

# SENATE BILL 462

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HB 1265/06 – W&M

7lr1341

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By: **Senators Pugh and McFadden**

Introduced and read first time: February 2, 2007

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Prekindergarten Programs – Alternative Providers**

3 FOR the purpose of requiring county boards of education to determine in a certain  
4 comprehensive master plan their current capacity to provide prekindergarten  
5 programs; requiring a county board to include a description of the county  
6 board’s process to contract with certain alternative early learning and child care  
7 providers to provide certain additional capacity under certain circumstances;  
8 requiring a county board to contract with certain alternative early learning and  
9 child care providers under certain circumstances; requiring a county board to  
10 address the capacity that is available from alternative providers under certain  
11 circumstances; and generally relating to requiring county boards of education to  
12 determine their capacity to provide prekindergarten programs.

13 BY repealing and reenacting, with amendments,  
14 Article – Education  
15 Section 7–101.1(d)  
16 Annotated Code of Maryland  
17 (2006 Replacement Volume)

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

20 **Article – Education**

21 7–101.1.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

5                   **(2) (I) BEGINNING WITH THE COMPREHENSIVE MASTER PLAN**  
6 **UPDATE SUBMITTED BY OCTOBER 15, 2007, AND EACH PLAN SUBMITTED**  
7 **THEREAFTER, A COUNTY BOARD SHALL DETERMINE ITS CURRENT CAPACITY TO**  
8 **PROVIDE PREKINDERGARTEN PROGRAMS FOR THE 2007-2008 SCHOOL YEAR.**

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

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

17   **1. IS LICENSED BY THE DEPARTMENT; AND**

18   **2. IS ACCREDITED OR COMMITS TO THE COUNTY**  
19 **BOARD IN WRITING TO BECOME ACCREDITED BY THE DEPARTMENT OR BY A**  
20 **NATIONAL ACCREDITING BODY RECOGNIZED BY THE DEPARTMENT BEFORE THE**  
21 **BEGINNING OF THE 2008-2009 SCHOOL YEAR.**

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

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

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   June 1, 2007.