



FOR YOUTH DEVELOPMENT
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Senate Bill 359 – Child Care Facilities - Criminal History Records Check - Requirement

Education, Energy, and the Environment Committee
February 18, 2026

INFORMATIONAL

Good afternoon, Mr. Chair and members of the Committee.

My name is James Torrence, Executive Director of the Maryland Alliance of YMCAs, which represents six independent YMCA associations serving children and families across Maryland. Collectively, our Ys **serve 421,346 Marylanders** from early childhood through older adulthood.

Maryland Ys and Y-affiliated programs operate across **12 jurisdictions**, providing safe, stable, and affordable care that supports working families and children’s development throughout the state. This footprint reflects sustained investment in quality programs and the Y’s role as a trusted provider, with **more than 130 Maryland EXCELS-licensed childcare and Head Start programs**. In addition, Ys **partner with 200 local schools and leads 28 community schools**, supporting student success through wraparound services, enrichment, mentorship and family engagement. **More than 52,000 children** are served annually through Y childcare, afterschool, and summer programs.

Because of our scale, compliance with background check requirements is not abstract, it is a daily operational responsibility. Ys already conduct comprehensive screenings, including:

- Maryland State criminal history record checks;
- FBI national fingerprint-based background checks; and
- Child abuse and neglect registry checks.

We strongly support rigorous screening standards to protect children and maintain public trust. Senate Bill 359 would centralize the review and maintenance of criminal history record checks within MSDE and expand the probationary hiring period to include teachers serving children age two and older.

While we appreciate efforts to improve efficiency and consistency, the fiscal note raises a significant federal compliance concern. Department of Public Safety and Correctional Services advises that the FBI requires each authorized agency to manage its own national background checks and may not permit Maryland State Department of Education to operate as a centralized hub for checks conducted under other statutory authorities. If the FBI does not approve this structure, Maryland could temporarily lose the ability to conduct national fingerprint-based checks until corrective action is taken.

For Ys, even a short interruption would have immediate consequences such as delaying onboarding, disrupting staffing ratios, reducing classroom capacity and impacting families who rely on stable, continuous care to remain in the workforce.

With respect to the probationary expansion, allowing teachers serving two-year-olds to begin under probation may provide some workforce flexibility in a challenging hiring environment. However, any expansion must remain carefully aligned with training requirements, licensing standards, and federal compliance obligations to ensure safety and program quality are not compromised.

Maryland Ys remain committed to strong safety standards, operational clarity and continuity of care for families. We respectfully urge careful attention to the federal alignment issues identified in the fiscal note to avoid unintended disruption to national background check authorization.

Thank you for your consideration.

Point of Contact

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