

HOUSE BILL 1090

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HB 1003/00 - W&M

2001 Regular Session  
11r2326

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By: **Delegate Shriver**

Introduced and read first time: February 9, 2001

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Full Day Kindergarten Programs - Establishment**

3 FOR the purpose of requiring the county boards of education to establish full day  
4 kindergarten programs by a certain date; requiring the State Board of  
5 Education to adopt certain regulations; altering a certain definition; and  
6 generally relating to kindergarten programs in the State.

7 BY repealing and reenacting, without amendments,  
8 Article - Education  
9 Section 5-202(a)(1)  
10 Annotated Code of Maryland  
11 (1999 Replacement Volume and 2000 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article - Education  
14 Section 5-202(a)(7) and 7-101  
15 Annotated Code of Maryland  
16 (1999 Replacement Volume and 2000 Supplement)

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

19 **Article - Education**

20 5-202.

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

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

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

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

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

7 7-101.

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

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

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

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

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

24 (c) [There shall be full kindergarten programs in each county of this State.]

25 (1) BY THE 2006-2007 SCHOOL YEAR, THE COUNTY BOARDS SHALL  
26 ESTABLISH FULL DAY KINDERGARTEN PROGRAMS IN EACH COUNTY OF THIS STATE.

27 (2) THE STATE BOARD SHALL ADOPT REGULATIONS TO PHASE IN THE  
28 IMPLEMENTATION OF THIS SUBSECTION BY THE 2006-2007 SCHOOL YEAR.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 July 1, 2001.