shalom Congregation
 J Street
 Jewish Federation of Howard County
 Jewish Labor Committee
 Jewish War Veterans
 Jewish War Veterans, Ladies Auxiliary
 Jewish Women International
 Jews For Judaism
 Moses Montefiore Anshe Emunah
 Hebrew Congregation
 National Council of Jewish Women
 Ner Tamid Congregation
 Rabbinical Council of America
 Religious Zionists of America
 Shaarei Tfiloh Congregation
 Shomrei Emunah Congregation
 Suburban Orthodox Congregation
 Temple Beth Shalom
 Temple Isaiah
 Zionist Organization of America
 Baltimore District

The Baltimore Jewish Council Represents the Associated Jewish Community Federation of Baltimore and all its agencies, as well as the organized Jewish community of Greater Baltimore. The Associated's Jewish Community Center's (JCC'S) operate Early Childhood Learning Centers (ECLC) and there are several other Jewish childcare centers in our area. We understand the positive intent of the unamended bill and were originally supportive with amendments (not included in the passed amended version) but we must oppose the bill as amended. The House passed version of the bill goes against the original intent of the bill, creating a law that allows MSDE and the Department of Human Services to ignore federal requirements, ultimately harming all childcare centers in Maryland.

Currently it is standard practice that larger ECLC's independently fingerprint and run that information through CJIS, generally receiving those results in 24-48 hours, enabling them to hire staff while they wait for Department of Human Service's and MSDE's clearance. However, we understand that due to a change in Federal law, private entities will no longer have access to FBI CJIS results which are needed to approve a job application for a childcare instructor.

HB1254 in its original posture gave up to 45 days for the Department and MSDE to let childcare centers know whether a person is eligible for employment and 10 days for an applicant to know the status of their application. This is language taken from the Federal requirements which state that;

“Background check results. (1) The State, Territory, or Tribe shall carry out the request of a child care provider for a criminal background check as expeditiously as possible, but not to exceed 45 days after the date on which the provider submitted the request, and shall provide the results of the criminal background check to such provider and to the current or prospective staff member.”¹

We understand currently that MSDE and the Department of Human Services do not always get that information to ECLC's and other childcare centers within that timeframe, which is the reason for this bill. However, 45 days would mean childcare centers having to shut down classrooms, leaving both the childcare centers and parents in a bind if there is a staff turnover. During a time when over 700 childcare centers closed during covid in Maryland, where we have childcare staffing crisis, 45 days is far too many.

¹ <https://www.govinfo.gov/content/pkg/CFR-2023-title45-vol1/pdf/CFR-2023-title45-vol1-sec98-43.pdf>

A similar bill (SB708 2023) was introduced and passed last year around camp counselors.² We were able to work with the Department of Health and amend the bill to require a 3-business day turn-around period to notify the entity if a staffer was approved and passed their background check.

We had asked that HB1254 be similarly amended, with the understanding that childcare centers require more background checks. We asked to amend the 10-day status notice to 5-business days and the 45-day clearance notification to 7-business days. While this would still be burdensome, it is more reasonable and would be less detrimental to childcare centers and families that rely on them throughout the state. However, these amendments were not added to the bill.

Instead, HB1254, as amended in the House, puts into statute that the State can negate federal requirements by codifying that the MSDE and the Department of Human Services do not need to meet the 45-day rule if they do not have enough staff/ and/or resources. This not only goes against the intent of the original bill, it codifies the problem the bill aimed to address by giving MSDE and the Department of Human Services a legal out for the 45-day requirement.

For these reasons we ask for an unfavorable report on HB1254 as amended.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of the Associated Jewish Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.

² https://mgaleg.maryland.gov/2023RS/chapters_noln/Ch_226_sb0708T.pdf

Y of Central MD HB1254 UNF.pdf

Uploaded by: Tyler Bennett

Position: UNF



FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

THE Y IN CENTRAL MARYLAND
ANNE ARUNDEL COUNTY • BALTIMORE CITY • BALTIMORE COUNTY • CARROLL COUNTY • HARFORD COUNTY • HOWARD COUNTY

Dear Members of the Senate Education, Energy, and the Environment Committee,

The Y in Central Maryland (The Y) is submitting this written testimony to oppose House Bill 1254, particularly the proposed amendment subjecting the 45-day requirement in the bill to the availability of existing resources within the central repository and the Maryland Department of Human Services. We believe this language in particular further opens the door to reporting delays which jeopardizes the ability to maintain adequate staffing, particularly in cases where positions need to be filled as quickly as possible.

The implementation of this amendment would undoubtedly lead to a myriad of adverse consequences for our community members, the childcare workforce, and childcare providers. We urge the committee to consider the following points:

- **Undue Hardship on Community Members and Childcare Workforce:** The demand for childcare services in Central Maryland far exceeds the current supply. By extending the wait time for practitioners to be cleared to start providing childcare services, this amendment would further exacerbate the issue, limiting access to essential childcare workers to programs for families in need.
- **Financial Burden on Childcare Providers:** The cost associated with paying candidates during the extended waiting period for clearance cannot be absorbed by childcare providers alone. Passing these costs onto consumers would create an additional financial burden for families already struggling to afford quality childcare services.
- **Disproportionate Impact on Individuals Experiencing Poverty:** The economic ramifications of this amendment disproportionately affect individuals and families experiencing poverty. Delayed access to childcare services can hinder parents' ability to work or pursue education, perpetuating the cycle of poverty within our communities.
- **Impact on Diversity in the Workforce:** The childcare workforce in the State of Maryland is predominantly comprised of women of color. Lengthy clearance procedures often result in qualified candidates seeking alternative employment opportunities, further exacerbating diversity and representation issues within the workforce.
- **Operational Challenges for Childcare Organizations:** Childcare organizations will face significant operational challenges as a result of this amendment. Extended wait periods for clearance force providers to identify additional employees to maintain adequate staffing levels, leading to a direct loss of the educational investment made in these individuals.

A charitable, cause-driven organization working for community well-being.

The Y.™ For a better us.