

HOUSE BILL 483

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1999 Regular Session
(9r0842)

ENROLLED BILL

-- *Ways and Means/Budget and Taxation* --

Introduced by **Delegates Hixson, Shriver, Heller, Bobo, Kopp, Turner,
Goldwater, Mandel, Franchot, and Grosfeld**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Community Colleges - English for Speakers of Other Languages Programs -**
3 **Funding**

4 FOR the purpose of ~~removing~~ increasing the limitation on the total funding for
5 annual grants for the English for Speakers of Other Languages programs
6 ("ESOL") at the community colleges in the State, including Baltimore City
7 Community College; requiring the Governor to include certain funds in the
8 annual budget to reimburse community colleges, including Baltimore City
9 Community College, for any deficiency in funds for grants for ESOL programs at
10 the community colleges subject to a certain limitation; declaring the intent of
11 the General Assembly; and generally relating to ESOL programs in the State.

12 BY repealing and reenacting, with amendments,
13 Article - Education
14 Section 16-305(e) and 16-508
15 Annotated Code of Maryland

1 (1997 Replacement Volume and 1998 Supplement)

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

4 **Article - Education**

5 16-305.

6 (e) (1) (i) Beginning in Fiscal Year 1996, a grant in the amount provided
7 in paragraph (2) of this subsection shall be distributed to each board in order to
8 provide instruction and services to students enrolled in an English for Speakers of
9 Other Languages ("ESOL") program.

10 (ii) To qualify for a grant under this subsection, each participant in
11 the program shall be a student:

12 1. Born outside of the United States or whose native
13 language is not English;

14 2. Who comes from an environment where a language other
15 than English is dominant; or

16 3. Who is an American Indian or Alaskan native and comes
17 from an environment where a language other than English has had a significant
18 impact on the student's level of English language proficiency.

19 (2) (i) Subject to the provisions of subparagraph (ii) of this paragraph,
20 the ~~THE~~ amount of the grant shall be \$800 times the number of qualified full-time
21 equivalent students who are enrolled in a county ESOL program and at the
22 community college.

23 (ii) 1. The total amount of the grants under this paragraph may
24 not exceed ~~\$1,000,000~~ ~~\$2,000,000~~ \$2,500,000 for any fiscal year.

25 2. If, for any fiscal year, the total amount of the grants
26 calculated under subparagraph (i) of this paragraph would exceed ~~\$1,000,000~~
27 ~~\$2,000,000~~ \$2,500,000, then each grant shall be prorated by the amount necessary to
28 reduce the total amount of the grants to ~~\$1,000,000~~ ~~\$2,000,000~~ \$2,500,000.

29 (3) (i) If the amount that is appropriated to a board under this
30 subsection for any fiscal year is more than the actual cost of providing ESOL
31 programs to students enrolled at the community college in that county or region, the
32 excess funds shall be paid back to the State and credited to the General Fund of the
33 State.

34 (ii) A board may not transfer State funds received under this
35 subsection to any other program or category.

1 (4) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS
 2 SUBSECTION, FOR ANY FISCAL YEAR IN WHICH THE STATE APPROPRIATION IS
 3 INSUFFICIENT TO FULLY FUND ALL GRANTS ELIGIBLE UNDER THIS SECTION, THE
 4 GOVERNOR SHALL INCLUDE IN THE BUDGET BILL FOR THE FOLLOWING FISCAL
 5 YEAR A DEFICIENCY APPROPRIATION TO FUND ALL UNFUNDED GRANTS.

6 16-508.

7 (a) (1) Beginning with Fiscal Year 1996, the Governor shall include in the
 8 annual budget submission a General Fund appropriation for Baltimore City
 9 Community College in the amount provided in subsection (b) of this section to provide
 10 instruction and services to students enrolled in an English for Speakers of Other
 11 Languages ("ESOL") program.

12 (2) To qualify for a grant under this section, each participant in the
 13 program shall be a student:

14 (i) Born outside of the United States or whose native language is
 15 not English;

16 (ii) Who comes from an environment where a language other than
 17 English is dominant; or

18 (iii) Who is an American Indian or Alaskan native and comes from
 19 an environment where a language other than English has had a significant impact on
 20 the student's level of English language proficiency.

21 (b) ~~{(1) Subject to the provisions of paragraph (2) of this subsection, the}~~ ~~THE~~
 22 ~~amount of the grant shall be \$800 times the number of qualified full-time equivalent~~
 23 ~~students who are enrolled in a Baltimore City Community College ESOL program, as~~
 24 ~~certified by the Maryland Higher Education Commission.~~

25 ~~{(2) The total amount of the grant under this subsection may not exceed~~
 26 ~~\$200,000 \$400,000 \$500,000 for any fiscal year.}~~

27 (c) Baltimore City Community College may not transfer State funds received
 28 under this subsection to any other program or category.

29 (D) SUBJECT TO THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION, FOR
 30 ANY FISCAL YEAR IN WHICH THE STATE APPROPRIATION IS INSUFFICIENT TO FULLY
 31 FUND ALL GRANTS ELIGIBLE UNDER THIS SECTION, THE GOVERNOR SHALL
 32 INCLUDE IN THE BUDGET BILL FOR THE FOLLOWING FISCAL YEAR A DEFICIENCY
 33 APPROPRIATION TO FUND ALL UNFUNDED GRANTS.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 35 July 1, 1999.

