



TO: House Ways and Means Committee

BILL: House Bill (HB) 1418 - Public and Nonpublic Schools – Employing Individuals Charged With Crimes – Prohibition

DATE: March 5, 2026

POSITION: Letter of Information

The Professional Standards and Teacher Education Board (PSTEB) is submitting this Letter of Information regarding House Bill 1418- *House Bill (HB) 1418 - Public and Nonpublic Schools – Employing Individuals Charged With Crimes – Prohibition*. As the body charged with maintaining the integrity and excellence of Maryland’s educator workforce, our primary commitment is the unwavering safety and well-being of students. We recognize that HB 1418 seeks to strengthen the protective shield around our schools; however, we wish to highlight critical implementation concerns regarding due process and the practical application of these standards.

While student safety is paramount, the Board notes that triggering termination at the point of a charge creates significant due process challenges. Because the bill mandates action based on a charge, an educator may be immediately removed from the classroom for an allegation that is later found to be meritless. In addition, Maryland does not currently define a crime of “moral turpitude” or maintain an exhaustive list of crimes. This ambiguity may lead to inconsistent application across the state, where an educator in one county is denied employment or dismissed for an offense that another county deems acceptable.

The Board is also concerned with the two-business-day notification requirement. While timely reporting is essential for school security, this specific window presents several hurdles:

- Requiring an employee to notify their employer within two business days of receiving notice of a charge is an exceptionally narrow window. Employees in the immediate wake of a legal crisis may not have secured counsel or fully understood the reporting requirements.
- Under HB 1418, failing to meet this 48-hour deadline results in a five-year ban from being rehired by that LEA, even if the employee is subsequently acquitted or the charges are dropped. This creates a scenario where an innocent educator is barred from their profession for half a decade due to a procedural reporting delay, rather than any actual threat to student safety.

Finally, HB 1418 places a new burden on local education agencies and nonpublic schools to act as forensic investigators. School employers would be required to verify the exact date an employee "received notice" of a charge to determine whether the 48-hour reporting window was met, and to develop sophisticated tracking mechanisms to manage five-year rehire bans for individuals who were never convicted of a crime.

It is important to note that Maryland law already mandates a rigorous, multi-layered screening process

designed to prevent the hiring or retention of unfit individuals. Under Maryland Code, Education Article § 6-113, schools are strictly prohibited from hiring or retaining any individual convicted of crimes of violence or sexual offenses. Furthermore, § 6-113.2 (the "Maryland Child Sexual Abuse and Sexual Misconduct History Act") requires a comprehensive employment history review. This prevention law forces applicants to authorize the release of all records related to child abuse and sexual misconduct and requires school employers to contact every former school employer and all former employers from the past 10 years before an individual can even begin working with students.

PSTEB remains dedicated to ensuring that every Maryland student is taught by individuals of the highest character. While the intent of HB 1418 to remove potential threats from schools is clear, the Board urges the Committee to consider whether the current language provides the necessary balance between immediate student protection and the fundamental due process rights of Maryland's educators.