

**Department of Legislative Services**  
Maryland General Assembly  
2020 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 1018 (Senator King)  
Education, Health, and Environmental Affairs

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**Child Care Centers - Employee Qualifications - Requirements and Application  
Review**

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This bill requires regulations adopted by the State Board of Education regarding the licensing and operation of child care centers to (1) establish qualifications for child care teachers that allow an individual who holds an associate or bachelor's degree to qualify as a child care lead teacher if the individual successfully completes the required 90 hours of approved pre-service training within six months of being hired and (2) require each child care center employee to complete, within 90 days of hire, approved training in basic health and safety, Americans with Disabilities Act (ADA) compliance, and supporting breastfeeding practices. Within 14 days after receiving a complete application for employment in a child care center, the Maryland State Department of Education (MSDE) must review an individual's qualifications and approve or deny the application. **The bill takes effect July 1, 2020.**

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**Fiscal Summary**

**State Effect:** General fund expenditures increase, potentially significantly, for MSDE to hire additional licensing staff, as discussed below. Revenues are not affected.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful.

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## Analysis

**Current Law/Background:** The State board must adopt rules and regulations for licensing and operating child care centers that meet specified requirements. Among other items, regulations adopted must ensure the health of children and safe and sanitary conditions in child care centers. Pursuant to regulation, child care center directors, teachers, assistant teachers, and aides must complete approved health and safety training within 90 days of employment. MSDE advises that beginning April 2020, information regarding breastfeeding practices will be incorporated into the basic health and safety training. Currently, directors of child care centers with infants and toddlers and child care teachers wishing to supervise infants and toddlers must complete approved training in supportive breastfeeding practices. Child care center directors and teachers must also complete three hours of approved training in ADA compliance.

In addition to requirements regarding age and preservice training, an individual may qualify as a child care teacher by meeting one of a number of requirements regarding experience and/or education. For example, to qualify as a child care teacher in a preschool center, an individual must (1) be age 19 or older; (2) have a high school diploma, a certificate of high school equivalence, or courses for credit from an accredited college or university; (3) have successfully completed six semester hours or 90 hours or their equivalent of approved pre-service training, or hold a specified credential; (4) have completed specified trainings regarding health and safety and ADA compliance; (5) have completed specified training regarding communicating with staff, parents, and the public, or at least one academic college course for credit; and (6) have at least one year of experience working under supervision in a child care center or similar setting or as a registered family child care provider, or one year of college, or a combination of experience and college, as specified.

**State Expenditures:** General fund expenditures increase, perhaps significantly, to hire additional licensing staff in order to review applications within the 14-day timeframe established by the bill. MSDE advises that it requires 17 additional licensing staff, at an estimated cost of approximately \$1.4 million annually beginning in fiscal 2021 (which assumes a July 1, 2020 start-date).

The Department of Legislative Services (DLS) agrees that additional licensing staff are necessary in order for MSDE to be able to process applications within 14 days. However, due to the lack of additional information regarding how MSDE derived its estimate, including the average time it currently takes to review applications for child care center employees, DLS is unable at this time to independently verify the specific staffing needs and associated costs. *For illustrative purposes only*, for every additional licensing specialist required, general fund expenditures increase by approximately \$85,000 annually.

**Small Business Effect:** Hiring practices at child care centers benefit from faster review times for employee applications by MSDE and the ability for individuals meeting specified requirements to qualify as a teacher before completing the required 90 hours of pre-service training.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** HB 1386 (Delegate Kelly) - Ways and Means.

**Information Source(s):** Maryland State Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - March 3, 2020  
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