

HOUSE BILL 206

F5

3lr0447

By: **Delegate Ivey**

Introduced and read first time: January 20, 2023

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2023

CHAPTER _____

1 AN ACT concerning

2 **Early Childhood Education – Prekindergarten Programs – Montessori Schools**
3 **and Programs**

4 FOR the purpose of altering the eligibility requirements for the Prekindergarten Expansion
5 Grant Program and publicly funded prekindergarten programs to include certain
6 operational requirements, staff credentials, and student-to-staff ratios for
7 Montessori schools and programs; and generally relating to the inclusion of
8 Montessori schools and programs in prekindergarten programs in the State.

9 BY repealing and reenacting, without amendments,
10 Article – Education
11 Section 7–101.2(a)(1), (5), and (6) and (b)(1) and 7–1A–01(a) and (c) through (e)
12 Annotated Code of Maryland
13 (2022 Replacement Volume)

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 7–101.2(c) and 7–1A–04(a)
17 Annotated Code of Maryland
18 (2022 Replacement Volume)

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

21 **Article – Education**

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 7–101.2.

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

3 (5) “Program” means the Prekindergarten Expansion Grant Program.

4 (6) “Qualified provider” means:

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

8 (ii) A county board.

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

11 (c) **(1) [Before] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
12 **SUBSECTION, BEFORE** approving qualified providers for prekindergarten services to
13 receive a grant under this section, a qualified provider shall certify to the Department that
14 for each classroom funded under this section the provider will:

15 **[(1)] (I)** Maintain a student–to–classroom personnel ratio of no more
16 than 10 to 1 with a maximum of 20 children per classroom;

17 **[(2)] (II)** Provide in each classroom at least one teacher certified in early
18 childhood education by the State and at least one teacher’s aide who has at least a high
19 school degree;

20 **[(3)] (III)** Operate an educational program for:

21 **[(i)] 1.** 5 days per week;

22 **[(ii)] 2.** 180 days per year, in accordance with the public school
23 calendar established by the local school board; and

24 **[(iii) 1.] 3. A.** For half–day programs, at least 2.5 hours per day;
25 or

26 **[2.] B.** For full–day programs, at least 6.5 hours per day;
27 and

28 **[(4)] (IV)** To receive a grant under this section, meet the requirements of §
29 7–1A–04 of this title.

1 **(2) BEFORE APPROVING QUALIFIED PROVIDERS WHO ARE**
 2 **MONTESSORI SCHOOLS OR MONTESSORI PROGRAMS FOR PREKINDERGARTEN**
 3 **SERVICES TO RECEIVE A GRANT UNDER THIS SECTION, A QUALIFIED PROVIDER**
 4 **SHALL CERTIFY TO THE DEPARTMENT THAT FOR EACH CLASSROOM FUNDED UNDER**
 5 **THIS SECTION THE PROVIDER WILL:**

6 **(I) MEET THE REQUIREMENTS UNDER PARAGRAPH (1)(III) OF**
 7 **THIS SUBSECTION;**

8 **(II) MAINTAIN A STUDENT-TO-CLASSROOM PERSONNEL RATIO**
 9 **OF NO MORE THAN 10 TO 1 ~~FOR STUDENTS UNDER THE AGE OF 5 YEARS AND NO~~**
 10 **~~MORE THAN 15 TO 1 FOR STUDENTS WHO ARE AT LEAST 5 YEARS OLD, WITH A~~**
 11 **MAXIMUM OF 20 STUDENTS PER CLASSROOM IF ALL OF THE STUDENTS ARE UNDER**
 12 **THE AGE OF 5 YEARS;**

13 **(III) MAINTAIN A STUDENT-TO-CLASSROOM PERSONNEL RATIO**
 14 **OF NO MORE THAN 14 TO 1, WITH A MAXIMUM OF 28 STUDENTS PER CLASSROOM IF**
 15 **SOME OF THE STUDENTS ARE AT LEAST 5 YEARS OLD; AND**

16 ~~(III)~~ **(IV) REQUIRE A CLASSROOM TEACHER TO ~~BE~~:**

17 **1. HOLD A BACHELOR'S DEGREE IN ANY FIELD; AND**

18 **2. BE CERTIFIED BY:**

19 ~~1.~~ **A. THE ASSOCIATION MONTESSORI INTERNATIONALE,**
 20 **USA;**

21 ~~2.~~ **B. THE AMERICAN MONTESSORI SOCIETY; OR**

22 ~~3.~~ **C. THE MONTESSORI ACCREDITATION COUNCIL FOR**
 23 **TEACHER EDUCATION.**

24 7-1A-01.

25 (a) In this subtitle the following words have the meanings indicated.

26 (c) "Eligible prekindergarten provider" includes an:

27 (1) Eligible public provider; and

28 (2) Eligible private provider.

29 (d) (1) "Eligible private provider" means a community-based early learning
 30 program that:

- 1 (i) Is licensed in the State;
- 2 (ii) Does not charge more tuition for full-day prekindergarten than
3 the cost of quality; and
- 4 (iii) Meets the requirements under § 7-1A-04 of this subtitle.

5 (2) “Eligible private provider” includes the Ulysses Currie Head Start
6 Program under § 5-231 of this article.

7 (e) “Eligible public provider” means an early learning program that:

- 8 (1) Is provided by a county board at a public school; and
- 9 (2) Meets the requirements under § 7-1A-04 of this subtitle.

10 7-1A-04.

11 (a) **(1) [All] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
12 **SUBSECTION, ALL** eligible prekindergarten providers shall include structural elements
13 that are evidence-based and nationally recognized as important for ensuring program
14 quality, including:

15 **[(1)] (I)** Beginning in the 2025–2026 school year:

16 **[(i)] 1.** High staff qualifications, including teachers who, at a
17 minimum, hold:

18 **[1.] A.** State certification for teaching in early childhood
19 education; or

20 **[2.] B.** A bachelor’s degree in any field and are pursuing
21 residency through the Maryland Approved Alternative Preparation Program, which
22 includes early childhood coursework, clinical practice, and evidence of pedagogical content
23 knowledge; and

24 **[(ii)] 2.** Teaching assistants who have at least:

25 **[1.] A.** A Child Development Associate (CDA) certificate; or

26 **[2.] B.** An associate’s degree;

27 **[(2)] (II)** Professional development for all staff;

1 [(3)] (III) A student-to-classroom personnel ratio of no more than 10 to 1
2 in each class;

3 [(4)] (IV) Class sizes of no more than 20 students per classroom;

4 [(5)] (V) A full-day prekindergarten program;

5 [(6)] (VI) Inclusion of students with disabilities to ensure access to and full
6 participation in all program opportunities;

7 [(7)] (VII) For at least 1 year before a student's enrollment in kindergarten,
8 learning environments that:

9 [(i)] 1. Are aligned with State Early Learning and Development
10 Standards;

11 [(ii)] 2. Use evidence-based curricula; and

12 [(iii)] 3. Use instruction methods that are:

13 [1.] A. Developmentally appropriate; and

14 [2.] B. Culturally and linguistically responsive;

15 [(8)] (VIII) Individualized accommodations and supports for all students;

16 [(9)] (IX) Instructional staff salaries and benefits that are comparable to
17 the salaries and benefits of instructional staff employed by the county board of the county
18 in which the early learning program is located;

19 [(10)] (X) Program evaluation to ensure continuous program improvement;

20 [(11)] (XI) On-site or accessible comprehensive services for students;

21 [(12)] (XII) Community partnerships that promote access to comprehensive
22 services for families of students; and

23 [(13)] (XIII) Evidence-based health and safety standards.

24 **(2) AN ELIGIBLE PREKINDERGARTEN PROVIDER THAT IS A**
25 **MONTESSORI SCHOOL OR MONTESSORI PROGRAM SHALL INCLUDE ALL OF THE**
26 **STRUCTURAL ELEMENTS LISTED IN PARAGRAPH (1) OF THIS SUBSECTION EXCEPT**
27 **THE FOLLOWING:**

(I) FOR STAFF QUALIFICATIONS, THE ELIGIBLE PREKINDERGARTEN PROVIDER SHALL EMPLOY TEACHERS WHO ~~ARE~~:

1. HOLD A BACHELOR’S DEGREE IN ANY FIELD; AND

2. ARE CERTIFIED BY:

~~1. A.~~ A. THE ASSOCIATION MONTESSORI INTERNATIONALE, USA;

~~2. B.~~ B. THE AMERICAN MONTESSORI SOCIETY; OR

~~3. C.~~ C. THE MONTESSORI ACCREDITATION COUNCIL FOR TEACHER EDUCATION; AND

(II) FOR THE STUDENT-TO-CLASSROOM PERSONNEL RATIO, THE PREKINDERGARTEN PROVIDER SHALL MAINTAIN A STUDENT-TO-CLASSROOM PERSONNEL RATIO OF ~~NO~~:

1. NO MORE THAN 10 TO 1 FOR STUDENTS UNDER THE AGE OF 5 YEARS AND NO MORE THAN 15 TO 1 FOR STUDENTS WHO ARE AT LEAST 5 YEARS OLD, WITH A MAXIMUM OF 20 STUDENTS PER CLASSROOM IF ALL OF THE STUDENTS ARE UNDER THE AGE OF 5 YEARS; AND

2. NO MORE THAN 14 TO 1, WITH A MAXIMUM OF 28 STUDENTS PER CLASSROOM IF SOME OF THE STUDENTS ARE AT LEAST 5 YEARS OLD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.