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By: **Delegates Marriott and Bartlett**

Introduced and read first time: February 10, 2006

Assigned to: Ways and Means

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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 a certain  
5 comprehensive master plan their current capacity to provide full-day  
6 kindergarten programs and prekindergarten programs; requiring a county  
7 board to include a description of the county board's process to contract with  
8 certain alternative early learning and child care providers to provide certain  
9 additional capacity under certain circumstances; requiring a county board to  
10 contract with certain alternative early learning and child care providers under  
11 certain circumstances; requiring a county board to address the capacity that is  
12 available from alternative providers under certain circumstances; and generally  
13 relating to requiring county boards of education to determine their capacity to  
14 provide 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 2005 Supplement)

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

22                           **Article - Education**

23 7-101.

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

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

1 (3) (I) BEGINNING WITH THE COMPREHENSIVE MASTER PLAN  
2 UPDATE SUBMITTED BY OCTOBER 15, 2006, AND EACH PLAN UPDATE SUBMITTED  
3 THEREAFTER, A COUNTY BOARD SHALL DETERMINE ITS CURRENT CAPACITY TO  
4 PROVIDE FULL-DAY KINDERGARTEN PROGRAMS FOR THE 2006-2007 SCHOOL YEAR.

5 (II) IF A COUNTY BOARD'S CURRENT CAPACITY IS INSUFFICIENT TO  
6 MEET THE REQUIREMENT OF PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY  
7 BOARD'S PLAN SHALL INCLUDE A DESCRIPTION OF THE COUNTY BOARD'S PROCESS  
8 TO CONTRACT WITH ONE OR MORE ALTERNATIVE EARLY LEARNING AND CHILD  
9 CARE PROVIDERS FOR 50% OF THE ADDITIONAL CAPACITY REQUIRED.

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

12 1. IS LICENSED BY THE DEPARTMENT; AND

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

17 (IV) 1. IF A COUNTY BOARD DEMONSTRATES IN ITS  
18 COMPREHENSIVE MASTER PLAN UPDATE THAT THERE IS INSUFFICIENT CAPACITY  
19 AVAILABLE FROM ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDERS TO  
20 MEET THE REQUIREMENT OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, THEN THE  
21 PROCESS DESCRIBED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL  
22 ADDRESS ONLY THE CAPACITY THAT IS AVAILABLE FROM THE ALTERNATIVE EARLY  
23 LEARNING AND CHILD CARE PROVIDERS.

24 2. IN ORDER TO DETERMINE THE CAPACITY ACTUALLY  
25 AVAILABLE IN ACCORDANCE WITH SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH,  
26 THE COUNTY BOARD SHALL CONDUCT A SURVEY OF EXISTING ALTERNATIVE EARLY  
27 LEARNING AND CHILD CARE PROVIDERS IN THE COUNTY.

28 7-101.1.

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

33 (2) (I) BEGINNING WITH THE COMPREHENSIVE MASTER PLAN  
34 UPDATE SUBMITTED BY OCTOBER 15, 2006, AND EACH PLAN SUBMITTED  
35 THEREAFTER, A COUNTY BOARD SHALL DETERMINE ITS CURRENT CAPACITY TO  
36 PROVIDE PREKINDERGARTEN PROGRAMS FOR THE 2006-2007 SCHOOL YEAR.

37 (II) IF A COUNTY BOARD'S CURRENT CAPACITY IS INSUFFICIENT TO  
38 MEET THE REQUIREMENT OF PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY  
39 BOARD'S PLAN SHALL INCLUDE A DESCRIPTION OF THE COUNTY BOARD'S PROCESS

1 TO CONTRACT WITH ONE OR MORE ALTERNATIVE EARLY LEARNING AND CHILD  
2 CARE PROVIDERS FOR 50% OF THE ADDITIONAL CAPACITY REQUIRED.

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

5 1. IS LICENSED BY THE DEPARTMENT; AND

6 2. IS ACCREDITED OR COMMITS TO THE COUNTY BOARD IN  
7 WRITING TO BECOME ACCREDITED BY THE DEPARTMENT OR BY A NATIONAL  
8 ACCREDITING BODY RECOGNIZED BY THE DEPARTMENT BEFORE THE BEGINNING OF  
9 THE 2007-2008 SCHOOL YEAR.

10 (IV) 1. IF A COUNTY BOARD DEMONSTRATES IN ITS  
11 COMPREHENSIVE MASTER PLAN THAT THERE IS INSUFFICIENT CAPACITY  
12 AVAILABLE FROM ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDERS TO  
13 MEET THE REQUIREMENTS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, THEN THE  
14 PROCESS DESCRIBED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL  
15 ADDRESS ONLY THE CAPACITY THAT IS AVAILABLE FROM THE ALTERNATIVE EARLY  
16 LEARNING AND CHILD CARE PROVIDERS.

17 2. IN ORDER TO DETERMINE THE CAPACITY ACTUALLY  
18 AVAILABLE IN ACCORDANCE WITH SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH,  
19 THE COUNTY BOARD SHALL CONDUCT A SURVEY OF EXISTING ALTERNATIVE EARLY  
20 LEARNING AND CHILD CARE PROVIDERS IN THE COUNTY.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 June 1, 2006.