

HOUSE BILL 1319

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8lr0506

By: **Delegates Huckler, Barve, Carr, Donoghue, Doory, Gilchrist, Hixson, Holmes, Howard, Jennings, Kullen, McHale, McIntosh, Myers, Ross, Sossi, Taylor, F. Turner, Valderrama, Waldstreicher, ~~and Weir~~ Weir, Bartlett, Elmore, Ivey, Kaiser, Rice, Serafini, and Stukes**

Introduced and read first time: February 8, 2008

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 28, 2008

CHAPTER _____

1 AN ACT concerning

2 **Expanded Early Childhood Education**

3 FOR the purpose of altering certain definitions to provide that certain children whose
4 families meet certain eligibility requirements are eligible for certain publicly
5 funded prekindergarten programs; requiring the State Superintendent of
6 Schools to determine and certify to the Governor and the General Assembly the
7 amount of funding needed for the State to fully fund certain costs; providing
8 that the inclusion of certain children in certain publicly funded prekindergarten
9 programs is contingent on certain funds being appropriated in the State budget;
10 and generally relating to eligibility requirements for publicly funded
11 prekindergarten programs.

12 BY repealing and reenacting, with amendments,
13 Article – Education
14 Section 7–101.1
15 Annotated Code of Maryland
16 (2006 Replacement Volume and 2007 Supplement)

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

19 **Article – Education**
20 7–101.1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

2 (2) “Economically disadvantaged background” means a family whose
3 income would make a child eligible for free or reduced price meals if the child were in
4 kindergarten.

5 (3) (I) “Eligible child” means a child:

6 [(i)] 1. Who is from an economically disadvantaged
7 background;

8 [(ii)] 2. Whose parent or guardian seeks to enroll the child in
9 a public prekindergarten program; and

10 [(iii)] 3. Who is 4 years old on September 1 of the school year
11 in which the parent or legal guardian seeks to enroll the child in a public
12 prekindergarten program.

13 (II) “**ELIGIBLE CHILD**” INCLUDES A CHILD:

14 1. WHO IS 4 YEARS OLD ON SEPTEMBER 1 OF THE
15 SCHOOL YEAR IN WHICH THE PARENT OR LEGAL GUARDIAN SEEKS TO ENROLL
16 THE CHILD IN A PUBLIC PREKINDERGARTEN PROGRAM;

17 2. WHO IS NOT FROM AN ECONOMICALLY
18 DISADVANTAGED BACKGROUND BUT WHOSE FAMILY INCOME IS AT OR BELOW
19 300 PERCENT OF THE POVERTY LEVEL; AND

20 3. WHO IS THE CHILD OF:

21 1. A. THE CHILD OF AN AN ACTIVE DUTY MEMBER OF
22 THE ARMED FORCES OF THE UNITED STATES, INCLUDING THE ~~STATE~~ STATE
23 MILITARY FORCES OR A RESERVE COMPONENT OF THE ARMED FORCES, WHO IS
24 ORDERED TO ACTIVE DUTY BY PROPER AUTHORITY; OR

25 2. B. THE CHILD OF A A MEMBER OF THE ARMED
26 FORCES OF THE UNITED STATES, INCLUDING THE ~~STATE~~ STATE
27 FORCES OR A RESERVE COMPONENT OF THE ARMED FORCES, WHO WAS
28 INJURED OR KILLED WHILE SERVING ON ACTIVE DUTY.

29 (4) “Eligible for free or reduced price meals” means eligible for free or
30 reduced price meals based on eligibility requirements established by the United States
31 Department of Agriculture.

1 ~~(5) "INCOME" MEANS INCOME AS DEFINED IN THE ELIGIBILITY~~
 2 ~~REQUIREMENTS FOR FREE OR REDUCED PRICE MEALS ESTABLISHED BY THE~~
 3 ~~UNITED STATES DEPARTMENT OF AGRICULTURE.~~

4 (b) (1) ~~By~~ SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, BY the
 5 2007–2008 school year, all eligible children shall be admitted free of charge to publicly
 6 funded prekindergarten programs established by each of the county boards.

7 (2) (I) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE
 8 STATE SUPERINTENDENT OF SCHOOLS SHALL:

9 1. DETERMINE THE AMOUNT OF FUNDING NEEDED
 10 FOR THE NEXT FISCAL YEAR FOR THE STATE TO FULLY FUND THE COST OF
 11 INCLUSION OF ELIGIBLE CHILDREN DESCRIBED IN SUBSECTION (A)(3)(II) OF
 12 THIS SECTION IN THE PROGRAMS ESTABLISHED UNDER PARAGRAPH (1) OF THIS
 13 SUBSECTION; AND

14 2. CERTIFY THAT AMOUNT TO THE GOVERNOR AND,
 15 SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL
 16 ASSEMBLY.

17 (II) FOR ANY FISCAL YEAR, THE INCLUSION OF ELIGIBLE
 18 CHILDREN DESCRIBED IN SUBSECTION (A)(3)(II) OF THIS SECTION IN THE
 19 PROGRAMS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS
 20 CONTINGENT ON THE APPROPRIATION OF FUNDS IN THE STATE BUDGET FOR
 21 THAT FISCAL YEAR SUFFICIENT TO PAY FOR THE COST OF INCLUDING THE
 22 ELIGIBLE CHILDREN IN THE PROGRAMS AS CERTIFIED BY THE STATE
 23 SUPERINTENDENT OF SCHOOLS UNDER SUBPARAGRAPH (I) OF THIS
 24 PARAGRAPH.

25 (c) The requirements set forth in § 7–101(b) of this subtitle regarding the
 26 domicile of a child and the residency of the child's parent or guardian shall apply to
 27 prekindergarten programs established by county boards as required by this section.

28 ~~(D) A CHILD WHO IS ELIGIBLE FOR ADMISSION FREE OF CHARGE TO~~
 29 ~~PUBLICLY FUNDED PREKINDERGARTEN PROGRAMS ESTABLISHED BY EACH~~
 30 ~~COUNTY BOARD UNDER~~ SUBJECT TO SUBSECTION (B)(2) OF THIS SECTION, AN
 31 ELIGIBLE CHILD DESCRIBED IN SUBSECTION (A)(3)(II) OF THIS SECTION SHALL
 32 REMAIN ELIGIBLE FOR ENROLLMENT IF THE CHILD'S PARENT LEAVES THE
 33 ARMED FORCES OR IS NO LONGER ON ACTIVE DUTY AFTER THE CHILD
 34 COMMENCES TO ATTEND A PREKINDERGARTEN PROGRAM.

35 [(d)] (E) In the comprehensive master plan that is submitted under § 5–401
 36 of this article, a county board shall identify the strategies that will be used in that

HOUSE BILL 1319

1 county to ensure that publicly funded prekindergarten programs are available to all
2 eligible children in that county by the 2007–2008 school year.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 July 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.