

BY: Delegates Barve and Exum

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

AMENDMENT NO. 1

On page 2 of the bill, in line 22, after “students;” insert “providing additional State funds to the county boards of education; providing for the calculation of the additional funds; making certain additional funds contingent on the provision of certain additional funds to Baltimore City;”.

On page 3 of the bill, in line 13, after “5-112(a),” insert “5-206;” and in line 24, after “4-313,” insert “5-212, 5-213,”.

AMENDMENT NO. 2

On page 31 of the bill, after line 27, 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 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

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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] \$700 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 \$820 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.

(A) 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.

(B) 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:

(1) \$420 PER STUDENT LIVING IN POVERTY IF MORE THAN 70% OF THE STUDENTS ENROLLED IN THE COUNTY SCHOOL SYSTEM ARE STUDENTS LIVING IN POVERTY;

(2) \$250 PER STUDENT LIVING IN POVERTY IF MORE THAN 40% BUT NOT MORE THAN 70% OF THE STUDENTS ENROLLED IN THE COUNTY SCHOOL SYSTEM ARE STUDENTS LIVING IN POVERTY;

(3) \$220 PER STUDENT LIVING IN POVERTY IF MORE THAN 20% BUT NOT MORE THAN 40% OF THE STUDENTS ENROLLED IN THE COUNTY SCHOOL SYSTEM ARE STUDENTS LIVING IN POVERTY; AND

(4) \$190 PER STUDENT LIVING IN POVERTY IF LESS THAN 20% OF THE STUDENTS ENROLLED IN THE COUNTY SCHOOL SYSTEM ARE STUDENTS LIVING IN POVERTY.

(C) FOR FISCAL YEARS 1999 THROUGH 2002, EACH COUNTY BOARD SHALL RECEIVE ADDITIONAL STATE FUNDS IN AN AMOUNT THAT EQUALS THE GRANT RECEIVED IN FISCAL 1998 UNDER THIS SECTION MULTIPLIED BY 1.7.

(D) (1) THE ADDITIONAL STATE FUNDING UNDER THIS SECTION SHALL BE SEPARATE FROM ESTABLISHED STATE FUNDING UNDER § 5-202 OF THIS SUBTITLE AND OTHER CURRENT OR ADDITIONAL STATE FUNDS PROVIDED TO THE PUBLIC SCHOOLS, AND FOR PURPOSES OF CALCULATING STATE AID UNDER §5-202 (B) OF

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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>800,000</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>
<u>(9) CHARLES.....</u>	<u>50,000</u>

<u>(10) DORCHESTER.....</u>	<u>50,000</u>
<u>(11) FREDERICK.....</u>	<u>70,000</u>
<u>(12) GARRETT.....</u>	<u>70,000</u>
<u>(13) HARFORD.....</u>	<u>560,000</u>
<u>(14) HOWARD.....</u>	<u>100,000</u>
<u>(15) KENT.....</u>	<u>50,000</u>
<u>(16) MONTGOMERY.....</u>	<u>955,000</u>
<u>(17) PRINCE GEORGE'S.....</u>	<u>400,000</u>
<u>(18) QUEEN ANNE'S.....</u>	<u>70,000</u>
<u>(19) ST. MARY'S.....</u>	<u>70,000</u>
<u>(20) SOMERSET.....</u>	<u>50,000</u>
<u>(21) TALBOT.....</u>	<u>120,000</u>
<u>(22) WASHINGTON.....</u>	<u>180,000</u>
<u>(23) WICOMICO.....</u>	<u>300,000</u>
<u>(24) WORCESTER.....</u>	<u>50,000</u>

(B) FOR FISCAL YEAR 1999, AND EVERY FISCAL YEAR THEREAFTER, THE AMOUNT OF THE GRANT SHALL BE EQUAL TO THE AMOUNT OF THE GRANT FOR FISCAL YEAR 1998 MULTIPLIED BY 1.6.”.

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AMENDMENT NO. 3

On pages 7 through 14 of the Appropriations Committee Amendments (SB0795/784636/1), in Amendment No. 9, strike beginning with “That:” in line 1 on page 7 through line 14 on page 14 and substitute “That for Fiscal Year 1998, the Governor may fund the grants under this Act from the \$30 million in additional funds for the Baltimore City Public Schools that is appropriated in accordance with the consent decrees entered in the Cases “Bradford, et al v. Maryland State Board of Education, et al”, case no. 9430058/CE189672, “Board of School Commissioners, et al v. Maryland State Board of Education, et al”, case no. 9528055/CL2002151, Baltimore City Circuit Court, and “Vaughn G., et al v. Mayor and City Council, et al”, case no. MJG-84-1911, United States District Court for the District of Maryland.”.”