

SENATE BILL 283

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1999 Regular Session
9r0660
CF 9r0842

By: **Senators Ruben, Hogan, Roesser, Green, Forehand, Pinsky, Kelley,
Hollinger, Currie, Kasemeyer, Dorman, Lawlah, Teitelbaum, McFadden,
Hoffman, Frosh, McCabe, and Van Hollen**

Introduced and read first time: February 4, 1999
Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 16, 1999
Returned to second reading: March 17, 1999
Senate action: Adopted with floor amendments
Read second time: March 17, 1999

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; and generally relating to
11 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
16 (1997 Replacement Volume and 1998 Supplement)

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

1

Article - Education

2 16-305.

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

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

- 9 1. Born outside of the United States or whose native
 10 language is not English;
- 11 2. Who comes from an environment where a language other
 12 than English is dominant; or
- 13 3. Who is an American Indian or Alaskan native and comes
 14 from an environment where a language other than English has had a significant
 15 impact on the student's level of English language proficiency.

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

20 ~~{~~(ii) 1. The total amount of the grants under this paragraph may
 21 not exceed ~~\$1,000,000~~ \$3,000,000 for any fiscal year.

22 2. If, for any fiscal year, the total amount of the grants
 23 calculated under subparagraph (i) of this paragraph would exceed ~~\$1,000,000~~
 24 \$3,000,000, then each grant shall be prorated by the amount necessary to reduce the
 25 total amount of the grants to ~~\$1,000,000~~ \$3,000,000.~~}~~

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

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

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

1 16-508.

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

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

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

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

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

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

20 ~~{(2) The total amount of the grant under this subsection may not exceed~~
21 ~~\$200,000 \$600,000 for any fiscal year.}~~

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

24 (D) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION,
25 FOR ANY FISCAL YEAR IN WHICH THE STATE APPROPRIATION IS INSUFFICIENT TO
26 FULLY FUND ALL GRANTS ELIGIBLE UNDER THIS SECTION, THE GOVERNOR SHALL
27 INCLUDE IN THE BUDGET BILL FOR THE FOLLOWING FISCAL YEAR A DEFICIENCY
28 APPROPRIATION TO FUND ALL UNFUNDED GRANTS.

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

