

Chapter 244

(Senate Bill 436)

AN ACT concerning

Child Care Centers – Teacher Qualifications

FOR the purpose of requiring the regulations adopted by the State Board of Education to govern the licensing and operation of child care centers to include provisions that establish certain qualifications for probationary employment for a certain individual to be a child care teacher in a certain child care center; requiring that the probationary employment qualifications allow an individual to be employed as a child care teacher in a probationary period under certain circumstances; requiring a child care center to terminate or reassign a certain individual to a nonteaching position under certain circumstances; and generally relating to the qualifications of child care center teachers.

BY repealing and reenacting, without amendments,
Article – Education
Section 9.5–404(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 9.5–404(b)(10) and (11)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

BY adding to
Article – Education
Section 9.5–404(b)(12) and (c)
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

9.5–404.

(a) The State Board shall adopt rules and regulations for licensing and operating child care centers.

(b) These rules and regulations shall:

(10) (i) Require a child care center to have a written emergency preparedness plan for emergency situations that require evacuation, sheltering in place, or other protection of children, such as in the event of fire, natural disaster, or other threatening situation that may pose a health or safety hazard to the children in the child care center;

(ii) Require the plan under item (i) of this item to include:

1. A designated relocation site and evacuation route;
2. Procedures for notifying parents or other adults responsible for the child of the relocation;
3. Procedures to address the needs of individual children, including children with special needs;
4. Procedures for the reassignment of staff duties during an emergency, as appropriate; and
5. Procedures for communicating with local emergency management officials or other appropriate State or local authorities; and

(iii) Require a child care center to train staff and ensure that staff are familiar with the plan; [and]

(11) Require a child care center to have window coverings in accordance with § 5–505 of the Family Law Article; AND

(12) SUBJECT TO SUBSECTION (C) OF THIS SECTION, ESTABLISH PROBATIONARY EMPLOYMENT QUALIFICATIONS FOR AN INDIVIDUAL WHO IS APPLYING FOR THE FIRST TIME TO BE A CHILD CARE TEACHER IN A CHILD CARE CENTER IN THE STATE THAT SERVES PRESCHOOL OR SCHOOL-AGE CHILDREN WHO ARE AT LEAST 3 YEARS OLD.

(C) (1) THE PROBATIONARY EMPLOYMENT QUALIFICATIONS ESTABLISHED UNDER SUBSECTION (B)(12) OF THIS SECTION SHALL ALLOW AN INDIVIDUAL TO BE EMPLOYED AS A CHILD CARE TEACHER DURING A PROBATIONARY PERIOD IF THE INDIVIDUAL:

- (I) 1. IS ENROLLED IN APPROVED PRE-SERVICE TRAINING;**
- 2. SUCCESSFULLY COMPLETES THE REQUIRED 90 HOURS OF THE APPROVED PRE-SERVICE TRAINING WITHIN 6 MONTHS AFTER BEING HIRED; AND**

- DEGREE IN:**
- 3. HOLDS AN ASSOCIATE DEGREE OR A BACHELOR’S**
 - A. EARLY CHILDHOOD EDUCATION;**
 - B. ELEMENTARY EDUCATION;**
 - C. CHILD DEVELOPMENT;**
 - D. HOME ECONOMICS;**
 - E. NURSING;**
 - F. SOCIAL WORK;**
 - G. SPECIAL EDUCATION; OR**
 - H. A RELATED FIELD APPROVED BY THE DEPARTMENT;**

OR

- (II) 1. IS ENROLLED IN APPROVED PRE-SERVICE TRAINING;**
- 2. HAS SUCCESSFULLY COMPLETED AT LEAST 45 HOURS OF THE APPROVED PRE-SERVICE TRAINING AT THE TIME THE CHILD CARE CENTER HIRES THE INDIVIDUAL;**
- 3. SUCCESSFULLY COMPLETES THE REMAINING HOURS OF THE PRE-SERVICE TRAINING WITHIN 6 MONTHS AFTER BEING HIRED; AND**
- 4. HOLDS AN ASSOCIATE DEGREE OR A BACHELOR’S DEGREE IN A FIELD OTHER THAN A FIELD LISTED UNDER ITEM (I)3 OF THIS PARAGRAPH.**

(2) IF, AT THE END OF THE 6-MONTH PROBATIONARY PERIOD, AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION HAS NOT COMPLETED THE REQUIRED PRE-SERVICE TRAINING, THE CHILD CARE CENTER SHALL, WITH NO FURTHER CAUSE, TERMINATE THE INDIVIDUAL OR REASSIGN THE INDIVIDUAL TO A NONTEACHING POSITION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.

Approved by the Governor, May 18, 2021.