1   (4)(A) If the supply of prequalified private and public providers is

2   insufficient to meet the demand for publicly funded prekindergarten education

3   in any region of the State, nothing Nothing in this section shall be construed to

4   require the State or a district or a public or private provider to begin or expand

5   a prekindergarten education program to satisfy that demand; but rather, in

6   collaboration with the Agencies of Education and of Human Services, the local

7   Building Bright Futures Council shall meet with school districts and private

8   providers in the region to develop a regional plan to expand capacity for

9   prekindergarten education.

10   (B) As used in this subdivision (4), the expansion of a

11   prekindergarten education program means an increase in the number of

12   children served in the program where the increase would require additional

13   teachers or classrooms.

14   (C) If a private or public prekindergarten provider is interested in

15   beginning or expanding a prekindergarten program, it shall give notice to, and

16   complete a regional needs assessment with, the local Building Bright Futures

17   Council, any private and public providers located within the geographical

18   region of the supervisory union in which the provider is located or intends to

19   be located, and any public or private provider which the provider has

20   contracted to pay for, or provide, prekindergarten education. The assessment

21   process shall include a least one public hearing. At the conclusion of the

1   assessment process, the provider that is interested in beginning or expanding a

2   prekindergarten program shall decide whether to begin or expand the program

3   and shall, within five calendar days of making its decision, inform each of the

4   providers to which it provided notice under this subdivision (C) of its decision

5   and the rationale for its decision.