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By: **Delegate Shriver**

Introduced and read first time: February 11, 2000

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Education - Full Day Kindergarten and Prekindergarten Programs -**  
3                                   **Establishment**

4 FOR the purpose of establishing a full day kindergarten in each county in the State;  
5     requiring that certain individuals who are a certain age be admitted free of  
6     charge to certain prekindergarten programs by a certain date; requiring the  
7     county boards of education to establish certain prekindergarten programs by a  
8     certain date; requiring the State Board to adopt certain regulations; requiring  
9     the Governor to include certain funding in the State budget for a certain purpose  
10    in certain fiscal years; altering a certain definition; and generally relating to  
11    prekindergarten and kindergarten programs in the State.

12 BY repealing and reenacting, without amendments,  
13    Article - Education  
14    Section 5-202(a)(1)  
15    Annotated Code of Maryland  
16    (1999 Replacement Volume)

17 BY repealing and reenacting, with amendments,  
18    Article - Education  
19    Section 5-202(a)(7) and 7-101  
20    Annotated Code of Maryland  
21    (1999 Replacement Volume)

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

24                                   **Article - Education**

25 5-202.

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

27             (7)     "Full-time equivalent enrollment" means:

1 (i) All students enrolled in [grades 1] KINDERGARTEN through  
2 GRADE 12 or their equivalent in regular day school programs on September 30 of the  
3 previous school year; AND

4 (ii) [One half of the number of students enrolled in kindergarten  
5 programs on September 30 of the previous school year, except that in Garrett County  
6 the full number of kindergarten students is included; and

7 (iii)] The number of full-time equivalent students, as determined by  
8 a regulation of the Department, enrolled in evening high school programs during the  
9 previous school year.

10 7-101.

11 (a) (1) All individuals who are 5 years old or older and under 21 shall be  
12 admitted free of charge to the public schools of this State.

13 (2) BY THE 2004-2005 SCHOOL YEAR, ALL INDIVIDUALS WHO ARE AT  
14 LEAST 4 YEARS OLD BUT UNDER THE AGE OF 5 YEARS ON OR BEFORE DECEMBER 31  
15 OF THE YEAR IN WHICH THEY APPLY FOR ENTRANCE SHALL BE ADMITTED FREE OF  
16 CHARGE TO A PREKINDERGARTEN PROGRAM IN THE PUBLIC SCHOOLS OF THIS  
17 STATE.

18 (b) (1) Except as provided in § 7-301 of this title and in paragraph (2) of this  
19 subsection, each child shall attend a public school in the county where the child is  
20 domiciled with the child's parent or guardian.

21 (2) Upon request and in accordance with a county board's policies  
22 concerning residency, a county superintendent may allow a child to attend school in  
23 the county even if the child is not domiciled in that county with the child's parent or  
24 guardian.

25 (3) If a child fraudulently attends a public school in a county where the  
26 child is not domiciled with the child's parent or guardian, the child's parent or  
27 guardian shall be subject to a penalty payable to the county for the pro rata share of  
28 tuition for the time the child fraudulently attends a public school in the county.

29 (4) Nothing in this section alters the requirements for out-of-county  
30 placements contained in § 4-122 and Title 8, Subtitles 3 and 4 of this article or in any  
31 other State or federal law.

32 (c) There shall be full DAY kindergarten programs in each county of this State.

33 (D) (1) BY THE 2004-2005 SCHOOL YEAR, THE COUNTY BOARDS SHALL  
34 ESTABLISH FULL DAY PREKINDERGARTEN PROGRAMS IN EACH COUNTY OF THIS  
35 STATE.

36 (2) THE STATE BOARD SHALL ADOPT REGULATIONS TO PHASE IN THE  
37 IMPLEMENTATION OF THIS SUBSECTION BY THE 2004-2005 SCHOOL YEAR.

1           (3)       THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET FOR THE  
2 2002 FISCAL YEAR AND EACH YEAR THEREAFTER FUNDS TO IMPLEMENT THIS  
3 SUBSECTION IN THE AMOUNT OF \$1,750 PER STUDENT VOLUNTARILY ENROLLED IN A  
4 FULL PREKINDERGARTEN PROGRAM.

5       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 July 1, 2000.