
By: **Delegate Bates**

Introduced and read first time: February 9, 2005

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Full-Day Kindergarten and Prekindergarten Programs -**
3 **Alternative Providers**

4 FOR the purpose of requiring county boards of education to determine in certain
5 updated comprehensive master plans their capacity to provide full-day
6 kindergarten programs and prekindergarten programs; requiring a county
7 board to contract with certain alternative early learning and child care
8 providers to provide certain full-day kindergarten and prekindergarten
9 programs under certain circumstances; establishing certain requirements for
10 certain alternative early learning and child care providers; requiring the State
11 Department of Education to provide an updated inventory of certain alternative
12 early learning and child care providers under certain circumstances; and
13 generally relating to the capacity of county boards of education to provide
14 full-day kindergarten and prekindergarten programs.

15 BY repealing and reenacting, with amendments,
16 Article - Education
17 Section 7-101(e) and 7-101.1(d)
18 Annotated Code of Maryland
19 (2004 Replacement Volume and 2004 Supplement)

20 BY repealing and reenacting, without amendments,
21 Article - Education
22 Section 7-101.1(b)
23 Annotated Code of Maryland
24 (2004 Replacement Volume and 2004 Supplement)

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

1

Article - Education

2 7-101.

3 (e) (1) By the 2007-2008 school year, each county board shall provide
4 full-day kindergarten programs for all kindergarten students in that county.

5 (2) In the comprehensive master plan that is submitted under § 5-401 of
6 this article, a county board shall identify the strategies that will be used in that
7 county to ensure that full-day kindergarten programs are provided to all
8 kindergarten students in that county by the 2007-2008 school year.

9 (3) (I) BEGINNING WITH THE UPDATED COMPREHENSIVE MASTER
10 PLAN SUBMITTED ON OR BEFORE AUGUST 15, 2006, AND EACH UPDATED PLAN
11 SUBMITTED THEREAFTER, A COUNTY BOARD SHALL DETERMINE ITS CURRENT
12 CAPACITY TO PROVIDE FULL-DAY KINDERGARTEN PROGRAMS FOR THE FOLLOWING
13 SCHOOL YEAR.

14 (II) IF A COUNTY BOARD'S CURRENT CAPACITY IS INSUFFICIENT TO
15 MEET THE REQUIREMENT OF PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY
16 BOARD SHALL CONTRACT WITH ONE OR MORE ALTERNATIVE EARLY LEARNING AND
17 CHILD CARE PROVIDERS TO PROVIDE FULL-DAY KINDERGARTEN PROGRAMS FOR
18 THE LESSER OF:

19 1. THE DIFFERENCE BETWEEN THE COUNTY BOARD'S
20 CURRENT CAPACITY AND THE CAPACITY REQUIRED TO MEET THE REQUIREMENT OF
21 PARAGRAPH (1) OF THIS SUBSECTION; OR

22 2. THE ADDITIONAL CAPACITY AVAILABLE FROM QUALIFIED
23 ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDERS.

24 (III) A COUNTY BOARD SHALL CONTRACT ONLY WITH AN
25 ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDER THAT:

26 1. IS LICENSED BY THE DEPARTMENT OF HUMAN
27 RESOURCES; AND

28 2. IS ACCREDITED OR COMMITS TO THE COUNTY BOARD IN
29 WRITING TO BECOME ACCREDITED BY THE DEPARTMENT OR BY A NATIONAL
30 ACCREDITING BODY RECOGNIZED BY THE DEPARTMENT PRIOR TO THE BEGINNING
31 OF THE SCHOOL YEAR.

32 (IV) BY MAY 31 OF EACH YEAR, THE DEPARTMENT SHALL PROVIDE
33 TO A COUNTY BOARD AN UPDATED INVENTORY OF EXISTING ALTERNATIVE EARLY
34 LEARNING AND CHILD CARE PROVIDERS IN THE COUNTY IF THE COUNTY BOARD'S
35 CAPACITY IS INSUFFICIENT TO MEET THE REQUIREMENT OF PARAGRAPH (1) OF THIS
36 SUBSECTION.

1 7-101.1.

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

5 (d) (1) In the comprehensive master plan that is submitted under § 5-401 of
6 this article, a county board shall identify the strategies that will be used in that
7 county to ensure that publicly funded prekindergarten programs are available to all
8 eligible children in that county by the 2007-2008 school year.

9 (2) (I) BEGINNING WITH THE UPDATED COMPREHENSIVE MASTER
10 PLAN SUBMITTED ON OR BEFORE AUGUST 15, 2006, AND EACH UPDATED PLAN
11 SUBMITTED THEREAFTER, A COUNTY BOARD SHALL DETERMINE ITS CURRENT
12 CAPACITY TO PROVIDE PREKINDERGARTEN PROGRAMS FOR THE FOLLOWING
13 SCHOOL YEAR.

14 (II) IF A COUNTY BOARD'S CURRENT CAPACITY IS INSUFFICIENT TO
15 MEET THE REQUIREMENT OF SUBSECTION (B) OF THIS SECTION, THE COUNTY
16 BOARD SHALL CONTRACT WITH ONE OR MORE ALTERNATIVE EARLY LEARNING AND
17 CHILD CARE PROVIDERS TO PROVIDE PREKINDERGARTEN PROGRAMS FOR THE
18 LESSER OF:

19 1. THE DIFFERENCE BETWEEN THE COUNTY BOARD'S
20 CURRENT CAPACITY AND THE CAPACITY REQUIRED TO MEET THE REQUIREMENT OF
21 SUBSECTION (B) OF THIS SECTION; OR

22 2. THE ADDITIONAL CAPACITY AVAILABLE FROM QUALIFIED
23 ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDERS.

24 (III) A COUNTY BOARD SHALL CONTRACT ONLY WITH AN
25 ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDER THAT:

26 1. IS LICENSED BY THE DEPARTMENT OF HUMAN
27 RESOURCES; AND

28 2. IS ACCREDITED OR COMMITS TO THE COUNTY BOARD IN
29 WRITING TO BECOME ACCREDITED BY THE DEPARTMENT OR BY A NATIONAL
30 ACCREDITING BODY RECOGNIZED BY THE DEPARTMENT PRIOR TO THE BEGINNING
31 OF THE SCHOOL YEAR.

32 (IV) BY MAY 31 OF EACH YEAR, THE DEPARTMENT SHALL PROVIDE
33 TO A COUNTY BOARD AN UPDATED INVENTORY OF EXISTING ALTERNATIVE EARLY
34 LEARNING AND CHILD CARE PROVIDERS IN THE COUNTY IF THE COUNTY BOARD'S
35 CAPACITY IS INSUFFICIENT TO MEET THE REQUIREMENT OF SUBSECTION (B) OF
36 THIS SECTION.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 October 1, 2005.