

## Chapter 67

**(Senate Bill 369)**

AN ACT concerning

**Education – Prekindergarten Programs – Notification of Eligibility by Local Departments of Social Services**

FOR the purpose of requiring certain local departments of social services and certain local health departments, under certain circumstances, to provide to certain parents or guardians ~~with certain family income levels~~ a certain notice that their children may be eligible for certain publicly funded prekindergarten programs; requiring certain local departments of social services and certain local health departments to make a certain annual report on or before a certain date; and generally relating to notification of eligibility for publicly funded prekindergarten programs in the State.

BY repealing and reenacting, with amendments,

Article – Education

Section 7–101.1

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

**Article – Education**

7–101.1.

(a) (1) In this section the following terms have the meanings indicated.

(2) “Economically disadvantaged background” means a family whose income would make a child eligible for free or reduced price meals if the child were in kindergarten.

(3) “Eligible child” means a child:

(i) Who is from an economically disadvantaged background;

(ii) Whose parent or guardian seeks to enroll the child in a public prekindergarten program; and

(iii) Who is 4 years old on September 1 of the school year in which the parent or legal guardian seeks to enroll the child in a public prekindergarten program.

(4) “Eligible for free or reduced price meals” means eligible for free or reduced price meals based on eligibility requirements established by the United States Department of Agriculture.

(b) By the 2007–2008 school year, all eligible children shall be admitted free of charge to publicly funded prekindergarten programs established by each of the county boards.

~~(c) IF A PARENT OR GUARDIAN OF A 4 YEAR OLD CHILD WITH A FAMILY INCOME OF NO MORE THAN 185% OF THE FEDERAL POVERTY GUIDELINES APPLIES FOR ECONOMIC SERVICES WITH A LOCAL DEPARTMENT OF SOCIAL SERVICES, THE LOCAL DEPARTMENT OF SOCIAL SERVICES SHALL PROVIDE THE PARENT OR GUARDIAN WITH AN ORAL AND A WRITTEN NOTICE THAT THE CHILD MAY BE ELIGIBLE FOR PUBLICLY FUNDED PREKINDERGARTEN PROGRAMS.~~

(c) (1) A LOCAL DEPARTMENT OF SOCIAL SERVICES OR A LOCAL HEALTH DEPARTMENT SHALL PROVIDE A PARENT OR GUARDIAN WITH AN ORAL AND WRITTEN NOTICE THAT THEIR CHILD MAY BE ELIGIBLE FOR PUBLICLY FUNDED PREKINDERGARTEN PROGRAMS IF THE PARENT OR GUARDIAN:

(i) APPLIED FOR ECONOMIC SERVICES WITH THE LOCAL DEPARTMENT OF SOCIAL SERVICES OR THE LOCAL HEALTH DEPARTMENT; AND

(ii) HAS A CHILD WHO WILL BE 4 YEARS OLD ON SEPTEMBER 1 OF THE NEXT ACADEMIC YEAR.

(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE CONTACT INFORMATION FOR THE ENROLLMENT OFFICE OF THE LOCAL SCHOOL SYSTEM AND THE DIVISION OF EARLY CHILDHOOD DEVELOPMENT IN THE DEPARTMENT.

(3) ON OR BEFORE DECEMBER 1 OF EACH YEAR, EACH LOCAL DEPARTMENT OF SOCIAL SERVICES AND EACH LOCAL HEALTH DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE NUMBER OF PARENTS WHO WERE GIVEN A NOTIFICATION AND SUBSEQUENTLY ENROLLED THEIR CHILD IN A PUBLICLY FUNDED PREKINDERGARTEN PROGRAM.

[(c)] (D) The requirements set forth in § 7–101(b) of this subtitle regarding the domicile of a child and the residency of the child’s parent or guardian shall apply to prekindergarten programs established by county boards as required by this section.

[(d)] (E) In the comprehensive master plan that is submitted under § 5–401 of this article, a county board shall identify the strategies that will be used in that county to

ensure that publicly funded prekindergarten programs are available to all eligible children in that county by the 2007–2008 school year.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

**Approved by the Governor, April 12, 2016.**