

# HOUSE BILL 964

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CF SB 410

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By: **Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Luedtke, Stukes, Summers, F. Turner, Walker, and A. Washington**

Introduced and read first time: February 7, 2013

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Community Colleges – Cade Funding Formula – Grants for English for**  
3 **Speakers of Other Languages Programs**

4 FOR the purpose of removing the limit on the total amount of grants that may be  
5 distributed to certain community colleges to provide instruction and services to  
6 certain students enrolled in English for Speakers of Other Languages programs;  
7 and generally relating to grants for community colleges for English for Speakers  
8 of Other Languages programs.

9 BY repealing and reenacting, with amendments,  
10 Article – Education  
11 Section 16–305(e)  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2012 Supplement)

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

16 **Article – Education**

17 16–305.

18 (e) (1) (i) Beginning in fiscal year 1996, a grant in the amount  
19 provided in paragraph (2) of this subsection shall be distributed to each board in order  
20 to provide instruction and services to students enrolled in an English for Speakers of  
21 Other Languages (“ESOL”) program.

22 (ii) To qualify for a grant under this subsection, each participant  
23 in the program shall be a student:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1. Born outside of the United States or whose native  
2 language is not English;

3 2. Who comes from an environment where a language  
4 other than English is dominant; or

5 3. Who is an American Indian or Alaskan native and  
6 comes from an environment where a language other than English has had a  
7 significant impact on the student's level of English language proficiency.

8 (2) [(i) Subject to the provisions of subparagraph (ii) of this  
9 paragraph, the] **THE** amount of the grant shall be \$800 times the number of qualified  
10 full-time equivalent students who are enrolled in a county ESOL program and at the  
11 community college.

12 [(ii) 1. The total amount of the grants under this paragraph  
13 may not exceed \$6,000,000 for any fiscal year.

14 2. If, for any fiscal year, the total amount of the grants  
15 calculated under subparagraph (i) of this paragraph would exceed \$6,000,000, then  
16 each grant shall be prorated by the amount necessary to reduce the total amount of  
17 the grants to \$6,000,000.]

18 (3) (i) If the amount that is appropriated to a board under this  
19 subsection for any fiscal year is more than the actual cost of providing ESOL programs  
20 to students enrolled at the community college in that county or region, the excess  
21 funds shall be paid back to the State and credited to the General Fund of the State.

22 (ii) A board may not transfer State funds received under this  
23 subsection to any other program or category.

24 (4) [Subject to the provisions of paragraph (2) of this subsection, for]  
25 **FOR** any fiscal year in which the State appropriation is insufficient to fully fund all  
26 grants eligible under this section, the Governor shall include in the budget bill for the  
27 following fiscal year a deficiency appropriation to fund all unfunded grants.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 June 1, 2013.