
TO: Senate Education, Energy, and the Environment Committee

BILL: Senate Bill (SB) 780 - Prekindergarten - 3-Year-Olds - Private Providers (Parental Choice for Prekindergarten Act)

DATE: February 21, 2025

POSITION: Oppose

Chair Feldman and Members of the Education, Energy, and the Environment Committee:

The Maryland State Board of Education (State Board), the Maryland State Department of Education (MSDE) and the Accountability and Implementation Board (AIB) **oppose Senate Bill (SB) 780 - Prekindergarten - 3-Year-Olds - Private Providers (Parental Choice for Prekindergarten Act)**. If enacted, this legislation would exclude Tier I 3-year-olds from accessing publicly provided prekindergarten and would only allow them to be served by private providers. This could substantially limit the availability of and access to Pre-K opportunities for these students. Additionally, the legislation does not consider 3-year-olds who might already be or will be enrolled in a public school program. It is probable some of these students will already have an Individualized Family Service Plan (IFSP) or an Individualized Education Plan (IEP) in place.

We understand that to continue expansion at a rapid rate to meet the goals of the Blueprint for Maryland's Future, some challenges must be addressed. Space and capacity are challenges to Pre-K expansion in certain jurisdictions. In some LEA settings, space to expand Pre-K is limited and the number of private providers are few. At this juncture, it is important that all providers have the ability to meet the need for 3- year-olds, as well provide choice for families. Families should have a wide range of choices that address their unique situations and should not face barriers to access, , such as transportation.

Maryland is working to expand access to Pre-K through a mixed delivery model. The mixed delivery Pre-K model offers publicly provided prekindergarten in a variety of settings to meet families' needs and preferences. These settings include local education agencies (LEAs) as well as non-LEA private provider settings, such as child care centers, family child care homes, and Head Start programs. In publicly funded prekindergarten programs, under the current definition of Tier I, both public and private providers can enroll 3- and 4-year-olds. Maryland has made significant strides in developing a high-quality, mixed-delivery, full-day Pre-K system. The State aims to expand access, enhance quality, and create equitable opportunities across various delivery models.

The AIB and State Board recently released a joint policy aimed at maximizing the number of students served in Maryland's mixed delivery Pre-K system by encouraging public providers to focus on ensuring all eligible Tier I 4-year-olds are served and then encouraging private providers, including Head Start programs, to focus on serving Tier I 3-year-olds and Tier II and Tier III 4-year-olds.

Additionally, the [joint policy](#) emphasizes that private providers may choose to serve Tier I 4-year-olds; and public providers may choose to serve Tier II and III 4-year-olds. Maryland's focus remains on scaling current efforts while continuously evaluating outcomes and refining strategies. The approach in SB 780 may unnecessarily limit LEAs who wish to serve 3-year-olds and provide few flexibilities for public and private providers to serve the market.

The State Board, MSDE, and the AIB encourage LEAs to think creatively about ways to partner with private providers to mitigate space challenges. In some counties, the county board of education works closely with the private providers in their catchment area to support mixed delivery Pre-K by elevating the distribution of 3- and 4-year-old children based on the capacity within each setting. This allows choice for families, more children to be served, and fewer available seats to go unfilled. While this is a promising practice, more consistent and strategic support for private providers is needed to expand Pre-K through the mixed delivery system.

For these reasons, MSDE and AIB **oppose SB 780** and request an **unfavorable report**. Please contact Dr. Akilah Alleyne, Executive Director of Government Affairs, MSDE, at Akilah.alleyne@maryland.gov or at 410-767-0504; or Joy Schaefer, Government Relations Director, AIB at joy.schaefer@maryland.gov or (410) 991-7326, if you would like any additional information.