

BY: Senator Van Hollen

AMENDMENTS TO SENATE BILL NO. 795, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, strike “- New Baltimore City Board of School Commissioners”.

AMENDMENT NO. 2

On page 2 of the bill, in line 4, after “students;” insert “providing additional State funds to the county boards of education; providing for the calculation of the additional funds; altering provisions relating to the program of grants to counties with non- and limited-English proficient students; making certain additional funds contingent on the provision of certain additional funds to Baltimore City;”; and in line 22, after “5-112(a),” insert “5-206.”

On page 2 of the Budget and Taxation Committee Amendments (SB0795/099105/1), in line 3 of Amendment No. 1, after “4-313,” insert “5-212, 5-213.”

AMENDMENT NO. 3

On page 17 of the bill, in line 29, after the period insert:

“ 5-206.

(a) (1) [(i)] In this section the following words have the meanings indicated.

[(ii)] (2) “Non- and limited-English proficient student” means a student identified as non- or limited-English proficient under the Maryland State Department of Education’s Maryland School Performance Program reporting requirements. This definition should be consistent with federal guidelines for the identification of students with limited English proficiency, as defined by the following criteria: the student was born outside of the United States or whose native language is not English; the student comes from an environment where a language other than English is

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dominant; or the student is an American Indian or Alaskan native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency.

[(iii)] (3) “Non- and limited-English proficient student count” means the number of non- and limited-English proficient students as of May 15 of a school year.

[(2) Except as provided under regulations adopted by the State Board of Education, a student may not be included in the non- and limited-English proficiency student count for more than 2 school years.]

(b) (1) [Beginning in Fiscal Year 1995, the] THE Department shall distribute annually to each county board a grant for the purpose of providing instruction and services to non- and limited-English proficient students.

(2) [(i) In Fiscal Year 1995, the amount of the grant shall be distributed on the basis of the non- and limited-English proficient student count for the school year prior to the fiscal year for which the appropriation is provided.

[(ii)] For Fiscal Year [1996] 1998 [and every year thereafter], the Governor shall include in the State budget funding for the grant, in an amount at least equal to [\$500]\$600 times the non- and limited-English proficient student count for the second preceding school year prior to the fiscal year for which the appropriation is provided. FOR EVERY FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET FUNDING FOR THE GRANT, IN AN AMOUNT AT LEAST EQUAL TO \$660 TIMES THE NON-AND LIMITED-ENGLISH PROFICIENT STUDENT COUNT FOR THE SECOND PRECEDING SCHOOL YEAR PRIOR TO THE FISCAL YEAR FOR WHICH THE APPROPRIATION IS PROVIDED.

(3) To be eligible to receive the grants provided under paragraph (2) of this subsection, a county board shall have programs for providing instruction and services to non- and limited-English proficient students that are approved by the Department.

(c) (1) The Department shall establish guidelines for programs for non- and limited-English

proficient students.

(2) A county board shall expend the State funds received under this section for programs for non- and limited-English proficient students and shall report annually to the Department on the actual expenditures of the State funds received under this section.

(D) FOR FISCAL YEAR 1998 AND EVERY FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN ADDITIONAL GRANT OF \$500,000 TO THE COUNTY BOARD OF A COUNTY IN WHICH MORE THAN 5% OF THE STUDENTS ENROLLED IN THE PUBLIC SCHOOL SYSTEM IN THE SECOND PRECEDING SCHOOL YEAR PRIOR TO THE FISCAL YEAR FOR WHICH THE APPROPRIATION IS PROVIDED ARE IDENTIFIED AS NON- AND LIMITED-ENGLISH PROFICIENT STUDENTS.

5-212.

(A) THIS SECTION DOES NOT APPLY TO BALTIMORE CITY.

(B) IN THIS SECTION, "STUDENT LIVING IN POVERTY" MEANS A STUDENT WHO QUALIFIES FOR A FREE OR REDUCED PRICE LUNCH IN THE SECOND PRECEDING SCHOOL YEAR AS DETERMINED BY THE DEPARTMENT.

(C) FOR FISCAL YEAR 1998, EACH COUNTY BOARD SHALL RECEIVE ADDITIONAL STATE FUNDS IN AN AMOUNT THAT EQUALS THE NUMBER OF STUDENTS LIVING IN POVERTY IN THE COUNTY'S PUBLIC SCHOOL SYSTEM, MULTIPLIED BY \$190.

(D) FOR FISCAL YEARS 1999 THROUGH 2002, EACH COUNTY BOARD SHALL RECEIVE ADDITIONAL STATE FUNDS IN AN AMOUNT THAT EQUALS THE NUMBER OF STUDENTS LIVING IN POVERTY IN THE COUNTY'S PUBLIC SCHOOL SYSTEM, MULTIPLIED BY \$305.

(E) (1) THE ADDITIONAL STATE FUNDING UNDER THIS SECTION SHALL BE SEPARATE FROM ESTABLISHED STATE FUNDING UNDER § 5-202 OF THIS SUBTITLE

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AND OTHER CURRENT OR ADDITIONAL STATE FUNDS PROVIDED TO THE PUBLIC SCHOOLS, AND FOR PURPOSES OF CALCULATING STATE AID UNDER §5-202 (B) OF THIS SUBTITLE, THE FUNDING UNDER THIS SECTION MAY NOT BE INCLUDED AS “STATE AID”.

(2) THE ADDITIONAL STATE FUNDS REQUIRED UNDER THIS SECTION MAY NOT BE PROVIDED BY REDUCING ANY OTHER STATE FUNDS PROVIDED TO THE COUNTIES.

(3) THE COUNTIES MAY NOT USE ANY OF THE ADDITIONAL STATE FUNDING UNDER THIS SECTION TO MEET ANY STATUTORY OBLIGATION TO MAINTAIN LEVELS OF LOCAL FUNDING FOR EDUCATION.

5-213.

(A) FOR FISCAL YEAR 1998, GRANTS IN THE FOLLOWING AMOUNTS SHALL BE DISTRIBUTED TO THE COUNTY BOARDS TO PROVIDE FUNDS TO REPAIR AGING SCHOOLS.

<u>(1) ALLEGANY.....</u>	<u>\$ 300,000</u>
<u>(2) ANNE ARUNDEL.....</u>	<u>480,000</u>
<u>(3) BALTIMORE CITY.....</u>	<u>240,000</u>
<u>(4) BALTIMORE.....</u>	<u>2,500,000</u>
<u>(5) CALVERT.....</u>	<u>50,000</u>
<u>(6) CAROLINE.....</u>	<u>70,000</u>
<u>(7) CARROLL.....</u>	<u>360,000</u>
<u>(8) CECIL.....</u>	<u>300,000</u>

(9) CHARLES.....	50,000
(10) DORCHESTER.....	50,000
(11) FREDERICK.....	70,000
(12) GARRETT.....	70,000
(13) HARFORD.....	360,000
(14) HOWARD.....	50,000
(15) KENT.....	50,000
(16) MONTGOMERY.....	1,020,000
(17) PRINCE GEORGE'S.....	840,000
(18) QUEEN ANNE'S.....	70,000
(19) ST. MARY'S.....	70,000
(20) SOMERSET.....	50,000
(21) TALBOT.....	120,000
(22) WASHINGTON.....	180,000
(23) WICOMICO.....	300,000
(24) WORCESTER.....	50,000

(B) FOR FISCAL YEAR 1999, AND EVERY FISCAL YEAR THEREAFTER, THE

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AMOUNT OF THE GRANT SHALL BE EQUAL TO THE AMOUNT OF THE GRANT FOR FISCAL YEAR 1998 MULTIPLIED BY 1.6.”.