Dear School Leaders:

I am writing to ensure that you are aware of the new Maryland law, HB 486, (“Child Sexual Abuse and Sexual Misconduct Prevention”), which establishes pre-hiring screening requirements for teachers and other positions involving direct contact with minors at Maryland public and nonpublic schools, including religious exempt schools. HB 486 will be effective July 1, 2019.

On June 20, 2019, the Maryland State Department of Education (“MSDE”) distributed guidance and forms to Maryland schools for the implementation of HB 486’s new requirements, which are attached to this letter in the event you have not received from MSDE. Please carefully review MSDE’s materials. Please also periodically monitor MSDE’s website for new guidance, forms, or any updates or changes to these materials: <http://marylandpublicschools.org/about/Pages/DEE/index.aspx>. All forms will be added to the Principal Portal.

Additionally, for your benefit, please follow the below step-by-step procedure to ensure you are complying with the new law when either hiring or responding to a pre-hiring screening request from another Maryland employer:

**FOR MARYLAND SCHOOLS ONLY** - prior to hiring any applicant whose application you received on or after July 1, 2019 (current employees not impacted):

**Step 1**: For MSDE certified teacher applications received on or after July 1, 2019, you must complete and send the **Request for Information on Applicant’s Certification Status** **Form** to MSDE, requesting MSDE to certify whether applicant holds a valid certificate and whether such certificate has been suspended or revoked due to child abuse or child sexual misconduct. Directions to download and complete these forms will be in SchoolSpring for the applicant.

**Step 2**: For all applications, the applicant must complete and provide you with top of first page and all of second page of the **Employment History Review Form** for (1) the applicant’s current employer; (2) **ALL** of the applicant’s former school employers; and (3) **ALL** other employers where applicant had direct contact with minors.

**Step 3**: The hiring school will send the **Employment History Review Form** via email, fax, or mail to each current and former employer, who shall have 20 days to respond. Make a copy and keep record of the date that you sent the document.

**Step 4**: AS NEEDED. If the current or former employer does not respond within 20 days, after three documented attempts to contact the employer, you may hire the applicant, but must complete and send **MSDE Employer Report Form** to MSDE notifying of the employer’s failure.

**Step 5**: AS NEEDED. If a current or former employer answers yes to any question on the **Employment History Review Form** and you wish to proceed with hiring, you must (1) notify the Catholic Schools Office; and (2) request all the relevant information and records from the employer, who must respond within 60 days.

**Step 6**. AS NEEDED. If you suspect an applicant has failed to disclose information, or provided false information, complete and send **Applicant Report Form** to MSDE.

For Maryland and DC Schools - if you receive an **Employment History Review Form** from a Maryland school regarding your current or former employee, follow these steps:

**Step 1**: Confirm the applicant has signed the release on the second page of the form; answer the questions on first page, and return the completed form directly to the employer as soon as practicable, but no later than 20 days. Note that you will have immunity for any disclosures made in good faith. Please keep a copy of the completed form with the employee personnel file.

**Step 2**:If you answer yes to any question, the prospective employer may contact you to request more information. Please contact and confirm with ADW Office of Human Resources before turning over information, then provide all relevant documents and information to the requesting employer as soon as practicable, but no later than 60 days.

It should be noted that this new legislation does not replace, or be in lieu of the archdiocesan existing child protection policies, and that those still apply. If you have any question about the implementation or extent of new requirements, please contact Wendy Anderson or Chris Buchleitner. We anticipate that MSDE will be producing accompanying regulations that will clear up ambiguities about this new law in the coming months.

Sincerely in Christ,

William Ryan

Superintendent