

Title 13A STATE BOARD OF EDUCATION

Subtitle 14 CHILD AND FAMILY DAY CARE

Chapter 08 Child Care Training Approval

Authority: Education Article, §2-205, Annotated Code of Maryland

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.01 Scope.

A. This chapter governs the process by which an individual or organization may be approved to offer and conduct training required by COMAR 13A.14.01 and 13A.14.02.

B. This chapter does not apply to:

- (1) Community colleges;
- (2) Colleges;
- (3) Universities;
- (4) Approved national organizations that offer training to child care providers; or
- (5) Individuals recognized by the Office as authorities in their field.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Agency representative" means an individual designated by the Office to determine compliance with this chapter.

(2) "Applicant" means an individual or organization applying for or approved by the Office to offer training for family day care providers and child care center staff.

(3) "Approved trainer" means an individual who:

- (a) Is approved by the Office to offer training to child care providers; or
- (b) Conducts training under the auspices of an approved organization.

(4) Assessment.

(a) "Assessment" means the method of determining that a training participant has successfully met the objectives of the training:

(b) "Assessment" includes but is not limited to, written or oral tests, demonstration, observation, portfolio or a combination of methods,

(c) "Assessment" does not include general classroom discussion, general group participation, group classroom response, or unanalyzed observations or demonstrations.

(5) "Child care provider" means a:

(a) Registered family child care provider; or

(b) Child care center:

(i) Operator or director; or

(ii) Staff member.

(6) "Clock hour" means one 1 hour (60 minutes) on the clock.

(7) "Content area" means a course topic, including:

(a) Child development;

(b) Curriculum development;

(c) Health, safety, and nutrition;

(d) Professionalism;

(e) Community; and

(f) Special needs.

(8) "Continued training" means ongoing training for the child care community offered through not-for-credit workshops and courses and measured in clock hours.

(9) "Core of knowledge training" means training that meets the requirements of the core of knowledge for the Maryland Child Care Credential Program under COMAR 13A.14.09.

(10) "Course" means the 45 clock hour or 90 clock hour training required by COMAR 13A.14.02 if taken for:

(a) College credit; or

(b) Noncredit from a college or a trainer approved by the Office.

(11) "Credential" means the credential from the Maryland Child Care Credential Program.

(12) "Office" means the Office of Credentialing under the Office of Child Care, State Department of Education.

(13) "Organization" means a bona fide incorporated business or professional organization applying or approved by the Office to offer training.

(14) "Preservice training" means course work required at COMAR 13A.14.02.21—.26 and .68 for teachers and child care center directors.

(15) "Trainer" means an individual who presents instruction.

(16) "Training Review Committee" means the group of individuals designated to review the approval process and hear appeals of the decisions of the Office.

.03 Requirement to be Approved.

A. The Office has the sole authority to approve each trainer and training session.

B. An organization or individual may not offer preservice, continued, or core of knowledge training unless the:

(1) Trainer and the training have met the requirements for approval stated in this chapter; and

(2) Trainer possesses a valid certificate of approval issued by the Office.

C. Preservice training shall be offered only by:

(1) A regionally accredited or approved college or university; or

(2) An organization or individual approved by the Office.

D. Continued training may be offered only by:

(1) A regionally accredited or approved college or university;

(2) An approved trainer or training organization with special skills and knowledge relating to the care and education of children or the management of child care programs;

(3) Child care associations approved to conduct or provide training;

(4) The Office of Child Care; or

(5) A local, State, or federal government agency.

- E. Core of knowledge training may be offered only by:
- (1) A regionally accredited or approved college or university;
 - (2) Approved trainers or training organizations described in §C of this regulation that meet the requirements of Regulation .07 of this chapter;
 - (3) The Office of Child Care; or
 - (4) A local, State, or federal government agency.

- F. A certificate of training approval is:
- (1) Valid for a period of 4 years from the effective date stated on the certificate; and
 - (2) Renewable.

.04 Application for Approval.

A. Initial Application. An organization or individual that is not currently approved to provide training to child care providers in Maryland shall:

- (1) File with the Office a written application and all required information, including:
 - (a) A completed workshop proposal form, supplied by the Office, for each workshop to be offered;
 - (b) A detailed plan of instruction, which includes:
 - (i) Workshop goals and objectives;
 - (ii) A course syllabus or workshop [agenda] outline that includes time frames for topic covered;
 - (iii) Information about how workshop content is culturally sensitive and applies, or can apply, to all children and families, including those with special needs or limited English proficiency skills;
 - (iv) Requirements for successful completion;
 - (v) A statement or tool used for assessment; and
 - (vi) A bibliography;
 - (c) Written materials to be used during instruction;
 - (d) A sample certificate of completion;
 - (e) The evaluation form to be used;
 - (f) Documentation that each trainer meets the requirements of Regulation .07 of this chapter;
 - (g) A business plan stating:
 - (i) Registration practices and procedures; and
 - (ii) Policies and procedures regarding course cancellation, refunds, and attendee notification;
 - and
 - (h) For an applicant organization, if required by the Office, a copy of the organization's articles of incorporation;
- (2) Attend an orientation session offered by the Office to become acquainted with this chapter;
 - (3) Agree to abide by the ethical standards for approved trainers and training organizations set by the Office; and
 - (4) Furnish three letters of reference, not from relatives, that attest to the capabilities of the applicant as a professional trainer.

B. Renewal of Approval.

An organization or individual wishing to renew the approval shall file a complete written application and all required forms and information with the Office at least 30 calendar days before the current approval expires.

C. Response of the Office.

- (1) Upon receiving the completed application and all required documentation for a first application or a renewal application, the Office shall determine compliance with the requirements of this chapter by:
 - (a) Evaluating the application;
 - (b) Reviewing the required documentation; and
 - (c) Reviewing any changes related to the applicant which might affect the status of the approval.

(2) Within 60 calendar days of the applicant's completion of the procedures in §A of this regulation, the Office shall:

(a) Issue an approval to offer training to child care providers in accordance with the provisions of this chapter if:

- (i) The application is complete;
- (ii) All required documentation has been received; and
- (iii) The Office is satisfied that the applicant meets the requirements of this chapter;

(b) Deny the initial approval or renewal approval if:

- (i) The individual or organization fails to meet the requirements of this chapter;
- ii) The Office's evaluation of the application form reveals that the applicant reported false information;
- (iii) The applicant has a documented history of serious or repeated violations of the regulations of Maryland or any other state concerning the care of children or adults that demonstrates a disregard for the health or safety of children;
- (iv) The applicant has had an approval denied or withdrawn before the date on the application being considered unless the Office is satisfied that the condition that was the basis for the denial or withdrawal has been corrected; or
- (v) Based on an evaluation of the character references received or other pertinent information, the Office finds evidence that raises reasonable doubt that the applicant can provide acceptable child care training.

(3) If the Office denies an application under §C(1) and (2) of this regulation, the Office shall notify the applicant in writing of the denial stating:

- (a) The reason for denial;
- (b) The specific regulation with which the applicant has failed to comply that is the basis for the denial;
- (c) That the applicant may appeal the denial; and
- (d) The procedure to be used if the applicant wishes to appeal the denial.

.05 Trainer Requirements.

A. Each individual applying to offer preservice or core of knowledge training shall have:

(1) Attained an associate's, bachelor's, master's, or doctoral degree from an accredited college or university in:

- (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;

(2) Completed at least one course in:

- (a) Child development; and
- (b) Curriculum development;

(3) As applicable, completed course work requirements of COMAR 13A.14.02.21—.26 or .68 as they apply to the age group covered in the core of knowledge or preservice training; and

(4) At least 4 years of experience working in a child care setting directly with children of the age group to be discussed in the course.

B. Each individual applying to offer continued training shall have at least one of the following:

(1) An associate's, bachelor's, master's, or doctoral degree from an accredited college or university in:

- (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;
- (2) A valid credential or certification in:
 - (a) Early childhood education;
 - (b) Elementary education; or
 - (c) Care of children;
- (3) At least 4 years of experience working in a child care setting directly with children of the age group to be discussed in the course; or
- (4) A combination of education and experience sufficient to substantiate the applicant's special skills or expertise in the training area.

C. A trainer who does not meet the experience criteria may substitute documentation of employment as an instructor of early childhood education, elementary education, or a related field from an accredited college or university.

D. An individual who becomes approved to offer preservice, continued, or core of knowledge training shall present evidence of having successfully completed within the:

- (1) First year of approval, an approved train-the-trainer session; and
- (2) Previous 4 years, 12 clock hours of approved training related to the:
 - (a) Training of adults; or
 - (b) Discipline for which the individual is approved.

E. An organization or individual applying to offer preservice training, continued training, or core of knowledge training may not have a documented history of regulatory violations or have had a child care center license or a family day care registration suspended or revoked.

.06 Conflict of Interest.

A. If an approved trainer provides training to a coworker that the coworker intends to use to satisfy applicable staff training requirements under COMAR 13A.14.02, the trainer shall notify the coworker that the training may not count toward satisfaction of those requirements.

B. If the trainer is an employee of a child care center, the trainer may not provide training for the staff of that center.

.07 Administrative Responsibilities.

An approved individual or organization shall:

- A. For a period of 4 years, maintain records for each trainer, including:
 - (1) The trainer's application and any documentation of qualifications;
 - (2) Topics the trainer is approved to teach; and
 - (3) The age group or groups for which the trainer is approved;
- B. For period of 4 years, maintain records of training provided, including the:
 - (1) Title of the workshop or course;
 - (2) Workshop or course synopsis;
 - (3) Number of clock hours;
 - (4) Description of the population attending the workshop or course;
 - (5) Dates each workshop or course was presented;
 - (6) Names of the individuals attending each workshop or course;
 - (7) Completed evaluation forms; and
 - (8) Documentation of the assessment for successful completion used;

C. Provide each training participant with a signed certificate or receipt indicating successful completion of each workshop or course which includes the:

- (1) Title of the workshop or course;
- (2) Number of clock hours received;
- (3) Date of the workshop or course;
- (4) Content area;
- (5) Name of the presenter;
- (6) Approval number assigned by the Office; and
- (7) If applicable, logo or name of the sponsoring organization;

D. Provide to the Office a quarterly report of training activities on a form supplied by the Office, which includes for each workshop or course the:

- (1) Title;
- (2) Date of presentation; and
- (3) Name of each individual who attended; and

E. Have on file and make available upon request by the Office a statement of business practices, which includes policies on:

- (1) Registration;
- (2) Fee structure;
- (3) Session cancellation;
- (4) Refunds;
- (5) The requirements for successful completion; and
- (6) The issuance of training certificates.

.08 Complaints.

The Office shall:

A. Investigate each complaint pertaining to the notice, content, or quality of training offered by an approved trainer or training organization; and

B. Prepare a written report of the findings of the investigation.

.09 Monitoring.

A. An approved trainer shall:

- (1) Permit observation of training by an agency representative at any time during the training; and
- (2) Upon request, make the records required by this chapter available to an agency representative.

B. An agency representative may observe a training session without prior notice to the trainer.

C. An approved trainer may request satisfactory identification from an agency representative.

.10 Sanctions.

A. If an approved trainer or training organization violates a requirement under this chapter or is the subject of an action to suspend or revoke a child care license or family day care registration, the Office may:

- (1) Enter into an agreement with the approved individual or organization detailing requirements for remedying the violation and achieving compliance; or
- (2) Withdraw the approval.

B. If the Office decides to withdraw the approval, the Office shall notify the approved trainer or training organization in writing 20 calendar days before the effective date of the withdrawal, stating the:

- (1) Effective date of the withdrawal;
- (2) Reason for the withdrawal;
- (3) Regulatory violation which is the basis for the withdrawal; and
- (4) Right of the trainer or organization to appeal the decision of the Office.

.11 Appeal.

A. An appeal may be requested regarding a decision of the Office to deny or withdraw the approval of:

- (1) An individual trainer;
- (2) A training organization; or
- (3) A specific training session.

B. An appeal shall be submitted to the Office in writing, on a form supplied by the Office, within 30 days after the date of the denial or withdrawal letter.

C. The Training Review Committee shall:

- (1) Have full and final authority to hear and decide each appeal;
- (2) Render its decision on an appeal within 30 calendar days of the appeal filing; and
- (3) Within 5 working days after rendering a decision, notify the appellant of that decision.

D. If the Training Review Committee upholds the appeal, the Office shall grant or reinstate the approval, in writing, within 5 working days of the decision of the Committee.

Administrative History

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