

Title 13A STATE BOARD OF EDUCATION
Subtitle 06 SUPPORTING PROGRAMS
Chapter 02 Prekindergarten Programs

Authority: Education Article §§2-205(c) and (g) and 7-101.1, Annotated Code of Maryland

.01 Scope and Purpose.

A. This chapter applies to all publicly funded prekindergarten programs for all eligible 4-year-old children, as defined in Education Article, §7-101.1(a)(3), Annotated Code of Maryland, administered by local boards of education or qualified vendors.

B. The overall goal of the prekindergarten program is to provide learning experiences to help children develop and maintain school readiness skills necessary for successful school performance.

C. Local boards of education shall provide prekindergarten programs to accommodate all eligible 4-year-old children seeking enrollment in public school programs.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Accredited" means meets standards of high quality set by the Department's Early Childhood Accreditation Program Standards or by an accrediting organization recognized by the Department.

(2) "Bridge to Excellence Master Plan" means the comprehensive master plan required by Education Article, §5-401, Annotated Code of Maryland.

(3) "Department" means the Maryland State Department of Education.

(4) "CDA" means the Child Development Associate Credential.

(5) "Economically disadvantaged background" means a family whose income would make a child eligible for free or reduced price meals based on eligibility requirements established by the United States Department of Agriculture if the child were in kindergarten.

(6) "Eligibility" means meeting the criteria for enrollment into prekindergarten as stated in Regulation .03A of this chapter.

(7) "Head Start" means a federally sponsored preschool program for children 3 years old to 5 years old from low income families that is licensed by Child Care Administration or administered by local boards of education.

(8) "Homeless student" means a child or youth who lacks a fixed, regular, or adequate nighttime place of residence as defined in COMAR 13A.05.09.02.

(9) "Maryland Common Core State Curriculum" means measurable statements of what students should know and be able to do within a content area as defined and approved for prekindergarten by the Department in collaboration with local school systems.

(10) "Prekindergarten" means a publicly funded program for all eligible 4-year-olds focusing on social/emotional, physical, and cognitive development as described in the Maryland Common Core State Curriculum.

(11) "Qualified vendor" means a State or nationally accredited child care program or an approved nonpublic school that:

- (a) Is partnering with a local school system through a memorandum of agreement; and
- (b) Meets the requirements of Regulation .05 of this chapter.

(12) “School readiness” means the stage of early development that enables an individual child to engage in and benefit from early learning experiences. As a result of family nurturing and interactions with others, a young child in this stage has reached certain levels of social and emotional development, cognition and general knowledge, language development, and physical well-being and motor development. School readiness acknowledges individual approaches toward learning as well as the unique experiences and backgrounds of each child.

.03 Student Eligibility.

A. A local school system shall enroll in prekindergarten all 4-year-old applicants who are from families with economically disadvantaged backgrounds or who are homeless.

B. For vacancies remaining after compliance with §A of this regulation a local school system may enroll 4-year-old applicants who are not from families with economically disadvantaged backgrounds but who represent a student population that exhibits a lack of school readiness.

C. Prekindergarten Programs for 3-Year-Old Children.

(1) A local school system or qualified vendor may establish a prekindergarten program enrolling 3-year-old applicants who are from economically disadvantaged or homeless families, or who represent a student population that exhibits a lack of school readiness.

(2) A local school system shall be in compliance with 34 CFR §300.115(a)(b) and COMAR 13A.05.01.10 regarding children with disabilities.

(3) A prekindergarten program for 3-year-old children shall meet the requirements of Regulation .05 of this chapter.

.04 Prekindergarten Site Selection.

A. A local school system shall develop a facilities plan identifying appropriate sites to ensure that a publicly funded prekindergarten program is available to all eligible 4-year-old children in its jurisdiction.

B. The facilities plan may include local school system memorandums of agreement with qualified vendors and Head Start to provide prekindergarten program services that meet the local school system responsibilities in accordance with Regulation .05 of this chapter.

.05 Local School System Responsibilities.

A. A local school system shall:

(1) Develop and maintain a policy for determining the eligibility and selection of prekindergarten sites as well as the eligibility of 4-year-old students for prekindergarten programs consistent with the requirements of this chapter;

(2) Develop criteria in reference to Regulation .03B and C of this chapter that establishes procedures to include children in the prekindergarten program who are not eligible under Regulation .03A of this chapter;

(3) Operate the prekindergarten educational program 5 days per week for a minimum of 2.5 hours per day consistent with the school calendar approved by the local board;

(4) Analyze the Department-approved kindergarten assessment system information described in COMAR 13A.08.01.02-3 to evaluate the effectiveness of the prekindergarten program, and make necessary adjustments to the prekindergarten instructional program;

(5) Provide data in the Bridge to Excellence Master Plan needs assessment to indicate progress on prekindergarten program goals;

(6) Provide staffing for each session of prekindergarten to include a teacher who possesses a current State professional certificate in early childhood education and a para-professional with a minimum of a high school diploma, or its equivalent, or a CDA;

(7) Align each prekindergarten program with the Maryland Common Core State Curriculum;

(8) Based on the September 30 enrollment count, maintain an average staff to student ratio of 1:10 with an average of 20 students per classroom; and

(9) Provide responses to Department requests for information and data related to the operation of the prekindergarten program.

B. A qualified vendor shall:

(1) Maintain State or national early childhood program accreditation;

(2) Have the capacity to meet the responsibilities identified in this regulation;

(3) Be licensed to operate a child care center pursuant to COMAR 13A.16; and

(4) Provide responses to Department requests for information and data related to the operation of the prekindergarten program.