

Chapter 291

(House Bill 965)

AN ACT concerning

The Hunger-Free Schools Act of 2015

FOR the purpose of altering a certain definition for ~~a certain fiscal year~~ years to determine the number of students used to calculate a certain grant for schools that participate in a certain federal program; ~~requiring the State Department of Education, in collaboration with certain local school systems, to submit a certain report to certain committees of the General Assembly on or before a certain date;~~ requiring the State Department of Education, the Department of Budget and Management, and the Department of Legislative Services to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the compensatory education grant for primary and secondary education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–207(a)(3)
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

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

Article – Education

5–207.

(a) (3) (i) Except as provided in subparagraph (ii) of this paragraph, “compensatory education enrollment count” means the number of students eligible for free or reduced price meals for the prior fiscal year.

(ii) [For fiscal year 2004, “compensatory education enrollment count” means the greater of:

1. The number of students eligible for free or reduced price meals for the prior fiscal year; or

2. The number of students eligible for free or reduced price meals for the second prior fiscal year] **FOR FISCAL YEAR 2017 YEARS 2017 AND 2018,**
“COMPENSATORY EDUCATION ENROLLMENT COUNT” MEANS:

1. THE NUMBER OF STUDENTS ELIGIBLE FOR FREE OR REDUCED PRICE MEALS FOR THE PRIOR FISCAL YEAR; OR

2. FOR COUNTY BOARDS THAT PARTICIPATE, IN WHOLE OR IN PART, IN THE UNITED STATES DEPARTMENT OF AGRICULTURE COMMUNITY ELIGIBILITY PROVISION, THE NUMBER OF STUDENTS EQUAL TO THE GREATER OF:

A. THE SUM OF THE NUMBER OF STUDENTS IN PARTICIPATING SCHOOLS IDENTIFIED BY DIRECT CERTIFICATION FOR THE PRIOR FISCAL YEAR, PLUS THE NUMBER OF STUDENTS IDENTIFIED BY THE INCOME INFORMATION PROVIDED BY THE FAMILY TO THE SCHOOL SYSTEM ON AN ALTERNATIVE FORM DEVELOPED BY THE DEPARTMENT FOR THE PRIOR FISCAL YEAR, PLUS THE NUMBER OF STUDENTS ELIGIBLE FOR FREE AND REDUCED PRICE MEALS FROM ANY SCHOOLS NOT PARTICIPATING IN THE COMMUNITY ELIGIBILITY PROVISION FOR THE PRIOR FISCAL YEAR; OR

B. SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE NUMBER OF STUDENTS ELIGIBLE FOR FREE AND REDUCED PRICE MEALS AT SCHOOLS NOT PARTICIPATING IN THE COMMUNITY ELIGIBILITY PROVISION FOR THE PRIOR FISCAL YEAR, PLUS THE PRODUCT OF THE PERCENTAGE OF STUDENTS ELIGIBLE FOR FREE AND REDUCED PRICE MEALS AT PARTICIPATING SCHOOLS FOR THE FISCAL YEAR PRIOR TO OPTING INTO THE ~~UNITED STATES DEPARTMENT OF AGRICULTURE~~ COMMUNITY ELIGIBILITY PROVISION MULTIPLIED BY THE PRIOR FISCAL YEAR ENROLLMENT.

(III) FOR THE PURPOSE OF THE CALCULATION UNDER SUBPARAGRAPH (II)2B OF THIS PARAGRAPH, THE SCHOOLS PARTICIPATING IN THE COMMUNITY ELIGIBILITY ~~PROGRAM~~ PROVISION DURING THE PILOT YEAR MAY USE THE PERCENTAGE OF STUDENTS IDENTIFIED FOR FREE AND REDUCED PRICE MEALS DURING THE PILOT YEAR.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2015, the State Department of Education, the Department of Budget and Management, and the Department of Legislative Services shall report to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Committee on Ways and Means, in accordance with § 2-1246 of the State Government Article, on:

(a) the research and analysis in the Adequacy of Funding for Education Study relating to using free and reduced-price meal eligibility as a proxy for representing economically disadvantaged students in the State compensatory education aid formula including:

(1) the proxies used in education formulas in other states, particularly states that participate in the Community Eligibility Provision of the federal Healthy, Hunger-Free Kids Act of 2010; and

(2) the identification and analysis of alternative indicators;

(b) the impact of the Community Eligibility Provision on the State compensatory aid program that uses free and reduced-price meal student count as a proxy for representing economically disadvantaged students in the State;

(c) trends in free and reduced-price meal student counts to compare the free and reduced-price meal student count used for school systems participating in the Community Eligibility Provision to the number of students who would be expected to qualify for free and reduced-price meals in the next 5 years based on past trends;

(d) preliminary recommendations on a new proxy or a revised free and reduced-price meal student count that could be used to represent economically disadvantaged students in the State compensatory education aid formula; and

(e) any proposed changes to the calculation under § 5-207(a)(3) of the Education Article, as enacted by Section 1 of this Act.

~~SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2018, the State Department of Education, in collaboration with any local school system that opts into the United States Department of Agriculture community eligibility provision, shall report to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Committee on Ways and Means, in accordance with § 2-1246 of the State Government Article, on the impact of this Act on the amount of State aid provided to local school systems.~~

SECTION ~~2~~ ~~4~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2015.

Approved by the Governor, May 12, 2015.