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**By: Delegate Barve**

Introduced and read first time: February 21, 1997

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

**2 Education - Grants for Non- and Limited-English Proficient Students**

3 FOR the purpose of removing the limitation on the length of time a student may be  
4 included in the non- and limited-English proficiency student count; increasing the  
5 amount of funding provided by the State Board of Education to each county board  
6 of education for instruction and services to non- and limited-English proficient  
7 students; and generally relating to the education of non- and limited-English  
8 proficient students.

9 BY repealing and reenacting, with amendments,

10 Article - Education  
11 Section 5-206  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume)

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

**16 Article - Education**

17 5-206.

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

19 [(ii)] (2) "Non- and limited-English proficient student" means a  
20 student identified as non- or limited-English proficient under the Maryland State  
21 Department of Education's Maryland School Performance Program reporting  
22 requirements. This definition should be consistent with federal guidelines for the  
23 identification of students with limited English proficiency, as defined by the following  
24 criteria: the student was born outside of the United States or whose native language is not  
25 English; the student comes from an environment where a language other than English is  
26 dominant; or the student is an American Indian or Alaskan native and comes from an  
27 environment where a language other than English has had a significant impact on his/her  
28 level of English language proficiency.

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

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

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

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

10                    (ii)] For Fiscal Year [1996] 1998 and every year thereafter, the  
11 Governor shall include in the State budget funding for the grant, in an amount at least  
12 equal to [~~\$500~~]~~\$1,000~~ times the non- and limited-English proficient student count for the  
13 second preceding school year prior to the fiscal year for which the appropriation is  
14 provided.

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

18                    (c) (1) The Department shall establish guidelines for programs for non- and  
19 limited-English proficient students.

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

24                    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 July 1, 1997.