

HOUSE BILL 1305

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2lr2505

By: **Delegate Ivey**

Introduced and read first time: February 11, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Early Childhood Education – Prekindergarten Programs – Montessori Schools**

3 FOR the purpose of altering the eligibility requirements for the Prekindergarten Expansion
4 Grant Program and publicly funded prekindergarten programs to include Montessori
5 schools that meet certain operational requirements, staff credentials,
6 student-to-staff ratios, and classroom sizes; authorizing a county board of education
7 to consult with a Montessori teacher in determining how to implement the
8 kindergarten readiness assessment; and generally relating to the inclusion of
9 Montessori schools in prekindergarten programs in the State.

10 BY repealing and reenacting, without amendments,

11 Article – Education

12 Section 7–101.2(a)(1), (5), and (6) and (b)(1), 7–1A–01(a) and (c) through (e), and
13 7–210(a) and (b)

14 Annotated Code of Maryland

15 (2018 Replacement Volume and 2021 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article – Education

18 Section 7–101.2(c), 7–1A–04(a), and 7–210(d)

19 Annotated Code of Maryland

20 (2018 Replacement Volume and 2021 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

22 That the Laws of Maryland read as follows:

23 **Article – Education**

24 7–101.2.

25 (a) (1) In this section the following terms have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (5) “Program” means the Prekindergarten Expansion Grant Program.

2 (6) “Qualified provider” means:

3 (i) If partnering with a county board under a memorandum of
4 understanding, a State accredited or nationally accredited child care program or a
5 nonpublic school approved by the Department to provide prekindergarten services; and

6 (ii) A county board.

7 (b) (1) There is a grant program known as the Prekindergarten Expansion
8 Grant Program in the State.

9 (c) (1) **[Before] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
10 **SUBSECTION, BEFORE** approving qualified providers for prekindergarten services to
11 receive a grant under this section, a qualified provider shall certify to the Department that
12 for each classroom funded under this section the provider will:

13 **[(1)] (I)** Maintain a student-to-classroom personnel ratio of no more
14 than 10 to 1 with a maximum of 20 children per classroom;

15 **[(2)] (II)** Provide in each classroom at least one teacher certified in early
16 childhood education by the State and at least one teacher’s aide who has at least a high
17 school degree;

18 **[(3)] (III)** Operate an educational program for:

19 **[(i)] 1.** 5 days per week;

20 **[(ii)] 2.** 180 days per year, in accordance with the public school
21 calendar established by the local school board; and

22 **[(iii)] 1.]3. A.** For half-day programs, at least 2.5 hours per day;
23 or

24 **[2.] B.** For full-day programs, at least 6.5 hours per day;
25 and

26 **[(4)] (IV)** To receive a grant under this section, meet the requirements of §
27 7-1A-04 of this title.

28 **(2) BEFORE APPROVING QUALIFIED PROVIDERS WHO ARE**
29 **MONTESSORI SCHOOLS OR MONTESSORI PROGRAMS FOR PREKINDERGARTEN**
30 **SERVICES TO RECEIVE A GRANT UNDER THIS SECTION, A QUALIFIED PROVIDER**
31 **SHALL CERTIFY TO THE DEPARTMENT THAT FOR EACH CLASSROOM FUNDED UNDER**

1 THIS SECTION THE PROVIDER WILL:

2 (I) MEET THE REQUIREMENTS LISTED UNDER PARAGRAPH
3 (1)(III) OF THIS SUBSECTION;

4 (II) MAINTAIN A STUDENT-TO-CLASSROOM PERSONNEL RATIO
5 OF NOT MORE THAN 10 TO 1 FOR STUDENTS UNDER THE AGE OF 5 YEARS AND NOT
6 MORE THAN 15 TO 1 FOR STUDENTS WHO ARE AT LEAST 5 YEARS OLD;

7 (III) MAINTAIN A STUDENT-TO-CLASSROOM AREA RATIO OF 1
8 TO 35 SQUARE FEET FOR STUDENTS UNDER THE AGE OF 5 YEARS AND 1 TO 25
9 SQUARE FEET FOR STUDENTS WHO ARE AT LEAST 5 YEARS OLD; AND

10 (IV) ENSURE THAT THE CLASSROOM TEACHER IS CERTIFIED BY:

11 1. THE ASSOCIATION MONTESSORI INTERNATIONALE,
12 USA;

13 2. THE AMERICAN MONTESSORI SOCIETY; OR

14 3. THE MONTESSORI ACCREDITATION COUNCIL FOR
15 TEACHER EDUCATION.

16 7-1A-01.

17 (a) In this subtitle the following words have the meanings indicated.

18 (c) "Eligible prekindergarten provider" includes an:

19 (1) Eligible public provider; and

20 (2) Eligible private provider.

21 (d) "Eligible public provider" means an early learning program that:

22 (1) Is provided by a county board at a public school; and

23 (2) Meets the requirements under § 7-1A-04 of this subtitle.

24 (e) (1) "Eligible private provider" means a community based early learning
25 program that:

26 (i) Is licensed in the State;

27 (ii) Does not charge more tuition for full-day prekindergarten than

1 the cost of quality; and

2 (iii) Meets the requirements under § 7–1A–04 of this subtitle.

3 (2) “Eligible private provider” includes the Ulysses Currie Head Start
4 Program under § 5–231 of this article.

5 7–1A–04.

6 (a) **(1) [All] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
7 **SUBSECTION, ALL** eligible prekindergarten providers shall include structural elements
8 that are evidence–based and nationally recognized as important for ensuring program
9 quality, including:

10 **[(1)] (I)** Beginning in the 2025–2026 school year:

11 **[(i)] 1.** High staff qualifications, including teachers who, at a
12 minimum, hold:

13 **[1.] A.** State certification for teaching in early childhood
14 education; or

15 **[2.] B.** A bachelor’s degree in any field and are pursuing
16 residency through the Maryland Approved Alternative Preparation Program, which
17 includes early childhood coursework, clinical practice, and evidence of pedagogical content
18 knowledge; and

19 **[(ii)] 2.** Teaching assistants who have at least:

20 **[1.] A.** A Child Development Associate (CDA) certificate; or

21 **[2.] B.** An associate’s degree;

22 **[(2)] (II)** Professional development for all staff;

23 **[(3)] (III)** A student–to–classroom personnel ratio of no more than 10 to 1
24 in each class;

25 **[(4)] (IV)** Class sizes of no more than 20 students per classroom;

26 **[(5)] (V)** A full–day prekindergarten program;

27 **[(6)] (VI)** Inclusion of students with disabilities to ensure access to and full
28 participation in all program opportunities;

29 **[(7)] (VII)** For at least 1 year before a student’s enrollment in kindergarten,

1 learning environments that:

2 [(i)] 1. Are aligned with State Early Learning and Development
3 Standards;

4 [(ii)] 2. Use evidence-based curricula; and

5 [(iii)] 3. Use instruction methods that are:

6 [1.] A. Developmentally appropriate; and

7 [2.] B. Culturally and linguistically responsive;

8 [(8)] (VIII) Individualized accommodations and supports for all students;

9 [(9)] (IX) Instructional staff salaries and benefits that are comparable to
10 the salaries and benefits of instructional staff employed by the county board of the county
11 in which the early learning program is located;

12 [(10)] (X) Program evaluation to ensure continuous program improvement;

13 [(11)] (XI) On-site or accessible comprehensive services for students;

14 [(12)] (XII) Community partnerships that promote access to comprehensive
15 services for families of students; and

16 [(13)] (XIII) Evidence-based health and safety standards.

17 **(2) IF AN ELIGIBLE PREKINDERGARTEN PROVIDER IS A MONTESSORI**
18 **SCHOOL OR MONTESSORI PROGRAM, THE ELIGIBLE PREKINDERGARTEN PROVIDER**
19 **SHALL INCLUDE THE STRUCTURAL ELEMENTS LISTED IN PARAGRAPH (1) OF THIS**
20 **SUBSECTION, EXCEPT:**

21 **(I) INSTEAD OF MEETING THE STAFF QUALIFICATIONS LISTED**
22 **IN PARAGRAPH (1)(I) OF THIS SUBSECTION, THE PREKINDERGARTEN PROVIDER**
23 **SHALL INCLUDE TEACHERS WHO ARE CERTIFIED BY:**

24 1. **THE ASSOCIATION MONTESSORI INTERNATIONALE,**
25 **USA;**

26 2. **THE AMERICAN MONTESSORI SOCIETY; OR**

27 3. **THE MONTESSORI ACCREDITATION COUNCIL FOR**
28 **TEACHER EDUCATION;**

1 **(II) INSTEAD OF MEETING THE STUDENT-TO-CLASSROOM**
2 **PERSONNEL RATIO LISTED IN PARAGRAPH (1)(III) OF THIS SUBSECTION, THE**
3 **PREKINDERGARTEN PROVIDER SHALL MAINTAIN A STUDENT-TO-CLASSROOM**
4 **PERSONNEL RATIO OF NOT MORE THAN 10 TO 1 FOR STUDENTS UNDER THE AGE OF**
5 **5 YEARS AND NO MORE THAN 15 TO 1 FOR STUDENTS WHO ARE AT LEAST 5 YEARS**
6 **OLD; AND**

7 **(III) INSTEAD OF MEETING THE CLASSROOM SIZE LISTED IN**
8 **PARAGRAPH (1)(IV) OF THIS SUBSECTION, THE PREKINDERGARTEN PROVIDER**
9 **SHALL MAINTAIN A STUDENT-TO-CLASSROOM AREA RATIO OF 1 TO 35 SQUARE FEET**
10 **FOR STUDENTS UNDER THE OF 5 YEARS AND 1 TO 25 SQUARE FEET FOR STUDENTS**
11 **WHO ARE AT LEAST 5 YEARS OLD.**

12 7-210.

13 (a) Beginning in the 2022-2023 school year, a racially and culturally unbiased
14 statewide kindergarten assessment that is administered with the purpose of measuring
15 school readiness to be used for diagnostic purposes, curriculum development, and early
16 detection of learning challenges shall be given to all incoming kindergarten students in the
17 State and:

18 (1) May include an evaluation of:

19 (i) Language and literacy skills;

20 (ii) Academic knowledge in mathematics, science, and social studies;

21 (iii) Physical development; and

22 (iv) Social development; and

23 (2) Shall be completed on or before October 10 with the aggregate results
24 returned within 45 days after administration of the assessment.

25 (b) (1) Except as provided in paragraph (2) of this subsection, a statewide
26 kindergarten assessment may not be administered to an enrolled prekindergarten student.

27 (2) A statewide kindergarten assessment or early learning assessment may
28 be administered to an enrolled prekindergarten student by a school psychologist or other
29 school-based professional who intends to use the results in order to identify a disability.

30 (d) **(1)** Before administering the early learning assessment, a county board
31 shall consult with kindergarten teachers, including teachers nominated by the exclusive
32 bargaining representative, in determining how to implement the assessment.

33 **(2) A COUNTY BOARD MAY CONSULT WITH A MONTESSORI TEACHER**

1 IN DETERMINING HOW TO IMPLEMENT THE ASSESSMENT.

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
3 1, 2022.