

## Chapter 165

## (House Bill 1441)

AN ACT concerning

**Early Childhood Education – Publicly Funded Prekindergarten Programs –  
Alterations**

FOR the purpose of ~~establishing certain requirements for a teacher's certificate in early childhood education; altering the teaching credentials required for staff of qualified providers for prekindergarten services for purposes of the Prekindergarten Grant Program; repealing certain requirements for county boards of education to ensure that a certain percentage of publicly funded prekindergarten slots are provided by eligible private providers; providing for the goal of the State regarding the proportion of prekindergarten slots offered in each county; altering staff qualifications in eligible prekindergarten programs; requiring county boards to establish an experience-based educator professional development program; requiring the State Department of Education to create a model memorandum of understanding for use by county boards of education for a certain purpose; altering the minimum criteria for a certain memorandum of understanding; authorizing a county board to apply for certain funding to lease space to provide prekindergarten programs; establishing an early childhood educator career ladder for eligible private prekindergarten providers; providing for the purpose and structure of the career ladder; requiring the Department to establish prekindergarten provider hubs; requiring the Department to establish a program to aid eligible prekindergarten providers in meeting certain requirements; requiring the Department to publicize and distribute a certain list of eligible private prekindergarten providers; requiring certain local business agencies to assist private prekindergarten providers in a certain manner; altering certain funding timelines for the Child Care Incentive Grant Program and the Maryland Child Care Credential Program to align with certain timelines for prekindergarten programs; requiring the Governor to include a certain appropriation in a certain fiscal year for the Maryland Child Care Credential Program; altering the qualifications for an award from the Child Care Career and Professional Development Fund; requiring the Office of Child Care to prioritize certain grant awards to certain applicants; requiring certain award recipients who do not perform the service obligation to repay certain award funding except under certain circumstances;~~ and generally relating to publicly funded prekindergarten programs in the State.

BY adding to

~~Article — Education~~

~~Section 6-129, 7-1A-03, 7-1A-04.1, and 7-1A-09~~

~~Annotated Code of Maryland~~

~~(2022 Replacement Volume and 2023 Supplement)~~

BY repealing and reenacting, without amendments,

Article – Education  
 Section 7–101.2(b)(1)  
 Annotated Code of Maryland  
 (2022 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,

Article – Education  
 Section 7–101.2(c) and (d), 7–1A–01, 7–1A–03, 7–1A–04, 7–1A–05, 7–1A–07,  
7–1A–08, 7–1A–09, 9.5–903, 9.5–904, 9.5–904, 9.5–905, and 9.5–906 7–1A–08,  
7–1A–09, 9.5–904, and 9.5–905  
 Annotated Code of Maryland  
 (2022 Replacement Volume and 2023 Supplement)

~~BY repealing~~

~~Article – Education  
 Section 7–1A–03  
 Annotated Code of Maryland  
 (2022 Replacement Volume and 2023 Supplement)~~

BY adding to

Article – Education  
 Section 7–1A–08 and 7–1A–09  
 Annotated Code of Maryland  
 (2022 Replacement Volume and 2023 Supplement)

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

### Article – Education

~~6–129.~~

~~(A) (1) A TEACHER’S CERTIFICATE IN EARLY CHILDHOOD EDUCATION SHALL BE OF TWO CLASSES.~~

~~(2) A FIRST CLASS CERTIFICATE SHALL REQUIRE AN INDIVIDUAL TO HOLD A BACHELOR’S DEGREE.~~

~~(3) A SECOND CLASS CERTIFICATE SHALL REQUIRE AN INDIVIDUAL TO HOLD AN ASSOCIATE’S DEGREE IN EARLY CHILDHOOD EDUCATION OR CHILD DEVELOPMENT.~~

~~(B) A TEACHER WHO HOLDS A FIRST CLASS TEACHER CERTIFICATE IN EARLY CHILDHOOD EDUCATION SHALL BE COMPENSATED AT A HIGHER RATE OF PAY.~~

~~(c) EXCEPT AS PROVIDED IN § 7-1A-04 OF THIS ARTICLE, AN INDIVIDUAL SHALL HOLD A TEACHER'S CERTIFICATE IN EARLY CHILDHOOD EDUCATION TO TEACH FOR AN ELIGIBLE PREKINDERGARTEN PROVIDER UNDER TITLE 7, SUBTITLE 1A OF THIS ARTICLE.~~

7-101.2.

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

(c) (1) ~~Except~~ ~~SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND EXCEPT EXCEPT~~ as provided in ~~paragraph (2)~~ PARAGRAPH (3) (2) of this subsection, before approving qualified providers for prekindergarten services to receive a grant under this section, a qualified provider shall certify to the Department that for each classroom funded under this section the provider will:

(i) Maintain a student-to-classroom personnel ratio of no more than 10 to 1 with a maximum of 20 children per classroom;

(ii) Provide in each classroom at least one teacher [certified in early childhood education by the State] ~~WHO HOLDS AT LEAST AN ASSOCIATE'S DEGREE IN EARLY CHILDHOOD EDUCATION OR CHILD DEVELOPMENT~~ and at least one teacher's aide who ~~has at least a high school degree~~ MEET THE HIGH STAFF QUALIFICATIONS OF § 7-1A-04(A)(1)(I) OF THIS TITLE;

(iii) Operate an educational program for:

1. 5 days per week;

2. 180 days per year, in accordance with the public school calendar established by the local school board; and

3. A. For half-day programs, at least 2.5 hours per day;

or

B. For full-day programs, at least 6.5 hours per day; and

(iv) To receive a grant under this section, meet the requirements of § 7-1A-04 of this title.

~~(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A TEACHER IN A CLASSROOM FUNDED UNDER THIS SECTION MUST:~~

~~(I) HOLD A BACHELOR'S DEGREE AND BE WORKING TOWARD A CERTIFICATION FOR TEACHING IN EARLY CHILDHOOD EDUCATION; OR~~

~~(II) MEET THE REQUIREMENTS FOR A LEAD TEACHER UNDER THE EARLY CHILDHOOD EDUCATOR CAREER LADDER ESTABLISHED UNDER § 7-1A-08 OF THIS TITLE.~~

**(3)** Before approving qualified providers who are Montessori schools or Montessori programs for prekindergarten services to receive a grant under this section, a qualified provider shall certify to the Department that for each classroom funded under this section the provider will:

(i) Meet the requirements under paragraph (1)(iii) of this subsection;

(ii) Maintain a student-to-classroom personnel ratio of no more than 10 to 1, with a maximum of 20 students per classroom if all of the students are under the age of 5 years;

(iii) Maintain a student-to-classroom personnel ratio of 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; and

(iv) Require a classroom teacher to:

1. Hold a bachelor's degree in any field; and

2. Hold a Montessori credential issued by:

A. The Association Montessori Internationale;

B. The American Montessori Society; or

C. A program accredited by the Montessori Accreditation Council for Teacher Education.

(d) (1) (i) Beginning in fiscal year 2020 through fiscal year ~~2025~~ **2029**, the Governor shall annually appropriate to the Fund an amount that is at least equal to the total amount of all funds received by the Program in the prior fiscal year.

(ii) Beginning in fiscal year [2026] ~~2028~~ **2030**, the funds appropriated to the Fund shall be consolidated into the publicly funded full-day prekindergarten program established in Subtitle 1A of this title.

(2) The Governor may provide funds to the Department to administer the Program.

7-1A-01.

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

(b) “Cost of quality” means the per-pupil amount provided under § 5-229 of this article.

**(C) “EARLY CHILDHOOD EDUCATOR CAREER LADDER” MEANS THE CAREER LADDER FOR PRIVATE PROVIDER PREKINDERGARTEN EDUCATORS ESTABLISHED BY THE DEPARTMENT UNDER § 7-1A-08 OF THIS SUBTITLE.**

**[(c)] (D) “Eligible prekindergarten provider” includes an:**

(1) Eligible public provider; and

(2) Eligible private provider.

**[(d)] (E) (1) “Eligible private provider” means a community-based early learning program that:**

(i) Is licensed in the State;

(ii) Does not charge more tuition for full-day prekindergarten than the cost of quality; and

(iii) Meets the requirements under § 7-1A-04 of this subtitle.

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

**[(e)] (F) “Eligible public provider” means an early learning program that:**

(1) Is provided by a county board at a public school; and

(2) Meets the requirements under § 7-1A-04 of this subtitle.

**[(f)] (G) “Full-day prekindergarten” means an early learning program with a six and one-half hour school day.**

**[(g)] (H) “Prekindergarten program” means an early learning program at an eligible prekindergarten provider.**

**(I) “PREKINDERGARTEN PROVIDER HUB” MEANS A COORDINATED PARTNERSHIP BETWEEN ELIGIBLE PREKINDERGARTEN PROVIDERS AND OTHER ENTITIES ESTABLISHED BY THE DEPARTMENT UNDER § 7-1A-09 OF THIS SUBTITLE.**

**[(h)] (J) “Prekindergarten slot” means the available space for a child to attend a prekindergarten program.**

**[(i)] (K) “Tier I child” means a child:**

- (1) Who is 3 or 4 years old;
- (2) (i) Whose family income is less than or equal to 300% of the federal poverty level; or
  - (ii) Who is a homeless youth; and
- (3) Whose family chooses to enroll the child in full-day prekindergarten.

**[(i)] (L) “Tier II child” means a child:**

- (1) Who is 4 years old;
- (2) Whose family income is more than 300% but not more than 600% of the federal poverty level; and
- (3) Whose family chooses to enroll the child in full-day prekindergarten.

**[(k)] (M) “Tier III child” means a child:**

- (1) Who is 4 years old;
- (2) Whose family income is more than 600% of the federal poverty level;  
and
- (3) Whose family chooses to enroll the child in full-day prekindergarten.

~~‡~~7-1A-03.

(a) Except as provided under subsection (b) of this section, a county board shall ensure that:

- (1) Beginning in the ~~2022-2023~~ **2024-2025** school year, prekindergarten slots provided by eligible private providers shall account for at least ~~30%~~ **10%** of the total prekindergarten slots provided by eligible prekindergarten providers in each county;

(2) The proportion of eligible private provider prekindergarten slots in each county increases by ~~5~~ **10** percentage points every school year, until, in the ~~2026-2027~~ **2028-2029** school year, eligible private provider prekindergarten slots account for at least 50% of eligible prekindergarten provider prekindergarten slots in each county; and

(3) In each year after the ~~2026-2027~~ **2028-2029** school year, the proportion of eligible private provider prekindergarten slots in each county shall continue to constitute at least 50% of eligible prekindergarten provider prekindergarten slots in each county.

(b) (1) The Department shall issue a waiver from the requirements of this section to a county board if:

(i) **1.** All families in the county who desire to enroll their eligible children with eligible prekindergarten providers are able to do so; or

~~(ii)~~ **2.** After reasonable cross-jurisdictional or regional efforts, there are too few eligible private providers to meet the minimum requirements of this section; **AND**

**(II) THE COUNTY BOARD DEMONSTRATES TO THE DEPARTMENT THAT IT HAS MADE A GOOD FAITH EFFORT TO FULLY EMBRACE THE MIXED DELIVERY SYSTEM, INCLUDING BY ADOPTING A MEMORANDUM OF UNDERSTANDING IN ACCORDANCE WITH § 7-1A-05 OF THIS SUBTITLE.**

(2) The Department may exclude by annual waiver Tier I children who are 3 years old in a county from the calculation under subsection (a) of this section until the ~~2029-2030~~ **2031-2032** school year.

(3) The Department may exclude by annual waiver Tier I children who are 4 years old in a county from the calculation under subsection (a) of this section until the ~~2026-2027~~ **2028-2029** school year.

(4) The Department shall establish waiver application procedures to carry out the provisions of this subsection.†

~~7-1A-03.~~

~~IT IS THE GOAL OF THE STATE THAT AT LEAST 50% OF THE PREKINDERGARTEN SLOTS PROVIDED IN EACH COUNTY BE PROVIDED BY ELIGIBLE PRIVATE PROVIDERS BEGINNING IN THE 2027-2028 SCHOOL YEAR.~~

7-1A-04.

(a) (1) Except as provided in paragraph (2) of this subsection, all eligible prekindergarten providers shall include structural elements that are evidence-based and nationally recognized as important for ensuring program quality, including:

(i) ~~Beginning in the [2027-2028] 2025-2026 school year:~~

~~1. [High staff] STAFF qualifications[, including HIGH STAFF QUALIFICATIONS, INCLUDING:~~

1. BEGINNING IN THE 2027-2028 SCHOOL YEAR, ELIGIBLE PUBLIC PROVIDER teachers who, at a minimum, hold:

A. State certification for teaching in early childhood education; or

B. A bachelor's degree in any field and are pursuing residency through the Maryland Approved Alternative Preparation Program, which includes early childhood coursework, clinical practice, and evidence of pedagogical content knowledge; ~~and~~

~~2. Teaching~~ 2. BEGINNING IN THE 2027-2028 SCHOOL YEAR, ELIGIBLE PUBLIC PROVIDER TEACHING assistants who have at least:

A. A Child Development Associate (CDA) certificate; ~~or~~

B. An associate's degree] ~~FOR TEACHERS AND TEACHING ASSISTANTS AS REQUIRED UNDER § 7-1A-04.1 OF THIS SUBTITLE; OR~~

C. ON JULY 1, 2027 2024, DOCUMENTED EXPERIENCE OF ACTIVELY PROVIDING SERVICES IN EARLY CHILDHOOD EDUCATION SERVING AS A TEACHING ASSISTANT IN A PUBLICLY FUNDED PREKINDERGARTEN CLASSROOM FOR A MINIMUM OF 15 5 YEARS FOR AT LEAST 20 HOURS PER WEEK AND 180 DAYS PER YEAR; AND

3. BEGINNING IN THE 2025-2026 SCHOOL YEAR, ELIGIBLE PRIVATE PROVIDER EDUCATORS WHO MEET THE REQUIREMENTS OF THE EARLY CHILDHOOD EDUCATOR CAREER LADDER;

(ii) Professional development for all staff;

(iii) A student-to-classroom personnel ratio of no more than 10 to 1 in each class;

(iv) Class sizes of no more than 20 students per classroom;



- (v) A full-day prekindergarten program;
  - (vi) Inclusion of students with disabilities to ensure access to and full participation in all program opportunities;
  - (vii) For at least 1 year before a student's enrollment in kindergarten, learning environments that:
    - 1. Are aligned with State Early Learning and Development Standards;
    - 2. Use evidence-based curricula; and
    - 3. Use instruction methods that are:
      - A. Developmentally appropriate; and
      - B. Culturally and linguistically responsive;
  - (viii) Individualized accommodations and supports for all students;
  - (ix) Instructional staff salaries and benefits that are comparable to the salaries and benefits of instructional staff employed by the county board of the county in which the early learning program is located;
  - (x) Program evaluation to ensure continuous program improvement;
  - (xi) On-site or accessible comprehensive services for students;
  - (xii) Community partnerships that promote access to comprehensive services for families of students; and
  - (xiii) Evidence-based health and safety standards.
- (2) An eligible prekindergarten provider that is a Montessori school or Montessori program shall include all of the structural elements listed in paragraph (1) of this subsection except the following:
- (i) For staff qualifications, the eligible prekindergarten provider shall employ teachers who:
    - 1. Hold a bachelor's degree in any field; and
    - 2. Hold a Montessori credential issued by:
      - A. The Association Montessori Internationale;

B. The American Montessori Society; or

C. A program accredited by 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:

1. No more than 10 to 1, 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.

(b) In addition to the requirements listed in subsection (a) of this section, an eligible prekindergarten provider shall:

(1) If the provider is an eligible private provider, achieve a quality rating level of 3 in the Maryland EXCELS program and publish that quality rating in a publicly available manner, determined by the Department;

(2) If the provider is an eligible public provider, achieve a quality rating level of 4 in the Maryland EXCELS program and publish that quality rating in a publicly available manner, determined by the Department;

(3) Submit to the Department a plan to achieve a quality rating level 5 in the Maryland EXCELS program within 5 years after becoming an eligible prekindergarten provider;

(4) Achieve in accordance with the plan a quality rating level 5 in the Maryland EXCELS program within 5 years after becoming an eligible prekindergarten provider and publish that quality rating in a publicly available manner, determined by the Department; and

(5) Except as otherwise provided in § 7-1A-07 of this subtitle, be open for pupil attendance in accordance with § 7-103 of this title.

(c) (1) An eligible prekindergarten provider may not engage in explicitly religious activities during school hours.

(2) If an eligible prekindergarten provider engages in an explicitly religious activity, the activity shall be:

(i) Separate in time and location from any instruction offered by the eligible prekindergarten provider; and

(ii) Voluntary.

(3) (i) An eligible prekindergarten provider shall make reasonable efforts to make the areas where prekindergarten children spend time during school hours as nonsectarian as possible.

(ii) An eligible prekindergarten provider may not be required to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings.

(4) (i) An eligible prekindergarten provider shall comply with Title VI of the Civil Rights Act of 1964, as amended, Title 20, Subtitle 6 of the State Government Article, and not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student or parent of a student on the basis of race, color, national origin, disability, sexual orientation, or gender identity or expression.

(ii) If a student has a disability, placement of the student shall be based on where the student will be best served.

(iii) An eligible prekindergarten provider found to have violated the nondiscrimination requirements under this section:

1. May not continue to be an eligible prekindergarten provider; and

2. Shall reimburse the Department all public funds provided under this subtitle minus any amount received from the child care scholarship program.

(5) Except as provided in § 7-305.1 of this title, an eligible prekindergarten provider may not suspend or expel a child who is enrolled in a prekindergarten program.

~~7-1A-04.1.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:~~

~~(2) "CDA CERTIFICATE" MEANS A CHILD DEVELOPMENT ASSOCIATE CERTIFICATE WITH A PRESCHOOL DESIGNATION ISSUED BY THE COUNCIL FOR PROFESSIONAL RECOGNITION.~~

~~(3) "EXPERIENCE-BASED EDUCATOR" MEANS AN INDIVIDUAL WHO:~~

~~(i) HAS DOCUMENTED EXPERIENCE ACTIVELY PROVIDING SERVICES IN EARLY CHILDHOOD EDUCATION; AND~~

~~(H) DOES NOT HOLD A TEACHING CREDENTIAL ISSUED BY THE DEPARTMENT OR CREDENTIAL ISSUED BY AN APPROPRIATE ORGANIZATION.~~

~~(4) "PROGRAM" MEANS AN EXPERIENCE BASED EDUCATOR PROFESSIONAL DEVELOPMENT PROGRAM.~~

~~(B) (1) TO QUALIFY AS A TEACHER IN A PREKINDERGARTEN CLASSROOM PROVIDED BY AN ELIGIBLE PREKINDERGARTEN PROVIDER, AN INDIVIDUAL SHALL:~~

~~(i) HOLD, AT MINIMUM, AN ASSOCIATE'S DEGREE IN EARLY CHILDHOOD EDUCATION OR CHILD DEVELOPMENT; OR~~

~~(H) 1. FROM JULY 1, 2025, THROUGH JUNE 30, 2027:~~

~~A. HAVE 9,000 HOURS OF DOCUMENTED EXPERIENCE ACTIVELY PROVIDING SERVICES IN EARLY CHILDHOOD EDUCATION; AND~~

~~B. ENROLL IN A PROGRAM; AND~~

~~2. DEMONSTRATE CONSISTENT PROGRESS TOWARD COMPLETION OF A CDA CERTIFICATE WITHIN 3 YEARS AFTER ENROLLING IN A PROGRAM.~~

~~(2) TO QUALIFY AS A TEACHING ASSISTANT IN A PREKINDERGARTEN CLASSROOM PROVIDED BY AN ELIGIBLE PREKINDERGARTEN PROVIDER, AN INDIVIDUAL SHALL:~~

~~(i) HOLD A CDA CERTIFICATE; OR~~

~~(H) 1. FROM JULY 1, 2025, THROUGH JUNE 30, 2027:~~

~~A. HAVE 1,500 HOURS OF DOCUMENTED EXPERIENCE ACTIVELY PROVIDING SERVICES IN EARLY CHILDHOOD EDUCATION; AND~~

~~B. ENROLL IN A PROGRAM; AND~~

~~2. DEMONSTRATE CONSISTENT PROGRESS TOWARD COMPLETION OF A CDA CERTIFICATE WITHIN 3 YEARS AFTER ENROLLING IN A PROGRAM.~~

~~(C) (1) (i) EACH COUNTY BOARD SHALL ESTABLISH AN EXPERIENCE BASED EDUCATOR PROFESSIONAL DEVELOPMENT PROGRAM.~~

~~(H) THE PURPOSE OF THE PROGRAM UNDER THIS SUBSECTION IS TO ASSIST EXPERIENCE-BASED EDUCATORS IN OBTAINING A CDA CERTIFICATE WITHIN A 3-YEAR PERIOD.~~

~~(HH) A PROGRAM ESTABLISHED UNDER THIS SUBSECTION SHALL OPERATE FROM JULY 1, 2025, THROUGH JUNE 30, 2030.~~

~~(2) TO QUALIFY FOR A PROGRAM UNDER THIS SUBSECTION, AN EXPERIENCE-BASED EDUCATOR SHALL:~~

~~(I) APPLY TO THE PROGRAM BETWEEN JULY 1, 2025, AND JUNE 30, 2027, BOTH INCLUSIVE;~~

~~(II) MEET THE WORK EXPERIENCE REQUIREMENTS FOR A TEACHER OR TEACHING ASSISTANT DESCRIBED UNDER SUBSECTION (B)(1)(H)1 OR (2)(H)1 OF THIS SECTION; AND~~

~~(III) BE EMPLOYED AS A TEACHER OR TEACHING ASSISTANT BY:~~

~~1. AN ELIGIBLE PUBLIC PROVIDER; OR~~

~~2. AN ELIGIBLE PRIVATE PROVIDER LOCATED IN THE COUNTY UNDER THE JURISDICTION OF THE COUNTY BOARD OPERATING THE PROGRAM.~~

~~(3) A PROGRAM ESTABLISHED UNDER THIS SUBSECTION SHALL, AT MINIMUM:~~

~~(I) PROVIDE A PARTICIPANT WITH INFORMATION REGARDING PROFESSIONAL DEVELOPMENT OPPORTUNITIES IN EARLY CHILDHOOD EDUCATION;~~

~~(II) PROVIDE TECHNICAL ASSISTANCE IN WORKING TOWARD THE CDA CERTIFICATE, INCLUDING ASSISTANCE FILLING OUT FORMS, OBTAINING REQUIRED MATERIALS, AND FINDING A TRAINING LOCATION; AND~~

~~(III) PAIR EACH PARTICIPANT WITH A MENTOR TEACHER.~~

~~(4) A MENTOR TEACHER WHO PARTICIPATES IN A PROGRAM UNDER PARAGRAPH (3)(H) OF THIS SUBSECTION SHALL RECEIVE COMPENSATION.~~

7-1A-05.

(a) (1) Each county board shall enter into a memorandum of understanding with the Department, each eligible private provider participating in publicly funded prekindergarten in the county, and other applicable government agencies.

(2) Before executing a memorandum of understanding under this section, each county board shall submit an implementation plan of the proposed memorandum of understanding to the Accountability and Implementation Board in accordance with § 5–404 of this article.

**(B) THE DEPARTMENT SHALL DEVELOP A MODEL MEMORANDUM OF UNDERSTANDING FOR USE BY COUNTY BOARDS OF EDUCATION IN FULFILLING THE REQUIREMENTS UNDER THIS SECTION.**

**[(b)] (C) [The] EACH** memorandum of understanding shall, **AT A MINIMUM**, provide for:

(1) **THE ADOPTION OF AN EARLY CHILDHOOD EDUCATOR CAREER LADDER BY ELIGIBLE PRIVATE PROVIDERS IN ACCORDANCE WITH § 7–1A–08 OF THIS SUBTITLE;**

**(2)** Services for children with disabilities;

~~(2)~~ **(3)** A process by which a parent is able to indicate a preference for eligible prekindergarten providers;

~~(3)~~ **(4)** The manner for processing the payment of the State share, local share, and family share for each child who is enrolled with an eligible prekindergarten provider;

~~(4)~~ **(5)** Any agreed upon administrative costs to be retained by an agency that is party to the agreement;

~~(5)~~ **(6)** The manner in which the parties will meet the requirements of this subtitle;

~~(6)~~ **(7)** A plan to address racial and socioeconomic integration in prekindergarten classrooms; [and]

~~(7)~~ **(8) A METHOD FOR THE COUNTY BOARD TO DISTRIBUTE A LIST OF ELIGIBLE PUBLIC AND PRIVATE PROVIDERS IN THE SAME AREA WITH A PARENT INTERESTED IN ENROLLING THE PARENT’S CHILD IN A PREKINDERGARTEN PROGRAM;**

~~(8)~~ **(9)** FACILITATION OF PEER-TO-PEER ELIGIBLE PREKINDERGARTEN PROVIDER MEETINGS, THROUGH A PREKINDERGARTEN PROVIDER HUB IF ONE IS ESTABLISHED IN THE AREA, IN WHICH ELIGIBLE PREKINDERGARTEN PROVIDERS ARE ABLE TO SHARE BEST PRACTICES IN THE FIELD; AND

~~[(7)]~~ ~~(9)~~ **(10)** Any other provisions necessary to carry out this subtitle.

~~[(c)]~~ **(D)** A memorandum of understanding under this section shall seek to avoid, to the extent practicable, a disproportionate concentration of students of the same race, ethnicity, disability status, and income within an eligible provider.

7-1A-07.

(a) (1) The Interagency Commission on School Construction shall prioritize public school construction funding requests for high quality prekindergarten classrooms.

(2) The Interagency Commission on School Construction shall consider the availability of private eligible prekindergarten providers when determining priorities under paragraph (1) of this subsection.

(b) A county board may partner with the State or the county government to address physical space constraints for eligible prekindergarten providers by utilizing existing available space at a location that is not an eligible prekindergarten provider including:

- (1) Senior care facilities; or
- (2) Community centers.

~~(C) A COUNTY BOARD MAY LEASE SPACE FROM THE COUNTY TO PROVIDE PREKINDERGARTEN PROGRAMS IN ACCORDANCE WITH THIS SUBTITLE.~~

**(1) A COUNTY BOARD MAY APPLY FOR FUNDING FROM THE CAPITAL IMPROVEMENT PROGRAM FOR ASSISTANCE ON RENOVATIONS TO PUBLIC FACILITIES LEASED AS ELIGIBLE PUBLIC PREKINDERGARTEN PROGRAMS.**

**(2) THE MANAGEMENT OF PUBLIC FACILITIES LEASED UNDER THIS SUBSECTION SHALL BE THE RESPONSIBILITY OF THE BUILDING OWNER AND NOT THE COUNTY BOARD.**

7-1A-08.

**(A) (1) ON OR BEFORE JULY 1, 2025, THE DEPARTMENT SHALL ESTABLISH AN EARLY CHILDHOOD EDUCATOR CAREER LADDER FOR ELIGIBLE PRIVATE PROVIDERS.**

**(2) THE EARLY CHILDHOOD EDUCATOR CAREER LADDER IS FOR TEACHERS AND ASSISTANT TEACHERS EMPLOYED BY ELIGIBLE PRIVATE PROVIDERS.**

**(3) THE PURPOSE OF THE EARLY CHILDHOOD EDUCATOR CAREER LADDER IS TO:**

**(I) TRANSFORM EARLY CHILDHOOD EDUCATION TEACHING INTO A HIGH-STATUS PROFESSION IN THE STATE;**

**(II) ATTRACT HIGH-PERFORMING STUDENTS TO PURSUE THE HIGH-STATUS EARLY CHILDHOOD EDUCATION TEACHING PROFESSION; AND**

**(III) RETAIN HIGH-QUALITY EARLY CHILDHOOD EDUCATION TEACHERS WHO GAIN ADDITIONAL RESPONSIBILITY, AUTHORITY, STATUS, AND COMPENSATION AS THEY GAIN ADDITIONAL EXPERTISE.**

**(B) THE EARLY CHILDHOOD EDUCATOR CAREER LADDER SHALL:**

**(1) ADEQUATELY COMPENSATE EARLY CHILDHOOD EDUCATORS FOR THEIR WORK;**

**(2) PROVIDE EARLY CHILDHOOD EDUCATORS WITH THE OPPORTUNITY TO IDENTIFY AND WORK WITH PREKINDERGARTEN TEACHERS AND TEACHING ASSISTANTS;**

**(3) PROVIDE EARLY CHILDHOOD EDUCATORS THE OPPORTUNITY TO DEVELOP THEIR SKILLS AND KNOWLEDGE BY PARTICIPATING IN JOB-EMBEDDED PROFESSIONAL DEVELOPMENT; AND**

**(4) COMPENSATE EARLY CHILDHOOD EDUCATORS AT GREATER RATES AS THEY ADVANCE TO THE NEXT LEVEL OF THE CAREER LADDER.**

**(C) (1) THE LEVELS OF THE CAREER LADDER ARE AS FOLLOWS:**

**(I) LEVEL ONE IS AN EARLY CHILDHOOD TEACHING ASSISTANT;**

**(II) LEVEL TWO IS A PREKINDERGARTEN LEAD TEACHER; AND**



**(III) LEVEL THREE IS AN EARLY CHILDHOOD CONSULTING TEACHER.**

**(2) IN ORDER TO QUALIFY AS AN EARLY CHILDHOOD TEACHING ASSISTANT, AN EDUCATOR SHALL:**

**(I) 1. HOLD A HIGH SCHOOL DIPLOMA; AND**

**2. ON OR BEFORE JULY 1, 2027:**

**A. EARN AND MAINTAIN A CHILD DEVELOPMENT ASSOCIATE (CDA) WITH A PRESCHOOL DESIGNATION; OR**

**B. HOLD AN ASSOCIATE DEGREE IN EARLY CHILDHOOD EDUCATION OR CHILD DEVELOPMENT; OR**

**(II) ON JULY 1, 2024, HAVE DOCUMENTED EXPERIENCE OF ACTIVELY PROVIDING SERVICES IN EARLY CHILDHOOD EDUCATION FOR A MINIMUM OF 15 YEARS FOR AT LEAST:**

**1. 20 HOURS PER WEEK; AND**

**2. 180 DAYS PER YEAR.**

**(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN ORDER TO QUALIFY AS A PREKINDERGARTEN LEAD TEACHER, AN EDUCATOR SHALL:**

**1. HOLD AT LEAST A BACHELOR'S DEGREE IN EARLY CHILDHOOD EDUCATION, CHILD DEVELOPMENT, OR A RELATED FIELD FROM AN INSTITUTION OF HIGHER EDUCATION ACCREDITED BY AN INSTITUTIONAL ACCREDITING ASSOCIATION RECOGNIZED BY THE U.S. DEPARTMENT OF EDUCATION;**

**2. A. HOLD AT LEAST A BACHELOR'S DEGREE IN EARLY CHILDHOOD EDUCATION, CHILD DEVELOPMENT, OR A RELATED FIELD FROM AN INSTITUTION OF HIGHER EDUCATION IN ANOTHER COUNTRY; AND**

**B. HAVE ~~THAT DEGREE~~ THE DEGREE UNDER ITEM A OF THIS ITEM VERIFIED AS COMPARABLE TO A BACHELOR'S DEGREE GRANTED BY AN ACCREDITED INSTITUTION OF HIGHER EDUCATION IN THE UNITED STATES BY AN INDEPENDENT AGENCY AUTHORIZED TO ANALYZE FOREIGN CREDENTIALS SELECTED BY THE DEPARTMENT;**

**3. HOLD A BACHELOR’S DEGREE IN A FIELD UNRELATED TO EARLY CHILDHOOD EDUCATION FROM AN INSTITUTION OF HIGHER EDUCATION ACCREDITED BY AN INSTITUTIONAL ACCREDITING ASSOCIATION APPROVED BY THE U.S. DEPARTMENT OF EDUCATION; OR**

**4. SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, ON JULY 1, 2024, HAVE DOCUMENTED EXPERIENCE OF ACTIVELY PROVIDING SERVICES IN EARLY CHILDHOOD EDUCATION FOR A MINIMUM OF 10 YEARS FOR AT LEAST:**

**A. 20 HOURS PER WEEK; AND**

**B. 180 DAYS PER YEAR.**

**(II) IN ORDER TO QUALIFY AS A PREKINDERGARTEN LEAD TEACHER THROUGH ANY PATHWAY OTHER THAN THE PATHWAY DESCRIBED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH, AN EDUCATOR MUST ACHIEVE A MINIMUM SCORE ON THE CLASSROOM ASSESSMENT SCORING SYSTEM (CLASS) ASSESSMENT AS SET BY THE DEPARTMENT IN ADDITION TO THE REQUIREMENTS LISTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

**(III) 1. ON OR BEFORE JULY 1, 2030, A PREKINDERGARTEN LEAD TEACHER WHO QUALIFIES THROUGH THE PATHWAY DESCRIBED UNDER SUBPARAGRAPH (I)4 OF THIS PARAGRAPH SHALL EARN AN ASSOCIATE DEGREE IN EARLY CHILDHOOD EDUCATION.**

**2. TEACHERS FROM LEVEL THREE OF THE CAREER LADDER SHALL MENTOR AND PROVIDE PROFESSIONAL SUPPORT TO A PREKINDERGARTEN LEAD TEACHER DESCRIBED UNDER THIS SUBPARAGRAPH TO ENSURE THAT THE TEACHER EARNS A DEGREE WITHIN THE REQUIRED AMOUNT OF TIME.**

**(IV) IN ORDER TO MAINTAIN STATUS AS A PREKINDERGARTEN LEAD TEACHER, EACH YEAR A LEAD TEACHER SHALL COMPLETE AT LEAST 20 WORKING HOURS OF PROFESSIONAL LEARNING AND DEVELOPMENT IN:**

**1. EARLY CHILDHOOD INSTRUCTION;**

**2. DEVELOPMENTALLY APPROPRIATE PRACTICE; AND**

**3. ANY OTHER PROFESSIONAL SKILL AREAS THE DEPARTMENT DETERMINES ARE VALUABLE.**

**(4) IN ORDER TO QUALIFY AS AN EARLY CHILDHOOD CONSULTING TEACHER, AN EDUCATOR SHALL:**

**(I) BE A PREKINDERGARTEN LEAD TEACHER IN GOOD STANDING;**

**(II) BEGINNING IN THE 2027–2028 SCHOOL YEAR, HOLD EARLY CHILDHOOD EDUCATION CERTIFICATION OR BE PURSUING CERTIFICATION;**

**(III) BE ABLE TO LEAD OTHER EARLY CHILDHOOD EDUCATORS IN AN EFFECTIVE AND DISCIPLINED WAY TO IMPROVE THE CURRICULUM AND INSTRUCTION OF PREKINDERGARTEN STUDENTS;**

**(IV) DEMONSTRATE THE SKILLS AND KNOWLEDGE TO MENTOR EARLY CHILDHOOD ASSISTANT TEACHERS AND NEW PREKINDERGARTEN LEAD TEACHERS, INCLUDING BY HELPING THEM TO MEET THE EDUCATIONAL AND CERTIFICATION QUALIFICATIONS NECESSARY TO QUALIFY FOR AND MAINTAIN STATUS ON THE CAREER LADDER; AND**

**(V) SUPERVISE AND SUPPORT PREKINDERGARTEN LEAD TEACHERS, IF PRACTICABLE THROUGH PREKINDERGARTEN PROVIDER HUBS, IN ONE OR MORE SITES IN ORDER TO IMPROVE DEVELOPMENTALLY APPROPRIATE INSTRUCTIONAL PRACTICES FOR PREKINDERGARTEN STUDENTS.**

**7–1A–09.**

**(A) (1) THE DEPARTMENT SHALL ESTABLISH PREKINDERGARTEN PROVIDER HUBS IN CENTRALIZED AND DIVERSE LOCATIONS THROUGHOUT THE STATE.**

**(2) PREKINDERGARTEN PROVIDER HUBS SHALL BE DESIGNED TO HELP BRING AS MANY ~~PEOPLE~~ PROVIDERS INTO THE STATE’S MIXED PREKINDERGARTEN DELIVERY SYSTEM AS POSSIBLE.**

**(3) PREKINDERGARTEN PROVIDER HUBS SHALL FORM PARTNERSHIPS BETWEEN:**

**(I) EARLY CHILDHOOD EDUCATORS ON THE EARLY CHILDHOOD EDUCATOR CAREER LADDER;**

**(II) CHILD CARE CENTERS LICENSED UNDER TITLE 9.5, SUBTITLE 4 OF THIS ARTICLE;**

**(III) FAMILY CHILD CARE HOMES OR LARGE FAMILY CHILD CARE HOMES REGISTERED UNDER TITLE 9.5, SUBTITLE 3 OF THIS ARTICLE; AND**

**(IV) ANY OTHER ENTITIES THAT THE DEPARTMENT DETERMINES WILL AID IN BRINGING ELIGIBLE CHILDREN INTO THE STATE'S MIXED DELIVERY SYSTEM.**

**(4) PREKINDERGARTEN PROVIDER HUBS SHALL COORDINATE SUPPORT AMONG ENTITIES THAT SERVE CHILDREN AND THEIR FAMILIES TO ENSURE THAT THE MAXIMUM NUMBER OF ELIGIBLE CHILDREN ARE ABLE TO BE PLACED IN A PREKINDERGARTEN SLOT.**

**(B) (1) THE DEPARTMENT SHALL ESTABLISH A PROGRAM TO AID ELIGIBLE PREKINDERGARTEN PROVIDERS IN MEETING THE REQUIREMENTS OF THIS SUBTITLE.**

**(2) THE PROGRAM SHALL PROVIDE TO ELIGIBLE PRIVATE PROVIDERS:**

**(I) INFORMATION ON PROFESSIONAL DEVELOPMENT OPPORTUNITIES FOR TEACHERS AND TEACHING ASSISTANTS;**

**(II) TECHNICAL SUPPORT FOR MEETING REQUIREMENTS TO ENROLL IN CHILD CARE SUPPORT PROGRAMS; AND**

**(III) ASSISTANCE WITH IMPLEMENTING EARLY CHILDHOOD CURRICULUM STANDARDS.**

**(3) TO THE EXTENT PRACTICABLE, THE DEPARTMENT SHALL PROVIDE PROGRAMMATIC SUPPORT IN ACCORDANCE WITH THIS SUBSECTION THROUGH PREKINDERGARTEN PROVIDER HUBS.**

**~~(B)~~ (C) (1) THE DEPARTMENT SHALL PUBLISH A LIST OF ELIGIBLE PRIVATE PROVIDERS IN EACH LOCAL SCHOOL SYSTEM ON ITS WEBSITE AND DISTRIBUTE THE LIST TO THE FOLLOWING ENTITIES AND ORGANIZATIONS LOCATED WITHIN THE AREAS IN WHICH THE ELIGIBLE PRIVATE PROVIDERS ARE LOCATED:**

**(I) A LOCAL OFFICE OF ECONOMIC DEVELOPMENT;**

**(II) THE MARYLAND SMALL BUSINESS DEVELOPMENT CENTER;**

**(III) A LOCAL MANAGEMENT BOARD;**

(IV) A LOCAL WORKFORCE DEVELOPMENT BOARD; AND

(V) A LOCAL OFFICE SUPPORTING MINORITY AND WOMEN-OWNED BUSINESSES.

(2) AN ENTITY OR ORGANIZATION LISTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL, IF APPLICABLE, ASSIST A PRIVATE PREKINDERGARTEN PROVIDER IN ITS JURISDICTION WITH:

(I) ENROLLING IN BUSINESS SUPPORT SERVICES FOR WHICH THE PROVIDER QUALIFIES; AND

(II) ADOPTING A BUSINESS PLAN TO HELP THE PROVIDER MEET THE REQUIREMENTS OF THIS SUBTITLE.

**(3) TO THE EXTENT PRACTICABLE, ORGANIZATIONS LISTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL WORK WITH PREKINDERGARTEN PROVIDER HUBS TO PROVIDE SUPPORT.**

~~(D)~~ (D) THE DEPARTMENT SHALL PUBLICIZE THE AVAILABILITY OF PUBLICLY FUNDED PREKINDERGARTEN PROGRAMS TO THE PUBLIC.

[7-1A-08.] 7-1A-10.

On or before December 1, 2021, and each December 1 thereafter, each county board shall submit the following information, disaggregated by eligible private and eligible public providers, to the Department and the Accountability and Implementation Board established under Title 5, Subtitle 4 of this article:

(1) The number of eligible prekindergarten providers in the county;

(2) The number of eligible prekindergarten providers in the county that, in the immediately preceding calendar year, expanded to offer prekindergarten programs that are open for pupil attendance a minimum of 6.5 hours during each school day;

(3) The Maryland EXCELS program quality rating level of each eligible prekindergarten provider in the county;

(4) The participation rate of all county 3- and 4-year olds in eligible prekindergarten providers established or expanded in accordance with this subtitle, disaggregated by age and tier, if applicable;

(5) The number and proportion of eligible prekindergarten providers in the county that are eligible private providers;

(6) A measure of school readiness in accordance with § 7–210 of this title;  
and

(7) A demonstration that the expansion of prekindergarten programs in the county gave priority to:

(i) Children in areas with limited or no access to quality child care, regardless of family income;

(ii) Tier I children; and

(iii) Students with disabilities, regardless of family income.

~~[7–1A–09.] 7–1A–10. 7–1A–11.~~

The Department shall adopt regulations to carry out the provisions of this subtitle.

~~9.5–903.~~

~~(a) There is a Child Care Incentive Grant Program.~~

~~(b) The Office may award funding to a child care provider through the program for the purpose of improving the child care provider's quality of care through the purchase of Office-approved:~~

~~(1) Materials;~~

~~(2) Equipment; or~~

~~(3) Supplies.~~

~~(c) For each of fiscal years 2022 through ~~[2030] 2032~~, funding for the program shall increase by 10% over the prior fiscal year.~~

9.5–904.

(a) There is a Maryland Child Care Credential Program.

(b) An individual may apply to the Office for a staff credential, including a child development associate credential, or an administrator credential under this subsection.

(c) If a person pursues, obtains, or already holds an Office-approved credential, the Office may award to the individual:

(1) An achievement bonus;

(2) A training reimbursement; or

(3) A training voucher.

(d) (1) The Governor shall appropriate \$4,000,000 for the program for fiscal year 2021.

(2) For each of fiscal years 2022 through ~~{2024}~~ ~~2026~~, funding for the program shall increase by 10% over the prior fiscal year.

**(3) FOR FISCAL YEAR 2026, THE GOVERNOR SHALL APPROPRIATE FOR THE PROGRAM AN AMOUNT THAT IS AT LEAST EQUAL TO THE AMOUNT APPROPRIATED IN FISCAL YEAR 2024.**

~~**(4) FOR EACH OF FISCAL YEARS 2027 THROUGH 2030, THE GOVERNOR SHALL APPROPRIATE FOR THE PROGRAM AN AMOUNT THAT IS AT LEAST EQUAL TO THE AMOUNT APPROPRIATED IN THE PRIOR FISCAL YEAR.**~~

9.5–905.

(a) There is a Child Care Career and Professional Development Fund.

(b) The Office may award funding from the Fund to an individual who has:

(1) Obtained at least a level 2 in the Maryland Child Care Credential Program under § 9.5–904 of this subtitle;

(2) Documented at least 1 year of experience working with groups of children in an approved setting; [and]

(3) Been accepted by an accredited college or university for enrollment in at least one course for credit toward a degree in early childhood education or A related field;  
**AND**

**(4) COMMITTED TO WORK IN AN APPROVED CHILD CARE SETTING FOR AT LEAST 20 HOURS PER WEEK FOR A PERIOD OF TIME DETERMINED BY THE OFFICE AFTER COMPLETING THE COURSE OF STUDY UNDER SUBSECTION (D)(2) OF THIS SECTION.**

**(C) TO CARRY OUT THE PURPOSE OF THE PROGRAM, AWARDS SHALL BE PRIORITIZED TO THE FOLLOWING APPLICANTS:**

**(1) AN APPLICANT WHO HAS NOT COMPLETED ANY COLLEGE COURSES FOR CREDIT FROM AN ACCREDITED COLLEGE OR UNIVERSITY; AND**

**(2) AN APPLICANT WHO ATTENDS OR HAS BEEN ACCEPTED BY AN ACCREDITED COLLEGE OR UNIVERSITY THAT OFFERS NATIVE LANGUAGE OR BILINGUAL COURSEWORK IN EARLY CHILDHOOD EDUCATION OR A RELATED FIELD.**

**[(c)] (D) An award under this section may only be:**

**(1) Applied toward the cost of:**

**(i) Tuition and fees; or**

**(ii) Textbooks required by a course in which the awardee is enrolled;**

**and**

**(2) Used by the awardee for the actual expense of college coursework incurred subsequent to an award toward the completion of:**

**(i) A college degree in early childhood education or a related field;**

**or**

**(ii) Developmental coursework required to meet prerequisites for a degree program in early childhood education or a related field.**

**(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT, AN AWARD RECIPIENT SHALL REPAY THE OFFICE THE FUNDS RECEIVED UNDER THIS SECTION IF THE RECIPIENT DOES NOT PERFORM THE SERVICE OBLIGATION REQUIRED UNDER SUBSECTION (B)(4) OF THIS SECTION.**

**(2) THE OFFICE MAY WAIVE OR DEFER PAYMENT IF THE RECIPIENT PROVIDES TO THE OFFICE SATISFACTORY EVIDENCE OF EXTENUATING CIRCUMSTANCES, INCLUDING ILLNESS OR DISABILITY, THAT PREVENT THE RECIPIENT FROM FULFILLING THE SERVICE OBLIGATION REQUIRED UNDER SUBSECTION (B)(4) OF THIS SECTION.**

**~~(F) FOR EACH OF FISCAL YEARS 2026 THROUGH 2030, THE GOVERNOR SHALL APPROPRIATE FOR THE FUND AN AMOUNT THAT IS AT LEAST EQUAL TO THE AMOUNT APPROPRIATED IN THE PRIOR FISCAL YEAR.~~**

**~~9.5-006.~~**

**~~(a) The Office shall award a program that participates in the Maryland EXCELS Program a bonus:~~**

**~~(1) On initial publication of a quality rating level 1, 2, 3, or 4;~~**



~~(2) On each publication of a higher quality rating level after the initial publication;~~

~~(3) On initial publication of a quality rating level 5; and~~

~~(4) Annually on renewal and republication of a quality rating level 5.~~

~~(b) (1) The Governor shall appropriate in fiscal year 2023 \$5,000,000.~~

~~(2) For each of fiscal years 2024 through [2028] 2030, funding for the program shall increase by 10% over the prior fiscal year.~~

~~**(3) FOR EACH OF FISCAL YEARS 2029 AND 2030, THE GOVERNOR SHALL APPROPRIATE FOR THE PROGRAM AN AMOUNT THAT IS AT LEAST EQUAL TO THE AMOUNT APPROPRIATED IN THE PRIOR FISCAL YEAR.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, April 25, 2024.