

SENATE BILL 857

F5, O4

5lr2646

By: **Senator Henson**

Introduced and read first time: January 28, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Child Care – Prekindergarten Expansion Grant Modifications and Workgroup**

3 FOR the purpose of altering the use of Prekindergarten Expansion Grants to add slots for
4 additional children and not supplant childcare slots for infants and toddlers;
5 requiring applications for the grant to use certain terminology and be accompanied
6 by certain instructions; establishing certain grant processing due dates; requiring
7 the State Department of Education to establish a multiyear grant award process,
8 provide a certain proportion of grant funding on or before a certain date each year,
9 and provide technical assistance to certain grant applicants and recipients; requiring
10 the Department to convene a workgroup to explore and make recommendations on
11 opportunities to incentivize growth in certain child care providers; and generally
12 relating to child care and the Prekindergarten Expansion Grant.

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 7–101.2
16 Annotated Code of Maryland
17 (2022 Replacement Volume and 2024 Supplement)

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

20 **Article – Education**

21 7–101.2.

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

23 (2) “Economically disadvantaged background” means a family whose
24 income is no more than 300% of the federal poverty guidelines.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) “Eligible young child” means a child:

2 (i) Who is from an economically disadvantaged background;

3 (ii) Whose parent or legal guardian seeks to enroll the child in a
4 publicly funded prekindergarten program established under this section; and

5 (iii) Who is 3 or 4 years old on September 1 of the school year in which
6 the parent or legal guardian seeks to enroll the child in a publicly funded prekindergarten
7 program established under this section.

8 (4) “Fund” means the Prekindergarten Expansion Fund.

9 (5) “Montessori school” has the meaning stated in § 6–127 of this article.

10 (6) “Program” means the Prekindergarten Expansion Grant Program.

11 (7) “Qualified provider” means:

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

15 (ii) A county board.

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

18 (2) The purpose of the Program is to broaden the availability of
19 high-quality prekindergarten and school readiness services throughout the State for
20 children and their families in coordination with the expansion of publicly funded full-day
21 prekindergarten under the Blueprint for Maryland’s Future established under Subtitle 1A
22 of this title.

23 (3) The Department shall administer the Program.

24 (4) (i) The Program shall be a competitive grant program to provide
25 funds to qualified providers.

26 (ii) The Department shall take measures to achieve geographic
27 diversity among participating qualified providers.

28 (iii) Priority for participation in the Program shall be given to
29 qualified providers:

30 1. That are located in areas of the State that have an unmet
31 need for prekindergarten or comprehensive early childhood education services;

1 **(VIII) THE DEPARTMENT SHALL PROVIDE 100% OF THE GRANT**
 2 **AMOUNT TO THE GRANT RECIPIENT ON OR BEFORE JULY 1.**

3 **(IX) 1. THE DEPARTMENT SHALL PROVIDE TECHNICAL**
 4 **ASSISTANCE ON THE GRANT APPLICATION PROCESS AND REPORTING**
 5 **REQUIREMENTS FOR GRANT RECIPIENTS TO:**

6 **A. MULTILINGUAL APPLICANTS;**

7 **B. FAMILY CHILD CARE PROVIDERS; AND**

8 **C. SMALL, INDEPENDENT CHILD CARE PROVIDERS.**

9 **2. TO THE EXTENT PRACTICABLE, THE DEPARTMENT**
 10 **MAY PROVIDE THE TECHNICAL ASSISTANCE THROUGH A HUB MODEL UNDER §**
 11 **7-1A-05 OF THIS TITLE.**

12 **3. THE DEPARTMENT MAY CONTRACT WITH A THIRD**
 13 **PARTY TO PROVIDE THE TECHNICAL ASSISTANCE.**

14 (c) (1) Except as provided in paragraph (2) of this subsection, before approving
 15 qualified providers for prekindergarten services to receive a grant under this section, a
 16 qualified provider shall certify to the Department that for each classroom funded under
 17 this section the provider will:

18 (i) Maintain a student-to-classroom personnel ratio of no more
 19 than 10 to 1 with a maximum of 20 children per classroom;

20 (ii) Provide in each classroom at least one teacher and at least one
 21 teacher's aide who meet the high staff qualifications of § 7-1A-04(a)(1)(i) of this title;

22 (iii) Operate an educational program for:

23 1. 5 days per week;

24 2. 180 days per year, in accordance with the public school
 25 calendar established by the local school board; and

26 3. A. For half-day programs, at least 2.5 hours per day;
 27 or

28 B. For full-day programs, at least 6.5 hours per day; and

29 (iv) To receive a grant under this section, meet the requirements of §
 30 7-1A-04 of this title.

1 (2) Before approving qualified providers who are Montessori schools or
2 Montessori programs for prekindergarten services to receive a grant under this section, a
3 qualified provider shall certify to the Department that for each classroom funded under
4 this section the provider will:

5 (i) Meet the requirements under paragraph (1)(iii) of this
6 subsection;

7 (ii) Maintain a student-to-classroom personnel ratio of no more
8 than 10 to 1, with a maximum of 20 students per classroom if all of the students are under
9 the age of 5 years;

10 (iii) Maintain a student-to-classroom personnel ratio of no more
11 than 14 to 1, with a maximum of 28 students per classroom if some of the students are at
12 least 5 years old; and

13 (iv) Require a classroom teacher to:

14 1. Hold a bachelor's degree in any field; and

15 2. Hold a Montessori credential issued by:

16 A. The Association Montessori Internationale;

17 B. The American Montessori Society; or

18 C. A program accredited by the Montessori Accreditation
19 Council for Teacher Education.

20 (d) (1) (i) Beginning in fiscal year 2020 through fiscal year 2029, the
21 Governor shall annually appropriate to the Fund an amount that is at least equal to the
22 total amount of all funds received by the Program in the prior fiscal year.

23 (ii) Beginning in fiscal year 2030, the funds appropriated to the Fund
24 shall be consolidated into the publicly funded full-day prekindergarten program
25 established in Subtitle 1A of this title.

26 (2) The Governor may provide funds to the Department to administer the
27 Program.

28 (e) Grants awarded under this section may not be used:

29 (1) To supplant existing funding for prekindergarten services;

30 (2) For capital improvements; [or]

1 (3) To fund the same full-day prekindergarten slot that is funded under
2 Subtitle 1A of this title; OR

3 (4) **TO SUPPLANT EXISTING CHILD CARE SLOTS FOR INFANTS AND**
4 **TODDLERS.**

5 (f) The Department shall:

6 (1) Leverage Child Care Subsidy Program funds when making grant
7 awards to private providers that participate in the Child Care Subsidy Program;

8 (2) Encourage private providers that receive grants to pursue level 5 in the
9 Department's voluntary quality rating and improvement system known as "Maryland
10 EXCELS";

11 (3) Supervise and monitor the use of grant funds distributed under this
12 section; and

13 (4) Evaluate whether grant recipients are meeting annual benchmarks
14 established by the Department.

15 (g) (1) There is a Prekindergarten Expansion Fund.

16 (2) The purpose of the Fund is to provide funds to the Program.

17 (3) The Department shall administer the Fund.

18 (4) (i) The Fund is a special, nonlapsing fund that is not subject to §
19 7-302 of the State Finance and Procurement Article.

20 (ii) The State Treasurer shall hold the Fund separately, and the
21 Comptroller shall account for the Fund.

22 (5) The Fund consists of:

23 (i) Money appropriated in the State budget to the Fund;

24 (ii) Investment earnings of the Fund; and

25 (iii) Any other money from any other source, including donations,
26 accepted for the benefit of the Fund.

27 (6) The Fund may be used only for grants made by the Department for the
28 Program.

29 (7) (i) The State Treasurer shall invest the money of the Fund in the
30 same manner as other State money may be invested.

1 (ii) Investment earnings of the Fund shall be paid into the Fund.

2 (8) Expenditures from the Fund may be made only in accordance with the
3 State budget.

4 (h) In accordance with § 2–1257 of the State Government Article, the Department
5 shall report to the General Assembly by November 1 of each year on the implementation of
6 the Program.

7 SECTION 2. AND BE IT FURTHER ENACTED, That:

8 (a) The State Department of Education shall convene a workgroup of child care
9 providers in the State to explore opportunities to incentivize growth in child care providers
10 with slots for infants and toddlers.

11 (b) On or before December 1, 2025, the Department shall report to the General
12 Assembly, in accordance with § 2–1257 of the State Government Article, on
13 recommendations resulting from the workgroup.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2025.