

HOUSE BILL 1002

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71r2216

By: **Delegate Stocksdale**

Introduced and read first time: February 9, 2007

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Scholarship Program for Children in Foster Care**

3 FOR the purpose of establishing a Scholarship Program for Children in Foster Care;
4 authorizing a certain foster parent or legal guardian of a child in foster care to
5 enroll the child in foster care in a noncollegiate educational institution and use
6 scholarship funds to offset certain costs relating to the attendance at the
7 noncollegiate educational institution of the child in foster care; establishing
8 eligibility to participate in the Program; providing for the administration of
9 funds for the Program; establishing the amount of a scholarship; prohibiting a
10 noncollegiate educational institution from refunding, rebating, or sharing
11 scholarship moneys with a certain child in foster care or a certain foster parent
12 or legal guardian; establishing certain criteria a noncollegiate educational
13 institution must meet to be eligible to participate in the Program; authorizing a
14 certain noncollegiate educational institution to accept or deny admission to a
15 certain qualifying student under certain circumstances; requiring certain
16 noncollegiate educational institutions and certain county boards to provide
17 certain notices and information at certain times; requiring a certain financially
18 responsible county to provide transportation services to a certain child in foster
19 care; requiring the State Department of Education to reimburse a certain
20 financially responsible county for transportation services; prohibiting the
21 Department from regulating the educational curriculum or program of a certain
22 participating school and imposing certain regulations beyond those necessary to
23 enforce the requirements of the Program; requiring the Department to develop a
24 certain application, certify certain schools, debar certain schools under certain
25 circumstances, ensure the annual distribution of certain information, and adopt
26 certain regulations; requiring the Department to conduct a review of the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Program or contract with a private consulting firm to conduct a review of the
 2 Program on or before a certain date; establishing requirements for the review of
 3 the Program; requiring a certain report on or before a certain date; defining
 4 certain terms; and generally relating to the establishment of a Scholarship
 5 Program for Children in Foster Care.

6 BY repealing and reenacting, with amendments,
 7 Article – Education
 8 Section 4–122(b)
 9 Annotated Code of Maryland
 10 (2006 Replacement Volume)

11 BY adding to
 12 Article – Education
 13 Section 4–122.2
 14 Annotated Code of Maryland
 15 (2006 Replacement Volume)

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

18 **Article – Education**

19 4–122.

20 (b) (1) **[A] EXCEPT AS PROVIDED IN § 4–122.2 OF THIS SUBTITLE, A**
 21 child in an out-of-county living arrangement shall receive an appropriate education
 22 from the service providing local education agency.

23 (2) The service providing local education agency shall include a child
 24 enrolled as the result of an out-of-county living arrangement in their full-time
 25 equivalent enrollment as provided by § 5–202(a)(6) of this article.

26 **4–122.2.**

27 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
 28 **MEANINGS INDICATED.**

29 **(2) “CHILD IN FOSTER CARE” MEANS:**

30 **(I) A CHILD WHO IS PLACED BY A STATE AGENCY, A**
 31 **LICENSED CHILD PLACEMENT AGENCY AS PROVIDED UNDER § 5–507 OF THE**

1 **FAMILY LAW ARTICLE, OR A COURT IN AN APPROVED FAMILY HOME TO**
2 **RECEIVE CONTINUOUS 24-HOUR CARE AND SUPPORTIVE SERVICES; OR**

3 **(II) A CHILD WHO IS PLACED BY A STATE AGENCY, A**
4 **LICENSED CHILD PLACEMENT AGENCY AS PROVIDED UNDER § 5-507 OF THE**
5 **FAMILY LAW ARTICLE, OR A COURT IN THE HOME OF A RELATIVE RELATED BY**
6 **BLOOD OR MARRIAGE WITHIN THE FIFTH DEGREE OF CONSANGUINITY OR**
7 **AFFINITY UNDER THE CIVIL LAW RULE TO RECEIVE CONTINUOUS 24-HOUR**
8 **CARE AND SUPPORTIVE SERVICES.**

9 **(3) “FINANCIALLY RESPONSIBLE COUNTY” MEANS THE COUNTY**
10 **WHERE THE FOSTER PARENT OR LEGAL GUARDIAN OF A CHILD IN FOSTER CARE**
11 **RESIDES.**

12 **(4) “LOCAL CURRENT EXPENSE PER STUDENT” HAS THE**
13 **MEANING STATED IN § 4-122 OF THIS SUBTITLE.**

14 **(5) “PROGRAM” MEANS THE SCHOLARSHIP PROGRAM FOR**
15 **CHILDREN IN FOSTER CARE.**

16 **(B) (1) THERE IS A SCHOLARSHIP PROGRAM FOR CHILDREN IN**
17 **FOSTER CARE.**

18 **(2) UNDER THE PROGRAM, A FOSTER PARENT OR LEGAL**
19 **GUARDIAN OF A CHILD IN FOSTER CARE MAY:**

20 **(I) ENROLL THE CHILD IN FOSTER CARE IN A**
21 **NONCOLLEGIATE EDUCATION INSTITUTION; AND**

22 **(II) USE SCHOLARSHIP FUNDS TO OFFSET COSTS RELATING**
23 **TO ENROLLING, EDUCATING, AND SERVING THE CHILD IN FOSTER CARE FOR**
24 **THE ATTENDANCE OF THE CHILD IN FOSTER CARE AT THE NONCOLLEGIATE**
25 **EDUCATIONAL INSTITUTION, AS PROVIDED UNDER SUBSECTION (C) OF THIS**
26 **SECTION.**

27 **(3) A CHILD IN FOSTER CARE IS ELIGIBLE FOR ENROLLMENT IN A**
28 **NONCOLLEGIATE EDUCATIONAL INSTITUTION UNDER THE PROGRAM:**

1 **(I) REGARDLESS OF THE PLACEMENT OUTSIDE OF FOSTER**
2 **CARE OF THE CHILD IN FOSTER CARE; AND**

3 **(II) UNTIL THE FIRST OF:**

4 **1. THE GRADUATION FROM HIGH SCHOOL OF THE**
5 **CHILD IN FOSTER CARE; OR**

6 **2. THE 21ST BIRTHDAY OF THE CHILD IN FOSTER**
7 **CARE.**

8 **(C) (1) FUNDS FOR THE PROGRAM SHALL BE ADMINISTERED**
9 **ACCORDING TO THIS SUBSECTION.**

10 **(2) FOR EACH CHILD IN FOSTER CARE ENROLLED UNDER THE**
11 **PROGRAM IN A NONCOLLEGIATE EDUCATIONAL INSTITUTION ON DECEMBER**
12 **31, THE FINANCIALLY RESPONSIBLE COUNTY SHALL PAY THE NONCOLLEGIATE**
13 **EDUCATIONAL INSTITUTION AN AMOUNT EQUAL TO THE LESSER OF:**

14 **(I) THE LOCAL CURRENT EXPENSE PER STUDENT IN THE**
15 **FINANCIALLY RESPONSIBLE COUNTY; OR**

16 **(II) THE ANNUAL COST PER STUDENT TO THE**
17 **NONCOLLEGIATE EDUCATIONAL INSTITUTION, INCLUDING:**

18 **1. OPERATING COSTS;**

19 **2. CAPITAL COSTS; AND**

20 **3. COSTS ASSOCIATED WITH ANY SPECIAL NEEDS OF**
21 **THE CHILD IN FOSTER CARE.**

22 **(3) IF A NONCOLLEGIATE EDUCATIONAL INSTITUTION**
23 **DETERMINES THAT A CHILD IN FOSTER CARE WHO IS ENROLLED IN THE**
24 **NONCOLLEGIATE EDUCATIONAL INSTITUTION UNDER THE PROGRAM IS**
25 **HANDICAPPED AND NEEDS SPECIAL EDUCATION SERVICES, THE FINANCIALLY**
26 **RESPONSIBLE COUNTY SHALL PAY THE NONCOLLEGIATE EDUCATIONAL**
27 **INSTITUTION FOR THE CHILD IN FOSTER CARE AN AMOUNT EQUAL TO THE**
28 **LESSER OF:**

1 **(I) THREE TIMES THE LOCAL CURRENT EXPENSE PER**
2 **STUDENT IN THE FINANCIALLY RESPONSIBLE COUNTY; OR**

3 **(II) THREE TIMES THE ANNUAL COST PER STUDENT IN THE**
4 **NONCOLLEGIATE EDUCATIONAL INSTITUTION.**

5 **(4) (I) IF THE LOCAL CURRENT EXPENSE PER STUDENT IN THE**
6 **FINANCIALLY RESPONSIBLE COUNTY IS LESS THAN THE ANNUAL COST PER**
7 **STUDENT IN THE NONCOLLEGIATE EDUCATIONAL INSTITUTION, THE STATE**
8 **SHALL PAY TO THE NONCOLLEGIATE EDUCATIONAL INSTITUTION THE**
9 **DIFFERENCE FOR EACH STUDENT WHO IS A CHILD IN FOSTER CARE ENROLLED**
10 **IN THE NONCOLLEGIATE EDUCATIONAL INSTITUTION UNDER THE PROGRAM.**

11 **(II) THE NECESSARY FUNDS SHALL BE PROVIDED IN THE**
12 **APPROPRIATION TO THE DEPARTMENT.**

13 **(5) (I) EACH NONCOLLEGIATE EDUCATIONAL INSTITUTION**
14 **SHALL:**

15 **1. NOTIFY THE STATE SUPERINTENDENT OF THE**
16 **NAME OF EACH CHILD IN FOSTER CARE WHO IS ENROLLED IN THE**
17 **NONCOLLEGIATE EDUCATIONAL INSTITUTION UNDER THE PROGRAM AS OF**
18 **DECEMBER 31 OF EACH YEAR; AND**

19 **2. MAKE AN INITIAL DETERMINATION OF THE**
20 **FINANCIALLY RESPONSIBLE COUNTY FOR EACH CHILD IN FOSTER CARE**
21 **ENROLLED IN THE NONCOLLEGIATE EDUCATIONAL INSTITUTION UNDER THE**
22 **PROGRAM.**

23 **(II) ON OR BEFORE JANUARY 31, THE NONCOLLEGIATE**
24 **EDUCATIONAL INSTITUTION SHALL SEND A COPY OF THE NOTICE TO THE**
25 **FINANCIALLY RESPONSIBLE COUNTY AND THE STATE SUPERINTENDENT.**

26 **(III) WITHIN 30 DAYS OF THE DATE ON WHICH THE NOTICE IS**
27 **SENT, THE COUNTY THAT IS INITIALLY DETERMINED TO BE THE FINANCIALLY**
28 **RESPONSIBLE COUNTY MAY APPEAL THE DETERMINATION TO THE STATE**
29 **SUPERINTENDENT.**

1 (IV) THE STATE SUPERINTENDENT SHALL DECIDE AN
2 APPEAL UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH AND MAKE A FINAL
3 DETERMINATION REGARDING THE FINANCIALLY RESPONSIBLE COUNTY FOR
4 EACH CHILD IN FOSTER CARE WHO IS ENROLLED IN A NONCOLLEGIATE
5 EDUCATIONAL INSTITUTION UNDER THE PROGRAM.

6 (6) BY JANUARY 15 OF EACH YEAR, EACH COUNTY BOARD SHALL
7 PROVIDE THE STATE SUPERINTENDENT THE DATA NECESSARY TO COMPUTE
8 THE LOCAL CURRENT EXPENSE PER STUDENT UNDER THIS SUBSECTION.

9 (7) IF BY MAY 15 A FINANCIALLY RESPONSIBLE COUNTY FAILS TO
10 MAKE THE REQUIRED PAYMENT TO A NONCOLLEGIATE EDUCATIONAL
11 INSTITUTION UNDER THE PROGRAM, THE STATE SUPERINTENDENT SHALL:

12 (I) DEDUCT FROM THE NEXT PAYMENT OF STATE AID TO
13 THE FINANCIALLY RESPONSIBLE COUNTY AN AMOUNT EQUAL TO THE AMOUNT
14 OWED UNDER THIS SUBSECTION; AND

15 (II) PAY THOSE FUNDS TO THE NONCOLLEGIATE
16 EDUCATIONAL INSTITUTION.

17 (8) A NONCOLLEGIATE EDUCATIONAL INSTITUTION
18 PARTICIPATING IN THE PROGRAM MAY NOT REFUND, REBATE, OR SHARE
19 SCHOLARSHIP MONEYS WITH:

20 (I) A CHILD IN FOSTER CARE WHO IS ENROLLED IN THE
21 NONCOLLEGIATE EDUCATIONAL INSTITUTION; OR

22 (II) A FOSTER PARENT OR LEGAL GUARDIAN OF THE CHILD
23 IN FOSTER CARE.

24 (D) TO BE ELIGIBLE TO PARTICIPATE IN THE PROGRAM, A
25 NONCOLLEGIATE EDUCATIONAL INSTITUTION SHALL:

26 (1) OPERATE IN THE STATE;

27 (2) COMPLY WITH ALL APPLICABLE HEALTH AND SAFETY LAWS
28 AND REGULATIONS;

1 **(3) IF REQUIRED, HOLD A VALID OCCUPANCY PERMIT;**

2 **(4) CERTIFY TO THE DEPARTMENT THAT THE NONCOLLEGIATE**
3 **EDUCATIONAL INSTITUTION WILL NOT DISCRIMINATE AGAINST A CHILD IN**
4 **FOSTER CARE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, OR RELIGION;**
5 **AND**

6 **(5) COMPLY WITH ALL APPLICABLE STATE LAWS AND**
7 **REGULATIONS RELATING TO:**

8 **(I) BACKGROUND CHECKS FOR EMPLOYEES; AND**

9 **(II) PROHIBITIONS ON EMPLOYMENT OF INDIVIDUALS NOT**
10 **ALLOWED TO WORK IN NONCOLLEGIATE EDUCATIONAL INSTITUTIONS;**

11 **(6) IN ACCORDANCE WITH THE REQUIREMENTS OF THE**
12 **DEPARTMENT, SUBMIT TO THE DEPARTMENT AN ANNUAL ACCOUNTING REPORT**
13 **OF THE USE OF PROGRAM FUNDS THAT IS:**

14 **(I) COMPLETED BY A CERTIFIED PUBLIC ACCOUNTANT;**
15 **AND**

16 **(II) CERTIFIED BY AN INDEPENDENT AUDITOR AS BEING**
17 **FREE FROM MATERIAL MISSTATEMENTS; AND**

18 **(7) IF IT IS TO RECEIVE \$50,000 OR MORE IN PROGRAM FUNDS**
19 **FOR A SINGLE ACADEMIC YEAR, DEMONSTRATE FINANCIAL VIABILITY BY FILING**
20 **WITH THE DEPARTMENT PRIOR TO THE BEGINNING OF THE ACADEMIC YEAR:**

21 **(I) A SURETY BOND PAYABLE TO THE STATE IN AN AMOUNT**
22 **EQUAL TO THE AGGREGATE AMOUNT OF PROGRAM FUNDS THE**
23 **NONCOLLEGIATE EDUCATIONAL INSTITUTION EXPECTS TO RECEIVE FOR THE**
24 **ACADEMIC YEAR; OR**

25 **(II) A CERTIFIED FINANCIAL STATEMENT THAT**
26 **DEMONSTRATES THE ABILITY OF THE NONCOLLEGIATE EDUCATIONAL**
27 **INSTITUTION TO PAY AN AGGREGATE AMOUNT EQUAL TO THE AMOUNT OF**
28 **PROGRAM FUNDS THE NONCOLLEGIATE EDUCATIONAL INSTITUTION EXPECTS**
29 **TO RECEIVE FOR THE ACADEMIC YEAR; AND**

1 **(8) REPORT REGULARLY ON THE PROGRESS OF A CHILD IN**
2 **FOSTER CARE ENROLLED IN THE NONCOLLEGIATE EDUCATIONAL INSTITUTION**
3 **UNDER THE PROGRAM TO THE FOSTER PARENT OR LEGAL GUARDIAN OF THE**
4 **CHILD IN FOSTER CARE.**

5 **(E) (1) A NONCOLLEGIATE EDUCATIONAL INSTITUTION MAY ACCEPT**
6 **A CHILD IN FOSTER CARE UNDER THE PROGRAM ON A FIRST-COME,**
7 **FIRST-SERVED BASIS UNTIL THE NONCOLLEGIATE EDUCATIONAL INSTITUTION**
8 **RECEIVES MORE APPLICATIONS FOR PLACEMENTS UNDER THE PROGRAM THAN**
9 **THE NONCOLLEGIATE EDUCATIONAL INSTITUTION HAS SPACES.**

10 **(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
11 **PARAGRAPH, IF A NONCOLLEGIATE EDUCATIONAL INSTITUTION IS**
12 **OVERSUBSCRIBED AS DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION,**
13 **THE NONCOLLEGIATE EDUCATIONAL INSTITUTION SHALL FILL SPACES**
14 **ACCORDING TO A RANDOM SELECTION PROCESS.**

15 **(II) IF A NONCOLLEGIATE EDUCATIONAL INSTITUTION IS**
16 **OVERSUBSCRIBED, THE NONCOLLEGIATE EDUCATIONAL INSTITUTION MAY GIVE**
17 **PREFERENCE TO A CHILD IN FOSTER CARE WHO HAD PREVIOUSLY ENROLLED IN**
18 **THE NONCOLLEGIATE EDUCATIONAL INSTITUTION.**

19 **(3) IF A CHILD IN FOSTER CARE IS DENIED ADMISSION TO A**
20 **NONCOLLEGIATE EDUCATIONAL INSTITUTION BECAUSE THE NONCOLLEGIATE**
21 **EDUCATIONAL INSTITUTION IS OVERSUBSCRIBED, THE CHILD IN FOSTER CARE**
22 **MAY USE FUNDS UNDER THE PROGRAM TO ATTEND A NONCOLLEGIATE**
23 **EDUCATIONAL INSTITUTION THAT HAS SPACES AVAILABLE.**

24 **(F) (1) ON ACCEPTING FOR ENROLLMENT A CHILD IN FOSTER CARE**
25 **UNDER THE PROGRAM, A NONCOLLEGIATE EDUCATIONAL INSTITUTION**
26 **PROMPTLY SHALL NOTIFY THE COUNTY BOARD OF THE FINANCIALLY**
27 **RESPONSIBLE COUNTY OF THE ACCEPTANCE.**

28 **(2) ON RECEIVING NOTIFICATION UNDER PARAGRAPH (1) OF**
29 **THIS SUBSECTION, A COUNTY BOARD OF A FINANCIALLY RESPONSIBLE COUNTY**
30 **PROMPTLY SHALL PROVIDE THE PARTICIPATING NONCOLLEGIATE**
31 **EDUCATIONAL INSTITUTION WITH A COMPLETE COPY OF THE SCHOOL RECORDS**
32 **OF THE CHILD IN FOSTER CARE, IN ACCORDANCE WITH THE FAMILY**

1 **EDUCATIONAL RIGHTS AND PRIVACY ACT (20 U.S.C. § 1232G, 34 C.F.R. PART**
2 **99).**

3 **(G) (1) A FINANCIALLY RESPONSIBLE COUNTY SHALL PROVIDE**
4 **TRANSPORTATION FOR A CHILD IN FOSTER CARE TO ATTEND A NONCOLLEGIATE**
5 **EDUCATIONAL INSTITUTION UNDER THE PROGRAM.**

6 **(2) THE DEPARTMENT SHALL REIMBURSE A FINANCIALLY**
7 **RESPONSIBLE COUNTY FOR TRANSPORTATION SERVICES PROVIDED TO A CHILD**
8 **IN FOSTER CARE WHO ATTENDS A NONCOLLEGIATE EDUCATIONAL INSTITUTION**
9 **UNDER THE PROGRAM.**

10 **(H) THE DEPARTMENT MAY NOT:**

11 **(1) REGULATE THE EDUCATIONAL CURRICULUM OR PROGRAM OF**
12 **A NONCOLLEGIATE EDUCATIONAL INSTITUTION THAT IS PARTICIPATING IN THE**
13 **PROGRAM; OR**

14 **(2) IMPOSE REGULATIONS NOT RELATED TO EDUCATIONAL**
15 **CURRICULA AND PROGRAMS BEYOND THOSE NECESSARY TO ENFORCE THE**
16 **REQUIREMENTS OF THE PROGRAM.**

17 **(I) THE DEPARTMENT SHALL:**

18 **(1) DEVELOP A UNIFORM APPLICATION FOR A CHILD IN FOSTER**
19 **CARE AND THE FOSTER PARENT OR LEGAL GUARDIAN OF THE CHILD IN FOSTER**
20 **CARE TO USE FOR APPLYING UNDER THE PROGRAM TO A PARTICIPATING**
21 **NONCOLLEGIATE EDUCATIONAL INSTITUTION;**

22 **(2) CERTIFY A NONCOLLEGIATE EDUCATIONAL INSTITUTION AS**
23 **TO ITS ELIGIBILITY TO PARTICIPATE IN THE PROGRAM;**

24 **(3) DEBAR A NONCOLLEGIATE EDUCATIONAL INSTITUTION FROM**
25 **PARTICIPATING IN THE PROGRAM IF THE DEPARTMENT FINDS THAT THE**
26 **NONCOLLEGIATE EDUCATIONAL INSTITUTION:**

27 **(I) INTENTIONALLY AND SUBSTANTIALLY MISREPRESENTS**
28 **INFORMATION REQUIRED UNDER SUBSECTION (D) OF THIS SECTION;**

1 **(II) ROUTINELY FAILS TO COMPLY WITH ACCOUNTABILITY**
2 **STANDARDS ESTABLISHED UNDER SUBSECTION (D)(6) AND (7) OF THIS**
3 **SECTION; OR**

4 **(III) FAILS TO REFUND TO THE STATE IN A TIMELY MANNER**
5 **A SCHOLARSHIP OVERPAYMENT;**

6 **(4) ENSURE THE ANNUAL DISTRIBUTION OF A LIST OF**
7 **PARTICIPATING NONCOLLEGIATE EDUCATIONAL INSTITUTIONS UNDER THE**
8 **PROGRAM;**

9 **(5) ADOPT REGULATIONS NECESSARY TO IMPLEMENT THE**
10 **PROGRAM, INCLUDING:**

11 **(I) REGULATIONS RELATING TO THE APPLICATION**
12 **PROCESS FOR CHILDREN IN FOSTER CARE AND PARTICIPATING**
13 **NONCOLLEGIATE EDUCATIONAL INSTITUTIONS;**

14 **(II) QUALIFICATIONS FOR NONCOLLEGIATE EDUCATIONAL**
15 **INSTITUTIONS TO PARTICIPATE IN THE PROGRAM; AND**

16 **(III) THE CALCULATION AND DISTRIBUTION OF**
17 **SCHOLARSHIPS TO ELIGIBLE STUDENTS.**

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

19 (a) On or before December 1, 2009, the State Department of Education shall:

20 (1) conduct a review of the Scholarship Program for Children in Foster
21 Care; or

22 (2) contract with a private consulting firm to conduct a review of the
23 Scholarship Program for Children in Foster Care.

24 (b) The review required under subsection (a) of this section shall assess:

25 (1) the level of satisfaction of:

26 (i) children in foster care who participate in the Program; and

1 (ii) foster parents or legal guardians of children in foster care
2 who participate in the Program;

3 (2) the percentage of children in foster care who participate in the
4 Program who exhibited behavioral problems in their financially responsible counties
5 as compared to the percentage of children in foster care who participate in the
6 Program who exhibit behavioral problems in participating noncollegiate educational
7 institutions;

8 (3) average class sizes in participating noncollegiate educational
9 institutions experienced by children in foster care who participate in the Program as
10 compared to average class sizes in financially responsible counties; and

11 (4) the fiscal impact of the Program to the State and to financially
12 responsible counties.

13 (c) The individuals who conduct the review required under subsection (a) of
14 this section shall apply appropriate analytical and behavioral sciences methodologies.

15 (d) The following schools shall comply with requests for information from
16 individuals who conduct a review under subsection (a) of this section, in accordance
17 with the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g, 34 C.F.R.
18 Part 99):

19 (1) public schools in financially responsible counties from which
20 children in foster care who participate in the Program transfer; and

21 (2) noncollegiate educational institutions to which children in foster
22 care who participate in the Program transfer.

23 (e) The Department may:

24 (1) accept a grant from a private entity to conduct the review required
25 under subsection (a) of this section; and

26 (2) require periodic updates of the review conducted under subsection
27 (a) of this section.

28 (f) On or before December 31, 2009, the Department shall report the results
29 of the review conducted under subsection (a) of this section to the Governor and, in
30 accordance with § 2-1246 of the State Government Article, the General Assembly.
31 The report shall contain data and methodologies used to complete the review, in

1 accordance with the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g, 34
2 C.F.R. Part 99).

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 June 1, 2007.