
TO: House Ways and Means Committee

BILL: SB 359 - Child Care Facilities - Criminal History Records Check - Requirement

DATE: March 25, 2026

POSITION: Support

The Maryland State Board of Education (State Board) and State Department of Education (MSDE) extend their support for SB 359 - Child Care Facilities - Criminal History Records Check - Requirement as amended. This legislation proposes three important changes to strengthen Maryland's early childhood education system: (1) Repealing the limitation on the number of Deputy State Superintendents of Schools that the State Superintendent may appoint; (2) Establishing a centralized unit within the Department for processing and managing criminal history records checks; and (3) Altering the applicability of probationary employment qualifications for first-time center-based child care teachers to include preschool children who are at least two-years-old, rather than the current standard of three- years-old.

The State Board and MSDE support the amendments put forward by both chambers of the General Assembly. These amendments clarify that the Department's criminal background check processes align with federal law and set an implementation date of on or before June 30, 2027, allowing sufficient time to plan for and implement the new centralized unit within current resources. Additionally, MSDE fully supports the requirement to assess the efficiency and timeliness of application processing. The Department welcomes the opportunity to identify areas for continuous quality improvement while upholding standards of safety and compliance. This requirement aligns with MSDE's commitment to fostering a strong culture of ongoing quality improvement and learning.

Elevating Early Childhood Leadership

Removing the cap on Deputy State Superintendent appointments allows MSDE to establish a deputy-level position that reports directly to the State Superintendent and is dedicated to early childhood education (ECE), elevating it not only within MSDE but across Maryland and its broader interest holder ecosystem. Reflecting a national trend to prioritize birth-to-age-eight ECE, this structure ensures that ECE perspectives are fully integrated into agency decision-making, shaping policy, funding, and strategic priorities. This leadership role is critical for aligning systems, strengthening cross-agency partnerships, and signaling that early childhood education is foundational to Maryland's educational and economic future. This change is budget-neutral and can be done within MSDE's current resources.

Centralized Criminal Background Unit (CCBU)

Child care centers experience high rates of staff turnover, and each staff person must undergo fingerprinting and background checks for their current employer. The MSDE Child Care Licensing Branch processes approximately 78,000 background checks annually, managed by licensing specialists on regional teams who currently balance these tasks with other critical responsibilities. Each specialist oversees an average of 70-80 cases, including child

care centers, family child care homes, large family child care homes, and letter of compliance facilities. While the number of employees varies by type of setting and location, child care centers have an average of 10 employees per center, all of whom are subject to background check requirements. Processing background checks requires checking multiple data systems and accounts for a disproportionate amount of specialists' time, in addition to specialists' other licensing responsibilities that help ensure the health and safety of children in child care.

Establishing a Centralized Criminal Background Unit (CCBU) that allows licensing specialists to specialize in managing background checks has the following potential benefits:

- Increases efficiency by streamlining processing and reducing turnaround times, as centralization allows for specialized staff and optimized workflows.
- Reduces administrative burden, allowing licensing specialists to focus on core duties.
- Improves accuracy and compliance, ensuring uniform application of regulatory requirements across regions, thus reducing errors and improving audit readiness.
- Generates cost savings by consolidating tasks and minimizing inefficiencies.
- Strengthens child safety as specialized staff ensure thorough and timely checks and improved tracking of renewals and out-of-state verifications.

Expanding Probationary Teacher Eligibility

The legislation also addresses workforce challenges by allowing probationary employment for teachers serving preschool children as young as two-years-old. Currently, probationary status applies only to classrooms with children aged three and older. This change will:

- Broaden the hiring pool, expanding access to qualified candidates.
- Align staffing with classroom demand for younger children, enabling child care centers to fill positions more quickly.
- Create accessible pathways for new hires, improving retention and continuity of care.
- Support program growth and meet family needs, ensuring equitable and consistent staffing policies across all age groups.

Implementation of the probationary teacher component will primarily involve updating the Code of Maryland Regulations (COMAR) for Child Care Centers (13A.16) and Large Family Child Care Homes (13A.18) to reflect the new age threshold.

The State Board and the Department are supportive of the bill as amended, and believe SB 359 will improve MSDE operations and have a positive impact on the child care workforce in Maryland. We appreciate the partnership of the General Assembly and bill sponsors in refining this legislation to ensure a thoughtful and strategic implementation. The State Board and MSDE request that the Committee consider this support as it deliberates **SB 359**. Please contact Laurel Cratsley, Interim Executive Director of Government Affairs, at Laurel.cratsley@maryland.gov.