

HOUSE BILL 206

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3lr0447

By: **Delegate Ivey**

Introduced and read first time: January 20, 2023

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Early Childhood Education – Prekindergarten Programs – Montessori Schools**
3 **and Programs**

4 FOR the purpose of altering the eligibility requirements for the Prekindergarten Expansion
5 Grant Program and publicly funded prekindergarten programs to include certain
6 operational requirements, staff credentials, and student-to-staff ratios for
7 Montessori schools and programs; and generally relating to the inclusion of
8 Montessori schools and programs in prekindergarten programs in the State.

9 BY repealing and reenacting, without amendments,
10 Article – Education
11 Section 7–101.2(a)(1), (5), and (6) and (b)(1) and 7–1A–01(a) and (c) through (e)
12 Annotated Code of Maryland
13 (2022 Replacement Volume)

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 7–101.2(c) and 7–1A–04(a)
17 Annotated Code of Maryland
18 (2022 Replacement Volume)

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

Article – Education

22 7–101.2.

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

24 (5) “Program” means the Prekindergarten Expansion Grant Program.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (6) “Qualified provider” means:

2 (i) If partnering with a county board under a memorandum of
3 understanding, a State accredited or nationally accredited child care program or a
4 nonpublic school approved by the Department to provide prekindergarten services; and

5 (ii) A county board.

6 (b) (1) There is a grant program known as the Prekindergarten Expansion
7 Grant Program in the State.

8 (c) (1) **[Before] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
9 **SUBSECTION, BEFORE** approving qualified providers for prekindergarten services to
10 receive a grant under this section, a qualified provider shall certify to the Department that
11 for each classroom funded under this section the provider will:

12 **[(1)] (I)** Maintain a student-to-classroom personnel ratio of no more
13 than 10 to 1 with a maximum of 20 children per classroom;

14 **[(2)] (II)** Provide in each classroom at least one teacher certified in early
15 childhood education by the State and at least one teacher’s aide who has at least a high
16 school degree;

17 **[(3)] (III)** Operate an educational program for:

18 **[(i)] 1.** 5 days per week;

19 **[(ii)] 2.** 180 days per year, in accordance with the public school
20 calendar established by the local school board; and

21 **[(iii) 1.] 3. A.** For half-day programs, at least 2.5 hours per day;
22 or

23 **[2.] B.** For full-day programs, at least 6.5 hours per day;
24 and

25 **[(4)] (IV)** To receive a grant under this section, meet the requirements of §
26 7-1A-04 of this title.

27 **(2) BEFORE APPROVING QUALIFIED PROVIDERS WHO ARE**
28 **MONTESSORI SCHOOLS OR MONTESSORI PROGRAMS FOR PREKINDERGARTEN**
29 **SERVICES TO RECEIVE A GRANT UNDER THIS SECTION, A QUALIFIED PROVIDER**
30 **SHALL CERTIFY TO THE DEPARTMENT THAT FOR EACH CLASSROOM FUNDED UNDER**
31 **THIS SECTION THE PROVIDER WILL:**

1 **(I) MEET THE REQUIREMENTS UNDER PARAGRAPH (1)(III) OF**
 2 **THIS SUBSECTION;**

3 **(II) MAINTAIN A STUDENT–TO–CLASSROOM PERSONNEL RATIO**
 4 **OF NO MORE THAN 10 TO 1 FOR STUDENTS UNDER THE AGE OF 5 YEARS AND NO**
 5 **MORE THAN 15 TO 1 FOR STUDENTS WHO ARE AT LEAST 5 YEARS OLD; AND**

6 **(III) REQUIRE A CLASSROOM TEACHER TO BE CERTIFIED**
 7 **BY:**

8 **1. THE ASSOCIATION MONTESSORI INTERNATIONALE,**
 9 **USA;**

10 **2. THE AMERICAN MONTESSORI SOCIETY; OR**

11 **3. THE MONTESSORI ACCREDITATION COUNCIL FOR**
 12 **TEACHER EDUCATION.**

13 7–1A–01.

14 (a) In this subtitle the following words have the meanings indicated.

15 (c) “Eligible prekindergarten provider” includes an:

16 (1) Eligible public provider; and

17 (2) Eligible private provider.

18 (d) (1) “Eligible private provider” means a community–based early learning
 19 program that:

20 (i) Is licensed in the State;

21 (ii) Does not charge more tuition for full–day prekindergarten than
 22 the cost of quality; and

23 (iii) Meets the requirements under § 7–1A–04 of this subtitle.

24 (2) “Eligible private provider” includes the Ulysses Currie Head Start
 25 Program under § 5–231 of this article.

26 (e) “Eligible public provider” means an early learning program that:

27 (1) Is provided by a county board at a public school; and

28 (2) Meets the requirements under § 7–1A–04 of this subtitle.

1 7-1A-04.

2 (a) (1) [All] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
3 SUBSECTION, ALL eligible prekindergarten providers shall include structural elements
4 that are evidence-based and nationally recognized as important for ensuring program
5 quality, including:

6 [(1)] (I) Beginning in the 2025-2026 school year:

7 [(i)] 1. High staff qualifications, including teachers who, at a
8 minimum, hold:

9 [1.] A. State certification for teaching in early childhood
10 education; or

11 [2.] B. A bachelor's degree in any field and are pursuing
12 residency through the Maryland Approved Alternative Preparation Program, which
13 includes early childhood coursework, clinical practice, and evidence of pedagogical content
14 knowledge; and

15 [(ii)] 2. Teaching assistants who have at least:

16 [1.] A. A Child Development Associate (CDA) certificate; or

17 [2.] B. An associate's degree;

18 [(2)] (II) Professional development for all staff;

19 [(3)] (III) A student-to-classroom personnel ratio of no more than 10 to 1
20 in each class;

21 [(4)] (IV) Class sizes of no more than 20 students per classroom;

22 [(5)] (V) A full-day prekindergarten program;

23 [(6)] (VI) Inclusion of students with disabilities to ensure access to and full
24 participation in all program opportunities;

25 [(7)] (VII) For at least 1 year before a student's enrollment in kindergarten,
26 learning environments that:

27 [(i)] 1. Are aligned with State Early Learning and Development
28 Standards;

29 [(ii)] 2. Use evidence-based curricula; and

1 [(iii)] 3. Use instruction methods that are:

2 [1.] A. Developmentally appropriate; and

3 [2.] B. Culturally and linguistically responsive;

4 [(8)] (VIII) Individualized accommodations and supports for all students;

5 [(9)] (IX) Instructional staff salaries and benefits that are comparable to
6 the salaries and benefits of instructional staff employed by the county board of the county
7 in which the early learning program is located;

8 [(10)] (X) Program evaluation to ensure continuous program improvement;

9 [(11)] (XI) On-site or accessible comprehensive services for students;

10 [(12)] (XII) Community partnerships that promote access to comprehensive
11 services for families of students; and

12 [(13)] (XIII) Evidence-based health and safety standards.

13 **(2) AN ELIGIBLE PREKINDERGARTEN PROVIDER THAT IS A**
14 **MONTESSORI SCHOOL OR MONTESSORI PROGRAM SHALL INCLUDE ALL OF THE**
15 **STRUCTURAL ELEMENTS LISTED IN PARAGRAPH (1) OF THIS SUBSECTION EXCEPT**
16 **THE FOLLOWING:**

17 **(I) FOR STAFF QUALIFICATIONS, THE ELIGIBLE**
18 **PREKINDERGARTEN PROVIDER SHALL EMPLOY TEACHERS WHO ARE CERTIFIED BY:**

19 1. **THE ASSOCIATION MONTESSORI INTERNATIONALE,**
20 **USA;**

21 2. **THE AMERICAN MONTESSORI SOCIETY; OR**

22 3. **THE MONTESSORI ACCREDITATION COUNCIL FOR**
23 **TEACHER EDUCATION; AND**

24 **(II) FOR THE STUDENT-TO-CLASSROOM PERSONNEL RATIO,**
25 **THE PREKINDERGARTEN PROVIDER SHALL MAINTAIN A STUDENT-TO-CLASSROOM**
26 **PERSONNEL RATIO OF NO MORE THAN 10 TO 1 FOR STUDENTS UNDER THE AGE OF 5**
27 **YEARS AND NO MORE THAN 15 TO 1 FOR STUDENTS WHO ARE AT LEAST 5 YEARS OLD.**

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

1 1, 2023.