

HOUSE BILL 1080

F1

7lr3003

By: **Delegates Walker and Hixson**

Introduced and read first time: February 9, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Universal Prekindergarten – Established**

3 FOR the purpose of requiring each county board of education to receive from the State a
4 supplemental prekindergarten grant beginning in a certain fiscal year; establishing
5 a certain formula for the calculation of the amount of the grant to each county;
6 requiring the State to distribute a certain grant at the same time as the distribution
7 of other certain funds; requiring the State to first use special funds from the
8 Education Trust Fund for the grants; requiring general funds to be used under a
9 certain circumstance; requiring each county board to admit certain children free of
10 charge for a certain length of the day by a certain school year; requiring county
11 boards to include certain information in a certain master plan; repealing a certain
12 requirement for local departments of social services and local health departments;
13 altering the use of certain grant awards; requiring funds in the Education Trust
14 Fund to be allocated in a certain order; defining certain terms; providing for the
15 application of this Act; and generally relating to prekindergarten.

16 BY adding to
17 Article – Education
18 Section 5–218
19 Annotated Code of Maryland
20 (2014 Replacement Volume and 2016 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Education
23 Section 7–101.1 and 7–101.2(b)(4)(iv)
24 Annotated Code of Maryland
25 (2014 Replacement Volume and 2016 Supplement)

26 BY repealing and reenacting, without amendments,
27 Article – Education
28 Section 7–101.2(a)(1), (2), and (3) and (b)(1)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2014 Replacement Volume and 2016 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – State Government
5 Section 9–1A–30
6 Annotated Code of Maryland
7 (2014 Replacement Volume and 2016 Supplement)

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

10 **Article – Education**

11 **5–218.**

12 (A) IN THIS SECTION, “ELIGIBLE CHILD” HAS THE MEANING STATED IN §
13 7–101.1 OF THIS ARTICLE.

14 (B) BEGINNING IN FISCAL YEAR 2019, EACH COUNTY BOARD SHALL
15 RECEIVE FROM THE STATE A SUPPLEMENTAL PREKINDERGARTEN GRANT BASED ON
16 THE NUMBER OF FULL–TIME EQUIVALENT ELIGIBLE CHILDREN ENROLLED IN
17 PREKINDERGARTEN IN THE COUNTY ON SEPTEMBER 30 OF THE PRIOR SCHOOL
18 YEAR.

19 (C) FOR EACH COUNTY, THE SUPPLEMENTAL PREKINDERGARTEN GRANT
20 SHALL BE THE STATE SHARE OF THE PER PUPIL FOUNDATION AMOUNT FOR EACH
21 FULL–TIME EQUIVALENT ELIGIBLE CHILD MULTIPLIED BY 0.5.

22 (D) THE STATE SHALL DISTRIBUTE THE SUPPLEMENTAL
23 PREKINDERGARTEN GRANT AT THE SAME TIME THE STATE DISTRIBUTES FUNDS TO
24 COUNTY BOARDS UNDER THIS SUBTITLE.

25 (E) (1) THE STATE SHALL FIRST USE SPECIAL FUNDS FROM THE
26 EDUCATION TRUST FUND ESTABLISHED UNDER § 9–1A–30 OF THE STATE
27 GOVERNMENT ARTICLE TO PROVIDE THE SUPPLEMENTAL PREKINDERGARTEN
28 GRANT.

29 (2) IF THERE ARE INSUFFICIENT FUNDS IN THE EDUCATION TRUST
30 FUND TO PROVIDE THE FUNDS REQUIRED UNDER THIS SECTION, THEN GENERAL
31 FUNDS SHALL BE USED TO SUPPLEMENT THE SPECIAL FUNDS.

32 7–101.1.

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

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

4 (3) “Eligible], “**ELIGIBLE** child” means a child:

5 [(i)] **(1)** [Who is from an economically disadvantaged background;

6 (ii)] Whose parent or guardian seeks to enroll the child in a public
7 prekindergarten program; and

8 [(iii)] **(2)** Who is 4 years old on September 1 of the school year in
9 which the parent or legal guardian seeks to enroll the child in a public prekindergarten
10 program.

11 [(4) “Eligible for free or reduced price meals” means eligible for free or
12 reduced price meals based on eligibility requirements established by the United States
13 Department of Agriculture.]

14 (b) By the ~~[2007–2008]~~ **2018–2019** school year, all eligible children shall be
15 admitted free of charge to **AT LEAST A HALF–DAY OF** publicly funded prekindergarten
16 programs established by each of the county boards.

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

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

22 (ii) Has a child who will be 4 years old on September 1 of the next
23 academic year.

24 (2) The notice required under paragraph (1) of this subsection shall include
25 contact information for the enrollment office of the local school system and the Division of
26 Early Childhood Development in the Department.

27 (3) On or before December 1 of each year, each local department of social
28 services and each local health department shall report to the General Assembly, in
29 accordance with § 2–1246 of the State Government Article, on the number of parents who
30 were given a notification and subsequently enrolled their child in a publicly funded
31 prekindergarten program.

1 (d) The requirements set forth in § 7–101(b) of this subtitle regarding the domicile
2 of a child and the residency of the child’s parent or guardian shall apply to prekindergarten
3 programs established by county boards as required by this section.

4 [(e) (D) In the comprehensive master plan that is submitted under § 5–401 of
5 this article, a county board shall identify the strategies that will be used in that county to
6 ensure that publicly funded prekindergarten programs are available to all eligible children
7 in that county by the [2007–2008] **2018–2019** school year.

8 7–101.2.

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

10 (2) “Additional eligible child” means a child:

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

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

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

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

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

21 (4) (iv) Prekindergarten Expansion Grants may be used to expand
22 prekindergarten services, including:

23 1. [Establishing or expanding existing half-day
24 prekindergarten for additional eligible children as defined in this section;

25 2. Establishing or expanding full-day prekindergarten for
26 eligible children as defined in § 7–101.1 of this subtitle or additional eligible children as
27 defined in this section;

28 3.] Establishing or expanding existing Judy Centers for the
29 families of eligible children as defined in § 7–101.1 of this subtitle or additional eligible
30 children as defined in this section who are located in Title I school attendance areas; and

1 [4.] 2. Expanding existing half-day prekindergarten
2 programs into full-day prekindergarten programs for eligible children as defined in §
3 7-101.1 of this subtitle or additional eligible children as defined in this section.

4 **Article – State Government**

5 9-1A-30.

6 (a) There is an Education Trust Fund which is a special, nonlapsing fund that is
7 not subject to § 7-302 of the State Finance and Procurement Article.

8 (b) (1) There shall be credited to the Education Trust Fund all proceeds
9 allocated to the Fund under § 9-1A-27 of this subtitle.

10 (2) Money in the Education Trust Fund shall be invested and reinvested
11 by the Treasurer, and interest and earnings shall accrue to the Fund.

12 (c) (1) [Money] **FIRST, MONEY** in the Education Trust Fund shall be used
13 to[:] **PROVIDE FUNDS TO PUBLIC EARLY CHILDHOOD EDUCATION PROGRAMS IN THE**
14 **STATE IN ACCORDANCE WITH § 5-218 OF THE EDUCATION ARTICLE.**

15 (2) **AFTER THE DISTRIBUTION SPECIFIED IN PARAGRAPH (1) OF THIS**
16 **SUBSECTION, MONEY IN THE EDUCATION TRUST FUND SHALL BE USED TO:**

17 [(1)] (I) provide funding for public elementary and secondary education,
18 through continuation of the funding and formulas established under the programs
19 commonly known as the Bridge to Excellence in Public Schools Act, first enacted by Chapter
20 288 of the Acts of the General Assembly of 2002, including the funding for regional
21 differences in the cost of education under § 5-202(f) of the Education Article;

22 [(2)] (II) provide funds to construct public school buildings and provide
23 public school capital improvements in accordance with §§ 5-301 through 5-303 of the
24 Education Article; **AND**

25 [(3)] (III) provide funds for capital projects at community colleges and
26 public senior higher education institutions[: and

27 (4) provide funds to expand public early childhood education programs in
28 the State].

29 (d) Expenditures from the Education Trust Fund shall be made each fiscal year
30 in accordance with the State budget.

31 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect July
32 1, 2017, and shall be applicable beginning with the 2018-2019 school year.