

Maryland State Child Care Association

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***Caring For Maryland's Most
Important Natural Resource™***

The Maryland State Child Care Association (MSCCA) is a non-profit, statewide, professional association incorporated in 1984 to promote the growth and development of child care and learning centers in Maryland. MSCCA has over 5500 members working in the field of child care/early childhood education. We believe children are our most important natural resource and work hard to advocate for children, families and for professionalism within the early childhood community.

Testimony: SB 770: Applicants for Positions Involving Direct Contact With Minors-Required Information, Review Process, and Reporting -Alterations

Submitted to: Education, Energy, and Environment Committee

Feb 21, 2025

Maryland State Child care Association supports with **amendments** SB 770.

MSCCA understands and appreciates the intent of SB 770 to ensure safe environments for children and agree that all those working with children complete necessary criminal background checks and training.

MSCCA recommends the following friendly amendments in order to avoid duplicity, avoid undue burden, and include all licensed child care providers in the legislation:

1. Maryland has some of the strictest regulations in the country for licensed child care. SB 770 is duplicative based on the fact that all the criminal background checks required in this bill, including Federal/National FBI, state background notarized child abuse and neglect checks, sex offenders registry check – all eight levels and the rap back program are already required for everyone working in child care settings before they are hired and are completed for staff every five years (in some sections, every two years). The background checks are submitted to the licensing authority for child care, which is Maryland State Department of Education, therefore this component of the bill is unnecessary and we do not want to add undue burden or use multiple agencies in this process as we need parents to work and must not hold up the system to hire. **We ask to eliminate child care in SB 770 related to criminal background checks, as it is unnecessary and duplicative.**

Federal and state laws require child care providers in Maryland to perform background checks on their staff. These checks include criminal history checks, sex offender registry checks, and child abuse and neglect registry checks. Child care providers must perform background checks on all staff members. Background checks must be performed at least every five years. Background checks must include an FBI criminal history check and an NCIC National Sex Offender Registry check.

Additionally, Maryland has its own rap-back program that sends electronic notifications to the Office of Child Care when a triggering event occurs. Maryland requires fingerprints to be submitted electronically using approved live scan fingerprinting units. Maryland may require a shorter period for some checks, such as child protective services clearances every two years.

https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/occ_1260releaseinformationall-112015.pdf

2. **MSCCA recommends amendment to add the “ Boundary-Violating Behavior” description and information as part of the required, pre-service, online basic health and safety training in regulation for all working in child care, including the 4,500 Family Child Care Providers and Child Care Centers, as SB 770 does not include all licensed child care, which lacks the intended equity and safety necessary for children.**

MSCCA requests favorable with **amendments** in testimony.