

# SENATE BILL 959

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11r3057  
CF HB 1366

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By: **Senator Lam**

Introduced and read first time: February 21, 2021

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Residential Boarding Programs for At-Risk Youth – Expansion**

3 FOR the purpose of authorizing the State Department of Education to contract with an  
4 operator to provide at-risk youth in the State with the opportunity to participate in  
5 a certain program that is intended to provide a student with the opportunity to  
6 attend a multiweek accelerated learning residential boarding education program;  
7 specifying that a certain program is not required to provide college admissions  
8 counseling; requiring a county board of education, for each day a student attends a  
9 certain program, to pay the Department a certain percentage of the basic daily cost  
10 for certain eligible children; requiring the Governor to include in the annual budget  
11 bill an amount sufficient to cover the transportation, boarding, and administrative  
12 costs of a certain program; requiring the Governor, beginning in a certain fiscal year,  
13 to include in the annual budget bill a certain amount to serve up to a certain number  
14 of students subject to a certain limitation, a certain additional amount for a certain  
15 number of additional students, and an additional amount based on a certain  
16 calculation; prohibiting certain provisions of this Act from being construed to  
17 prohibit a certain program from receiving funds from private, federal, or other  
18 sources; providing for the application of certain provisions of law; defining a certain  
19 term; and generally relating to expanding residential boarding education programs  
20 for at-risk youth in the State.

21 BY repealing and reenacting, with amendments,  
22 Article – Education  
23 Section 8-704(a)  
24 Annotated Code of Maryland  
25 (2018 Replacement Volume and 2020 Supplement)

26 BY adding to  
27 Article – Education  
28 Section 8-711  
29 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2018 Replacement Volume and 2020 Supplement)

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

**Article – Education**

8–704.

(a) (1) The Department may contract with an operator to provide at-risk youth in the State with the opportunity to participate in a program.

(2) **THE DEPARTMENT MAY CONTRACT WITH AN OPERATOR TO PROVIDE AT-RISK YOUTH IN THE STATE WITH THE OPPORTUNITY TO PARTICIPATE IN A PROGRAM UNDER § 8–711 OF THIS SUBTITLE.**

8–711.

(A) **IN THIS SECTION, “BASIC DAILY COST” MEANS THE AVERAGE AMOUNT SPENT BY A COUNTY BOARD FROM COUNTY AND STATE FUNDS IN THE PREVIOUS SCHOOL YEAR FOR THE PUBLIC EDUCATION OF A NONDISABLED CHILD DIVIDED BY THE NUMBER OF ACTUAL SCHOOL DAYS REQUIRED FOR A PUBLIC SCHOOL UNDER § 7–103 OF THIS ARTICLE.**

(B) **A PROGRAM CREATED UNDER THIS SECTION IS INTENDED TO PROVIDE A STUDENT WITH THE OPPORTUNITY TO ATTEND A MULTIWEEK ACCELERATED LEARNING RESIDENTIAL BOARDING EDUCATION PROGRAM.**

(C) **UNLESS OTHERWISE STATED IN THIS SECTION, THE PROVISIONS OF THIS SUBTITLE APPLY TO A PROGRAM UNDER THIS SECTION.**

(D) **A PROGRAM OPERATING UNDER THIS SECTION IS NOT REQUIRED TO PROVIDE COLLEGE ADMISSIONS COUNSELING.**

(E) **A COUNTY BOARD SHALL, FOR EACH DAY A STUDENT ATTENDS A RESIDENTIAL BOARDING EDUCATION PROGRAM ESTABLISHED UNDER THIS SECTION, PAY TO THE DEPARTMENT 85% OF THE BASIC DAILY COST FOR EACH CHILD WHO IS DOMICILED IN THE COUNTY IF THE CHILD:**

(1) **ATTENDS A RESIDENTIAL BOARDING EDUCATION PROGRAM ESTABLISHED UNDER THIS SECTION;**

(2) **DOES NOT MEET THE CRITERIA FOR SHARED STATE AND LOCAL PAYMENT OF EDUCATION COSTS AS PROVIDED IN §§ 8–406 AND 8–415 OF THIS TITLE;**

1 AND

2 (3) WAS INCLUDED IN THE FULL-TIME EQUIVALENT ENROLLMENT OF  
3 THE COUNTY AS CALCULATED UNDER § 5-201 OF THIS ARTICLE.

4 (F) (1) IN ADDITION TO THE FUNDS DISBURSED IN ACCORDANCE WITH  
5 SUBSECTION (E) OF THIS SECTION, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL  
6 BUDGET BILL AN APPROPRIATION TO THE DEPARTMENT IN AN AMOUNT SUFFICIENT  
7 TO COVER THE TRANSPORTATION, BOARDING, AND ADMINISTRATIVE COSTS OF A  
8 PROGRAM ESTABLISHED UNDER THIS SECTION.

9 (2) (I) SUBJECT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH,  
10 FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR  
11 SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST  
12 \$4,300,000 TO THE DEPARTMENT FOR A PROGRAM TO SERVE UP TO 100 STUDENTS.

13 (II) FOR EACH ADDITIONAL 10 STUDENTS ENROLLED IN A  
14 PROGRAM, AS REPORTED BY THE DEPARTMENT, THE GOVERNOR SHALL INCLUDE  
15 IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AN ADDITIONAL \$430,000.

16 (III) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR  
17 THEREAFTER, FOR EACH STUDENT ENROLLED IN A PROGRAM, AS REPORTED BY THE  
18 DEPARTMENT, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN  
19 APPROPRIATION IN AN AMOUNT THAT IS AT LEAST EQUAL TO THE PRIOR YEAR PER  
20 PUPIL AMOUNT MULTIPLIED BY THE CHANGE IN THE PER PUPIL AMOUNT PLUS ONE.

21 (IV) THE TOTAL AMOUNT OF FUNDS APPROPRIATED UNDER  
22 THIS PARAGRAPH MAY NOT EXCEED AN AMOUNT ADEQUATE TO FUND THE PER  
23 PUPIL ALLOCATION FOR 400 STUDENTS FOR ANY FISCAL YEAR.

24 (G) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT A PROGRAM FROM  
25 RECEIVING FUNDS FROM PRIVATE, FEDERAL, OR OTHER SOURCES.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
27 1, 2021.