

HOUSE BILL 965

F1

5lr2791
CF SB 334

By: **Delegates Haynes, Chang, Ebersole, Frush, Hettleman, Hill, Krimm, Lam, Lierman, McIntosh, A. Miller, Morhaim, Tarlau, and P. Young**

Introduced and read first time: February 13, 2015

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 29, 2015

CHAPTER _____

1 AN ACT concerning

2 **The Hunger-Free Schools Act of 2015**

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

12 BY repealing and reenacting, with amendments,
13 Article – Education
14 Section 5–207(a)(3)
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2014 Supplement)

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

19 **Article – Education**

20 5–207.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

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

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

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

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

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

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

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

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

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

13 (2) the identification and analysis of alternative indicators;

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

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

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

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

26 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1,
27 2018, the State Department of Education, in collaboration with any local school system that
28 opts into the United States Department of Agriculture community eligibility provision,
29 shall report to the Senate Budget and Taxation Committee, the House Appropriations
30 Committee, and the House Committee on Ways and Means, in accordance with § 2–1246 of
31 the State Government Article, on the impact of this Act on the amount of State aid provided
32 to local school systems.

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