

TO: Members of the Maryland State Board Education Policy Committee

FROM: Carey M. Wright, Ed.D., State Superintendent of Schools

DATE: September 10, 2026

SUBJECT: Proposed Licensing Regulation Amendments for Probationary Teacher (Age Range)
COMAR 13A.16 *Child Care Centers*
COMAR 13A.18 *Large Family Child Care Homes*
Permission to Publish

Purpose

The purpose of this item is to request permission to publish amendments to the Code of Maryland Regulations (COMAR) 13A.16 *Child Care Centers* and COMAR 13A.18 *Large Family Child Care Homes*, aligning them with the upcoming changes to Maryland Code, [Education § 9.5-404](#), effective October 1, 2026.

Current statute allows probationary employment for an individual applying for the first time to be a child care teacher in a child care center serving preschool or school-age children who are at least 3 years old. However, effective October 1st, per [House Bill \(HB\) 635](#) - Child Care Facilities - Criminal History Records Check - Requirement, the allowable age range for probationary teachers will be lowered to include children who are 2-year-olds.

Background and Executive Summary

In 2021, the Maryland General Assembly enacted [HB 597](#) - Child Care Centers - Teacher Qualifications, which established the probationary employment requirements. As previously noted, the current statute allows probationary employment for an individual applying for the first time to be a child care teacher in a child care center serving preschool or school-age children who are at least 3 years old. To qualify, the individual must meet certain age, education, and training requirements.

The statute also requires the child care center or large family child care home to terminate or reassign the individual to a non-teaching position if he or she does not complete the required pre-service training hours by the end of the 6-month probationary period, unless an extension is granted by MSDE and approved by the Superintendent, as outlined in the Code of Maryland Regulations (COMAR).

The proposed regulation amendments update the current serving age for probationary employment to include 2-year-olds. This change not only aligns COMAR with the upcoming statutory requirements, but also supports the Division of Early Childhood (DEC) and State Board's ongoing efforts to make it easier for child care centers and large family homes to hire child care teachers at a time when programs are experiencing challenges in hiring fully qualified staff in order to remain fully operational. Ultimately, the proposed amendments may aid in the expansion of child care options for families seeking care.

Action

The request is for the State Board to grant permission to publish proposed amendments to COMAR 13A.16 and 13A.18 to lower the current serving age for probationary employment in child care centers and large family child care homes to include 2-year-olds.

Attachments

Proposed amendment regulations for Probationary Child Care Teachers in Preschool Centers (Child Care Center) and Probationary Family Child Care Teachers (Large Family Child Care Homes) – September 2026:

13A.16.06.09-1 - *Child Care Center* - Probationary Child Care Teachers in Preschool Centers

13A.18.06.06-1 - *Large Family* - Probationary Family Child Care Teachers



COMAR Revisions: Probationary Child Care Teachers

DIVISION OF EARLY CHILDHOOD

Presented By | Sarah Neville-Morgan, Chief of Early Childhood
Keisha Maxwell, Administrator of Policy and Special Projects

September 10, 2026



MSDE Strategic Plan Goals

1

Every child has access to a high-quality early childhood program.

PILLAR 1: EARLY CHILDHOOD EDUCATION



Every student is matched with the resources they need to ensure their success.

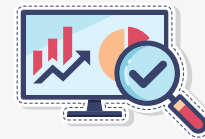
PILLAR 4: MORE RESOURCES FOR STUDENT SUCCESS

4

2

Every school has high-quality and diverse teachers and leaders.

PILLAR 2: HIGH-QUALITY & DIVERSE TEACHERS AND LEADERS



Every school and district receives a rating of ____ or higher.

PILLAR 5: GOVERNANCE AND ACCOUNTABILITY

5

3

Every student graduates high school college and career ready.

PILLAR 3: COLLEGE AND CAREER READINESS



Visit the Maryland State Department of Education website to learn more about the Strategic Plan!

strategicplan.marylandpublicschools.org



STRATEGIC PLAN ALIGNMENT



GOAL

Every child has access to a high-quality early childhood program.

1.A

Increase student readiness for kindergarten annually as measured by the Kindergarten Readiness Assessment (KRA.)

1.B

Increase kindergarten readiness proficiency rates for each student group.

1.C

Decrease gaps in kindergarten readiness between student groups.

1.D

Increase the count of 3-year-olds and 4-year-olds from Tier 1 households (low-income, children with disabilities, homeless, or children from homes in which English is not the primary spoken language) who are enrolled in high-quality (EXCELS rating of 3+) full-day Pre-K.

1.E

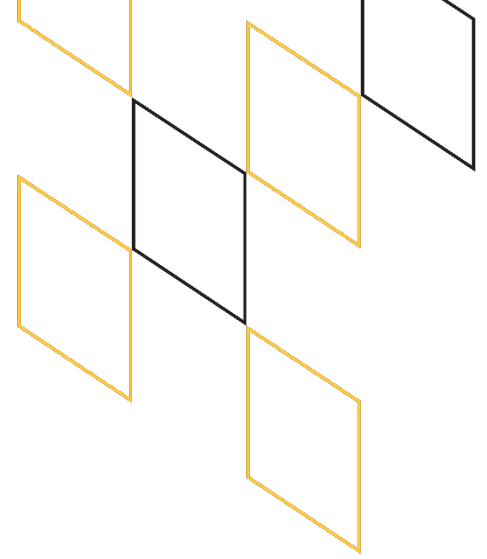
Increase the count of 4-year-olds who are enrolled in high quality (EXCELS rating of 3+) full-day Pre-K.



Presentation Outline

1. Background
2. Proposed Amendment to 13A.16.06.09-1: Probationary Child Care Teachers in Preschool Centers and 13A.18.06.06-1: Probationary Family Child Care Teachers
3. Other Requirements for Probationary Teachers

Background



Regulation and Age Range Background



In 2021, [House Bill \(HB\) 597](#) - *Child Care Centers - Teacher Qualifications* established the probationary employment requirements.

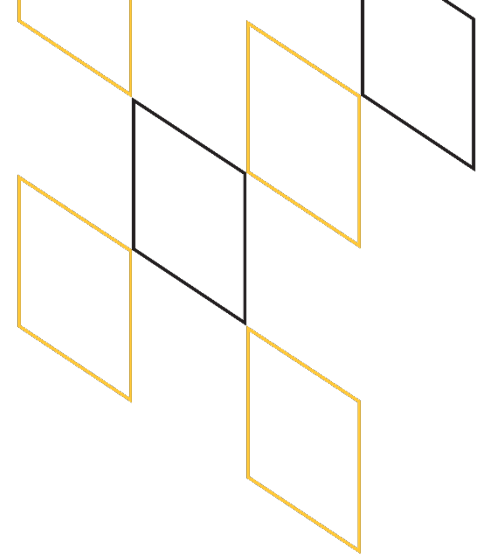


Effective October 1st, 2026, [HB 635](#) - *Child Care Facilities - Criminal History Records Check - Requirement*, lowers the allowable age range for probationary teachers from 3 years old to 2 years old.



Request permission to publish revised COMAR that will align with HB 635.

Proposed Amendment to 13A.16.06.09-1 and 13A.18.06.06-1



Current Regulation:

- A. An individual who has not met the requirements specified in Regulation .09 of this chapter is eligible for employment as a child care teacher for **children 3 years old and older** in a **preschool center** for a probationary period of up to 6 months if the individual:
- (1) Is applying for employment as a child care teacher for the first time in a Maryland center or home;
 - (2) Is 19 years old or older;
 - (3) Is enrolled in 3 clock hours of approved training in compliance with the Americans with Disabilities Act;
 - (4) Is enrolled in the approved basic health and safety training; and
 - (5) Meets the requirements of § B or C of this regulation.

Proposed Update:

- A. An individual who has not met the requirements specified in Regulation .09 of this chapter is eligible for employment as a child care teacher for **children who are at least two years old** in a preschool center for a probationary period of up to 6 months if the individual...

1-5 Unchanged

- **HB 635 lowers the allowable age range.**
- **This change allows probationary teachers to care for all age groups appropriate for their training and experience levels.**

Current Regulation:

- A. An individual who has not met the requirements specified in Regulation .09 of this chapter is eligible for employment as a child care teacher for **children 3 years old and older** in a **large family child care home** for a probationary period of up to 6 months if the individual:
- (1) Is applying for employment as a family child care teacher for the first time in a Maryland center or home;
 - (2) Is 19 years old or older;
 - (3) Is enrolled in 3 clock hours of approved training in compliance with the Americans with Disabilities Act;
 - (4) Is enrolled in the approved basic health and safety training; and
 - (5) Meets the requirements of § B or C of this regulation.

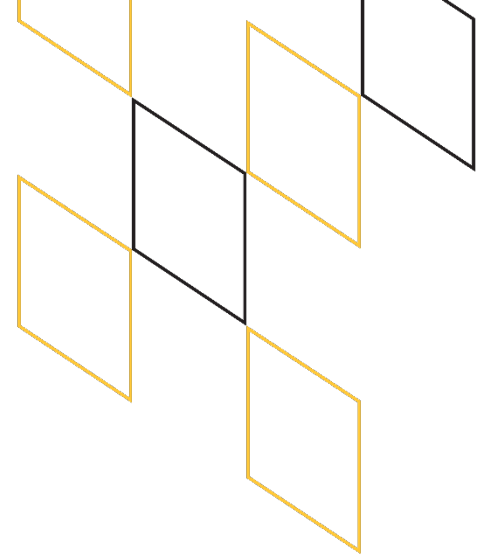
Proposed Update:

- A. An individual who has not met the requirements specified in Regulation .09 of this chapter is eligible for employment as a child care teacher for **children who are at least two years old** in a child care home for a probationary period of up to 6 months if the individual...

1-5 Unchanged

- **HB 635 lowers the allowable age range.**
- **This change allows probationary teachers to care for all age groups appropriate for their training and experience levels.**

Other Requirements for Probationary Teachers



Other COMAR Requirements for Probationary Teachers

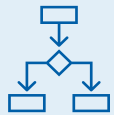


Associate's or Bachelor's Degree



Enrolled in or completed 90 clock hours/6 semester hours of preservice training.

- Completion required within 6 months if currently enrolled.



If preservice training is not completed within 6 months, the child care program can either terminate the employee or request an extension from MSDE.

Title 13A STATE BOARD OF EDUCATION

Subtitle 18 LARGE FAMILY CHILD CARE HOMES

Chapter 06 Provider and Staff Requirements

Authority: Education Article, §§9.5-301-9.5-308, 9.5-310—9.5-312, 9.5-320 and 9.5-321; General Provisions Article, §4-333; Human Services Article, §1-202; Annotated Code of Maryland

Agency Note: Federal Statutory Reference — Americans with Disabilities Act of 1990 (42 U.S.C. §12101 et seq.);

Pro-Children Act of 1994 (20 U.S.C. §6081 et seq.);

Child Care Development Block Grant (45 CFR Parts 98 and 99 and 42 U.S.C. 9858 et seq.);

Social Security Act §418 (42 U.S.C. 618)

06-1 Probationary Family Child Care Teachers

A. An individual who has not met the requirements specified in Regulation .06 of this chapter is eligible for employment as a family child care teacher for children [3 years old] *who are at least 2* and older in a child care home for a probationary period of up to 6 months if the individual:

- (1) Is applying for employment as a family child care teacher for the first time in a Maryland center or home;
- (2) Is 19 years old or older;
- (3) Is enrolled in 3 clock hours of approved training in compliance with the Americans with Disabilities Act;
- (4) Is enrolled in the approved basic health and safety training; and
- (5) Meets the requirements of § B or C of this regulation.

B. – F. (text unchanged)

Title 13A STATE BOARD OF EDUCATION

Subtitle 16 CHILD CARE CENTERS

Chapter 06 Staff Requirements

Authority: Education Article, §§9.5-401, 9.5-404—9.5-411, and 9.5-413—9.5-418; General Provisions Article, §4-333; Human Services Article, §1-202; Annotated Code of Maryland

Agency Note: Federal Statutory Reference — Americans with Disabilities Act of 1990 (42 U.S.C. §12101 et seq.);
Pro-Children Act of 1994 (20 U.S.C. §6081 et seq.);

Child Care Development Block Grant (45 CFR Parts 98 and 99 and 42 U.S.C. 9858 et seq.);
Social Security Act §418 (42 U.S.C. 618)

.09-1 Probationary Child Care Teachers in Preschool Centers.

A. An individual who has not met the requirements specified in Regulation .09 of this chapter is eligible for employment as a child care teacher for children [3 years old] *who are at least 2* and older in a preschool center for a probationary period of up to 6 months if the individual:

- (1) Is applying for employment as a child care teacher for the first time in a Maryland center or home;
- (2) Is 19 years old or older;
- (3) Is enrolled in 3 clock hours of approved training in compliance with the Americans with Disabilities Act;
- (4) Is enrolled in the approved basic health and safety training; and
- (5) Meets the requirements of § B or C of this regulation.

B. -F. (text unchanged)