



Child Care Center and Letter of Compliance Application Resource Guide

Division of Early Childhood, Office of Child Care, Licensing Branch

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MARYLAND STATE DEPARTMENT OF EDUCATION

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Purpose and Definition

The Maryland State Department of Education's Division of Early Childhood, Office of Child Care (OCC) is responsible for all child care licensing and regulation in Maryland. OCC's goal is to make sure that safe child care is available to all Maryland families. OCC maintains 13 [Regional Licensing Offices](#), each of which is responsible for all child care licensing activities in its geographical area.

"Child care center" means an agency, institution, or establishment that, on a regular schedule for at least 2 days per week and for at least 2 hours per day, or on a 24-hour basis, offers or provides child care to children who do not have the same parentage, except as otherwise provided for in law or regulation. Child care centers are regulated by the Maryland State Department of Education's Office of Child Care (OCC) under [COMAR 13A.16](#) ("Child Care Centers").

Child care programs operated by tax-exempt religious organizations may be eligible to be regulated under [COMAR 13A.17](#) ("Letters of Compliance"). A letter of compliance is a form of licensure that exempts the facility from having to meet certain staff qualification and program requirements. Facilities licensed under a LOC must meet all of the same health and safety requirements as those licensed as a child care center.

Child Care Regulations

In Maryland, child care centers are regulated under the Code of Maryland Regulations COMAR 13A.16 or COMAR 13A.17. These regulations require a person to obtain a “license” or a “Letter of Compliance” (which is a form of license) before the person may operate a child care program. Being licensed means that your program meets certain child health and safety requirements. It also makes you eligible for tax deductions, certain food subsidies, and liability insurance. These benefits make your child care center attractive to parents and more profitable as a business. COMAR 13A.16 and 13A.17 may be found at <https://earlychildhood.marylandpublicschools.org/regulations>

The Use of Names

COMAR 13A.09.01 prohibits an individual, partnership, group, association, cooperative, or corporation from using the words “preschool,” “school,” “institute,” or “academy” or words of like meaning, in such a manner as to connote the offering of a high school, junior high or middle school, elementary school, kindergarten, nursery school program, or any combination thereof, unless the entity holds a Certificate of Approval from the State Board of Education.

Steps to Obtain a Child Care Center License or LOC

1. Complete the Child Care Center Orientation

If you are interested in applying for a child care center license or LOC, you must take the child care center orientation. The orientation is largely designed to inform you about the application process and the requirements you'll need to meet to receive a license or LOC. Information is available on the "Orientation" page of the MSDE website located at:

<http://earlychildhood.marylandpublicschools.org/child-care-providers/licensing/orientations>.

2. Contact the OCC Regional Licensing Office in Your Area

Call the Regional Licensing Office responsible for the county where you plan to provide care to let them know that you are interested in applying for a child care center license or letter of compliance. That office will be responsible for processing your application, inspecting your facility to make sure it meets regulatory requirements, issuing your license or letter of compliance, and providing you with technical assistance.

3. Submit an Application

At least 60 days before the proposed opening date, you must submit an application for a child care center license or letter of compliance. The application consists of the following items, all of which are discussed in detail during the orientation:

- Notice of intent to operate a child care center or letter of compliance
- OCC application form for a child care center license or letter of compliance
- Site plans
- Floor plans
- Written plan of operation
- Documentation of compliance with local zoning, building, health, and fire codes
- Documentation of workers compensation insurance coverage
- Fire evacuation plan
- Menu plan for the first 4 weeks of operation
- Written child discipline procedures
- List of all facility personnel, along with staff qualification documents (if applicable)
- Staffing pattern
- Results of a criminal background check application for the applicant (if the applicant is an individual who will interact with the children in care), the director, and each employee, volunteer or substitute who will have access to children in care
- Release of information form to grant permission to examine records of abuse and neglect of children and adults. This is required for the applicant, each adult resident of the

premises, each employee, volunteer, substitute and/or any adult who may interact with children in care

- Child care staff must submit a completed medical evaluation before being allowed to begin work

4. Criminal Justice Information Services (CJIS) Authorization Number and Fingerprinting

Each applicant must apply for a fingerprint authorization number from CJIS before fingerprinting any individuals associated with your program. All individuals getting fingerprinted must use both the facility's authorization number as well as the regional office's authorization number. Additional information may be found here:

- <https://www.dpscs.state.md.us/publicservs/fingerprint.shtml>
- <https://earlychildhood.marylandpublicschools.org/fingerprinting>.

5. Make Sure the Facility is Safe and Properly Equipped

The facility must be in good repair and meet all applicable building, sanitary facility, lighting, and food storage/preparation/service requirements set forth in COMAR 13A.16 or 13A.17, as applicable. In addition, all areas of the facility to be used for child care must be safe and properly equipped. The following are just a few examples of facility safety and equipment requirements:

- All potentially hazardous items such as cleansers, medicines, tools, and sharp instruments are stored so that they are inaccessible to children
- All child care areas are lead-safe
- Electrical wall sockets are properly capped as required by the applicable fire code
- A properly stocked first-aid kit is present
- There are adequate, appropriate, and safe indoor and outdoor activity materials and equipment for the children's use
- If children under 2 years old will be in care, there are enough cribs to accommodate the children, and each crib meets U.S. Consumer Product Safety Commission standards

6. Pass OCC, Fire Safety, and Other Required Inspections

The facility will need to be inspected by the local fire authority to make sure that it meets all applicable fire codes. Inspections by the Health Department and/or other local government agencies may also be required. A Use and Occupancy Permit and zoning approval from the local government agencies are required to use the property as a child care center. An OCC licensing staff person will schedule an inspection of your facility. This inspection is designed to determine if the facility and the child care program meet all applicable child care licensing regulations.

7. Fees

There are no fees for any inspections conducted by the regional licensing office. However, there may be fees for inspections by the local fire authority, Health Department, and/or other local agencies.

8. Application Completion Process

The application process is self-paced as determined by the applicant. Once all the application requirements have been met and all required inspections have been passed, the OCC has up to thirty (30) days to review and approve or deny the license or LOC. You will be notified in writing of the decision.

9. Annual Inspections

All child care centers and LOC's receive at least one (1) annual unannounced inspection to determine if child health and safety requirements are being met. Additional unannounced inspections may be conducted as necessary to investigate complaints and to ensure the health and safety of the children in care.

10. Technology and Data Tracking

The Licensing Branch utilizes the Child Care Administration Tracking System (CCATS), Child Care Inspection System (CCIS) and Electronic Licensing Inspection System (ELIS) to track and manage data regarding applications, registrations, licenses, provider profiles, complaints, serious injuries and incidents, inspection reports and enforcement actions. For the Virtual Programs File, student demographic data fields must be coded according to the student's status as of the date of collection/the last day of school. The last day of school is defined as the student's graduation date or the last reportable day of school for the current school year.

Forms

All forms are located on the MSDE website at: <https://earlychildhood.marylandpublicschools.org/child-care-providers/licensing/licensing-forms>

For other resource information, you may click on “Resource Documents” in the right margin of that website.

Frequently Asked Questions

1. How long is the application considered valid or active?

The application will be tracked and monitored for twelve (12) months. Unless there are extenuation circumstances, after one (1) year incomplete applications may be considered void, and you will be notified in writing.

2. What could delay the application process?

The Licensing Branch tracks and monitors your application documents and requirements to ensure there are no delays. However, there could be delays related to the 8-point background checks, prerequisite approvals from the local jurisdictions, and other agencies that are not within the control of the Office of Child Care.

3. What happens when the application has been completed?

Once all the application documents and the inspection have been completed, the office has up to thirty (30) days to review and approve or deny the license or LOC. You will be notified in writing of the decision.

4. How long is my license or LOC in effect?

The initial license or LOC is valid for up to two (2) years. The operator may apply to convert the initial into a continuing license or LOC. Each continuing license or LOC is valid for up to two (2) years.

Resources

The Office of Child Care maintains a website that contains resources to help you operate your business.

<https://earlychildhood.marylandpublicschools.org/>

Child and Adult Care Food Program (CACFP) - The Child and Adult Care Food Program is funded by the U.S. Department of Agriculture and administered in Maryland by MSDE's School and Community Nutrition Programs Branch. Child care programs that participate in the program are eligible to receive reimbursement for program food costs.

<https://www.marylandpublicschools.org/programs/SchoolandCommunityNutrition/Pages/cacfp-1.aspx>

Maryland Family Network - <https://www.marylandfamilynetwork.org/>

Maryland Infants and Toddlers Program - <https://marylandpublicschools.org/programs/Pages/Special-Education/MITP/index.aspx>

Child Care Scholarship Program - <https://earlychildhood.marylandpublicschools.org/child-care-providers/child-care-scholarship-program>

Maryland EXCELS - <https://marylandexcels.org/>