
By: **Delegates Marriott, Benson, Carter, Gutierrez, Hubbard, Mandel,
Nathan-Pulliam, Oaks, and Patterson**

Introduced and read first time: February 23, 2005

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Local School Systems - School Facilities - Partnerships with**
3 **Alternative Providers**

4 FOR the purpose of requiring a county board of education to determine in a certain
5 comprehensive master plan its current capacity to provide full-day
6 kindergarten programs and prekindergarten programs; requiring a county
7 board, under specified circumstances, to explore partnerships with certain
8 alternative providers to provide capacity for full-day kindergarten and
9 prekindergarten program services, to describe the process used by the county
10 board to achieve this purpose, and to provide the State Board of Education with
11 evidence of that process; prohibiting a county board from requesting additional
12 State funds for certain purposes under certain circumstances; and generally
13 relating to partnerships between county boards of education and alternative
14 providers regarding the provision of full-day kindergarten and prekindergarten
15 programs.

16 BY repealing and reenacting, with amendments,
17 Article - Education
18 Section 7-101(e) and 7-101.1(d)
19 Annotated Code of Maryland
20 (2004 Replacement Volume and 2004 Supplement)

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

23 **Article - Education**

24 7-101.

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

27 (2) In the comprehensive master plan that is submitted under § 5-401 of
28 this article, a county board shall identify the strategies that will be used in that

1 county to ensure that full-day kindergarten programs are provided to all
2 kindergarten students in that county by the 2007-2008 school year.

3 (3) (I) BEGINNING WITH THE COMPREHENSIVE MASTER PLAN
4 SUBMITTED BY JULY 1, 2005, AND EACH PLAN SUBMITTED THEREAFTER, A COUNTY
5 BOARD SHALL DETERMINE ITS CURRENT CAPACITY TO PROVIDE FULL-DAY
6 KINDERGARTEN PROGRAMS FOR THE 2007-2008 SCHOOL YEAR, AND EACH SCHOOL
7 YEAR THEREAFTER.

8 (II) IF A COUNTY BOARD'S CURRENT CAPACITY IS INSUFFICIENT TO
9 MEET THE REQUIREMENT OF PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY
10 BOARD'S PLAN SHALL INCLUDE A DESCRIPTION OF THE COUNTY BOARD'S PROCESS
11 TO EXPLORE PARTNERSHIPS AND CONTRACTS WITH ONE OR MORE ALTERNATIVE
12 EARLY LEARNING AND CHILD CARE PROVIDERS FOR FULL-DAY KINDERGARTEN
13 PROGRAMS.

14 (III) A COUNTY BOARD MAY CONTRACT FOR FULL-DAY
15 KINDERGARTEN PROGRAMS ONLY WITH AN ALTERNATIVE EARLY LEARNING AND
16 CHILD CARE PROVIDER THAT:

17 1. IS LICENSED BY THE DEPARTMENT OF HUMAN
18 RESOURCES; AND

19 2. IS ACCREDITED OR COMMITS TO THE COUNTY BOARD IN
20 WRITING TO BECOME ACCREDITED BY THE DEPARTMENT OR BY A NATIONAL
21 ACCREDITING BODY RECOGNIZED BY THE DEPARTMENT PRIOR TO THE BEGINNING
22 OF THE 2007-2008 SCHOOL YEAR.

23 (IV) A COUNTY BOARD MAY NOT REQUEST ADDITIONAL STATE
24 FUNDS FROM THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION TO BUILD
25 ADDITIONAL CLASSROOM SPACE OR TO PURCHASE OR RENT RELOCATABLE
26 CLASSROOM SPACE UNLESS IT DEMONSTRATES THAT IT HAS DILIGENTLY EXPLORED
27 AND EXHAUSTED ALL REASONABLE MEASURES TO EFFECT PARTNERSHIPS AND
28 CONTRACTS WITH ALTERNATIVE LEARNING AND CHILD CARE PROVIDERS TO
29 PROVIDE SPACE FOR FULL-DAY KINDERGARTEN PROGRAMS.

30 7-101.1.

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

35 (2) (I) BEGINNING WITH THE COMPREHENSIVE MASTER PLAN
36 SUBMITTED BY JULY 1, 2005, AND EACH PLAN SUBMITTED THEREAFTER, A COUNTY
37 BOARD SHALL DETERMINE ITS CURRENT CAPACITY TO PROVIDE PREKINDERGARTEN
38 PROGRAMS FOR ELIGIBLE CHILDREN FOR THE 2007-2008 SCHOOL YEAR, AND EACH
39 SCHOOL YEAR THEREAFTER.

1 (II) IF A COUNTY BOARD'S CURRENT CAPACITY IS INSUFFICIENT TO
2 MEET THE REQUIREMENT OF PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY
3 BOARD'S PLAN SHALL INCLUDE A DESCRIPTION OF THE COUNTY BOARD'S PROCESS
4 TO EXPLORE PARTNERSHIPS AND CONTRACTS WITH ONE OR MORE ALTERNATIVE
5 EARLY LEARNING AND CHILD CARE PROVIDERS FOR PREKINDERGARTEN PROGRAMS.

6 (III) A COUNTY BOARD MAY CONTRACT FOR PREKINDERGARTEN
7 PROGRAMS ONLY WITH AN ALTERNATIVE EARLY LEARNING AND CHILD CARE
8 PROVIDER THAT:

9 1. IS LICENSED BY THE DEPARTMENT OF HUMAN
10 RESOURCES; AND

11 2. IS ACCREDITED OR COMMITS TO THE COUNTY BOARD IN
12 WRITING TO BECOME ACCREDITED BY THE DEPARTMENT OR BY A NATIONAL
13 ACCREDITING BODY RECOGNIZED BY THE DEPARTMENT PRIOR TO THE BEGINNING
14 OF THE 2007-2008 SCHOOL YEAR.

15 (IV) A COUNTY BOARD MAY NOT REQUEST ADDITIONAL STATE
16 FUNDS FROM THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION TO BUILD
17 ADDITIONAL CLASSROOM SPACE OR TO PURCHASE OR RENT RELOCATABLE
18 CLASSROOM SPACE UNLESS IT DEMONSTRATES THAT IT HAS DILIGENTLY EXPLORED
19 AND EXHAUSTED ALL REASONABLE MEASURES TO EFFECT PARTNERSHIPS AND
20 CONTRACTS WITH ALTERNATIVE LEARNING AND CHILD CARE PROVIDERS TO
21 PROVIDE SPACE FOR PREKINDERGARTEN PROGRAMS.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 June 1, 2005.