

HOUSE BILL 662

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By: **Delegates Guyton, Feldmark, Guzzone, Lopez, McCaskill, Pasteur, and Patterson**

Introduced and read first time: January 25, 2024

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Large Family Child Care Homes and Child Care Centers – Child Care Teachers**
3 **– Minimum Age**

4 FOR the purpose of requiring that certain regulations governing the registration and
5 operation of large family child care homes and the licensing and operation of child
6 care centers require that child care teachers be a certain minimum age; and
7 generally relating to the minimum age of child care teachers in large family child
8 care homes and child care centers.

9 BY repealing and reenacting, without amendments,
10 Article – Education
11 Section 9.5–303(a) and (b) and 9.5–404(a)
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2023 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 9.5–303(c)(10) through (12) and 9.5–404(b)(9) through (12) and (c)
17 Annotated Code of Maryland
18 (2022 Replacement Volume and 2023 Supplement)

19 BY adding to
20 Article – Education
21 Section 9.5–303(c)(11) and 9.5–404(b)(9)
22 Annotated Code of Maryland
23 (2022 Replacement Volume and 2023 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1

Article – Education

2 9.5–303.

3 (a) The State Board shall adopt regulations that relate to the registration of
4 family child care homes and large family child care homes.

5 (b) So far as practicable, the regulations shall be uniform with the rules and
6 regulations adopted by other State agencies as those rules and regulations relate to other
7 types of child care.

8 (c) At a minimum, the regulations shall provide for:

9 (10) A requirement that each registered child care provider shall hold a
10 current certificate indicating successful completion of approved:

11 (i) Basic first aid training through the American Red Cross or
12 through a program with equivalent standards; and

13 (ii) Cardiopulmonary resuscitation (CPR) training through the
14 American Heart Association or through a program with equivalent standards appropriate
15 for the ages of children for whom care is provided in the family child care home or large
16 family child care home; [and]

17 **(11) A REQUIREMENT THAT THE MINIMUM AGE OF A FAMILY CHILD**
18 **CARE TEACHER IN A REGISTERED LARGE FAMILY CHILD CARE HOME BE AT LEAST 18**
19 **YEARS OLD AND THAT AN INDIVIDUAL NOT BE PRECLUDED FROM BEING A FAMILY**
20 **CHILD CARE TEACHER SOLELY FOR BEING 18 YEARS OLD;**

21 ~~[(11)]~~ **(12)** (i) A requirement that a family child care home or large
22 family child care home that receives notice of a contaminated drinking water supply from
23 the family child care home's or large family child care home's supplier of water, in
24 accordance with § 9–410 of the Environment Article or otherwise, send notice of the
25 drinking water contamination to the parent or legal guardian of each child attending the
26 family child care home or large family child care home; and

27 (ii) A requirement that the notice sent by the family child care home
28 or large family child care home shall:

29 1. Be sent within 10 business days after receipt of the notice
30 of contamination from the family child care home's or large family child care home's water
31 supplier;

32 2. Be in writing;

33 3. Identify the contaminants and their levels in the family

1 child care home's or large family child care home's water supply; and

2 4. Describe the family child care home's or large family child
3 care home's plan for dealing with the water contamination problem until the family child
4 care home's or large family child care home's water is determined by the appropriate
5 authority to be safe for consumption; and

6 ~~[(12)]~~ **(13)** A requirement that a family child care home or large family child
7 care home prohibit the administration of corporal punishment to discipline a child.

8 9.5–404.

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

11 (b) These rules and regulations shall:

12 **(9) REQUIRE THAT THE MINIMUM AGE OF A CHILD CARE TEACHER IN**
13 **A CHILD CARE CENTER BE AT LEAST 18 YEARS OLD AND AN INDIVIDUAL MAY NOT BE**
14 **PRECLUDED FROM BEING A CHILD CARE TEACHER SOLELY FOR BEING 18 YEARS**
15 **OLD;**

16 ~~[(9)]~~ **(10)** (i) Require that a child care center that receives notice of a
17 contaminated drinking water supply from the child care center's supplier of water, in
18 accordance with § 9–410 of the Environment Article or otherwise, send notice of the
19 drinking water contamination to the parent or legal guardian of each child attending the
20 child care center; and

21 (ii) Require that the notice sent by the child care center shall:

22 1. Be sent within 10 business days after receipt of the notice
23 of contamination from the child care center's water supplier;

24 2. Be in writing;

25 3. Identify the contaminants and their levels in the center's
26 water supply; and

27 4. Describe the child care center's plan for dealing with the
28 water contamination problem until the child care center's water is determined by the
29 appropriate authority to be safe for consumption;

30 ~~[(10)]~~ **(11)** (i) Require a child care center to have a written emergency
31 preparedness plan for emergency situations that require evacuation, sheltering in place, or
32 other protection of children, such as in the event of fire, natural disaster, or other
33 threatening situation that may pose a health or safety hazard to the children in the child

1 care center;

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

3 1. A designated relocation site and evacuation route;

4 2. Procedures for notifying parents or other adults
5 responsible for the child of the relocation;

6 3. Procedures to address the needs of individual children,
7 including children with special needs;

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

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

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

14 [(11)] (12) Require a child care center to have window coverings in
15 accordance with § 5–505 of the Family Law Article; and

16 [(12)] (13) Subject to subsection (c) of this section, establish probationary
17 employment qualifications for an individual who is applying for the first time to be a child
18 care teacher in a child care center in the State that serves preschool or school–age children
19 who are at least 3 years old.

20 (c) (1) The probationary employment qualifications established under
21 subsection [(b)(12)] (B)(13) of this section shall allow an individual to be employed as a
22 child care teacher during a probationary period if the individual:

23 (i) 1. Is enrolled in approved pre–service training;

24 2. Successfully completes the required 90 hours of the
25 approved pre–service training within 6 months after being hired; and

26 3. Holds an associate degree or a bachelor’s degree in:

27 A. Early childhood education;

28 B. Elementary education;

29 C. Child development;

30 D. Home economics;

- 1 E. Nursing;
 - 2 F. Social work;
 - 3 G. Special education; or
 - 4 H. A related field approved by the Department; or
- (ii)
- 5 1. Is enrolled in approved pre-service training;
 - 6 2. Has successfully completed at least 45 hours of the
 - 7 approved pre-service training at the time the child care center hires the individual;
 - 8 3. Successfully completes the remaining hours of the
 - 9 pre-service training within 6 months after being hired; and
 - 10 4. Holds an associate degree or a bachelor's degree in a field
 - 11 other than a field listed under item (i)3 of this paragraph.

12 (2) If, at the end of the 6-month probationary period, an individual
13 described in paragraph (1) of this subsection has not completed the required pre-service
14 training, the child care center shall, with no further cause, terminate the individual or
15 reassign the individual to a nonteaching position.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2024.