

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL NO. 1057

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Grants" insert "and Task Force to Study Public Funding"; in line 6, strike "making certain nonpublic schools ineligible for the grants;" and substitute "requiring that the available funds be allocated among eligible nonpublic schools on a certain basis;"; and in line 10, after "regulations" insert "and submit a certain report to certain committees of the General Assembly prior to making certain grants; establishing a Task Force to Study Public Funding of Nonpublic Schools; providing for membership, duties, and staffing of the Task Force; requiring the Task Force to issue a report by a certain date; providing for the termination of part of this Act"; and in line 12, after "State" insert "and the creation of a Task Force to Study Public Funding of Nonpublic Schools".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 18 through 23, inclusive; in line 25, after "FOR" insert "STUDENTS IN KINDERGARTEN THROUGH GRADE 12 ATTENDING"; strike beginning with "TO" in line 26 down through "STUDENTS" in line 27; in line 28, after "(C)" insert "(1)"; and strike in their entirety lines 30 and 31, inclusive, and substitute:

"(I) THE SCHOOL HOLDS A CERTIFICATE OF APPROVAL FROM OR IS REGISTERED WITH THE STATE BOARD;".

On page 3, in line 1, strike "(2)" and substitute "(II)"; in line 2, after "EXCEED" insert "AN AMOUNT DETERMINED BY THE DEPARTMENT BASED ON"; in line 3, after "EXPENDITURE" insert "BY LOCAL EDUCATION AGENCIES"; and after line 3, insert:

"(III) THE SCHOOL HAS AN ADMISSIONS POLICY THAT PROVIDES FOR THE ENROLLMENT OF CHILDREN WITHOUT DISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, WEALTH, RELIGIOUS PREFERENCE, OR SPECIAL NEEDS."

(Over)

(2) TO THE EXTENT PRACTICABLE, PARAGRAPH (1)(III) OF THIS SUBSECTION SHALL BE CONSTRUED IN ACCORDANCE WITH ARTICLE 49B OF THE CODE.”.

On page 3, strike in their entirety lines 4 through 9, inclusive, and substitute:

“(D) FOR ANY NONPUBLIC SCHOOL FOR ANY SCHOOL YEAR, THE GRANT UNDER THIS SECTION MAY NOT EXCEED THE LESSER OF:

(1) THE ACTUAL COSTS INCURRED BY A SCHOOL TO OBTAIN TEXTBOOKS FOR USE BY ITS STUDENTS FOR THE SCHOOL YEAR, AS CERTIFIED UNDER REGULATIONS ADOPTED BY THE DEPARTMENT, TO THE EXTENT THOSE COSTS ARE NOT OTHERWISE REIMBURSED; AND

(2) (I) \$60 PER STUDENT, EXCEPT AS PROVIDED IN ITEM (II) OF THIS ITEM; OR

(II) \$90 PER STUDENT, IF AT LEAST 20% OF THE STUDENTS ENROLLED AT THE NONPUBLIC SCHOOL QUALIFY FOR A FREE OR REDUCED PRICE LUNCH.”.

AMENDMENT NO. 3

On page 3, in line 10, after “BUDGET” insert “AND SUBJECT TO THE PROVISIONS OF THIS SECTION”; after line 13, insert:

“(2) (I) GRANTS FOR THE COSTS OF TEXTBOOKS FOR ELIGIBLE NONPUBLIC SCHOOLS UNDER THIS SECTION MAY NOT BE MADE UNTIL THE DEPARTMENT SUBMITS A REPORT TO THE SENATE ECONOMIC AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE WAYS AND MEANS COMMITTEE, AND THE HOUSE APPROPRIATIONS COMMITTEE ON THE METHODOLOGY FOR APPROVING GRANTS FOR ELIGIBLE NONPUBLIC SCHOOLS UNDER THIS SECTION.

(II) THE COMMITTEES SHALL HAVE 45 DAYS TO REVIEW AND

COMMENT ON THE REPORT.

(3) THE REPORT SHALL INCLUDE A PROCESS FOR APPROVING GRANTS FOR NONPUBLIC SCHOOLS FOR THE COSTS OF TEXTBOOKS BY WHICH THE DEPARTMENT SHALL ESTABLISH:

(I) A LIST OF QUALIFIED TEXTBOOK VENDORS AND QUALIFIED TEXTBOOKS, TO ASSURE THAT THE TEXTBOOKS ARE SECULAR IN CHARACTER AND ACCEPTABLE FOR USE IN ANY PUBLIC ELEMENTARY OR SECONDARY SCHOOL IN THE STATE;

(II) PROCEDURES FOR RECEIVING, VERIFYING, AND PROCESSING REQUESTS FOR GRANTS FROM ELIGIBLE NONPUBLIC SCHOOLS ; AND

(III) PROCEDURES GOVERNING THE DELIVERY OF TEXTBOOKS AND THE PAYMENT OF APPROVED GRANTS ON BEHALF OF ELIGIBLE NONPUBLIC SCHOOLS ON THE BASIS OF APPROPRIATE DOCUMENTATION.”;

strike in their entirety lines 14 through 16, inclusive, and substitute:

“(F) (1) TO QUALIFY FOR A GRANT FOR THE COST OF TEXTBOOKS UNDER THIS SECTION, AN ELIGIBLE NONPUBLIC SCHOOL SHALL PRESENT TO THE DEPARTMENT A CERTIFIED COPY OF A STANDARD FORM FOR A GRANT FOR THE PAYMENT OF THE COSTS OF TEXTBOOKS DEVELOPED BY THE DEPARTMENT.

(2) IF SUFFICIENT FUNDS ARE NOT AVAILABLE TO APPROVE FULL GRANTS FOR ALL ELIGIBLE NONPUBLIC SCHOOLS, SUBJECT TO THE MAXIMUM GRANT REIMBURSEMENT UNDER SUBSECTION (D) OF THIS SECTION, THE DEPARTMENT SHALL ALLOCATE AVAILABLE FUNDS AMONG THE ELIGIBLE NONPUBLIC SCHOOLS ON A PROPORTIONATE BASIS AS PROVIDED IN REGULATIONS ADOPTED BY THE DEPARTMENT.”;

and in line 17, strike “(F)” and substitute “(G)”.

(Over)

AMENDMENT NO. 4

On page 3, after line 22, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

- (a) There is a Task Force to Study Public Funding of Nonpublic Schools.
- (b) The Task Force consists of the following 15 members:
 - (1) Two members of the House of Delegates appointed by the Speaker of the House;
 - (2) Two members of the Senate of Maryland appointed by the President of the Senate; and
 - (3) The State Superintendent of Schools or the State Superintendent's designee;
 - (4) The following members appointed by the Governor:
 - (i) One representative from an independent school located in the State;
 - (ii) One representative from a Catholic school located in the State;
 - (iii) One representative from a nonpublic school not represented by the independent schools or the Catholic schools located in the State;
 - (iv) Four members from the general public; and
 - (v) Three local board superintendents:
 - 1. One from an urban public school;
 - 2. One from a suburban public school; and

3. One from a rural public school.

(c) The Chairperson of the Task Force shall be the State Superintendent of Schools or the State Superintendent's designee.

(d) The Task Force shall study public funding of nonpublic schools, including:

(1) Identifying the number of nonpublic schools in the State whose annual costs and tuition are above the State norm for compensation on a per pupil basic current expense figure as defined in § 5-202(a)(13) of the Education Article;

(2) Determining the costs incurred by the State to purchase textbooks and technology, and to provide private transportation to nonpublic schools;

(3) Examining what effect the funding of nonpublic schools in the State would have on local county governments and local county school boards, if any;

(4) Examining the constitutional issues that may relate to public funding of nonpublic schools;

(5) Examining the process that nonpublic schools must go through to access State funds; and

(6) Examining public funding initiatives of nonpublic schools in other states.

(e) Members of the Task Force shall serve without compensation except that the members may be reimbursed for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The State Department of Education, in cooperation with other appropriate State and local units, shall provide staff support for the Task Force to the extent possible within existing budgeted resources.

(g) The Task Force shall issue a final report of its findings and recommendations to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly on or before January 1, 2001.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect June 1, 2000. It shall remain effective for a period of 8 months and, at the end of January 31, 2001, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 5

On page 3, in line 23, strike “2.” and substitute “4.”; in the same line, after “That” insert “, subject to Section 3 of this Act,”; and in line 24, strike “October” and substitute “July”.