



**House Bill 373
House Ways and Means Committee**

**Education – Child Abuse and Sexual Misconduct Prevention –
Hiring Emergent Employees**

****SUPPORT****

January 18, 2021

Dear Committee Members,

On behalf of No More Stolen Childhoods please accept this letter as support for HB373 involving the hiring process related to emergent employees in educational settings.

Our organization's passion is to change the public perception about childhood sexual abuse, actively work to prevent abuse from occurring, and to help those who have been abused find the resources they need to heal and seek justice. We know that institutional policies and procedures need to be in place to protect children from abuse that occurs in places intended to protect and nurture them.

In 2018, Maryland took a big step forward in protecting children by passing and signing HB1072 into law, which requires schools to provide policies, employee codes of conduct and annual training on the prevention, identification and reporting of child sexual abuse and sexual misconduct to all school personnel. It was an important first step to keeping our children safe in school.

In 2019, Maryland took another step forward in protecting children by passing and signing SB0541 / HB 0486 into law, which required the following actions:

- Requires anyone applying for positions in schools—public or private—involving direct contact with minors to provide a written release and a statement disclosing whether s/he has been the subject of a child sexual abuse or sexual misconduct investigation by any employer, and whether s/he has ever resigned or separated from a position amid pending allegations of child sexual abuse or misconduct.
- Requires the school considering the applicant to contact each of the applicant's former employers and inquire whether the applicant has been investigated for child sexual abuse or sexual misconduct, and whether the applicant resigned or separated from a position amid pending allegations of child sexual abuse or sexual misconduct.
- Requires all contacted former employers to furnish the requested information.
- Bans non-disclosure agreements in cases involving child sexual abuse or child sexual misconduct.

- Prohibits schools from expunging data from personnel files in cases of employee sexual abuse or misconduct.
- Provides immunity from civil and criminal liability to former and current employers for providing information or records, including personnel records, in good faith.

Our organization understands that in implementing this important piece of legislation, school districts have found the need to clarify language around the term, “emergent employee”. We are aware that multiple groups representing public and nonpublic schools have come together to provide amendments to clarify these administrative items. We support the adoption of the amendments currently in the legislation. Our organization’s goal remains the same, to provide every protection possible that prevents child sexual abuse from occurring in educational settings.

Sincerely,

A handwritten signature in black ink that reads "Vanessa Milio". The signature is written in a cursive, flowing style.

Vanessa Milio
Executive Director