

HOUSE BILL 597

O4
HB 1386/20 – W&M

1lr1568
CF SB 436

By: **Delegate Kelly**

Introduced and read first time: January 20, 2021

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Child Care Centers – Teacher Qualifications**

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

12 BY repealing and reenacting, without amendments,
13 Article – Education
14 Section 9.5–404(a)
15 Annotated Code of Maryland
16 (2018 Replacement Volume and 2020 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Education
19 Section 9.5–404(b)(10) and (11)
20 Annotated Code of Maryland
21 (2018 Replacement Volume and 2020 Supplement)

22 BY adding to
23 Article – Education
24 Section 9.5–404(b)(12) and (c)
25 Annotated Code of Maryland
26 (2018 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Education**

4 9.5–404.

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

7 (b) These rules and regulations shall:

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

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

14 1. A designated relocation site and evacuation route;

15 2. Procedures for notifying parents or other adults
16 responsible for the child of the relocation;

17 3. Procedures to address the needs of individual children,
18 including children with special needs;

19 4. Procedures for the reassignment of staff duties during an
20 emergency, as appropriate; and

21 5. Procedures for communicating with local emergency
22 management officials or other appropriate State or local authorities; and

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

25 (11) Require a child care center to have window coverings in accordance with
26 § 5–505 of the Family Law Article; AND

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

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

5 (I) 1. IS ENROLLED IN APPROVED PRE-SERVICE TRAINING;

6 2. SUCCESSFULLY COMPLETES THE REQUIRED 90
7 HOURS OF THE APPROVED PRE-SERVICE TRAINING WITHIN 6 MONTHS AFTER BEING
8 HIRED; AND

9 3. HOLDS AN ASSOCIATE DEGREE OR A BACHELOR'S
10 DEGREE IN:

11 A. EARLY CHILDHOOD EDUCATION;

12 B. ELEMENTARY EDUCATION;

13 C. CHILD DEVELOPMENT;

14 D. HOME ECONOMICS;

15 E. NURSING;

16 F. SOCIAL WORK;

17 G. SPECIAL EDUCATION; OR

18 H. A RELATED FIELD APPROVED BY THE DEPARTMENT;

19 OR

20 (II) 1. IS ENROLLED IN APPROVED PRE-SERVICE TRAINING;

21 2. HAS SUCCESSFULLY COMPLETED AT LEAST 45 HOURS
22 OF THE APPROVED PRE-SERVICE TRAINING AT THE TIME THE CHILD CARE CENTER
23 HIRES THE INDIVIDUAL;

24 3. SUCCESSFULLY COMPLETES THE REMAINING HOURS
25 OF THE PRE-SERVICE TRAINING WITHIN 6 MONTHS AFTER BEING HIRED; AND

26 4. HOLDS AN ASSOCIATE DEGREE OR A BACHELOR'S
27 DEGREE IN A FIELD OTHER THAN A FIELD LISTED UNDER ITEM (I)3 OF THIS
28 PARAGRAPH.

29 (2) IF, AT THE END OF THE 6-MONTH PROBATIONARY PERIOD, AN

1 INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION HAS NOT
2 COMPLETED THE REQUIRED PRE-SERVICE TRAINING, THE CHILD CARE CENTER
3 SHALL, WITH NO FURTHER CAUSE, TERMINATE THE INDIVIDUAL OR REASSIGN THE
4 INDIVIDUAL TO A NONTEACHING POSITION.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2021.