
By: **Delegates Bates and Miller**

Introduced and read first time: February 8, 2006

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 and prekindergarten programs; requiring a county board to
7 contract with certain alternative early learning and child care providers to
8 provide certain full-day kindergarten and prekindergarten programs under
9 certain circumstances; establishing certain requirements for certain alternative
10 early learning and child care providers; requiring the State Department of
11 Education to provide an updated inventory of certain alternative early learning
12 and child care providers under certain circumstances; and generally relating to
13 the capacity of county boards of education to provide full-day kindergarten and
14 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 2005 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 2005 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, 2007, AND IN 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 THE CURRENT CAPACITY OF A COUNTY BOARD IS
15 INSUFFICIENT TO MEET THE REQUIREMENT OF PARAGRAPH (1) OF THIS
16 SUBSECTION, THE COUNTY BOARD SHALL CONTRACT WITH ONE OR MORE
17 ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDERS TO PROVIDE
18 FULL-DAY KINDERGARTEN PROGRAMS FOR THE LESSER OF:

19 1. THE DIFFERENCE BETWEEN THE CURRENT CAPACITY OF
20 THE COUNTY BOARD AND THE CAPACITY NECESSARY TO MEET THE REQUIREMENT
21 OF 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 SEEK TO BECOME ACCREDITED BY THE DEPARTMENT OR BY A
30 NATIONAL ACCREDITING BODY RECOGNIZED BY THE DEPARTMENT PRIOR TO THE
31 BEGINNING 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 CAPACITY OF THE
35 COUNTY BOARD IS INSUFFICIENT TO MEET THE REQUIREMENT OF PARAGRAPH (1)
36 OF THIS 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, 2007, AND IN 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 THE CURRENT CAPACITY OF A COUNTY BOARD IS
15 INSUFFICIENT TO MEET THE REQUIREMENT OF SUBSECTION (B) OF THIS SECTION,
16 THE COUNTY BOARD SHALL CONTRACT WITH ONE OR MORE ALTERNATIVE EARLY
17 LEARNING AND CHILD CARE PROVIDERS TO PROVIDE PREKINDERGARTEN
18 PROGRAMS FOR THE LESSER OF:

19 1. THE DIFFERENCE BETWEEN THE CURRENT CAPACITY OF
20 THE COUNTY BOARD AND THE CAPACITY NECESSARY TO MEET THE REQUIREMENT
21 OF 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 SEEK TO BECOME ACCREDITED BY THE DEPARTMENT OR BY A
30 NATIONAL ACCREDITING BODY RECOGNIZED BY THE DEPARTMENT PRIOR TO THE
31 BEGINNING 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 CAPACITY OF THE
35 COUNTY BOARD IS INSUFFICIENT TO MEET THE REQUIREMENT OF SUBSECTION (B)
36 OF THIS SECTION.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 October 1, 2006.