

1 **(B) (1) EACH SCHOOL SHALL USE THE FUNDS PROVIDED UNDER THIS**
2 **SUBSECTION TO PROVIDE TRANSITIONAL SUPPLEMENTAL INSTRUCTION TO**
3 **STRUGGLING LEARNERS IN KINDERGARTEN THROUGH GRADE 3.**

4 **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**
5 **PRIORITY IN PROVIDING TRANSITIONAL SUPPLEMENTAL INSTRUCTION SHALL BE**
6 **GIVEN TO LITERACY.**

7 **(II) A SCHOOL DISTRICT OR SCHOOL MAY USE THE FUNDS FOR**
8 **ADDITIONAL MATHEMATICS INSTRUCTIONS IF IT IS DETERMINED THAT THIS IS A**
9 **PRIORITY FOR THE STUDENTS IN THE DISTRICT OR SCHOOL.**

10 **(3) A SCHOOL DISTRICT OR SCHOOL IS ENCOURAGED TO, ON A PILOT**
11 **BASIS, EXPERIMENT WITH NEW EVIDENCE-BASED MEANS OF SCREENING,**
12 **IDENTIFYING, AND ADDRESSING LITERACY DEFICITS.**

13 **(C) (1) (I) EACH FISCAL YEAR, THE STATE SHALL DISTRIBUTE THE**
14 **STATE SHARE FOR TRANSITIONAL SUPPLEMENTAL INSTRUCTION TO EACH COUNTY**
15 **BOARD.**

16 **(II) EACH FISCAL YEAR, THE COUNTY SHALL DISTRIBUTE THE**
17 **LOCAL SHARE FOR TRANSITIONAL SUPPLEMENTAL INSTRUCTION TO THE COUNTY**
18 **BOARD.**

19 **(2) EACH FISCAL YEAR, THE COUNTY BOARD SHALL DISTRIBUTE TO**
20 **EACH SCHOOL THE MINIMUM SCHOOL FUNDING AMOUNT FOR TRANSITIONAL**
21 **SUPPLEMENTAL INSTRUCTION CALCULATED UNDER § 5-234 OF THIS SUBTITLE.**

22 **5-227. RESERVED.**

23 **5-228. RESERVED.**

24 **PART V. EARLY CHILDHOOD AND PREKINDERGARTEN.**

25 **5-229.**

26 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
27 **INDICATED.**

28 **(2) “FAMILY SHARE” MEANS THE AMOUNT CALCULATED UNDER**
29 **SUBSECTION (C) OF THIS SECTION ROUNDED TO THE NEAREST WHOLE DOLLAR.**

1 **(3) “LOCAL SHARE” MEANS, FOR EACH COUNTY, THE RESULT OF THE**
2 **TOTAL PROGRAM AMOUNT MINUS THE STATE SHARE ROUNDED TO THE NEAREST**
3 **WHOLE DOLLAR.**

4 **(4) “PER PUPIL AMOUNT” MEANS:**

5 **(I) IN FISCAL YEAR 2022, \$8,727;**

6 **(II) IN FISCAL YEAR 2023, \$10,094;**

7 **(III) IN FISCAL YEAR 2024, \$11,594;**

8 **(IV) IN FISCAL YEAR 2025, \$13,003;**

9 **(V) IN FISCAL YEAR 2026, \$14,473;**

10 **(VI) IN FISCAL YEAR 2027, \$15,598;**

11 **(VII) IN FISCAL YEAR 2028, \$16,811;**

12 **(VIII) IN FISCAL YEAR 2029, \$18,118;**

13 **(IX) IN FISCAL YEAR 2030, \$19,526; AND**

14 **(X) IN SUBSEQUENT FISCAL YEARS, THE PER PUPIL AMOUNT**
15 **FOR THE PRIOR FISCAL YEAR INCREASED BY THE INFLATION ADJUSTMENT**
16 **ROUNDED TO THE NEAREST WHOLE DOLLAR.**

17 **(5) “PREKINDERGARTEN ENROLLMENT” MEANS:**

18 **(I) FOR EACH OF FISCAL YEARS 2022 THROUGH 2025 THE**
19 **NUMBER OF TIER I CHILDREN ENROLLED WITH AN ELIGIBLE PREKINDERGARTEN**
20 **PROVIDER; AND**

21 **(II) BEGINNING IN FISCAL YEAR 2026, THE NUMBER OF TIER I**
22 **AND TIER II CHILDREN ENROLLMENT WITH AN ELIGIBLE PREKINDERGARTEN**
23 **PROVIDER.**

24 **(6) “STATE SHARE” MEANS, FOR EACH COUNTY, ROUNDED TO THE**
25 **NEAREST WHILE DOLLAR, THE FOLLOWING CALCULATIONS MULTIPLIED BY 0.5:**

26 **(I) MULTIPLY THE PER PUPIL AMOUNT BY THE COUNTY’S**
27 **PREKINDERGARTEN ENROLLMENT;**

1 **(II) DIVIDE THE RESULT CALCULATED UNDER SUBPARAGRAPH**
2 **(I) OF THIS PARAGRAPH BY THE RATIO, ROUNDED TO SEVEN DECIMAL PLACES, OF**
3 **LOCAL WEALTH PER PUPIL TO STATEWIDE WEALTH PER PUPIL; AND**

4 **(III) MULTIPLY THE RESULT CALCULATED UNDER**
5 **SUBPARAGRAPH (II) OF THIS PARAGRAPH BY THE RESULT, ROUNDED TO SEVEN**
6 **DECIMAL PLACES, THAT RESULTS FROM DIVIDING THE TOTAL STATE SHARE BY THE**
7 **SUM OF ALL OF THE RESULTS CALCULATED UNDER SUBPARAGRAPH (II) OF THIS**
8 **PARAGRAPH FOR ALL COUNTIES.**

9 **(7) “TIER I CHILD” HAS THE MEANING STATED IN § 7-1A-01 OF THIS**
10 **ARTICLE.**

11 **(8) “TIER II CHILD” HAS THE MEANING STATED IN § 7-1A-01 OF THIS**
12 **ARTICLE.**

13 **(9) “TIER III CHILD” HAS THE MEANING STATED IN § 7-1A-01 OF**
14 **THIS ARTICLE.**

15 **(10) “TOTAL PROGRAM AMOUNT” MEANS, FOR EACH COUNTY, THE**
16 **PRODUCT OF THE PER PUPIL AMOUNT AND THE PREKINDERGARTEN ENROLLMENT.**

17 **(11) “TOTAL STATE SHARE” MEANS THE PRODUCT OF 0.5 AND THE PER**
18 **PUPIL AMOUNT AND THE STATEWIDE PREKINDERGARTEN ENROLLMENT.**

19 **(B) TO BE ELIGIBLE FOR PUBLIC FUNDING, A PREKINDERGARTEN**
20 **PROVIDER SHALL COMPLY WITH TITLE 7, SUBTITLE 1A OF THIS ARTICLE.**

21 **(C) (1) (I) AS CALCULATED UNDER SUBSECTION (D) OF THIS SECTION,**
22 **THERE IS A STATE SHARE AND LOCAL SHARE OF THE PER PUPIL AMOUNT FOR TIER**
23 **I CHILDREN.**

24 **(II) THERE IS NO FAMILY SHARE FOR TIER I CHILDREN.**

25 **(2) AS CALCULATED UNDER SUBSECTION (E) OF THIS SECTION AND**
26 **BEGINNING IN FISCAL YEAR 2026, THERE IS A STATE SHARE, LOCAL SHARE, AND**
27 **FAMILY SHARE OF THE PER PUPIL AMOUNT FOR TIER II CHILDREN.**

28 **(3) TIER III CHILDREN ARE NOT ELIGIBLE FOR FUNDING UNDER THIS**
29 **SECTION.**

30 **(D) (1) (I) EACH FISCAL YEAR, THE STATE SHALL DISTRIBUTE THE**

1 STATE SHARE FOR PREKINDERGARTEN TO EACH COUNTY BOARD.

2 (II) EACH FISCAL YEAR, THE COUNTY SHALL DISTRIBUTE THE
3 LOCAL SHARE FOR PREKINDERGARTEN TO THE COUNTY BOARD.

4 (2) EACH FISCAL YEAR, THE COUNTY BOARD SHALL DISTRIBUTE TO
5 EACH PUBLICLY FUNDING PREKINDERGARTEN PROVIDER THE MINIMUM SCHOOL
6 FUNDING AMOUNT FOR PREKINDERGARTEN CALCULATED UNDER § 5-234 OF THIS
7 SUBTITLE.

8 (E) (1) ON OR BEFORE JULY 1, 2022, THE DEPARTMENT SHALL
9 ESTABLISH A SLIDING SCALE TO CALCULATE THE FAMILY SHARE REQUIRED FOR
10 TIER II CHILDREN.

11 (2) THE SLIDING SCALE DEVELOPED BY THE DEPARTMENT SHALL BE
12 INCREASED ON A LINEAR BASIS WITH:

13 (I) A LOWER LIMIT OF \$0 PER PUPIL FOR A FAMILY WITH AN
14 INCOME THAT IS 300% OF THE FEDERAL POVERTY LEVEL; AND

15 (II) AN UPPER LIMIT OF THE PER PUPIL AMOUNT FOR A FAMILY
16 WITH AN INCOME THAT IS MORE THAN 300% BUT LESS THAN 600% OF THE FEDERAL
17 POVERTY LEVEL.

18 (3) (I) 1. BEGINNING IN FISCAL YEAR 2026, THE STATE SHALL
19 DISTRIBUTE THE STATE SHARE FOR TIER II PREKINDERGARTEN TO EACH COUNTY
20 BOARD.

21 2. BEGINNING IN FISCAL YEAR 2026, THE COUNTY
22 SHALL DISTRIBUTE THE LOCAL SHARE FOR TIER II PREKINDERGARTEN TO THE
23 COUNTY BOARD.

24 (II) BEGINNING IN FISCAL YEAR 2026, THE COUNTY BOARD
25 SHALL DISTRIBUTE TO EACH PUBLICLY FUNDED PREKINDERGARTEN PROVIDER
26 THE MINIMUM SCHOOL FUNDING AMOUNT FOR TIER II PREKINDERGARTEN
27 CALCULATED UNDER § 5-234 OF THIS SUBTITLE.

28 (III) BEGINNING IN FISCAL YEAR 2026, THE FAMILY SHALL PAY
29 THE FAMILY SHARE TO THE PUBLICLY FUNDED PREKINDERGARTEN PROVIDER.

30 (F) INCOME-ELIGIBLE FAMILIES SHALL HAVE ACCESS TO EXTENDED DAY
31 SERVICES THROUGH THE CHILD CARE SCHOLARSHIP PROGRAM UNDER § 9.5-901
32 OF THIS ARTICLE.

1 **(G) THE DEPARTMENT, COUNTY BOARDS, AND ELIGIBLE**
2 **PREKINDERGARTEN PROVIDERS SHALL WORK TOGETHER TO ADDRESS THE**
3 **TRANSPORTATION NEEDS OF CHILDREN ENROLLED IN ELIGIBLE**
4 **PREKINDERGARTEN PROVIDERS.**

5 **[5-217.] 5-230.**

6 (a) (1) In this section the following words have the meanings indicated.

7 (2) “Accreditation” means the determination that a program meets quality
8 standards defined by the accrediting agency beyond State child care regulations.

9 (3) “Accrediting agency” means a State agency or national organization
10 that has developed a recognized accrediting process.

11 (4) “Credentialing” means the process through which an individual is
12 awarded a professional certificate based on education and experience.

13 (5) “Early Childhood Education Enhancement Grant” means a grant that
14 is distributed under subsection [(e-1)] **(F)** of this section.

15 (6) “Full day” means a period of time during the day that:

16 (i) Meets the needs of families; and

17 (ii) Is not less than 7 hours or more than 12 hours per day.

18 (7) “Judy Center” means a site where comprehensive early childhood
19 education services are provided to young children and their families for the purpose of
20 promoting school readiness through collaboration with participating agencies and
21 programs.

22 (8) “Judy Center Grant” means a grant that is distributed under subsection
23 (d) of this section.

24 (9) “Local management board” means a local management board as defined
25 under § 8-101(l) of the Human Services Article.

26 (10) “Participating agencies and programs” includes:

27 (i) Public prekindergarten and kindergarten programs;

28 (ii) Head Start programs;

29 (iii) Family literacy programs and services;

1 **(4) “PROGRAM” MEANS THE CAREER COUNSELING PROGRAM FOR**
2 **MIDDLE AND HIGH SCHOOL STUDENTS.**

3 **(B) (1) THERE IS A CAREER COUNSELING PROGRAM FOR MIDDLE AND**
4 **HIGH SCHOOL STUDENTS.**

5 **(2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE EACH MIDDLE**
6 **SCHOOL AND HIGH SCHOOL STUDENT IN THE COUNTY WITH INDIVIDUALIZED**
7 **CAREER COUNSELING SERVICES.**

8 **(C) (1) EACH COUNTY BOARD SHALL ENTER INTO A LOCAL CAREER**
9 **COUNSELING AGREEMENT WITH THE LOCAL WORKFORCE DEVELOPMENT BOARD,**
10 **THE COMMUNITY COLLEGE THAT SERVES THE COUNTY, AND, IF APPROPRIATE, AN**
11 **AMERICAN JOB CENTER.**

12 **(2) COUNSELING PROVIDED UNDER THE LOCAL CAREER**
13 **COUNSELING AGREEMENT SHALL HELP EACH STUDENT CHOOSE ONE OR MORE**
14 **POST-COLLEGE AND CAREER READINESS PATHWAYS UNDER § 7-205.1 OF THIS**
15 **TITLE.**

16 **(D) FUNDING RECEIVED BY THE COUNTY BOARD FOR CAREER COUNSELING**
17 **UNDER SUBTITLE 2 OF THIS TITLE, SHALL BE SPENT IN ACCORDANCE WITH THE**
18 **AGREEMENT.**

19 **(E) THE CTE COMMITTEE SHALL CONDUCT AN EVALUATION OF EACH**
20 **LOCAL CAREER COUNSELING AGREEMENT FOR BEST PRACTICES AND DISSEMINATE**
21 **ITS FINDINGS TO ALL COUNTY BOARDS, LOCAL WORKFORCE DEVELOPMENT**
22 **BOARDS, COMMUNITY COLLEGES, AND IF APPROPRIATE, AMERICAN JOB CENTERS,**
23 **IN THE STATE.**

24 **SUBTITLE 1A. PUBLICLY FUNDED FULL-DAY PREKINDERGARTEN PROGRAM.**

25 **7-1A-01.**

26 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
27 **INDICATED.**

28 **(B) “COST OF QUALITY” MEANS THE PER-PUPIL AMOUNT PROVIDED UNDER**
29 **§ 5-229 OF THIS ARTICLE.**

30 **(C) “ELIGIBLE PREKINDERGARTEN PROVIDER” INCLUDES AN:**

31 **(1) ELIGIBLE PUBLIC PROVIDER; AND**

1 **(2) ELIGIBLE PRIVATE PROVIDER.**

2 **(D) “ELIGIBLE PUBLIC PROVIDER” MEANS AN EARLY LEARNING PROGRAM**
3 **THAT:**

4 **(1) IS PROVIDED BY A COUNTY BOARD AT A PUBLIC SCHOOL; AND**

5 **(2) MEETS THE REQUIREMENTS UNDER § 7-1A-05 OF THIS**
6 **SUBTITLE.**

7 **(E) (1) “ELIGIBLE PRIVATE PROVIDER” MEANS A COMMUNITY BASED**
8 **EARLY LEARNING PROGRAM THAT:**

9 **(I) IS LICENSED IN THE STATE;**

10 **(II) DOES NOT CHARGE MORE TUITION FOR FULL-DAY**
11 **PREKINDERGARTEN THAN THE COST OF QUALITY; AND**

12 **(III) MEETS THE REQUIREMENTS UNDER § 7-1A-05 OF THIS**
13 **SUBTITLE.**

14 **(2) “ELIGIBLE PRIVATE PROVIDER” INCLUDES THE ULYSSES CURRIE**
15 **HEAD START PROGRAM UNDER § 5-220 OF THIS ARTICLE.**

16 **(F) “FULL-DAY PREKINDERGARTEN” MEANS AN EARLY LEARNING**
17 **PROGRAM WITH A SIX AND ONE-HALF HOUR SCHOOL DAY.**

18 **(G) “PREKINDERGARTEN PROGRAM” MEANS AN EARLY LEARNING**
19 **PROGRAM AT AN ELIGIBLE PREKINDERGARTEN PROVIDER.**

20 **(H) “PREKINDERGARTEN SLOT” MEANS THE AVAILABLE SPACE FOR A**
21 **CHILD TO ATTEND A PREKINDERGARTEN PROGRAM.**

22 **(I) “TIER I CHILD” MEANS A CHILD:**

23 **(1) WHO IS 3 OR 4 YEARS OLD;**

24 **(2) WHOSE FAMILY INCOME IS LESS THAN OR EQUAL TO 300% OF THE**
25 **FEDERAL POVERTY LEVEL; AND**

26 **(3) WHOSE FAMILY CHOOSES TO ENROLL THE CHILD IN FULL-DAY**
27 **PREKINDERGARTEN PROVIDER.**

1 **(J) “TIER II CHILD” MEANS A CHILD:**

2 **(1) WHO IS 4 YEARS OLD;**

3 **(2) WHOSE FAMILY INCOME IS MORE THAN 300% BUT NOT MORE**
4 **THAN 600% OF THE FEDERAL POVERTY LEVEL; AND**

5 **(3) WHOSE FAMILY CHOOSES TO ENROLL THE CHILD IN FULL-DAY**
6 **PREKINDERGARTEN.**

7 **(K) “TIER III CHILD” MEANS A CHILD:**

8 **(1) WHO IS 4 YEARS OLD;**

9 **(2) WHOSE FAMILY INCOME IS MORE THAN 600% OF THE FEDERAL**
10 **POVERTY LEVEL; AND**

11 **(3) WHOSE FAMILY CHOOSES TO ENROLL THE CHILD IN FULL-DAY**
12 **PREKINDERGARTEN.**

13 7-1A-02.

14 (a) (1) A local department of social services or a local health department shall
15 provide a parent or guardian with [an] oral and written notice that their child may be
16 eligible for publicly funded prekindergarten programs if the parent or guardian:

17 (i) Applied for economic services with the local department of social
18 services or the local health department; and

19 (ii) Has a child who will be **3 OR** 4 years old [on] **BY** September 1 of
20 the next academic year.

21 (2) The notice required under paragraph (1) of this subsection shall
22 include:

23 **(I) [contact] CONTACT** information for the enrollment office of the
24 local school system and the Division of Early Childhood Development in the Department;
25 **AND**

26 **(II) INFORMATION ON THE EXISTENCE OF THE CHILD CARE**
27 **SCHOLARSHIP FOR BEFORE AND AFTER FULL-DAY PREKINDERGARTEN**
28 **PROGRAMMING AND THE POSSIBILITY OF ELIGIBILITY FOR STATE AID.**

29 (3) On or before December 1 of each year, each local department of social

1 services and each local health department shall report to the General Assembly, in
2 accordance with § 2–1257 of the State Government Article, on the number of parents who
3 were given a notification and subsequently enrolled their child in a publicly funded
4 prekindergarten program.

5 (b) The requirements set forth in § 7–101(b) of this [subtitle] TITLE regarding the
6 domicile of a child and the residency of the child’s parent or guardian shall apply to
7 prekindergarten programs established by county boards as required by this [section]
8 SUBTITLE.

9 **7–1A–03.**

10 (A) EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, A
11 COUNTY BOARD SHALL ENSURE THAT:

12 (1) BEGINNING IN THE 2020–2021 SCHOOL YEAR, ELIGIBLE PRIVATE
13 PROVIDERS SHALL ACCOUNT FOR AT LEAST 30% OF ELIGIBLE PREKINDERGARTEN
14 PROVIDERS IN EACH COUNTY;

15 (2) THE PROPORTION OF ELIGIBLE PRIVATE PROVIDERS IN EACH
16 COUNTY INCREASES BY 5 PERCENTAGE POINTS EVERY SCHOOL YEAR, UNTIL, IN THE
17 2024–2025 SCHOOL YEAR, ELIGIBLE PRIVATE PROVIDERS ACCOUNT FOR AT LEAST
18 50% OF ELIGIBLE PREKINDERGARTEN PROVIDERS IN EACH COUNTY; AND

19 (3) IN EACH YEAR AFTER THE 2024–2025 SCHOOL YEAR, THE
20 PROPORTION OF ELIGIBLE PRIVATE PROVIDERS IN EACH COUNTY SHALL CONTINUE
21 TO CONSTITUTE AT LEAST 50% OF ELIGIBLE PREKINDERGARTEN PROVIDERS IN
22 EACH COUNTY.

23 (B) (1) THE DEPARTMENT MAY ISSUE A WAIVER FROM THE
24 REQUIREMENTS OF THIS SECTION TO A COUNTY BOARD IF:

25 (i) ALL FAMILIES IN THE COUNTY WHO DESIRE TO ENROLL
26 THEIR ELIGIBLE CHILDREN WITH ELIGIBLE PREKINDERGARTEN PROVIDERS ARE
27 ABLE TO DO SO; OR

28 (ii) AFTER REASONABLE CROSS–JURISDICTIONAL OR
29 REGIONAL EFFORTS, THERE ARE TOO FEW ELIGIBLE PRIVATE PROVIDERS TO MEET
30 THE MINIMUM REQUIREMENTS OF THIS SECTION.

31 (2) THE DEPARTMENT MAY EXCLUDE BY ANNUAL WAIVER TIER I
32 CHILDREN WHO ARE 3 YEARS OLD IN A COUNTY FROM THE CALCULATION OF THE
33 UNDER SUBSECTION (A) OF THIS SECTION UNTIL THE 2029–2030 SCHOOL YEAR.

1 **(3) THE DEPARTMENT MAY EXCLUDE BY ANNUAL WAIVER TIER I**
2 **CHILDREN WHO ARE 4 YEARS OLD IN A COUNTY FROM THE CALCULATION UNDER**
3 **SUBSECTION (A) OF THIS SECTION UNTIL THE 2025–2026 SCHOOL YEAR.**

4 **(4) THE DEPARTMENT SHALL ESTABLISH WAIVER APPLICATION**
5 **PROCEDURES TO CARRY OUT THE PROVISIONS OF THIS SUBSECTION.**

6 **7–1A–04.**

7 **(A) ALL ELIGIBLE PREKINDERGARTEN PROVIDERS SHALL INCLUDE**
8 **STRUCTURAL ELEMENTS THAT ARE EVIDENCE–BASED AND NATIONALLY**
9 **RECOGNIZED AS IMPORTANT FOR ENSURING PROGRAM QUALITY, INCLUDING:**

10 **(1) (I) HIGH STAFF QUALIFICATIONS, INCLUDING TEACHERS WHO,**
11 **AT A MINIMUM, HOLD:**

12 **1. STATE CERTIFICATION FOR TEACHING IN EARLY**
13 **CHILDHOOD EDUCATION; OR**

14 **2. A BACHELOR’S DEGREE IN ANY FIELD AND ARE**
15 **PURSuing RESIDENCY THROUGH THE MARYLAND APPROVED ALTERNATIVE**
16 **PREPARATION PROGRAM, WHICH INCLUDES EARLY CHILDHOOD COURSEWORK,**
17 **CLINICAL PRACTICE, AND EVIDENCE OF PEDAGOGICAL CONTENT KNOWLEDGE; AND**

18 **(II) TEACHING ASSISTANTS WHO HAVE AT LEAST:**

19 **1. A CHILD DEVELOPMENT ASSOCIATE (CDA)**
20 **CERTIFICATE; OR**

21 **2. AN ASSOCIATE’S DEGREE;**

22 **(2) PROFESSIONAL DEVELOPMENT FOR ALL STAFF;**

23 **(3) A STUDENT–TO–TEACHER RATIO OF NO MORE THAN 10 TO 1 IN**
24 **EACH CLASS;**

25 **(4) CLASS SIZES OF NO MORE THAN 20 STUDENTS PER CLASSROOM;**

26 **(5) BE A FULL–DAY PREKINDERGARTEN PROGRAM;**

27 **(6) INCLUSION OF STUDENTS WITH DISABILITIES TO ENSURE ACCESS**
28 **TO AND FULL PARTICIPATION IN ALL PROGRAM OPPORTUNITIES;**

1 **(7) FOR AT LEAST 1 YEAR BEFORE A STUDENT’S ENROLLMENT IN**
2 **KINDERGARTEN, LEARNING ENVIRONMENTS THAT:**

3 **(I) ARE ALIGNED WITH STATE EARLY LEARNING AND**
4 **DEVELOPMENT STANDARDS;**

5 **(II) USE EVIDENCE–BASED CURRICULA; AND**

6 **(III) USE INSTRUCTION METHODS THAT ARE:**

7 **1. DEVELOPMENTALLY APPROPRIATE; AND**

8 **2. CULTURALLY AND LINGUISTICALLY RESPONSIVE;**

9 **(8) INDIVIDUALIZED ACCOMMODATIONS AND SUPPORTS FOR ALL**
10 **STUDENTS;**

11 **(9) INSTRUCTIONAL STAFF SALARIES AND BENEFITS THAT ARE**
12 **COMPARABLE TO THE SALARIES AND BENEFITS OF INSTRUCTIONAL STAFF**
13 **EMPLOYED BY THE COUNTY BOARD OF THE COUNTY IN WHICH THE EARLY LEARNING**
14 **PROGRAM IS LOCATED;**

15 **(10) PROGRAM EVALUATION TO ENSURE CONTINUOUS PROGRAM**
16 **IMPROVEMENT;**

17 **(11) ON–SITE OR ACCESSIBLE COMPREHENSIVE SERVICES FOR**
18 **STUDENTS;**

19 **(12) COMMUNITY PARTNERSHIPS THAT PROMOTE ACCESS TO**
20 **COMPREHENSIVE SERVICES FOR FAMILIES OF STUDENTS; AND**

21 **(13) EVIDENCE–BASED HEALTH AND SAFETY STANDARDS.**

22 **(B) IN ADDITION TO THE REQUIREMENTS LISTED IN SUBSECTION (A) OF**
23 **THIS SECTION, AN ELIGIBLE PREKINDERGARTEN PROVIDER SHALL:**

24 **(1) IF THE PROVIDER IS AN ELIGIBLE PRIVATE PROVIDER, ACHIEVE A**
25 **QUALITY RATING LEVEL OF 3 IN THE MARYLAND EXCELS PROGRAM AND PUBLISH**
26 **THAT QUALITY RATING IN A PUBLICLY AVAILABLE MANNER, DETERMINED BY THE**
27 **DEPARTMENT;**

28 **(2) IF THE PROVIDER IS AN ELIGIBLE PUBLIC PROVIDER, ACHIEVE A**
29 **QUALITY RATING LEVEL OF 4 IN THE MARYLAND EXCELS PROGRAM AND PUBLISH**

1 THAT QUALITY RATING IN A PUBLICLY AVAILABLE MANNER, DETERMINED BY THE
2 DEPARTMENT;

3 (3) SUBMIT TO THE DEPARTMENT A PLAN TO ACHIEVE A QUALITY
4 RATING LEVEL 5 IN THE MARYLAND EXCELS PROGRAM WITHIN 5 YEARS AFTER
5 BECOMING AN ELIGIBLE PREKINDERGARTEN PROVIDER;

6 (4) ACHIEVE IN ACCORDANCE WITH THE PLAN A QUALITY RATING
7 LEVEL 5 IN THE MARYLAND EXCELS PROGRAM WITHIN 5 YEARS AFTER BECOMING
8 AN ELIGIBLE PREKINDERGARTEN PROVIDER AND PUBLISH THAT QUALITY RATING
9 IN A PUBLICLY AVAILABLE MANNER, DETERMINED BY THE DEPARTMENT; AND

10 (5) EXCEPT AS OTHERWISE PROVIDED IN § 7-1A-07 OF THIS
11 SUBTITLE, BE OPEN FOR PUPIL ATTENDANCE IN ACCORDANCE WITH § 7-103 OF THIS
12 TITLE.

13 (C) (1) AN ELIGIBLE PREKINDERGARTEN PROVIDER MAY NOT ENGAGE IN
14 EXPLICITLY RELIGIOUS ACTIVITIES DURING SCHOOL HOURS.

15 (2) IF AN ELIGIBLE PREKINDERGARTEN PROVIDER ENGAGES IN AN
16 EXPLICITLY RELIGIOUS ACTIVITY, THE ACTIVITY SHALL BE:

17 (I) SEPARATE IN TIME AND LOCATION FROM ANY INSTRUCTION
18 OFFERED BY THE ELIGIBLE PREKINDERGARTEN PROVIDER; AND

19 (II) VOLUNTARY.

20 (3) AN ELIGIBLE PREKINDERGARTEN PROVIDER MAY NOT BE
21 REQUIRED TO ADOPT ANY RULE, REGULATION, OR POLICY THAT CONFLICTS WITH
22 ITS RELIGIOUS OR MORAL TEACHINGS.

23 (4) (I) AN ELIGIBLE PREKINDERGARTEN PROVIDER SHALL
24 COMPLY WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED, TITLE
25 20, SUBTITLE 6 OF THE STATE GOVERNMENT ARTICLE, AND NOT DISCRIMINATE IN
26 STUDENT ADMISSIONS, RETENTION, OR EXPULSION OR OTHERWISE DISCRIMINATE
27 AGAINST ANY STUDENT OR PARENT OF A STUDENT ON THE BASIS OF RACE, COLOR,
28 NATIONAL ORIGIN, DISABILITY, SEXUAL ORIENTATION, OR GENDER IDENTITY OR
29 EXPRESSION.

30 (II) IF A STUDENT HAS A DISABILITY, PLACEMENT OF THE
31 STUDENT SHALL BE BASED ON WHERE THE STUDENT WILL BE BEST SERVED.

32 (III) AN ELIGIBLE PREKINDERGARTEN PROVIDER FOUND TO

1 HAVE VIOLATED THE NONDISCRIMINATION REQUIREMENTS UNDER THIS SECTION:

2 1. MAY NOT CONTINUE TO BE AN ELIGIBLE
3 PREKINDERGARTEN PROVIDER; AND

4 2. SHALL REIMBURSE THE DEPARTMENT ALL PUBLIC
5 FUNDS PROVIDED UNDER THIS SUBTITLE MINUS ANY AMOUNT RECEIVED FROM THE
6 CHILD CARE SCHOLARSHIP PROGRAM.

7 7-1A-05.

8 (A) EACH COUNTY BOARD SHALL ENTER INTO A MEMORANDUM OF
9 UNDERSTANDING WITH THE DEPARTMENT, EACH ELIGIBLE PRIVATE PROVIDERS
10 PARTICIPATING IN PUBLICLY FUNDED PREKINDERGARTEN IN THE COUNTY, AND
11 OTHER APPLICABLE GOVERNMENT AGENCIES.

12 (B) THE MEMORANDUM OF UNDERSTANDING SHALL PROVIDE FOR:

13 (1) SERVICES FOR CHILDREN WITH DISABILITIES;

14 (2) A PROCESS BY WHICH A PARENT IS ABLE TO INDICATE A
15 PREFERENCE FOR ELIGIBLE PREKINDERGARTEN PROVIDERS;

16 (3) THE MANNER FOR PROCESSING THE PAYMENT OF THE STATE
17 SHARE, LOCAL SHARE, AND FAMILY SHARE FOR EACH CHILD WHO IS ENROLLED
18 WITH AN ELIGIBLE PREKINDERGARTEN PROVIDER;

19 (4) ANY AGREED UPON ADMINISTRATIVE COSTS TO BE RETAINED BY
20 AN AGENCY THAT IS PARTY TO THE AGREEMENT;

21 (5) THE MANNER IN WHICH THE PARTIES WILL MEET THE
22 REQUIREMENTS OF THIS SUBTITLE; AND

23 (6) ANY OTHER PROVISIONS NECESSARY TO CARRY OUT THIS
24 SUBTITLE.

25 7-1A-06.

26 (A) BEGINNING IN THE 2021-2022 SCHOOL YEAR, TIER I CHILDREN WHO
27 ARE 3 OR 4 YEARS OLD MAY BE ENROLLED IN A FULL-DAY PREKINDERGARTEN
28 PROGRAM UNDER THIS SUBTITLE.

29 (B) (1) THE PROPORTION OF ENROLLED TIER I CHILDREN WHO ARE 3

1 YEARS OLD SHALL INCREASE ANNUALLY UNTIL ALL TIER I CHILDREN WHO ARE 3
2 YEARS OLD ARE ENROLLED IN A FULL-DAY PREKINDERGARTEN PROGRAM.

3 (2) THE PROPORTION OF ENROLLED TIER I CHILDREN WHO ARE 4
4 YEARS OLD SHALL INCREASE ANNUALLY SO THAT BY THE 2025-2026 SCHOOL YEAR,
5 ALL TIER I CHILDREN WHO ARE 4 YEARS OLD SHALL BE ENROLLED IN A FULL-DAY
6 PREKINDERGARTEN PROGRAM.

7 (C) BEGINNING IN THE 2025-2026 SCHOOL YEAR, TIER II CHILDREN MAY
8 BE ENROLLED IN A FULL-DAY PREKINDERGARTEN PROGRAM IF PREKINDERGARTEN
9 SLOTS ARE AVAILABLE UNTIL ALL TIER II CHILDREN WHO ARE 4 YEARS OLD ARE
10 ENROLLED IN A FULL-DAY PREKINDERGARTEN PROGRAM.

11 (D) NOTWITHSTANDING SUBSECTION (A) THROUGH (C) OF THIS SECTION,
12 PRIORITY IN EXPANDING PREKINDERGARTEN SLOTS SHALL BE PROVIDED TO 3- AND
13 4-YEAR OLDS WHO ARE:

14 (1) TIER I CHILDREN; AND

15 (2) CHILDREN WITH DISABILITIES, REGARDLESS OF INCOME.

16 7-1A-07.

17 (A) THE STATE SHALL PRIORITIZE PUBLIC SCHOOL CONSTRUCTION
18 FUNDING REQUESTS FOR HIGH QUALITY PREKINDERGARTEN CLASSROOMS.

19 (B) A COUNTY BOARD MAY PARTNER WITH THE STATE OR THE COUNTY
20 GOVERNMENT TO ADDRESS PHYSICAL SPACE CONSTRAINTS FOR ELIGIBLE
21 PREKINDERGARTEN PROVIDERS BY UTILIZING EXISTING AVAILABLE SPACE AT A
22 LOCATION THAT IS NOT AN ELIGIBLE PREKINDERGARTEN PROVIDER INCLUDING:

23 (1) SENIOR CARE FACILITIES; OR

24 (2) COMMUNITY CENTERS.

25 7-1A-08.

26 ON OR BEFORE DECEMBER 1, 2020, AND EACH DECEMBER 1 THEREAFTER,
27 EACH COUNTY BOARD SHALL SUBMIT THE FOLLOWING INFORMATION,
28 DISAGGREGATED BY ELIGIBLE PRIVATE AND ELIGIBLE PUBLIC PROVIDERS, TO THE
29 DEPARTMENT AND THE ACCOUNTABILITY AND IMPLEMENTATION BOARD
30 ESTABLISHED UNDER TITLE 5, SUBTITLE 4 OF THIS ARTICLE:

1 **(1) THE NUMBER OF ELIGIBLE PREKINDERGARTEN PROVIDERS IN**
2 **THE COUNTY;**

3 **(2) THE NUMBER OF ELIGIBLE PREKINDERGARTEN PROVIDERS IN**
4 **THE COUNTY THAT, IN THE IMMEDIATELY PRECEDING CALENDAR YEAR, EXPANDED**
5 **TO OFFER PREKINDERGARTEN PROGRAMS THAT ARE OPEN FOR PUPIL ATTENDANCE**
6 **A MINIMUM OF 6.5 HOURS DURING EACH SCHOOL DAY;**

7 **(3) THE MARYLAND EXCELS PROGRAM QUALITY RATING LEVEL OF**
8 **EACH ELIGIBLE PREKINDERGARTEN PROVIDER IN THE COUNTY;**

9 **(4) THE PARTICIPATION RATE OF ALL COUNTY 3-AND 4-YEAR OLDS**
10 **IN ELIGIBLE PREKINDERGARTEN PROVIDERS ESTABLISHED OR EXPANDED IN**
11 **ACCORDANCE WITH THIS SUBTITLE, DISAGGREGATED BY AGE AND TIER, IF**
12 **APPLICABLE;**

13 **(5) THE NUMBER AND PROPORTION OF ELIGIBLE**
14 **PREKINDERGARTEN PROVIDERS IN THE COUNTY THAT ARE ELIGIBLE PRIVATE**
15 **PROVIDERS;**

16 **(6) A MEASURE OF SCHOOL READINESS IN ACCORDANCE WITH §**
17 **7-210 OF THIS TITLE; AND**

18 **(7) A DEMONSTRATION THAT THE EXPANSION OF**
19 **PREKINDERGARTEN PROGRAMS IN THE COUNTY GAVE PRIORITY TO:**

20 **(I) CHILDREN IN AREAS WITH LIMITED OR NO ACCESS TO**
21 **QUALITY CHILD CARE, REGARDLESS OF FAMILY INCOME;**

22 **(II) TIER I CHILDREN; AND**

23 **(III) STUDENTS WITH DISABILITIES, REGARDLESS OF FAMILY**
24 **INCOME.**

25 **7-1A-09.**

26 **THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE**
27 **PROVISIONS OF THIS SUBTITLE.**

28 **7-202.1.**

29 **(A) THE DEPARTMENT SHALL, IN CONSULTATION WITH EXPERIENCED AND**
30 **HIGHLY EFFECTIVE TEACHERS, INCLUDING TEACHERS ON THE CAREER LADDER**