
By: **Senators Van Hollen, Hoffman, Lawlah, Middleton, Ruben, McFadden,
Kasemeyer, Frosh, and Currie**

Introduced and read first time: February 5, 1999

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Maryland After-School Opportunity Act**

3 FOR the purpose of providing for the Maryland After-School Opportunity Act;
4 creating the Maryland After-School Opportunity Fund Program; requiring the
5 Governor to include certain amounts in the annual State budget for the Fund
6 Program; requiring the Department of Human Resources to administer the
7 Fund; establishing a certain Advisory Board and a certain Executive Committee
8 in the Program; requiring the Executive Committee to adopt certain regulations
9 and standards governing the Maryland After-School Opportunity Fund
10 Program, make grants from the Fund to certain applicants, prepare certain
11 comprehensive plans, and submit certain reports under certain circumstances;
12 requiring the Executive Committee to use certain criteria in selecting grant
13 recipients under the Program; and generally relating to the establishment of the
14 Maryland After-School Opportunity Act and the creation of the Maryland
15 After-School Opportunity Fund Program to assist parents in providing
16 after-school care for children in the State.

17 BY adding to
18 Article 41 - Governor - Executive and Administrative Departments
19 Section 6-801 through 6-807, inclusive, to be under the new subtitle "Subtitle 8.
20 Maryland After-School Opportunity Fund Program"
21 Annotated Code of Maryland
22 (1997 Replacement Volume and 1998 Supplement)

23 **Preamble**

24 WHEREAS, Maryland has the opportunity to rise to the forefront of the
25 nation by fully investing in a well designed system of after-school opportunities for
26 its youth; and

27 WHEREAS, All children in the State should have the opportunity to engage in
28 productive, supervised activity when not in school; and

1 WHEREAS, Eighty percent of school children across the nation need
2 nonparental supervision because their parents work and at least one-third of these
3 students are left unsupervised; and

4 WHEREAS, Almost half of juvenile crime takes place between 2 p.m. and 8
5 p.m. each day and the after-school hours also are the most frequent time when
6 students are victims of crime and accidents; and

7 WHEREAS, Many parents need advice and financial assistance if they are to
8 locate and afford quality after-school programs; and

9 WHEREAS, A State fund of \$10 million in fiscal year 2001 can largely begin to
10 address the problem of children who are unsupervised after school in Maryland; and

11 WHEREAS, Some local governments need time to make effective plans to
12 invest State funding for after-school programs and may benefit from training grants;
13 and

14 WHEREAS, The long-term financial viability of after-school programs
15 depends on continued State investment, combined with local, private, and parental
16 support; now, therefore,

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

19 **Article 41 - Governor - Executive and Administrative Departments**

20 **SUBTITLE 8. MARYLAND AFTER-SCHOOL OPPORTUNITY FUND PROGRAM.**

21 6-801.

22 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
23 INDICATED.

24 (B) "ADVISORY BOARD" MEANS THE ADVISORY BOARD ON AFTER-SCHOOL
25 OPPORTUNITY PROGRAMS.

26 (C) "AFTER-SCHOOL OPPORTUNITY PROGRAMS" MEANS ENRICHMENT
27 PROGRAMS FOR SCHOOL AGE CHILDREN THAT TAKE PLACE:

28 (1) BEFORE SCHOOL STARTS EACH DAY AND AFTER SCHOOL ENDS EACH
29 DAY;

30 (2) ON WEEKENDS;

31 (3) ON HOLIDAYS;

32 (4) DURING VACATIONS; AND

33 (5) DURING SUMMER BREAK.

1 (D) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN RESOURCES.

2 (E) "EXECUTIVE COMMITTEE" MEANS THE EXECUTIVE COMMITTEE OF THE
3 ADVISORY BOARD.

4 (F) (1) "FUND" MEANS THE MARYLAND AFTER-SCHOOL OPPORTUNITY
5 FUND.

6 (2) "FUND" DOES NOT INCLUDE MONEY PROVIDED UNDER THE
7 PURCHASE OF A CHILD CARE PROGRAM ADMINISTERED BY THE CHILD CARE
8 ADMINISTRATION OF THE DEPARTMENT OF HUMAN RESOURCES.

9 (G) "PROGRAM" MEANS THE MARYLAND AFTER-SCHOOL OPPORTUNITY FUND
10 PROGRAM.

11 (H) "TECHNICAL ASSISTANCE" INCLUDES ASSISTANCE IN THE
12 IDENTIFICATION AND IMPLEMENTATION OF EFFECTIVE PRACTICES FOR
13 AFTER-SCHOOL PROGRAMS.

14 6-802.

15 (A) THERE IS A MARYLAND AFTER-SCHOOL OPPORTUNITY FUND PROGRAM.

16 (B) THERE IS A MARYLAND AFTER-SCHOOL OPPORTUNITY FUND IN THE
17 PROGRAM.

18 (C) THE EXECUTIVE COMMITTEE, IN CONSULTATION WITH THE ADVISORY
19 BOARD, SHALL ADMINISTER THE PROGRAM.

20 (D) THE EXECUTIVE COMMITTEE SHALL CONSULT WITH THE MARYLAND
21 PARTNERSHIP FOR CHILDREN, YOUTH AND FAMILIES IN DEVELOPING THE
22 PROGRAM'S STANDARDS AND IN OPERATING THE PROGRAM.

23 6-803.

24 (A) THERE IS AN ADVISORY BOARD ON AFTER-SCHOOL OPPORTUNITY
25 PROGRAMS IN THE PROGRAM.

26 (B) THE ADVISORY BOARD SHALL CONSIST OF THE FOLLOWING INDIVIDUALS:

27 (1) THE GOVERNOR OR THE GOVERNOR'S DESIGNEE;

28 (2) THE PRESIDENT OF THE SENATE OF MARYLAND OR THE
29 PRESIDENT'S DESIGNEE;

30 (3) THE SPEAKER OF THE HOUSE OF DELEGATES OF MARYLAND OR THE
31 SPEAKER'S DESIGNEE;

32 (4) THE SECRETARIES OF EDUCATION, JUVENILE JUSTICE, AND HUMAN
33 RESOURCES OR THEIR DESIGNEES;

1 (5) THE SPECIAL SECRETARY OF THE OFFICE FOR CHILDREN, YOUTH,
2 AND FAMILIES OR THE SPECIAL SECRETARY'S DESIGNEE;

3 (6) ONE REPRESENTATIVE OF THE OFFICE OF CRIME CONTROL AND
4 PREVENTION DESIGNATED BY THE GOVERNOR; AND

5 (7) NINE INDIVIDUALS SERVING 2-YEAR TERMS, TO BE APPOINTED BY
6 THE GOVERNOR, AS FOLLOWS:

7 (I) TWO MEMBERS WHO REPRESENT THE CHILDREN'S ADVOCACY
8 COMMUNITY AND ARE NOT EMPLOYED BY AN ORGANIZATION THAT IS OR MAY BE A
9 RECIPIENT OF MONEY FROM THE FUND;

10 (II) TWO MEMBERS WHO REPRESENT THE INTERESTS OF THE
11 AFTER-SCHOOL PROVIDER COMMUNITY, INCLUDING A REGISTERED OR LICENSED
12 CHILD CARE PROVIDER WHO SERVES SCHOOL-AGE CHILDREN;

13 (III) TWO MEMBERS WHO ARE PARENTS OF STUDENTS ENROLLED
14 IN THE STATE IN KINDERGARTEN THROUGH GRADE 12;

15 (IV) TWO MEMBERS WHO ARE STUDENTS ENROLLED IN THE STATE
16 IN GRADES 6 THROUGH 12; AND

17 (V) ONE TEACHER WHO IS WORKING IN A SCHOOL IN THE STATE.

18 (C) (1) THERE IS AN EXECUTIVE COMMITTEE OF THE ADVISORY BOARD.

19 (2) THE EXECUTIVE COMMITTEE CONSISTS OF THE FOLLOWING
20 INDIVIDUALS:

21 (I) THE GOVERNOR OR THE GOVERNOR'S DESIGNEE;

22 (II) THE SECRETARY OF HUMAN RESOURCES OR THE SECRETARY'S
23 DESIGNEE;

24 (III) THE SECRETARY OF EDUCATION OR THE SECRETARY'S
25 DESIGNEE;

26 (IV) THE SECRETARY OF JUVENILE JUSTICE OR THE SECRETARY'S
27 DESIGNEE; AND

28 (V) THE SPECIAL SECRETARY OF THE OFFICE FOR CHILDREN,
29 YOUTH, AND FAMILIES OR THE SPECIAL SECRETARY'S DESIGNEE.

30 (D) (1) THE GOVERNOR SHALL SERVE AS THE CHAIR OF THE ADVISORY
31 BOARD AND OF THE EXECUTIVE COMMITTEE.

32 (2) THE GOVERNOR MAY DESIGNATE THE LIEUTENANT GOVERNOR OR
33 ONE OF THE SECRETARIES SERVING ON THE ADVISORY COMMITTEE AND THE
34 EXECUTIVE COMMITTEE TO ACT AS CHAIR IN THE GOVERNOR'S ABSENCE.

1 6-804.

2 (A) THE DEPARTMENT SHALL ADMINISTER THE FUND AS DIRECTED BY THE
3 EXECUTIVE COMMITTEE.

4 (B) PRIOR TO FINAL ACTION BY THE EXECUTIVE COMMITTEE, THE ADVISORY
5 BOARD SHALL REVIEW AND MAKE RECOMMENDATIONS ON:

6 (1) PROGRAM STANDARDS;

7 (2) REQUESTS FOR PROPOSALS; AND

8 (3) CRITERIA FOR AWARDING GRANTS.

9 (C) (1) ON OR BEFORE DECEMBER 15 OF EACH YEAR, THE EXECUTIVE
10 COMMITTEE, IN CONSULTATION WITH THE ADVISORY BOARD, SHALL REVIEW AND
11 UPDATE THE COMPREHENSIVE PLAN OF AFTER-SCHOOL OPPORTUNITY PROGRAMS
12 AS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION.

13 (2) THE COMPREHENSIVE PLAN SHALL ADDRESS AT LEAST THE
14 FOLLOWING ISSUES:

15 (I) INTEGRATION OF FUNDING SOURCES;

16 (II) MAXIMIZATION OF FEDERAL FUNDING OPPORTUNITIES;

17 (III) PROMOTION OF THE USE OF SCHOOL BUILDINGS AND LOCAL
18 PUBLIC TRANSPORTATION RESOURCES FOR AFTER-SCHOOL OPPORTUNITY
19 PROGRAMS;

20 (IV) WHERE APPLICABLE, USE OF THE LOCAL CHILD CARE
21 RESOURCE AND REFERRAL CENTERS OF THE MARYLAND CHILD CARE RESOURCE
22 NETWORK FOR TECHNICAL ASSISTANCE PURPOSES;

23 (V) PROMOTION OF CONTINUED EXPANSION OF HIGH QUALITY
24 AFTER-SCHOOL OPPORTUNITY PROGRAMS IN THE STATE; AND

25 (VI) CONSIDERATION OF IMPLEMENTING THE FULL RANGE OF
26 OPTIONS FOR IMPROVING THE DELIVERY OF AFTER-SCHOOL OPPORTUNITY
27 PROGRAMS, INCLUDING THE POTENTIAL EXPANSION OF THE PURCHASE OF A CARE
28 VOUCHER SYSTEM.

29 (D) (1) EACH FISCAL YEAR, IN CONSULTATION WITH THE ADVISORY BOARD
30 AND SUBJECT TO THE AVAILABILITY OF MONEY IN THE FUND, THE EXECUTIVE
31 COMMITTEE SHALL ISSUE A REQUEST FOR PROPOSALS UNDER THE STATE
32 PROCUREMENT LAW SOLICITING BIDS FOR A GRANT FROM THE FUND.

33 (2) THE EXECUTIVE COMMITTEE MAY AWARD A GRANT FROM THE FUND
34 TO AN APPLICANT ONLY AFTER CONSULTATION WITH THE ADVISORY BOARD AND
35 UPON A FAVORABLE VOTE OF AT LEAST THREE MEMBERS OF THE EXECUTIVE
36 COMMITTEE.

1 (3) IN ANY FISCAL YEAR, THE TOTAL GRANTS AWARDED TO APPLICANTS
2 OPERATING WITHIN A PARTICULAR COUNTY MAY NOT EXCEED 25% OF THE TOTAL
3 GRANTS AWARDED IN THAT FISCAL YEAR.

4 (4) THE EXECUTIVE COMMITTEE MUST IDENTIFY AND ENSURE THAT A
5 RESPONSIBLE ORGANIZATION WILL ADMINISTER ANY GRANT AWARDED FROM THE
6 FUND.

7 (E) IN SELECTING AN ORGANIZATION TO ADMINISTER A GRANT FROM THE
8 FUND, THE EXECUTIVE COMMITTEE SHALL SELECT THE RESPONSIVE AND
9 RESPONSIBLE BIDDER WHOSE APPLICATION BEST INCORPORATES FEATURES THAT
10 WILL HAVE A POSITIVE IMPACT ON ONE OR MORE OF THE CONDITIONS OF
11 WELL-BEING FOR MARYLAND CHILDREN AND YOUTH IDENTIFIED BY THE OFFICE
12 FOR CHILDREN, YOUTH, AND FAMILIES.

13 (F) THE EXECUTIVE COMMITTEE MAY AWARD A PLANNING GRANT FROM THE
14 FUND TO ASSIST AN ORGANIZATION IN A COUNTY TO PREPARE AN APPLICATION FOR
15 A GRANT FOR THE NEXT FISCAL YEAR.

16 6-805.

17 SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE EXECUTIVE
18 COMMITTEE SHALL REPORT BY DECEMBER 31 OF EACH YEAR TO THE GENERAL
19 ASSEMBLY ON THE IMPLEMENTATION OF THE PROGRAM, INCLUDING AN
20 EVALUATION OF THE EFFECTIVENESS OF THE AFTER-SCHOOL OPPORTUNITY
21 PROGRAMS FUNDED BY GRANTS UNDER THE PROGRAM.

22 6-806.

23 THE EXECUTIVE COMMITTEE SHALL ADOPT REGULATIONS TO CARRY OUT THE
24 PROVISIONS OF THIS SUBTITLE.

25 6-807.

26 THIS SUBTITLE MAY BE CITED AS THE MARYLAND AFTER-SCHOOL
27 OPPORTUNITY ACT.

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor shall
29 include \$10 million in the fiscal year 2001 State budget for the Maryland
30 After-School Opportunity Fund established under this Act, and that such funds shall
31 be in addition to funds provided for child care and after-school programs in the fiscal
32 year 2000 budget.

33 SECTION 3. AND BE IT FURTHER ENACTED, That the Executive Committee
34 of the Advisory Board on After-School Opportunity Programs shall develop, in
35 consultation with the Advisory Board, the first comprehensive plan of after-school
36 opportunity programs, as specified in this Act, no later than December 15, 1999.

37 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 July 1, 1999.

