
By: ~~Delegates Marriott and Bartlett~~, Bartlett, Bates, and Miller

Introduced and read first time: February 10, 2006

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 22, 2006

CHAPTER _____

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:

1

Article - Education2 ~~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 COMPREHENSIVE MASTER PLAN~~
10 ~~UPDATE SUBMITTED BY OCTOBER 15, 2006, AND EACH PLAN UPDATE SUBMITTED~~
11 ~~THEREAFTER, A COUNTY BOARD SHALL DETERMINE ITS CURRENT CAPACITY TO~~
12 ~~PROVIDE FULL-DAY KINDERGARTEN PROGRAMS FOR THE 2006-2007 SCHOOL YEAR.~~

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

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

20 ~~1. IS LICENSED BY THE DEPARTMENT; AND~~

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

25 ~~(IV) 1. IF A COUNTY BOARD DEMONSTRATES IN ITS~~
26 ~~COMPREHENSIVE MASTER PLAN UPDATE THAT THERE IS INSUFFICIENT CAPACITY~~
27 ~~AVAILABLE FROM ALTERNATIVE EARLY LEARNING AND CHILD CARE PROVIDERS TO~~
28 ~~MEET THE REQUIREMENT OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, THEN THE~~
29 ~~PROCESS DESCRIBED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL~~
30 ~~ADDRESS ONLY THE CAPACITY THAT IS AVAILABLE FROM THE ALTERNATIVE EARLY~~
31 ~~LEARNING AND CHILD CARE PROVIDERS.~~

32 ~~2. IN ORDER TO DETERMINE THE CAPACITY ACTUALLY~~
33 ~~AVAILABLE IN ACCORDANCE WITH SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH,~~
34 ~~THE COUNTY BOARD SHALL CONDUCT A SURVEY OF EXISTING ALTERNATIVE EARLY~~
35 ~~LEARNING AND CHILD CARE PROVIDERS IN THE COUNTY.~~

36 7-101.1.

37 (d) (1) In the comprehensive master plan that is submitted under § 5-401 of
38 this article, a county board shall identify the strategies that will be used in that

1 county to ensure that publicly funded prekindergarten programs are available to all
2 eligible children in that county by the 2007-2008 school year.

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

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

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

14 1. IS LICENSED BY THE DEPARTMENT; AND

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

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

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

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