
By: **Delegates Shriver, Benson, Carlson, Frush, Fulton, Grosfeld, Moe,
Nathan-Pulliam, Sophocleus, Franchot, Bronrott, C. Davis, Kirk,
Conroy, Cane, Dembrow, Petzold, Bobo, Zirkin, Swain, Menes, Barkley,
Riley, Hurson, and Healey**

Introduced and read first time: February 7, 2002

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Full-Day Kindergarten and Half-Day Pre-Kindergarten**
3 **Programs - Establishment**

4 FOR the purpose of requiring county boards of education to establish full-day
5 kindergarten programs by a certain school year; requiring the Maryland State
6 Board of Education to adopt certain regulations; repealing a certain exemption
7 for kindergarten programs from certain requirements for minimum days or
8 hours of operation; altering a certain definition; requiring the Governor to
9 include certain funds for pre-kindergarten programs in the State budget for
10 certain fiscal years under certain circumstances; providing for the termination
11 of a certain provision of this Act; and generally relating to kindergarten and
12 pre-kindergarten programs in the State.

13 BY repealing and reenacting, with amendments,
14 Article - Education
15 Section 5-202(a)(7) and 7-101
16 Annotated Code of Maryland
17 (2001 Replacement Volume)

18 BY repealing
19 Article - Education
20 Section 7-301(g)
21 Annotated Code of Maryland
22 (2001 Replacement Volume)

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

1

Article - Education

2 5-202.

3 (a) (7) "Full-time equivalent enrollment" means:

4 (i) All students enrolled in [grades 1] KINDERGARTEN through
5 GRADE 12 or their equivalent in regular day school programs on September 30 of the
6 previous school year; AND7 (ii) [One half of the number of students enrolled in kindergarten
8 programs on September 30 of the previous school year, except that in Garrett County
9 the full number of kindergarten students is included; and10 (iii) The number of full-time equivalent students, as determined by
11 a regulation of the Department, enrolled in evening high school programs during the
12 previous school year.

13 7-101.

14 (a) All individuals who are 5 years old or older and under 21 shall be admitted
15 free of charge to the public schools of this State.16 (b) (1) Except as provided in § 7-301 of this title and in paragraph (2) of this
17 subsection, each child shall attend a public school in the county where the child is
18 domiciled with the child's parent or guardian.19 (2) Upon request and in accordance with a county board's policies
20 concerning residency, a county superintendent may allow a child to attend school in
21 the county even if the child is not domiciled in that county with the child's parent or
22 guardian.23 (3) If a child fraudulently attends a public school in a county where the
24 child is not domiciled with the child's parent or guardian, the child's parent or
25 guardian shall be subject to a penalty payable to the county for the pro rata share of
26 tuition for the time the child fraudulently attends a public school in the county.27 (4) Nothing in this section alters the requirements for out-of-county
28 placements contained in § 4-122 and Title 8, Subtitles 3 and 4 of this article or in any
29 other State or federal law.

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

31 (1) BY THE 2007-2008 SCHOOL YEAR, EACH COUNTY BOARD SHALL
32 ESTABLISH FULL-DAY KINDERGARTEN PROGRAMS IN THAT COUNTY.33 (2) THE STATE BOARD SHALL ADOPT REGULATIONS TO PHASE IN THE
34 IMPLEMENTATION OF THIS SUBSECTION BY THE 2007-2008 SCHOOL YEAR.

1 7-301.

2 [(g) Kindergarten programs are not subject to the requirements of § 7-103(a) of
3 this title relating to minimum days or hours of operation.]

4 SECTION 2. AND BE IT FURTHER ENACTED, That:

5 (a) For fiscal years 2004 through 2008, the Governor shall include an
6 additional \$5 million in the State budget for the establishment of half-day
7 pre-kindergarten programs in each local public school system in the State for
8 4-year-old children who are potentially at risk of failing in school, with the overall
9 goal of providing learning experiences to help such children develop and maintain the
10 basic skills necessary for successful school performance. The local school systems may
11 contract with a private provider for the operation of the half-day pre-kindergarten
12 programs, provided that the programs comply in all respects with the laws and
13 regulations governing early childhood and extended elementary education programs.

14 (b) This section shall remain effective until June 30, 2008, and, at the end of
15 June 30, 2008, with no further action required by the General Assembly, this section
16 shall be abrogated and of no further force and effect.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
18 effect July 1, 2002.