

Chapter 374

(House Bill 1475)

AN ACT concerning

~~Office of Child Care Advisory Council~~ Maryland State Department of Education
– Publicly Funded Prekindergarten – Analysis and Report
(Mixed Delivery Model Viability Act)

FOR the purpose of requiring ~~the Office of Child Care Advisory Council within~~ the State Department of Education *to convene a specified workgroup* to conduct an analysis of the mixed delivery, publicly funded prekindergarten system established under the Blueprint for Maryland's Future; and generally relating to an analysis of the mixed delivery, publicly funded prekindergarten program.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(a) The ~~Office of Child Care Advisory Council within the~~ State Department of Education shall *convene a workgroup to* conduct an analysis of the mixed delivery, publicly funded prekindergarten system established under Title 7, Subtitle 1A of the Education Article.

(b) *The workgroup shall consist of the following members:*

(1) *one member of the Senate of Maryland, appointed by the President of the Senate;*

(2) *one member of the House of Delegates, appointed by the Speaker of the House;*

(3) *at least one representative from each of the following entities, designated by the State Superintendent of Schools:*

(i) *the State Department of Education;*

(ii) *the Maryland Department of Health;*

(iii) *the Head Start Program;*

(iv) *the Office of the State Fire Marshal;*

(v) *a child care advocacy organization; and*

(vi) *a community college with an early childhood education program;*

(4) at least two family child care providers, designated by the State Superintendent; and

(5) at least two child care providers from child care centers, designated by the State Superintendent.

~~(b)~~ (c) In conducting the analysis required under subsection (a) of this section, the ~~Council~~ workgroup shall review:

(1) any discrepancies between State policies that regulate private and public prekindergarten providers, including differences in policies for rests or nap time, substitute teachers, and the day-to-day governance of prekindergarten providers identified by the ~~Council~~ workgroup;

(2) the implementation of the requirements for publicly funded prekindergarten programs under Chapter 165 of the Acts of the General Assembly of 2024;

(3) the method by which private prekindergarten providers are reimbursed and whether a method of payment through forward funding would be a feasible alternative;

(4) inefficiencies in the invoicing process for private prekindergarten providers and delays in private provider payments;

(5) whether the timeline for the operation of a prekindergarten educational program required by the Prekindergarten Expansion Grant Program under § 7-101.2(c)(1)(iii) of the Education Article matches the typical needs of prekindergarten students and parents;

(6) the feasibility of changing the Prekindergarten Expansion Grant Program guidelines after grant agreements have been executed and whether there are appropriate changes that should be made to the guidelines;

(7) the process through which quality rating levels in the Maryland EXCELS Program are changed, including:

(i) disciplining a prekindergarten provider for an infraction by lowering the quality rating level;

(ii) whether, when using a reduction of a prekindergarten provider's quality rating as a disciplinary measure, the reduction is commensurate with the severity of the infraction;

(iii) the process for appealing a change in a prekindergarten provider's quality rating;

(iv) the feasibility of making standardized changes in the quality rating level; and

(v) whether there are alternative methods available to address infractions, including methods to deal with infractions caused by a single employee;

(8) the administrative processes that a private prekindergarten provider must undertake in order to participate in publicly funded prekindergarten and whether the processes could be streamlined or reduced;

(9) the feasibility of streamlining or reducing the administrative processes for enrolling a child in publicly funded prekindergarten;

(10) the languages in which grant applications, agreements, guidelines, technical support, training, and professional development are offered and whether the languages offered align with those spoken by potential private prekindergarten providers;

(11) the languages in which materials provided to parents of children enrolled with a private prekindergarten provider are offered and whether the languages offered align with those spoken by the parents; ~~and~~

(12) opportunities to pool resources among private prekindergarten providers, including employee benefits, creating a centralized substitute teacher pool, and other benefits that might come from economies of scale;

(13) challenges for public prekindergarten providers in building or adapting facilities to accommodate prekindergarten students; and

(14) how best to use publicly funded prekindergarten to provide a quality early childhood education for students with and without disabilities together in the same classrooms, including by developing methods to best:

(i) combine federal, State, and local funding sources available for children in a publicly funded prekindergarten context to maximize support for all children;

(ii) improve teacher and staff training and recruitment to address the needs of students with and without disabilities; and

(iii) foster collaboration between public and private prekindergarten providers in delivering specialized transportation and services for students with disabilities.

~~(e)~~ (d) In conducting the analysis required under subsection (a) of this section, the ~~Council~~ workgroup shall solicit feedback from public prekindergarten providers, private prekindergarten providers, and child care providers who have elected not to participate in the publicly funded prekindergarten program.

~~(d)~~ (e) (1) The ~~Council~~ workgroup may consult additional subject matter and policy experts that the Council determines are beneficial in conducting the analysis.

(2) The ~~Council~~ workgroup may establish subcommittees to carry out the analysis required under this section.

~~(e)~~ (f) (1) On or before June 1, 2026, the ~~Council~~ workgroup shall submit to the State Board of Education and the Accountability and Implementation Board and, in accordance with § 2-1257 of the State Government Article, the General Assembly, an interim report on the results of its analysis, including recommendations for changes to regulations, policies, and procedures to increase the efficacy of the publicly funded prekindergarten program and to make the program more equitable for providers and families.

(2) On or before December 31, 2027, the ~~Council~~ workgroup shall submit a final report to the Accountability and Implementation Board and the General Assembly, in accordance with § 2-1257 of the State Government Article, on the results of the analysis conducted under subsection (a) of this section, any changes made by the State Department of Education in response to the recommendations in the interim report, and any additional recommendations from the ~~Council~~ workgroup for changes to regulation, policies, procedures, or statute regarding the mixed delivery, publicly funded prekindergarten system.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025. It shall remain effective for a period of 3 years and, at the end of June 30, 2028, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, May 6, 2025.